

LYON COUNTY



TITLE 15

LAND USE AND DEVELOPMENT CODE

ZONING REGULATIONS

CHAPTERS 15.200 – 15.403

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21

22

1 **TITLE 15.**

2 **Chapter 15.200 General Provisions**

3

4 **15.200.01 Purpose**

5 The purpose of the zoning regulations is to promote the public health, safety, general welfare and
6 preserve and enhance the aesthetic quality of the county by providing regulations to ensure an
7 appropriate mix of land uses in an orderly manner. In furtherance of this purpose the county desires to
8 achieve a pattern and distribution of land uses which generally achieve the following:

9

10 A. Implement the goals and policies of the master plan;

11

12 B. Retain and enhance established residential neighborhoods, commercial and industrial districts,
13 regional-serving uses, recreation and amenities;

14

15 C. Allow for the infill and restoration of areas within identified communities to maximize available
16 infrastructure and limit adverse impacts to the provision of public services;

17

18 D. Limit expansion of development beyond community boundaries within environmental and
19 infrastructure constraints;

20

21 E. Maintain and enhance significant environmental resources;

22

23 F. Provide a diversity of areas characterized by differing land use activity, scale and intensity;

24

25 G. Establish Lyon County as a unique and distinctive place with a high quality of life and aesthetic
26 resources, as well as a secure environment for the county's residents and businesses; and

27

1 H. Promote a strong and diverse economy that attracts business by providing a mix of development
2 opportunities.

3

4 **15.200.02 Master Plan Consistency**

5 The zoning regulations contained in this title have been found consistent with the goals and policies of the
6 Lyon County master plan, pursuant to the provisions of Chapter 278 of NRS. All development within
7 unincorporated portions of the county, except as otherwise provided, must be consistent with these
8 regulations.

DRAFT

1 **Chapter 15.201 Pre-Application Conference**

2

3 **15.201.01 Purpose and Intent**

4 The purpose of the pre-application conference is to acquaint the county with the intentions of an
5 applicant, to acquaint the applicant with any applicable policies and procedures, to identify county codes
6 and improvement standards, and to identify significant development opportunities or constraints.

7

8 **15.201.02 When Required**

9 A pre-application conference is required for the following development projects and activities:

- 10 1. Parcel maps, subdivisions, and planned unit developments;
11 2. Conditional Use Permits

12

13 **15.201.03 Application for Pre-Application Conference**

14 A. The application shall be filed with the department with any applicable fee.

15

16 B. Submittal for a pre-application conference does not constitute a formal filing of a project under
17 provisions of NRS and is intended solely to assist the project applicant and county in the review of
18 conceptual zoning permits.

19

1 **Chapter 15.202 Nonconforming Uses and Structures**

2

3 **15.202.01 Purpose**

4 The purpose of this chapter is to regulate and limit the continued existence of uses and structures
5 established prior to the enactment of this title, or any amendments, that do not conform to the provisions
6 of this title. Nonconforming uses may continue, but the provisions of this division are designed to curtail
7 substantial investment in nonconforming uses and structures and, when necessary in order to preserve
8 the integrity of this title, to bring about their eventual elimination.

9

10 **15.202.02 Nonconforming Uses**

11 A. Continuation. Nonconforming uses may continue in accordance with the provisions of this chapter.

12

13 B. Maintenance and repair. Normal maintenance and repair to permit continuation of registered
14 nonconforming uses may be performed.

15

16 C. Expansion. Nonconforming uses shall not be extended or enlarged except as provided by this
17 chapter.

18

19 D. Change of use. A nonconforming use shall not be changed to any other use unless the new use
20 conforms to the provisions of the zoning district in which it is located.

21

22 **15.202.03 Nonconforming Structures**

23 A. A nonconforming structure devoted to a use permitted in the land use district in which is it located
24 may be continued in accordance with the provisions of this chapter.

25

26 B. Normal maintenance and repair of nonconforming structures may be performed.

27

1 C. Nonconforming structures which are used in a manner conforming to the provisions of this title may
2 be enlarged or extended provided that the nonconformity is not further enlarged or expanded.

3

4 D. A nonconforming structure, other than an historic structure previously listed on the National Register
5 of Historic Places or designated as historic by the board, shall not be moved unless it will conform to the
6 regulations of the land use district in which it is relocated.

7

8 **15.202.04 Termination of Nonconforming Uses and Structures**

9 A. When the active operation of a nonconforming use is discontinued or abandoned for period of 12
10 consecutive months, the use shall not be reestablished or resumed. The active operation of a use is
11 considered to be the typical or normal activities associated with the use. A determination of
12 discontinuance or abandonment may be made where one or more of the following conditions is
13 documented for the 12 months preceding the determination:

- 14 1. Failure to maintain regular business hours, typical or normal for the use; or
- 15 2. Failure to maintain equipment, supplies or stock-in-trade which would be used in the active
16 operation of the use; or
- 17 3. Failure to maintain required local, state or federal licenses or other approvals that would be
18 required for the active operation of the use.
- 19 4. Failure to maintain utilities which would be used for the active operation of the use; or
- 20 5. Failure to pay taxes and fees required for the active operation of the use; or
- 21 6. In the case of a residential nonconforming use, the removal of personal property customarily
22 required for the maintenance of a residence.

23

24 B. A determination of discontinuance may not be made where the active operation of a nonconforming
25 use has been curtailed by:

- 26 1. Extensive rehabilitation of the property; or
- 27 2. Unique circumstances associated with repairs and alterations on structures of historic value; or

- 1 3. Transfer of title delays caused by estate or probate issues; or
- 2 4. Delay caused by serious illness or injury of any owner that may warrant special consideration on
- 3 the basis of personal hardship; or
- 4 5. Current and expected market conditions that impact the ability to reoccupy or reestablish a use
- 5 within the twelve month period.
- 6 6. In the case of a residential nonconforming use, the documented non-use results from extended
- 7 travel or temporary relocation of the owner or tenant of the residence.

8
9 C. Nonconforming buildings which have been damaged or destroyed by natural calamity may be
10 repaired or reconstructed within one (1) year from the date of damage; provided, the repaired building is
11 appropriate to the previous use.

12 13 **15.202.05 Nonconforming Accessory Uses and Accessory Structures**

14 A nonconforming accessory use or accessory structure shall not continue after the principal structure or
15 use is terminated unless the structure or use conforms to the provisions of the land use district in which it
16 is located.

17 18 **15.202.06 Nonconforming Lots**

19 A. When an existing nonconforming lot can be used in conformity with all of the regulations applicable to
20 the intended use, except that the lot is smaller than the required minimum lot area applicable to the
21 zoning district, the lot may be used as proposed.

22
23 B. When a use proposed for a nonconforming lot is one that is conforming in all other respects with the
24 exception of applicable setback requirements, the property owner may apply for a variance pursuant to
25 chapter 15.203.

26

1 C. If an undeveloped nonconforming lot adjoins one or more other undeveloped nonconforming lots in
2 common ownership, a variance shall not be granted if re-subdivision or lot merger to make both lots
3 conforming can be reasonably accomplished.
4

5 **15.202.07 Loss of Legal Nonconforming Use Status Procedures**

6 A. The director shall be charged with the responsibility to ensure compliance with the provisions of this
7 chapter. If at any time the director determines that the provisions of this chapter have been violated, so
8 that a use or structure should no longer enjoy legal nonconforming status, the director shall prepare a
9 report setting forth the reasons for the determination and a recommendation on the appropriate course of
10 action. The report shall be submitted to the planning commission. Personal notice of such determination
11 shall be given by first class mail, to the owner of the property or structure which is the subject of the
12 determination, advising the owner that a hearing to consider the director's determination shall be held by
13 the commission on a date certain, not less than 30 working days following the date the notice is mailed
14 and specifying the time and place of the hearing.
15

16 B. The hearing before the commission shall be held in accordance with the provisions of chapter 15.6.
17 The commission in accordance with the provisions of chapter 15.6 shall render the decision regarding
18 conformance with the provisions of this title.
19

20 **15.202.08 Amortization of Nonconforming Uses and Structures**

21 A. Upon a recommendation by the director that a type of nonconforming structure or use, or any specific
22 nonconforming structure or use is detrimental to the public health, safety or general welfare, the board
23 may adopt an amortization schedule under which a nonconforming use or structure, or type of
24 nonconforming use or structure, may be gradually eliminated. The schedule shall establish a timetable by
25 which the nonconforming uses or structures shall be eliminated or made conforming and be consistent
26 with the following:
27

- 1 1. Following adoption of an amortization schedule covering a type of nonconforming use or
2 structure, or a particular nonconforming use or structure, the director may initiate amortization
3 proceedings with respect to specific uses or structures in the manner provided in this section. Any
4 nonconforming use or structure found to be detrimental to the public health, safety or general welfare,
5 may be ordered to be removed or the use discontinued in accordance with the time frames
6 established in the adopted amortization schedule.
- 7 2. Upon failure of the property owner to carry out the order, the county may take any steps
8 necessary to remove such structure or discontinue the use and assess the cost thereof against the
9 property owner.

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1 **Chapter 15.203 Variances**

2

3 **15.203.01 Major and Minor Variances**

4 A. The following applications for variances are minor variances and may be approved administratively by
5 the director:

6 1. 20% or less for off-street loading,

7 2. 20% or less for building setback or fence height,

8 3. 10% or less for off-street parking or open space area, or

9 4. An increase in accessory dwelling floor area of 10% or less in cases where there is an existing
10 accessory building proposed to be converted to an accessory dwelling.

11

12 B. All other applications for variances, including those related to sign permits, are major variances and
13 must be approved by the commission, the final decision-maker. The director is responsible for processing
14 such applications for major variances.

15

16 **15.203.02 Application for Variance**

17 An application for a variance may be submitted by the property owner or an agent authorized in writing to
18 act on the owner's behalf to the department in accordance with chapter 15.03.

19

20 **15.203.03 Procedures for Minor Variance**

21 The director must render a decision on each minor variance application in accordance with chapter 15.04
22 and may impose conditions pursuant to chapter 15.08. Appeal of the decision must be to the commission
23 in accordance with the procedures set forth in section 15.11. Notice of the filing of the application must be
24 made in accordance with section 15.09.

25

26 **15.203.04 Procedures for Major Variance**

27 A. The director must submit a report to the commission containing the county staff's findings and
28 recommendations on each application for a major variance in the manner provided in chapter 15.03.

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B. The commission must hold a public hearing not later than 65 days after the application has been deemed complete. Published and personal notice of the public hearing must be given in the manner provided in chapter 15.09. The public hearing must be conducted in accordance with chapter 15.15.

C. When a variance is associated with an application that requires a hearing by the board or on appeal, the application shall be processed in accordance with chapter 15.07.

15.203.05 Findings for Variances

A. The director must not approve a minor variance unless undue hardship is self-evident and the following findings are made:

1. The granting of the variance will not substantially impair the intent and purpose of this title or the goals, policies and objectives embodied in the master plan;
2. The variance is not requested exclusively on the basis of economic hardship to the applicant; and
3. The variance does not result in the establishment of a use (including lot size) not permitted within the specific zoning district.

B. The commission must not approve a major variance unless it finds that:

1. By reason of exceptional narrowness, shallowness, or shape of the property in question, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the property in question, the strict application of the provisions of that title would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the applicant;
2. The circumstances or conditions do not apply generally to other properties in the same land use district; and
3. The granting of the variance will not result in material damage or prejudice to other properties in the vicinity, substantial impairment of natural resources or be detrimental to the public health, safety and general welfare.

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15.203.06 Decision on Variance

The commission must approve, conditionally approve or deny the application for major variance. The commission may impose conditions in accordance with chapter 15.08 and 15.203.07. Appeal of the decision must be to the board in accordance with chapter 15.11. The board is the final decision maker.

15.203.07 Limitations on Variance

A. No minor or major variance shall be granted that allows a land use prohibited in the zoning district in which it is located or that changes any boundary of the district, nor shall any variance be granted that changes the density of residential use or that changes the intensity of non-residential use. Any variance so granted is null and void, and any activities undertaken pursuant to such variance must be deemed in violation of this title.

B. The commission, in approving a major variance, and the director, in approving a minor variance, must impose the following conditions:

1. Where no other discretionary permit is required, the variance will expire and become null or void if the project does not comply with the provisions of chapter 15.12, Expiration of Approved Permits.
2. Where approved concurrent with another discretionary permit, the variance shall run with the time established for the other permit; and
3. Conformance to plans approved as a part of the variance.

C. No variance shall be granted which alters or modifies the procedures under 15.01 to 15.199.

1 **Chapter 15.204 – RESERVED**

2

3 **Chapter 15.205 – RESERVED**

4

5 **Chapter 15.206 – RESERVED**

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7 **Chapter 15.207 – RESERVED**

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9 **Chapter 15.208 – RESERVED**

10

11 **Chapter 15.209 – RESERVED**

12

DRAFT

1 **Chapter 15.210 Amendment to Master Plan**

2

3 **15.210.01 Procedures for Amending Master Plan Text**

4 A. Purpose: The purpose of this section is to provide for the method for amending the master plan.

5

6 B. Types Of Amendment Of The Master Plan:

7 1. There are three (3) types of master plan amendments:

8 a. Amendment to the land use map or maps,

9 b. Revision of the text in the various master plan elements, and

10 c. Adoption of a new master plan element.

11 2. Any amendment shall be done in compliance with the provisions set forth in this chapter and
12 chapter 278 of the Nevada Revised Statutes.

13

14 C. Procedures For Amending The Master Plan: All amendments to the master plan must comply with the
15 following procedures:

16 1. Amendment of the master plan may be initiated as follows:

17 a. Amendment of the master plan may be initiated by the commission or board by resolution.

18 b. Amendment of the master plan land use maps may be initiated by the director, the
19 commission, the board, or an owner of real property in Lyon County, or the property owner's
20 authorized agent, for an amendment for their property.

21 c. Amendment of the master plan text may be initiated by the director, the commission, the
22 board, or an owner of real property in Lyon County, or the property owner's authorized agent.

23 d. Amendment or creation of a master plan element may be initiated by the commission or the
24 board.

25 e. Citizen advisory boards established by the board may petition the commission to initiate an
26 amendment.

27 f. An owner of real property, or the property owner's authorized agent, must initiate an
28 amendment by filing an application with the director.

1 2. A request to amend the master plan by an owner of real property, or the property owner's
2 authorized agent, must be initiated by filing an application for a master plan amendment with the
3 director.

4 a. The application must be in the form established by the director and be accompanied by a fee
5 as set forth by resolution of the board before it may be filed.

6 b. Prior to submission of an application for a master plan amendment that includes a specific
7 plan the applicant shall prepare a preliminary development plan for review by the director and
8 other departments at an informal but mandatory pre-application conference. The director may
9 require the applicant to attend more than one pre-application conference to review and discuss
10 the preliminary plan. Formal application for approval must be made within six (6) months following
11 the final required pre-application conference.

12 c. In addition to the standards and findings set forth in this title, the director may prepare
13 supplemental guidelines for the submission of applications, and minimum standards and criteria
14 for approving applications.

15 3. No action shall be taken on a master plan amendment or element until the information required
16 by this section to review and decide upon the proposed master plan amendment or element is
17 deemed complete by the director.

18 4. Amendment of the master plan shall adhere to the following schedule:

19 a. The master plan land use map(s) may be amended by the board no more than three (3)
20 times per calendar year as part of the tri-annual master plan amendment review cycle.

21 Applications or resolutions for master plan amendments shall only be accepted during the
22 commission submittal dates in April, August and December.

23 b. Master plan map amendment requests submitted prior to the April commission submittal date
24 shall be considered by the commission at its regular meeting in July and by the board at its first
25 meeting in August.

26 c. Amendment applications submitted prior to the August commission submittal date shall be
27 considered by the commission at its regular meeting in November and by the board at its first
28 meeting in December.

1 d. Amendment applications submitted prior to the December commission submittal date shall be
2 considered by the commission at its regular meeting in March and by the board at its first meeting
3 in April.

4 e. Specific submission dates within these months shall be determined by the director.

5 f. Master plan elements or master plan text amendments may be submitted in any month
6 during the calendar year for adoption.

7 g. For the purposes of this section, the restriction on the number of times that the master plan
8 land use map(s) may be amended does not restrict the number of applications that may be
9 submitted, but only refers to the number of times the land use map(s) of the master plan may be
10 modified by the board. The restriction on the number of times the master plan may be amended
11 does not apply to information being updated for each element of the master plan.

12 5. The burden of establishing that a master plan amendment is consistent with the purposes of this
13 title is on the applicant.

14
15 D. Specific Plan Required:

16 1. A specific plan is required to be submitted for any master plan land use map amendment in
17 excess of 160 acres in area.

18 2. A specific plan may be used in conjunction with any master plan land use map amendment for
19 projects of 40 acres or greater.

20 3. Specific plans shall conform to the provisions of this section and chapter 15.211.

21
22 **15.210.02 Planning Commission Review and Action on Master Plan Text or Map Amendment**

23 The commission shall review a master plan amendment or element in conformance with chapter 15.06
24 and this subsection:

25
26 A. Prior to adoption of any master plan amendment, the commission shall hold at least one (1) public
27 hearing in accordance with the requirements of chapter 15.10 for the purpose of receiving oral and written
28 evidence relative to the amendment application after receiving the report of the director.

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B. The department shall cause notice of the hearing to be published in the manner provided in accordance with the provisions of chapter 15.09 and NRS 278.210.

C. If a master plan amendment contains specific development plans, then notice in addition to this section as well as NRS 278.210 shall be accomplished, and furthermore, noticing of the specific development site shall be in accordance with the provisions of NRS 278.315(3) and this title.

D. Master plan elements and amendments to master plan text that do not change the boundaries of a land use category of the land use plan map(s) shall not require property owner noticing.

E. Prior to adoption of any master plan amendment, the commission shall review evidence to determine if the proposed amendment or element is consistent with existing master plan goals, objectives and actions, or that the proposed amendment or element represents a necessary and appropriate modification of the goals, objectives and actions of the master plan. The commission shall approve, modify, or deny the application based on the results of this review.

F. The commission may take action to adopt, modify or deny the master plan amendment or element request.

1. The commission may adopt a master plan amendment or element only by resolution upon the affirmative vote of not less than a two-thirds (2/3) majority of the total membership of the commission.
2. The resolution shall refer expressly to the maps, descriptive matter, text or other matter intended by the commission to constitute the amendment or element.

G. Failure of the commission to hold a public hearing or take action within the time frames provided in this chapter shall constitute a recommendation of approval of the master plan amendment or element application.

1 H. The commission, after considering the application, must prepare a recommendation regarding the
2 request for a master plan amendment to the board and include with the recommendation the minutes of
3 its hearing regarding the application and the record prepared of its hearing. If the commission does not
4 recommend adoption, it must state why the commission could not make the required findings for adoption
5 in subsection 15.210.03. The commission shall transmit the recommendation and other required
6 information to the board within 45 days of the commission's action.

7
8 I. An extension of time or continuance for a master plan application may be granted in accordance with
9 section 15.10.05.

10
11 **15.210.03 Findings for Master Plan Amendments**

12 A. Findings For Master Plan Amendments:

13 1. When making an approval, modification or denial of an amendment to the master plan land use
14 map or text, the commission and the board shall, at a minimum, consider each of the following and
15 base approval, modification, or denial based on the combined weight of the findings. Each finding
16 shall be supported by a statement of evidence, facts and conclusions.

17 a. Consistency with the Master Plan:

18 (1) Approval: The applicant has demonstrated that the amendment is in substantial
19 compliance with and promotes the master plan goals, objectives and actions.

20 (2) Denial: The proposed amendment is not in substantial compliance with, nor does it
21 promote the master plan goals, objectives and actions.

22 b. Compatible Land Uses:

23 (1) Approval: The proposed amendment is compatible with the actual and planned adjacent
24 land uses, and reflects a logical change in land uses.

25 (2) Denial: The proposed amendment would result in land uses which are incompatible with
26 the actual and planned adjacent land uses, and does not reflect a logical change in land
27 uses.

28 c. Response to Change Conditions:

1 (1) Approval: The proposed amendment has demonstrated and responds to changed
2 conditions or further studies that have occurred since the master plan was adopted by the
3 board, and the requested amendment represents a more desirable utilization of land.

4 (2) Denial: The proposed amendment does not identify and respond to changed conditions
5 or further studies that have occurred since the master plan was adopted by the board, and
6 the requested amendment does not represent a more desirable utilization of land.

7 d. No Adverse Effects:

8 (1) Approval: The proposed amendment will not adversely affect the implementation of the
9 master plan goals, objectives and actions, and will not adversely impact the public health,
10 safety or welfare.

11 (2) Denial: The proposed amendment will adversely affect the implementation of the master
12 plan goals, objectives and actions, and would adversely impact the public health, safety or
13 welfare.

14 e. Desired Pattern Of Growth:

15 (1) Approval: The proposed amendment will promote the desired pattern for the orderly
16 physical growth of the county, allows infrastructure to be extended in efficient increments and
17 patterns, maintains relatively compact development patterns, and guides development of the
18 county based on the least amount of natural resource impairment and the efficient
19 expenditure of funds for public services.

20 (2) Denial: The proposed amendment does not promote the desired pattern for the orderly
21 physical growth of the county. The proposed amendment does not allow infrastructure to be
22 extended in efficient increments and patterns, does not maintain relatively compact
23 development patterns, and does not guide development of the county based on the least
24 amount of natural resource impairment and the efficient expenditure of funds for public
25 services.

26

15.210.04 Initial Decision on Amendment to Master Plan by Board

A. Board Review And Action On Amendment To Master Plan: The board shall review a master plan amendment or element in accordance with the provisions of chapter 15.07 and this subsection:

1. Following receipt of a report referencing the recommendation and findings of the commission, the board shall hold at least one (1) public hearing with notification as prescribed in chapters 15.09 and 15.10 for the purpose of receiving oral and written evidence relative to the amendment application.

a. A public hearing will be scheduled before the board regarding master plan amendments within 60 days after action taken by the commission.

b. The public hearing shall be noticed as required by chapter 15.09 and NRS 278.220.

(1) If a master plan amendment contains specific development plans, then notice in accordance with chapter 15.09, this subsection, and NRS 278.210 shall be accomplished, and furthermore, noticing of the specific development site shall be in accordance with the provisions of NRS 278.315(3).

(2) Master plan elements and amendments to master plan text that do not change the boundaries of a land use category of the land use plan map(s) shall not require property owner noticing.

2. Prior to adoption of any master plan amendment, the board shall review the commission's report and recommendation, and evidence to determine if the proposed amendment or element is consistent with existing master plan goals, objectives and actions, or that the proposed amendment or element represents a necessary and appropriate modification of the goals, objectives and actions of the master plan. The board shall approve, modify, or deny the master plan amendment or element request based on the results of this review.

3. Action to approve, modify or deny a master plan amendment or element shall require a simple majority of the board members in attendance. The action shall refer expressly to the maps, descriptive matter, text or other matter intended by the board to constitute the amendment or element.

4. If the board approval proposes to modify the amendment, as recommended by the commission, it shall refer the proposed modifications to the commission for its consideration.

1 a. The commission shall be required to hold one public hearing on the modification and notice
2 this hearing pursuant to this subsection.

3 b. The commission shall submit a report on the proposed modification back to the board within
4 90 days from the date of referral by the board.

5 5. Failure of the board to hold a public hearing or take action within the time frames provided in this
6 subsection shall constitute a recommendation of approval of the master plan amendment or element
7 application.

8 6. The text of the master plan shall be amended to reflect the board's decision and, where
9 applicable, the decision of the board shall be reflected on the master plan map.

10 7. An extension of time or continuance for a master plan application may be granted as follows:

11 a. The time may be extended by mutual agreement of the board and applicant.

12 b. An extension of time for board action may be granted if mutually agreed upon between the
13 applicant and the director prior to the board's hearing of the application.

14
15 **15.210.05 Effective Date of Amendment**

16 A. A master plan amendment or element shall become effective immediately upon majority approval by
17 the board after the board has determined that the amendment or element is in conformance with the
18 master plan and all noticing procedures have been fully complied with, and upon the filing of a notice of
19 final action by the planning director with the clerk of the board. The notice of final action must also be
20 mailed to the applicant.

21
22 B. An attested copy of the amendment shall be filed with the county clerk within 30 working days of its
23 adoption.

24
25 C. Proposed modifications of an approved master plan amendment shall require a new application
26 following the same procedure required for the initial application.

1 **15.210.06 Limitation on Reapplication After Denial**

2 A. After the denial of a master plan amendment, no application for a master plan amendment for the
3 same or similar amendment may be accepted from an owner of real property in Lyon County, or the
4 property owner's authorized agent, for one (1) year immediately following the denial.

5 B. Only the commission or board may initiate an amendment of the master plan for a parcel within 12
6 months after an amendment on that parcel has been approved or denied.

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1 **Chapter 15.211 Specific Plan**

2

3 **15.211.01 Procedures for Specific Plans**

4 A. A specific plan is a type of master plan which may be submitted on its own or as part of a master plan
5 amendment. A specific plan allows for more precise implementation of the master plan by requiring or
6 permitting review of large scale planning issues in order to protect the natural environment, ensure
7 compatible uses, conserve energy, achieve coherent and diverse development patterns, and ensure that
8 roads and other infrastructure are or will be adequate to serve new development.

9

10 B. A specific plan is required to be submitted for any master plan land use map amendment in excess of
11 160 acres in area, unless such amendment results in a specific plan land use designation.

12

13 C. A specific plan may be used in conjunction with any master plan land use map amendment for
14 projects of 40 acres or greater.

15

16 D. Specific plans shall be required to implement development within lands identified as the specific plan
17 land use designation on the master plan land use map. Within such specific plan land use designations,
18 the specific plan designation may be applied to individual planning subareas without regard to specific
19 acreage of the planning subarea.

20

21 E. A specific plan encompassing all contiguous lands identified as specific plan land use designation in
22 the master plan is required to establish a statement of purpose or vision, and a set of goals, policies and
23 development guidelines designed to implement a coherent land development process that complement
24 and focus the more general goals and policies of the master plan by addressing planning issues and
25 objectives specific to the area identified as specific plan. Where multiple specific plans may be necessary
26 to implement planned development of land designated specific plan, or subareas within an area
27 designated specific plan, the first specific plan in the series of plans shall serve as the governing specific
28 plan for the development of subsequent plans, shall establish the goals, policies and development

1 guidelines for all subsequent and subarea specific plans, and shall identify a preliminary sequence and
2 schedule for submission of future plans.

3

4 **15.211.02 Specific Plan Application Process:**

5 A. Submission Requirements: If a request to establish a specific plan is initiated by a property owner or
6 his authorized agent, the specific plan shall be submitted with the appropriate application materials and
7 fees.

8

9 B. Pre-application Conference: An application for a pre-application conference shall be submitted to the
10 department in conformance with the provisions of chapter 15.210.

11

12 C. Formal Application: An application for a specific plan shall be submitted to the department. The
13 application shall be processed by the department as provided herein:

14 1. On the same application and review schedule as Master Plan amendments as provided in
15 Chapter 210.01

16 2. If the property is not within a single ownership and all owners agree to the proposed
17 development, then all owners shall join the application, and a map showing the extent of ownership
18 shall be submitted with the application.

19 3. The application shall include, but not be limited to, a plan depicting a land use and circulation
20 system concept for the property that is consistent with the goals and policies embodied in the master
21 plan, any governing specific plan submitted in accordance with subsection A of this section,
22 conceptual infrastructure plans, open space plans and other facilities necessary to serve the site
23 given existing and planned public facilities and services.

24 4. The following documents shall be included in the application, provided that the director may waive
25 submission of documents that are not pertinent to the proposed development:

26 a. A map showing proposed specific plan area boundaries and the relationship of the area to
27 abutting uses and structures;

- 1 b. A plan indicating the existing and proposed distribution, location and extent, density and
2 general intensity of land uses, including open space (including a land use plan map and
3 associated text);
- 4 c. A map of the specific plan area showing sufficient topographical data to indicate clearly the
5 character of the terrain, the location of ridgelines and drainage patterns and active or potentially
6 active faults;
- 7 d. A plan indicating the existing and proposed approximate gross floor area, lot coverage,
8 height, parking and density;
- 9 e. A transportation and circulation plan, showing the distribution, location and extent of
10 proposed streets and the relationship to the local and regional circulation system, and a traffic
11 impact analysis;
- 12 f. The distribution, location and extent of major infrastructure systems to address sewage,
13 water, drainage, solid waste and other essential services;
- 14 g. A plan for phasing the development of land uses and infrastructure including preliminary
15 development schedule indicating phases or tentative subdivision boundaries, the sequence and
16 timing of development and the timetable for provision of adequate public facilities and services;
- 17 h. A financing plan for proposed infrastructure including a plan for extension of public facilities
18 and services and for flood control and drainage, including proposed financing arrangements for
19 public improvements;
- 20 i. A handbook containing guidelines, performance standards and other criteria including zoning
21 standards and CC&Rs, if applicable, by which development will proceed;
- 22 j. Performance standards for the protection and conservation of natural resources including
23 floodways, wildlife, soils, topography, geology and hillsides/slopes;
- 24 k. Performance standards to achieve the goals and objectives of the master plan;
- 25 l. Where adjacent land uses are not compatible, appropriate performance standards for
26 transition zones for buffering, screening and open space to protect adjacent uses;
- 27 m. Other requirements including development agreements as deemed appropriate by the
28 director and any additional requirements as are needed to meet approval standards; and

1 n. Terms for abandonment or termination of the project.

2

3 **15.211.03 Planning Commission Review and Action on Specific Plan**

4 The planning commission shall consider and render its recommendation in accordance with chapter
5 15.06.

6

7 **15.211.04 Findings for Specific Plans**

8 In order for the commission to recommend approval and the board to approve the proposed specific plan,
9 the following findings shall be made:

10

11 A. Findings required by 15.210.03; and

12

13 B. That the proposed location of the development and the proposed conditions under which it will be
14 operated or maintained is consistent with the goals, objectives and actions embodied in the master plan;

15

16 C. That the proposed development is in accordance with the purposes and objectives of this title and, in
17 particular, will further the purposes stated for each zoning district; and

18

19 D. That the development will not be detrimental to the public health, safety or welfare of persons residing
20 or working in or adjacent to such a development; and will not be detrimental to the properties or
21 improvements in the vicinity or to the general welfare of the county.

22

23 **15.211.05 Board Review and Action on Specific Plan**

24 A. The board, upon recommendation of the commission, shall be the final hearing body for specific
25 plans.

26

1 B. Following receipt of the commission's recommendation, the board shall consider and render its
2 decision in accordance with Chapter 15.07. The board shall hold a public hearing noticed and conducted
3 in accordance with chapter 15.09.

4

5 C. In order for the board to approve the proposed Specific Plan, the following findings shall be made:

6 1. Findings required by 15.210.03; and

7 2. That the proposed location of the development and the proposed conditions under which it will be
8 operated or maintained is consistent with the goals, objectives and actions embodied in the master
9 plan;

10 3. That the proposed development is in accordance with the purposes and objectives of this title
11 and, in particular, will further the purposes stated for each zoning district; and

12 4. That the development will not be detrimental to the public health, safety or welfare of persons
13 residing or working in or adjacent to such a development; and will not be detrimental to the properties
14 or improvements in the vicinity or to the general welfare of the county.

15

16 **15.211.06 Compliance with Provisions**

17 A. The specific plan designation shall not be used as the basis for development proposals unless and
18 until a specific plan for the area is approved and adopted by the board.

19

20 B. All discretionary permit applications submitted must be consistent with applicable provisions of a
21 specific plan.

22 1. Should a property owner in the specific plan designation desire to develop, prior to adoption of a
23 specific plan, an amendment to change the land use designation from specific plan to another land
24 use will be required before the development proposal is approved by Lyon County.

25 2. Should an area not be designated on the master plan land use map as a specific plan, it may be
26 requested for specific plan designation accompanying a master plan amendment application. In such
27 case the specific plan designation will be determined by the commission with recommendation by the
28 director.

1 C. All other standards as required by this title are applicable to the specific plan process.

2

3 **15.211.07 Amendment of Specific Plan**

4 Requests for amendments to an adopted specific plan shall be processed in the same manner as an

5 application for original approval of the specific plan.

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1 **Chapter 15.212 – RESERVED**

2

3 **Chapter 15.213– RESERVED**

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5 **Chapter 15.214– RESERVED**

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7 **Chapter 15.215– RESERVED**

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9 **Chapter 15.216– RESERVED**

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11 **Chapter 15.217– RESERVED**

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13 **Chapter 15.218– RESERVED**

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15 **Chapter 15.219– RESERVED**

16

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1 **Chapter 15.220 Zoning Administration**

2

3 **15.220.01 Procedures for Amending Zoning Regulations**

4 Amendments to the text of the zoning regulations must be in the form of an ordinance and may be
5 initiated by the department, the commission, the board or by request of a property owner, resident or
6 owner of a business located in the county. Requests by the public must be submitted to the department.

7

8 **15.220.02 Procedures for Zoning Text or Map**

9 For amendments to the text of the zoning regulations or zoning maps, the amendment must be referred to
10 the commission by the department for a public hearing. The department must notice the hearing as
11 provided in chapter 15.09.

12

13 **15.220.03 Decision of the Planning Commission**

14 The commission must consider the amendment at a public hearing and within ten (10) days following the
15 public hearing, the commission must file its written report recommending approval, approval with
16 modification or disapproval of the proposed zoning amendment with the county clerk for the board's
17 consideration.

18

19 **15.220.04 Decision of the Board on Zoning Amendments**

20 Within 30 days following the filing of the commission's report with the county clerk, the board must
21 consider the ordinance containing the proposed zoning text amendment or the map amendment at a
22 public hearing, noticed and conducted in accordance with the provisions of NRS and chapters 15.09 and
23 15.10 of this title. The zone text amendment must be adopted by ordinance and the map amendments
24 must be adopted in accordance with all procedures established in this title. Following approval of the
25 ordinance or map amendment, the Lyon County Code's zoning text or County's zoning map shall be
26 changed to reflect the amendment.

27

1 **15.220.05 Findings for Zoning Map Amendments**

2 When approving a zoning text or map amendment the commission and the board must make the
3 following findings, supported by a statement of evidence, facts and conclusions.

4

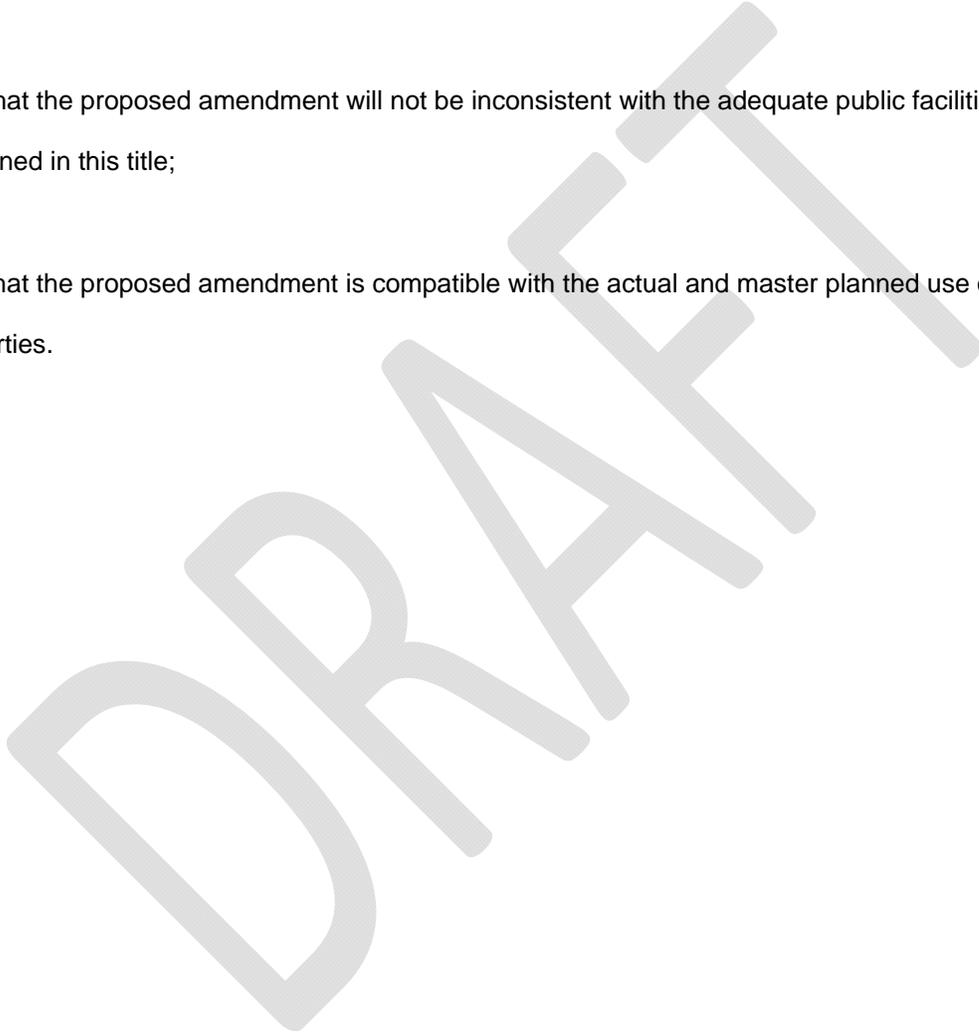
5 A. That the proposed amendment is consistent with the policies embodied in the adopted master plan
6 and the underlying land use designation contained in the land use plan;

7

8 B. That the proposed amendment will not be inconsistent with the adequate public facilities policies
9 contained in this title;

10

11 C. That the proposed amendment is compatible with the actual and master planned use of the adjacent
12 properties.



1 **Chapter 15.221 Unlisted Uses**

2

3 **15.221.01 Determination on Unlisted Uses**

4 The director, upon a written request, or the commission upon referral by the director, may determine
5 whether a use not specifically listed as a use that is principally permitted or specially permitted in a
6 particular zoning district of the county based on similarity of the use to uses already listed in accordance
7 with the following:

8

9 A. Where the term “similar uses permitted by director determination” is mentioned within any zone
10 district, it shall be deemed to mean other uses which, in the judgment of the director as evidenced by a
11 written decision, are similar to and not more objectionable to the general welfare than those uses
12 specifically listed in the same district.

13

14 B. The director may refer a determination on an unlisted use to the commission.

15

16 C. The director or the commission shall not determine that a use is permitted in a zone when the use is
17 specifically first listed as permissible in a zoning district allowing more intensive uses.

18

19 D. The procedures of this chapter shall not be substituted for the amendment procedure as a means of
20 adding new uses to the list of permitted or specially permitted uses.

21

22 E. The commission may, on its own motion or at the request of any affected party, reconsider and
23 change a written decision regarding uses previously determined by the commission or by the director.

24

25 F. The director’s determination regarding conformance of a use to a zoning district may be appealed to
26 the commission pursuant to chapter 15.04. The planning commission’s determination regarding
27 conformance of a use to a zoning district may be appealed to the board, pursuant to chapter 15.06.

28

1 **15.221.02 Application Procedure**

2 Application for a determination on an unlisted use shall be made in writing to the director, and shall
3 include a detailed description of the proposed use and any other information as may be required to
4 facilitate review of the request, along with the required fee as established by resolution.

5

6 **15.221.03 Investigation and Report**

7 The director shall prepare a report which will address the following, and shall submit copies to the
8 applicant and to the commission:

9

10 A. Comparison of the proposed use to the type and intensity of other uses principally permitted or
11 conditionally permitted in the same zoning district;

12

13 B. Evaluation of the purpose and intent of that zoning district;

14

15 C. Review of the master plan to compare the proposed use characteristics with the applicable goals and
16 objectives.

17

18 **15.221.04 Findings**

19 The director, or the commission upon referral by the director, shall base the decision upon the following
20 findings:

21

22 A. The use in question is of a similar type and intensity to other principally permitted or conditionally
23 permitted uses in the same zoning district.

24

25 B. The use in question meets the purpose and intent of the district in which it is proposed.

26

27 C. The use in question meets and conforms to the applicable policies and maps of the master plan.

1 **Chapter 15.222– RESERVED**

2

3 **Chapter 15.223– RESERVED**

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5 **Chapter 15.224– RESERVED**

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7 **Chapter 15.225– RESERVED**

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9 **Chapter 15.226– RESERVED**

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11 **Chapter 15.227– RESERVED**

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13 **Chapter 15.228– RESERVED**

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15 **Chapter 15.229– RESERVED**

16

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1 **Chapter 15.230 Conditional Use permits**

2

3 **15.230.01 Purpose and Intent**

4 A. Conditionally permitted uses are those uses which are generally compatible with the land uses
5 permitted by right in a given zoning district, but which require individual review of their location, design
6 and configuration and the imposition of conditions to ensure the appropriateness of the use at a particular
7 location within a given zoning district.

8

9 B. Only those uses that are enumerated as conditionally permitted uses in a particular zoning district
10 shall be authorized. A conditional use permit shall not be required for a use allowed as a permitted use in
11 a given zoning district. No conditionally permitted use may be established until a conditional use permit is
12 issued in accordance with the provisions of this chapter.

13

14 C. Special Use Permits (SUP) approved prior to the effective date of this title may continue as a
15 conditional use without modification of the SUP provided the following conditions are met:

- 16 1. The special use is/was in active use upon the effective date of this title, and;
17 2. The special use has continued in active use in conformance with the original conditions of
18 approval.

19 Upon discontinuance of a use permitted as a special use for a period of one (1) year, or expansion of a
20 use permitted as a special use, the SUP shall be null and void, and the use shall not be reinstated or
21 expanded without approval of a conditional use permit in accordance with the provisions of this chapter.

22

23 **15.230.02 Limits on Authority**

24 A. The commission, and the board when a conditional use permit is associated with an application that
25 requires a hearing by the board or on appeal, shall have no authority to vary, modify or waive any of the
26 regulations or standards prescribed for any use for which a conditional use permit is required and any
27 such modification, variance or waiver shall be void.

28

1 B. This provision does not prevent the property owner from concurrently applying for a variance
2 pursuant to chapter 15.203.

3

4 **15.230.03 Status of Conditionally Permitted Uses**

5 A. The designation of a use in a land use district as a conditionally permitted use does not constitute an
6 authorization or assurance that such use will be approved.

7

8 B. Approval of a conditional use permit must authorize only the particular use for which the permit is
9 issued.

10

11 C. No use authorized by a conditional use permit shall be enlarged, extended, increased in intensity or
12 relocated beyond the limit of the conditional use permit unless an application is made to modify the
13 conditional use permit in accordance with the procedures set forth in this code.

14

15 D. Development of the use may not be carried out until the applicant has secured all the permits and
16 approvals required by this title, the Lyon County code, or regional, state and federal agencies.

17

18 **15.230.04 Application for Conditional Use Permit**

19 A. All applications for conditional use permit shall be made on forms provided by the director. The
20 director shall provide the applicant with detailed information about specific submission requirements.

21

22 B. An application for a conditional use permit may be submitted by the property owner or by an agent on
23 the owner's behalf.

24

25 C. The application must be processed as provided in chapter 15.03.

26

27 D. If the proposed use requires a division of land as provided in this title, an application for a land
28 division permit shall be submitted in conjunction with the application for a conditional use permit. Approval

1 of the conditional use permit shall not become effective until final approval of the land division permit;
2 provided, that if the land division is proposed in phases, the approval of the conditional use permit shall
3 take effect upon final approval of the phase of the land division containing the property on which the
4 conditionally permitted use is to be located.

5

6 **15.230.05 Procedures for Conditional Use Permits**

7 A. The director must submit a report to the commission containing the required findings and
8 recommendations on each application for a conditional use permit.

9

10 B. The commission must hold a public hearing not later than 65 days after the application has been
11 deemed complete. Published and personal notice of the public hearing must be given in the manner
12 provided in chapter 15.09. The public hearing must be conducted in accordance with chapter 15.10.

13

14 C. When a conditional use permit is associated with an application that requires a hearing by the board
15 or on appeal, the application shall be processed in accordance with chapter 15.07.

16

17 **15.230.06 Findings**

18 When considering applications for a conditional use permit, the commission or board, where applicable,
19 must evaluate the impact of the conditional use on and its compatibility with surrounding properties and
20 neighborhoods to ensure the appropriateness of the use at a particular location and make the following
21 findings:

22

23 A. The proposed use at the specified location is consistent with the policies embodied in the adopted
24 master plan and the general purpose and intent of the applicable district regulations;

25

26 B. The proposed use is compatible with and preserves the character and integrity of adjacent
27 development and neighborhoods and includes improvements or modifications either on-site or within the
28 public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual

1 nuisances, or other similar adverse effects to adjacent development and neighborhoods. These
2 improvements or modifications may include, but shall not be limited to the placement or orientation of
3 buildings and entryways, parking areas, buffer yards, and the addition of landscaping, walls, or both, to
4 mitigate such impacts;

5
6 C. The proposed use will not generate pedestrian or vehicular traffic which will be hazardous or conflict
7 with the existing and anticipated traffic in the neighborhood;

8
9 D. The proposed use incorporates roadway improvements, traffic control devices or mechanisms, or
10 access restrictions to control traffic flow or divert traffic as needed to reduce or eliminate development
11 impacts on surrounding neighborhood streets;

12
13 E. The proposed use incorporates features to minimize adverse effects, including visual impacts and
14 noise, of the proposed conditional use on adjacent properties;

15
16 F. The project is not located within an identified archeological or cultural study area, as recognized by
17 the county. If the project is located in a study area, an archeological resource reconnaissance has been
18 performed on the site by a qualified archeologist and any identified resources have been avoided or
19 mitigated to the extent possible per the findings in the report;

20
21 G. The proposed conditional use complies with all additional standards imposed on it by the particular
22 provisions of this chapter and all other requirements of this title applicable to the proposed conditional use
23 and uses within the applicable base zoning district, including but not limited to, the adequate public facility
24 policies of this title; and

25
26 H. The proposed conditional use will not be materially detrimental to the public health, safety,
27 convenience and welfare, and will not result in material damage or prejudice to other property in the
28 vicinity.

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15.230.07 Imposition of Conditions

In approving a Conditional Use Permit, the commission or board may impose conditions deemed reasonable and necessary to ensure that the approval would be in compliance with the findings required by 15.230.06, Findings, and to preserve the public health, safety, and general welfare. Before authorizing the issuance of a conditional use permit, conditions may be imposed that will insure that:

- A. The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.
- B. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the neighborhood.
- C. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the zoning district.
- D. Adequate utilities, access roads, drainage and/or other necessary facilities will be provided.
- E. Adequate measures will be taken to provide ingress and egress designed to minimize traffic congestion on public streets.
- F. The conditional use will not significantly alter the character of the district as defined in chapter 15.300.

The conditional use shall, in all other respects, conform to the applicable requirements of the zoning district in which it is located.

1 **15.230.08 Maintenance of Permit, Expiration and Revocation.**

2 A. Where a use permitted by an approved Conditional Use Permit is not commenced within 12 months
3 from the date of approval, unless additional time is granted based upon consideration of the specific
4 circumstances of the project, then without further action, the Conditional Use Permit shall be null and void
5 and such use shall not be made of the property except upon the granting of a new Conditional Use
6 Permit.

7
8 B. A Conditional Use Permit is void one (1) year after the activity granted by such Conditional Use
9 Permit is discontinued.

10
11 C. In the event that circumstances beyond the control of the applicant result in a failure to complete
12 applicable Conditional Use Permit conditions and construct or commence the use prior to the expiration
13 date, the applicant may, in writing, request an extension of the expiration date. The written request for an
14 extension shall be received by the Department 30 days prior to the expiration date and shall state the
15 reason for the extension. The Director may approve a one (1) year extension from the original date of
16 Conditional Use Permit expiration with the option of commission review. The commission may approve
17 additional extensions of time subject to the consideration of the continued appropriateness of the
18 Conditional Use Permit and may be subject to the imposition of additional conditions by the commission
19 to ensure that the activity permitted by the Conditional Use Permit does not adversely impact other
20 properties in the area or the public interest.

21
22 D. A Conditional Use Permit shall be, upon violation, subject to revocation or amendment by the
23 commission.

24
25 E. A Conditional Use Permit may be modified or amended in accordance with the provisions of 15.12.04.
26

1 **Chapter 15.231 Home Occupation and Home Based Business Permit (HBP)**

2

3 **15.231.01 Purpose**

4 A. The purpose of the home occupation and home based business permit (HBP) provisions is to permit
5 the establishment and operation of businesses within residential neighborhoods, in a way to minimize any
6 impacts of the businesses on adjacent properties or the general neighborhood. Home occupations and
7 home based businesses are limited to those uses meeting the performance requirements outlined in
8 chapter 15.335.

9

10 B. No home occupation or home based business may occur and no permit for a home occupation or
11 home based business shall be issued unless the procedures and criteria specified in this chapter and the
12 performance based standards listed in chapter 15.335 are satisfied. It is the applicant's responsibility to
13 review any applicable codes, covenants and restrictions (CC&R's) which may limit the establishment of a
14 home occupation or home based business.

15

16 **15.231.02 Application Procedure**

17 A. An application for a HBP must be filed with the department, along with a payment of fees as
18 established by resolution of the board.

19

20 B. The department shall review the request for a permit to ensure compliance with the criteria for
21 operations established in chapter 335. In rendering a decision, the director shall clearly state, in writing,
22 any conditions of approval or reasons for denial.

23

24 **15.231.03 Additional Provisions for Mobile Businesses**

25 HBP's for mobile businesses may be permitted, provided that the mobile business is operated pursuant to
26 the conditions of operation described chapter 15.335, in addition to the following conditions which
27 specifically apply to mobile businesses:

28

1 A. The mobile business must comply with all applicable requirements of any agency with regulatory or
2 permitting authority over the conduct of that business.

3

4 B. Any automotive-related services shall be limited to cleaning, detailing, and minor replacement or
5 repair to glass or accessory parts; no mobile business operating under a home occupation permit shall be
6 permitted to conduct auto repair, auto body or engine work, except on an emergency roadside repair
7 basis.

8

9 C. No work shall be conducted in a publicly accessible parking lot; however, work may be conducted in
10 parking lots which are restricted to employees only.

11

12 D. No work shall be conducted on county-owned property, including parks, parking lots, or public rights-
13 of-way.

14

15 **15.231.04 Review by Director**

16 The director may periodically review any HBP to ensure that it is being operated in a manner consistent
17 with the conditions of operation and in a manner which is not detrimental to the public health, safety, or
18 welfare, or materially injurious to properties in the vicinity. If, after review, the director deems that there is
19 sufficient evidence to warrant a full examination, then a public hearing date shall be set.

20

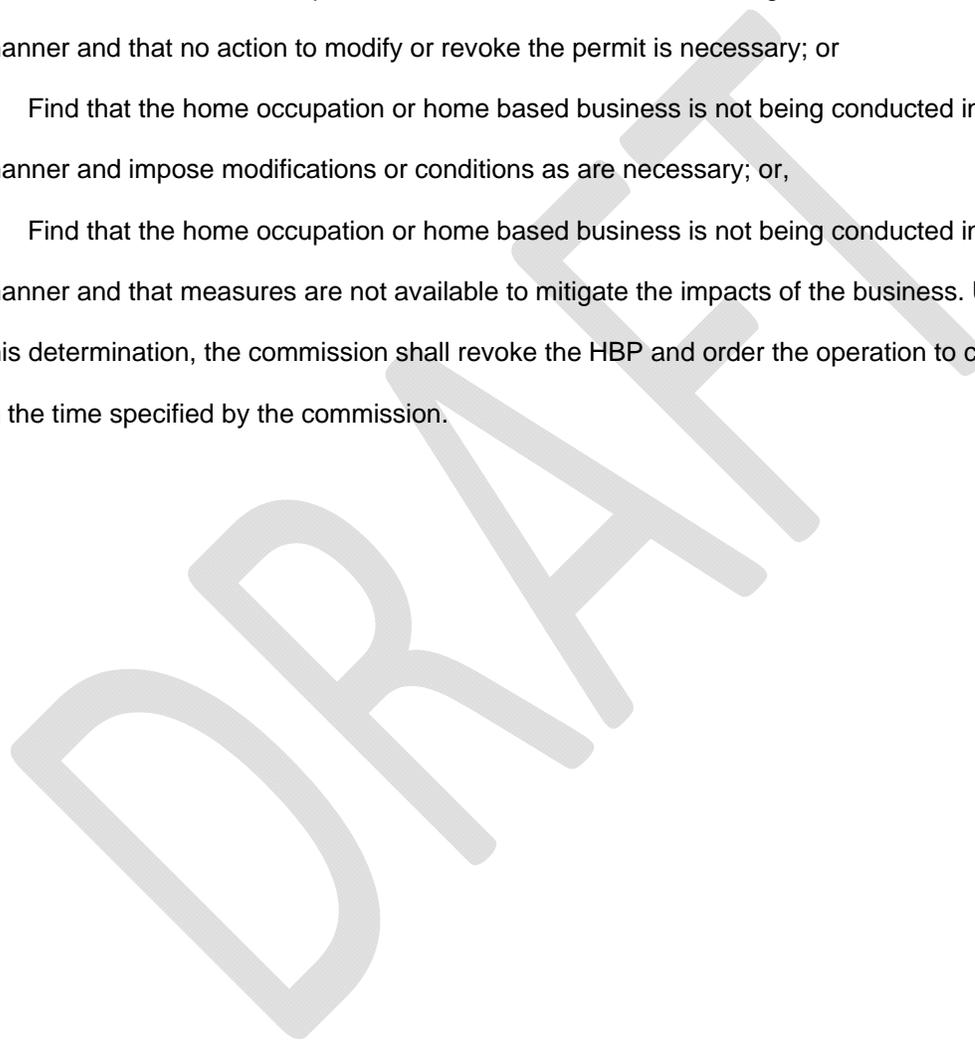
21 **15.231.05 Modification or Revocation by the Planning Commission**

22 A. If the director determines that the home occupation or home based business is not being conducted
23 in compliance with the requirements of this chapter, the director shall notify the operator of the home
24 occupation or home based business of the date for a public hearing on the operator's compliance with
25 this chapter. Such notice shall be sent by certified mail and shall state that the commission will be
26 reviewing the HBP for possible modification or revocation. It shall also state the date, time and place of
27 the hearing. The public hearing shall be conducted and notice given in accordance with chapters 15.09
28 and 15.10.

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B. The director shall investigate fully the evidence and prepare a report to the commission regarding the reported violation of the HBP requirements. A copy of the report shall be sent to the operator of the home occupation or business. Upon conclusion of the hearing per chapter 15.06, the commission shall make one of the following determinations and take such accompanying action:

1. Find that the home occupation or home based business is being conducted in an appropriate manner and that no action to modify or revoke the permit is necessary; or
2. Find that the home occupation or home based business is not being conducted in an appropriate manner and impose modifications or conditions as are necessary; or,
3. Find that the home occupation or home based business is not being conducted in an appropriate manner and that measures are not available to mitigate the impacts of the business. Upon making this determination, the commission shall revoke the HBP and order the operation to cease and desist in the time specified by the commission.



1 Chapter 15.232 - Reserved

2

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1 **Chapter 15.233 Temporary Use Permit**

2

3 **15.233.01 Purpose**

4 The purpose of this chapter is to regulate land use activities of a temporary nature so as to protect the
5 public health, safety, and welfare. The intent of these regulations is to ensure that temporary uses will be
6 compatible with surrounding land uses, to protect the rights of adjacent residents and landowners, and to
7 minimize any adverse effects on surrounding properties and the environment.

8

9 **15.233.02 General Provisions**

10 A. Temporary uses shall be permitted only as specified in those zoning districts where temporary uses
11 are specifically permitted.

12

13 B. A temporary use or structure which does not have a valid temporary use permit is declared to be a
14 public nuisance, subject to the enforcement provisions of this code and other applicable laws.

15

16 C. A change in ownership or operator of a use or structure subject to a temporary use permit, as
17 specified in this chapter, or an approved change or modification to the structure or use allowed on a
18 parcel subject to a permit, shall not affect the time periods established by this chapter to allow the
19 temporary uses or structures.

20

21 D. When the last period of time allowed by this chapter has lapsed, the temporary use permit and any
22 extension is void.

23

24 E. Noncompliance with the conditions of approval for the use permit shall be grounds for the reviewing
25 authority to cancel and void any permit for a temporary use. The reviewing authority shall give notice of
26 the action, along with the reasons for the action, to the permittee. The permittee may appeal the decision
27 by filing an appeal as allowed and specified in Chapter 15.11.

28

1 F. Except as otherwise provided in this chapter, the director is authorized to approve, conditionally
2 approve or deny a permit for a temporary use. The director may establish conditions and limitations,
3 including but not limited to hours of operation, provision of parking areas, signing and lighting, traffic
4 circulation and access, temporary or permanent site improvements, and other measures necessary to
5 minimize potential effects on properties adjacent to and in the vicinity of the proposed temporary use.
6

7 G. The director may require a cash deposit or other security to defray the costs of cleanup of a site in the
8 event the applicant fails to leave the property in a presentable and satisfactory condition, or to guarantee
9 removal or re-conversion of any temporary use to a permanent use allowed in the subject zone district.
10

11 **15.233.03 Permits Required**

12 Applications for temporary uses must be filed with the director along with the required fee, and shall be
13 subject to the specified requirements and criteria and to any other additional conditions reasonably
14 required by the county.
15

16
17 **15.233.04 Temporary Use Permit**

18 A temporary use permit shall be required for the temporary uses listed in Table 15.335-2, Temporary Use
19 Reference. Temporary uses shall comply with the provisions of 15.335.04, Temporary Uses Based on
20 Standards.
21

22 **15.233.05 Application Procedure**

23 Applications for temporary use permits, as described in this chapter, must be filed with the director in a
24 manner prescribed by the director, along with the required fee as established by resolution of the board.
25

26 **15.233.06 Review Criteria**

27 No temporary use shall be approved unless it can be determined that:
28

- 1 A. The use will be compatible with adjacent uses and will not adversely affect the surrounding area by
- 2 means of noise, odor, dust or other nuisances;
- 3
- 4 B. Any increase in traffic resulting from the use will not adversely affect the surrounding area or county
- 5 at large;
- 6
- 7 C. The proposed use complies with all applicable policies and ordinances of the county.

DRAFT

1 **Chapter 15.234 Site Improvement Permits**

2

3 **15.234.01 Site Improvement Permits Defined**

4 A site improvement permit authorizes on-site construction over private property prior to the issuance of a
5 permit to construct a building, and may include improvements within a public roadway associated with the
6 on-site construction such as site grading, installation of public utilities, drainage improvements, road
7 improvements including curbs, sidewalks and related features, up to and including Building Pad
8 Certification. The site improvement permit is a separate permit which expedites the construction process.
9 A building permit may be issued instead of a site improvement permit which includes all on-site work
10 including work within abutting rights-of-way.

11

12 **15.234.02 Permits Required**

13 A site improvement permit is required for work, including grading, trenching, or construction of public or
14 private utilities, drainage structures or roads unless the work is allowed under an existing building permit.

15

16 **15.234.03 Work Exempt From Permit**

17 A. A site improvement permit is not required for the following:

- 18 1. Work exempt from building permits pursuant to 15.239;
- 19 2. Clearing and grubbing;
- 20 3. Other grading work exempted by section 1803 of the IBC;
- 21 4. Work specifically approved under a building permit or encroachment permit issued under this
22 part.

23

24 B. Exemption from the permit requirements of this code does not grant authorization for any work to be
25 done in any manner in violation of the provisions of this code or any other laws or ordinances of this
26 jurisdiction.

27

15.234.04 Site Improvement Permit Procedures

A. The property owner or his authorized representative must tender a completed site improvement permit application to the department on a form furnished by the department. The application must contain the following information:

1. A description of the work to be covered by the permit.
2. A legal description of the land on which the proposed work is to be done, street address or similar description that identifies and definitely locates the proposed work.
3. The application must be accompanied by grading plans, improvement plans, diagrams, studies, computations and specifications and other data drawn to scale and clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations.
4. An itemized engineer's estimated value of work, signed, stamped and dated by a Nevada professional engineer where plans, studies or computations are required to be prepared by a Nevada professional engineer, or an itemized contractor's executed contract with estimated value of work, signed and dated with the contractor's license number and limit.
5. The signature of the applicant or the applicant's authorized representative.

B. A site improvement permit may include all site improvements including, but not limited to grading, utility installation, drainage improvements, and road construction or may be phased to allow for the separation of grading or site preparation and actual construction of on and off site utilities and improvements. The application, plans, specifications, computations and other data filed by an applicant for a permit must be reviewed by the director or his designee. The plans may be reviewed by other departments of this jurisdiction and agencies to verify compliance with any applicable laws under their jurisdiction. If the director finds that the work described in an application for a permit and the plans, specifications and other data filed with the application conform to the requirements of this code, other pertinent laws and ordinances, that the plans have been signed by all responsible agencies where applicable, that security has been posted, and that all required fees have been paid, the director shall issue a site improvement permit.

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15.234.05 Retention of Plans

A. One set of approved stamped plans, specifications and computations must be retained by the department and one set of approved stamped plans and specifications must be kept on the site of the construction work at all times during which the work authorized is in progress.

B. The department must retain one (1) permanent set of approved stamped improvement plans, specifications and computations, including all required “as-builts.”

15.234.06 Expiration of Permits

A. Every site improvement permit issued by the department under the provisions of this code will expire and become void if the work authorized by the permit is not commenced within 180 days from the date of the permit, or if the work authorized by the permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before any work can be recommenced, a new permit must be first obtained and a fee in the amount of one half that required for a new permit for the work, provided no changes have been made or will be made in the original plans and specifications for the work, the plans were approved under the prevailing development code provisions, and that any suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee must obtain a new permit for the work and pay a new full permit fee.

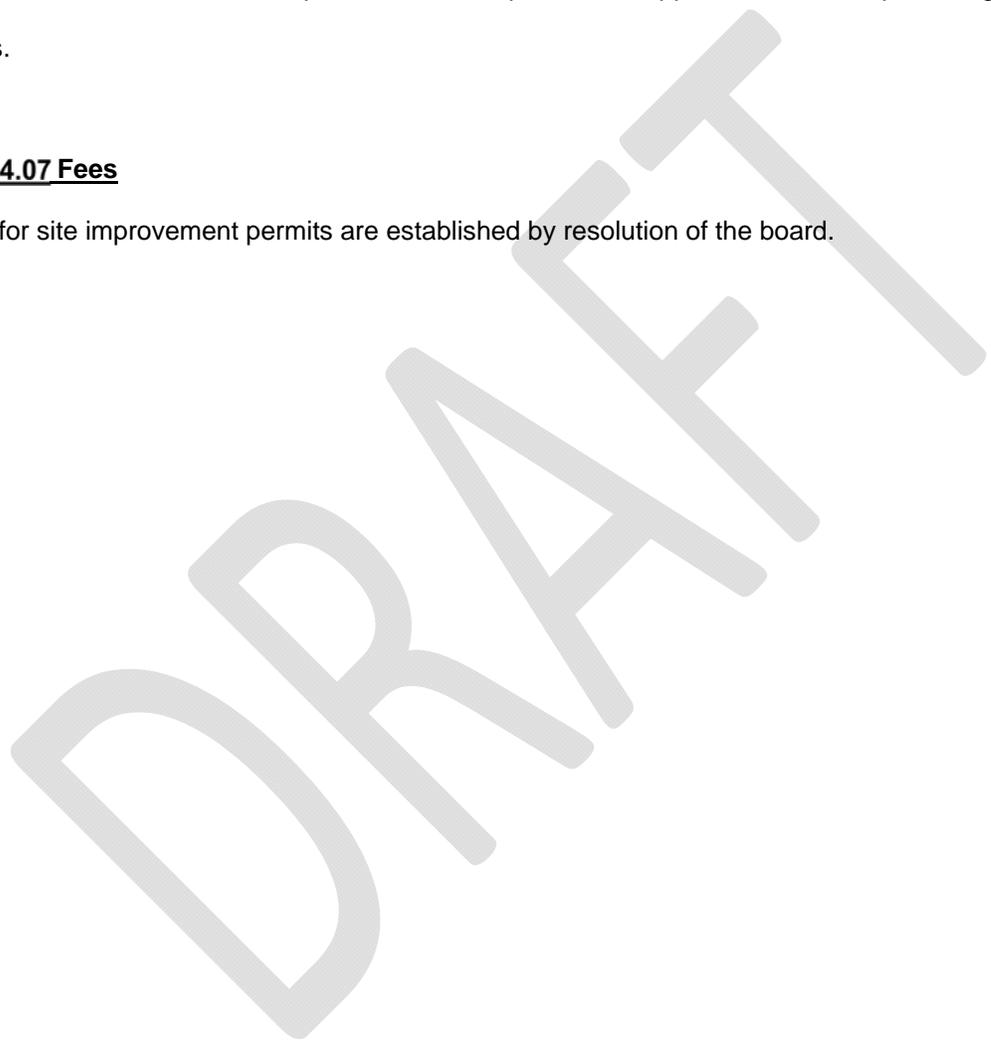
B. Any permittee holding an unexpired permit may apply for an extension of the time within which work may commence under that permit when the permittee is unable to commence work within the time required by this section for good and satisfactory reason. The director may extend the time for action by the permittee for a period not exceeding 180 days on written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. No permit may be extended more than once.

1 C. Every site improvement permit issued by the department expires and becomes void after a period of
2 two years from the date of issuance. When a 180-day extension has been granted for commencement of
3 work, it expires after a period of two (2) years and six (6) months from the date of issuance. Before work
4 can be recommenced, a new permit must be obtained, and fee in the amount of one-half that required for
5 a new permit for the work, provided no changes have been made or will be made in the original plans and
6 specifications for the work, and provided that the plans were approved under the prevailing uniform
7 codes.

8

9 **15.234.07 Fees**

10 Fees for site improvement permits are established by resolution of the board.



1 **Chapter 15.235 Design Review**

2

3 **15.235.01 Applicability**

4 A. Development subject to design review shall include all new construction, exterior remodeling,
5 additions, or changes in use requiring additional parking, which involves structures used for multi-family
6 residential, commercial, industrial or public purpose and are identified as permitted subject to design
7 review in the specific zoning districts. No building permit shall be issued for a development subject to
8 design review until a design review has been approved in accordance with this chapter and conditions of
9 approval have been met.

10

11 B. The following uses are exempt from the design review requirements:

- 12 1. Interior remodels which do not result in substantial changes in the character of the occupancy or
13 use, or cause greater impact on traffic, water or sewer usage, as determined by the director;
- 14 2. Repair and maintenance of structures or parking areas constrained by the existing structure and
15 not altering existing drainage patterns or easements;
- 16 3. Replacement or repair of a structure partially destroyed by fire, flood or other natural occurrence,
17 when the repair of such structure is determined by the director to be consistent with the design, use
18 and intensity of the original structure and consistent with the zoning and master plan designations;
- 19 4. Reductions of floor area or building area within a previously approved design review where it is
20 determined that the modification would not result in a significant change in site design, building
21 design, or functionality of the site.

22

23 C. The following projects are considered as minor design reviews, and are reviewed without formal
24 application as required by this chapter:

- 25 1. Accessory dwelling units;
- 26 2. Expansions of multi-family residential, institutional, commercial or industrial buildings of less than
27 25% in total floor area, where the proposed expansion will not cause increased impacts on existing
28 infrastructure and public services, as determined by the director;

1 3. Changes in use requiring additional parking, where the proposed use will not cause increased
2 impacts on existing infrastructure and public services, as determined by the director, and the use is
3 proposed in existing structures;

4 4. Exterior remodeling;

5 5. Residential multi-family projects consisting of two dwelling units.

6 6. Metal Storage containers, sea cargo, cargo or similar containers.

7
8 **15.235.02 Application for Design Review**

9 A. An application for design review may be submitted by the property owner or by an agent on the
10 owner's behalf.

11
12 B. The application shall be submitted and processed in accordance with this title.

13
14 C. If the design review is submitted concurrent with a request for a division of land, an application for a
15 land division permit shall be submitted in conjunction with the application for design review. Approval of
16 the design review shall not become effective until final approval of the land division permit; provided that if
17 the land division is proposed in phases, the approval of the design review shall take effect upon final
18 approval of the phase of the land division containing the property on which the design review is to be
19 located.

20
21 **15.235.03 Procedures for Design Review**

22 The director shall be the final decision-maker for design review applications. Design review applications
23 are subject to administrative review and do not require a public hearing.

24
25 **15.235.04 Findings**

26 When considering applications for design review, the director shall evaluate the impact of the design on
27 and its compatibility with surrounding properties and neighborhoods to ensure the appropriateness of the
28 development and make the following findings:

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A. The proposed development is consistent with the goals and policies embodied in the adopted master plan and the general purpose and intent of the applicable zoning district regulations;

B. The proposed development is compatible with and preserves the character and integrity of adjacent development and neighborhoods and includes improvements or modifications either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods. These improvements or modifications may include but shall not be limited to the placement or orientation of buildings and entryways, parking areas, buffer yards, and the addition of landscaping, walls, or both;

C. The proposed development will not generate pedestrian or vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood;

D. The proposed development incorporates roadway improvements, traffic control devices or mechanisms, or access restrictions to control traffic flow or divert traffic as needed to reduce or eliminate development impacts on surrounding neighborhood streets;

E. The proposed development incorporates features to minimize adverse effects, including visual impacts, of the proposed development on adjacent properties;

F. The project is not located within an identified archeological/cultural study area, as recognized by the county. If the project is located in a study area, an archeological resource reconnaissance has been performed on the site by a qualified archeologist and any identified resources have been avoided or mitigated to the extent possible per the findings in the report;

G. The proposed development complies with all additional standards imposed on it by the particular provisions of this title, the Lyon County design criteria and improvement standards and all other

1 requirements of this title applicable to the proposed development and uses within the applicable base
2 zoning district, including but not limited to, the adequate public facility policies of Chapter 15.110; and

3
4 H. The proposed development will not be materially detrimental to the public health, safety, convenience
5 and welfare, or result in material damage or prejudice to other property in the vicinity.

6
7 **15.235.05 Decision on Design Review and Appeal**

8 A. The director shall approve, deny or conditionally approve the design review within 30 working days of
9 the design review application being deemed complete in accordance with chapter 15.03. Appeal of the
10 director's decision shall be to the planning commission.

11
12 B. The director in his sole discretion may refer the design review for review and decision by the
13 commission in lieu of rendering a decision on the application. In such event, the commission shall
14 consider the design review at a public hearing and render its decision in accordance with chapter 15.06.
15 Appeal shall be to the board in accordance with chapter 15.06.03. The commission and the board shall
16 apply the standards set forth in this chapter in acting on the design review.

17
18 C. The director shall approve, deny or conditionally approve a minor design review within fifteen working
19 days of the project being submitted to the department.

1 **Chapter 15.236 Wireless Communications Facilities**

2

3 **15.236.01 Purpose**

4 The purpose of these regulations are to ensure that wireless communication facilities (WCF) are
5 regulated in a manner which (1) minimizes visual impacts; (2) promotes universal service to all
6 customers; (3) encourages collocation of facilities to minimize the number of new facilities required; (4)
7 ensures structural safety; (5) ensures all providers are fairly treated; and (6) protects neighborhood
8 livability.

9

10 **15.236.02 Applicability**

11 The regulations contained in this chapter are applicable to all providers, facilities, installations, equipment
12 and services involved in the provision of wireless telecommunications and broadcast communications
13 services, including cellular telephone, personal communications services (PCS), enhanced or specialized
14 mobile telephones, commercial paging services, and commercial radio and television broadcasting,
15 unless exempted by these regulations. All new, modified, and/or reconstructed facilities subject to these
16 regulations shall comply with all permit requirements of this title, including where applicable, development
17 permits, building permits, and business licensing requirements.

18

19 **15.236.03 Exemptions**

20 The following uses and activities shall be exempt from these regulations:

21

22 A. Replacement antennas or equipment, provided the replacement antennas and/or equipment have a
23 function similar to the replaced antenna and/or equipment and do not exceed the overall size of the
24 original antenna and/or equipment.

25

26 B. Amateur radio towers and antennas, citizen band transmitters and antennas;

27

28 C. Whip or other similar antennas no taller than six (6) feet with a maximum diameter of two (2) inches.

1

2 D. Antennas (including direct-to-home satellite dishes, TV antennas, and wireless cable antennas) used
3 by viewers to receive video programming signals from direct broadcast facilities, broadband radio service
4 providers, and TV broadcast stations regardless of zone category.

5

6 E. Low-powered networked telecommunications facilities such as microcell radio transceivers located on
7 existing utility poles and light standards within public right-of-way. Low-powered networked
8 telecommunications facilities shall comply with this chapter.

9

10 F. All military, Federal, State, and local government communication facilities except for towers.

11

12 G. Cell on Wheels (COW), Cell on Light Truck (COLT), Repeater and Truck (RAT) and similar temporary
13 mobile equipment as determined by the director which are permitted as temporary uses in Nonresidential
14 Zones for a period not to exceed 14 days, or during a period of emergency as declared by a government
15 entity.

16

17 H. Antennas and equipment and other apparatus completely located within an existing structure whose
18 purpose is to enhance or facilitate communication function of other structures on the site.

19

20 **15.236.04 Uses Permitted**

21 A. Collocation of antenna(s) on existing towers conforming to the requirements of Table 15.236.1.

22 Installing an antenna(s) on an existing communication tower of any height is permitted, so long as the
23 additional antenna(s) do not exceed the height of the structure or tower, no more than three providers are
24 collocating on the tower or structure, and the color of the antenna(s) blends with the existing structure or
25 surroundings.

26

27 B. Collocation of antenna(s) on existing non-tower structures conforming to the requirements of Table
28 15.236.1. Installing an antenna(s) on an existing structure other than a tower, such as a building, water

1 tank, sign, light fixture or utility pole, is permitted so long as the additional antenna(s) do not exceed the
 2 limits contained in Table 15.236.1, no more than three (3) providers are collocating on the structure, and
 3 the color of the antenna(s) blends with the existing structure or surroundings.

4

5 C. Installation of accessory equipment shelters. Any provider who is authorized to collocate on an
 6 existing tower or non-tower structure as provided in subsections A and B of this section, shall be allowed
 7 to install any necessary accessory equipment shelters and related equipment at or near the base of the
 8 tower or structure, or within the structure, so long as:

9 1. The accessory equipment shelter and related equipment are either located completely within the
 10 existing structure, or are located within the fenced area previously approved;

11 2. The equipment shelter and related equipment shall comply with the development standards, such
 12 as setbacks, height limitations and lot coverage, of the base zone;

13 3. No previously-approved landscaping shall be removed to locate the accessory equipment
 14 building and related equipment. If any such landscaping is removed, the applicant shall be required to
 15 replace it with the equivalent quantity and type of landscaping on site, in a manner to achieve the
 16 original intent, or to achieve sufficient screening of any proposed new shelter and/or equipment if the
 17 original intent would no longer be applicable. If any removed landscaping cannot be replaced on site,
 18 the application shall be subject to a Type 2 site plan review as described in 15.236.05.

19

20 Table 15.236.1

Zoning District	Administrative Approval (Type 1)	Administrative Approval with Notice (Type 2)	Conditional Use Permit (Type 3)	Special Requirements and References
AG	STRUCTURAL	Add-ons up to 40 above structure or stand alone to 100 feet in height	>100 feet in height	Setbacks for Type 1 and Type 2 facilities: Equal to overall structure or tower height. Type 3 facilities and Type 2 facilities within 1000' of any state highway: Twice the overall structure or tower height. Except as restricted by 15.353.06, paragraph C
NIA	STRUCTURAL	Add-ons up to 40 above structure or stand alone to 100 feet in height	>100 feet in height	Setbacks for Type 1 and Type 2 facilities: Equal to overall structure or tower height. Type 3 facilities and Type 2 facilities within 1000' of any state

Zoning District	Administrative Approval (Type 1)	Administrative Approval with Notice (Type 2)	Conditional Use Permit (Type 3)	Special Requirements and References
				highway: Twice the overall structure or tower height. Except as restricted by 15.353.06, paragraph C
RL	STRUCTURAL	Add-ons up to 40 above structure or stand alone to 100 feet in height	>100 feet in height	Setbacks for Type 1 and Type 2 facilities: Equal to overall structure or tower height. Type 3 facilities and Type 2 facilities within 1000' of any state highway: Twice the overall structure or tower height. Except as restricted by 15.353.06, paragraph C
PL(rural)	Up to 80 feet	>80 TO 120 feet in height	>120 feet in height	Setbacks for Type 1 and Type 2 facilities: Equal to overall structure or tower height. Type 3 facilities and Type 2 facilities within 1000' of any state highway: Twice the overall structure or tower height. Except as restricted by 15.353.06, paragraph C
RR20	STRUCTURAL	Add-on to existing structures to 10 feet over height of structure to 45 foot maximum height	New towers to 45 feet maximum height	Setbacks for Type 1, Type 2, and Type 3 facilities: Equal to overall structure or tower height. Except as restricted by 15.353.06, paragraph C.
RR10	STRUCTURAL	Add-on to existing structures to 10 feet over height of structure to 45 foot maximum height	New towers to 45 feet maximum height	Setbacks for Type 1, Type 2, and Type 3 facilities: Equal to overall structure or tower height. Except as restricted by 15.353.06, paragraph C.
RR5	STRUCTURAL	Add-on to existing structures to 10 feet over height of structure to 45 foot maximum height	New towers to 45 feet maximum height	Setbacks for Type 1, Type 2, and Type 3 facilities: Equal to overall structure or tower height. Except as restricted by 15.353.06, paragraph C.
RR2	STRUCTURAL	Add-on to existing structures to 10 feet over height of structure to 45 foot maximum height	New towers to 45 feet maximum height	Setbacks for Type 1, Type 2, and Type 3 facilities: Equal to overall structure or tower height. Except as restricted by 15.353.06, paragraph C.
RR1	STRUCTURAL	Add-on to existing structures to 10 feet over height of structure to 45 foot maximum height	New towers to 45 feet maximum height	Setbacks for Type 1, Type 2, and Type 3 facilities: Equal to overall structure or tower height. Except as restricted by 15.353.06, paragraph C.

Zoning District	Administrative Approval (Type 1)	Administrative Approval with Notice (Type 2)	Conditional Use Permit (Type 3)	Special Requirements and References
SR2	STRUCTURAL	Add-on to existing structures to 10 feet over height of structure to 45 foot maximum height	New towers to 45 feet maximum height	Setbacks for Type 1, Type 2, and Type 3 facilities: Equal to overall structure or tower height. Except as restricted by 15.353.06, paragraph C.
SR1	STRUCTURAL	Add-on to existing structures to 10 feet over height of structure to 45 foot maximum height	New towers to 45 feet maximum height	Setbacks for Type 1, Type 2, and Type 3 facilities: Equal to overall structure or tower height. Except as restricted by 15.353.06, paragraph C.
SR1/2	STRUCTURAL	Add-on to existing structures to 10 feet over height of structure to 45 foot maximum height	New towers to 45 feet maximum height	Setbacks for Type 1, Type 2, and Type 3 facilities: Equal to overall structure or tower height. Except as restricted by 15.353.06, paragraph C.
SR12000	STRUCTURAL	Add-on to existing structures to 10 feet over height of structure to 45 foot maximum height	New towers to 45 feet maximum height	Setbacks for Type 1, Type 2, and Type 3 facilities: Equal to overall structure or tower height. Except as restricted by 15.353.06, paragraph C.
SR9000	STRUCTURAL	Add-on to existing structures to 10 feet over height of structure to 45 foot maximum height	New towers to 45 feet maximum height	Setbacks for Type 1, Type 2, and Type 3 facilities: Equal to overall structure or tower height. Except as restricted by 15.353.06, paragraph C.
NR	STRUCTURAL	Add-on to existing structures to 10 feet over height of structure to 45 foot maximum height	New towers to 45 feet maximum height	Setbacks for Type 1, Type 2, and Type 3 facilities: Equal to overall structure or tower height. Except as restricted by 15.353.06, paragraph C.
MFR	STRUCTURAL	Add-ons to existing structures to 15 feet over height of structure to 45 foot maximum height	New towers to 45 feet maximum height	Setbacks for Type 1, Type 2, and Type 3 facilities: Equal to overall structure or tower height. Except as restricted by 15.353.06, paragraph C.
RMU	STRUCTURAL	Add-ons to existing structures to 15 feet	New towers to 45 feet maximum height	Setbacks for Type 1 and Type 2 facilities: Equal to overall structure or tower height. Type 3 facilities

Zoning District	Administrative Approval (Type 1)	Administrative Approval with Notice (Type 2)	Conditional Use Permit (Type 3)	Special Requirements and References
		over height of structure to 45 foot maximum height		and Type 2 facilities within 1000' of any state highway: Twice the overall structure or tower height. Except as restricted by 15.353.06, paragraph C
NC	STRUCTURAL	Add-ons to existing structures to 10 feet over height of structure to 45 foot maximum height	New towers to 45 feet maximum height	Setbacks for Type 1, Type 2, and Type 3 facilities: Equal to overall structure or tower height. Except as restricted by 15.353.06, paragraph C.
CC	STRUCTURAL	Add-ons to existing structures up to 15 feet over height of structure up to 60 feet total height, or stand alone to 60 feet in height	New towers to 80 feet maximum height	Setbacks for Type 1 and Type 2 facilities: Equal to overall structure or tower height. Type 3 facilities and Type 2 facilities within 1000' of any state highway: Twice the overall structure or tower height. Except as restricted by 15.353.06, paragraph C
RC	STRUCTURAL	Add-ons to existing structures up to 15 feet over height of structure up to 60 feet total height, or stand alone to 60 feet in height	New towers to 100 feet maximum height	Setbacks for Type 1 and Type 2 facilities: Equal to overall structure or tower height. Type 3 facilities and Type 2 facilities within 1000' of any state highway: Twice the overall structure or tower height. Except as restricted by 15.353.06, paragraph C
TC-H	STRUCTURAL	Not Permitted	Not Permitted	
TC-R	STRUCTURAL	Add-ons to existing structures up to 15 feet over height of structure up to 60 feet total height, or stand alone to 60 feet in height	New towers to 80 feet maximum height	Setbacks for Type 1 and Type 2 facilities: Equal to overall structure or tower height. Type 3 facilities and Type 2 facilities within 1000' of any state highway: Twice the overall structure or tower height. Except as restricted by 15.353.06, paragraph C
TC-S	STRUCTURAL	Add-ons to existing structures up to 15 feet over height of structure up to 60 feet total height, or stand alone to 60 feet in height	New towers to 80 feet maximum height	Setbacks for Type 1 and Type 2 facilities: Equal to overall structure or tower height. Type 3 facilities and Type 2 facilities within 1000' of any state highway: Twice the overall structure or tower height. Except as restricted by 15.353.06, paragraph C
CMU-H	STRUCTURAL	Not Permitted	Not Permitted	
CMU-R	STRUCTURAL	Add-on to existing structures to 10 feet over height of structure	Towers to 45 feet maximum height	Setbacks for Type 1, Type 2, and Type 3 facilities: Equal to overall structure or tower height. Except as restricted by 15.353.06, paragraph C.

Zoning District	Administrative Approval (Type 1)	Administrative Approval with Notice (Type 2)	Conditional Use Permit (Type 3)	Special Requirements and References
		up to 45 feet total height		
CMU-S	STRUCTURAL	Add-on to existing structures up to 15 feet over height of structure to 60 feet overall height	Towers to 60 feet maximum height	Setbacks for Type 1, Type 2, and Type 3 facilities: Equal to overall structure or tower height. Except as restricted by 15.353.06, paragraph C.
HMU-R	STRUCTURAL	Add-on existing structures to 10 feet over height of structure up to 45 feet total height	Towers to 45 feet maximum height	Setbacks for Type 1, Type 2, and Type 3 facilities: Equal to overall structure or tower height. Except as restricted by 15.353.06, paragraph C.
HMU-S	STRUCTURAL	Add-on existing structures up to 15 feet over height of structure up to 60 feet maximum height	Towers to 60 feet maximum height	Setbacks for Type 1, Type 2, and Type 3 facilities: Equal to overall structure or tower height. Except as restricted by 15.353.06, paragraph C.
LI-R	STRUCTURAL	Add-ons to existing structures up to 15 feet over height of structure up to 60 feet total height, or stand alone to 60 feet in height	Towers over 60 feet to 100 foot maximum height	Setbacks for Type 1, Type 2, and Type 3 facilities: Equal to overall structure or tower height. Except as restricted by 15.353.06, paragraph C.
LI-S	STRUCTURAL	Add-ons to existing structures up to 15 feet over height of structure up to 60 feet total height, or stand alone to 80 feet in height	Towers over 80 feet to 100 foot maximum height	Setbacks for Type 1, Type 2, and Type 3 facilities: Equal to overall structure or tower height. Except as restricted by 15.353.06, paragraph C.
HI-R	STRUCTURAL	Add-ons up to 40 feet above structure or stand alone to 100 feet	Towers over 100 feet in height	Setbacks for Type 1, Type 2, and Type 3 facilities: Equal to overall structure or tower height. Except as restricted by 15.353.06, paragraph C.
HI-S	STRUCTURAL	Add-ons up to 40 feet above structure or stand alone to 100 feet	Towers over 100 feet in height	Setbacks for Type 1, Type 2, and Type 3 facilities: Equal to overall structure or tower height. Except as restricted by 15.353.06, paragraph C.

Zoning District	Administrative Approval (Type 1)	Administrative Approval with Notice (Type 2)	Conditional Use Permit (Type 3)	Special Requirements and References
SI	STRUCTURAL	Add-ons to existing structures up to 15 feet over height of structure up to 60 feet total height, or stand alone to 60 feet in height	Towers over 60 feet to 80 foot maximum in height	Setbacks for Type 1, Type 2, and Type 3 facilities: Equal to overall structure or tower height. Except as restricted by 15.353.06, paragraph C.
EMU	STRUCTURAL	Add-ons to existing structures up to 15 feet over height of structure up to 60 feet total height in height.	Towers to 60 feet maximum height	Setbacks for Type 1, Type 2, and Type 3 facilities: Equal to overall structure or tower height. Except as restricted by 15.353.06, paragraph C.
XX	STRUCTURAL	Add-ons to existing structures up to 10 feet over height of structure up to 45 feet total height in height.	Towers to 60 feet maximum height	Setbacks for Type 1, Type 2, and Type 3 facilities: Equal to overall structure or tower height. Except as restricted by 15.353.06, paragraph C.
PF	STRUCTURAL	Add-ons up to 20 feet above structure or stand alone to 80 feet maximum height	Towers over 80 feet to 120 foot maximum height	Setbacks for Type 1, Type 2, and Type 3 facilities: Equal to overall structure or tower height. Except as restricted by 15.353.06, paragraph C.
AO	STRUCTURAL	Add-ons up to 20 feet above structure to 60 feet maximum or stand alone to 60 feet maximum height	Add-ons and towers over 60 feet in height	Setbacks for Type 1, Type 2, and Type 3 facilities: Equal to overall structure or tower height. Except as restricted by 15.353.06, paragraph C.
OS	STRUCTURAL	Add-ons to an existing tower not to exceed height of existing tower.	Add-ons over existing height or towers to 100 foot maximum height within 500 feet of WCF in existence as of the effective date of ordinance.	Setbacks for Type 1, Type 2, and Type 3 facilities: Equal to overall structure or tower height. Except as restricted by 15.353.06, paragraph C.

1

2 **15.236.05 Site Plan Review (Type 2)**

- 3 A. Uses permitted. The director shall review the uses subject to Administrative Review (Type 1 and Type
- 4 2) on Table 15.236.1 in accordance with the provisions of chapter 15.235, using approval criteria

1 contained in subsection B of this section. All type 2 reviews shall require notice to property owners in
2 accordance with the provisions of chapter 15.09.

3 The following uses are subject to approval under this section:

4 All structures, towers, and accessory buildings identified as subject to Administrative Review (Type 1
5 and Type 2).

6
7 B. Review criteria. Any use listed on Table 15.236.1 as subject to Type 1 or Type 2 review, shall be
8 evaluated using the following standards:

9 1. Aesthetic.

10 a. New towers and attached equipment shall have and maintain a non-reflective surface, be a
11 neutral color that blends in with the surrounding background or that is the same or similar color as
12 the supporting structure to make the tower, antennas and related equipment as visually
13 unobtrusive as possible, or if required by the FAA, be painted pursuant to the FAA's
14 requirements;

15 b. If collocation on an existing tower is requested, the design of any antenna(s), accessory
16 structures or equipment shall, to the extent possible, use materials, colors and textures that will
17 match the existing tower or non-tower structure to which the equipment of the collocating provider
18 is being attached;

19 c. If collocation on an existing non-tower structure is requested, the antenna(s) and supporting
20 electrical and mechanical equipment shall be a neutral color that is the same as the color as the
21 supporting structure so as to make the antenna(s) and related equipment as visually unobtrusive
22 as possible.

23 2. Setbacks. Setbacks shall conform to the requirements of Table 15.236.1.

24 3. Tower spacing. No new tower shall be allowed within 500 feet of an existing tower. If, having
25 completed the collocation protocol outlined in section 15.236.08 without success, the provider will be
26 required to build a tower less than 500 feet from an existing tower, it will be required to obtain an
27 adjustment to reduce this setback, subject to criteria of approval contained in section 15.330.04,
28 Alternative Equivalent Compliance.

- 1 4. Tower height. No tower shall exceed the maximum height listed in Table 15.236.1.
- 2 5. Lighting. No lighting shall be permitted on a tower except as required by the FAA.
- 3 6. Fencing and security. For security purposes, towers and ancillary facilities shall be enclosed by a
4 minimum six-foot fence.
- 5 7. Landscaping and screening. When required visual impacts of wireless communication facilities
6 should be mitigated and softened through landscaping or other screening materials at the base of a
7 monopole, facility equipment compound, equipment enclosures and ancillary structures. If the
8 antenna is mounted flush on an existing building, or camouflaged as part of the building and other
9 equipment is housed inside an existing structure, no landscaping is required. The director may reduce
10 or waive the standards for those sides of the wireless communication facility that are not in public
11 view, when a combination of existing vegetation, topography, walls, decorative fences or other
12 features achieve adequate visual screening; in locations where the visual impact of the facility would
13 be minimal; and in those locations where large lot setbacks and natural growth around the property
14 perimeter provide a sufficient buffer.
- 15 a. Landscaping shall be placed outside the fence and shall consist of evergreen shrubs which
16 reach six (6) feet in height and 95% opacity within three (3) years of planting;
- 17 b. When adjacent to or within residentially-zoned property, freestanding towers and accessory
18 equipment facilities shall be screened by the planting of a minimum of four (4) evergreen trees at
19 least 15 feet in height at the time of planting. The planting of said trees shall be prescribed in
20 number by a plan prepared by a Nevada licensed landscape architect in locations that (i) most
21 effectively screen the wireless facilities from residential uses and (ii) promote the future survival of
22 the trees while limiting adverse effects of the trees on abutting properties. Existing evergreen
23 trees at least 15 feet in height may be used to meet the screening requirement of this section if
24 the arborist demonstrates that they provide screening for abutting residential uses.
- 25 8. Noise. Noise-generating equipment shall be sound-buffered by means of baffling, barriers or
26 other suitable means to reduce the sound level measured at the property line to 50 dBA (day)/40 dBA
27 (night) when adjacent to residential and commercial land uses and 75 dBA (day)/60 dBA (night) when
28 adjacent to other uses.

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C. Other requirements. At the time a provider requests a building permit, it must demonstrate compliance to all applicable state and federal regulations.

15.236.06 Uses Permitted Subject to Conditional Use Review

A. Uses permitted. The commission shall review the uses subject to conditional use review (Type 3), in accordance with the provisions of chapter 15.230 using approval criteria contained in subsection B of this section. All type 3 reviews shall require notice to property owners in accordance with the provisions of chapter 15.09.

B. Review criteria. Any use subject to review per subsection A of this section, shall be evaluated using the following standards:

1. Protection of points of visual interest.

a. Views from residential structures located within 250 feet of the proposed wireless communication facility to the following points of visual interest shall be protected to the greatest practical extent:

- i. Mountains;
- ii. Significant public open spaces;
- iii. Historic structures.

b. The following standards, and only the following standards, shall be used to protect the above identified points of visual interest to the greatest practical extent if views from a residential structure located within 250 feet from a proposed wireless communication facility to a point of visual interest specifically identified above is significantly affected:

- i. Investigate other locations within the same lot where such visual impacts can be minimized overall;
- ii. Investigate alternative tower designs that can be used to minimize the interruption of views from the residence to the point of visual interest;

- 1 iii. Minimize visual impacts to the point of visual interest referred to above, by demonstrating
2 that collocation or the use of other structures within the applicant’s service area is not feasible
3 at this time;
- 4 iv. Minimize visual impacts by varying the setbacks or landscaping standards that would
5 otherwise be applicable, so long as the overall impact of the proposed development is as
6 good as or better than that which would otherwise be required without said variations.
- 7 c. Tower height shall not exceed the maximum height listed in Table 15.236-1, provided
8 however that an additional 50 feet may be approved as part of the Conditional Use Permit review
9 upon a finding by the decision-making body that the additional height is necessary and
10 substantiated by technical documentation showing that the additional height is necessary to
11 provide to proposed level of service and coverage, or to accomplish collocation as provided in
12 15.236.04, and that the additional height will not have an adverse visual impact on the area in
13 which the tower will be located.
- 14 2. Color. Towers and attached equipment shall have and maintain a non-reflective surface, be a
15 neutral color that blends in with the surrounding background or that is the same or similar color as the
16 supporting structure to make the tower, antennas and related equipment as visually unobtrusive as
17 possible, or if required by the FAA, be painted pursuant to the FAA’s requirements;
- 18 3. Setbacks. Towers shall be set back from the property line in accordance with the requirements of
19 Table 15.236.1. An adjustment subject to criteria of approval contained in 15.330.04, Alternative
20 Equivalent Compliance, may be obtained to reduce this setback;
- 21 4. Tower spacing. No new tower in a residential zone shall be allowed within 2640 feet of an existing
22 tower. No new tower in nonresidential zones shall be allowed within 1320 feet of an existing tower. If,
23 having completed the collocation protocol outlined in 15.236.08 without success, the provider will be
24 required to build a tower less than the distances specified above, it will be required to obtain an
25 adjustment governed by 15.330.04, Alternative Equivalent Compliance;
- 26 5. Lighting. No lighting shall be permitted on a tower except as required by the FAA;
- 27 6. Fencing and security. For security purposes, towers and ancillary facilities shall be enclosed by a
28 six (6) foot fence or solid wall;

1 7. Landscaping and screening. When required visual impacts of wireless communication facilities
2 should be mitigated and softened through landscaping or other screening materials at the base of a
3 tower, facility equipment compound, equipment enclosures and ancillary structures. If the antenna is
4 mounted flush on an existing building, or camouflaged as part of the building and other equipment is
5 housed inside an existing structure, no landscaping is required. The commission may reduce or waive
6 the standards for those sides of the wireless communication facility that are not in public view, when a
7 combination of existing vegetation, topography, walls, decorative fences or other features achieve
8 adequate visual screening; in locations where the visual impact of the facility would be minimal; and
9 in those locations where large lot setbacks and natural growth around the property perimeter provide
10 a sufficient buffer.

11 a. Landscaping shall be placed outside the fence and shall consist of evergreen shrubs which
12 reach six (6) feet in height and 95% opacity within three (3) years of planting.

13 b. When adjacent to or within residentially-zoned property, freestanding towers and accessory
14 equipment facilities shall be screened by the planting of a minimum of four (4) evergreen trees at
15 least 15 feet in height at the time of planting. The planting of said trees shall be prescribed in
16 number by a plan prepared by a Nevada licensed landscape architect in locations that (i) most
17 effectively screen the wireless facilities from residential uses and (ii) promote the future survival of
18 the trees while limiting adverse effects of the trees on abutting properties. Existing evergreen
19 trees at least 15 feet in height may be used to meet the screening requirement of this section if
20 the arborist demonstrates that they provide screening for abutting residential uses.

21 8. Noise. Noise-generating equipment shall be sound-buffered by means of baffling, barriers or
22 other suitable means to reduce the sound level measured at the property line to 50 dBA (day)/40 dBA
23 (night) when adjacent to a commercial or residential land use and 75 dBA (day)/60 dBA (night) when
24 adjacent to other uses.

25
26 C. Wireless communications facilities located on or adjacent to airports are subject to the following
27 additional requirements.

28 1. A tower will be prohibited if its height exceeds the following:

1 a. Any of the imaginary surfaces as defined by federal aviation regulation part 77 for the most
2 demanding future approach anticipated for the airport,

3 b. Any of the surfaces as defined by FAA handbook 8260.3, "United States Standards For
4 Terminal Instrument Procedures (TERPS)" for the most demanding future approach anticipated
5 for the airport,

6 2. If a tower is determined to be a hazard to air navigation by the FAA, FAA form 7460-1 needs to be
7 filled out in full and must include all recommended attachments.

8 3. WCFs and antennas will be marked and lighted in accordance with FAA advisory circular 70/7460-
9 1K change 1 or as determined by county staff in consultation with those knowledgeable about aircraft
10 alert lighting methods.

11
12 D. Other requirements. At the time a provider requests a building permit, it must demonstrate
13 compliance to all applicable state and federal regulations.

14
15 **15.236.07 Submission Requirements**

16 All applications for site development review or conditional use permit shall be made on forms provided by
17 the director. The director shall provide the applicant with detailed information about specific submission
18 requirements.

19
20 **15.236.08 Collocation Protocol**

21 A. Purpose. The purpose of this requirement is to create a process that will allow providers to equitable
22 share publicly-available, non-proprietary information among themselves, with interested persons and
23 agencies, and with the County, at the time the provider schedules a pre-application conference with the
24 approval authority. This collocation protocol is designed to increase the likelihood that all reasonable
25 opportunities for collocation have been investigated and the appropriate information has been shared
26 among providers.

27 The County recognizes that collocation is preferable, where technologically feasible and visually
28 desirable, as a matter of public policy, but that collocation of antennas by providers is not always feasible

1 for technical or business reasons. However, if all licensed providers are made aware of any pending
2 tower or antenna permit requests, such disclosure will allow providers to have the maximum amount of
3 time to consider possible collocation opportunities, and will also assure the County that all reasonable
4 accommodations for collocation have been investigated. This chapter creates strong incentives for
5 collocation because proposals for collocation qualify for a less rigorous approval process.

6

7 B. Applicability. Requirements for the collocation protocol apply only to new towers subject to site
8 development review or conditional use.

9

10 C. Pre-application requirement. A pre-application review is required for all proposed freestanding towers.

11

12 D. Collocation request letter requirement. At the time a pre-application review is scheduled, the applicant
13 shall demonstrate that the following notice was mailed to all other wireless communication providers
14 operating wireless communications facilities within the County's boundaries:

15 "Pursuant to the requirements of 15.236.08, [name of wireless provider] is hereby providing you with
16 notice of our intent to meet with representatives of the Lyon County in a pre-application conference to
17 discuss the location a new free-standing wireless communication facility that would be located at
18 [location]. In general, we plan to construct a [type of tower] of [number] feet in height for the purpose of
19 providing [cellular, PCS] service.

20 Please inform us whether your company has any existing or pending wireless facilities located within
21 [distance] of the proposed facility, that may be available for possible collocation opportunities. Please
22 provide us with this information within 10 business days after the date of this letter. Your cooperation is
23 appreciated.

24 Sincerely [Name of pre-application applicant]."

25

26 E. Applicant's obligation to analyze feasibility of collocation. If a response to a collocation request letter
27 is received by an applicant indicating an opportunity for collocation on an existing tower of another
28 provider, the applicant shall make a good faith effort to analyze the feasibility of collocation. This analysis

1 shall be submitted with an application for a freestanding tower. A good faith effort to investigate the
2 feasibility of collocation on an existing facility shall be deemed to have occurred if the applicant submits
3 all of the following information:

- 4 1. A statement from a qualified engineer indicating whether the necessary service can or cannot be
5 provided by collocation at the potential collocation site;
- 6 2. Evidence that lessor of the potential collocation site either agrees or disagrees to collocation on
7 his/her property;
- 8 3. Evidence that adequate site area exists or does not exist at the potential collocation site to
9 accommodate ancillary equipment for the second provider and still meet all of the development
10 standards required in the base zone;
- 11 4. Evidence that adequate access does or does not exist at the possible collocation site.

12
13 F. Result of collocation feasibility analysis. If the applicant has provided information addressing each of
14 the criteria in subsection E of this section, the collocation protocol shall be deemed complete. The
15 applicant's tower shall then be permitted subject to the applicable standards and restrictions contained in
16 this chapter.

17

18 **15.236.09 Abandoned Facilities**

19 A. Abandonment defined. A wireless communication facility which has been discontinued for a period of
20 six (6) consecutive months or longer is hereby declared abandoned.

21

22 B. Removal of abandoned facilities. Abandoned facilities as defined in subsection A of this section shall
23 be removed by the property owner within 90 days from date of abandonment. Failure to remove an
24 abandoned facility is declared a public nuisance and is subject to penalties per Chapter 15.15 of this title.

25

26 C. Extension. Upon written application, prior to the expiration of the six (6) month period, the director
27 shall, in writing, grant a six (6) month extension for reuse of the facility. Additional extensions beyond the
28 first six (6) month extension may be granted by the director subject to any conditions required to bring the

- 1 project or facility into compliance with current regulation(s) and make it compatible with surrounding
- 2 development.
- 3

DRAFT

- 1 **Chapter 15.237– RESERVED**
- 2 **Chapter 15.238– RESERVED**

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1 **Chapter 15.239 Building Permits**

2

3 **15.239.01 Codes Adopted; General Administration**

4 A. Pursuant to Nevada Revised Statutes 244.105, 278.580, 278.583 and 444.350, Lyon County does
5 hereby adopt the following uniform and specialized codes, as amended herein, which will be collectively
6 known as the building codes of Lyon County:

- 7 1. International building code, 2012 edition, published by ICC.
- 8 2. International residential code, 2012 edition, published by ICC.
- 9 3. International energy conservation code, 2009 edition, published by ICC.
- 10 4. International fuel gas code, 2012 edition, published by ICC.
- 11 5. Uniform plumbing code, 2012 edition, published by IAPMO.
- 12 6. Uniform mechanical code, 2012 edition, published by IAPMO.
- 13 7. National electrical code, 2011 edition, NFPA 70.
- 14 8. International energy conservation code, 2012 edition, published by ICC.

15

16 All contents of the above codes are adopted as amended herein.

17

18 B. Where the word "city" appears in the codes, the word "county" shall be substituted and wherever the
19 words "city council" appear, the words "board of county commissioners" shall be substituted.

20

21 C. The board is empowered to hear and decide appeals of order, decisions or determinations made by
22 an official relative to the application and interpretation of this chapter. The board is further empowered to
23 adopt rules and regulations governing the procedures for such appeals. The board may delegate this
24 authority to the appropriate fire district board for appeals concerning interpretation and enforcement of the
25 international fire code. Any reference to a "board of appeals" and the authority or procedure of said
26 "board of appeals" is hereby deleted from the "building codes of Lyon County".

27

1 D. The board will establish fees for county permits, services and inspections provided pursuant to the
2 several codes. Related tables contained in the codes are not adopted for that purpose.

3

4 E. Any section or provision set forth in the several codes which may be in conflict with the Nevada state
5 constitution or Nevada Revised Statutes is not adopted.

6

7 F. Where differences occur between the provisions of the published codes and the requirements of the
8 state or local authority regarding water distribution or sewage disposal systems, the requirements of the
9 state or local authority shall apply.

10

11 G. Where differences occur between the provisions of the published codes and the requirements of the
12 Nevada division of manufactured housing, division of health, division of environmental protection or the
13 Comstock historic district, the more stringent requirements shall apply as determined by the county
14 building official.

15

16 H. Where differences occur between the provisions of the published codes and the requirements of the
17 Nevada state fire marshal and appropriate fire protection district, the codes and amendments adopted by
18 the Nevada state fire marshal and the appropriate fire protection district shall apply.

19

20 I. Where differences occur between the provisions of the published codes and the titled Lyon County
21 codes, the more stringent shall apply as determined by the county building official.

22

23 **15.239.02 Amendments; Administrative and Technical**

24 A. Administrative Amendments:

25 1. Amendments to 2012 international residential code:

26 a. Amend R101.2 Scope by deleting exceptions 1 and 2

- 1 b. Amend IRC section R102.5 Appendices by adding: "Lyon County specifically adopts
2 appendices G, H, J and K only." (The remaining appendices may be referenced as informational
3 only.)
- 4 c. Amend R102.7 Existing Structures to read: "The legal occupancy of any structure existing on
5 the date of adoption of this code shall be permitted to continue without change, except as
6 deemed necessary by the building official for the general safety and welfare of the occupants and
7 the public."
- 8 d. Amend IRC section 105.2 Work Exempt From Permit as follows:
- 9 1) Item 5 to read: "Sidewalks, driveways and uncovered patios constructed of concrete or
10 asphalt on grade without foundations and not over any basement or story below."
- 11 2) Add item 11 to read: "Door and window replacement when the existing structure, opening
12 size and location remain the same."
- 13 3) Add item 12 to read: "Shade cloth structures constructed for nursery or agricultural
14 purposes."
- 15 e. Amend IRC section 105.3 Application For Permit as follows:
- 16 1) Add to item 6: "Signed authorization by the property owner must be included with the
17 permit application."
- 18 2) Add as item "8. Plan review deposits shall be required with the application."
- 19 f. Amend R106.1.3 Information For Construction In Flood Hazard Areas as follows:
- 20 1) Add "5. A floodplain development permit obtained from the community development
21 department."
- 22 g. Amend IRC section R108.5 by adding: "The building official may authorize the refunding of
23 any fee which was erroneously paid or collected. Once a plan review has been completed the
24 plan review deposit may not be refunded if the application is then withdrawn. The building official
25 may authorize refunding of not more than 80 percent of the building fee when no work has been
26 done under an issued permit. The building official shall not authorize refunding of any fee paid
27 except on written application filed by the original permit holder not later than 210 days after the
28 date the permit was issued."

- 1 h. Amend IRC section R109.1.4 Frame And Masonry Inspection by adding as last sentence:
2 "The roof and exterior walls shall be weather tight with all windows installed."
- 3 i. Amend IRC section R109.1.5 Other Inspections by adding as last sentence: "These include
4 under-floor & slab inspections, roof & shear nailing inspections and insulation inspections."
- 5 j. Amend IRC section R110.4 Temporary Occupancy by adding the sentence: "A request for a
6 temporary certificate of occupancy must be made in writing explaining the reason for the request
7 and must include any required fee."
- 8 k. Add section "R111.4 Restoration Of Service Utilities. An existing electric or fuel gas service
9 that has been discontinued for six (6) consecutive months or longer will require a permit,
10 inspection and approval from the department prior to restoration of the service."
- 11 2. Amendments to 2012 international building code:
- 12 a. Amend IBC section 101.2.1 Appendices by adding: "Lyon County specifically adopts
13 appendices C, I, and J only." (The remaining appendices may be referenced as informational
14 only.)
- 15 b. Amend IBC 101.4.2 to replace reference to "international mechanical code" with "uniform
16 mechanical code".
- 17 c. Amend section 101.4.3 to replace reference to "international plumbing code" with "uniform
18 plumbing code" and replace reference to international private sewage disposal code with NRS
19 444 and NAC 444.
- 20 d. Delete section 101.4.4 "Property Maintenance" without replacement.
- 21 e. Amend section 101.4.5 Fire Prevention by inserting after *international fire code* the words "as
22 adopted and amended by the Nevada state fire marshal and the local fire protection district" shall
23 apply...
- 24 f. Amend IBC section 102.6 by deleting reference to the *international property maintenance*
25 *code*.
- 26 g. Amend IBC section 105.3 as follows:
- 27 1) Add to item 6: "Signed authorization by the property owner must be included with the
28 permit application."

- 1 2) Add to item 7: "A floodplain development permit obtained from the community
2 development department is required for all development in special flood hazard areas as
3 designated by the current FIRM."
4 3) Add as item 8. "Plan review deposits shall be required with the permit application."
5 h. Amend IBC section 109.6 by adding: "The building official may authorize refunding of any fee
6 which was erroneously paid or collected. The building official may authorize refunding of not more
7 than 80 percent of the building fee when no work has been done under an issued permit. The
8 building official shall not authorize refunding of any fee paid except on written application filed by
9 the original permit holder not later than 210 days after the date the permit was issued."
10 i. Amend IBC section 110.3.4 Frame Inspection by adding as a last sentence: "The roof and
11 exterior walls shall be weather-tight with all windows installed."
12 j. Amend IBC section 111.3 Temporary Occupancy by adding the sentence: "A request for a
13 temporary certificate of occupancy must be made in writing explaining the reason for the request
14 and must include any required fee."
15 k. Amend IBC section 112.1 Connection Of Service Utilities by adding the sentence: "An
16 existing electric or fuel gas service that has been discontinued for six consecutive months or
17 longer will require a permit, inspection and approval from the department prior to restoration of
18 the service."
19
20 B. Technical Amendments: The following technical amendments are hereby adopted:
21 1. Amend IRC section R302.1 Exterior Walls as follows:
22 a. Delete all after "shall comply with table R302.1(1);" including the five exceptions.
23 b. Delete table R302.1(2) Exterior Walls - Dwellings With Fire Sprinklers, including the
24 footnotes.
25 2. Amend IRC by deleting section R309.5 Fire Sprinklers.
26 3. Amend IRC section R311.7.5.1 Risers by deleting the last sentence: "Open risers are...4-inch
27 diameter sphere." and delete the exception.
28 4. Amend IRC section R312.2 Window Fall Protection by deleting the entire section.

- 1 5. Amend IRC section R408.1 Ventilation by deleting the words: "unless the ground surface is
2 covered by a class 1 vapor retarder material. When a class 1 vapor retarder material is used, the
3 minimum net area of ventilation openings shall not be less than 1 square foot for each 1,500 square
4 feet of under-floor space area."
- 5 6. Amend IRC section R408.2 Openings For Under-Floor Ventilation by deleting the published
6 exception and replacing with "Exception: The gross area of ventilation openings may be reduced to
7 84 square inches of vent for each 25 lineal feet of exterior wall where the ground surface is treated
8 with a vapor retarder material and the required openings are so placed as to provide cross ventilation
9 of the crawl space."
- 10 7. Amend IRC section R408.3 Unvented Crawl Space by adding to subsection 2 the additional
11 option: "2.4 Thermostatically operated vents which close completely at a temperature lower than 38
12 degrees Fahrenheit and open completely at a temperature higher than 65 degrees Fahrenheit. The
13 ventilation openings shall be a minimum of 84 square inches of gross area for each 25 lineal feet of
14 exterior wall and so placed as to provide cross ventilation of the crawl space."
- 15 8. Amend IRC section E3901.11 Foyers by deleting this section entirely.
- 16 9. Amend IRC section E3902.11 Location Of Ground-Fault Circuit Interrupters by deleting the word
17 "readily".
- 18 10. Amend IRC section E4002.14 Tamper-Resistant Receptacles by deleting the section entirely.
- 19 11. Amend NEC section 210.8 Ground-Fault Circuit-Interrupter Protection For Personnel by deleting
20 the word "readily".
- 21 12. Amend NEC section 210.52(I) Foyers by deleting the entire section.
- 22 13. Amend NEC section 406.2 Child Care Facility by deleting this definition and using IBC definition.
- 23 14. Amend NEC section 406.12 Tamper-Resistant Receptacles In Dwelling Units by deleting this
24 section entirely.

25

15.239.03 Violations and Penalties

- 27 A. Criminal Penalties:

1 1. Any person who violates any provision of the several codes hereby adopted shall be guilty of a
2 misdemeanor and, upon conviction thereof, shall be punished by not more than six (6) months'
3 imprisonment in the Lyon County Jail or by a fine of not more than one thousand dollars (\$1,000.00)
4 or by both such fine and imprisonment.

5 2. Any corporation which violates any provision of the several codes hereby adopted shall be guilty
6 of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one
7 thousand dollars (\$1,000.00).

8

9 B. Civil Penalties:

10 1. Abatement Procedures: If the owner of a noncomplying building or structure refuses to obey an
11 abatement order made by the board, the county may proceed with abatement and levy a lien upon
12 the property for the expense thereof.

13 2. Business License Revocation: The Lyon County business license of any person or corporation
14 which, holding such license, violates the provisions hereof, may be terminated or canceled after a
15 duly noticed public hearing and a finding that the person or corporation has violated or caused
16 violation of the provisions hereof.

17

18 **15.239.04 Existing Codes**

19 All uniform codes heretofore adopted by reference as part of the Lyon County code are repealed and
20 hereby replaced. However, said uniform codes may remain in effect, temporarily, as a part of the Lyon
21 County code to the extent that construction projects that are underway or for which building permits have
22 been issued pursuant to such codes, may proceed to completion. Upon completion of such construction
23 projects and/or expiration of such building permits, the said uniform codes shall be of no further force and
24 effect.

25

1 **15.239.05 Northern Nevada Amendments**

2 A. In addition to the technical amendments provided above, Lyon County also adopts the 2012 Northern
3 Nevada amendments dated February 4, 2013, as published by the Northern Nevada Chapter of the
4 International Code Council.

5

6 B. In addition to the technical amendments provided above, Lyon County also adopts the 2011 Northern
7 Nevada amendments (to the 2009 IECC) dated March 30, 2012, as published by the Northern Nevada
8 Chapter of the International Code Council.

9

10 C. In addition to the technical amendments provided above, Lyon County also adopts the 2015 Northern
11 Nevada Energy Code Amendments (to the 2012 IECC) dated November 2, 2015, as published by the
12 Northern Nevada Chapter of the International Code Council. The 2015 Northern Nevada Energy Code
13 Amendments replace and supersede the 2011 Northern Nevada amendments (to the 2009 IECC).

14

15 **15.239.06 Permits Required**

16 Except as specified in the adopted codes, as amended, no building or structure regulated by this chapter
17 may be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or
18 demolished unless a separate permit for each building or structure has first been obtained from the
19 community development department. A single permit may be issued covering building, plumbing,
20 electrical work for a single structure.

21

- 1
- 2 **Chapter 15.240– RESERVED**
- 3 **Chapter 15.241– RESERVED**
- 4 **Chapter 15.242– RESERVED**
- 5 **Chapter 15.243– RESERVED**
- 6 **Chapter 15.244– RESERVED**
- 7 **Chapter 15.245– RESERVED**
- 8 **Chapter 15.246– RESERVED**
- 9 **Chapter 15.247– RESERVED**
- 10 **Chapter 15.248– RESERVED**
- 11 **Chapter 15.249– RESERVED**
- 12 **Chapter 15.250– RESERVED**
- 13 **Chapter 15.251– RESERVED**
- 14 **Chapter 15.252– RESERVED**
- 15 **Chapter 15.253– RESERVED**
- 16 **Chapter 15.254– RESERVED**
- 17 **Chapter 15.255– RESERVED**
- 18 **Chapter 15.256– RESERVED**
- 19 **Chapter 15.257– RESERVED**
- 20 **Chapter 15.258– RESERVED**
- 21 **Chapter 15.259– RESERVED**
- 22 **Chapter 15.260– RESERVED**
- 23 **Chapter 15.261– RESERVED**
- 24 **Chapter 15.262– RESERVED**
- 25 **Chapter 15.263– RESERVED**
- 26 **Chapter 15.264– RESERVED**
- 27 **Chapter 15.265– RESERVED**
- 28 **Chapter 15.266– RESERVED**

- 1 **Chapter 15.267– RESERVED**
- 2 **Chapter 15.268– RESERVED**
- 3 **Chapter 15.269– RESERVED**
- 4 **Chapter 15.270– RESERVED**
- 5 **Chapter 15.271– RESERVED**
- 6 **Chapter 15.272– RESERVED**
- 7 **Chapter 15.273– RESERVED**
- 8 **Chapter 15.274– RESERVED**
- 9 **Chapter 15.275– RESERVED**
- 10 **Chapter 15.276– RESERVED**
- 11 **Chapter 15.277– RESERVED**
- 12 **Chapter 15.278– RESERVED**
- 13 **Chapter 15.279– RESERVED**
- 14 **Chapter 15.280– RESERVED**
- 15 **Chapter 15.281– RESERVED**
- 16 **Chapter 15.282– RESERVED**
- 17 **Chapter 15.283– RESERVED**
- 18 **Chapter 15.284– RESERVED**
- 19 **Chapter 15.285– RESERVED**
- 20 **Chapter 15.286– RESERVED**
- 21 **Chapter 15.287– RESERVED**
- 22 **Chapter 15.288– RESERVED**
- 23 **Chapter 15.289– RESERVED**
- 24 **Chapter 15.290– RESERVED**
- 25 **Chapter 15.291– RESERVED**
- 26 **Chapter 15.292– RESERVED**
- 27 **Chapter 15.293– RESERVED**
- 28 **Chapter 15.294– RESERVED**

- 1 **Chapter 15.295– RESERVED**
- 2 **Chapter 15.296– RESERVED**
- 3 **Chapter 15.297– RESERVED**
- 4 **Chapter 15.298– RESERVED**
- 5 **Chapter 15.299– RESERVED**
- 6

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1 **Chapter 15.300 Character Districts and Zoning Districts**

2

3 **15.300.01 Character Districts: Rural, Suburbanizing, Historic and General County**

4 Character districts are a product of, and are delineated on maps adopted in the Lyon County
5 Comprehensive Master Plan. The Character Districts help define, maintain, or enhance desired character
6 of development or intensity in particular areas of the county.

7 They control and modify the land use designations to achieve the type and character of development
8 desired in communities. A community may have one or more Character Districts within its boundary. The
9 following character districts are described in the sections that follow:

- 10 ▪ Rural districts,
- 11 ▪ Suburbanizing districts,
- 12 ▪ Historic districts,
- 13 ▪ Future Plan Areas, and
- 14 ▪ General County.

15 For a complete description of Character Districts and land use designations see the Lyon County
16 Comprehensive Master Plan – Countywide Component, Chapter 3, Land Use, Economy and Growth.

17

18 **15.300.02 Rural Districts**

19 Rural Districts include those areas that are predominately undeveloped open space, in agricultural or
20 resource-based use, or very low-density residential development with limited neighborhood commercial
21 uses. Zoning District requirements and the Lyon County development standards reflect the “rural”
22 character of the area.

23

24 **15.300.03 Suburbanizing Districts**

25 Suburbanizing Districts include those areas that are predominately medium to high-density residential
26 development with regional/community commercial, neighborhood residential and commercial uses, and
27 industrial and employment uses. Zoning District requirements and the Lyon County development

1 standards for uses within this character district reflect the "suburban" character of these areas and include
2 requirements for municipal water and sewer, roadway design appropriate to the planned land uses,
3 landscaping of public areas, and pedestrian facilities (sidewalks and paths).

4

5 **15.300.04 Historic Districts**

6 Historic Districts include those areas in and around lands included in the Comstock Historic District,
7 including Silver City and portions of the Dayton area, or other future historic designations to preserve
8 existing historic character or to promote "historic" architectural design elements. Future historic districts
9 may also be designated where the intent is to promote new compatible development that is in keeping
10 with the "historic" development patterns and architectural design elements to create more vitality. Tools
11 might include mixed-use, design guidelines and conservation easements.

12

13 **15.300.05 General County**

14 Lands outside the boundaries of defined community boundaries are classified as General County. These
15 lands are rural, resource or public lands, and are intended to remain largely undeveloped or with very low
16 intensity development within the Master Plan's planning horizon. The development standards applicable
17 to General County lands are the same as those for Rural Character Districts.

18

19 **15.300.06 Zoning Districts**

20 Lyon County is divided into zoning districts in order to classify, regulate and restrict the location of trade
21 and industry, the location of buildings designated for specific uses, to protect residential uses, to regulate
22 and limit the height and bulk of buildings hereafter erected or altered, to regulate and limit the intensity of
23 the use of lot areas, and to regulate and determine the areas of yards and open space within and
24 surrounding such buildings.

25

26 The zones, listed in Table 15.300-1, are intended to guide development and redevelopment within Lyon
27 County's seven unincorporated communities. The zoning regulations are intended to preserve and

1 enhance the existing character of these communities while allowing the opportunity for residents to grow-
 2 in-place.

3

4 **Table 15.300-1 Zoning Districts**

Zoning Map Symbol	Name of Zoning District	Master Plan Designation	Character Area	Reference Section
Agricultural and Resource Zones (Chapter 15.310)				
AG	Agriculture	Agriculture	Rural	15.310.01
NIA	Non-Irrigated Agriculture	Agriculture	Rural	15.310.02
RL	Resource Land	Resource (Private)	Rural	15.310.03
PL	Public Land	Public Lands (Public)	Rural	15.310.04
Rural Residential Zones (Chapter 15.311)				
RR-20	Rural Residential, 20 Acre Minimum	Rural Residential	Rural	15.311.01
RR-10	Rural Residential, 10 Acre Minimum	Rural residential	Rural	15.311.02
RR-5	Rural residential, 5 Acre Minimum	Rural Residential	Rural	15.311.03
RR-2	Rural Residential, 2 Acre Minimum	Low Density Residential	Rural	15.311.04
RR-1	Rural Residential, 1 Acre Minimum	Low Density Residential	Rural	15.311.05
Suburban Residential Zones (Chapter 15.312)				
SR-2	Suburban Residential, 2 Acre Minimum	Low Density Residential	Suburban	15.312.01
SR-1	Suburban Residential, 1 Acre Minimum	Low Density Residential	Suburban	15.312.02
SR-1/2	Suburban Residential, 1/2 Acre Minimum	Suburban Residential	Suburban	15.312.03
SR-12000	Suburban Residential, 12000 sq. ft. Minimum	Suburban Residential	Suburban	15.312.04
SR-9000	Suburban Residential, 9000 sq. ft. Minimum	Suburban Residential	Suburban	15.312.05
NR	Neighborhood Residential, 4500 sq. ft. Minimum	Suburban Residential	Suburban	15.312.06
MFR	Multi-family Residential	Suburban Residential	Suburban	15.312.07
RMU	Residential Mixed-Use	Suburban Residential	Suburban	15.312.08
Commercial and Mixed-Use Zones (Chapter 15.313)				
NC	Neighborhood Commercial	Commercial	Rural/Suburban	15.313.01
CC	Community Commercial	Commercial	Suburban	15.313.02
RC	Regional Commercial	Commercial	Suburban	15.313.03
TC-H	Tourist Commercial - Historic	Commercial	Rural	15.313.04
TC-R	Tourist Commercial - Rural	Commercial	Rural	15.313.05
TC-S	Tourist Commercial - Suburban	Commercial	Suburban	15.313.06
CMU-H	Commercial Mixed-Use - Historic	Commercial Mixed-Use	Historic	15.313.07
CMU-R	Commercial Mixed-Use - Rural	Commercial Mixed-Use	Rural	15.313.07

CMU-S	Commercial Mixed-Use - Suburban	Commercial Mixed-Use	Suburban	15.313.07
HMU-R	Highway Corridor Mixed-Use - Rural	Commercial Mixed-Use	Rural	15.313.08
HMU-S	Highway Corridor Mixed-Use - Suburban	Commercial Mixed-Use	Suburban	15.313.09
Industrial Zones (Chapter 15.314)				
LI-R	Light Industrial - Rural	Industrial	Rural	15.314.01
LI-S	Light Industrial - Suburban	Industrial	Suburban	15.314.01
HI-R	Heavy Industrial - Rural	Industrial	Rural	15.314.02
HI-S	Heavy Industrial - Suburban	Industrial	Suburban	15.314.02
Employment Zones (Chapter 15.314)				
SI	Service Industrial	Employment	Suburban	15.314.03
EMU	Employment Mixed-Use	Employment	Suburban	15.314.04
XX	Adult Use District	Employment	Suburban	15.314.05
Public/Community Facilities and Other Lands (Chapter 15.316)				
OS	Open Space (Public)	Open Space	Rural/Suburban	15.316.01
PF	Public Facilities	Public/Quasi Public	Suburban/Rural	15.316.02
Overlay Designations (Chapter 15.317)				
AO	Airport Overlay	Airport Influence	Suburban/Rural	15.317.01
CPA	Cooperative Planning Area		Suburban/Rural	15.317.02
HO	Historic Overlay		Suburban	15.317.03
RO	Redevelopment Overlay		Suburban	15.317.04
PI	Planning Incentive Overlay	Planning Incentive Overlay	Suburban/Rural	15.317.05
Other Designations (Chapter 15.318)				
SP	Specific Plan			15.318.01
TL	Tribal			15.318.02

1 Chapter 15.301– RESERVED

2

3 Chapter 15.302– RESERVED

4

5 Chapter 15.303– RESERVED

6

7 Chapter 15.304– RESERVED

8

9 Chapter 15.305– RESERVED

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11 Chapter 15.306– RESERVED

12

13 Chapter 15.307– RESERVED

14

15 Chapter 15.308– RESERVED

16

17 Chapter 15.309– RESERVED

18

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1 Chapter 15.310 Agriculture and Resource Zoning Districts

2 15.310.01 Agriculture (AG) Zone

3

A. Purpose		
The purpose of the AG zone is to implement the Lyon County master plan, to conserve agricultural resources, retain open spaces and the rural character of the county, and to direct urbanization into manageable and identified development areas. This is a low density land use district. Unless otherwise specified in this development code, no more than one home per parcel is permitted in this land use district.		
B. Building Placement Requirements		
Setback		Reference
Front	30 feet	
Side Street	30 feet	
Rear	20 feet	
Side	10 feet	
C. Building Form Requirements		
Building Height	35 feet	15.330.03 E
Floor to Area Ratio	n/a	
D. Parking Requirements		
See Chapter 15.401 (Off-Street Parking and Loading)		
E. Minimum Lot Requirements		
Lot Size	20 gross acres	
Lot width ratio (w:d)	1:4	
Lot Street Frontage Width (minimum)	400 feet	
Average Lot Width	420 feet	
Average Lot Depth	n/a	
F. Miscellaneous Requirements		
<p>1. Cluster Development in conformance to the provisions of chapter 15.343 are permitted subject to the following limitations:</p> <ul style="list-style-type: none"> a. Minimum parcel size per residential unit is one acre (43,560 square feet). b. Clusters are limited to no more than 5 contiguous parcels. c. Clusters shall be separated by a minimum 500 feet. Land separating clusters shall be dedicated as open space in accordance with the provisions of chapter 15.343. d. Clusters shall be served by a shared access to a public road. No direct access to a public road shall be permitted for any parcel within a cluster. e. Each parcel shall be served by an individual well and septic system. f. Density bonuses shall be calculated in accordance with the provision of 15.343.09. <p>2. Accessory dwelling units of no more than one unit per twenty gross acres are permitted subject to the following limitations:</p> <ul style="list-style-type: none"> a. Accessory dwelling units in excess of one per parcel are permitted for the purpose of housing employees and family members engaged in agricultural pursuits. b. Accessory dwelling units shall not exceed 1200 sq. ft. livable space. c. Each dwelling unit shall be served by an individual well and septic system. d. Each dwelling unit shall be separated by no less than 50 feet. e. Accessory dwelling units shall not be entitled to additional accessory dwelling units. 		

f. Accessory dwelling units shall comply with the performance based standards contained in chapter 15.330.

3. Farm Labor Housing for seasonal or temporary employees of the landowner meeting the requirements of the US Department of Labor standards contained in 29 CFR Part 500 is permitted subject to a Conditional Use Permit issued in accordance with chapter 15.230 on land designated by the Lyon County Assessor as Agricultural.

4. Any non-agricultural use on a parcel used primarily for agricultural purposes that is considered to be incidental to the primary agricultural use may be carried out as a secondary use provided the use meets the performance based standards of the use contained in chapter 15.330.

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1 **15.310.02 Non-Irrigated Agriculture (NIA) Zone**

2

A. Purpose		
The purpose of the NIA zone is to implement the Lyon County master plan, retain rural areas for the purpose of efficiently using land to conserve forest, mineral and range resources, protect the natural environment, preserve open spaces, and preserve open areas for grazing and other agricultural uses for land under private ownership. This is a low density land use district. Unless otherwise specified in this development code, no more than one home per parcel is permitted in this land use district.		
B. Building Placement Requirements		
Setback		Reference
Front	30 feet	
Side Street	30 feet	
Rear	20 feet	
Side	10 feet	
C. Building Form Requirements		
Building Height	35 feet	15.330.03 E
Floor to Area Ratio	n/a	
D. Parking Requirements		
See Chapter 15.401 (Off-Street Parking and Loading)		
E. Minimum Lot Requirements		
Lot Size	20 gross acres	
Lot width ratio (w:d)	1:4	
Lot Street Frontage Width	400 feet	
Average Lot Width	420 feet	
Average Lot Depth	n/a	
F. Miscellaneous Requirements		
<p>1. Cluster Development in conformance to the provisions of chapter 15.343 are permitted subject to the following limitations:</p> <ul style="list-style-type: none"> a. Minimum parcel size per residential unit is one acre (43,560 square feet). b. Clusters are limited to no more than 5 contiguous parcels. c. Clusters shall be separated by a minimum 500 feet. Land separating clusters shall be dedicated as open space in accordance with the provisions of chapter 15.343. d. Clusters shall be served by a shared access to a public road. No direct access to a public road shall be permitted for any parcel within a cluster. e. Each parcel shall be served by an individual well and septic system. f. Density bonuses shall be calculated in accordance with the provision of 15.343.09. <p>3. Accessory dwelling units of no more than one unit per twenty gross acres are permitted subject to the following limitations:</p> <ul style="list-style-type: none"> a. Accessory dwelling units in excess of one per parcel are permitted for the purpose of housing employees and family members engaged in agricultural pursuits. b. Accessory dwelling units shall not exceed 1200 sq. ft. livable space. c. Each dwelling unit shall be served by an individual well and septic system. d. Each dwelling unit shall be separated by no less than 50 feet. e. Accessory dwelling units shall not be entitled to additional accessory dwelling units. f. Accessory dwelling units shall comply with the performance based standards contained in chapter 15.330. 		

3. Farm Labor Housing for seasonal or temporary employees of the landowner meeting the requirements of the US Department of Labor standards contained in 29 CFR Part 500 is permitted subject to a Conditional Use Permit issued in accordance with chapter 15.230 on land designated by the Lyon County Assessor as Agricultural.

4. Any non-agricultural use on a parcel used primarily for agricultural purposes that is considered to be incidental to the primary agricultural use may be carried out as a secondary use provided the use meets the performance based standards of the use contained in chapter 15.330.

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1 **15.310.03 Resource Land (RL) Zone**

2

A. Purpose		
The purpose of the RL district is to implement the Lyon County master plan, establish rural areas for the purpose of efficiently using land to conserve forest, mineral and range resources, protect the natural environment, retain open spaces, and preserve open areas for grazing and other agricultural uses for land under private ownership. This is a low density land use district. Unless otherwise specified in this development code, no more than one home per parcel is permitted in this land use district.		
B. Building Placement Requirements		
Setback		Reference
Front	30 feet	
Side Street	30 feet	
Rear	30 feet	
Side	20 feet	
C. Building Form Requirements		
Building Height	35 feet	15.330.03 E
Floor to Area Ratio	n/a	
D. Parking Requirements		
See Chapter 401 (Off-Street Parking and Loading)		
E. Minimum Lot Requirements		
Lot Size	40 gross acres	
Lot width ratio (w:d minimum)	1:4	
Lot Street Frontage Width	n/a	
Average Lot Width	n/a	
Average Lot Depth	n/a	
F. Miscellaneous Requirements		
<ol style="list-style-type: none"> 1. One dwelling unit per 40 gross acres or 1/16th of a section as described by a government land office survey, or per existing parcel at the time of adoption of this ordinance, if less than 40 acres or 1/16th of a section. 2. Any non-agricultural use on a parcel used primarily for agricultural purposes that is considered to be incidental to the primary agricultural use may be carried out as a secondary use provided the use meets the performance based standards of the use contained in chapter 15.330. 3. Cluster Development is not permitted in the Resource Land (RL) district. 		

3

4

1 **15.310.04 Public Land (PL) Zone**

2

A. Purpose		
The purpose of the PL district is to implement the Lyon County master plan, establish rural areas for the purpose of efficiently using land to conserve forest, mineral and range resources, protect the natural environment, preserve open spaces, and preserve open areas for grazing and other agricultural uses for land under predominately in public ownership. This is a non-residential land use district.		
B. Building Placement Requirements		
Setback		Reference
Front	30 feet	
Side Street	30 feet	
Rear	30 feet	
Side	20 feet	
C. Building Form Requirements		
Building Height	35 feet	15.330.03 E
Floor to Area Ratio	n/a	
D. Parking Requirements		
See Chapter 401 (Off-Street Parking and Loading)		
E. Minimum Lot Requirements		
Lot Size	160 gross acres	
Lot width ratio (w:d minimum)	n/a	
Lot Street Frontage Width	n/a	
Average Lot Width	n/a	
Average Lot Depth	n/a	
F. Miscellaneous Requirements		

3

1 Chapter 15.311 Rural Residential Zoning Districts

2

3 **15.311.01 Rural Residential, 20 Acre Minimum (RR-20)**

4

A. Purpose		
This zone is intended to promote the development of single-family detached units at a density and character compatible with agricultural and other rural and suburban fringe uses with a minimum lot size of twenty acres. Unless otherwise specified in this code, no more than one home per parcel is permitted in this zoning district. The RR-20 zone implements the Rural Residential land use designation of the Master Plan in Rural Character districts.		
B. Building Placement Requirements		
Setback		Reference
Front	30 feet	
Side Street	30 feet	
Rear	20 feet	
Side	10 feet	
C. Building Form Requirements		
Building Height	35 feet	15.330.03 E
Floor to Area Ration	n/a	
D. Parking Requirements		
See Chapter 15.401, (Off-Street Parking and Loading)		
E. Minimum Lot Requirements		
Lot Size	20 gross acres	
Lot Width Ratio (w:d minimum)	1:4	
Lot Street Frontage Width	400 feet	
Average Lot Width	420 feet	
Average Lot Depth	n/a	
F. Miscellaneous Requirements		
<p>1. Cluster Development in conformance to the provisions of chapter 15.343 are permitted subject to the following limitations:</p> <ul style="list-style-type: none"> a. Minimum parcel size per residential unit is one acre (43,560 square feet). b. Minimum of 75% of the gross parent parcel shall be reserved as open space. c. Clusters are limited to no more than 5 contiguous parcels. d. Clusters shall be separated by a minimum 500 feet. Land separating clusters shall be dedicated as open space in conformance to the provisions of chapter 15.343. e. Clusters shall be served by a shared access to a public road. No direct access to a public road shall be permitted for any parcel within a cluster. f. Each parcel within a cluster shall be served by an individual well and septic system. <p>Increased density incentives are permitted only to meet hazard reduction and conservation goals.</p> <p>2. Parcels created by a division of land into large parcels prior to the adoption of this ordinance containing a minimum of 38 gross acres or a parcel which is 1/16th of a section as described by a government land office survey may be subdivided into two parcels of equal size.</p>		

5

6

1 **15.311.02 Rural Residential, 10 Acre Minimum (RR-10)**

2

A. Purpose		
This zone is intended to promote the development of single-family detached units at a density and character compatible with agricultural and other rural and suburban fringe uses with a minimum lot size of ten acres. Unless otherwise specified in this code, no more than one home per parcel is permitted in this zoning district. The RR-10 zone implements the Rural Residential land use designation of the Master Plan in Rural Character districts.		
B. Building Placement Requirements		
Setback		Reference
Front	30 feet	
Side Street	30 feet	
Rear	20 feet	
Side	10 feet	
C. Building Form Requirements		
Building Height	35 feet	15.330.03 E
Floor to Area Ration	n/a	
D. Parking Requirements		
See Chapter 15.401, (Off-Street Parking and Loading)		
E. Minimum Lot Requirements (minimum)		
Lot Size	10 gross acres	
Lot width ration (w:d minimum)	1:4	
Lot Street Frontage Width	150 feet	
Average Lot Width	200 feet	
Average Lot Depth	n/a	
F. Miscellaneous Requirements		
<p>1. Cluster Development in conformance to the provisions of chapter 15.343 are permitted subject to the following limitations:</p> <ul style="list-style-type: none"> a. Minimum parcel size per residential unit is one acre (43,560 square feet). b. Minimum of 60% of the gross parent parcel shall be reserved as open space. c. Clusters are limited to no more than 5 contiguous parcels. d. Clusters shall be separated by a minimum 500 feet. Land separating clusters shall be dedicated as open space in conformance to the provisions of chapter 15.343. e. Clusters shall be served by a shared access to a public road. No direct access to a public road shall be permitted for any parcel within a cluster. f. Each parcel within a cluster shall be served by an individual well and septic system. <p>Increased density incentives are permitted only to meet hazard reduction and conservation goals.</p>		

3

4

1 **15.311.03 Rural Residential, 5 Acre Minimum (RR-5)**

2

A. Purpose		
This zone is intended to promote the development of single-family detached units at a density and character compatible with agricultural and other rural and suburban fringe uses with a minimum lot size of five gross acres. Unless otherwise specified in this development code, no more than one dwelling unit per parcel is permitted in this zoning district. The RR-5 zone implements the Rural Residential land use designation of the Master Plan in Rural Character districts.		
B. Building Placement Requirements		
Setback		Reference
Front	30 feet	
Side Street	30 feet	
Rear	20 feet	
Side	10 feet	
C. Building Form Requirements		
Building Height	35 feet	15.330.03 E
Floor to Area Ration	n/a	
D. Parking Requirements		
See 15.401 Off-Street Parking and Loading)		
E. Minimum Lot Requirements		
Lot Size	5 gross acres	
Lot width ratio (w:d minimum)	1:4	
Lot Street Frontage Width	No less than 50% of the average lot width	
Average Lot Width	200 feet	
Average Lot Depth	n/a	
F. Miscellaneous Requirements		
1. Cluster Development in conformance to the provisions of chapter 15.343 are permitted subject to the following limitations:		
<ul style="list-style-type: none"> a. Minimum parcel size per residential unit is one acre (43,560 square feet). b. Minimum of 50% of the gross parent parcel shall be reserved as open space. c. Clusters are limited to no more than 5 contiguous parcels. d. Clusters shall be separated by a minimum 500 feet. Land separating clusters shall be dedicated as open space in conformance to the provisions of chapter 15.343. e. Clusters shall be served by a shared access to a public road. No direct access to a public road shall be permitted for any parcel within a cluster. f. Each parcel within a cluster shall be served by an individual well and septic system. g. Increased density incentives are permitted only to meet hazard reduction and conservation goals. 		

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5

1 **15.311.04 Rural Residential, 2 Acre Minimum (RR-2)**

2

A. Purpose		
This zone is intended for the development of single-family detached units in suburban fringe and rural settings with a minimum lot size of two net acres. Unless otherwise specified in this development code, no more than one home per parcel is permitted in this zoning district. The RR-2 zone implements the Low Density Residential land use designation of the Master Plan in Rural Character districts.		
B. Building Placement Requirements		
Setback		Reference
Front	30 feet	
Side Street	30 feet	
Rear	20 feet	
Side	10 feet	
C. Building Form Requirements		
Building Height	35 feet	15.330.03 E
Floor to Area Ration	n/a	
D. Parking Requirements		
See 15.401 Off-Street Parking and Loading		
E. Minimum Lot Requirements		
Lot Size	2 net acres	
Lot width ratio (w:d minimum)	1:3	
Lot Street Frontage Width	At least 50% of average lot width	
Average Lot Width	150 feet	
Average Lot Depth	n/a	
F. Miscellaneous Requirements		
1. Cluster Development in conformance to the provisions of chapter 15.343 are permitted subject to the following limitations:		
Parcels without public water or sewer:		
<ul style="list-style-type: none"> a. Minimum parcel size per residential unit is one acre (43,560 square feet). b. Minimum of 50% of the gross parent parcel shall be reserved as open space. c. Clusters are limited to no more than 5 contiguous parcels. d. Clusters shall be separated by a minimum 350 feet. Land separating clusters shall be dedicated as open space in conformance to the provisions of chapter 15.343. e. Clusters shall be served by a shared access to a public road. No direct access to a public road shall be permitted for any parcel within a cluster. f. Each parcel within a cluster shall be served by an individual well and septic system. g. Increased density incentives are permitted only to meet hazard reduction and conservation goals. 		
Parcels served by a public water system:		
<ul style="list-style-type: none"> a. Minimum parcel size per residential unit is one-half acre (21,780 square feet). b. Minimum of 50% of the gross parent parcel shall be reserved as open space. c. Clusters are limited to no more than 5 contiguous parcels. d. Clusters shall be separated by a minimum 350 feet. Land separating clusters shall be dedicated as open space in conformance to the provisions of chapter 15.343. e. Clusters shall be served by a shared access to a public road. No direct access to a public road shall be permitted for any parcel within a cluster. f. Each parcel within a cluster shall be served by an individual septic system. g. Increased density incentives are permitted only to meet hazard reduction and conservation goals. 		

Parcels served by public water and sewer systems:

- a. Minimum parcel size per residential unit is one-quarter acre (10,890 square feet).
- b. Minimum of 50% of the gross parent parcel shall be reserved as open space.
- c. Clusters are limited to no more than 5 contiguous parcels.
- d. Clusters shall be separated by a minimum 350 feet. Land separating clusters shall be dedicated as open space in conformance to the provisions of chapter 15.343.
- e. Clusters shall be served by a shared access to a public road. No direct access to a public road shall be permitted for any parcel within a cluster.
- f. Increased density incentives are permitted only to meet hazard reduction and conservation goals.

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1 **15.311.05 Rural Residential, 1 Acre Minimum (RR-1)**

A. Purpose		
This zone is intended for the development of single-family detached units in suburban fringe and rural settings with a minimum lot size of one net acre. Unless otherwise specified in this development code, no more than one home per parcel is permitted in this zoning district. The RR-1 zone implements the Low Density Residential land use designation of the Master Plan in Rural Character Districts.		
B. Building Placement Requirements		
Setback		Reference
Front	30 feet	
Side Street	30 feet	
Rear	20 feet	
Side	10 feet	
C. Building Form Requirements		
Building Height	35 feet	15.330.03 E
Floor to Area Ration	n/a	
D. Parking Requirements		
See 15.401 Off-Street Parking and Loading		
E. Minimum Lot Requirements		
Lot Size	1 net acre	
Lot width ratio (w:d minimum)	1:3	
Lot Street Frontage Width	At least 50% of average width	
Average Lot Width	120 feet	
Average Lot Depth	n/a	
F. Miscellaneous Requirements		
1. Cluster Development in conformance to the provisions of chapter 15.343 are permitted subject to the following limitations:		
Parcels served by a public water system:		
<ul style="list-style-type: none"> a. Minimum parcel size per residential unit is one-half acre (21,780 square feet). b. Minimum of 50% of the gross parent parcel shall be reserved as open space. c. Clusters are limited to no more than 5 contiguous parcels. d. Clusters shall be separated by a minimum 200 feet. Land separating clusters shall be dedicated as open space in conformance to the provisions of chapter 15.343. e. Clusters shall be served by a shared access to a public road. No direct access to a public road shall be permitted for any parcel within a cluster. f. Each parcel within a cluster shall be served by an individual septic system. g. Increased density incentives are permitted only to meet hazard reduction and conservation goals. 		
Parcels served by public water and sewer systems:		
<ul style="list-style-type: none"> a. Minimum parcel size per residential unit is one-quarter acre (10,890 square feet). b. Minimum of 50% of the gross parent parcel shall be reserved as open space. c. Clusters are limited to no more than 5 contiguous parcels. d. Clusters shall be separated by a minimum 200 feet. Land separating clusters shall be dedicated as open space in conformance to the provisions of chapter 15.343. e. Clusters shall be served by a shared access to a public road. No direct access to a public road shall be permitted for any parcel within a cluster. f. Increased density incentives are permitted only to meet hazard reduction and conservation goals. 		

2

1 Chapter 15.312 Suburban Residential Zones

2
3 **15.312.01 Suburban Residential, 2 Acre Minimum (SR-2)**

4

A. Purpose		
This zone is intended for the development of single-family type homes in suburban fringe and rural settings with a minimum lot size of two net acres. Unless otherwise specified in this development code, no more than one home per parcel is permitted in this zoning district. The SR-2 zone implements the Low Density Residential land use designation of the Master Plan in Suburban Character districts.		
B. Building Placement Requirements		
Setback		Reference
Front	30 feet	
Side Street	30 feet	
Rear	20 feet	
Side	10 feet	
C. Building Form Requirements		
Building Height	35 feet	15.330.03 E
Floor to Area Ration	n/a	
D. Parking Requirements		
See 15.401 Off-Street Parking and Loading		
E. Minimum Lot Requirements		
Lot Size	2 net acres	
Lot width ratio (w:d minimum)	1:3	
Lot Street Frontage Width	100 feet	
Average Lot Width	135 feet	
Average Lot Depth	n/a	
F. Miscellaneous Requirements		
1. Cluster Development in conformance to the provisions of chapter 15.343 are permitted subject to the following limitations:		
<ul style="list-style-type: none"> a. All parcels shall be served by public water and sewer systems. b. Minimum parcel size per residential unit is one-quarter acre (10,890 square feet). c. Minimum of 50% of the gross parent parcel shall be reserved as open space. d. Clusters are limited to no more than 5 contiguous parcels. e. Clusters shall be separated by a minimum 350 feet. Land separating clusters shall be dedicated as open space in conformance to the provisions of chapter 15.343. f. Clusters shall be served by a shared access to a public road. No direct access to a public road shall be permitted for any parcel within a cluster. 		

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1 **15.312.02 Suburban Residential, 1 Acre Minimum (SR-1)**

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A. Purpose		
This zone is intended for the development of single-family units in suburban fringe and rural settings with a minimum lot size of one net acre, and a maximum density of one unit per gross acre. Unless otherwise specified in this development code, no more than one home per parcel is permitted in this zoning district. The SR-1 zone implements the Low Density Residential land use designation of the Master Plan in Suburban Character districts.		
B. Building Placement Requirements		
Setback		Reference
Front	30 feet	
Side Street	30 feet	
Rear	20 feet	
Side	10 feet	
C. Building Form Requirements		
Building Height	35 feet	15.330.03 E
Floor to Area Ration	n/a	
D. Parking Requirements		
See 15.401 Off-Street Parking and Loading		
E. Minimum Lot Requirements		
Lot Size	1 net acre	
Lot width ratio (w:d minimum)	1:3	
Lot Street Frontage Width	100 feet	
Average Lot Width	120 feet	
Average Lot Depth	n/a	
F. Miscellaneous Requirements		
1. Cluster Development in conformance to the provisions of chapter 15.343 are permitted subject to the following limitations:		
<ul style="list-style-type: none"> a. All parcels shall be served by public water and sewer systems. b. Minimum parcel size per residential unit is one-quarter acre (10,890 square feet). c. Minimum of 50% of the gross parent parcel shall be reserved as open space. d. Clusters are limited to no more than 5 contiguous parcels. e. Clusters shall be separated by a minimum 200 feet. Land separating clusters shall be dedicated as open space in conformance to the provisions of chapter 15.343. f. Clusters shall be served by a shared access to a public road. No direct access to a public road shall be permitted for any parcel within a cluster. 		

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1 **15.312.03 Suburban Residential, 1/2 Acre Minimum (SR-1/2)**

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A. Purpose		
This zone is intended for the development of a variety of single-family unit types in a suburban setting in close proximity to neighborhood service centers that include commercial, social, recreational, and civic services, with a minimum lot size of one-half (1/2) net acre, and a maximum density of 2 units per gross acre. Unless otherwise specified in this development code, no more than one home per parcel is permitted in this zoning district. The SR-1/2 zone implements the Suburban Residential land use designation of the Master Plan in Suburban Character districts.		
B. Building Placement Requirements		
Setback		Reference
Front	25 feet	
Side Street	25 feet	
Rear	20 feet	
Side	10 feet	
C. Building Form Requirements		
Building Height	35 feet	15.330.03 E
Floor to Area Ration	n/a	
D. Parking Requirements		
See 15.401 Off-Street Parking and Loading		
E. Minimum Lot Requirements		
Lot Size	One-half acre (net)	
Lot width ratio (w:d minimum)	1:3	
Lot Street Frontage Width	75 feet	
Average Lot Width	80 feet	
Average Lot Depth	n/a	
F. Miscellaneous Requirements		
<p>1. Cluster Development in conformance to the provisions of chapter 15.343 are permitted subject to the following limitations:</p> <ul style="list-style-type: none"> a. All parcels shall be served by public water and sewer systems. b. Minimum parcel size per residential unit is one-quarter acre (10,890 square feet). c. Minimum of 50% of the gross parent parcel shall be reserved as open space. d. Clusters are limited to no more than 5 contiguous parcels. e. Clusters shall be separated by a minimum 100 feet. Land separating clusters shall be dedicated as open space in conformance to the provisions of chapter 15.343. f. Clusters shall be served by a shared access to a public road. No direct access to a public road shall be permitted for any parcel within a cluster. <p>2. Cottage Housing Development in conformance to the provisions of chapter 15.344 is permitted subject to the following limitations:</p> <ul style="list-style-type: none"> a. The project shall be served by public water and sewer system. 		

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1 **15.312.04 Suburban Residential, 12000 sq. ft. Minimum (SR-12000)**

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A. Purpose		
This zone is intended for the development of a variety of single-family unit types in a suburban setting in close proximity to neighborhood service centers that include commercial, social, recreational, and civic services, with a minimum lot size of 12,000 square feet, and a maximum density of 3.63 units per gross acre. Unless otherwise specified in this development code, no more than one home per parcel is permitted in this zoning district. The SR-12000 zone implements the Suburban Residential land use designation of the Master Plan in Suburban Character districts.		
B. Building Placement Requirements		
Setback		Reference
Front	25 feet	
Side Street	25 feet	
Rear	20 feet	
Side	10 feet	
C. Building Form Requirements		
Building Height	35 feet	15.330.03 E
Floor to Area Ration		
D. Parking Requirements		
See 15.401 Off-Street Parking and Loading		
E. Minimum Lot Requirements		
Lot Size	12000 square feet net	
Lot width ratio (w:d minimum)	1:3	
Lot Street Frontage Width	70 feet	
Average Lot Width	70 feet	
Average Lot Depth	n/a	
F. Miscellaneous Requirements		
<p>1. Cluster Development in conformance to the provisions of chapter 15.343 are permitted subject to the following limitations:</p> <ul style="list-style-type: none"> a. All parcels shall be served by public water and sewer systems. b. Minimum parcel size per residential unit is 6000 square feet. c. Minimum of 40% of the gross parent parcel shall be reserved as open space, unless density is increased through an approved incentive program, in which event a minimum of 33.3% of the gross parent parcel shall be reserved as open space. d. Clusters shall be separated by a minimum 60 feet. e. Open space shall be distributed throughout the parent parcel, with no open space tract less than 20% of the total required open space. f. Land separating clusters shall be dedicated as open space in conformance to the provisions of chapter 15.343. g. Clusters shall be served by a shared access to a public road. No direct access to a public road shall be permitted for any parcel within a cluster. <p>2. Cottage Housing Development in conformance to the provisions of chapter 15.344 is permitted subject to the following limitations:</p> <ul style="list-style-type: none"> a. The project shall be served by public water and sewer system. 		

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1 **15.312.05 Suburban Residential, 9000 sq. ft. Minimum (SR-9000)**

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A. Purpose		
This zone is intended for the development of a variety of single-family unit types in a traditional town or suburban settings located near major transportation facilities, supporting commercial and commercial mixed-uses, civic uses, and parks with a minimum lot size of 9,000 square feet and a maximum density of 4.84 units per gross acre. Unless otherwise specified in this development code, no more than one home per parcel is permitted in this zoning district. The SR-9,000 zone implements the Suburban Residential land use designation of the Master Plan in Suburban Character districts.		
B. Building Placement Requirements		
Setback		Reference
Front	20 feet	
Side Street	20 feet	
Rear	10 feet	
Side	5 feet	
C. Building Form Requirements		
Building Height	35 feet	15.330.03 E
Floor to Area Ration	n/a	
D. Parking Requirements		
See 15.401 Off-Street Parking and Loading		
E. Minimum Lot Requirements		
Lot Size	9000 square feet net	
Lot width ratio (w:d minimum)	1:3	
Lot Street Frontage Width	40 feet	
Average Lot Width	60 feet	
Average Lot Depth	n/a	
F. Miscellaneous Requirements		
<p>1. Cluster Development in conformance to the provisions of chapter 15.343 are permitted subject to the following limitations:</p> <ul style="list-style-type: none"> a. All parcels shall be served by public water and sewer systems. b. Minimum parcel size per residential unit is 6000 square feet. c. Minimum of 40% of the gross parent parcel shall be reserved as open space, unless density is increased through an approved incentive program, in which event a minimum of 33.3% of the gross parent parcel shall be reserved as open space. d. Clusters shall be separated by a minimum 60 feet. e. Open space shall be distributed throughout the parent parcel, with no open space tract less than 20% of the total required open space. f. Land separating clusters shall be dedicated as open space in conformance to the provisions of chapter 15.343. g. Clusters shall be served by a shared access to a public road. No direct access to a public road shall be permitted for any parcel within a cluster. <p>2. Cottage Housing Development in conformance to the provisions of chapter 15.344 is permitted subject to the following limitations:</p> <ul style="list-style-type: none"> a. The project shall be served by public water and sewer system. <p>3. Zero Lot-line Housing Development in conformance to the provisions of chapter 15.346 is permitted.</p> <p>4. Alley Loaded Housing Development in conformance to the provisions of chapter 15.347 is permitted.</p>		

1 **15.312.06 Neighborhood Residential, 4500 sq. ft. Minimum (NR)**

A. Purpose		
This zone is intended for the development of a variety of single-family attached and detached units in a traditional town or commercial mixed-use setting with a minimum lot size of 4,500 square feet and a maximum density of 9.68 units per gross acre. Unless otherwise specified in this development code, no more than one home per parcel is permitted in this zoning district. The NR zone implements the Suburban Residential land use designation of the Master Plan in Suburban Character districts.		
B. Building Placement Requirements		
Setback		Reference
Front	Variable with a minimum of 20 feet and a 5-foot variation between adjacent units	
Side Street	20 feet. May be reduced to 10 feet provided no driveway or garage access is permitted in the street side yard.	
Rear	10 feet subject to the limitations listed below for alley loaded housing development	
Side	5 feet	
C. Building Form Requirements		
Building Height	35 feet	15.330.03 E
Floor to Area Ration	n/a	
D. Parking Requirements		
See 15.401 Off-Street Parking and Loading		
E. Minimum Lot Requirements		
Lot Size	Variable between 4500 and 8000 square feet (net), with an average lot size of 6000 square feet (net).	
Lot width ratio (w:d minimum)	1:4	
Lot Street Frontage Width	30 feet	
Average Lot Width	60 feet	
Average Lot Depth	n/a	
F. Miscellaneous Requirements		
<ol style="list-style-type: none"> 1. Cottage Housing Development in conformance to the provisions of chapter 15.344 is permitted subject to the following: <ol style="list-style-type: none"> a. The project shall be served by public water and sewer system. 2. Duplex development in conformance with the provisions of chapter 15.342 is permitted subject to the following: <ol style="list-style-type: none"> a. Minimum lot size shall be no less than 8000 square feet. b. A minimum separation between duplex units shall be no less than 500 feet. 3. Townhouse Development in conformance to the provisions of chapter 15.345 is permitted subject to the following: <ol style="list-style-type: none"> a. No fewer than 3 units nor more than 5 units per structure shall be permitted per development site. b. Density shall be no less than 6000 square feet per unit. c. A minimum separation of 1000 feet between townhouse development sites. 4. Zero Lot-line Housing Development in conformance to the provisions of chapter 15.346 is permitted. 5. Alley Loaded Housing Development in conformance to the provisions of chapter 15.347 is permitted subject to the following: <ol style="list-style-type: none"> a. Rear lot width shall be no less than 60 feet. b. A garage may be constructed on the rear property line, provided the garage covers no more than 40% of the rear lot width. c. Residential structures shall be constructed within the setbacks established for this zoning district. 		

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15.312.07 Multi-Family Residential (MFR)

A. Purpose		
This zone is intended for the development of higher-density residential areas located in close proximity to major transportation facilities, supporting commercial and commercial mixed-uses, civic uses, and parks and characterized by attached or detached multi-family units, condominiums, townhouses or apartments. This zone has a minimum net parcel size of 6,000 square feet, and a maximum density of 18 units per acre. The MFR zone implements the Suburban Residential land use designation of the Master Plan in Suburban Character districts.		
B. Building Placement Requirements		
Setback		Reference
Front	25 feet	
Side Street	25 feet	
Rear	20 feet	
Side	10 feet	
C. Building Form Requirements		
Building Height	45 feet	15.330.03 E
Floor to Area Ration	n/a	
D. Parking Requirements		
See 15.401 Off-Street Parking and Loading		
E. Minimum Lot Requirements		
Lot Size	6000 square feet (net)	
Lot width ratio (w:d minimum)	1:4	
Lot Street Frontage Width	45 feet	
Average Lot Width	60 feet	
Average Lot Depth	n/a	
F. Miscellaneous Requirements		
<ol style="list-style-type: none"> 1. Multi-family Residential housing in conformance with the provisions of chapter 15.348 is permitted subject to the following: 2. Cottage Housing Development in conformance to the provisions of chapter 15.344 is permitted subject to the following: <ol style="list-style-type: none"> a. The project shall be served by public water and sewer system. 3. Duplex development in conformance with chapter 15.342 is permitted subject to the following: <ol style="list-style-type: none"> a. Minimum lot size shall be no less than 8000 square feet. 4. Townhouse Development in conformance to the provisions of chapter 15.345 is permitted subject to the following: <ol style="list-style-type: none"> a. No fewer than 3 units nor more than 9 units per structure shall be permitted. b. Density shall be no less than 6000 square feet per unit. 		

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1 **15.312.08 Residential Mixed-Use (RMU)**

2

A. Purpose							
<p>This zone is intended for the development of higher-density residential areas with a variety of housing options, including small lot subdivisions when part of a planned development or attached or detached multi-family units, condominiums, townhouses, apartments, or live-work units in a traditional town or suburban settings located near major transportation facilities, supporting commercial and commercial mixed-uses, civic uses, and parks. This district has a minimum net parcel size of 6,000 square feet, and a maximum density of 18 units per acre. Secondary uses within this zone are open space, parks, pathways, schools, and other public uses. The RMU zone implements the Suburban Residential land use designation of the Master Plan in Suburban Character districts.</p> <p>RMU development provides a mix of complementary designed and located residential uses, including single-family and multifamily uses, attached and detached, condominiums and special living facilities, with the opportunity for retail and services as subservient uses on a project and district level (less than twenty percent of total development). The RMU development should strive to achieve project sites designed for pedestrian, bicycle and vehicle access and circulation and connections to the adjacent land uses. It should also create public focal points and activity centers and provide a sense of community for the occupants and the neighborhood.</p>							
Standard	Single Family Detached	Zero Lot Line	Alley Loaded	Duplex	Cottage Cluster	Town house	Commercial Development
B. Building Placement Requirements							
Setback							
Front	Variable (20 min. & 5-ft variation)	Variable (20 min. & 5-ft variation)	Variable (20 min. & 5-ft variation)	20 (15)	20 (15)	15	15.313.07.2
Side Street	20 (10)	20 (10)	20 (10)	20 (10)	20 (10)	15	15.313.07.2
Rear	Variable (10 min.)	0 & 10	20 (0)	10	10	20	15.313.07.2
Side	5	0 & 10	5	5	5	5	15.313.07.2
C. Building Form Requirements							
Building Height	35	35	35	35	18 (23)	35	35
FAR							
D. Parking Requirements							
E. Minimum Lot Requirements							
Lot Size	Variable (4500 - 8000 w/6000 min. avg.)	Variable (4500 - 8000 w/6000 min. avg.)	Variable (4500 - 8000 w/6000 min. avg.)	8,000	11,428	6,000	15.313.07.2
Lot width ratio (w:d minimum)	1:4	1:4	1:4	1:3	1:3	1:4	15.313.07.2
Lot Street Frontage Width	30	30	30	40	70	30	15.313.07.2
Average Lot Width	60	60	60	60	70	60	15.313.07.2
Average Lot Depth	n/a	n/a	n/a	n/a	n/a	n/a	15.313.07.2

F. Miscellaneous Requirements

1. The intent of the mixed use residential district is to provide a mix of residential and commercial uses within one project and throughout the district. To accomplish this while providing flexibility of design, two development options are offered:

- a. Residential Development (One Hundred Percent)—Commercial Provision. The proposed development shall provide for both residential uses and commercial use(s). The commercial portion of the development may occupy up to a maximum of twenty percent of the project site or floor area. When twenty percent of the site is dedicated for commercial use, the residential component of the project is allowed to be built out at a density equivalent to one hundred percent of the gross site;
- b. Mix and location of uses.

(1) All RMU development, except those meeting the criteria below for infill development, shall provide a mix of residential unit types. A maximum of 30 percent of any one type of residential units is allowed. Residential units incorporating home occupations shall not count as a separate unit type.

(2) Up to 20 percent of the acreage of the RMU development may be devoted to commercial uses (not including home occupations).

(3) Except for home occupations, commercial uses that are included shall be located along collectors, at corners, or adjacent/across from common open spaces.

(4) Infill Development within the RMU district. Where an existing parcel within the RMU district is one (1) acre or less, development projects may consist of a single residential unit type or a combination residential and commercial mix consistent with the development standards contained in this title.

c. Pedestrian connections shall be made from residential uses along all major streets and from homes to all common open spaces and to all civic and public uses and landmarks. Pedestrian connections that cannot be made as sidewalks along vehicle lanes shall be made as alternative access easements such as trails.

d. A hierarchy of interconnected streets that form a grid pattern shall be provided in any RMU development, including major collectors (boulevards), local streets, and alleys. In local street patterns, walkable blocks of 500 linear feet or less are required.

e. New RMU developments must connect to existing neighboring developments where connections are provided and must provide new connections to future neighboring developments.

f. Street standards shall be consistent with Lyon County Development Standards.

g. The public works director may allow for a reduction of local street width to 41 feet, based on a cross-section of two 10-foot vehicle lanes, two six-inch curbs, two five-foot planting/utility strips, and two five-foot sidewalks.

h. Parallel parking may be provided on one or both sides of local and major streets.

i. All RMU developments shall meet parking standards of Chapter 15.401. Shared parking is encouraged where participating users have differing peak parking hours. The director may reduce parking requirements, when a parking study prepared by a professional transportation engineer indicates that a reduction in parking will cause no negative impacts to streets or neighbors.

j. All parking, including parking lots, improved or unimproved parking stalls/spaces, and/or parking garages/structures shall occur in the rear or side of the lot and shall be located a minimum of 10 feet behind the front building wall of the primary structure, except for parking located within a mixed use building.

2. Mixed use—Design standards.

a. The design standards of Chapters 15.340, 15.342, 15.343, 15.344, 15.345, 15.346, 15.347, and 15.348, Residential Standards, shall apply to all proposed residential development within RMU districts, unless otherwise specified by this chapter.

b. The design standards of the commercial zoning district, Chapter 15.360, Design standards, shall apply to all proposed commercial development within the mixed use zoning districts, unless otherwise specified by this chapter.

c. The following design standards supplement those found above in subsections a. and b. of this section, and shall apply to all development proposed within the RMU district.

(1) Commercial areas should be placed within walking distance (one-quarter mile) of residences;

- (2) Commercial buildings and uses should be located at the corner of the intersection of two public streets;
 - (3) Pedestrian-scale elements such as canopies, awnings, porches, building overhangs and arcades, and outdoor seating are required along pedestrian-oriented streets;
 - (4) All primary building pedestrian entrances and storefront windows shall face onto the primary street serving the site. If the site has multiple street frontages, the more pedestrian-oriented street shall take precedence;
 - (5) The design character of an individual building should be compatible (share similar features such as color, scale, massing and height) with its neighbors but may also include other features or characteristics that are different;
 - (6) Landscaping. The requirements of Chapter 15.402, Landscape Standards, shall apply to all proposed development within the mixed use districts;
 - (7) Drive-up, -in or -through facilities are not permitted.
3. Cottage Housing Development in conformance to the provisions of chapter 15.344 is permitted subject to the following limitations:
 - a. The project shall be served by public water and sewer system.
 4. Duplex development in conformance to chapter 15.342 is permitted subject to the following conditions:
 - a. Minimum lot size shall be no less than 8000 square feet.
 - b. A minimum separation between duplex units shall be no less than 500 feet.
 6. Townhouse Development in conformance to the provisions of chapter 15.345 is permitted subject to the following limitations:
 - a. No fewer than 3 units nor more than 9 units per structure shall be permitted.
 - b. Density shall be no less than 6000 square feet per unit.
 5. Zero Lot-line Housing Development in conformance to the provisions of chapter 15.346 is permitted.
 6. Alley Loaded Housing Development in conformance to the provisions of chapter 15.347 is permitted subject to the following limitations:
 - a. Rear lot width shall be no less than 60 feet.
 - b. A garage may be constructed on the rear property line, provided the garage covers no more than 40% of the rear lot width.
 - c. Residential structures shall be constructed within the setbacks established for this zoning district.
 7. Conventional Residential Subdivision at densities no greater than permitted in the Neighborhood Residential (NR) zoning district.
 8. Manufactured Home Parks in conformance with the provisions of chapter 15.352 are permitted subject to the following:
 - a. Density no greater than the Neighborhood Residential (NR) district (4500 sf/unit).
 - b. Up to 20% of the acreage of the RMU development may be developed as a Manufactured Home Park.
 - c. The Manufactured Home Park development shall be served by public water and sewer.

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1 **Chapter 15.313 Commercial/Mixed-Use Zoning Districts**

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3 **15.313.01 Neighborhood Commercial (NC)**

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A. Purpose	
The purpose of this district is to provide a range of services, ranging in scale and character from small, limited use centers that are fully integrated into the surrounding neighborhood to larger centers that may function independently of the surrounding neighborhood with ample parking and numerous retail and service stores. The NC district implements the Commercial land use designation of the Master Plan in Rural and Suburban Character districts.	
B. Building Placement Requirements	
Setback	
From property lines abutting residential uses	30 feet
From property lines abutting adjacent public R.O.W.	10 feet subject to Chapter 15.360 Commercial Design Standards
From front property line if the building is oriented toward the street and accesses the public sidewalk.	10 feet subject to Chapter 15.360 Commercial Design Standards
From property lines abutting commercial or industrial zones or uses.	Zero feet subject to applicable building and fire codes
Rear	10 feet; zero feet with alley
C. Building Form Requirements	
Building Height	35 feet subject to Chapter 15.330.03 E
Floor to Area Ration	See 15.313.09 Lot Coverage and Floor Area Ratios
D. Parking Requirements	
See Chapter 15.401 Parking and Loading	
E. Minimum Lot Requirements	
Lot Size	5000 square feet (net); except within approved commercial subdivisions no minimum provided all other zoning and development standards are met.
Lot Street Frontage Width	50 feet
Average Lot Width	NA
Average Lot Depth	NA
F. Miscellaneous Requirements	
Requirements in Suburban Character Districts:	
See Table 15.320-2 Table of Allowed Uses – Suburban Residential and Commercial Districts NC	
See Chapter 15.360 Commercial Design Standards	
See Appendix B, Lyon County Development Standards	
Requirements in Rural Character Districts:	
See Table 15.320-1 Table of Allowed Uses Rural Residential, Commercial, and Agricultural Districts NC	
See Chapter 15.360 Commercial Design Standards	
See Appendix B, Lyon County Development Standards	

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1 **15.313.02 Community Commercial (CC)**

2

A. Purpose	
Community Commercial occurs in suburban character districts and provides a mix of commercial and retail services in a concentrated and unified center that serves the local community. The CC district implements the Commercial land use designation of the Master Plan in suburban character districts.	
B. Building Placement Requirements	
Setback	
From property lines abutting residential uses	20 feet
From property lines abutting adjacent public R.O.W.	10 feet subject to Chapter 15.360 Commercial Design Standards
From front property line if the building is oriented toward the street and accesses the public sidewalk.	10 feet subject to Chapter 15.360 Commercial Design Standards
From property lines abutting commercial or industrial zones or uses.	Zero feet subject to applicable building and fire codes
Rear	10 feet; zero feet with alley
C. Building Form Requirements	
Building Height	45 feet subject to Chapter 15.330.03 E
Floor to Area Ration	NA
D. Parking Requirements	
See Chapter 15.401 Parking and Loading	
E. Minimum Lot Requirements	
Lot Size	NA
Lot Street Frontage Width	50 feet
Average Lot Width	NA
Average Lot Depth	NA
F. Miscellaneous Requirements	
See Table 15.320-2 Suburban Character Area Land Use See Chapter 15.360 Commercial Design Standards See Appendix B, Lyon County Development Standards	

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1 **15.313.03 Regional Commercial (RC)**

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A. Purpose	
Regional Commercial occurs in suburban character districts and provides a mix of commercial and retail services in large retail centers with unique stores and characteristics that serve a regional market. The minimum size of this zoning district is 20 acres. The RC district implements the Commercial land use designation of the Master Plan.	
B. Building Placement Requirements	
Setback	
From property lines abutting residential uses	40 feet
From property lines abutting adjacent public R.O.W.	10 feet subject to Chapter 15.360 Commercial Design Standards
From front property line if the building is oriented toward the street and accesses the public sidewalk.	10 feet subject to Chapter 15.360 Commercial Design Standards
From property lines abutting commercial or industrial zones or uses.	Zero feet subject to applicable building and fire codes
Rear	10 feet; zero feet with alley
C. Building Form Requirements	
Building Height	45 feet subject to Chapter 15.330.03 E
Floor to Area Ration	NA
D. Parking Requirements	
See Chapter 15.401 Parking and Loading	
E. Minimum Lot Requirements	
Lot Size	N/A
Lot Street Frontage Width	N/A
Average Lot Width	N/A
Average Lot Depth	N/A
F. Miscellaneous Requirements	
The minimum project area shall be 20 gross acres; lot/pad areas within a regional commercial project have no minimum lot size. See Table 15.320-2 Suburban Character Area Land Use See Chapter 15.360 Commercial Design Standards See Appendix B, Lyon County Development Standards	

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1 **15.313.04 Tourist Commercial - Historic (TC-H)**

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A. Purpose	
The purpose of this district is to provide suitable areas for tourist related commercial and retail services, including lodges, resorts and small specialty shops in Historic Character districts. The TC-H district implements the Commercial land use designation of the Master Plan.	
B. Building Placement Requirements	
Setback	
From property lines abutting residential uses	20 feet
From property lines abutting adjacent public R.O.W.	10 feet subject to Chapter 15.360 Commercial Design Standards
From front property line if the building is oriented toward the street and accesses the public sidewalk.	10 feet subject to Chapter 15.360 Commercial Design Standards
From property lines abutting commercial or industrial zones or uses.	Zero feet subject to applicable building and fire codes
Rear	10 feet
C. Building Form Requirements	
Building Height	35 feet subject to Chapter 15.330.03 E
Floor to Area Ration	See 15.313.09 - Lot Coverage and Floor Area Ratios for Commercial Districts.
D. Parking Requirements	
See Chapter 15.401 Parking and Loading	
E. Minimum Lot Requirements	
Lot Size	1 net acre
Lot Street Frontage Width	NA
Average Lot Width	NA
Average Lot Depth	NA
F. Miscellaneous Requirements	
See Table 15.320-3 Historic Character Area Land Use See Chapter 15.360 Commercial Design Standards See Appendix B, Lyon County Development Standards	

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1 **15.313.05 Tourist Commercial - Rural (TC-R)**

2

A. Purpose	
The purpose of this district is to provide suitable areas for tourist related commercial and retail services, including lodges, resorts and small specialty shops in Rural Character districts. The TC-R district implements the Commercial land use designation of the Master Plan.	
B. Building Placement Requirements	
Setback	
From property lines abutting residential uses	30 feet
From property lines abutting adjacent public R.O.W.	10 feet subject to Chapter 15.360 Commercial Design Standards
From front property line if the building is oriented toward the street and accesses the public sidewalk.	10 feet subject to Chapter 15.360 Commercial Design Standards
From property lines abutting commercial or industrial zones or uses.	Zero feet subject to applicable building and fire codes
Rear	20 feet
C. Building Form Requirements	
Building Height	35 feet subject to Chapter 15.330.03 E
Floor to Area Ration	See 15.313.09 - Lot Coverage and Floor Area Ratios for Commercial Districts.
D. Parking Requirements	
See Chapter 15.401 Parking and Loading	
E. Minimum Lot Requirements	
Lot Size	1 net acre
Lot Street Frontage Width	NA
Average Lot Width	NA
Average Lot Depth	NA
F. Miscellaneous Requirements	
See Table 15.320-1 Rural Character Area Land Use See Chapter 15.360 Commercial Design Standards See Appendix B, Lyon County Development Standards	

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1 **15.313.06 Tourist Commercial- Suburban (TC-S)**

2

A. Purpose	
The purpose of this district is to provide suitable areas for tourist related commercial and retail services, including casinos, hotels, RV parks, and resorts in Suburban Character districts. The TC-S district implements the Commercial land use designation of the Master Plan.	
B. Building Placement Requirements	
Setback	
From property lines abutting residential uses	20 feet
From property lines abutting adjacent public R.O.W.	20 feet subject to Chapter 15.360 Commercial Design Standards
From front property line if the building is oriented toward the street and accesses the public sidewalk.	10 feet subject to Chapter 15.360 Commercial Design Standards
From property lines abutting commercial or industrial zones or uses.	Zero feet subject to applicable building and fire codes
Rear	10 feet; zero feet with alley
C. Building Form Requirements	
Building Height	55 feet subject to Chapter 15.330.03 E
Floor to Area Ration	See 15.313.09 - Lot Coverage and Floor Area Ratios for Commercial Districts.
D. Parking Requirements	
See Chapter 15.401 Parking and Loading	
E. Minimum Lot Requirements	
Lot Size	1 net acre
Lot Street Frontage Width	NA
Average Lot Width	NA
Average Lot Depth	NA
F. Miscellaneous Requirements	
See Table 15.320-2 Suburban Character Area Land Use See Chapter 15.360 Commercial Design Standards See Appendix B, Lyon County Development Standards	

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1 **15.313.07 Commercial Mixed-Use - Rural (CMU-R), Commercial Mixed-Use – Suburban (CMU-S),**
 2 **and Commercial Mixed-Use – Historic (CMU-H)**

3 **15.313.07.1 Commercial Mixed-Use - Rural (CMU-R)**

A. Purpose	
The purpose of this district is to provide areas which integrate compatible commercial uses with single family residential uses through proper design. Situated within a commercial mixed-use land use designation in the master plan, the goal of the district is to provide for a better jobs-housing balance, preserve and enhance the unique characteristics of small rural centers, encourage development of community oriented commercial centers, conserve land resources, reduce commuter trips, and provide opportunities for affordable housing. The district is also intended to provide for a traditional settlement land use pattern with mixed commercial and residential uses arranged horizontally and/or vertically within a parcel and/or district. The CMU-R district can be used for in-fill projects and as a rehabilitation tool for selective properties. The projects must be architecturally compatible with and enhance the surrounding neighborhood. Projects should integrate the residential and commercial uses, either vertically or horizontally. The residential density must not exceed 6 units per gross acre. The CMU-R district implements the Commercial Mixed-Use land use designation of the Master Plan in Rural Character districts.	
B. Building Placement Requirements	
Setback	
From property lines abutting residential uses	10 feet
From property lines abutting adjacent public R.O.W.	Zero feet
From property lines abutting commercial or industrial zones or uses.	Zero feet
Rear	20 feet; zero feet with alley
C. Building Form Requirements	
Building Height	35 feet
Floor to Area Ratio	See 15.313.09 - Lot Coverage and Floor Area Ratios for Commercial Districts.
D. Parking Requirements	
See Chapter 15.401 Parking and Loading	
E. Minimum Lot Requirements	
Lot Size, Residential	One-half (0.5) acre when served by a community water system and individual sewage disposal system (See also Miscellaneous Requirements) One (1) acre when served by well and individual sewage disposal system (Minimum lot sizes subject to NAC 444.790)
Lot Size, Commercial	5,000 square feet (net) when served by a community water and sewer systems. One-half (0.5) acre when served by a community water system and individual sewage disposal system (See also Miscellaneous Requirements) One (1) acre when served by well and individual sewage disposal system (Minimum lot sizes subject to NAC 444.790)
Lot Street Frontage Width	NA
Average Lot Width	50 feet minimum
Average Lot Depth	NA
F. Miscellaneous Requirements	
Parcels containing an area of 0.25 acre (10,890 square feet) or more and legally created before January 1, 2000, may be developed when served by a community water system and individual sewage disposal system.	

See Table 15.320-1 Table of Allowed Uses Rural Residential, Commercial and Agricultural Districts
See Chapter 15.340 Residential Design Standards
See Chapter 15.360 Commercial and Mixed-Use Design Standards
See Appendix B, Lyon County Development Standards

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1 15.313.07.2 Commercial Mixed-Use – Suburban (CMU-S)

A. Purpose	
The purpose of this district is to provide areas which integrate compatible commercial uses with high density single family and multi-family residential uses through proper design. Situated within a commercial mixed-use land use designation in the master plan, the goal of the district is to provide for a better jobs-housing balance, encourage development of community oriented commercial centers, conserve land resources, reduce commuter trips, and provide opportunities for affordable housing. The CMU-S district can be used for in-fill projects and as a rehabilitation tool for selective properties in distressed areas. In suburban character areas between 50 percent and 75 percent of the total project floor area must be devoted to commercial uses, with 25 percent to 50 percent of the project floor area devoted to residential uses. The projects must be architecturally compatible with and enhance the surrounding neighborhood. Projects should integrate the residential and commercial uses, either vertically or horizontally. The residential density must not exceed 16 units per gross acre. The CMU-S district implements the Commercial Mixed-Use land use designation of the Master Plan in Suburban Character districts.	
B. Building Placement Requirements	
Setback	
From property lines abutting residential uses	10 feet
From property lines abutting adjacent public R.O.W.	Zero feet
From front property line if the building is oriented toward the street and accesses the public sidewalk.	Zero feet
From property lines abutting commercial or industrial zones or uses.	Zero feet
Rear	10 feet; zero feet with alley
C. Building Form Requirements	
Building Height	45 feet, with a minimum of two (2) stories at street frontage and at least one-half (1/2) of the structure footprint.
Maximum Floor to Area Ratio	Two and one-half (2.5) square feet of gross floor area per one (1) square foot of lot area.
D. Parking Requirements	
See Chapter 15.401 Parking and Loading. No off-street parking is required for non-residential uses unless the use exceeds 3000 square feet of gross floor area in which case one (1) off-street parking space is required for every 300 square feet beyond 3000 square feet.	
E. Minimum Lot Requirements	
Lot Size	5000 square feet (net); except within approved commercial subdivisions no minimum provided all other zoning and development standards are met.
Minimum Building Frontage Along Primary Street Frontage	50 feet or 70% of frontage width, whichever is greater.
Average Lot Width	NA
Average Lot Depth	NA
F. Miscellaneous Requirements	

A residential use existing on the date of adoption of this section may continue as a permitted use indefinitely, provided that the residential use is not expanded by the addition of new residential occupancies. When an existing residential use is expanded to add additional residential occupancies, at least 50% of the total project ground floor area shall be developed for commercial use.

Vacant parcels existing on the date of adoption of this section, and all new parcels created after adoption of this section, shall be developed with a minimum of two story structures having a minimum of one half (1/2) of the first floor footprint devoted to commercial uses.

Residential density shall be no greater than one (1) dwelling unit per 2500 square feet of net lot area provided the minimum requirements for commercial development are met.

See Table 15.320-2 Table of Allowed Uses - Suburban Residential and Commercial Districts

See Chapter 15.340 Residential Design Standards

See Chapter 15.360 Commercial and Mixed-Use Design Standards

See Lyon County Development Standards

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1 15.313.07.3 Commercial Mixed-Use – Historic (CMU-H)

A. Purpose	
The purpose of this district is to provide areas which integrate compatible commercial uses with single family and multi-family residential uses through proper design. Situated within a commercial mixed-use land use designation in the master plan, the goal of the district is to provide for a better jobs-housing balance, preserve and enhance the unique characteristics of historic districts, conserve land resources, reduce commuter trips, and provide opportunities for affordable housing. The CMU-H district can be used for in-fill projects and as a rehabilitation tool for selective properties in distressed areas. The projects must be architecturally compatible with and enhance the surrounding neighborhood. Projects should integrate the residential and commercial uses, either vertically or horizontally. The residential density must not exceed 12 units per gross acre. The CMU-H district implements the Commercial Mixed-Use land use designation of the Master Plan in Historic Character districts.	
B. Building Placement Requirements	
Setback	
From property lines abutting residential uses	5 feet
From property lines abutting adjacent public R.O.W.	Zero feet
From front property line if the building is oriented toward the street and accesses the public sidewalk.	Zero feet
From property lines abutting commercial or industrial zones or uses.	Zero feet
Rear	10 feet; zero feet with alley
C. Building Form Requirements	
Building Height	45 feet
Floor to Area Ration	Two (2) square feet of gross floor area per one (1) square foot of lot area.
D. Parking Requirements	
No off-street parking is required for non-residential uses unless the use exceeds 3000 square feet of gross floor area in which case one (1) off-street parking space is required for every 300 square feet beyond 3000 square feet.	
E. Minimum Lot Requirements	
Lot Size	NA
Minimum Building Frontage Along Primary Street Frontage	25 feet, or 70% of frontage width, whichever is greater
Average Lot Width	NA
Average Lot Depth	NA
F. Miscellaneous Requirements	
Requirements for Historic Character Districts:	
<p>A residential use existing on the date of adoption of this section may continue as a permitted use indefinitely, provided that the residential use is not expanded by the addition of new residential occupancies. When an existing residential use is expanded to add additional residential occupancies, at least 50% of the total project ground floor area shall be developed for commercial use.</p> <p>Vacant parcels existing on the date of adoption of this section, and all new parcels created after adoption of this section, shall be developed with a minimum of two story structures having a minimum of one half (1/2) of the first floor footprint devoted to commercial uses.</p> <p>Residential density shall be no greater than one (1) dwelling unit per 3600 square feet of net lot area provided the minimum requirements for commercial development are met.</p> <p>See Chapter 15.320-3 Table of Allowed Uses - Historic Character Districts</p> <p>See Chapter 15.340 Residential Design Standards</p> <p>See Chapter 15.360 Commercial and Mixed-Use Design Standards</p> <p>See Appendix B, Lyon County Development Standards</p>	

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15.313.08.1 Highway Corridor Mixed-Use – Rural (HMU-R)

A. Purpose	
The purpose of this district is to discourage strip commercial development and encourage traditional settlement land use patterns with mixed residential and commercial uses arranged horizontally and/or vertically in existing areas of highway commercial development. Uses include mixed neighborhood commercial consisting of small retail, services, live/work, and low density residential. Civic and social uses such as schools, parks, and places of worship may be permitted. The HMU district implements the Highway Corridor Mixed-Use land use designation of the Master Plan in Rural districts.	
B. Building Placement Requirements	
Setback	
From property lines abutting residential uses	20 feet
From property lines abutting adjacent public R.O.W.	20 feet subject to Chapter 15.360 Commercial Design Standards
From front property line if the building is oriented toward the street and accesses the public sidewalk.	10 feet subject to Chapter 15.360 Commercial Design Standards
From property lines abutting commercial or industrial zones or uses.	Zero feet subject to applicable building and fire codes
Rear	10 feet; zero feet with alley
C. Building Form Requirements	
Building Height	45 feet subject to 15.330.03 E
Floor to Area Ration	See 15.313.09 - Lot Coverage and Floor Area Ratios for Commercial Districts.
D. Parking Requirements	
See Chapter 15.401 Parking and Loading	
E. Minimum Lot Requirements	
Lot Size, Residential and Commercial	One-half (0.5) net acre when served by a community water system and individual sewage disposal system (See also Miscellaneous Requirements). One (1) net acre when served by well and individual sewage disposal system. (Minimum lot sizes subject to NAC 444.790)
Lot Street Frontage Width	NA
Average Lot Width	NA
Average Lot Depth	NA
F. Miscellaneous Requirements	
Requirements in Rural Character Districts:	
See Table 15.320-1 Rural Character Area Land Use See Chapter 15.360 Commercial Design Standards See Appendix B, Lyon County Development Standards	

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1 **15.313.08.2 Highway Corridor Mixed-Use – Suburban (HMU-S)**

2

A. Purpose	
The purpose of this district is to discourage strip commercial development and encourage traditional settlement land use patterns with mixed residential and commercial uses arranged horizontally and/or vertically in existing areas of highway commercial development. Uses include mixed neighborhood commercial consisting of small retail, services, live/work, and medium density residential (including limited multi-family residential). Civic and social uses such as schools, parks, senior housing, and places of worship may be permitted. The HMU district implements the Highway Corridor Mixed-Use land use designation of the Master Plan in Suburban Character districts.	
B. Building Placement Requirements	
Setback	
From property lines abutting residential uses	20 feet
From property lines abutting adjacent public R.O.W.	20 feet subject to Chapter 15.360 Commercial Design Standards
From front property line if the building is oriented toward the street and accesses the public sidewalk.	10 feet subject to Chapter 15.360 Commercial Design Standards
From property lines abutting commercial or industrial zones or uses.	Zero feet subject to applicable building and fire codes
Rear	10 feet; zero feet with alley
C. Building Form Requirements	
Building Height	45 feet subject to 15.330.03 E
Floor to Area Ration	See 15.313.09 - Lot Coverage and Floor Area Ratios for Commercial Districts.
D. Parking Requirements	
See Chapter 15.401 Parking and Loading	
E. Minimum Lot Requirements	
Lot Size	One-half (0.5) net acre when served by community water and sewer systems. One-half (0.5) net acre when served by a community water system and individual sewage disposal system (See also Miscellaneous Requirements). One (1) net acre when served by well and individual sewage disposal system. (Minimum lot sizes subject to NAC 444.790).
Lot Street Frontage Width	NA
Average Lot Width	NA
Average Lot Depth	NA
F. Miscellaneous Requirements	
Requirements in Suburban Character Districts:	
See Table 15.320-2 Suburban Character Area Land Use	
See Chapter 15.360 Commercial Design Standards	
See Appendix B, Lyon County Development Standards	

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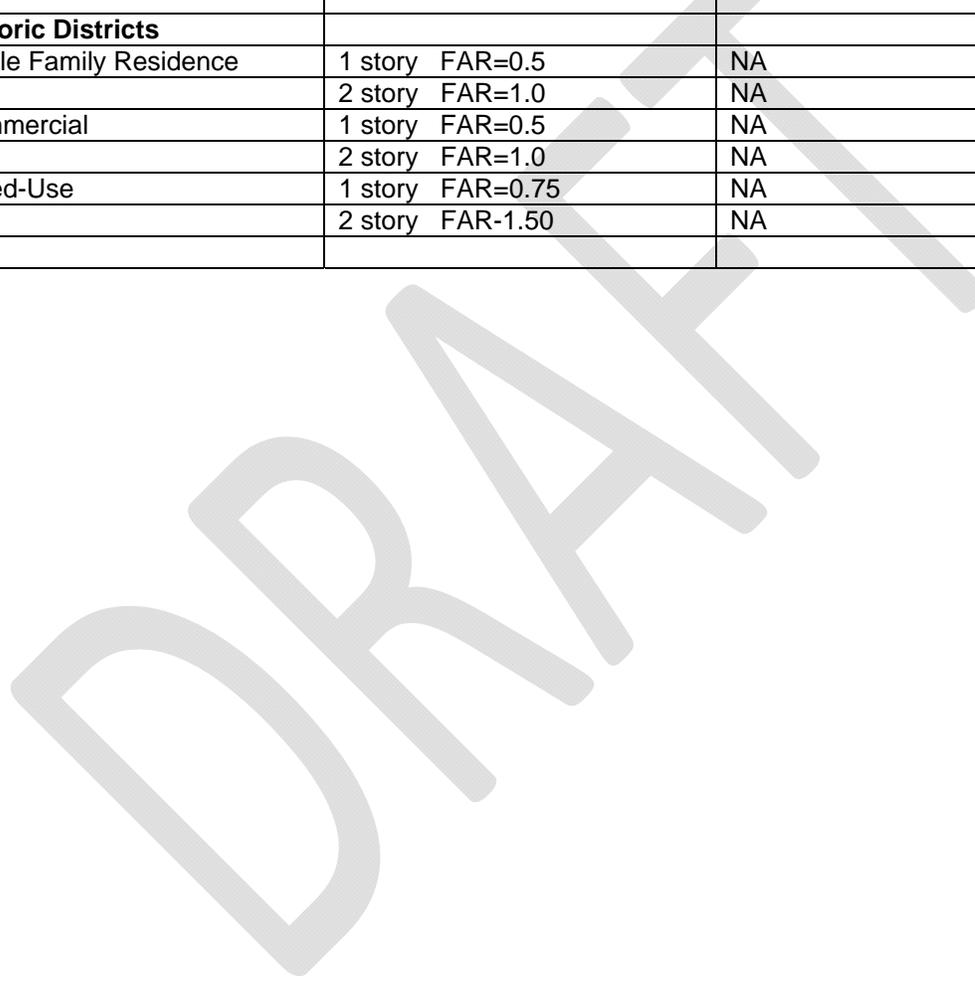
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1 **15.313.09 Lot Coverage and Floor Area Ratios for Commercial Districts**

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Rural Districts	Floor Area Ratio	Lot Coverage
Residential	0.2	35%
Commercial	0.2	35%
Mixed-Use	0.25	50%
Suburban Districts		
Mixed-Use	1 story FAR=0.5	NA
	2 story FAR=1.25	NA
	3 story FAR=2.25	NA
Historic Districts		
Single Family Residence	1 story FAR=0.5	NA
	2 story FAR=1.0	NA
Commercial	1 story FAR=0.5	NA
	2 story FAR=1.0	NA
Mixed-Use	1 story FAR=0.75	NA
	2 story FAR=1.50	NA

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1 **Chapter 15.314 Industrial and Employment Zoning Districts**

2

3 **15.314.01 Light Industrial (LI-S, LI-R)**

A. Purpose	
The purpose of this district is to provide areas for the development of research, light industrial, warehouse and distribution centers. The LI zoning district implements the Industrial land use designation of the Master Plan in Rural and Suburban Character Districts.	
B. Building Placement Requirements	
Setback	
From property lines abutting residential uses	50 feet
From property lines abutting adjacent public R.O.W.	10 feet
From front property line if the building is oriented toward the street and accesses the public sidewalk.	10 feet
From property lines abutting commercial or industrial zones or uses.	Zero feet subject to applicable building and fire codes
Rear	Zero feet subject to applicable building and fire codes
C. Building Form Requirements	
Building Height	See Miscellaneous Requirements
Floor to Area Ration	See Miscellaneous Requirements
D. Parking Requirements	
See Chapter 15.401 Parking and Loading	
E. Minimum Lot Requirements	
Lot Size	7000 square feet (dependent on availability of water and sewer)
Lot Street Frontage Width	See Miscellaneous Requirements
Average Lot Width	50 feet
Average Lot Depth	n/a
F. Miscellaneous Requirements	
<p>A. Minimum lot frontage. For the purpose of dividing property, minimum lot frontage shall be sufficient to provide adequate access and utility development, and meet applicable building setback, buffer, and development standards of the district. In no case shall the frontage be less than 30 feet.</p> <p>B. Height limitations. No maximum height is established; however, when building height exceeds 35 feet, the setback requirements shall be increased by one foot for each foot of building height in excess of 35 feet, as applicable to all setbacks. Subject to 15.330.03 E.</p> <p>C. Lot coverage. In a rural character district, building or structural coverage of a lot shall not exceed 50 percent of the total area.</p> <p>D. Open space. At least 10 percent of the site shall be kept free of buildings, structures, stored materials, hard surfacing, parking areas and other impervious surfaces.</p> <p>E. Buffer area. When a parcel situated within this district adjoins an Agriculture or Residential District setbacks shall be increased to 25 feet. Unless adjoining an Agriculture Zoning District, said area shall be landscaped consistent with the requirements of Chapter 15.401. If any part of the buffer area is separated from or sold to any contiguous or adjacent owner, lessee or user, the parcel so separated or sold shall be used only as a buffer area in accordance with the above requirements.</p> <p>See 15.337 Industrial Performance Requirements See Appendix B, Lyon County Development Standards</p>	
Requirements in Suburban Character Districts:	
See Table 15.320-4 Table of Allowed Uses Employment and Industrial Districts LI-S	
Requirements in Rural Character Districts:	
See Table 15.320-4 Table of Allowed Uses Employment and Industrial Districts LI-R	

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1 **15.314.02 Heavy Industrial (HI-S, HI-R)**

2

A. Purpose	
The purpose of this district is to provide suitable areas for the development of general manufacturing and heavy industrial uses. The HI zoning district implements the Industrial land use designation of the Master Plan in Rural and Suburban Character districts.	
B. Building Placement Requirements	
Setback	
From property lines abutting residential uses	50 feet
From property lines abutting adjacent public R.O.W.	10 feet
From front property line if the building is oriented toward the street and accesses the public sidewalk.	10 feet
From property lines abutting commercial or industrial zones or uses.	Zero feet subject to applicable building and fire codes
Rear	Zero feet subject to applicable building and fire codes
C. Building Form Requirements	
Building Height	See Miscellaneous Requirements
Floor to Area Ration	See Miscellaneous Requirements
D. Parking Requirements	
See Chapter 15.401 Parking and Loading	
E. Minimum Lot Requirements	
Lot Size	7000 square feet (dependent on availability of water and sewer)
Lot Street Frontage Width	See Miscellaneous Requirements
Average Lot Width	50 feet
Average Lot Depth	N/a
F. Miscellaneous Requirements	
<p>A. Minimum lot frontage. For the purpose of dividing property, minimum lot frontage shall be sufficient to provide adequate access and utility development, and meet applicable building setback, buffer, and development standards of the district. In no case shall the frontage be less than 30 feet.</p> <p>B. Height limitations. No maximum height is established; however, when building height exceeds 35 feet, the setback requirements shall be increased by one foot for each foot of building height in excess of 35 feet, as applicable to all setbacks. Subject to 15.330.03 E.</p> <p>C. Lot coverage. In a rural character district, building or structural coverage of a lot shall not exceed 50 percent of the total area.</p> <p>D. Open space. At least 10 percent of the site shall be kept free of buildings, structures, stored materials, hard surfacing, parking areas and other impervious surfaces.</p> <p>E. Buffer area. When a parcel situated within this district adjoins an Agriculture or Residential District setbacks shall be increased to 25 feet. Unless adjoining an Agriculture Zoning District, said area shall be landscaped consistent with the requirements of Chapter 15.401. If any part of the buffer area is separated from or sold to any contiguous or adjacent owner, lessee or user, the parcel so separated or sold shall be used only as a buffer area in accordance with the above requirements.</p> <p>See 15.337 Industrial Performance Requirements See Appendix B, Lyon County Development Standards</p>	
Requirements in Suburban Character Districts:	
See Table 15.320-4 Table of Allowed Uses Employment and Industrial Districts HI-S	
Requirements in Rural Character Districts:	
See Table 15.320-4 Table of Allowed Uses Employment and Industrial Districts HI-R	

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1 **15.314.03 Service Industrial (SI)**

2

A. Purpose	
The purpose of this district is to provide areas for light manufacturing, distribution, indoor and outdoor storage, and a wide range of industrial uses with a mix of supporting commercial and retail uses. The SI zoning district implements the Employment land use designation of the Master Plan in Suburban Character districts.	
B. Building Placement Requirements	
Setback	
From property lines abutting residential uses	20 feet
From property lines abutting adjacent public R.O.W.	10 feet
From front property line if the building is oriented toward the street and accesses the public sidewalk.	10 feet
From property lines abutting commercial or industrial zones or uses.	Zero feet subject to applicable building and fire codes
Rear	Zero feet subject to applicable building and fire codes
C. Building Form Requirements	
Building Height	See Miscellaneous Requirements
Floor to Area Ration	See Miscellaneous Requirements
D. Parking Requirements	
See Chapter 15.401 Parking and Loading	
E. Minimum Lot Requirements	
Lot Size	7000 square feet (dependent on availability of water and sewer)
Lot Street Frontage Width	See Miscellaneous Requirements
Average Lot Width	50 feet
Average Lot Depth	N/a
F. Miscellaneous Requirements	
<p>A. Minimum lot frontage. For the purpose of dividing property, minimum lot frontage shall be sufficient to provide adequate access and utility development, and meet applicable building setback, buffer, and development standards of the district. In no case shall the frontage be less than 30 feet.</p> <p>B. Height limitations. No maximum height is established; however, when building height exceeds 35 feet, the setback requirements shall be increased by one foot for each foot of building height in excess of 35 feet, as applicable to all setbacks. Subject to 15.330.03 E.</p> <p>C. Lot coverage. In a rural character district, building or structural coverage of a lot shall not exceed 50 percent of the total area.</p> <p>D. Open space. At least 10 percent of the site shall be kept free of buildings, structures, stored materials, hard surfacing, parking areas and other impervious surfaces.</p> <p>E. Buffer area. When a parcel situated within this district adjoins an Agriculture or Residential District setbacks shall be increased to 25 feet. Unless adjoining an Agriculture Zoning District, said area shall be landscaped consistent with the requirements of Chapter 15.401. If any part of the buffer area is separated from or sold to any contiguous or adjacent owner, lessee or user, the parcel so separated or sold shall be used only as a buffer area in accordance with the above requirements.</p> <p>See 15.336 Commercial Design Standards See 15.337 Industrial Performance Requirements See Chapter 15.320 Tables of Allowed Uses See Appendix B, Lyon County Development Standards</p>	

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1 **15.314.04 Employment Mixed-Use (EMU)**

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A. Purpose	
The purpose of this district is to provide concentrated areas of employment, combined with a mix of complimentary commercial and residential uses. Office/Research Park developments may be incorporated into a master planned neighborhood, or located in close proximity to suburban residential areas. Small live-work complexes consisting of a single building or multiple structures that are not located within a typical office or industrial park setting may be established on infill sites within established suburbanizing areas. The EMU zoning district implements the Employment land use designation of the Master Plan in Suburban Character districts.	
B. Building Placement Requirements	
Setback	
From property lines abutting residential uses	20 feet
From property lines abutting adjacent public R.O.W.	10 feet
From front property line if the building is oriented toward the street and accesses the public sidewalk.	10 feet
From property lines abutting commercial or industrial zones or uses.	Zero feet subject to applicable building and fire codes
Rear	Zero feet subject to applicable building and fire codes
C. Building Form Requirements	
Building Height	See Miscellaneous Requirements
Floor to Area Ration	See Miscellaneous Requirements
D. Parking Requirements	
See Chapter 15.401 Parking and Loading	
E. Minimum Lot Requirements	
Lot Size	7000 square feet (dependent on availability of water and sewer)
Lot Street Frontage Width	See Miscellaneous Requirements
Average Lot Width	50 feet
Average Lot Depth	N/a
F. Miscellaneous Requirements	
<p>A. Minimum lot frontage. For the purpose of dividing property, minimum lot frontage shall be sufficient to provide adequate access and utility development, and meet applicable building setback, buffer, and development standards of the district. In no case shall the frontage be less than 30 feet.</p> <p>B. Height limitations. No maximum height is established; however, when building height exceeds 35 feet, the setback requirements shall be increased by one foot for each foot of building height in excess of 35 feet, as applicable to all setbacks. Subject to 15.330.03 E.</p> <p>C. Lot coverage. In a rural character district, building or structural coverage of a lot shall not exceed 50 percent of the total area.</p> <p>D. Open space. At least 10 percent of the site shall be kept free of buildings, structures, stored materials, hard surfacing, parking areas and other impervious surfaces.</p> <p>E. Buffer area. When a parcel situated within this district adjoins an Agriculture or Residential District setbacks shall be increased to 25 feet. Unless adjoining an Agriculture Zoning District, said area shall be landscaped consistent with the requirements of Chapter 15.401. If any part of the buffer area is separated from or sold to any contiguous or adjacent owner, lessee or user, the parcel so separated or sold shall be used only as a buffer area in accordance with the above requirements.</p> <p>See 15.336 Commercial Design Standards See 15.337 Industrial Performance Requirements See 15.340 thru 15.352 Residential Development Standards and Requirements See Appendix B, Lyon County Development Standards See Chapter 15.320 Tables of Allowed Uses</p>	

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1 **15.314.05 Adult Use District (XX)**

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A. Purpose	
The purpose of this district is to provide for the location and operation of houses of prostitution. The XX zoning district is restricted to the Employment land use designation of the Master Plan in Suburban Character districts.	
B. Building Placement Requirements	
Setback (See Title 5 Chapter 3)	
From property lines	30 feet
From property lines abutting adjacent public R.O.W.	10 feet
From property lines abutting commercial or industrial zones or uses.	30 feet
Rear	30 feet
C. Building Form Requirements	
Building Height	35 feet subject to 15.330.03 E
Floor to Area Ration	n/a
D. Parking Requirements	
See Chapter 15.401 Parking and Loading	
E. Minimum Lot Requirements	
Lot Size	7000 square feet
Lot Street Frontage Width	200 feet
Average Lot Width	n/a
Average Lot Depth	n/a
F. Miscellaneous Requirements	
See Lyon County Code Title 5, Chapter 3 Prostitution See Lyon County Code Title 5, Chapter 8 Adult Characterized Businesses	

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1 Chapter 15.315– RESERVED

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1 **Chapter 15.316 Public/Community Facilities and Other Lands**

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3 **15.316.01 Open Space (OS) Zone**

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A. Purpose	
<p>Open Space provides recreational linkages between different areas of the County; floodplains, drainage or view protection; and/or wildlife habitat. Public access may be provided with designated trails or bicycle facilities. In other areas lands may be left intact as visual buffers along an important scenic area or community boundary. Open space may be granted to or purchased outright by the county for public use, donated to private land trusts, or protected using another method, such as conservation easements, signage restrictions, and design controls.</p> <p><i>Primary Uses:</i> Publicly owned/managed and accessible lands preserved by the County, other government agencies, or quasi-public (land trusts, non-profit organizations, etc.) for conservation, resource protection, or recreational use. Not lands that are part of a private development (e.g. planned unit development)</p> <p>May also be preserved without public access to protect sensitive natural areas.</p> <p><i>Secondary Uses:</i> Utilities (e.g. municipal wells or other utility structures)</p>	
B. Building Placement Requirements	
Setback	
Front	30 feet
Side Street	30 feet
Rear	30 feet
Side	20 feet
C. Building Form Requirements	
Building Height	35 feet subject to 15.330.03 E
Floor to Area Ratio	n/a
D. Parking Requirements	
See Chapter 401 (Off-Street Parking and Loading)	
E. Minimum Lot Requirements	
Lot Size	No minimum
Lot width ratio (w:d minimum)	n/a
Lot Street Frontage Width	n/a
Average Lot Width	n/a
Average Lot Depth	n/a
F. Miscellaneous Requirements	
See Table 15.320.05 Table of Allowed Uses (Public and Community Facilities)	

5

6

1 **15.316.02 Public Facilities (PF) Zone**

2

A. Purpose	
The Public Facilities zoning district provides for the provision of schools, government offices, community centers, fire stations, airports, libraries, hospitals, cemeteries, etc. to meet the needs of the community in which the facilities are located as well as the larger county-wide and regional community. Also included are facilities needed for essential public services such as electrical substations, water and wastewater facilities, and other similar uses. Public facilities also include parks and recreation facilities for the active and passive recreational needs of the community.	
B. Building Placement Requirements	
Setback	
Front	30 feet
Side Street	30 feet
Rear	30 feet
Side	20 feet
C. Building Form Requirements	
Building Height	35 feet subject to 15.330.03 E
Floor to Area Ratio	n/a
D. Parking Requirements	
See Chapter 401 (Off-Street Parking and Loading)	
E. Minimum Lot Requirements	
Lot Size	No minimum
Lot width ratio (w:d minimum)	n/a
Lot Street Frontage Width	n/a
Average Lot Width	n/a
Average Lot Depth	n/a
F. Miscellaneous Requirements	
See Table 15.320.05 Table of Allowed Uses (Public and Community Facilities)	

3

1 **Chapter 15.317– RESERVED**

2

3 **Chapter 15.318– RESERVED**

4

5 **Chapter 15.319– RESERVED**

6

DRAFT

1 **Chapter 15.320 Land Use Tables**

2

3 **15.320.01 Purpose**

4 This chapter lists the land uses that may be allowed within the zoning districts established by Chapter
5 15.300 through 15.319 (Zoning Districts), and determines the type of permit/approval required for each
6 use.

7

8 All land uses conducted within Lyon County must be carried out in a manner that promotes the public
9 interest, health, safety, convenience and general welfare; reduces traffic congestion and hazards in the
10 streets; preserves recognized values of historic and community appearance, charm and character;
11 provides light and air for all buildings; safeguards and enhances property values; avoids undesirable
12 concentrations of population; prevents overcrowding of land; facilitates adequate provision of
13 transportation, water, sewage, schools, park and other facilities and services; and provides the economic
14 and social advantages gained from a comprehensively planned use of land resources.

15

16 **15.320.02 Applicability**

17 Land uses identified on the following Land Use Tables are classified as “Permitted”, “Conditionally
18 Permitted”, or “Not Permitted”.

19

20 Land uses identified in this title as “Permitted” (P) must be conducted in conformance with the specific
21 performance standards established by this title, or if no performance standard has been established, in a
22 manner that meets the purposes of this chapter outlined above.

23

24 Land uses identified as “Conditionally Permitted” are permitted subject to a Conditional Use Permit issued
25 in accordance with the provisions of Chapter 15.230.

26

27 Land uses identified as “Not Permitted” within a specific zoning district are prohibited.

28

1 Land uses not listed on the Table of Uses may be considered in accordance with the provisions of
2 Chapter 15.221 Unlisted Uses.

3

4 **15.320.03 Land Use Tables**

5

Table 15.320-1 Table of Allowed Uses Rural Residential, Commercial and Agricultural
Districts

Table 15.320-2 Table of Allowed Uses Suburban Residential and Commercial Districts

Table 15.320-3 Table of Allowed Uses Historic Character Districts

Table 15.320-4 Table of Allowed Uses Employment and Industrial Districts

Table 15.320-5 Table of Allowed Uses Public/Community Facilities Districts

Table 15.320-6 Table of Allowed Uses Overlay Districts

6

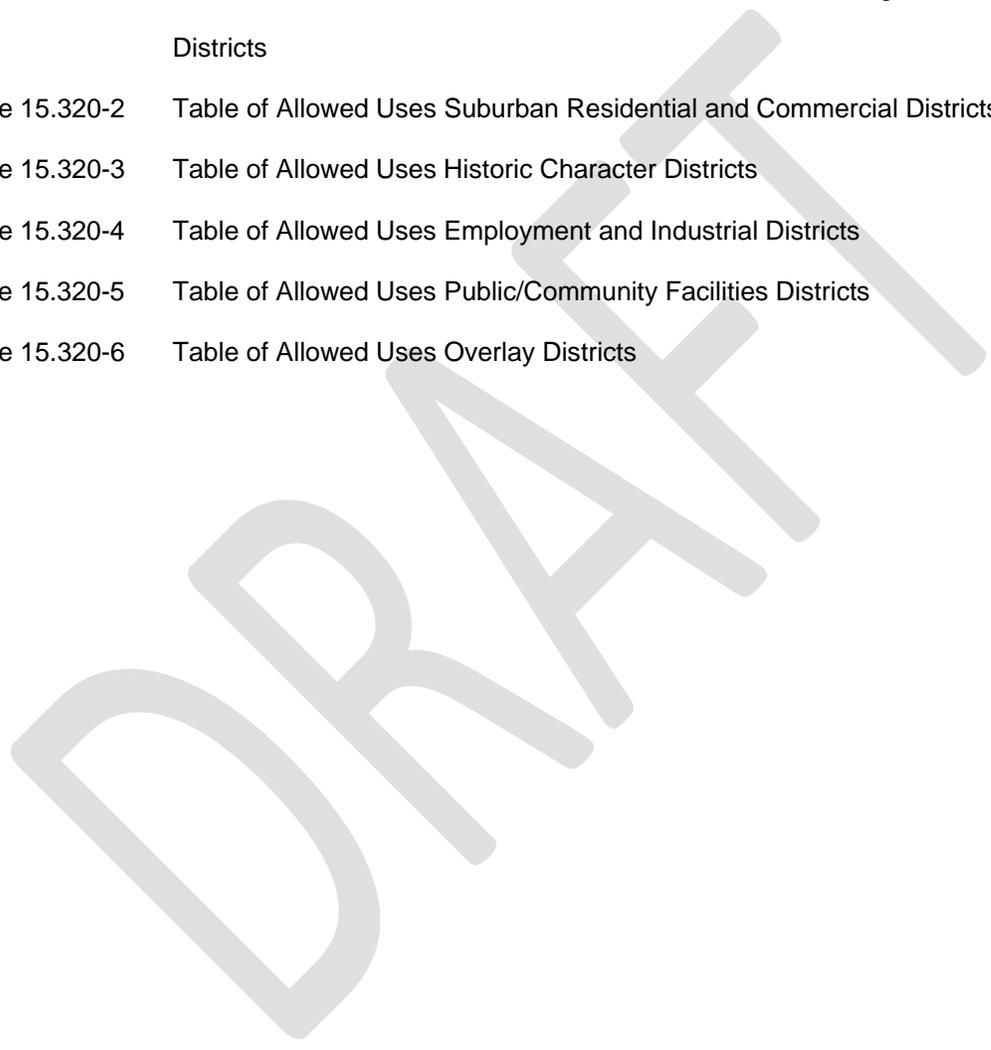


Table 15.320-1 Table of Allowed Uses Rural Residential, Commercial, and Agricultural Districts															
<i>P = Permitted; C = Conditional Use Permit Required; T = Temporary Use Permit Required; X = Not Permitted</i>															
Use Category	Use Type	Residential					Mixed-use		Non-Residential						Use Specific Regulations
		RR-20	RR-10	RR-5	RR-2	RR-1	CMUR	HMUR	AG	N/A	RL	PL	NC	TC-R	
Residential Uses															
Single-family residential	Single family detached	P	P	P	P	P	P	P	P	P	P	X	X	P	15.340 & 15.341
	Accessory dwelling unit	P	P	P	P	P	P	P	P	P	P	X	X	P	15.335.03 A.1
	Home occupation	P	P	P	P	P	P	P	P	P	P	X	X	P	15.335.03 W
	Residential accessory use or structure	P	P	P	P	P	P	P	P	P	P	X	X	P	15.335.03 A.2 15.335.03 B
	Home based business	P	P	P	P	P	P	P	P	P	P	X	X	P	15.335.03 X
Multi-family residential	Multi-family, 2 units	X	X	X	P	X	X	P	X	X	X	X	X	X	15.342
	Multi-family, 3 or 4 units	X	X	X	X	X	X	X	X	X	X	X	X	X	15.345 & 15.348
	Multi-family, 5 or more units	X	X	X	X	X	X	X	X	X	X	X	X	X	15.348
	Manufactured Home Park	X	X	X	X	X	X	X	X	X	X	X	X	X	15.352
Group Living	Organizational house (sorority, monastery, etc.)	C	X	X	X	X	C	C	X	X	X	X	X	C	
	Residential care facility for elderly	X	X	X	C	C	C	C	X	X	X	X	X	X	15.335.03 NN
	Group home, 10 or fewer residents	P	P	P	P	P	P	P	P	P	P	X	P	X	15.335.03 NN
	Group home, 11 or more residents	X	X	X	X	X	X	C	X	X	X	X	X	X	15.335.03 NN
	Rooming or boarding house	X	X	X	X	X	C	C	X	X	X	X	X	C	
Public, Institutional, and Civic Uses															
Community and cultural facilities	Gov't admin and civic buildings	X	X	X	X	X	C	C	X	X	X	X	X	X	Chapter 15.336
	Social, fraternal lodges	X	X	X	X	X	P	P	X	X	X	X	P	P	15.335.03 K & Chapter 15.336

Table 15.320-1 Table of Allowed Uses Rural Residential, Commercial, and Agricultural Districts															
<i>P = Permitted; C = Conditional Use Permit Required; T = Temporary Use Permit Required; X = Not Permitted</i>															
Use Category	Use Type	Residential					Mixed-use		Non-Residential						Use Specific Regulations
		RR-20	RR-10	RR-5	RR-2	RR-1	CMUR	HMUR	AG	N/A	RL	PL	NC	TC-R	
	Public assembly, incl. churches	X	X	X	P	P	P	P	X	X	X	X	P	X	15.335.03 JJ
	Public safety facility	X	X	X	X	X	P	P	X	X	X	P	P	X	
	Museums						P						P	P	
Day-care facilities	Child care, in-home, 6 or fewer children	P	P	P	P	P	P	P	P	P	X	X	X	P	
	Child care center	X	X	X	X	X	P	P	X	X	X	X	P	X	
	Adult day care, 6 or fewer clients	X	X	X	C	C	C	P	X	X	X	X	P	X	
	Adult day care, 7 or more clients	X	X	X	X	X	C	C	X	X	X	X	C	X	
Health Care Facilities	Hospital	X	X	X	X	X	C	C	X	X	X	X	X	X	
	Intermediate care facility, nursing home, rehab center	X	X	X	X	X	X	C	X	X	X	X	X	X	Chapter 15.336
	Medical or dental office or clinic	X	X	X	X	X	P	P	X	X	X	X	P	X	15.335.03 DD & Chapter 15.336
Recreational Facilities	Athletic fields and courts							P				P		P	
	Community gardens				P	P	P	P	P	P	P	P	X	P	15.335.03 L
	Parks	P	P	P	P	P	P	P	X	X	X	P	X	P	
	Equestrian facility	P	C	X	X	X	X	X	P	P	P	P	X	P	15.335.03 AAA
	Playground	X	X	X	P	P	P	P	X	X	X	P	X	P	
	Private residential recreation facility	P	P	P	P	P	X	P	X	X	X	X	X	C	15.335.03 HH
	Golf course or driving range	C	C	C	C	C	X	X	X	X	X	C	X	C	15.335.03 T & 15.335.03 O
Outdoor concerts, rodeo, special events	C	C	X	X	X	T	T	C	C	C	C	X	C		

Table 15.320-1 Table of Allowed Uses Rural Residential, Commercial, and Agricultural Districts															
<i>P = Permitted; C = Conditional Use Permit Required; T = Temporary Use Permit Required; X = Not Permitted</i>															
Use Category	Use Type	Residential					Mixed-use		Non-Residential						Use Specific Regulations
		RR-20	RR-10	RR-5	RR-2	RR-1	CMUR	HMUR	AG	N/A	RL	PL	NC	TC-R	
	Shooting range – outdoor	X	X	X	X	X	X	X	C	C	C	C	X	X	
	Racetrack	X	X	X	X	X	X	X	C	C	C	C	X	X	
	Shooting range – indoor	X	X	X	X	X	X	C	X	X	X	X	X	C	15.335.03 XX
	Skeet/trap shooting range/course	X	X	X	X	X	X	X	C	C	X	C	X	C	
	Archery range	X	X	X	X	X	X	X	C	C	X	C	X	C	
	Paintball facility - indoor	X	X	X	X	X	X	C	X	X	X	X	X	C	
	Paintball facility - outdoor	X	X	X	X	X	X	X	C	C	X	C	X	C	
	Indoor recreation/sports/fitness facility	X	X	X	X	X	P	P	X	X	X	X	P	P	15.335.03 XX & Chapter 15.336
	Campground	X	X	X	X	X	X	X	C	C	X	C	X	C	
Educational Facilities	School, K-12	X	X	X	C	C	C	C	X	X	X	C	X	X	
	Post-secondary, trade, or technical education	X	X	X	X	X	C	C	X	X	X	X	X	X	
Agricultural Uses															
Animal Raising and production	Animal keeping – livestock, poultry, etc.	P	P	P	P	X	X	X	P	P	P	P	X	P	
	Concentrated Animal Feeding Operation, fewer than 50 AUE	X	X	X	X	X	X	X	P	P	P	X	X	X	
	Concentrated Animal Feeding Operation, 51 or more AUE	X	X	X	X	X	X	X	C	C	C	X	X	X	
	Stable	P	C	C	X	X	X	X	P	P	P	P	X	P	15.335.03 AAA
	Field crops	P	P	P	P	X	X	X	P	P	P	P	X	P	

Table 15.320-1 Table of Allowed Uses Rural Residential, Commercial, and Agricultural Districts															
<i>P = Permitted; C = Conditional Use Permit Required; T = Temporary Use Permit Required; X = Not Permitted</i>															
Use Category	Use Type	Residential					Mixed-use		Non-Residential						Use Specific Regulations
		RR-20	RR-10	RR-5	RR-2	RR-1	CMUR	HMUR	AG	NIA	RL	PL	NC	TC-R	
Crop production, horticulture, orchards, and vineyards	Plant nursery	P	P	P	P	X	X	X	P	P	P	X	X	P	
	Vineyard	P	P	P	P	X	X	X	P	P	P	X	X	P	
Agriculture related uses	Agriculture related industry – On farm	P	X	X	X	X	X	X	P	P	P	X	X	X	
	Milk Processing	X	X	X	X	X	X	X	C	C	X	X	X	X	
	Agricultural machine shop	X	X	X	X	X	X	P	P	P	P	X	X	X	15.335.03 LL
	Agricultural supplies and support services	X	X	X	X	X	X	P	P	P	P	X	X	X	
	Agricultural tourism	C	X	X	X	X	X	X	P	P	P	X	X	X	
	Farm Market	C	C	X	X	X	P	P	P	P	X	X	X	P	
	Winery, small scale	P	P	X	X	X	P	P	P	P	X	X	X	P	
	Artisan/craft product manufacturing & processing	P	P	P	X	X	P	P	P	P	P	X	P	P	15.335.03 A & B
Commercial Uses															
Animal Related Services	Kennel	P	P	C	X	X	X	C	P	P	X	X	X	X	15.335.03 Y, Chapter 15.336, & Title 7, Chapter 1
	Veterinary clinic/hospital – large animal	X	X	X	X	X	X	C	C	C	X	X	X	X	15.335.03 Y & Chapter 15.336
	Veterinary clinic/hospital – small animal (without outdoor kennel)	X	X	X	X	X	P	P	X	X	X	X	P	X	15.335.03 Y & Chapter 15.336

Table 15.320-1 Table of Allowed Uses Rural Residential, Commercial, and Agricultural Districts															
<i>P = Permitted; C = Conditional Use Permit Required; T = Temporary Use Permit Required; X = Not Permitted</i>															
Use Category	Use Type	Residential					Mixed-use		Non-Residential						Use Specific Regulations
		RR-20	RR-10	RR-5	RR-2	RR-1	CMUR	HMUR	AG	N/A	RL	PL	NC	TC-R	
	Veterinary clinic/hospital – small animal (with outdoor kennel)	X	X	X	X	X	C	P	X	X	X	X	C	X	15.335.03 Y & Chapter 15.336
	Animal Rescue facility	C	C	X	X	X	X	X	C	C	C	X	X	X	Chapter 15.336
	Zoo	X	X	X	X	X	X	X	C	C	X	C	X	X	Chapter 15.336
Business Services	Event or Conference Center	C	X	X	X	X	C	P	C	C	X	X	X	P	Chapter 15.336
	Copy Center, mail/parcel services, etc.	X	X	X	X	X	P	P	X	X	X	X	P	X	Chapter 15.336
Financial Services	With drive-thru	X	X	X	X	X	P	P	X	X	X	X	P	X	15.335.03 F & Chapter 15.336
	Without drive-thru	X	X	X	X	X	P	P	X	X	X	X	P	X	15.335.03 F & Chapter 15.336
	Stand Alone ATM	X	X	X	X	X	P	P	X	X	X	X	P	P	15.335.03 F & Chapter 15.336
Food and Beverage Services	Bar or nightclub	X	X	X	X	X	P	P	X	X	X	X	C	P	Chapter 15.336
	Restaurant, with drive-thru	X	X	X	X	X	X	P	X	X	X	X	P	P	15.335.03 PP & Chapter 15.336
	Restaurant, without drive-thru	X	X	X	X	X	P	P	X	X	X	X	P	P	15.335.03 OO & Chapter 15.336
	Food Trucks/Food Carts	X	X	X	X	X	P	P	X	X	X	X	P	X	15.335.03 QQ
Lodging Facilities	B&B	P	P	P	P	X	P	P	P	P	X	X	X	P	15.335.03 H
	Lodge or Inn	X	X	X	X	X	P	P	X	X	X	X	X	P	Chapter 15.336
	Hotel or Motel	X	X	X	X	X	P	P	X	X	X	X	X	P	Chapter 15.336
	Guest/Dude Ranch	C	X	X	X	X	X	X	C	C	X	X	X	P	
	RV Park	X	X	X	X	X	X	C	X	X	X	X	X	C	Chapter 15.353
	Office, 1200 sf or less	X	X	X	X	X	P	P	X	X	X	X	P	X	15.335.03 DD & Chapter 15.336

Table 15.320-1 Table of Allowed Uses Rural Residential, Commercial, and Agricultural Districts															
<i>P = Permitted; C = Conditional Use Permit Required; T = Temporary Use Permit Required; X = Not Permitted</i>															
Use Category	Use Type	Residential					Mixed-use		Non-Residential						Use Specific Regulations
		RR-20	RR-10	RR-5	RR-2	RR-1	CMUR	HMUR	AG	N/A	RL	PL	NC	TC-R	
Offices, Business and Professional	Office, greater than 1200 sf	X	X	X	X	X	C	P	X	X	X	X	X	X	Chapter 15.336 " " "
Personal Services	Personal Care	X	X	X	X	X	P	P	X	X	X	X	P	X	Chapter 15.336
	Laundromat, dry cleaning pick-up and drop-off	X	X	X	X	X	P	P	X	X	X	X	P	X	Chapter 15.336
	Shoe repair	X	X	X	X	X	P	P	X	X	X	X	P	X	Chapter 15.336
	Massage or tanning salon	X	X	X	X	X	P	P	X	X	X	X	P	P	Chapter 15.336
Entertainment Facilities	Adult entertainment	X	X	X	X	X	X	X	X	X	X	X	X	X	
	Movie theater	X	X	X	X	X	C	P	X	X	X	X	X	X	15.335.03 GG & Chapter 15.336
	Performance Hall	X	X	X	X	X	C	P	X	X	X	X	X	P	Chapter 15.336 " " "
Retail Sales	Grocery store	X	X	X	X	X	C	P	X	X	X	X	C	X	Chapter 15.336
	Convenience store/Deli	X	X	X	X	X	P	P	X	X	X	X	P	C	Chapter 15.336
	General retail, less than 4000 sf	X	X	X	X	X	P	P	X	X	X	X	P	X	Chapter 15.336
	General retail, greater than 4000 sf	X	X	X	X	X	X	P	X	X	X	X	X	X	Chapter 15.336
Vehicles and Equipment	Gasoline sales	X	X	X	X	X	P	P	X	X	X	X	P	P	15.335.03 S & Chapter 15.336
	Vehicle sales and service	X	X	X	X	X	P	P	X	X	X	X	X	X	15.335.03 E, KK & Chapter 15.336
	Vehicle service and repairs	X	X	X	X	X	P	P	X	X	X	X	X	X	15.335.03 KK & Chapter 15.336
Industrial Uses (Also See Table 15.300-4)															
Resource Extraction	Mining, sand, gravel and mineral	C	C	X	X	X	X	X	C	C	C	C	X	X	Chapter 15.337

Table 15.320-1 Table of Allowed Uses Rural Residential, Commercial, and Agricultural Districts															
<i>P = Permitted; C = Conditional Use Permit Required; T = Temporary Use Permit Required; X = Not Permitted</i>															
Use Category	Use Type	Residential					Mixed-use		Non-Residential						Use Specific Regulations
		RR-20	RR-10	RR-5	RR-2	RR-1	CMUR	HMUR	AG	N/A	RL	PL	NC	TC-R	
and Processing	Crushing, batch plants, ore milling and processing	C	X	X	X	X	X	X	C	C	C	X	X	X	Chapter 15.337
	Wood treatment	X	X	X	X	X	X	X	X	X	X	X	X	X	Chapter 15.337
Energy Production and distribution	Wind Energy conversion, commercial	C	X	X	X	X	X	X	C	C	C	C	X	X	
	Wind Energy conversion, non-commercial	P	P	P	P	P	X	X	P	P	P	X	X	P	15.335.03 FFF & Chapter 15.337
	Geothermal generating systems	C	X	X	X	X	X	X	C	C	C	C	X	X	Chapter 15.337
	Solar power generating facility, commercial	C	X	X	X	X	X	X	C	C	C	C	X	X	Chapter 15.337
	Power transmission lines and substations	P	C	X	X	X	X	X	P	P	P	P	X	X	
	Fossil fuel generating facility, commercial	X	X	X	X	X	X	X	X	X	C	C	X	X	Chapter 15.337
Industrial Services	Machine shops, welding, plumbing, etc.	X	X	X	X	X	X	X	X	X	X	X	X	X	Chapter 15.337
	Contractor's yards	X	X	X	X	X	X	X	X	X	X	X	X	X	15.335.03 P & Chapter 15.337
	Building material sales and storage	X	X	X	X	X	X	P	X	X	X	X	X	X	Chapter 15.336 & 15.337
	Equipment rental	X	X	X	X	X	X	P	X	X	X	X	X	X	15.335.03 BB & Chapter 15.336

Table 15.320-1 Table of Allowed Uses Rural Residential, Commercial, and Agricultural Districts															
<i>P = Permitted; C = Conditional Use Permit Required; T = Temporary Use Permit Required; X = Not Permitted</i>															
Use Category	Use Type	Residential					Mixed-use		Non-Residential						Use Specific Regulations
		RR-20	RR-10	RR-5	RR-2	RR-1	CMUR	HMUR	AG	NIA	RL	PL	NC	TC-R	
	Auto, truck, and agricultural equipment repair	X	X	X	X	X	P	P	P	P	X	X	X	X	15.335.03 E, KK, LL, Chapter 15.336 & Chapter 15.337
	Self-storage	X	X	X	X	X	X	P	X	X	X	X	X	X	15.335.03 WW & Chapter 15.336
	Transfer Station	X	X	X	X	X	X	X	X	X	X	X	X	X	
Manufacturing and production	Agricultural product processing	C	X	X	X	X	X	X	C	C	C	X	X	X	Chapter 15.337
	Assembly, light	X	X	X	X	X	X	X	X	X	X	X	X	X	Chapter 15.337
	Manufacturing and fabrication, light	X	X	X	X	X	X	X	X	X	X	X	X	X	Chapter 15.337
	Tank Farm, over 100K gallons	X	X	X	X	X	X	X	X	X	X	X	X	X	
	Hazardous Waste Processing	X	X	X	X	X	X	X	X	X	X	X	X	X	
	Hazardous Material Storage	X	X	X	X	X	X	X	X	X	X	X	X	X	

1
2



1

Table 15.320-2 Table of Allowed Uses - Suburban Residential and Commercial Districts																
<i>P = Permitted; C = Conditional Use Permit Required; T = Temporary Use Permit Required; X = Not Permitted</i>																
Use Category	Use Type	RESIDENTIAL/COMMERCIAL ZONING DISTRICTS														Specific Use Regulation
		SR-2	SR-1	SR-1/2	SR 12000	SR 9000	NR	MFR	RMU	NC	CC	RC	TC-S	CMU-S	HMU-S	
Residential Uses																
Single-family residential	Single family detached	P	P	P	P	P	P	X	P	X	X	X	P	P	15.340 & 15.341	
	Second unit, granny flat, etc.	P	P	P	P	P	P	X	P	X	X	X	P	P	15.335.03 A.1	
	Home occupation	P	P	P	P	P	P	P	P	X	X	X	P	P	15.335.03 W	
	Residential accessory use or structure	P	P	P	P	P	P	P	P	X	X	X	P	P	15.335.03 A.2 15.335.03 B	
	Home based business	P	P	P	P	P	P	P	P	X	X	X	P	P	15.335.03 X	
Multi-family residential	Multi-family, 2 units	X	X	X	P	P	P	P	P	X	X	X	P	P	15.342	
	Multi-family, 3 or 4 units	X	X	X	X	X	X	P	P	X	X	X	P	P	15.345 & 15.348	
	Multi-family, 5 or more units	X	X	X	X	X	X	P	C	X	X	X	C	C	“ “ “	
	Manufactured Home Park	X	X	X	X	X	P	X	C	X	X	X	P	C	15.352	
Group Living	Organizational house (sorority, monastery, etc.)	C	C	X	X	X	X	X	P	X	X	X	P	P		
	Residential care facility for elderly	C	C	X	X	X	X	P	C	X	C	X	C	P	15.335.03 NN	
	Group home, 10 or fewer residents	P	P	P	P	P	P	X	P	X	X	X	P	P	“ “ “	
	Group home, 11 or more residents	C	C	C	X	X	X	C	C	X	X	X	X	P	“ “ “	
	Rooming or boarding house	X	X	X	X	X	X	X	X	P	X	X	X	P	P	
Public, Institutional, and Civic Uses																
Community and cultural facilities	Gov't admin and civic buildings	X	X	X	X	X	X	X	C	C	C	C	X	C		
	Social, fraternal lodges	X	X	X	X	X	X	X	X	X	P	P	X	P	15.335.03 K & Chapter 15.336	
	Public assembly, incl. churches	C	C	C	C	C	C	C	C	P	P	P	X	P	15.335.03 JJ	
	Public safety facility	X	X	X	X	X	X	X	P	P	P	P	X	P		
	Museums															
Day-care facilities	Child care, in-home, 6 or fewer children	P	P	P	P	P	P	P	P	X	X	X	P	P		
	Child care center	X	X	X	X	X	X	P	P	P	P	X	P	P		
	Adult day care, 6 or fewer clients	P	P	X	X	X	X	X	P	P	P	P	X	P		
	Adult day care, 7 or more clients	X	X	X	X	X	X	C	P	P	P	X	P	P		
	Hospital	X	X	X	X	X	X	X	X	X	X	C	C	X	X	

Table 15.320-2 Table of Allowed Uses - Suburban Residential and Commercial Districts																	
<i>P = Permitted; C = Conditional Use Permit Required; T = Temporary Use Permit Required; X = Not Permitted</i>																	
Use Category	Use Type	RESIDENTIAL/COMMERCIAL ZONING DISTRICTS														Specific Use Regulation	
		SR-2	SR-1	SR-1/2	SR 12000	SR 9000	NR	MFR	RMU	NC	CC	RC	TC-S	CMU-S	HMU-S		
Health Care Facilities	Intermediate care facility, nursing home, rehab center	X	X	X	X	X	X	X	X	C	X	C	C	X	X	C	Chapter 15.336
	Medical or dental office or clinic	X	X	X	X	X	X	X	X	P	P	P	P	X	P	P	15.335.03 DD & Chapter 15.336
Recreational Facilities	Athletic fields and courts	X	X	X	X	X	X	P	P	X	X	X	X	X	C		
	Community gardens	P	P	P	P	P	P	P	P	P	P	P	P	P	P	15.335.03 L	
	Parks	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
	Playground	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
	Private residential recreation facility	P	P	P	P	P	X	P	P	X	X	X	X	P	P	15.335.03 HH	
	Golf course or driving range	C	C	C	C	C	X	X	C	X	X	X	P	X	X	15.335.03 T & 15.335.03 O	
	Outdoor concerts, special events	X	X	X	X	X	X	X	X	X	P	P	P	C	P		
	Rodeo	X	X	X	X	X	X	X	X	X	X	X	P	X	X		
	Shooting range – indoor	X	X	X	X	X	X	X	X	X	P	P	P	X	P	15.335.03 XX	
		X	X	X	X	X	X	X	X	X	X	X	X	X	X		
	Paintball facility - indoor	X	X	X	X	X	X	X	X	X	P	P	P	P	P		
	Paintball facility - outdoor	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
	Indoor recreation/sports/fitness facility	X	X	X	X	X	X	X	C	P	P	P	P	P	P	15.335.03 XX	
	Campground	X	X	X	X	X	X	X	X	X	X	X	C	X	X		
Educational Facilities	School, K-12	C	C	C	C	C	C	X	C	X	X	X	X	C	C		
	Post-secondary, trade, or technical education	X	X	X	X	X	X	X	X	X	C	C	X	C	C		
Agricultural Uses																	
Animal Raising and production	Animal keeping – livestock, poultry, etc.	P	P	X	X	X	X	X	X	X	X	X	X	X	X		
	Feedlot, fewer than 50 animals	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
	Feedlot, 51 to 250 animals	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
	Feedlot, greater than 250 animals	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
	Dairy	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
	Stable	X	X	X	X	X	X	X	X	X	X	X	X	X	15.335.03 AAA		

Table 15.320-2 Table of Allowed Uses - Suburban Residential and Commercial Districts																
<i>P = Permitted; C = Conditional Use Permit Required; T = Temporary Use Permit Required; X = Not Permitted</i>																
Use Category	Use Type	RESIDENTIAL/COMMERCIAL ZONING DISTRICTS														Specific Use Regulation
		SR-2	SR-1	SR-1/2	SR 12000	SR 9000	NR	MFR	RMU	NC	CC	RC	TC-S	CMU-S	HMU-S	
Crop production, horticulture, orchards, and vineyards	Field crops	P	P	X	X	X	X	X	X	X	X	X	X	X	X	
	Plant nursery	P	P	X	X	X	X	X	X	X	X	X	X	X	X	
	Vineyard	P	P	X	X	X	X	X	X	X	X	X	X	X	X	
Agriculture related uses	Agriculture related industry – On farm	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
	Agricultural machine shop	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
	Agricultural supplies and support services	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
	Agricultural tourism	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
	Farm Market	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
	Winery, small scale	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
	Artisan/craft product manufacturing & processing	P	P	X	X	X	X	X	X	X	X	X	X	X	X	15.335.03 A & B
Commercial Uses																
Animal Related Services	Kennel	X	X	X	X	X	X	X	X	X	P	P	P	X	C	15.335.03 Y, Chapter 15.336, & Title 7, Chapter 1
	Veterinary clinic/hospital – large animal	X	X	X	X	X	X	X	X	X	C	C	X	C	C	15.335.03 Y & Chapter 15.336
	Veterinary clinic/hospital – small animal (without outdoor kennel)	X	X	X	X	X	X	X	X	X	P	P	X	C	P	15.335.03 Y & Chapter 15.336
	Veterinary clinic/hospital – small animal (with outdoor kennel)	X	X	X	X	X	X	X	X	X	P	P	X	X	C	15.335.03 Y & Chapter 15.336
	Animal Rescue facility	X	X	X	X	X	X	X	X	X	C	C	X	X	X	Chapter 15.336
Business Services	Zoo	X	X	X	X	X	X	X	X	X	C	C	C	X	X	
	Event or Conference Center	X	X	X	X	X	X	X	X	X	X	P	P	X	X	Chapter 15.336
Financial Services	Copy Center, mail/parcel services, etc.	X	X	X	X	X	X	X	X	P	P	P	X	P	X	Chapter 15.336
	Bank With drive-thru	X	X	X	X	X	X	X	X	X	P	P	X	C	X	15.335.03 F & Chapter 15.336

Table 15.320-2 Table of Allowed Uses - Suburban Residential and Commercial Districts																
<i>P = Permitted; C = Conditional Use Permit Required; T = Temporary Use Permit Required; X = Not Permitted</i>																
Use Category	Use Type	RESIDENTIAL/COMMERCIAL ZONING DISTRICTS														Specific Use Regulation
		SR-2	SR-1	SR-1/2	SR 12000	SR 9000	NR	MFR	RMU	NC	CC	RC	TC-S	CMU-S	HMU-S	
	Bank Without drive-thru	X	X	X	X	X	X	X	X	P	P	P	X	P	X	15.335.03 F & Chapter 15.336
Food and Beverage Services	Bar or nightclub	X	X	X	X	X	X	X	X	X	P	P	P	P	X	Chapter 15.336
	Restaurant, with drive-thru	X	X	X	X	X	X	X	X	X	P	P	P	C	X	15.335.03 PP & Chapter 15.336
	Restaurant, without drive-thru	X	X	X	X	X	X	X	X	P	P	P	P	P	X	15.335.03 OO & Chapter 15.336
	Food Trucks/Food Carts	X	X	X	X	X	X	X	X	P	P	P	P	P	X	15.335.03 QQ
Lodging Facilities	B&B	C	C	C	X	X	X	X	C	X	X	X	P	P	C	15.335.03 H
	Lodge or Inn	X	X	X	X	X	X	X	X	X	P	P	P	P	X	Chapter 15.336
	Hotel or Motel	X	X	X	X	X	X	X	X	X	P	P	P	P	X	Chapter 15.336
	Guest/Dude Ranch	X	X	X	X	X	X	X	X	X	X	X	X	X	X	Chapter 15.336
	RV Park	X	X	X	X	X	X	X	X	X	X	P	P	X	X	Chapter 15.353
Offices, Business and Professional	Office, 4000 sf or less	X	X	X	X	X	X	X	X	P	P	P	X	P	P	15.335.03 DD & Chapter 15.336
	Office, greater than 4000 sf	X	X	X	X	X	X	X	X	C	P	P	X	P	P	“ “ “
Personal Services	Personal Care	X	X	X	X	X	X	X	X	P	P	P	X	P	X	Chapter 15.336
	Laundromat, dry cleaning pick-up and drop-off	X	X	X	X	X	X	X	X	P	P	P	X	P	X	Chapter 15.336
	Shoe repair	X	X	X	X	X	X	X	X	P	P	P	X	P	X	Chapter 15.336
	Massage or tanning salon	X	X	X	X	X	X	X	X	P	P	P	X	P	X	Chapter 15.336
Entertainment Facilities	Adult entertainment	X	X	X	X	X	X	X	X	X	P	P	P	X	X	
	Movie theater	X	X	X	X	X	X	X	X	X	P	P	P	P	X	15.335.03 GG & Chapter 15.336
	Performance Hall	X	X	X	X	X	X	X	X	X	P	P	P	P	X	“ “ “
Retail Sales	Grocery store	X	X	X	X	X	X	X	X	X	P	P	X	P	X	Chapter 15.336
	Convenience store/Deli	X	X	X	X	X	X	X	P	P	P	P	P	P	X	Chapter 15.336
	General retail, less than 4000 sf	X	X	X	X	X	X	X	P	P	P	P	X	P	X	Chapter 15.336
	General retail, greater than 4000 sf	X	X	X	X	X	X	X	X	X	P	P	X	X	X	Chapter 15.336
	Art gallery	X	X	X	X	X	X	X	X	P	P	P	P	P	X	Chapter 15.336

Table 15.320-2 Table of Allowed Uses - Suburban Residential and Commercial Districts																	
<i>P = Permitted; C = Conditional Use Permit Required; T = Temporary Use Permit Required; X = Not Permitted</i>																	
Use Category	Use Type	RESIDENTIAL/COMMERCIAL ZONING DISTRICTS														Specific Use Regulation	
		SR-2	SR-1	SR-1/2	SR 12000	SR 9000	NR	MFR	RMU	NC	CC	RC	TC-S	CMU-S	HMU-S		
Vehicles and Equipment	Gasoline sales	X	X	X	X	X	X	X	X	X	P	P	P	X	X	P	15.335.03 S & Chapter 15.336
	Vehicle sales and service (Automobile)	X	X	X	X	X	X	X	X	X	X	P	P	X	X	P	15.335.03 E, KK & Chapter 15.336
	Vehicle service and repairs (Automobile)	X	X	X	X	X	X	X	X	X	X	P	P	X	P	P	15.335.03 KK & Chapter 15.336
Industrial Uses (Also See Table 10.300-4)																	
Resource Extraction and Processing	Mining, sand, gravel and mineral	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
	Crushing, batch plants, ore milling and processing	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
	Wood treatment	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Energy Production and distribution	Wind Energy conversion, commercial	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
	Wind Energy conversion, non-commercial	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C	15.335.03 FFF
	Geothermal generating systems, commercial	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
	Solar power generating facility, commercial	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
	Power substations	C	C	C	C	C	C	X	X	C	C	C	C	X	C		
	Power Transmission Lines	X	X	X	X	X	X	X	X	C	C	C	C	X	C		
	Fossil fuel generating facility, commercial	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Industrial Services	Machine shops, welding, plumbing, etc.	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
	Contractor's yards	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
	Building material sales and storage	X	X	X	X	X	X	X	X	X	P	P	X	X	X	X	Chapter 15.336
	Equipment rental	X	X	X	X	X	X	X	X	X	P	P	X	X	X	X	15.335.03 BB & Chapter 15.336
	Auto, truck, and agricultural equipment repair	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	

Table 15.320-2 Table of Allowed Uses - Suburban Residential and Commercial Districts																	
<i>P = Permitted; C = Conditional Use Permit Required; T = Temporary Use Permit Required; X = Not Permitted</i>																	
Use Category	Use Type	RESIDENTIAL/COMMERCIAL ZONING DISTRICTS														Specific Use Regulation	
		SR-2	SR-1	SR-1/2	SR 12000	SR 9000	NR	MFR	RMU	NC	CC	RC	TC-S	CMU-S	HMU-S		
	Self-storage	X	X	X	X	X	X	X	X	X	X	P	P	X	X	P	15.335.03 WW & Chapter 15.336
	Transfer Station	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Manufacturing and production	Agricultural product processing	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
	Assembly, light	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
	Manufacturing and fabrication, light	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
	Tank Farm, over 100K gallons	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
	Hazardous Waste Processing	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
	Hazardous Material Storage	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	

1
2
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Table 15-320-3 Table of Allowed Uses - Historic Character Districts												
<i>P = Permitted; C = Conditional Use Permit Required; T = Temporary Use Permit Required; X = Not Permitted</i>												
Use Category	Use Type	Residential							Mixed -Use	Non-Residential		Use Specific Regulations
		RR-5	RR-2	RR-1	SR-1	SR-12000	SR-9000	NR	CMU-H	Public/Quasi Public	TC-H	
Single-family residential	Single family detached	P	P	P	P	P	P	P	P	X	X	
	Second unit, accessory dwelling, etc.	P	P	P	P	P	P	P	P	X	X	
	Home occupation	P	P	P	P	P	P	P	P	X	X	
	Residential accessory use or structure	P	P	P	P	P	P	P	P	X	X	
	Home based business	P	P	P	P	P	P	P	P	X	X	
Multi-family residential	Multi-family, 2 units		P	P	P	P	P	P	P	X	X	
	Multi-family, 3 or 4 units	X	X	X	X	X	X	X	P	X	X	
	Multi-family, 5 or more units	X	X	X	X	X	X	X	P	X	X	
	Manufactured Home Park	X	X	X	X	X	X	X	X	X	X	
	Residential care facility for elderly	X	C	C	C	C	C	X	X	X	X	
	Group home, 10 or fewer residents	P	P	P	P	P	P	P	P	X	X	
	Group home, 11 or more residents	X	X	X	X	X	X	X	C	X	X	
Rooming or boarding house	X	X	X	X	X	X	X	P	X	P		
Community and cultural facilities	Gov't admin and civic buildings	X	X	X	X	X	X	X	P	P	X	

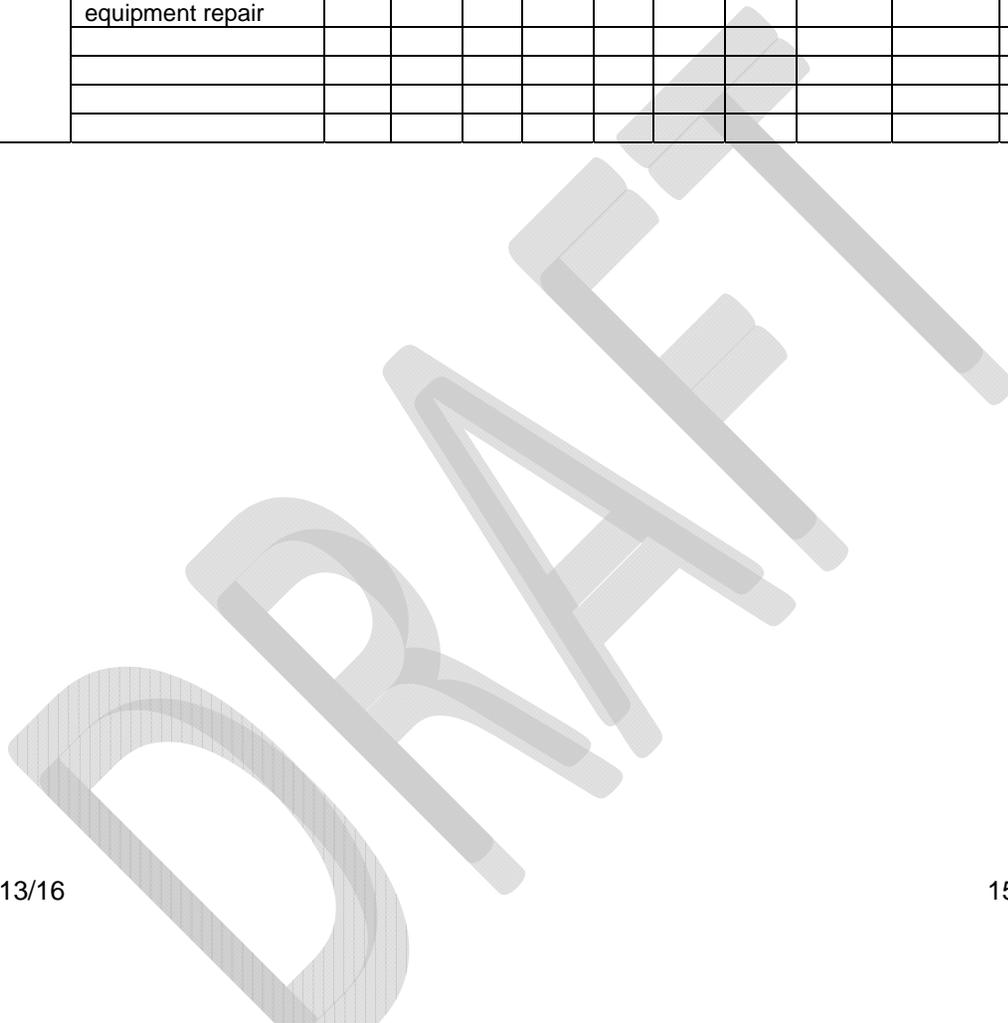
Table 15-320-3 Table of Allowed Uses - Historic Character Districts												
<i>P = Permitted; C = Conditional Use Permit Required; T = Temporary Use Permit Required; X = Not Permitted</i>												
Use Category	Use Type	Residential							Mixed -Use	Non- Residential		Use Specific Regulations
		RR-5	RR-2	RR-1	SR-1	SR-12000	SR-9000	NR	CMU-H	Public/ Quasi Public	TC-H	
	Social, fraternal lodges	X	X	X	X	X	X	X	P	X	P	
	Public assembly, incl. churches	X	C	C	P	P	P	X	P	X	P	
	Public safety facility	X	X	X	X	X	X	X	X	P	X	
Day-care facilities	Child care, in-home, 6 or fewer children	P	P	P	P	P	P	P	P	X	X	
	Child care center	X	X	X	X	X	X	P	P	P	X	
	Adult day care, 6 or fewer clients	X	P	P	X	X	X	X	P	P	X	
	Adult day care, 7 or more clients	X	X	X	X	X	X	X	C	P	X	
Health Care Facilities	Hospital	X	X	X	X	X	X	X	C	P	X	
	Intermediate care facility, nursing home, rehab center	X	X	X	X	X	X	X	C	P	X	
	Medical or dental office or clinic	X	X	X	X	X	X	X	P	P	X	
Recreational Facilities	Athletic fields and courts	P	P	P	P	P	P	P	X	P	P	
	Community gardens	P	P	P	P	P	P	P	P	P	P	
	Parks	P	P	P	P	P	P	P	P	P	P	
	Playground	P	P	P	P	P	P	P	P	P	P	
	Private residential recreation facility	P	P	P	P	P	P	P	P	X	X	
	Outdoor concerts, rodeo, special events	X	X	X	X	X	X	X	T	T	T	
	Indoor recreation/sports/fitness facility	X	X	X	X	X	X	X	P	P	P	

Table 15-320-3 Table of Allowed Uses - Historic Character Districts												
<i>P = Permitted; C = Conditional Use Permit Required; T = Temporary Use Permit Required; X = Not Permitted</i>												
Use Category	Use Type	Residential							Mixed -Use	Non- Residential		Use Specific Regulations
		RR-5	RR-2	RR-1	SR-1	SR-12000	SR-9000	NR	CMU-H	Public/ Quasi Public	TC-H	
Educational Facilities	School, K-12	C	C	C	X	X	X	X	X	P	X	
	Post-secondary, trade, or technical education	X	X	X	X	X	X	X	P	P	X	
Animal Related Services	Kennel	X	X	X	X	X	X	X	X	X	X	
	Veterinary clinic/hospital – small animal (without outdoor kennel)	X	X	X	X	X	X	X	P	X	X	15.335.03 Y
Business Services	Event or Conference Center	X	X	X	X	X	X	X	P	X	P	
	Copy Center, mail/parcel services, etc.	X	X	X	X	X	X	X	P	X	X	
Financial Services	With drive-thru	X	X	X	X	X	X	X	P	X	X	
	Without drive-thru	X	X	X	X	X	X	X	P	X	X	
Food and Beverage Services	Bar or nightclub	X	X	X	X	X	X	X	P	X	P	
	Restaurant, with drive-thru	X	X	X	X	X	X	X	P	X	P	
	Restaurant, without drive-thru	X	X	X	X	X	X	X	P	X	P	
	Food Trucks/Food Carts	X	X	X	X	X	X	X	P	P	P	
Lodging Facilities	B&B	C	C	C	P	P	P	X	P	X	P	
	Lodge or Inn	X	X	X	X	X	X	X	P	X	P	
	Hotel or Motel	X	X	X	X	X	X	X	P	X	P	
	RV Park	X	X	X	X	X	X	X	X	X	P	Chapter 15.353
	Office, 4000 sf or less	X	X	X	X	X	X	X	P	X	X	

Table 15-320-3 Table of Allowed Uses - Historic Character Districts												
<i>P = Permitted; C = Conditional Use Permit Required; T = Temporary Use Permit Required; X = Not Permitted</i>												
Use Category	Use Type	Residential							Mixed -Use	Non- Residential		Use Specific Regulations
		RR-5	RR-2	RR-1	SR-1	SR-12000	SR-9000	NR	CMU-H	Public/ Quasi Public	TC-H	
Offices, Business and Professional	Office, greater than 4000 sf	X	X	X	X	X	X	X	P	X	X	
Personal Services	Personal Care	X	X	X	X	X	X	X	P	X	P	
	Laundromat, dry cleaning pick-up and drop-off	X	X	X	X	X	X	X	P	X	P	
	Shoe repair	X	X	X	X	X	X	X	P	X	X	
	Massage or tanning salon	X	X	X	X	X	X	X	P	X	P	
Entertainment Facilities	Adult entertainment	X	X	X	X	X	X	X	P	X	P	
	Movie theater	X	X	X	X	X	X	X	P	X	P	
	Performance Hall	X	X	X	X	X	X	X	P	X	P	
Retail Sales	Grocery store	X	X	X	X	X	X	X	X	X	X	
	Convenience store/Deli	X	X	X	X	X	X	X	P	X	P	
	General retail, less than 4000 sf	X	X	X	X	X	X	X	P	X	X	
	General retail, greater than 4000 sf	X	X	X	X	X	X	X	P	X	X	
	Art gallery	X	X	X	X	X	X	X	P	X	P	
Vehicles and Equipment	Gasoline sales	X	X	X	X	X	X	X	P	X	P	
	Vehicle sales and service	X	X	X	X	X	X	X	X	X	X	
	Vehicle service and repairs	X	X	X	X	X	X	X	P	X	X	
Resource Extraction and Processing	Mining, sand, gravel and mineral	X	X	X	X	X	X	X	X	X	X	See Mining Regs to be developed
	Crushing, batch plants, ore milling and processing	X	X	X	X	X	X	X	X	X	X	

Table 15-320-3 Table of Allowed Uses - Historic Character Districts												
<i>P = Permitted; C = Conditional Use Permit Required; T = Temporary Use Permit Required; X = Not Permitted</i>												
Use Category	Use Type	Residential							Mixed -Use	Non- Residential		Use Specific Regulations
		RR-5	RR-2	RR-1	SR-1	SR-12000	SR-9000	NR	CMU-H	Public/ Quasi Public	TC-H	
	Wood treatment	X	X	X	X	X	X	X	X	X	X	
Industrial Services	Truck, and equipment repair	X	X	X	X	X	X	X	X	X	X	

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1

Table 15.320-4 Table of Allowed Uses Employment and Industrial Districts								
<i>P = Permitted; C = Conditional Use Permit Required; T = Temporary Use Permit Required; X = Not Permitted</i>								
Use Category	Use Type	LI-R	LI-S	HI-R	HI-S	SI	EMU	Specific Use Requirements
Residential Uses								
Single-family residential	Single family detached	X	X	X	X	X	C	
	Second unit, granny flat, etc.	X	X	X	X	X	X	
	Home occupation	X	X	X	X	X	P	
	Residential accessory use or structure	X	X	X	X	X	P	
	Home based business	X	X	X	X	X	P	
Multi-family residential	Multi-family, 2 units	X	X	X	X	X	C	
	Multi-family, 3 or 4 units	X	X	X	X	X	C	
	Multi-family, 5 or more units	X	X	X	X	X	C	
	Manufactured Home Park	X	X	X	X	X	C	
Group Living	Organizational house (sorority, monastery, etc.)	X	X	X	X	X	X	
	Residential care facility for elderly	X	X	X	X	X	P	
	Group home, 10 or fewer residents	X	X	X	X	X	C	
	Group home, 11 or more residents	X	X	X	X	X	C	
	Rooming or boarding house	X	X	X	X	X	C	
Planned Unit Development	Residential	X	X	X	X	X	P	
	Commercial/Industrial	P	P	P	P	P	P	
Public, Institutional, and Civic Uses								
Community and cultural facilities	Gov't admin and civic buildings	P	P	X	X	P	P	
	Social, fraternal lodges	X	X	X	X	X	C	
	Public assembly, incl. churches	X	X	X	X	X	P	
	Public safety facility	P	P	P	P	P	P	
Day-care facilities	Child care, in-home, 6 or fewer children	X	X	X	X	X	P	
	Child care center	X	X	X	X	P	P	
	Employer Day Care	P	P	C	C	P	P	
	Adult day care, 6 or fewer clients	X	X	X	X	X	C	

Table 15.320-4 Table of Allowed Uses Employment and Industrial Districts								
<i>P = Permitted; C = Conditional Use Permit Required; T = Temporary Use Permit Required; X = Not Permitted</i>								
Use Category	Use Type	LI-R	LI-S	HI-R	HI-S	SI	EMU	Specific Use Requirements
	Adult day care, 7 or more clients	X	X	X	X	X	C	
Health Care Facilities	Hospital	X	X	X	X	C	C	
	Intermediate care facility, nursing home, rehab center	X	X	X	X	C	C	
	Medical or dental office or clinic	P	P	X	X	P	P	
Recreational Facilities	Athletic fields and courts	P	P	X	X	P	P	
	Community gardens	X	X	X	X	P	P	
	Parks	X	X	X	X	P	P	
	Equestrian facility	X	X	X	X	X	X	
	Playground	X	X	X	X	X	P	
	Private residential recreation facility	X	X	X	X	X	C	
	Golf course or driving range	X	X	X	X	C	C	
	Outdoor concerts, rodeo, special events	X	X	X	X	T	T	
	Shooting range – outdoor	P	P	X	X	P	X	
	Shooting range – indoor	P	P	X	X	P	X	
	Skeet/trap shooting range/course	P	P	X	X	P	X	
	Archery range	P	P	X	X	P	X	
	Paintball facility - indoor	P	P	X	X	P	X	
	Paintball facility - outdoor	P	P	X	X	P	X	
	Indoor recreation/sports/fitness facility	P	P	X	X	P	P	
Educational Facilities	Campground	X	X	X	X	X	X	
	School, K-12	X	X	X	X	X	P	
	Post-secondary, trade, or technical education	X	X	X	X	P	P	
Agricultural Uses								
Animal Raising and production	Animal keeping – livestock, poultry, etc.	X	X	X	X	X	X	
Concentrated Animal Feeding Operations	Feedlot, fewer than 50 AUE	C	X	C	X	X	X	
	Feedlot, 51 to 250 AUE	X	X	C	X	X	X	
	Feedlot, greater than 250 AUE	X	X	C	X	X	X	

Table 15.320-4 Table of Allowed Uses Employment and Industrial Districts								
<i>P = Permitted; C = Conditional Use Permit Required; T = Temporary Use Permit Required; X = Not Permitted</i>								
Use Category	Use Type	LI-R	LI-S	HI-R	HI-S	SI	EMU	Specific Use Requirements
Agriculture related processing	Milk processing, cheese manufacturing, etc	P	P	P	P	X	X	
Crop production, horticulture, orchards, and vineyards	Field crops	P	P	P	P	P	P	
	Plant nursery	P	P	P	P	P	P	
	Vineyard	P	P	P	P	P	P	
Agriculture related uses	Agriculture related industry – On farm	X	X	X	X	X	X	
	Agricultural machine shop	P	P	P	P	X	X	
	Agricultural supplies and support services	P	P	P	P	X	X	
	Agricultural tourism	X	X	X	X	X	X	
	Stable	X	X	X	X	X	X	
	Farm Market	X	X	X	X	X	X	
	Winery, small scale	P	P	X	X	P	X	
Artisan/craft product manufacturing & processing	P	P	P	P	P	P		
Commercial Uses								
Animal Related Services	Kennel	P	P	X	X	P	C	15.335.03 Y, Chapter 15.336, & Title 7, Chapter 1
	Veterinary clinic/hospital – large animal	P	P	X	X	P	X	15.335.03 Y
	Veterinary clinic/hospital – small animal (without outdoor kennel)	P	P	X	X	P	P	15.335.03 Y
	Veterinary clinic/hospital – small animal (with outdoor kennel)	P	P	X	X	P	X	15.335.03 Y
Business Services	Event or Conference Center	X	X	X	X	P	P	
	Copy Center, mail/parcel services, etc.	P	P	X	X	P	P	
Financial Services	With drive-thru	X	X	X	X	P	P	
	Without drive-thru	X	X	X	X	P	P	
Food and Beverage Services	Bar or nightclub	X	X	X	X	X	X	
	Restaurant, with drive-thru	C	C	X	X	P	P	
	Restaurant, without drive-thru	C	C	X	X	P	P	
	Food Trucks/Food Carts	P	P	P	P	P	P	

Table 15.320-4 Table of Allowed Uses Employment and Industrial Districts								
<i>P = Permitted; C = Conditional Use Permit Required; T = Temporary Use Permit Required; X = Not Permitted</i>								
Use Category	Use Type	LI-R	LI-S	HI-R	HI-S	SI	EMU	Specific Use Requirements
Lodging Facilities	B&B	X	X	X	X	X	X	
	Lodge or Inn	X	X	X	X	C	C	
	Hotel or Motel	X	X	X	X	C	C	
	Guest/Dude Ranch	X	X	X	X	X	X	
	RV Park	X	X	X	X	X	X	
Offices, Business and Professional	Office, 4000 sf or less	P	P	X	X	P	P	
	Office, greater than 4000 sf	P	P	P	P	P	P	
Personal Services	Personal Care	X	X	X	X	P	P	
	Laundromat, dry cleaning pick-up and drop-off	X	X	X	X	P	P	
	Shoe repair	X	X	X	X	P	P	
	Massage or tanning salon	X	X	X	X	P	P	
Entertainment Facilities	Adult entertainment	P	P	P	P	P	X	
	Movie theater	X	X	X	X	P	P	
	Performance Hall	X	X	X	X	X	X	
Retail Sales	Grocery store	X	X	X	X	X	P	
	Convenience store/Deli	P	P	P	P	P	P	
	General retail, less than 4000 sf	X	X	X	X	X	X	
	General retail, greater than 4000 sf	X	X	X	X	X	X	
	Art gallery	X	X	X	X	P	P	
Vehicles and Equipment	Gasoline sales	P	P	P	P	P	P	
	Vehicle sales and service	P	P	X	X	P	X	
	Vehicle service and repairs	P	P	X	X	P	P	
Industrial Uses								
Resource Extraction and Processing	Mining, sand, gravel and mineral	P	P	P	P	X	X	
	Crushing, batch plants, ore milling and processing	P	P	P	P	X	X	
	Wood treatment	X	X	P	P	X	X	
Energy Production and distribution	Wind Energy conversion, commercial	P	P	P	P	P	X	
	Wind Energy conversion, non-commercial	P	P	P	P	P	P	

Table 15.320-4 Table of Allowed Uses Employment and Industrial Districts								
<i>P = Permitted; C = Conditional Use Permit Required; T = Temporary Use Permit Required; X = Not Permitted</i>								
Use Category	Use Type	LI-R	LI-S	HI-R	HI-S	SI	EMU	Specific Use Requirements
	Geothermal generating systems	P	P	P	P	P	P	
	Solar power generating facility, commercial	P	P	P	P	P	P	
	Power and substations	P	P	P	P	P	P	
	Power Transmission Lines	P	P	P	P	P	P	
	Fossil fuel generating facility, commercial	X	X	P	P	X	X	
Industrial Services	Machine shops, welding, plumbing, etc.	P	P	P	P	X	X	
	Contractor's yards	P	P	P	P	X	X	
	Building material sales and storage	P	P	X	X	X	X	
	Equipment rental	P	P	X	X	P	X	
	Auto, truck, and agricultural equipment repair	P	P	P	P	X	X	
	Self-storage	P	P	X	X	P	P	
	Transfer Station	C	C	C	C	X	X	
Manufacturing and production	Agricultural product processing	P	P	P	P	X	X	
	Assembly, light	P	P	P	P	P	P	
	Manufacturing and fabrication, light	P	P	P	P	P	P	
	Assembly, heavy	C	C	P	P	X	X	
	Manufacturing and fabrication, heavy	C	C	P	P	X	X	
	Brewery, Distillery, Winery	C	C	P	P	X	X	
	Micro-brewery, distillery, or winery	P	P	X	X	P	P	
Warehousing	Warehouse	P	P	P	P	X	X	
	Distribution facilities	P	P	P	P	C	X	
	Tank Farm, over 100K gallons	X	X	C	C	X	X	
	Hazardous Waste Processing	X	X	C	C	X	X	
	Hazardous Material Storage	X	X	C	C	X	X	

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Table 15.320-5 Table of Allowed Uses Public and Community Facilities Districts				
<i>P = Permitted; C = Conditional Use Permit Required; T = Temporary Use Permit Required; X = Not Permitted</i>				
Use Category	Use Type	Open Space	Public Facilities	Use Specific Regulations
Public, Institutional, and Civic Uses				
Community and cultural facilities Day-care facilities	Gov't admin and civic buildings	X	P	
	Social, fraternal lodges	X	X	
	Public assembly, incl. churches	X		
	Public safety facility	X	P	
	Child care, in-home, 6 or fewer children	X	X	
	Child care center	X	P	
Health Care Facilities	Adult day care, 6 or fewer clients	X	P	
	Adult day care, 7 or more clients	X	P	
	Hospital	X	P	
	Intermediate care facility, nursing home, rehab center	X	P	
Recreational Facilities	Medical or dental office or clinic	X	X	
	Athletic fields and courts	P	P	
	Community gardens	P	P	
	Parks	P	P	
	Playground	P	P	
	Equestrian facility		C	
	Private residential recreation facility	X	X	
	Golf course or driving range	X	X	
	Outdoor concerts, rodeo, special events	C	P	
Shooting range – outdoor	C	P		

Table 15.320-5 Table of Allowed Uses Public and Community Facilities Districts

P = Permitted; C = Conditional Use Permit Required; T = Temporary Use Permit Required; X = Not Permitted

Use Category	Use Type	Open Space	Public Facilities	Use Specific Regulations
	Shooting range – indoor	X	P	
	Skeet/trap shooting range/course	C	P	
	Paintball facility - outdoor	C	P	
	Indoor recreation/sports/fitness facility	X	P	
	Campground	C	P	
Educational Facilities	School, K-12	X	P	
	Post-secondary, trade, or technical education	X	P	
Public Utilities	Public Drinking Water - Pumping, Storage, Treatment and Distribution	C	P	
	Public Sewage - Collection, Treatment, Storage, and Disposal	C	P	
	Public Service Equipment Facility - Storage	X	P	
	Public Service Equipment Facility – Maintenance	X	P	
	Wind Energy conversion, commercial	X	C	
	Wind Energy conversion, non-commercial	X	C	
	Geothermal generating systems	X	C	
	Solar power generating facility, commercial	X	C	

Table 15.320-5 Table of Allowed Uses Public and Community Facilities Districts

P = Permitted; C = Conditional Use Permit Required; T = Temporary Use Permit Required; X = Not Permitted

Use Category	Use Type	Open Space	Public Facilities	Use Specific Regulations
	Power transmission lines and substations	P	C	
	Fossil fuel generating facility, commercial	X	C	

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1 **Chapter 15.321– RESERVED**

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3 **Chapter 15.322– RESERVED**

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5 **Chapter 15.323– RESERVED**

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7 **Chapter 15.324– RESERVED**

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9 **Chapter 15.325– RESERVED**

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11 **Chapter 15.326– RESERVED**

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13 **Chapter 15.327– RESERVED**

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15 **Chapter 15.328– RESERVED**

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17 **Chapter 15.329– RESERVED**

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1 **Chapter 15.330 Development Standards**

2

3 **15.330.01 Purpose**

4 The standards contained in this Title are adopted to achieve the following:

5

6 A. Encourage greater variety of housing types, development styles, site planning and density mixes in
7 order to provide more diversity and visual interest in the County's residential development, while
8 preserving the character of each community.

9

10 B. Encourage the development of neighborhoods that provide a high quality living environment and
11 generate civic pride.

12

13 C. Encourage residential development that reinforces a strong community-oriented identity.

14

15 D. Encourage building design that complements surrounding development.

16

17 E. Encourage in areas that possess strong existing development character, building design that respects
18 the predominant characteristics of neighborhood development, such as height, massing, setbacks,
19 materials and architectural style.

20

21 F. Encourage designs that minimize views of garages and utilizes side and rear entry garages, as well
22 as detached garages.

23

24 G. Encourage facades to be designed so as to include entries, porches and other architectural elements
25 that relate to the human scale.

26

27 H. Encourage residential entries to be located on the front façade with direct access to the sidewalk or
28 street.

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15.330.02 Development Standards

The following development standards are contained in this title and shall be applicable as indicated by the type of development undertaken in accordance with this code.

- Chapter 15.335 Land Use Performance Based Standards
- Chapter 15.340 Residential Design Standards General
- Chapter 15.341 Single Family Residential Design Standards
- Chapter 15.342 Residential Duplex Development Design Standards
- Chapter 15.343 Residential Cluster Development Standards
- Chapter 15.344 Residential Cottage Housing Development Standards
- Chapter 15.345 Residential Townhouse Development Standards
- Chapter 15.346 Residential Zero Lot Line Development Standards
- Chapter 15.347 Residential Alley Loaded Development Standards
- Chapter 15.348 Multi-Family Residential Development Standards
- Chapter 15.349 Planned Unit Development Standards
- Chapter 15.350 Manufactured Housing Standards
- Chapter 15.351 Manufactured Housing Park Development Standards
- Chapter 15.360 Commercial Development and Performance Standards
- Chapter 15.370 Industrial Development and Performance Standards
- Chapter 15.401 Parking and Loading Requirements
- Chapter 15.402 Landscape Standards
- Chapter 15.403 Sign Regulations
- Chapter 15.404 Lighting Standards
- Chapter 15.405 Access and Circulation
- Chapter 15.800 Floodplain Management
- Appendix B Design Criteria and Improvement Standards

1 **15.330.03 Standards Applicable to All Districts**

2 A. Calculation of Average Lot Width. The average lot width shall be calculated based on the average of
3 five cross sections of the parcel located as follows:

- 4 1. One (1) cross section located at each end or side of the parcel
- 5 2. Three (3) cross sections located at increments equal to one quarter (1/4) of the overall distance
6 between the end cross sections.
- 7 3. For flag lots the average width shall be calculated as above beginning at the point where the
8 "flag" portion of the lot meets the "pole" portion of the lot.

9

10 B. Density

- 11 1. Acre, Gross means a measure of land area (43,560 square feet).
- 12 2. Density means the number of dwelling units allowed for each gross acre of land, and is
13 determined by dividing the number of dwelling units on a site by the gross acreage of the site,
14 including dedicated rights-of-way, private streets, and open space set asides.

15 In the determination of the number of residential units to be allowed on a specific parcel of land, a
16 fractional unit equal to or greater than one-half (1/2) of a unit shall be rounded up to equal a full unit.

- 17 3. Dwelling Units Allowed. The number of dwelling units allowed on a site is based on the
18 presumption that all other applicable standards of this Land Use Code shall be met. The maximum
19 density established for a zoning district is not a guarantee that such densities may be obtained, nor a
20 valid justification for varying or modifying other dimensional or development standards.

21

22 C. Lot Size

- 23 1. Minimum Lot Dimensions. Any lot that is created, developed, used, or occupied shall meet the
24 minimum lot size and frontage requirements for the zoning district in which it is located, except as
25 otherwise established in this Land Use Code for particular uses.
- 26 2. Number of Principal Buildings or Uses per Lot.

1 a. Only one (1) main building for single-family or duplex use, with permitted accessory buildings,
2 may be located upon a lot or unplatted tract. Every dwelling shall face or front upon and have
3 legal means of access to a street or officially approved place.

4 b. Where a lot or tract of land is used for multiple-family, mixed use, commercial, or industrial
5 purposes, more than one (1) main building may be located upon the lot but only when such
6 buildings conform to all requirements of this title applicable to the uses and district, and when all
7 main buildings face upon a street or otherwise approved place.

8
9 D. Setbacks

10 1. Required Setbacks

11 a. A building, structure, or lot shall not be developed, used, or occupied unless it meets the
12 minimum setback requirements set forth in Section B for the zoning district in which it is located,
13 except as otherwise established in this Land Use Code or unless a variance or minor modification
14 has been granted. Setbacks shall be measured from the property lines.

15 b. Setbacks shall be unoccupied and unobstructed by any structure or portion of a structure
16 from 30 inches above grade upward; provided, however, that fences, non-structural walls,
17 trellises, poles, posts, ornaments, furniture, and other customary yard accessories may be
18 permitted in any setback subject to height limitations and requirements limiting obstruction of
19 visibility.

20 c. When non-residential and residential lots abut one another, the nonresidential use must meet
21 the same setback requirements as the residential lot abutting it.

22 d. As used in this Section, the term "building" includes any structure that by nature of its size,
23 scale, bulk, dimension, or use constitutes a visual obstruction or generates activity similar to that
24 usually associated with a building. Without limiting the generality of the foregoing, the following
25 structures shall be deemed to fall within this description:

- 26 1) Gas pumps and overhead canopies or roofs.
27 2) Fences running along lot boundaries adjacent to public rights-of-way that exceed six feet
28 in height and are substantially opaque.

1 2. Projections into Required Setbacks, General

2 The following structures may project into required front, side, or rear setbacks as specified in this
3 subsection:

4 a. Paved Terraces. Paved terraces may project into any required setback, provided that no
5 structures placed there shall violate other requirements of this Land Use Code and are at least
6 five feet from the lot line.

7 b. Unroofed Landings, Decks, Stairs and Balconies. Unroofed landing, decks, and stairs may
8 project into required setbacks, provided that no portion other than a handrail shall extend higher
9 than 30 inches above the finished grade level. Unroofed balconies may project into a required
10 side or rear yard provided these projections are at least five feet from the property line.

11 c. Incidental Architectural Features. Cornices, eaves, canopies, sunshades, gutters, chimneys,
12 flues, belt courses, headers, sills, pilasters, lintels, ornamental features, and other similar
13 architectural features may project not more than two (2) feet into any required yard provided
14 these projections are at least 7.5 feet from the lot line.

15 d. Roofs Over Porches and Other Exterior Approaches. Roofs over porches, stairways,
16 landings, terraces, or other exterior approaches to pedestrian doorways may encroach up to five
17 (5) feet into a front setback. The covered porch or entrance area encroaching into the setback
18 shall remain exterior to the building and enclosed by no more than a railing.

19 e. Projections Into Easements and Rights of Ways Prohibited. Projections shall not extend or
20 encroach into any public or private easement(s) or right(s)-of-way.

21 f. Handicap Ramps. Handicap access ramps may be located within required front, side, and
22 rear setbacks.

23 3. Contextual Front Setbacks. The following exceptions to the front setback requirements for
24 dwellings abutting local streets, not collector or arterial streets, are authorized for a lot in any district.

25 a. If there are dwellings on both abutting lots with front setbacks of less than the required depth
26 for the district, the front setback of the lot need not exceed the average front setback of the
27 abutting dwellings.

1 b. If there is a dwelling on one abutting lot with a front setback of less than the required depth
2 for the district, the front setback for the lot need not exceed a depth one-half way between the
3 depth of the abutting lot and the required front setback depth.

4 4. Double-Frontage Lots. In the case of double-frontage lots, front setbacks shall be provided on all
5 frontages.

6 5. Corner Sight Distance. On any corner lot on which a front and side yard are required, no wall,
7 fence, structure, sign, or any plant growth that obstructs sight lines at elevations between 2.5 feet and
8 six (6) feet above any portion of the crown of the adjacent roadway shall be maintained in a triangle
9 formed by measuring from the point of intersection of the front and exterior side lot lines a distance of
10 25 feet along the front and side lot lines and connecting the points so established to form a right
11 triangle on the area of the lot adjacent to the street intersection.

12
13 E. Building Height

14 1. Height Requirements Generally. No building shall be erected or altered that will exceed the height
15 limit for the respective zoning district, unless otherwise provided in this chapter or elsewhere in this
16 title.

17 2. Height Exceptions for Appurtenances. Except as specifically provided elsewhere in this Land Use
18 Code, the height limitations contained in this Land Use Code do not apply to cupolas, flagpoles,
19 chimneys, parapets, antennas, heating and ventilation equipment, stairwell towers or similar
20 appurtenances; provided, however, the following:

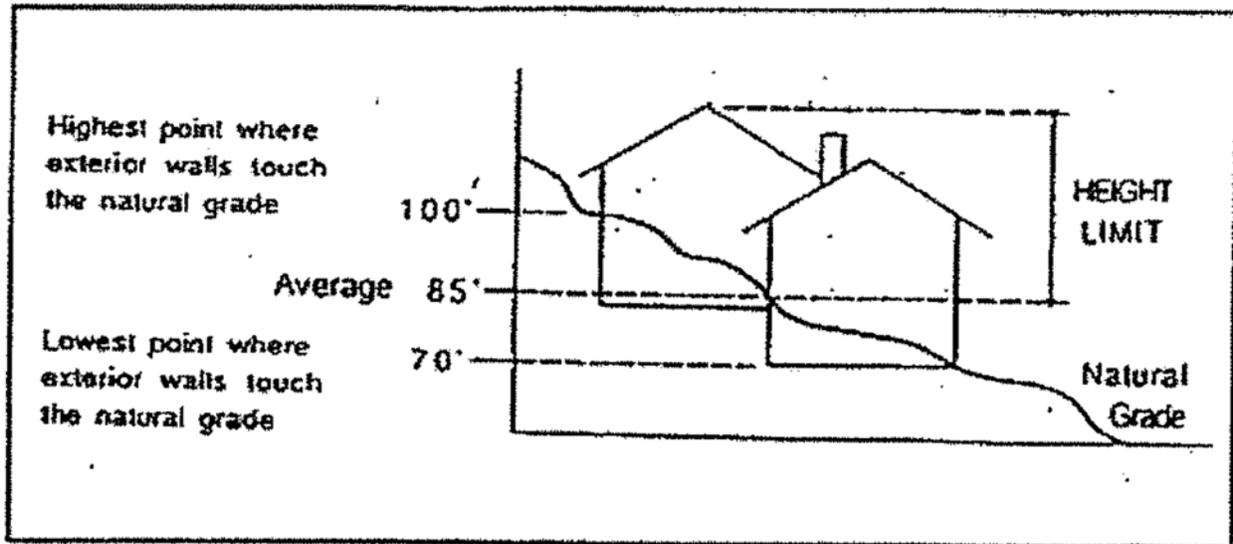
21 a. The appurtenance does not interfere with Federal Aviation Regulations;

22 b. The appurtenance does not extend more than five (5) feet above the maximum permitted
23 building height, except for flagpoles, church belfries, and antennas that must be of greater height
24 in order to function;

25 c. The appurtenance is not constructed for the purpose of providing additional floor area in the
26 building; and

27 d. The appurtenance is functional.

- 1 3. Exceptions to height limits. The height limits of buildings and structures contained in this code
2 may be modified as follows:
- 3 a. In a residential zoning district with a height limit of less than 45 feet, public and quasi-public
4 buildings, schools, houses of worship, hospitals and other institutions permitted in the zone, may
5 be erected to a maximum height of 45 feet; provided, that all required setbacks shall be increased
6 by two (2) feet for each additional one (1) foot of height that the building exceeds the maximum
7 height of the zone.
- 8 b. In an Agriculture, Resource or Rural Residential zoning districts RR-20, RR-10 and RR-5 with
9 a height limit of less than 45 feet, structures may be erected to a maximum of 45 feet; provided,
10 that all required setbacks shall be increased by two (2) feet for each additional one (1) foot of
11 height that the structure exceeds the maximum height of the zone.
- 12 c. In Suburban Commercial/Mixed-Use zoning districts with a height limit of less than 45 feet,
13 structures may be erected to a maximum of 45 feet; provided, that the exterior vertical wall of
14 each floor above the second story or 20 feet, whichever is greater, shall be setback from the
15 ground floor exterior wall a minimum distance of one foot for each additional foot of height that
16 the structure exceeds the maximum height of the zone.
- 17 4. The height of buildings and structures shall be measured as the vertical distance from the highest
18 point of the structure to the average of the highest and lowest points where the exterior walls touch
19 the natural grade.



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3 **15.330.04 Alternative Equivalent Compliance**

4 A. Purpose and Scope. To encourage creative and unique design, "alternative equivalent compliance"
 5 allows development to occur in a manner that meets the intent of this Land Use Code, yet through an
 6 alternative design that does not strictly adhere to the Code's standards.

7 This is not a general waiver of regulations. Rather, this authorizes a site-specific plan that is equal to or
 8 better than the strict application of the standard.

9

10 B. Applicability. The alternative equivalent compliance procedure is available only for the following
 11 sections of this Land Use Code:

- 12 1. Chapter 15.236: *Wireless Communication Facilities*
- 13 2. Chapter 15.335: *Performance Based Standards*
- 14 3. Chapter 15.336: *Performance Standards for Conditional Uses*
- 15 4. Chapter 15.337: *Performance Standards for Industrial Uses*
- 16 5. Chapter 15.340: *Residential Development Standards*;
- 17 6. Chapter 15.360 *Commercial and Mixed-Use Design Standards*;
- 18 7. Chapter 15.345: *Multi-Family Residential Design Standards*;
- 19 8. Chapter 15.401: *Parking and Loading*;

1 9. Chapter 15.402: *Landscaping and Buffers*;

2 10. Chapter 15.403: *Sign Code*;

3 11. Chapter 15.404: *Exterior Lighting*;

4 12. Chapter 15.405: *Access and circulation*

5

6 C. Pre-Application Conference Required. An applicant proposing alternative equivalent compliance shall
7 request and attend a pre-application conference prior to submitting application materials for the applicable
8 permit(s) to discuss the project, the applicable Code standards, and the proposed method of alternative
9 compliance. The application should include sufficient explanation and justification, in both written and
10 graphic form, for the requested alternative compliance.

11

12 D. Decision-Making Responsibility. Final approval of any alternative compliance proposed under this
13 Section shall be the responsibility of the decision-making body responsible for deciding upon the
14 application. Administratively approved projects proposing alternative compliance shall receive written
15 approval of the alternative compliance from the director.

16

17 E. Criteria. Alternative equivalent compliance may be approved if the applicant demonstrates that
18 following criteria have been met by the proposed alternative:

19 1. Achieves the intent of the subject standard to the same or better degree than the subject
20 standard;

21 2. Advances the goals and policies of the Comprehensive Master Plan and this title to the same or
22 better degree than the subject standard;

23 3. Results in benefits to the community that are equivalent to or exceed benefits associated with the
24 subject standard; and

25 4. Imposes no greater impacts on adjacent properties than would occur through compliance with the
26 specific requirements of this title.

27

- 1 F. Effect of Approval. Alternative compliance shall apply only to the specific site for which it is requested
- 2 and shall not establish a precedent for approval of other requests.

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1 **Chapter 15.331- RESERVED**

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3 **Chapter 15.332- RESERVED**

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5 **Chapter 15.333- RESERVED**

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7 **Chapter 15.334- RESERVED**

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1 **Chapter 15.335 Performance Based Standards**

2

3 **15.335.01 Introduction**

4 The purpose of this Chapter is to describe those uses, which may be approved administratively by
5 director, known as "performance based standards" (PBS) uses. Performance based uses are those which
6 can be made compatible within a given zoning district as long as pre-established standards are met which
7 will control for any potential negative effects of the use. PBS uses provide landowners with more flexibility
8 in using their property yet afford protection to neighboring landowners.

9

10 **15.335.02 How to Use this Chapter**

11 The uses based on performance standards are listed in Table 15.335-1. At the beginning of each section
12 is a statement showing which zoning districts allow the performance based use. The standards that must
13 be met to permit the use are then listed. It should be emphasized that the performance standards are in
14 addition to the regular development standards that all development is obligated to comply with under the
15 terms of this title, including zoning site plan review, where applicable.

16

17 Uses that do not meet the performance based standards contained in this chapter may be considered as
18 a conditional use under the requirements of Chapter 15.230 unless specifically prohibited on the Table of
19 Allowed Uses.

20

21 Prior to establishment of any use permitted by this chapter the user shall submit an application including a
22 site plan and detailed description of the use for review by the director. The applicant must acknowledge
23 the requirements of this chapter and agree to discontinue or modify any use not in compliance with the
24 requirements contained herein.

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1 **15.335.03 Uses Permitted Based on Standards**

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Table 15.335-1 Permitted Use Reference

Land Use	Zoning Districts <i>(RR, SR and TC without suburban, rural or historic modifiers mean all districts)</i>	Reference
Accessory Dwelling Units and Accessory Buildings		15.335.03 A.
Accessory Dwelling Unit	All	15.335.03 A.1
Accessory Building	All	15.335.03 A.2
Accessory Uses	All	15.335.03 B.
Agricultural Auction House	AG, NIA, RL, RR	15.335.03 C.
Automobile Rental	CC, RC, & HMU	15.335.03 D.
Automobile or Motorcycle Sales, New & Used	CC, RC, & HMU	15.335.03 E.
Bank, Financial Institution, Automated Teller Machine (ATM), Freestanding Automated Teller Machine (ATM) as Accessory	CMU, CC, RC, & HMU, RMU, LI-s, LI-R, SI & EMU	15.335.03 F.
Barn, Greenhouse, As Primary Structure	AG, NIA, RL, RR	15.335.03 G.
Bed and Breakfast	AG, NIA, RL, RR, CMU, NC, CC, TC-R, TC-S, & TC-H	15.335.03 H.
Catering Service	CMU, CC, RC, LI-S, LI-R, SI, & EMU	15.335.03 I.
Cemetery	AG, NIA, RL, RR, PF, & OS	15.335.03 J.
Civic Organization Facility	SR, CMU, NC, & CC	15.335.03 K.
Community Garden, Accessory Use	AG, NIA, RL, RR, SR, CMU, NC, CC, & TC	15.335.03 L.
Convenience Store with Petroleum Sales	AG, NIA, RL, CMU, CC, RC, HMU, LI, SI, & EMU	15.335.03 M.
Convenience Store without Petroleum Sales	AG, NIA, RL, RR, SR, CMU, NC, CC, TC	15.335.03 N.
Country Club with Golf Course	AG, NIA, RL, RR, SR, PK, SI, & EMU	15.335.03 O.
Contractor or Trade Shops	AG, NIA, RL, CC, RC, HMU, LI, SI, & EMU	15.335.03 P.
Day Camp, Summer Camp, Civic Group Camp Facility	AG, NIA, RL, PK, TC-R	15.335.03 Q.
Duplex, Commercial Use on Individual Lots	AG, NIA, RL, RR, SR, & CMU	15.335.03 R.
Gas Station	AG, NIA, RL, all commercial and mixed-use districts, LI, & SI	15.335.03 S.
Golf Course, Public or Private	AG, NIA, RL, RR, SR, PK, SI, & EMU	15.335.03 T
Government Buildings, Storage Only	AG, NIA, RL, all commercial & mixed-use districts, SI, LI, & PF	15.335.03 U.
Government Buildings, Storage Only, with Outdoor Storage Area	AG, NIA, RL, LI, HI, & PF	15.335.03 V.

Land Use	Zoning Districts <i>(RR, SR and TC without suburban, rural or historic modifiers mean all districts)</i>	Reference
Home Occupation, General	All	15.335.03 W.
Home Based Business	All	15.335.03 X.
Kennel, Breeders and Commercial	RR-20, RR-10, AG, & NIA	15.335.03 Y.
Multifamily Residential	MFR, CMU, & EMU	15.335.03 AA.
Moving Van, Truck or Trailer Rental	AG, NIA, RL, CMU, CC, RC, HMU, LI, SI, & EMU	15.335.03 BB.
Nursery, Daycare Center	CMU, CC, RC, HMU, RMU, MFR, LI, SI, & EMU	15.335.03 CC.
Office, Professional 5,000 Square Feet or Less	NC, CMU, CC, RMU, & MFR	15.335.03 DD.
Outdoor Display and Sales	NC, CMU, CC, RC, HMU, SI, EMU, RMU, & MFR	15.335.03 EE.
Outdoor Storage	NC, CMU, CC, RC, HMU, SI, EMU, RMU, & MFR	15.335.03 FF.
Public Cultural Facility	RR, SR, CMU, NC, CC, PF, & PK	15.335.03 GG.
Recreational Facility, Indoor	NC, CMU, CC, RC, HMU, SI, EMU, RMU, & MFR	15.335.03 HH.
Recyclable Materials Drop Off	AG, NIA, RL, CC, RC, HMU, SI, EMU, & LI	15.335.03 II.
Religious Institution with Total Seating Capacity 350 or Less	AG, NIA, RR, SR, CMU, NC, CC, RC, & HMU	15.335.03 JJ.
Repair Garage, Automobile	AG, NIA, RL, CC, RC, HMU, LI, SI, & EMU	15.335.03 KK.
Repair Shop, Farm Machinery	AG, NIA, RL, CC, RC, HMU, LI, & HI	15.335.03 LL.
Repair Shop, Small Engine	AG, NIA, RL, RR20-5, CC, RC, HMU, LI, & HI	15.335.03 MM.
Rest Home, Convalescent Home with 10 Beds or Less	AG, NIA, RL, RR20-5, SR2, MFR, RMU, NC, CC, & CMU	15.335.03 NN.
Restaurant, Excluding Drive-Thru	RMU, NC, CC, RC, HMU, CMU, TC, SI, & EMU	15.335.03 OO.
Restaurant with Drive-Thru Facility	RMU, NC, CC, RC, HMU, CMU, TC r, TC-S, SI, EMU	15.335.03 PP.
Restaurants, mobile Food Trucks, Outdoor Vendors and Carts	NC, CC, RC, HMU, CMU, TC, SI & EMU	15.335.03 QQ.
Retail Sales, Neighborhood Market, 5,000 Square Feet or Less	NC, CC, RC, HMU, CMU, SI, & EMU	15.335.03 RR.
Salvage Yard	HI	15.335.03 SS.

Land Use	Zoning Districts <i>(RR, SR and TC without suburban, rural or historic modifiers mean all districts)</i>	Reference
Sawmill, firewood processing and wood chipping operations	AG, NIA, RL, & HI	15.335.03 TT.
Scientific Research and Development, Accessory to Agriculture	AG, NIA, RL, & RR20-10	15.335.03 UU.
Scientific Research and Development	AG, NIA, RL, RC, HMU, SI, EMU, LI, & HI	15.335.03 VV.
Self-Service Storage Facilities	CC, RC, HMU, LI, SI, & EMU	15.335.03 WW.
Shooting Range, Indoor	RC, HMU, CMU, LI, & SI	15.335.03 XX.
Sports and Recreation Instruction or Camps	AG, NIA, RL, NC, CC, HMU, SI, EMU, RMU, MFR, PF & PK	15.335.03 YY.
Storage Building Sales, with Display Area	CC, RC, HMU, & LI	15.335.03 ZZ.
Stables, Commercial	AG, NIA, RR20-5, & TC-R	15.335.03 AAA.
Swim Club, Tennis Club, Country Club	AG, NIA, RL, RR, SR, PK, SI, EMU, TC-R, & TC-S	15.335.03 BBB.
Towing Service, with Salvage	HI	15.335.03 CCC.
Towing Service, with Towed Vehicle Storage Yard, No Salvage or Part Sales	CC, RC, HMU, LI, & HI	15.335.03 DDD.
Warehouse with Outside Storage	LI & HI	15.335.03 EEE.
<u>Wind Energy Conversion Systems, Accessory Use, On Site Use Only</u>	AG, NIA, RL, RR, SR2-1, LI, HI, SI, & EMU	15.335.03 FFF.

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A. Accessory Dwelling Units and Accessory Buildings

1. Accessory Dwelling Unit

All zoning districts

a. Residential accessory dwelling units in Agricultural, Resource, Residential, Commercial/Mixed-Use, and Employment districts shall not exceed 50 percent of the square footage of the livable area of the primary structure or 1,100 square foot of gross floor area, whichever is less. Accessory dwelling units located as part of a commercial or industrial building shall not exceed 800 square feet.

b. In residential districts, the accessory dwelling unit shall be sited to the rear of the primary structure or to the side as a secondary option. If sited as part of a commercial or industrial building, the accessory dwelling unit shall be incorporated into the overall building design.

1 c. Accessory dwelling units shall meet the principal building setbacks listed in Chapters 15.310
2 through 15.314 for the zoning district.

3 d. The accessory dwelling unit height shall not exceed the height of the principal structure.

4 e. The exterior of the accessory dwelling unit must be compatible with the principal residence in
5 terms of color, siding, roof pitch, window detailing, roofing materials, and foundation or skirting
6 appearance as determined by the Director.

7 f. Adequate off-street parking must be provided for any vehicles owned by occupants of the
8 accessory unit. All parking shall be screened from public rights-of-way either by buffer yard or by
9 the mass created by the house/accessory dwelling unit.

10 2. Accessory Building

11 All zoning districts

12
13 Accessory building on lots less than two (2) acres

14 a. The total square footage for all accessory building footprints on a lot shall not exceed three (3)
15 percent of the total lot area. Exception – all lots shall be permitted at least 600 square feet of
16 accessory buildings provided all required setbacks are maintained.

17 b. Accessory buildings shall not be located closer to an adjacent road than the principal structure.
18 Exception – Double frontage lots may place an accessory building to the rear of the principal
19 structure so long as the principal building setback is met along the property lines adjacent to the
20 street.

21 c. Accessory buildings up to 15 feet in height shall meet the front and side setback requirements
22 of the principal structure. The rear setback shall be no less than five (5) feet. Buildings greater
23 than 15 feet in height shall meet the principal building setbacks listed in Chapters 15.310 through
24 15.314.

25 d. Accessory buildings shall be subject to all other dimensional, impermeable and structural
26 coverage requirements listed in Chapter 15.310 through 15.313.

27
28 Accessory buildings on lots two (2) acres or greater

1 a. The total square footage for all accessory building footprints on a lot shall not exceed two (2)
2 percent of the total area. Exception – all lots shall be permitted at least 2,600 square feet of
3 accessory buildings.

4 b. Accessory buildings shall not be located closer to an adjacent road than the principal structure
5 or shall be located at least 100 feet from a road, whichever is less. Exception – double frontage
6 lots may place an accessory building to the rear of the principal structure so long as the principal
7 building setback is met along the property lines adjacent to the street.

8 c. Accessory buildings up to 15 feet in height shall meet the front and side setback requirements
9 of the principle structure. The rear setbacks shall be no less than five (5) feet. Accessory
10 structures greater than 15 feet in height shall meet the setback requirements of the principal
11 structure.

12 d. Accessory buildings shall be subject to all other dimensional, impermeable and structural
13 coverage requirements listed in Chapter 15.310 through 15.313.

14
15 B. Accessory Uses

16 All accessory uses shall comply with the following general standards:

17 1. Compliance with this Land Use Code

18 a. All accessory uses are subject to the dimensional requirements of the applicable zoning
19 district as well as the use specific standards in Chapters 15.335, 15.340 and 15.350. In the case
20 of any conflict between the accessory use/structure standards of this Section and any other
21 requirement of this Land Use Code, the more restrictive standards as determined by the director
22 shall control.

23 b. Accessory uses shall comply with all standards of this title applicable to the principal use with
24 which they are associated. Parking requirements shall be met for both the principal use and any
25 accessory use.

26 2. Dimensional Standards for Accessory Buildings and Structures

27 a. Same Lot

28 The accessory use shall be conducted and/or located on the same lot(s) as the principal use.

1 3. Same Ownership Required

2 The principal use and the accessory use shall be under the same ownership.

3 4. Same Utility Meter Required

4 The principal use and the accessory use shall utilize the same utility meter with the exception of an
5 approved accessory dwelling unit.

6

7 C. Agricultural Auction House

8 Agricultural and Resource districts, Rural Residential districts

9 1. An auction house, which includes any percentage livestock sales, may not be sited within 500
10 feet of a residential use, measurement to begin at the outermost facility housing animals. Auction
11 houses not featuring livestock sales will meet the standard setbacks of the zone.

12 2. Applicable in Rural Residential zones only, an auction house must front on either arterials or
13 collector roads (major or minor, in each case).

14 3. Signs shall be permitted in accordance with Chapter 15.403.

15 4. All outside storage areas including dumpsters must be:

16 a. sited to the rear of the building,

17 b. within the setbacks required of the building's underlying zone, and

18 c. made unnoticeable from both residential adjacent properties and public rights-of-way through
19 installation of either fencing or vegetative screening.

20

21 D. Automobile Rental

22 Community Commercial, Regional Commercial, and Highway Corridor Mixed-Use districts

23 1. The outdoor display area may not exceed 60,000 square feet.

24 2. All outside storage areas including dumpsters must be:

25 a. sited to the rear of the building,

26 b. within the setbacks required of the building's underlying zone, and

27 c. made unnoticeable from both residential adjacent properties and public rights-of-way through
28 installation of either fencing or vegetative screening.

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E. Automobile or Motorcycle Sales, New & Used

Community Commercial, Regional Commercial, and Highway Corridor Mixed-Use districts

1. The outdoor display area may not exceed 60,000 square feet.
2. All outside storage areas including dumpsters must be:
 - a. sited to the rear of the building,
 - b. within the setbacks required of the building's underlying zone, and
 - c. made unnoticeable from both residential adjacent properties and public rights-of-way through installation of either fencing or vegetative screening.

F. Bank, Financial Institution, Automated Teller Machine (ATM), Freestanding Automated Teller Machine (ATM) as Accessory

Commercial Mixed-Use, Community Commercial, Regional Commercial, and Highway Corridor Mixed-Use districts, Residential Mixed-Use and Multifamily Residential districts, and Light Industrial, Service Industrial and Employment Mixed-Use districts

1. The use must front on either arterial or collector roads (major or minor, in each case).
2. ATMs, Freestanding ATMs as accessory use:
 - a. The facility's lighting shall be shielded to prevent light and glare spillover onto adjacent residential properties.
 - b. Shall be located so that internal circulation for primary use is not disturbed.
 - c. Materials shall be compatible with design and building materials of the primary structure(s) on the site.

G. Barn, Greenhouse, As Primary Structure

Agricultural and Resource districts, Rural Residential districts

1. Permitted only when agriculture is the primary use of the parcel and no residential use is present.
2. May not be used as a dwelling unit.
3. Must meet setbacks of zoning district for primary structure.

1

2 H. Bed and Breakfast

3 Agricultural and Resource districts, Rural Residential districts, Commercial Mixed-Use, Neighborhood
4 Commercial, Community Commercial districts, Tourist Commercial – Rural and Tourist Commercial –
5 Suburban districts

6 1. Any area to be used as a party, reception, garden or other guest amenity area shall be located a
7 minimum of 50 feet from the property line of any residentially zoned or used property.

8 2. Must provide at a minimum one parking space per guest bedroom and one parking space for
9 each two employees.

10 3. The facility must provide a buffer yard as described in Chapter 15.402 on all sides of the parking
11 lot abutting public rights-of-way.

12

13 I. Catering Service

14 Commercial Mixed-Use, Community Commercial, Regional Commercial, Light Industrial, Service
15 Industrial and Employment Mixed-Use districts

16 1. The maximum total square footage shall not exceed 5,000 square feet for all enclosed structures.

17 2. All outside storage areas including dumpsters must be:

18 a. sited to the rear of the building,

19 b. within the setbacks required of the building's underlying zone, and,

20 c. made unnoticeable from both residential adjacent properties and public rights-of-way through
21 installation of either fencing or vegetative screening.

22

23 J. Cemetery

24 Agriculture and Resource districts, Rural Residential districts, Open Space and Public Facility districts

25 1. The cemetery shall be sited so as to be within the primary setbacks required for buildings in the
26 district.

27 2. A boundary plat depicting the property to be used for interment shall be recorded with the office of
28 the County Recorder and a copy provided to the Department.

1 3. A buffer shall be provided when the adjacent property is residentially zoned or used. See Chapter
2 15.402.

3 4. Columbaria are permitted within suburban residential and commercial districts when accessory to
4 a religious institutional use.

5

6 K. Civic Organization Facility

7 Suburban Residential districts, Commercial Mixed-Use, Neighborhood Commercial, and Community

8 Commercial districts

9 1. All outside storage areas including dumpsters must be:

10 a. sited to the rear of the building,

11 b. within the setbacks required of the building's underlying zone, and,

12 c. made unnoticeable from both residential adjacent properties and public rights-of-way through
13 installation of either fencing or vegetative screening.

14 2. Parking areas shall be located a minimum of 50 feet from the property line of any property that is
15 residentially used or zoned.

16

17 L. Community Garden, Accessory Use

18 Agricultural and Resource districts, Rural and Suburban Residential districts, Commercial Mixed-Use,

19 Neighborhood Commercial, Community Commercial districts, and Rural and Suburban Tourist

20 Commercial districts

21 1. The primary use parking area shall serve as the parking area for the Community Garden.

22 2. Emergency Service access to the Community Garden site shall be maintained if on street parking
23 is utilized.

24

25 M. Convenience Store with Petroleum Sales

26 Agricultural and Resource districts, Commercial Mixed-Use, Community Commercial, Regional

27 Commercial, and Highway Corridor Mixed-Use districts, Light Industrial, Service Industrial and

28 Employment Mixed-Use districts

- 1 1. The store must be located within 300 feet of the centerline of an intersection and front on an
- 2 arterial or collector road.
- 3 2. The store's lighting shall be shielded to prevent light and glare spillover onto adjacent residential
- 4 properties.
- 5 3. The maximum square footage shall not exceed 2,000 square feet for all enclosed structures.
- 6 4. The total number of gasoline pumps shall not exceed two (2) multi-product dispensers. In the
- 7 event older pumping equipment is used, the total number shall not exceed a number capable of
- 8 fueling four (4) vehicles simultaneously.
- 9 5. All outside storage areas including dumpsters must be:
- 10 a. sited to the rear of the building,
- 11 b. within the setbacks required of the building's underlying zone, and,
- 12 c. made unnoticeable from both residential adjacent properties and public rights-of-way through
- 13 installation of either fencing or vegetative screening.

14

15 N. Convenience Store without Petroleum Sales

16 Agricultural and Resource districts, Rural and Suburban Residential districts, Commercial Mixed-Use,

17 Neighborhood Commercial, Community Commercial districts, and Rural and Suburban Tourist

18 Commercial districts

- 19 1. The store must be located within 300 feet of an intersection and front on an arterial or collector
- 20 road.
- 21 2. The store's lighting shall be shielded to prevent light and glare spillover onto adjacent residential
- 22 properties.
- 23 3. The maximum square footage shall not exceed 2,000 square feet.
- 24 4. All outside storage areas including dumpsters must be:
- 25 a. sited to the rear of the building,
- 26 b. within the setbacks required of the building's underlying zone, and,
- 27 c. made unnoticeable from both residential adjacent properties and public rights-of-way through
- 28 installation of either fencing or vegetative screening.

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O. Country Club with Golf Course

Agricultural and Resource districts, Rural and Suburban Residential districts, Park districts, Service Industrial and Employment Mixed-Use districts

1. Clubhouses shall meet the primary setbacks for the zoning district.
2. There shall be a 100 foot minimum setback between any accessory buildings, swimming pool, lighted tennis court or any amenity area and adjacent residentially zoned or used property.
3. Parking areas shall be located a minimum of 100 feet from any residentially zoned or used property.
4. Lighting for amenity areas shall be designed such that it does not spill over onto adjacent properties.
5. Outdoor swimming pools shall be protected by a fence, a minimum of four (4) feet in height and equipped with a self-closing and positive self-latching gate provided with hardware for permanent locking.

P. Contractor or Trade Shops

Agricultural and Resource districts, Community Commercial, Regional Commercial, and Highway Corridor Mixed-Use districts, Light Industrial, Service Industrial and Employment Mixed-Use districts (Permitted in Heavy Industrial districts)

1. The maximum square footage shall not exceed 10,000 square feet for all enclosed structures.
2. The maximum outdoor storage area may not exceed 10,000 square feet;
3. All outside storage areas including dumpster areas must be:
 - a. sited behind the rear wall of the building;
 - b. within the required setbacks of the zoning district that the use is located in, and outside any required buffer yard;
 - c. enclosed with a fence that is at least six (6) feet high;
 - d. screened from adjacent properties, and from public and private rights-of-way with a Level Two buffer yard;

1 4. No storage of large construction vehicles is permitted (large construction vehicles means any
2 vehicle with a gross weight in excess of 10,000 lbs.)

3 5. Outside storage areas shall be located at least 50 feet from adjacent property lines.

4 6. In the Agricultural/Open Space districts only, uses shall only be permitted on major
5 thoroughfares. In addition, such use may not be located in any watershed protection area.

6 7. Uses shall meet all applicable landscaping standards in Chapter 15.402. When occupying an
7 existing structure, landscaping shall be upgraded to meet requirements of Chapter 15.402.

8 8. The minimum property size shall be three (3) acres.
9

10 Q. Day Camp, Summer Camp, Civic Group Camp Facility

11 Agricultural and Resource districts, Park districts, and Rural Tourist Commercial districts

12 1. Play areas, sports fields and parking areas must be a minimum of five hundred feet (500) from
13 any adjacent residentially zoned or used property line.
14

15 R. Duplex, Commercial Use on Individual Lots

16 Agricultural and Resource districts, Rural and Suburban Residential districts, and Commercial Mixed-Use
17 districts

18 1. The lot size shall be at least 150% of the minimum lot area for the zoning district.

19 2. Setbacks must meet the principal structure setbacks for zoning district.

20 3. Only one duplex shall be permitted per parcel.
21

22 S. Gas Station

23 Agricultural and Resource districts, Commercial and Mixed-Use districts, Light Industrial, Service
24 Industrial, and Employment Mixed-Use districts

25 1. The facility must be located within 300 feet of the centerline of an intersection and front on an
26 arterial or collector road.

27 2. The facility's lighting shall be shielded to prevent light and glare spillover onto adjacent residential
28 properties.

- 1 3. The maximum square footage shall not exceed 2,000 square feet for all enclosed structures.
- 2 4. The total number of gasoline pumps shall not exceed eight multi-product dispensers. In the event
- 3 older pumping equipment is used, the total number shall not exceed a number capable of fueling 16
- 4 vehicles simultaneously.
- 5 5. All outside storage areas including dumpsters must be:
- 6 a. sited to the rear of the building,
- 7 b. within the setbacks required of the building's underlying zone, and,
- 8 c. made unnoticeable from both residential adjacent properties and public rights-of-way through
- 9 installation of either fencing or vegetative screening.

10

11 T. Golf Course, Public or Private

12 Agricultural and Resource districts, Rural and Suburban Residential districts, Park districts, Service
13 Industrial and Employment Mixed-Use districts

- 14 1. Clubhouses shall meet the primary setbacks for the zoning district.
- 15 2. There shall be a 100 foot minimum setback between any accessory buildings or parking areas
- 16 and adjacent residentially zoned or used property.
- 17 3. Lighting for amenity areas shall be designed such that it does not spillover onto adjacent
- 18 properties.

19

20 U. Government Buildings, Storage Only

21 Agricultural and Resource districts, Commercial and Mixed-Use districts, Light Industrial, Service
22 Industrial, and Employment Mixed-Use districts, Public Facility districts

- 23 1. Parking areas shall be located a minimum of 25 feet from any residentially zoned or used
- 24 property.
- 25 2. Lighting for outdoor storage areas shall be designed such that it does not spill over onto adjacent
- 26 properties.

27

28 V. Government Buildings, Storage Only, with Outdoor Storage Area

- 1 Agricultural and Resource districts, Light and Heavy Industrial districts, and Public Facility districts
- 2 1. Outside storage areas shall be located a minimum of 50 feet from any residentially zoned or used
- 3 property.
- 4 2. Parking areas shall be located a minimum of 25 feet from any residentially zoned or used
- 5 property.
- 6 3. Lighting for outdoor storage areas shall be designed such that it does not spill over onto adjacent
- 7 properties.
- 8

9 W. Home Occupation, General

10 All zoning districts

11

12 The following list identifies those occupations which may be conducted from a residence in any district.

13 The purpose of the list is to function both as a guide and also to illustrate the spirit and intent of what is a

14 legitimate home occupation. Essentially, the home occupation is conceived of as being reasonably

15 permitted in a residential setting because it does not compromise the residential character of the area. A

16 reasonable home occupation would not generate conspicuous traffic, would not visually call unusual

17 attention to the home nor would it ever generate nonresidential level noise.

18

19 Accounting, Bookkeeping

20 Appraisal

21 Architecture

22 Computer Repair/Programming

23 Legal Services

24 Real Estate Sales

25 Insurance Sales

26 Daycare with Eight Children or Less

27 Drafting Services

28 Dressmaking, Alteration Services, Tailoring

- 1 Engineering
- 2 Financial Planning and Investment Services
- 3 Fine Arts or Artisan’s Studio (creation of individual works only, no mass production)
- 4 Interior Decoration (no studio permitted)
- 5 Mail Order Business (order taking only, no stock in trade)
- 6 Musical Instruction, Voice or Instrument
- 7 Pet Grooming (Enclosed)
- 8 Photo Laboratory (no studio work)
- 9 Planning
- 10 Tutoring
- 11 One Chair Beauty or Barber Shop
- 12 Office Work
- 13 Similar, Low Impact Endeavor
- 14
- 15 1. The use must be conducted entirely within the interior of the residence, must be clearly incidental
- 16 and secondary to residential occupancy, and may not change the residential character of the
- 17 dwelling.
- 18 2. The use of the dwelling for a Home Occupation may not exceed up to 25% of one floor of the
- 19 principal building.
- 20 3. Residents of the dwelling may be engaged in the home occupation with no more than one
- 21 nonresident assistant employed.
- 22 4. No activity can take place as a home occupation which involves any outdoor storage.
- 23 5. All parking needs brought about by the operation of the home occupation must be met through an
- 24 off street parking arrangement, including customer parking.
- 25 6. Home Occupations which allow clients or customers to visit the business may be subject to
- 26 Accessibility Standards. Applicants should contact the building department for requirements prior to
- 27 applying for the Home Occupation Permit.
- 28

1 X. Home Based Business

2 All districts

3

4 The following lists those occupations, which may be conducted as a home based business (HBB). The
5 home based business differs from the home occupation in that it is not required to be conducted within
6 the residence proper, but may be conducted in another building accessory to the residence. Slightly more
7 intense uses may occur within the HBB since it is sited within less densely settled areas.

8 Limited equine boarding

9 Accounting, Bookkeeping

10 Appraisal

11 Architecture

12 Auto and Farm Equipment Repair Work - permitted in AG, RL, NC, LI, and HI only.

13 Building Contractor's Storage Yard Including Electrical, Plumbing, & Mechanical

14 Computer Repair/Programming

15 Landscape Contractor

16 Legal Services

17 Real Estate Sales

18 Insurance Sales

19 Daycare with Eight Children or Less

20 Drafting Services

21 Dressmaking, Alteration Services, Tailoring

22 Engineering

23 Financial Planning and Investment Services

24 Fine Arts or Artisan's Studio

25 Interior Decoration

26 Mail Order Business

27 Musical Instruction, Voice or Instrument

28 Pet Grooming (enclosed)

- 1 Photo Laboratory or Studio
- 2 Planning
- 3 Tutoring
- 4 One Chair Beauty or Barber Shop
- 5 Office Work
- 6 Similar, Low Impact Endeavor

7

- 8 1. The Home Based Business may be carried out in no more than one (1) building separate from the
9 primary residence.
- 10 2. All outside storage areas including dumpsters must be:
 - 11 a. sited to the rear of the building,
 - 12 b. within the setbacks required of the building's underlying zone, and,
 - 13 c. made unnoticeable from both residential adjacent properties and public rights-of-way through
14 installation of either fencing or vegetative screening.
 - 15 d. No outside storage shall be permitted in the NC zoning district.
- 16 3. All storage must be screened either by fencing or vegetative hedge from any abutting residential
17 use or public rights of way.
- 18 4. The accessory building in which the HBB is conducted may not exceed the square footage of the
19 footprint of the residence but in no event exceed 2,000 square feet.
- 20 5. Nonresident employees may work in the HBB as follows:
 - 21 a. Up to 1,000 square feet of floor space - One (1) nonresident employee
 - 22 b. 1,000 and over square feet of floor space - Two (2) nonresident employees
- 23 6. The home based business will not create any smoke, odors, dust, or noise at a level discernable
24 at any of its lot lines.
- 25 7. Parcel must meet the standard minimum size requirements for the district in which it is located.
- 26 8. Home Based Businesses which allow clients or customers to visit the business may be subject to
27 Accessibility Standards. Applicants should contact the Building Department for requirements prior to
28 applying for the Home Based Business Permit.

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Y. Kennels - Breeder's and Commercial and Veterinary Hospital/Clinics

All districts as identified in Chapter 15.320, Table of Land Uses. Additional standards may be imposed when a conditional use permit is required.

1. Any kennel or veterinary facility which is not wholly enclosed within a building shall be enclosed by a security fence at least six (6) feet in height.

2. Animal odors shall not be detectable beyond the lot lines of the property wherein the kennel or veterinary facility is located.

3. Dust and drainage from the kennel or veterinary facility enclosure shall not create a nuisance or a hazard to adjoining property or uses.

4. Grooming services for the animals being boarded may be allowed as an incidental use provided the grooming services are conducted indoors and the grooming area is limited to 500 square feet in area.

5. All kennels or veterinary facility shall comply with the standards set forth in Title 7 of the Lyon County Code, incorporated herein by reference

6. The minimum distance between the outer edge of any buildings, animal enclosures or fenced areas must be at least 300 feet from the parcel boundary of any residentially zoned or used properties. This includes adjacent parcels and parcels located across street right-of-ways.

7. The number of animals boarded outside or partially outside of the facility shall not exceed 10 animals over six (6) months of age. Animals boarded entirely inside shall not be counted as part of this limitation.

8. The primary use, including all outside boarding areas, shall meet the buffer standards of Chapter 15.402.

9. This use shall be required to be separated from educational institutions and places of worship by a distance of 1,000 feet. This distance shall be measured from the exterior property lines of the facility to the nearest property line of the educational institution or place of worship.

1 10. All outdoor lights must be shielded to direct light and glare onto the facility's premises and may be
2 of sufficient intensity to ensure security. Lighting and glare must be deflected, shaded and focused
3 away from any adjoining residential or institutional property.

4 11. All storage areas including dumpsters must be

- 5 a. sited to the rear of the building,
- 6 b. within the setbacks required of the building's underlying zone; and,
- 7 c. made unnoticeable from both residential adjacent properties and public rights-of-way through
8 installation of either fencing or vegetative screening.

9
10 AA. Multifamily Residential

11 Multi-Family Residential districts, Commercial Mixed-Use districts, and Employment Mixed-Use districts

12 1. The maximum allowed density for multifamily residential units in Rural Commercial Mixed-Use
13 zoning districts shall be six (6) dwelling units per acre, and 12 dwelling units per acre in Suburban
14 Commercial Mixed-Use districts.

15 2. A density bonus of two (2) dwelling units per acre will be allowed for projects which can
16 successfully demonstrate the concept of a mixed-use development as defined in Appendix A. This
17 can generally be accomplished through the submission of a site plan and appropriate architectural
18 drawings.

19 3. Must meet the Adequate Public Facility Standards within Chapter 15.110.

20 4. Must meet the Multi-family Residential Design Standards contained in Chapter 15.348.

21
22 BB. Moving Van, Truck or Trailer Rental

23 Agricultural and Resource districts, Commercial Mixed-Use, Community Commercial, Regional
24 Commercial, and Highway Corridor Mixed-Use districts, Light Industrial, Service Industrial and
25 Employment Mixed-Use districts

26 1. The outdoor display area may not exceed 60,000 square feet.

27 2. All outside storage areas including dumpsters must be:

- 28 a. sited to the rear of the building,

- 1 b. within the setbacks required of the building's underlying zone, and
- 2 c. made unnoticeable from both residential adjacent properties and public rights-of-way through
- 3 installation of either fencing or vegetative screening.
- 4 3. Parking areas for rentals shall be located a minimum of 50 feet from any residentially zoned or
- 5 used property.
- 6 4. Lighting for outdoor storage areas shall be designed such that it does not spill over onto adjacent
- 7 properties.

8

9 CC. Nursery, Daycare Center

10 Commercial Mixed-Use, Community Commercial, Regional Commercial, and Highway Corridor Mixed-
11 Use districts, Residential Mixed-Use and Multifamily Residential districts, and Light Industrial, Service
12 Industrial and Employment Mixed-Use districts

- 13 1. A copy of the Nevada State license issued to the facility is required.
- 14 2. Evidence that all necessary encroachment permits have been issued for the facility. Applicant
- 15 shall submit copies of the site plan as part of the application.
- 16 3. Adequate access to and from the site to accommodate traffic generated, including any required
- 17 roadway improvements, shall be shown on the site plan.
- 18 4. Drop off and pick up areas shall be interior to the site, out of the public right-of-way, and designed
- 19 so as not to interfere with internal circulation and ingress/egress to the site.
- 20 5. The facility must have access to a State maintained road.

21

22 DD. Office, Professional 5,000 Square Feet or Less

23 Neighborhood Commercial, Commercial Mixed-Use, Community Commercial districts, Residential Mixed-
24 Use and Multifamily Residential districts.

- 25 1. Maximum square footage shall not exceed 5,000 square feet for all enclosed structures
- 26 2. All outside storage areas including dumpsters must be:
 - 27 a. sited to the rear of the building,
 - 28 b. within the setbacks required of the building's underlying zone, and

1 c. made unnoticeable from both residential adjacent properties and public rights-of-way through
2 installation of either fencing or vegetative screening.

3 3. Parking areas shall be located a minimum of 50 feet from any residentially used or zoned
4 property.

5
6 EE. Outdoor Display and Sales

7 Neighborhood Commercial, Commercial Mixed-Use, Community Commercial, Regional Commercial and
8 Highway Corridor Mixed-Use districts, Service Industrial and Employment Mixed-Use districts, Residential
9 Mixed-Use districts, and Multifamily Residential districts.

10 1. Outdoor display and/or sale of merchandise may be allowed as an accessory use for all
11 commercial uses. It is the intent of this Land Use Code to allow the display of merchandise for sale,
12 but not where the display of such items impedes the flow of pedestrian or vehicular traffic or creates
13 an unsafe condition. The display of goods shall meet all of the following requirements:

14 2. Where Permitted

15 a. All outdoor display of goods shall be located immediately adjacent to the storefront and not in
16 drive aisles, loading zones, fire lanes, or parking lots.

17 b. The area used for outdoor display or sales shall not occur on the sides and rear of buildings
18 and shall be limited to no more than one-quarter (1/4) of the length of the store front, unless
19 increased by the Director after taking into account aesthetic and safety concerns or other relevant
20 factors. In the case of a shopping center, the "storefront" shall include the entire frontage of the
21 shopping center, meaning that the total amount of display for all the in-line tenants combined
22 shall not exceed 25 percent of the aggregate store front of the overall shopping center.

23 c. No goods shall be attached to a building's wall surface.

24 d. The height of the outdoor display shall not exceed six (6) feet, unless an exception to this
25 provision has been granted by the director.

26 e. The outdoor display area shall take place on an improved surface such as the sidewalk or
27 pavement.

28 f. No outdoor displays shall be allowed in required landscape areas.

1 3. No Pedestrian Obstruction

2
3 At least five feet along the parking lot side of the display shall be maintained free of obstruction to
4 allow for pedestrian and handicap movement, such that handicapped pedestrians and others do not
5 have to enter the parking lot or drive aisle to walk around the display.
6

7 FF. Outdoor Storage

8 Neighborhood Commercial, Commercial Mixed-Use, Community Commercial, Regional Commercial and
9 Highway Corridor Mixed-Use districts, Service Industrial and Employment Mixed-Use districts, Residential
10 Mixed-Use districts, and Multifamily Residential districts.
11

12 Outdoor storage may be allowed as an accessory use through the development plan review process and
13 subject to compliance with the following requirements:

- 14 1. Each outdoor storage area shall be incorporated into the overall design of the primary structure
15 on the site and shall be located at the rear of the primary structure.
- 16 2. Goods stored in an approved outdoor storage area shall be limited to those sold on the premises
17 as part of an associated primary use.
- 18 3. Each outdoor storage area shall be screened from view from all property lines and adjacent
19 rights-of-way by an opaque fence or wall that incorporates at least one (1) of the predominant
20 materials and one of the predominant colors used in the primary structure. The fence shall be of the
21 appropriate height that all outdoor storage areas are effectively screened. Materials may not be
22 stored higher than the height of the primary structure. A landscaped earthen berm may be used
23 instead of or in combination with a required fence or wall.
- 24 4. No materials may be stored in areas intended for vehicular or pedestrian circulation.

25
26 GG. Public Cultural Facility

27 Rural and Suburban residential districts, Commercial Mixed-Use, Neighborhood Commercial, and
28 Community Commercial districts, Public Facility districts, and Park districts.

- 1 1. All outside storage areas including dumpsters must be:
 - 2 a. sited to the rear of the building,
 - 3 b. within the setbacks required of the building's underlying zone, and
 - 4 c. made unnoticeable from both residential adjacent properties and public rights-of-way through
 - 5 installation of either fencing or vegetative screening.
- 6 2. When located adjacent to residentially used or zoned property, a Level One buffer shall be
- 7 provided. See Chapter 15.402.

8

9 HH. Recreational Facility, Indoor

10 Neighborhood Commercial, Commercial Mixed-Use, Community Commercial, Regional Commercial and
11 Highway Corridor Mixed-Use districts, Service Industrial and Employment Mixed-Use districts, Residential
12 Mixed-Use districts, and Multifamily Residential districts.

- 13 1. All outside storage areas including dumpsters must be:
 - 14 a. sited to the rear of the building,
 - 15 b. within the setbacks required of the building's underlying zone, and
 - 16 c. made unnoticeable from both residential adjacent properties and public rights-of-way through
 - 17 installation of either fencing or vegetative screening.
- 18 2. Parking areas shall be located a minimum of 50 feet from any residentially used or zoned
- 19 property.

20

21 II. Recyclable Materials Drop Off

22 Agricultural and Resource districts, Community Commercial, Regional Commercial and Highway Corridor
23 Mixed-Use districts, Service Industrial and Employment Mixed-Use districts, and Light Industrial districts.

- 24 1. Must be designed such that adequate off loading and turn space exist to allow for safe ingress
25 and egress from site.
- 26 2. The drop-off area must meet the primary setbacks of the zone.
- 27 3. When located adjacent to residentially zoned or used property, a buffer in conformance to the
28 requirements of Chapter 15.402 shall be maintained.

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JJ. Religious Institution with Total Seating Capacity 350 or Less

Agricultural and Resource districts, Rural and Suburban Residential districts, Commercial Mixed-Use, Neighborhood Commercial, Community Commercial, Regional Commercial and Highway Corridor Mixed-Use districts.

- 1. The required setbacks of each zone shall be doubled in residential districts.
- 2. The use must front on an arterial or collector road.

KK. Repair Garage, Automobile

Agricultural and Resource districts, Community Commercial, Regional Commercial and Highway Corridor Mixed-Use districts, Light Industrial, Service Industrial and Employment Mixed-Use districts.

- 1. All outside storage areas including dumpsters must be:
 - a. sited to the rear of the building,
 - b. within the setbacks required of the building's underlying zone, and,
 - c. made unnoticeable from both residential adjacent properties and public rights-of-way through installation of either fencing or vegetative screening.
- 2. In the event the use abuts residentially used or zoned property, buildings and storage areas shall be located a minimum of 100 feet from the property line.
- 3. A buffer in conformance with Chapter 15.402 shall be maintained.

NOTE: In the AG and NIA districts, if the use occurs on a tract of land five (5) acres or more and buildings and storage areas are screened by existing vegetation or site topography from adjacent properties and are not visible from any road right-of-ways, the buffer requirement may be waived.

LL. Repair Shop, Farm Machinery

Agricultural and Resource districts, Community Commercial, Regional Commercial and Highway Corridor Mixed-Use districts, and Light Industrial and Heavy Industrial districts.

- 1. All outside storage areas including dumpsters must be:

- 1 a. sited to the rear of the building,
 - 2 b. within the setbacks required of the building's underlying zone, and
 - 3 c. made unnoticeable from both residential adjacent properties and public rights-of-way through
 - 4 installation of either fencing or vegetative screening.
- 5 2. In the event the use abuts residentially used or zoned property, buildings and storage areas shall
 - 6 be located a minimum of 100 feet from the property line.
 - 7 3. A buffer in conformance with Chapter 15.402 shall be maintained.

8
9 NOTE: If the use occurs on a large tract of land five (5) acres or more and buildings and storage
10 areas are screened by existing vegetation or site topography from adjacent properties and are not
11 visible from any road right-of-ways, the buffer requirement may be waived.

12
13 MM. Repair Shop, Small Engine

14 Agricultural and Resource districts, Rural Residential districts greater than two (2) acres, Community
15 Commercial, Regional Commercial and Highway Corridor Mixed-Use districts, and Light Industrial and
16 Heavy Industrial districts.

- 17 1. All outside storage areas including dumpsters must be:
 - 18 a. sited to the rear of the building,
 - 19 b. within the setbacks required of the building's underlying zone, and
 - 20 c. made unnoticeable from both residential adjacent properties and public rights-of-way through
 - 21 installation of either fencing or vegetative screening.
- 22 2. In the event the use abuts residentially used or zoned property, buildings and storage areas shall
- 23 be located a minimum of 100 feet from the property line.
- 24 3. A buffer in conformance with Chapter 15.402 of this title shall be maintained.

25
26 NOTE: In the AG, NIA, RL, RR-20 and RR-10 districts, if the use occurs on a tract of land five (5)
27 acres or more and buildings and storage areas are screened by existing vegetation or site topography

1 from adjacent properties and are not visible from any road right-of-ways, the buffer requirement may
2 be waived.

3

4 NN. Rest Home, Convalescent Home with 10 Beds or Less

5 Agricultural and Resource Districts, Residential districts greater than two (2) acres, Multi-Family
6 Residential and Residential Mixed-Use districts, Neighborhood Commercial, Community Commercial, and
7 Commercial Mixed-Use districts.

8 1. One rest or convalescent home may not locate within 500 feet of another rest or convalescent
9 home. Distance shall be measured from the property line of the existing home.

10 2. Parking areas shall be located a minimum of 50 feet from the property line of any adjacent
11 residentially zoned or used property.

12

13 OO. Restaurant, Excluding Drive-Thru

14 Residential Mixed-Use districts, Neighborhood Commercial, Community Commercial, Regional
15 Commercial, Highway Corridor Mixed-Use and Commercial Mixed-Use districts, Rural and Suburban
16 Tourist Commercial Districts, Service Industrial and Employment Mixed-Use districts.

17 1. Use must front on an arterial or collector road if located in a residential zone.

18 2. All outside storage areas including dumpsters must be:

19 a. sited to the rear of the building,

20 b. within the setbacks required of the building's underlying zone, and

21 c. made unnoticeable from both residential adjacent properties and public rights-of-way through
22 installation of either fencing or vegetative screening.

23

24 PP. Restaurant with Drive-Thru Facility

25 Residential Mixed-Use districts, Neighborhood Commercial, Community Commercial, Regional
26 Commercial, Highway Corridor Mixed-Use and Commercial Mixed-Use districts, Rural and Suburban
27 Tourist Commercial Districts, Service Industrial and Employment Mixed-Use districts.

28 1. All drive-thru entrances and exits must be at least 250 feet from an intersection.

1 2. Adequate stacking shall be provided in drive-thru lanes so that traffic is contained on site and
2 does not interfere with circulation internally or on any adjacent road or street right-of-way.

3 3. All outside storage areas including dumpsters must be:

4 a. sited to the rear of the building,

5 b. within the setbacks required of the building's underlying zone, and

6 c. made unnoticeable from both residential adjacent properties and public rights-of-way through
7 installation of either fencing or vegetative screening.

8 4. In the event the restaurant locates adjacent to any residentially zoned or used property, it must be
9 physically sited at least 100 feet from the lot line of the residential property and parking areas must be
10 located a minimum of 50 feet from the property line.

11
12 QQ. Restaurants, Mobile - Food Trucks, Outdoor Vendors and Carts

13 Neighborhood Commercial, Community Commercial, Regional Commercial, Highway Corridor Mixed-Use
14 and Commercial Mixed-Use districts, Tourist Commercial districts, Service Industrial and Employment
15 Mixed-Use districts, and Light and Heavy Industrial districts.

16 1. Must comply with all applicable parking regulations.

17 2. May not be located on a public sidewalk.

18 3. Must not impede safe movement of vehicular and pedestrian traffic, parking lot circulation or
19 access to any public right of way or sidewalk.

20 4. Hours of operation limited to the hours between 6 am and 10 pm. Extended hours may be
21 permitted by temporary use permit.

22 5. Must pick up all litter and provide a suitable container for litter and trash.

23 6. Must be attended at all times.

24 7. Must prominently display all applicable licenses and permits.

25 8. All signs must be attached to the vehicle or cart.

26 9. Lighting shall not spillover onto adjacent properties.

27
28 RR. Retail Sales, Neighborhood Market, 5,000 Square Feet or Less

1 Neighborhood Commercial, Community Commercial, Regional Commercial, Highway Corridor Mixed-Use
2 and Commercial Mixed-Use districts, and Service Industrial and Employment Mixed-Use districts.

3 1. The store must be located within 500 feet of an intersection and front on an arterial or collector
4 road.

5 2. The store's lighting shall be shielded to prevent light and glare spillover onto adjacent residential
6 properties.

7 3. The maximum square footage for the building shall not exceed 5,000 square feet.

8 4. All outside storage shall not be permitted with the exception of areas for dumpsters:

9 a. Dumpsters shall be sited to the rear of the building and made unnoticeable from both
10 adjacent properties and public rights-of-way through the installation of fencing and/or vegetative
11 screening.

12

13 SS. Salvage Yard

14 Heavy Industrial district

15 1. Materials may not be vertically stacked so as to be visible to the passing motorist.

16 2. All outside storage areas including dumpsters must be:

17 a. sited to the rear of the building,

18 b. within the setbacks required of the building's underlying zone, and

19 c. made unnoticeable from both residential adjacent properties and public rights-of-way through
20 installation of either fencing or vegetative screening.

21 3. In the event the use abuts residentially used or zoned property, buildings and storage areas shall
22 be located a minimum of 150 feet from the property line.

23

24 TT. Sawmill, firewood processing and wood chipping operations

25 Agricultural and Resource districts, Heavy Industrial Districts.

26 1. A minimum of two (2) acres is required.

27 2. Any and all mechanized sawing equipment must be located a minimum of 100 feet from boundary
28 lines.

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UU. Scientific Research and Development, Accessory to Agriculture

Agricultural and Resource districts, Rural Residential districts greater than five (5) acres.

1. Research must be related to agricultural activity occurring on site.
- . All outside storage areas including dumpsters must be:
 - a. sited to the rear of the building,
 - b. within the setbacks required of the building's underlying zone, and
 - c. made unnoticeable from both residential adjacent properties and public rights-of-way through installation of either fencing or vegetative screening.
3. When located adjacent to residentially zoned or used property, any outdoor research or experiment areas shall be located a minimum of 100 feet from the property line.
4. The facility shall be designed such that it absorbs or dissipates noise to the greatest extent possible. Where facilities are adjacent to residentially zoned or used property; noise shall be reduced to within five (5) decibels of the average ambient noise level at the property line.

VV. Scientific Research and Development

Agricultural and Resource districts, Regional Commercial and Highway Corridor Mixed-Use districts, Service Industrial and Employment Mixed-Use districts, and Light and Heavy Industrial districts.

1. All outside storage areas including dumpsters must be:
 - a. sited to the rear of the building,
 - b. within the setbacks required of the building's underlying zone, and
 - c. made unnoticeable from both residential adjacent properties and public rights-of-way through installation of either fencing or vegetative screening.
2. When located adjacent to residentially zoned or used property, any outdoor research or experiment areas shall be located a minimum of 100 feet from the property line.
3. The facility shall be designed such that it absorbs or dissipates noise to the greatest extent possible. Where facilities are adjacent to residentially zoned or used property; noise shall be reduced to within five (5) decibels of the average ambient noise level at the property line.

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WW. Self-Service Storage Facilities

Community Commercial, Regional Commercial, Highway Corridor Mixed-Use districts, Light Industrial, Service Industrial, and Employment Mixed-Use districts

1. Interior travel lanes, which serve storage units, are required to have a parking lane with a minimum width of ten (10) feet for loading/unloading purposes.
2. One parking space is required for every 100 storage units with a minimum of three (3) spaces required for the facility office.
3. One-way interior travel lanes must have a minimum width of 15 feet in addition to the ten (10) foot wide parking lane. All two-way interior travel lanes serving storage units must have two (2) 12-foot wide travel lanes and be provided with a ten (10) foot wide parking lane.
4. The height of the storage buildings shall be governed by the maximum height permitted for the zoning district. See Chapter 15.300 Zoning Districts and Standards for dimensional requirements.
5. All outdoor lights must be shielded to direct light and glare only onto the facility's premises and may be of sufficient intensity to discourage vandalism and theft. Lighting and glare must be deflected, shaded and focused away from any adjoining residential property.
6. Minimum and maximum lot sizes.
 - a. Community Commercial:
Minimum lot size - one (1) acre
Maximum lot size - three (3) acres
 - b. Regional Commercial, Highway Corridor Mixed-Use, and Service Industrial:
Minimum lot size - one (1) acre
Maximum lot size – ten (10) acres
 - c. Light Industrial:
Minimum lot size – one (1) acre
Maximum lot size – none
7. All Self Service Storage Facilities are subject to the buffering and landscaping set forth in Chapter 15.402.

1 8. A minimum six (6) foot high perimeter fence is required. Portions of the fence, which face arterial
2 or residential streets, must be solid or semisolid and pleasingly decorative.

3 9. No outside storage is permitted in the Community Commercial, Commercial Mixed-Use, Service
4 Industrial or Employment Mixed-Use districts.

5 10. All outdoor storage areas must be screened through the installation of fencing or vegetative
6 screening. When located adjacent to residentially zoned or used property or street right-of-ways,
7 additional screening and/or landscape measures may be required.

8
9 XX. Shooting Range, Indoor

10 Regional Commercial, Highway Corridor Mixed-Use and Commercial Mixed-Use districts, Light Industrial
11 and Service Industrial districts.

12 1. Facility design shall be such that it absorbs or dissipates noise from the firing of weapons and/or
13 any mechanical equipment.

14 2. The facility shall be located a minimum of 150 feet from the property line of any residentially used
15 or residentially zoned property.

16 3. All applicable local, state and federal permits must be obtained prior to zoning permitting.
17

18 YY. Sports and Recreation Instruction or Camps

19 Agricultural and Resource districts, Neighborhood Commercial, Community Commercial and Highway
20 Corridor Mixed-Use districts, Service Industrial and Employment Mixed-Use districts, Residential Mixed-
21 Use districts, and Multifamily Residential districts, Public Facilities and Parks districts.

22 1. Practice areas, fields and parking areas must be a minimum of 500 feet from any adjacent
23 residentially used or zoned property line.

24 2. Where adjacent to residentially zoned or used property, a buffer yard in conformance to chapter
25 15.402 shall be installed.
26

27 ZZ. Storage Building Sales, with Display Area

1 Community Commercial, Regional Commercial, and Highway Corridor Mixed-Use districts, and Light
2 Industrial districts

- 3 1. Display Area shall not exceed 40,000 square feet.
- 4 2. Buildings shall be arranged so that sight triangles are unobstructed.

5

6 AAA. Stables, Commercial

7 Agricultural and Resource districts, Rural Residential districts RR-20, RR-10 and RR-5, and Tourist
8 Commercial-Rural districts.

- 9 1. The proposed site must be at least five (5) acres.
- 10 2. The following setbacks are required in addition to those of the zoning district:
 - 11 a. No activity area, including pastures or runs, shall be located closer than 20 feet to any
12 property line.
 - 13 b. Any building housing animals shall be located a minimum of 300 feet from any residentially
14 zoned property.
 - 15 c. A vegetative strip at least 100 feet wide shall be maintained between any corrals, manure
16 piles or manure application areas and any surface water or well in order to minimize runoff,
17 prevent erosion and promote nitrogen absorption.
- 18 3. All outside storage areas including dumpsters must be:
 - 19 a. sited to the rear of the building,
 - 20 b. within the setbacks required of the building's underlying zone, and
 - 21 c. made unnoticeable from both residential adjacent properties and public rights-of-way through
22 installation of either fencing or vegetative screening.

23

24 BBB. Swim Club, Tennis Club, Country Club

25 Agricultural and Resource districts, Rural and Suburban Residential districts, Park districts, Service
26 Industrial and Employment Mixed-Use districts, Rural and Suburban Tourist Commercial districts.

- 27 1. In any residential district, the minimum area shall be one (1) acre.
- 28 2. Clubhouses shall meet the primary setbacks for the zoning district.

1 3. There shall be a 100 foot minimum setback between any accessory buildings, swimming pool,
2 lighted tennis court or any amenity area and adjacent residentially zoned or used property.

3 4. Parking areas shall be located a minimum of 50 feet from any residentially zoned or used
4 property.

5 5. Lighting for amenity areas shall be designed such that it does not spill over onto adjacent
6 properties.

7 6. Outdoor swimming pools shall be protected by a fence, a minimum of four (4) feet in height and
8 equipped with a self-closing and positive self-latching gate provided with hardware for permanent
9 locking.

10
11 CCC. Towing Service, with Salvage

12 Heavy Industrial districts

13 1. Materials may not be vertically stacked so as to be visible to a passing motorist.

14 2. All outside storage areas including dumpsters must be:

15 a. sited to the rear of the building,

16 b. within the setbacks required of the building's underlying zone, and

17 c. made unnoticeable from both residential adjacent properties and public rights-of-way through
18 installation of either fencing or vegetative screening.

19 3. In the event the use abuts residentially used or zoned property, buildings and storage areas shall
20 be located a minimum of 100 feet from the property line.

21
22 DDD. Towing Service, with Towed Vehicle Storage Yard, No Salvage or Part Sales

23 Community Commercial, Regional Commercial, and Highway Corridor Mixed-Use districts, Light and
24 Heavy Industrial districts.

25 1. All outside storage areas including dumpsters must be:

26 a. sited to the rear of the building,

27 b. within the setbacks required of the building's underlying zone, and

- 1 c. made unnoticeable from both residential adjacent properties and public rights-of-way through
- 2 installation of either fencing or vegetative screening.
- 3 2. The vehicle storage area may not exceed 60,000 square feet.
- 4 3. In the event the use abuts residentially used or zoned property, buildings and storage areas shall
- 5 be located a minimum of 100 feet from the property line.

6

7 **EEE. Warehouse with Outside Storage**

8 Light Industrial and Heavy Industrial districts

- 9 1. Outside stacking of materials should not be visible to the passing motorist traveling any adjacent
- 10 external road.
- 11 2. Materials must be screened with buffering. See Chapter 15.402, Landscape Standards

12

13 **FFF. Wind Energy Conversion System, Accessory Use, On Site Use Only**

14 Agricultural and Resource districts, Rural Residential districts, Suburban Residential districts greater than
15 1 acre, Light Industrial, Heavy Industrial, Service Industrial, and Employment Mixed-Use districts.

16 All private WECS are subject to and must comply with the following:

- 17 1. Setbacks: Minimum setbacks for private use wind machines shall be:
 - 18 a. A minimum of one (1) times the total extended height from the property lines.
 - 19 b. Wind machines shall not be located within the front yard setback nor within the street side
 - 20 setback of any parcel of land in nonrural residential zoning districts.
 - 21 c. Guywires may not extend closer than ten (10) feet from any property line and shall be clearly
 - 22 visible to a minimum height of six (6) feet.
 - 23 d. No part of a private WECS shall be located within or over drainage, utility or other established
 - 24 easements.
- 25 2. Height: The maximum total extended height of private WECS is 80 feet on parcels of five (5)
- 26 acres net or less and 100 feet on parcels greater than five (5) acres net, provided all required
- 27 setbacks and other standards of this section are met. "Total extended height" shall mean the height

1 above adjacent grade to a blade tip at its highest point of travel and including any other portion of the
2 WECS.

3 3. Lighting: Wind machine towers shall not be artificially lighted above ten (10) feet above grade
4 unless required, in writing, by the federal aviation administration (FAA) or other applicable authority
5 that regulates air safety.

6 4. Access: To hinder unauthorized access, all wind machine towers/structures must comply with the
7 following provisions:

8 a. Any tower shall be designed and installed so that there shall be no exterior step bolts or a
9 ladder on the tower readily accessible to the public for a minimum height of 12 feet above the
10 ground. For lattice or guyed towers a barrier shall be provided such that it cannot be readily
11 climbed.

12 b. All ground mounted electrical and control equipment shall be labeled or secured to prevent
13 unauthorized access.

14 5. Rotor Safety: Each wind machine shall be equipped with both manual and automatic controls to
15 limit the rotational speed of the blade within the design limits of the rotor. An external, manual shutoff
16 switch shall be included with the installation. The minimum distance between the ground and any
17 protruding blades utilized on a private wind machine shall be ten (10) feet as measured at the lowest
18 point of the arc of the blades.

19 6. Noise: All wind machines shall comply with the noise requirements in this section. These levels,
20 however, may be exceeded during short term events such as utility outages and severe windstorms.

21 A manufacturer's sound report shall be required with a building permit application.

22 a. No wind machine or combination of wind machines on a single parcel shall create noise that
23 exceeds a maximum of 55 decibels (dBA) at any property line.

24 b. Any wind machine(s) exceeding these levels shall immediately cease operation upon
25 notification by Lyon County and may not resume operation until the noise levels have been
26 reduced in compliance with the required standards and verified by an independent third party
27 inspector, approved by Lyon County, at the property owner's expense. Upon review and

1 acceptance of the third party noise level report, Lyon County will allow operation of the affected
2 wind machine(s).

3 7. Installation: Private WECS should be installed by qualified persons possessing the appropriate
4 Nevada state contractor's license and Lyon County business license.

5 a. The design of the structure and foundation of the private WECS must be reviewed and
6 approved (sealed) by an engineer licensed in Nevada. This includes attachment of the wind
7 machine to any building or structure.

8 b. Wind machines shall be sited in such a manner to minimize shadow flicker on a roadway and
9 on buildings located off the property on which the wind machine is constructed. It shall be the
10 responsibility of the owner to modify operations to restrict shadow flicker on existing occupied
11 buildings.

12 c. Roof mounted wind machines shall be located so that in the event of failure, no part of the
13 machine will cross any parcel line onto adjacent property.

14 d. All electric wires not within or on a building leading from the wind machine to electrical control
15 facilities shall be located underground per the currently adopted national electric code (NEC).

16 8. Maintenance and Repair: Wind machines shall be maintained in good repair, as recommended by
17 the manufacturer.

18 a. Any wind energy conversion system determined to be unsafe by the building official shall
19 immediately cease operation upon notification and shall be repaired by the owner to meet all
20 federal, state and local safety standards or be removed.

21 b. When a private WECS is removed from a site, all associated equipment, batteries, devices,
22 structures or support(s) excluding foundations for that system shall also be removed.

23 9. FAA Compliance: Private WECS must comply with applicable federal aviation administration
24 regulations including any approvals required for installations.

25 10. Variances: Variances to the standards established by this chapter must be pursued in
26 accordance with section of this title.

27 11. Comstock Historic District: In addition to all other requirements, all proposed private WECS
28 located within the Comstock historic district, as established by the Comstock historical commission

1 pursuant to Nevada Revised Statutes chapter 384, shall receive a review, approval and a certificate
2 of appropriateness from the Comstock historic district commission prior to submitting an application
3 for a building permit.

4 12. Energy produced must be used on the same parcel.

5 13. A decommissioning plan shall be provided that describes the anticipated life of the Facility,
6 estimated decommissioning costs and responsible party for decommissioning the Facility.

7 14. A maintenance plan shall be provided describing the maintenance schedule for the structure
8 including the name, address and phone number of responsible party for maintenance.

9
10 **15.335.04 Temporary Uses Permitted Based on Standards**

11 The Temporary Use Permit is a mechanism to allow a use on a short-term basis and certain seasonal or
12 transient uses not otherwise allowed. Prior to conducting or establishing a temporary use or structure,
13 approval of a Temporary Use Permit is required pursuant to Chapter 15.233 of this Title.

14
15 All temporary uses listed in this Section require a Temporary Use Permit. The director shall not approve
16 an application for a Temporary Use Permit unless the following criteria, specific regulations and time
17 limitations are met in addition to the standards for any particular Temporary Use specified below.

18
19 The allowance of Temporary Uses shall not be detrimental to the public health, safety and general
20 welfare, and the use shall be consistent with the purpose and intent of this Title and the specific zoning
21 district in which it will be located. The use shall be compatible in intensity, character and appearance with
22 existing land uses in the immediate vicinity of the temporary use. The neighborhood and street network
23 surrounding the temporary use shall not be adversely affected by the use or activities associated with it.

24 In addition to those listed herein, factors such as location, noise, odor, light, dust control and hours of
25 operation shall be considered.

26
27 **Table 15.335-2 Temporary Use Reference**

Temporary Use	Reference
Temporary Use Standards (General)	15.335.04 A.
Temporary Retail Sales Related	15.335.04 B.
Promotional Activities Involving the Display of Goods or Merchandise	15.335.04 B.1
Real Estate Development And Construction Related	15.335.04 C.
Contractor Office, Construction Equipment Storage	15.335.04 C.1
Real Estate Sales Office in a Construction Trailer or Temporary Modular Unit, Residential Projects	15.335.04 C.2
Real Estate Office in Model Home	15.335.04 C.3
Real Estate Office in a Construction Trailer or Temporary Modular Unit, Commercial or Mixed Use Projects	15.335.04 C.4
Temporary Dwelling for Large Construction Projects	15.335.04 C.5
Temporary Residence in Manufactured Home During Construction of New Home on Same Site	15.335.04 C.6
Other Temporary Uses	15.335.04 D.
Amusement Enterprise	15.335.04 D.1
Auction, Estate or Asset Liquidation	15.335.04 D.2
Auction, Livestock	15.335.04 D.3
Events, Tent or Other Temporary Structure	15.335.04 D.4
FEMA Trailers, Natural Disaster or Significant Weather Event	15.335.04 D.5
Mobile Personal Storage Unit, Vacant or Occupied Premises	15.335.04 D.6
Mobile Personal Storage Unit, Renovation	15.335.04 D.7
Special Events and Activities	15.335.04 D.8
Similar Uses Not Specified	15.335.04 D.9
Temporary Signs	15.335.04 E.
Temporary Construction Sign	15.335.04 E.1
For Profit Temporary Sign	15.335.04 E.2

Temporary Use	Reference
Temporary Agricultural Sign (Seasonal Sales on Site)	15.335.04 E.3

1

2 A. Temporary Use Standards (General)

3 1. The use shall not take place on publicly or privately owned property unless the applicant first
 4 obtains written approval from the owner. The original signed letter shall be provided as part of the
 5 Temporary Use Permit application and review process.

6 2. The location of the Temporary Use shall be such that adverse impacts on surrounding properties
 7 will be minimal, particularly regarding any type of traffic generated impact upon traffic circulation in
 8 the area.

9 3. Adequate off-street parking shall be provided to serve a temporary use. Temporary Uses shall not
 10 displace the required off-street parking spaces or loading areas of the principal permitted use(s) on
 11 the site. Sales and display areas shall be designed to prevent traffic hazards and nuisances to normal
 12 traffic patterns and internal circulation for the site.

13 4. Structures and display areas shall comply with primary setback requirements for the zoning
 14 district. The items shall be displayed so as to not interfere with the sight triangle of the intersection of
 15 the curb line of any two streets or a driveway and a street. Display of items or conducting business in
 16 a public right-of-way, emergency access lane or fire lane is not permitted.

17 5. Unless specifically stated, only one Temporary Use Permit shall be issued for a parcel at any
 18 given time.

19 6. The period of time between Temporary Use Permits on a parcel shall be three (3) months
 20 (expiration date and new issue date). This restriction shall not apply to real estate development and
 21 construction related temporary uses.

22 7. Recreational Vehicles shall not be permitted as a temporary use or be permitted as part of a
 23 temporary use.

24

25 B. Temporary Retail Sales Related

26 1. Promotional Activities Involving the Display of Goods or Merchandise

1 Such activities may be conducted at a business for a period of not more than 15 consecutive days.
2 Merchandise and display area shall not interfere with emergency ingress/egress, sight triangles or
3 required parking. If a private sidewalk or pedestrian way in front of the building is used for display of
4 merchandise, a minimum width of four (4) feet must remain unobstructed for pedestrian use. A
5 Temporary Use Permit for promotional activities may be renewed four times during any calendar
6 year, for a maximum of 60 days per calendar year.

7
8 C. Real Estate Development And Construction Related

9 1. Contractor Office, Construction Equipment Storage

10 a. Accessory to an active Construction Project, permitted in any zoning district.

11 Placement of such temporary use is limited to a period of time determined by an estimated
12 project completion date. The permit may be extended for up to one (1) year if approved by the
13 Director. A construction trailer or modular unit may be used as a contractor's office or for the
14 storage of equipment or materials. In the event that multiple builders are involved in a new
15 construction project, one construction trailer or temporary modular unit may be permitted per
16 builder for office or for storage. All temporary buildings and trailers shall be completely removed
17 from the site within thirty (30) days of the Certificate of Occupancy being issued for the project.

18 2. Real Estate Sales Office in a Construction Trailer or Temporary Modular Unit, Residential
19 Projects

20 Temporary structures, construction trailers or temporary modular units may be used as real estate
21 sales offices in any active residential construction project for the sale of units within that project only.
22 In the event that multiple builders are involved in a new construction project, one construction trailer
23 or temporary modular unit may be permitted as a sales office per builder. Each individual trailer or
24 modular unit shall be located on an individual lot. In no case shall multiple permits be issued for the
25 same Assessor's Parcel Number (APN). The permit shall be valid until the project is complete. All
26 temporary structures shall be removed within 30 days of final sale.

27 3. Real Estate Office in Model Home

1 Accessory to Construction of a New Residential Development. Model homes must be located on
2 individual parcels. Limited to a period of time not to exceed one (1) year with the option of an
3 extension of up to one (1) year if approved by the director.

4 4. Real Estate Office in a Construction Trailer or Temporary Modular Unit, Commercial or Mixed
5 Use Projects

6 Temporary structures, such as construction trailers or temporary modular units, may be used as real
7 estate sales offices in any active commercial or mixed use construction project for the sale or leasing
8 of units within that project only. In the event that multiple builders are involved in a new construction
9 project, one construction trailer or temporary modular unit may be permitted as a sales or leasing
10 office per builder. All temporary structures shall be removed within 30 days after final sale.

11 5. Temporary Dwelling for Large Construction Projects

12 During the active construction period (after a building permit has been issued) projects involving a
13 non-residential use or a residential development with building permit(s) for more than 50 units at any
14 one time, one (1) single section manufactured home may be allowed on the same property to be used
15 as a temporary residence by a night watchman for a period not to exceed 12 months or the active
16 construction period, whichever is less. The temporary unit shall be removed from the site within 14
17 days of issuance of the Certificate of Occupancy for a non-residential structure or the occupancy of
18 the first residential unit if within a residential development.

19 6. Temporary Residence in Manufactured Home During Construction of New Home on Same Site

20 In the event that a new single-family home is being constructed on a parcel where a manufactured
21 home currently exists in the AG, NIA, RL, RR-20, RR-10, RR-5, RR-2, RR-1, SFR-2, or SFR-1 zoning
22 districts, the manufactured home may remain for the duration of the building process for the new
23 home. The manufactured home shall be removed within 30 days of the date of the Certificate of
24 Occupancy. In no case shall the new home and manufactured home be occupied at the same time.

25
26 D. Other Temporary Uses

27 1. Amusement Enterprise

1 Carnivals, circuses, fairs, festivals and amusement rides may be allowed in any non-residential
2 zoning district for a period not to exceed thirty (30) days, up to four (4) times per calendar year. This
3 classification excludes events conducted in a permanent entertainment facility.

4 2. Auction, Estate or Asset Liquidation

5 Estate or asset liquidation auctions are permitted in any zoning district for a period not to exceed
6 three (3) days. Patron parking shall be located so as to not interfere with neighborhood traffic and so
7 that emergency access is maintained for the street right-of-way and to the auction site.

8 3. Auction, Livestock

9 Livestock auctions are permitted in the AG, NIA, RL, RR-20, and RR-10 zoning districts at existing
10 agriculture sites for a period not to exceed three (3) days. Patron parking shall be located so as to not
11 interfere with traffic and so that emergency access is maintained for the street right-of-way and to the
12 auction site. If used, temporary holding pens shall be located a minimum of 150 feet from any
13 adjacent residentially used or zoned property.

14 4. Events, Tent or Other Temporary Structure

15 Events in a tent or other temporary structure may be allowed in any non-residential zoning district for
16 a period not to exceed 60 days. The tent or temporary structure shall be removed within 48 hours of
17 the end of the event.

18 5. FEMA Trailers, Natural Disaster or Significant Weather Event

19 FEMA Trailers may be used as temporary housing in any residential zoning district following a natural
20 disaster or significant weather event. Should a non-conforming residential use exist at the time of a
21 natural disaster or significant weather event in a district other than residential, a FEMA trailer may be
22 used as temporary housing in that zoning district. FEMA Trailers shall be removed within 90 days of
23 completion of new construction.

24 6. Mobile Personal Storage Unit, Vacant or Occupied Premises

25 One personal mobile storage unit permitted per parcel in any zoning district. The unit may be stored
26 on site for up to 30 days to allow the current owner or tenant to vacate the premises or to allow a new
27 owner or tenant to occupy the premises. In no case shall this type of unit be permitted or used for
28 permanent storage on a site.

1 7. Mobile Personal Storage Unit, Renovation

2 One personal mobile storage unit permitted per parcel in any zoning district. The unit may be stored
3 on site for up to 90 days to allow for temporary storage during renovation or remodeling projects. In
4 no case shall this type of unit be permitted or used for permanent storage on a site.

5 8. Special Events and Activities

6 Special events and activities conducted on public property, such as school sites and public parks,
7 shall be exempt from the provisions of this chapter but must comply with any guidelines, regulations
8 and permitting processes required by the Authorizing Agency.

9 9. Similar Uses Not Specified

10 If a particular temporary use is not listed in this chapter, the director shall have the authority to grant a
11 temporary use permit for a “similar use”. Similar uses not specified are those uses which are similar
12 to those allowed as temporary uses in this section. Determination of what constitutes similar shall be
13 made by the director. The applicant shall provide the following information for consideration: type of
14 use, number of employees, parking/circulation, hours of operation, general site description, and
15 duration of operation. If the director determines that the use is not similar, the applicant may appeal
16 the decision to the commission in accordance with Chapter 15.04.

17

1 **Chapter 15.336 Performance Standards for Conditional Uses**

2

3 **15.336.01 Introduction**

4 The purpose of this Chapter is to describe the minimum performance standards for uses that may be
5 permitted through the approval of a Conditional Use Permit (CUP) in accordance with the requirements of
6 Chapter 15.230.

7

8 **15.336.02 How to Use this Chapter**

9 Land Uses that require a CUP are listed in Table 15.336-1. Column 1 identifies the specific land use
10 requiring a Conditional Use Permit, Column 2 identifies the zoning districts in which a CUP is required
11 prior to establishment of the land use, and Column 3 provides a reference to the standard(s) applicable to
12 the land use.

13

14 In many cases, the minimum standards for a Conditional Use are the same as those established in
15 Chapter 15.335 for permitted uses. Where no specific reference to a standard appears in column 3, the
16 development standards outlined in 15.330.02 shall be utilized as applicable to the specific use. The
17 approving authority may establish additional specific conditions of approval where warranted by the
18 specific use.

19

20 In addition to the minimum use standards listed on Table 15.336-1 conditional uses must comply with all
21 requirements of this title and applicable development standards.

22

23 Following Table 15.336-1, sections 15.336.03 et seq. identify specific requirements for the review and
24 approval of certain CUPs.

25

26 Conditional uses that do not meet the minimum performance standards of this Chapter shall not be
27 permitted.

28

1 Prior to the establishment of any conditional use the user shall comply with the requirements of Chapter
 2 15.230.

3

4 **15.336.03 Conditional Uses**

5 **Table 15.336-1 Conditional Use Reference Table**

Conditional Use	Zoning Districts	Reference
Residential Uses		
Mobile Home Park	HMU-R, RMU, TC-R, TC-S	15.352
Organizational house (sorority, monastery, etc.)	RR-20, CMU-R, HMU-R, TC-R, SR-2, SR-1	15.330
Residential Care Facility for elderly	RR-2,RR-1, CMU-R, HMU- R,SR-2, SR-1, RMU, CC, CMU- S, SR-12000(H), SR-9000(H)	15.335.03 NN 15.330
Group Home, 11 or more residents	HMU-R, SR-2, SR-1, SR-1/2, MFR, RMU, CMU-H, EMU	15.335.03 NN 15.330 15.360
Rooming or Boarding House	CMU-R, HMU-R, EMU	15.330 15.360
Public, Institutional and Civic Uses		
Government administration and civic buildings	CMU-R, HMU-R, RMU, NC, CC, RC, CMU-S, HMU-S	15.330
Social, fraternal lodges	EMU	15.335.03K 15.330
Public Assembly, including churches	RR-2, RR-1	15.335.03JJ 15.330
Adult Day Care, 6 or fewer clients	RR-2, RR-1, CMU-R, EMU	15.330
Adult Day Care, 7 or more clients	CMU-R, HMU-R, NC, MFR, EMU, CMU-H	15.330
Hospital	CMU-R, HMU-R, CC, RC, CMU-H, SI, EMU	15.330
Intermediate Care Facility, Nursing Home, Rehab Center	HMU-R, RMU, CC, RC, HMU-S, SI, EMU, CMU-H	15.330
Equestrian Facility	RR-10	15.330 15.360
Private Residential recreation facility	TC-R, EMU	15.330 15.360
Golf Course or Driving Range	RR-20, RR-10, RR-5, RR-2, RR-	15.335.03T 15.330

Conditional Use	Zoning Districts	Reference
	1, PL, TC-R, SR-2, SR-1, SR-1/2, SR-12000, SR-9000, RMU, SI, EMU	15.360
Outdoor Concerts, Special Events	RR-20, RR-10, AG, NIA, RL, PL, TC-R, CMU-S	15.330 15.360
Shooting Range, outdoor	AG, NIA, RL, PL	15.330 15.360
Shooting Range, indoor	HMU-R	15.335.03XX 15.330 5.360
Skeet/trap shooting range or course	AG, NIA, PL, TC-R	15.335.03 YY 15.330 15.360
Archery Range	AG, NIA, PL, TC-R	15.335.03YY 15.330 15.360
Paintball Facility, indoor	HMU-R, TC-R	15.330 15.360
Paintball Facility, outdoor	AG, NIA, PL, TC-R	15.330 16.360
Indoor Recreation/sports/fitness facility	RMU	15.335.03 HH 15.330 15.360
Campground	AG, NIA, PL, TC-R, TC-S	15.330
School, K-12	RR-5(H), RR-2(H), RR-1(H), RR-2, RR-1, CMU-R, HMU-R, PL, SR-2, SR-1, SR-1/2, SR-12000, SR-9000, NR, RMU, CMU-S, HMU-S	15.330
Post-Secondary , trade or technical education	CMU-R, HMU-R, CC, RC, CMU-S, HMU-S	15.330
Agricultural Uses		
Concentrated Animal Feeding Operation, Small, 25 to 249 AUE	AG, NIA, RL, LI-R, HI-R	15.336.11 15.330
Concentrated Animal Feeding Operation, Medium 250 to 999 AUE	AG, NIA, RL, LI-R, HI-R	15.336.11 15.330
Concentrated Animal Feeding Operation, Large, 1,000 or more AUE	AG, NIA, RL, LI-R, HI-R	15.336.11 15.330
Stable	RR-10, RR-5	15.335.03AAA 15.330
Milk Processing	AG, NIA	15.336.04 15.330
Agricultural Tourism	RR-20	15.330 15.360
Farm Market	RR-20, RR-10	15.330

Conditional Use	Zoning Districts	Reference
		15.360
Commercial Uses		
Kennel, Breeder and commercial	RR-5, HMU-R, HMU-S, EMU	15.330 15.360
Veterinary clinic/hospital, large animal	HMU-R, AG, NIA, CC, RC, CMU-S, HMU-S	15.330 15.360
Veterinary clinic/hospital, small animal without outdoor kennel	CMU-S	15.330 15.360
Veterinary clinic/hospital, small animal with outdoor kennel	CMU-R, NC(R), HMU-S	15.330 15.360
Animal Rescue Facility		15.330 15.360
Zoo		15.330 15.360
Event or Conference Center	RR-20, CMU-R, AG, NIA	15.330 15.360
Bar or Nightclub	NC(R)	15.330 15.360
Lodge or Inn	SI, EMU	15.330 15.360
Guest/Dude Ranch	RR-20, AG, NIA,	15.330 15.360
RV Park	TC-R	15.330 15.360
Office, greater than 1200 sf	CMU-R	15.330 15.360
Movie Theater	CMU-R	15.330 15.360
Performance Hall	CMU-R	15.330 15.360
Grocery Store	CMU-R	15.330 15.360
Convenience Store/deli	TC-R	15.330 15.360
Industrial Uses		
Resource Extraction and Processing		
Reserved		
Reserved		
Reserved		
Crushing, batch plants, ore milling and processing	RR-20, AG, NIA, RL	15.330 15.336.05 15.370
Energy Production and Distribution		
Wind Energy Conversion, commercial	RR-20, AG, NIA, RL, PL	15.336.07 15.330 15.370
Geothermal generating systems	RR-20, AG, NIA, RL, PL	15.336.08 15.330 15.370
Solar Generation, commercial	RR-20, AG, NIA, RL, PL	15.336.09 15.330 15.370

Conditional Use	Zoning Districts	Reference
Power transmission lines	RR-10, NC, CC, RC, TC-S, HMU-S	15.336.10 15.330 15.370
Power Substations	RR-10, SR-2, SR-1, SR-1/2, SR-12000, SR-9000, NR, NC, CC, TC, TC-S, HMU-S	15.336.11 15.330 15.370
Fossil Fuel generating facility, commercial	RL, PL	15.330 15.370
Manufacturing and Production		
Small Agricultural Production/ Food Production Facility`	AG, NIA, RL, LI-R, LI-S, HI-R, HI-S	15.336.12 15.330 15.370
Small Poultry/Small Meat Processing Facility	AG, NIA, RL, LI-R, LI-S, HI-R, HI-S	15.336.13 15.330 15.370
Meat Processing Facility		15.336.14 15.330 15.370

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Note: The uses identified in this table may be “permitted uses” in zoning districts other than those listed. See Tables of Allowed Uses 15.320-1 through 15.320-5 for a complete list of permitted, conditionally permitted, and prohibited uses by zoning district.

15.336.04 – Reserved

15.336.05 – Reserved

15.336.06 – Reserved

15.336.07 Wind Energy Conversion Systems, Commercial

A. Wind Energy Conversion Systems are a permitted use in the following zoning districts: LI-R, LI-S, HI-R, HI-S, and SI. A conditional use permit (CUP) is required for all commercial use wind energy conversion systems located in the following zoning districts: RR-20, AG, NIA, RL, and PL.

1 B. Written acknowledgment and general approval from the public utility must be included in all WECS
2 applications.

3

4 C. Siting Requirements

5 1. A minimum parcel size of ten (10) acres net is required. No part of the commercial WECS shall
6 be located within or over drainage, utility or other established easements.

7 2. Each wind machine must be set back a minimum of two (2) times the total extended height from
8 any property line, railroad, trail easement, aboveground utility lines or public roads.

9 3. In addition to all other requirements, all proposed commercial WECS located within the Comstock
10 historic district, as established by the Comstock historical commission pursuant to Nevada Revised
11 Statutes chapter 384, shall receive a review, approval and a certificate of appropriateness from the
12 Comstock historic district commission prior to submitting an application for a special use permit.

13 4. Height: Unless otherwise approved the total extended height of the wind machine shall not
14 exceed two hundred feet (200'). The system must be in compliance with FAA regulations
15 regarding height and lighting.

16 5. Minimum Standards: Remaining standards regarding such things as access, noise, design and
17 installation, etc., shall meet or exceed those of private wind energy systems (See Chapter
18 15.335.03 FFF). However, conditions placed on the special use permit may be more restrictive
19 than the minimum standards provided in this chapter.

20 6. A permit from the county building department is required to install an alternative energy system in
21 Lyon County. In evaluating whether to approve a building permit, the building official may request
22 and consider:

23 a. Supporting technical data,

24 b. Test reports, and

25 c. Appropriate documentation from approved sources.

26 7. Deviations from the standards established by this chapter shall require a variance in accordance
27 with Chapter 15.203 of this title.

28

1 **15.336.08 Geothermal Generating Systems**

2

3 **15.336.09 Solar Generation, Commercial**

4 A. Commercial Solar Energy Conversion Systems (SECS) are a permitted use in the following zoning
5 districts: LI-R, LI-S, HI-R, HI-S, and SI. A CUP is required for all commercial use solar energy
6 conversion systems located in the following zoning districts: RR-20, AG, NIA, RL, and PL. Building
7 mounted solar systems, including SECS used as parking lot shade structures, shall not require a CUP
8 provided the structure is conforming, houses or is accessory to a permitted use, and meets all building
9 code requirements.

10

11 B. Written acknowledgment and general approval from the public utility must be included in all SECS
12 applications.

13

14 C. Siting Requirements

15 1. A minimum parcel size of ten (10) acres net is required. No part of the commercial WECS shall
16 be located within or over drainage, utility or other established easements.

17 2. Each SECS array must be set back a minimum of 1500 feet from the boundary of any residential
18 zoning district or be separated by a topographic feature of a height sufficient to completely obstruct
19 views of the SECS from a point 16 vertical feet above the boundary of any residential zoning district if
20 the horizontal distance between the nearest point of the array and a residential zoning district
21 boundary is less than 1500 feet.

22 3. All components of the SECS must be set back from the property boundary a minimum of thirty
23 feet (30').

24 4. In addition to all other requirements, all proposed commercial SECS located within the Comstock
25 historic district, as established by the Comstock historical commission pursuant to Nevada Revised
26 Statutes chapter 384, shall receive a review, approval and a certificate of appropriateness from the
27 Comstock historic district commission prior to submitting an application for a conditional use permit.

1 5. Height: Unless otherwise approved the total extended height of a commercial SECS shall not
2 exceed 24 feet. The system must be in compliance with FAA regulations regarding height and
3 lighting.

4 6. Minimum Standards: Standards for access, noise, design and installation, etc., shall meet or
5 exceed the requirements of Chapter 15.337, Performance Requirements for Industrial Uses.
6 However, conditions placed on the conditional use permit may be more restrictive than the minimum
7 standards provided in this chapter.

8 7. A permit from the county building department is required to install an SEC system in Lyon
9 County. In evaluating whether to approve a building permit, the building official may request and
10 consider:

- 11 a. Supporting technical data,
- 12 b. Test reports, and
- 13 c. Appropriate documentation from approved sources.

14 8. Deviations from the standards established by this chapter shall require a variance in accordance
15 with Chapter 15.203 of this title.

16
17 **15.336.10 Power Transmission Lines**

18
19 **15.336.11 Power Substations**

20
21 **15.336.12 Concentrated Animal Feeding Operation**

22 A. Purpose

23 It is the intent of this subchapter to provide for a viable livestock industry within appropriately zoned areas
24 of Lyon County, protect ground and surface waters, and ensure that animal feeding operations and
25 concentrated animal feeding operations are properly sited, maintained and managed. Concentrated
26 Animal Feeding Operations (CAFOs) are permitted in the following zoning districts as a conditional use:
27 Agricultural (Ag), Non-Irrigated Agriculture (NIA), Resource Land (RL), Light Industrial-Rural (LI-R), and

1 Heavy Industrial-Rural (HI-R) in accordance with the limitations contained in the Tables of Allowed Uses,
2 15.320-1 thru 5.

3

4 B. State General Permit

5 An NPDES Water Pollution Control Permit shall be obtained from the Nevada Division of Environmental
6 Protection (NDEP) for all medium and large Concentrated Animal Feeding Operations (CAFOs) sited in
7 Lyon County.

8

9 C. Conditional Use Permit

10 Any person who owns, operates, or proposes to own or operate a concentrated animal feeding operation
11 as defined herein shall obtain a conditional use permit in compliance with Chapter 15.230 whenever the
12 following occurs:

- 13 1. A new operation is proposed where one does not exist;
- 14 2. The number of animals confined at a pre-existing operation increases to a number equal to the
15 next higher level (medium or large) or the species of confined animal(s) changes;
- 16 3. A signed complaint is received or made by the director or the NDEP and inspection reveals that
17 the operation is in violation of county, state or federal regulations.

18

19 D. Number of Animals for Concentrated Animal Feeding Operations

20 For the purpose of these regulations, CAFOs are divided into Small, Medium and Large operations. Table
21 15.336.11-1 establishes the animal unit equivalent range for Small, Medium and Large CAFOs.

22

23 Table 15.336.11-1. Number of Animal Units to Define Large, Medium, and Small Concentrated Animal
24 Feeding Operations

Small	Medium	Large
25 25 – 249	250 – 999	1000+

25

26 Table 15.336.11-2 Guidelines for Determining Animal Unit Equivalency

Animal	AUE per Animal	100 AUE Equals
1 mature dairy cow	1.4	71 animals
1 dairy calf under 500 lbs	0.5	200 animals
1 slaughter steer or heifer	1.0	100 animals
1 horse	1.0	100 animals
1 swine 55 lbs or more	0.4	250 animals
1 swine 54 lbs or less	0.05	2000 animals
1 suckling pig	0.01	10,000 animals
1 duck	0.2	500 animals
1 sheep	0.1	1000 animals
1 turkey 10 lbs or more	0.018	555 animals
1 turkey under 10 lbs	0.01	10,000 animals
1 chicken	0.01	10,000 animals
1 fish		

1

2 Note: For animals not listed, the average weight of the animal divided by 1,000 pounds will determine
 3 its animal unit equivalency (AUE) value.

4

5 E. Standards for Concentrated Animal Feeding Operations. CAFO's shall be designed, located,
 6 established and operated in full consideration to their proximity to all adjacent uses, their effect upon
 7 adjacent and surrounding properties, to the reduction of noise, odor, dust, and other similar nuisance
 8 factors, and in accordance with the following standards:

- 9 1. Required Minimum Setbacks for New and Expanded Concentrated Animal Feeding Operations,
 10 and Manure Storage. Setbacks are the distance between the listed structure or use and the nearest
 11 point on the perimeter of the CAFO.

12

13 Table 15.336.11-3 Setback Requirements

	Small CAFO	Medium CAFO	Large CAFO
1. Established Residences not including owners/operators	1320 ft	2640 ft	3960 ft
2. Churches, Businesses and Commercially zoned area	1320 ft	2640 ft	5280 ft
3. Federal, State or County Road R.O.W.	990 ft	1320 ft	2640 ft
4. Private wells	250 ft	500 ft	500 ft
5. Public water supply wells	500 ft	1000 ft	1000 ft
6. Waters of the State	500 ft	500 ft	500 ft
7. Source Water Protection Zones	Prohibited	Prohibited	Prohibited
8. Flood Hazard Zones	Prohibited	Prohibited	Prohibited

1

2 3. Modification of Setback. The setbacks listed in Table 15.336.11-3 are minimums, and may be
 3 increased under the terms of a Conditional Use Permit based on considerations and characteristics of
 4 the neighborhood, including but not limited to adjoining or nearby uses within the same or different
 5 districts, prevailing wind direction, soil and/or groundwater levels.

6 The setbacks listed in rows 1 thru 3 on Table 15.336.11-3 may be adjusted based on Odor Footprint
 7 Modelling using site calibrated weather, topographic, and project design data. Applicants wishing to
 8 request a modification using odor footprint modelling shall use the most recent version one of the
 9 following recognized modelling tools:

- 10 • The Nebraska Odor Footprint Tool (NOFT)
- 11 • The ODOR-TRANSMISSION (OT) model

1 Prior to submission of a request to modify the setbacks based on odor footprint modelling, the
2 applicant shall submit a detailed proposal identifying the following:

- 3 a. The setback modelling tool to be utilized;
- 4 b. The odor dispersion model, including data parameters and sources utilized by the setback
5 model;
- 6 c. The name, address and credentials of the entity conducting the modelling;
- 7 d. Proposed site location;
- 8 d. Type of facility(s) to be built on the site;
- 9 e. Basic dimensions of the facility(s);
- 10 f. Animal Equivalent units and type of animal(s)
- 11 g. Type of odor control(s) being considered, if any;
- 12 h. Desired or required annoyance-free frequency(s) to be maintained; and
- 13 i. Topographic details of all land within a five (5) mile radius of the proposed site.

14 The Director shall review the proposal in consultation with the NDEP Bureau of Air Pollution Control
15 (NDEP-BAPC) and Bureau of Air Quality Planning (NDEP-BAQP), the University of Nevada Reno
16 Cooperative Extension, and other entities deemed necessary to evaluate the proposal, and provide
17 the applicant with a written response approving, modifying, or denying the request within 45 days of
18 receipt.

19 Upon completion of the odor footprint model, the applicant shall provide a detailed report including all
20 data inputs, assumptions, and setback recommendations to the director. The report shall be reviewed
21 in the same manner as the initial proposal and forwarded to the commission with a recommendation
22 for approval, modification, or denial.

23 The commission shall consider the request for modification of CAFO setbacks in the same manner as
24 a variance in accordance with the procedures and requirements Chapter 15.203 of this title and may
25 approve the request for modification of the CAFO setback requirements upon the following findings:

- 26 a. That the Odor Footprint Model was conducted in accordance with industry accepted
27 standards;

- 1 b. That the Odor Footprint Model recommended setbacks will achieve an odor threshold limit of
2 no more than ten (10 OUs) with an annual annoyance-free frequency of at least 96% as
3 measured at the setback boundary;
- 4 c. That no convincing evidence to the contrary was presented during the application or public
5 hearing process to support a denial; and
- 6 d. That the setbacks established by the Odor Footprint Model represent the minimum
7 approvable setbacks applicable to the proposed project.
- 8 4. Manure application or disposal. The land application of animal manures and agricultural process
9 wastewater must follow standards for water quality protection acceptable to the NDEP Bureau of
10 Water Pollution Control (NDEP-BWPC) and the setback requirements of rows 4 thru 8 of Table
11 15.336.11-3).
- 12 5. Fly, Vector and Odor Control. CAFOs shall dispose of dead animals, manure, and wastewater in
13 such a manner as to control odors, flies and other vectors.
- 14 6. The commission will review the need for control measures on a site specific basis, taking into
15 consideration prevailing wind direction, topography, and existing nearby land uses. The conditional
16 use permit review shall consider the following:
- 17 a. Methods to be utilized to dispose of dead animals by burial, burning, rendering, or
18 composting approved by the Nevada Department of Agriculture. If the dead animal is disposed by
19 rendering, it must occur within seven (7) days from date of death.
- 20 b. Screening of lagoons or containment structures to help control odors and improve aesthetics.
- 21 c. Grading and/or other methods designed to keep pens and solid waste containment areas dry.
- 22 d. Plans and procedures for the removal of manure from open pens to minimize odor
23 production.
- 24 e. The design of vertical storage systems, deep pit concrete lined holding ponds, or holding
25 ponds with approved impermeable liners for manure storage.
- 26 f. The commission may request information relating to the operation not contained in these
27 regulations.

1 7. The commission may impose, in addition to the standards and requirements set forth in these
2 regulations, additional conditions which are reasonable and related to the use being controlled.

3 8. When warranted by a traffic study the commission may require the applicant to provide a Traffic
4 and Roadway Impact Mitigation Plan identifying primary routes for all project-connected traffic, a
5 baseline roadway conditions report, and a roadway maintenance agreement for maintenance of all
6 county maintained roads providing primary access to the CAFO.

7 9. When considering an application, the commission will take into consideration current and past
8 violations relating to CAFOs that the applicant has had an interest in.

9 10. Change in Ownership. With a change in ownership and completed sale of any CAFO, the new
10 owner is required to bring the operation's manure management plan to current specifications.

11
12 F. Information Required for Concentrated Animal Feeding Operation Permit Application.

13 Prior to consideration by the commission, the applicant for a CUP for a CAFO shall provide the following
14 information to the director:

15 1. Owners, managers, management company(s) or similar entities names, addresses and telephone
16 numbers.

17 2. Legal description of site.

18 3. Number and type of animals.

19 4. A detailed site plan showing location and dimensions of all structures, improvements, and
20 confinement areas.

21 5. A Drainage Study/Plan in conformance with current Lyon County design criteria and improvement
22 standards.

23 6. Fly, Vector and Odor control plan.

24 7. Information on ability to meet designated setback requirements, including maps showing
25 measured distances.

26 8. General Water Pollution Control Permit from the NDEP as required.

27 9. Manure Management Plan identifying the volume of manure to be generated and methods or
28 techniques for the collection, storage, processing and disposal of manure generated by the facility.

1 10. Information on soils, shallow aquifers, designated wellhead protection areas, and flood hazard
2 designations within and adjacent to the site.

3 11. A transportation study and access management plan in conformance with current Lyon County
4 Development Standards.

5 12. Site Plan of the land utilized for manure application and written agreements for application on
6 land not owned by the applicant.

7 13. Proof of insurance, bond, or other assurance of adequate funds set aside by the owner of a
8 CAFO in a site-specific amount determined by a competent professional sufficient to ensure proper
9 clean-up of any environmental damages that might occur and to insure proper closure of the
10 confinement operation.

11
12 **15.336.13 Small Agricultural Production/ Food Processing Facility**

13 A. Purpose

14 It is the intent of this section to provide for a viable non-animal derived food processing industry within
15 appropriately zoned areas of Lyon County, and ensure that food processing operations are properly sited,
16 maintained and managed. Small Agricultural Production/Food Processing facilities are permitted in the
17 following zoning districts as a conditional use: Agricultural (Ag), Non-Irrigated Agriculture (NIA), and
18 Resource Land (RL), in accordance with the limitations contained in the Tables of Allowed Uses 15.320-
19 1thru 5. Small Agricultural Production/Food Processing Facilities located in LI-R, LI-S, HI-R, and HI-S
20 zoning districts are permitted uses subject to the standards and requirements of the zoning district.

21
22 B. Applicability.

23 1. This subsection applies to all food processing operations in the AG, NIA, and RL zoning districts
24 that are commercial in nature and that manufacture, package, label, or store food for human
25 consumption, but does not provide food directly to a consumer, including any establishment that:

26 a. Cans food;

27 b. Packages food in packaging with a modified atmosphere;

- 1 c. Processes vitamins, food supplements, food additives, spices, tea, coffee, salsa, jelly or jam,
- 2 honey, condiments or candy.
- 3 2. The harvesting and minimal packing of whole produce for sale is not considered food processing.
- 4 Food processing includes:
- 5 a. Washing (as ready to eat);
- 6 b. Cutting;
- 7 c. Blending or mixing;
- 8 d. Drying;
- 9 e. Durably packaging and labelling of cut, mixed, blended or dried produce;
- 10 f. Other handling and manufacturing processes.
- 11 3. Registered Farm-to-Fork Operations and Cottage Food Operations are considered to be Home
- 12 Based Businesses and are exempt from the provisions of this subchapter.
- 13 4. Animal Derived Farm Products shall comply with the provisions of subchapter 15.336.13.

14

15 C. Conditional Use Permit

16 Any person who owns, operates, or proposes to own or operate a Small Agricultural Production/Food
17 Processing facility as defined herein shall obtain a conditional use permit in compliance with Chapter
18 15.230 whenever the following occurs:

- 19 1. A new small agricultural production/food processing facility exceeding the definition of a home
20 based business is proposed where one does not exist; or
- 21 2. An existing home based business operating as a small agricultural production/food processing
22 facility expands beyond the definition of a home based business.

23

24 D. Standards for Small Agricultural Production/Food Processing Facilities. Small Agricultural
25 Production/Food Processing Facilities shall be designed, located, established and operated in full
26 consideration to their proximity to all adjacent uses, their effect upon adjacent and surrounding properties,
27 to the reduction of noise, odor, dust, and other similar nuisance factors, and in accordance with the
28 following standards:

1 1. Required Minimum Setbacks for New and Expanded Small Agricultural Production/Food
 2 Processing Facilities. Setbacks are the distance between the listed structure or use and the nearest
 3 point on the perimeter of the Small Agricultural Production/Food Processing Facility.

4

5 Table 15.336.12-1 Setback Requirements

	AG, NIA & RL Zoning Districts
1. Established Residences not including owners/operators	100 feet
2. Churches, Businesses and Commercially zoned area	100 feet
3. Federal, State or County Road R.O.W.	50 feet
4. Source Water Protection Zones	Prohibited
5. Flood Hazard Zones	Prohibited

6

7 2. Modification of Setback. The setbacks listed in Table 15.336.12-1 are minimums, and may be
 8 increased under the terms of a CUP based on considerations and characteristics of the
 9 neighborhood, including but not limited to adjoining or nearby uses within the same or different
 10 districts and prevailing wind direction.

11 3. Fly, Vector and Odor Control. Small Agricultural Production/Food Processing Facilities shall
 12 dispose of all food waste and wastewater in such a manner as to control odors, flies and other
 13 vectors. Solid food waste shall be kept in covered air tight containers and be removed and disposed
 14 of at least weekly.

15 4. Unloading areas shall be located at the rear of the facility.

16 5. All operations other than shipping and receiving shall be conducted in an enclosed building.

17 6. The hours and days of operation as specified by the Commission.

18 7. The operator shall maintain all required federal and state licenses, permits and registrations.

19 8. Development Standards. All activities shall conform to the standards established for industrial
 20 uses in Chapter 15.337 and the Lyon County Design Criteria and Improvement Standards.

21 9. The commission may impose, in addition to the standards and requirements set forth in these
 22 regulations, additional conditions which are reasonable and related to the use being controlled.

1 10. When warranted by a traffic study the commission may require the applicant to provide a Traffic
2 and Roadway Impact Mitigation Plan identifying primary routes for all project-connected traffic, a
3 baseline roadway conditions report, and a roadway maintenance agreement for maintenance of all
4 county maintained roads providing primary access to the Small Agricultural Production/Food
5 Processing Facility.

6
7 E. Information Required for Small Agricultural Production/Food Processing Facility Conditional Use
8 Permit Application.

9 Prior to consideration by the commission, the applicant for a conditional use permit for a Small
10 Agricultural Production/Food Processing Facility shall provide the following information to the director:

- 11 1. Owners, managers, management company(s) or similar entities names, addresses and telephone
12 numbers.
- 13 2. Legal description of site.
- 14 3. The type of food to be processed and a description of all processing operations.
- 15 4. A detailed site plan showing location and dimensions of all structures, improvements, and
16 confinement areas.
- 17 5. A Drainage Study/Plan in conformance with current Lyon County Design Criteria and
18 Improvement Standards.
- 19 6. Fly, Vector and Odor control plan.
- 20 7. A transportation study and access management plan in conformance with current Lyon County
21 Design Criteria and Improvement Standards.

22
23 **15.336.14 Small Poultry/Small Meat Processing Facility**

24 A. Purpose

25 It is the intent of this section to provide for a viable small poultry/small meat processing industry within
26 appropriately zoned areas of Lyon County, and ensure that small poultry/small animal processing facilities
27 are properly sited, maintained and managed. Small poultry/small animal processing facilities are
28 permitted in the following zoning districts as a conditional use: Agricultural (Ag), Non-Irrigated Agriculture

1 (NIA), Resource Land (RL), Light Industrial-Rural (LI-R), Light Industrial-Suburban (LI-S), Heavy
2 Industrial-Rural (HI-R), and Heavy Industrial-Suburban (HI-S) in accordance with the limitations contained
3 in the Tables of Allowed Uses 15.320-1 thru 5.

4

5 B. Applicability.

6 1. This subsection applies to all small poultry/small meat processing operations in the AG, NIA, RL,
7 LI-R, LI-S, HI-R, and HI-S zoning districts that are commercial in nature and that slaughter, butcher,
8 process, package, label, and/or store no more than 200 animal unit equivalents per week of small
9 poultry/small animal derived meat products for human consumption.

10 2. Registered Farm-to-Fork Operations, Cottage Food Operations and slaughtering and private use
11 by the owner or by a custom meat processor holding a custom meat processing permit are
12 considered to be Home Based Businesses are exempt from the provisions of this subchapter.

13 3. Animal Husbandry or animal raising aspects of a small poultry/small meat processing operation
14 are considered to be separate from the processing operations, and not subject to this subchapter.

15

16 C. Conditional Use Permit

17 Any person who owns, operates, or proposes to own or operate a small poultry/small meat processing
18 facility as defined herein shall obtain a conditional use permit in compliance with Chapter 15.230
19 whenever the following occurs:

20 1. A new small poultry/small meat processing facility exceeding the definition of a home based
21 business is proposed where one does not exist; or

22 2. An existing home based business operating as a small poultry/small meat processing facility
23 expands beyond the definition of a home based business.

24

25 D. Standards for Small Poultry/Small Meat Processing Facilities. Small poultry/small meat processing
26 facilities shall be designed, located, established and operated in full consideration to their proximity to all
27 adjacent uses, their effect upon adjacent and surrounding properties, to the reduction of noise, odor, dust,
28 and other similar nuisance factors, and in accordance with the following standards:

- 1 1. Required minimum setbacks for new and expanded small poultry/small meat processing facilities.
- 2 Setbacks are the distance between the listed structure or use and the nearest point on the perimeter
- 3 of the small poultry/small meat processing facilities.

4 Table 15.336.13-1 Setback Requirements

	AG, NIA & RL Zoning Districts	LI-R, LI-S, HI-R & HI-S Zoning Districts
1. Established Residences not including owners/operators	100 feet	100 feet
2. Churches, Businesses and Commercially zoned area	100 feet	100 feet
3. Federal, State or County Road R.O.W.	50 feet	25 feet
4. Source Water Protection Zones	Prohibited	Prohibited
5. Flood Hazard Zones	Prohibited	Prohibited

- 5
- 6 2. Modification of Setback. The setbacks listed in Table 15.336.13-1 are minimums, and may
- 7 be increased under the terms of a conditional use permit based on considerations and
- 8 characteristics of the neighborhood, including but not limited to adjoining or nearby uses within
- 9 the same or different districts and prevailing wind direction.
- 10 3. Fly, Vector and Odor Control. Small poultry/small meat processing facilities shall dispose of
- 11 all food waste and wastewater in such a manner as to control odors, flies and other vectors.
- 12 Solid food waste shall be kept in covered air tight containers and be removed and disposed within
- 13 48 hours.
- 14 4. A maximum of 200 AUE per week.
- 15 5. Unloading areas shall be located at the rear of the facility.
- 16 6. No rendering may take place on the site.
- 17 7. Live animals may be held on the site for no more than twenty-four (24) hours.
- 18 8. All operations other than shipping and receiving shall be conducted in an enclosed building.
- 19 9. The hours and days of operation as specified by the commission.

1 10. The operator shall maintain all required federal and state licenses, permits and registrations.

2 11. Development Standards. All activities shall conform to the standards established for industrial
3 uses in Chapter 15.337 and the Lyon County Design Criteria and Improvement Standards.

4 12. The commission may impose, in addition to the standards and requirements set forth in these
5 regulations, additional conditions which are reasonable and related to the use being controlled.

6
7 E. Information Required for Small Poultry/Small Meat Processing Facility Conditional Use Permit
8 Application.

9 Prior to consideration by the commission, the applicant for a conditional use permit for a small
10 poultry/small meat processing facility shall provide the following information to the director:

- 11 1. Owners, managers, management company(s) or similar entities names, addresses and telephone
12 numbers.
- 13 2. Legal description of site.
- 14 3. The type of animals to be processed and a description of all processing operations.
- 15 4. A detailed site plan showing location and dimensions of all structures, improvements, and
16 confinement areas.
- 17 5. A Drainage Study/Plan in conformance with current Lyon County Design Criteria and
18 Improvement Standards.
- 19 6. Fly, Vector and Odor control plan.
- 20 7. A transportation study and access management plan in conformance with current Lyon County
21 Design Criteria and Improvement Standards.

22
23 **15.336.15 Meat Processing Facility**

24 A. Purpose

25 It is the intent of this subchapter to provide for a viable meat processing industry within appropriately
26 zoned areas of Lyon County, protect ground and surface waters, and ensure that meat processing
27 operations are properly sited, maintained and managed. Meat processing facilities are permitted in the
28 following zoning districts as a conditional use: Agricultural (Ag), Non-Irrigated Agriculture (NIA), Resource

1 Land (RL), Light Industrial-Rural (LI-R), and Heavy Industrial-Rural (HI-R) in accordance with the
2 limitations contained in the Tables of Allowed Uses, 15.320-1 thru 5.

3

4 B. Applicability

5 This subsection applies to all meat processing facilities where the number of live animals confined for the
6 purpose of slaughter and processing meets the limits established for Concentrated Animal Feeding
7 Operations (CAFOs) in the AG, NIA, RL, LI-R, LI-S, HI-R, and HI-S zoning districts that are commercial in
8 nature and that slaughter, butcher, process, package, label, and/or store more than 200 animal unit
9 equivalents per week of animal derived meat products.

10

11 C. Conditional Use Permit

12 Any person who owns, operates, or proposes to own or operate a meat processing facility as defined
13 herein shall obtain a conditional use permit in compliance with Chapter 15.320 whenever the following
14 occurs:

- 15 1. A new meat processing operation is proposed where one does not exist;
- 16 2. The number of animals confined at a pre-existing operation increases to a number equal to the
17 next higher level (small, medium or large); or
- 18 3. A signed complaint is received or made by the director or the Nevada Division of Environmental
19 Protection (NDEP) and inspection reveals that the operation is in violation of county, state or federal
20 regulations.

21

22 D. Standards for Meat Processing Facilities. Meat processing facilities shall be designed, located,
23 established and operated in full consideration to their proximity to all adjacent uses, their effect upon
24 adjacent and surrounding properties, to the reduction of noise, odor, dust, and other similar nuisance
25 factors, and in accordance with the following standards:

- 26 1. Required minimum setbacks for new and expanded meat processing facilities, and manure
27 storage. Setbacks shall be the same as required for an equivalent size confined animal feeding
28 operation.

1 2. Modification of Setback. The setbacks listed in Table 15.336.14-1 are minimums, and may be
2 increased under the terms of a conditional use permit based on considerations and characteristics of
3 the neighborhood, including but not limited to adjoining or nearby uses within the same or different
4 districts and prevailing wind direction.

5 3. Modification of the setbacks listed in rows 1 thru 3 on Table 15.336.14-1 may be adjusted based
6 on Odor Footprint Modelling using site calibrated weather, topographic, and project design data.

7 Applicants wishing to request a modification using odor footprint modelling shall use the most recent
8 version one of the following recognized modelling tools:

- 9 • The Nebraska Odor Footprint Tool (NOFT)
- 10 • The ODOR-TRANSMISSION (OT) model

11 Prior to submission of a request to modify the setbacks based on odor footprint modelling, the
12 applicant shall submit a detailed proposal identifying the following:

- 13 a. The setback modelling tool to be utilized;
- 14 b. The odor dispersion model, including data parameters and sources utilized by the setback
15 model;
- 16 c. The name, address and credentials of the entity conducting the modelling;
- 17 d. Proposed site location;
- 18 e. Type of facility(s) to be built on the site;
- 19 f. Basic dimensions of the facility(s);
- 20 g. Animal Equivalent units and type of animal(s);
- 21 h. Type of odor control(s) being considered, if any;
- 22 i. Desired or required annoyance-free frequency(s) to be maintained; and
- 23 j. Topographic details of all land within a five (5) mile radius of the proposed site.

24
25 The director shall review the proposal in consultation with the NDEP Bureau of Air Pollution Control
26 (NDEP-BAPC) and Bureau of Air Quality Planning (NDEP-BAQP), the University of Nevada Reno
27 Cooperative Extension, and other entities deemed necessary to evaluate the proposal, and provide

1 the applicant with a written response approving, modifying, or denying the request within 45 days of
2 receipt.

3 Upon completion of the odor footprint model, the applicant shall provide a detailed report including all
4 data inputs, assumptions, and setback recommendations to the director. The report shall be reviewed
5 in the same manner as the initial proposal and forwarded to the commission with a recommendation
6 for approval, modification, or denial.

7 4. The commission shall consider the request for modification of setbacks in the same manner as a
8 variance in accordance with the procedures and requirements Chapter 15.203 and may approve the
9 request for modification of the setback requirements upon the following findings:

10 a. That the Odor Footprint Model was conducted in accordance with industry accepted
11 standards;

12 b. That the Odor Footprint Model recommended setbacks will achieve an odor threshold limit of
13 no more than ten (10 OUs) with an annual annoyance-free frequency of at least 96% as
14 measured at the setback boundary;

15 c. That no convincing evidence to the contrary was presented during the application or public
16 hearing process to support a denial; and

17 d. That the setbacks established by the Odor Footprint Model represent the minimum
18 approvable setbacks applicable to the proposed project.

19 5. Manure application or disposal. The land application of animal manures and agricultural process
20 wastewater must follow standards for water quality protection acceptable to the NDEP Bureau of
21 Water Pollution Control (NDEP-BWPC) and the setback requirements of rows 4 thru 8 of Table
22 15.336.14-1).

23 6. Fly, Vector and Odor Control. Meat processing facilities shall dispose of dead animals, manure,
24 and wastewater in such a manner as to control odors, flies and other vectors.

25 7. No rendering may take place on the site.

26 8. Live animals may be held on the site for no more than twenty-four (24) hours.

27 9. All operations other than shipping, receiving and holding shall be conducted in an enclosed
28 building.

1 10. The hours and days of operation as specified by the commission.

2 11. The operator shall maintain all required federal and state licenses, permits and registrations.

3 12. Development Standards. All activities shall conform to the standards established for industrial
4 uses in Chapter 15.337 and the Lyon County Design Criteria and Improvement Standards.

5 13. The commission may impose, in addition to the standards and requirements set forth in these
6 regulations, additional conditions which are reasonable and related to the use being controlled.

7
8 E. Application Review.

9 The Commission will review the need for control measures on a site specific basis, taking into
10 consideration prevailing wind direction, topography, and existing nearby land uses. The conditional use
11 permit review shall consider the following:

12 1. Methods to be utilized to dispose of dead animals approved by the Nevada Department of
13 Agriculture.

14 2. Screening of lagoons or containment structures to help control odors and improve aesthetics.

15 3. Grading and/or other methods designed to keep pens and solid waste containment areas dry.

16 4. Plans and procedures for the removal of manure from open pens to minimize odor production.

17 5. The design of vertical storage systems, deep pit concrete lined holding ponds, or holding ponds
18 with approved impermeable liners for manure storage.

19 6. The Commission may request information relating to the operation not contained in these
20 regulations.

21
22 F. When warranted by a traffic study the commission may require the applicant to provide a Traffic and
23 Roadway Impact Mitigation Plan identifying primary routes for all project-connected traffic, a baseline
24 roadway conditions report, and a roadway maintenance agreement for maintenance of all county
25 maintained roads providing primary access to the meat processing.

1 G. When considering an application, the commission will take into consideration current and past
2 violations relating to concentrated animal feeding operations and/or meat processing operations that the
3 applicant has had an interest in.

4

5 H. Change in Ownership. With a change in ownership and completed sale of any meat processing
6 operation, the new owner is required to bring the facility's manure management plan to current
7 specifications.

8

9 I. Information Required for Meat Processing Facility Permit Application.

10 Prior to consideration by the commission, the applicant for a conditional use permit for a meat processing
11 facility shall provide the following information to the director:

- 12 1. Owners, managers, management company(s) or similar entities names, addresses and telephone
13 numbers.
- 14 2. Legal description of site.
- 15 3. Number and type of animals.
- 16 4. A detailed site plan showing location and dimensions of all structures, improvements, and
17 confinement areas.
- 18 5. A Drainage Study/Plan in conformance with current Lyon County Design Criteria and
19 Improvement Standards.
- 20 6. Fly, Vector and Odor control plan.
- 21 7. Information on ability to meet designated setback requirements, including maps showing
22 measured distances.
- 23 8. General Water Pollution Control Permit from the NDEP as required.
- 24 9. Nutrient Management Plan.
- 25 10. Information on soils, shallow aquifers, designated wellhead protection areas, and flood hazard
26 designations within and adjacent to the site.
- 27 11. A transportation study and access management plan in conformance with current Lyon County
28 Design Criteria and Improvement Standards.

1 12. Site Plan of the land utilized for manure application and written agreements for application on
2 land not owned by the applicant.

3 13. Proof of insurance, bond, or other assurance of adequate funds set aside by the owner of a meat
4 processing operation in a site-specific amount determined by a competent professional sufficient to
5 ensure proper clean-up of any environmental damages that might occur and to insure proper closure
6 of the confinement operation.

7

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1 **Chapter 15.337 Performance Requirements for Industrial Uses**

2

3 **15.337.01 Purpose**

4 Performance standards are intended to ensure that all industrial uses will provide necessary operational
5 procedures and control methods to protect the county and its residents from hazards and nuisances; to
6 set objective and quantifiable standards for the maximum tolerated levels of frequently hazardous or
7 annoying emissions; and to protect any industry from arbitrary exclusion or persecution based solely on
8 the characteristics of that type of industry's past uncontrolled operation.

9

10 **15.337.02 Applicability**

11 Development of any land or structure that will contain an industrial use, or a mix of industrial and other
12 uses shall comply with Appendix B, Lyon County Design Criteria and Improvement Standards, other
13 applicable health and safety regulations, Chapter 6.02 of the Lyon County Code and the requirements of
14 this chapter.

15

16 **15.337.03 Standards**

17 A. Off-street parking and loading.

18 Off-street parking and loading provisions shall be administered pursuant to Chapter 15.401. In addition,
19 for new development loading areas must be located in such a manner that no loading, unloading and/or
20 maneuvering of trucks associated therewith takes place on public rights-of-way.

21

22 B. Maintenance.

23 The owner, lessee or user shall be responsible for maintaining an orderly appearance of all properties,
24 and shall be responsible for assuring the care and maintenance of any natural growth where appropriate.
25 All required yards, parking areas, storage areas, operation yards and other open uses on the site which
26 are adjacent to a public right-of-way shall be maintained in a neat and orderly manner appropriate for the
27 district at all times.

28

1 C. Enclosure.

2 All manufacturing or fabrication processes which produce physical off-site impacts of a detrimental nature
3 shall be sufficiently enclosed to mitigate the impact.

4

5 D. Pollution control and nuisance abatement.

6 Each industry is required to continuously employ the best pollution control and nuisance abatement
7 technology when reasonable and practicably available for each particular industry; provided, that where
8 federal or state laws or regulations provide for the level of technology to be employed, the appropriate
9 state or federal standards shall apply. Hazardous waste shall be managed in accordance with the
10 requirements of Chapter 6.02 of the Lyon County Code.

11

12 E. Heat, light and glare.

13 All operations and facilities producing heat, light or glare, including exterior lighting, shall be so
14 constructed, screened or used as to not unreasonably infringe upon the use and enjoyment of property
15 beyond the boundaries of the district.

16

17 F. Ground vibrations.

18 No ground vibration other than that caused by highway vehicles, trains or construction activity shall be
19 permitted which is discernible, without instruments, at or beyond the property line for the use concerned.

20

21 G. Odor, dust, dirt, and smoke.

22 Odor, dust, dirt, or smoke shall not be emitted that is detectable at or beyond the property line, for the use
23 concerned, in such a concentration or of such duration as to cause a public nuisance, or threaten health
24 or safety, or to unreasonably infringe upon the use and enjoyment of property beyond the boundaries of
25 the district.

26

27 H. Noise.

28 No use in this district shall exceed the maximum environmental noise level at the property line:

- 1 1. When adjacent to a Commercial or Industrial Use or zone:
 - 2 Daytime 75 dBA and Nighttime 70 dBA
- 3 2. When adjacent to a residential zone:
 - 4 Daytime 65 dBA and Nighttime 60 dBA
- 5
- 6 I. Toxic gases and fumes.
 - 7 There shall be no emission of toxic gases or fumes.
 - 8
- 9 J. Liquid pollutants.
 - 10 There shall be no release to soil or surface drainage ways of water borne or liquid pollutants.

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1 Chapter 15.338- RESERVED

2

3 Chapter 15.339- RESERVED

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1 **Chapter 15.340 Residential Design Standards**

2

3 **15.340.01 Residential Design Standards**

4 The design standards of this title establish certain restrictions for residential development. These
5 standards allow for variety in housing types while maintaining the overall character of neighborhoods
6 throughout County. Design standards are based on the County's suburban and rural character areas.
7 Separate standards are established to regulate development in each zone. This approach to character
8 districts and zone specific design standards has several public benefits:

9

10 It allows for development that is more sensitive to the environment and allows for the preservation of
11 open and natural areas.

12 It promotes quality site layout and energy-efficient development.

13 It promotes affordable and life-cycle housing.

14 It promotes development intensities that match existing and proposed infrastructure investments.

15

16 **15.340.02 Residential Development Design Standards**

17 A. Conventional Subdivision

18 Conventional subdivision is a pattern of residential development that provides a majority of property
19 owners with substantial yards on their own property. Lots are typically at the minimum size for a specific
20 zoning district, and uniform in dimension and net area. Structures are sited uniformly to front and side
21 setback limits.

22

23 B. Cluster Subdivision

24 Cluster subdivisions trade smaller lot sizes (with smaller yards) for additional common open space. A
25 cluster subdivision shall be a minimum size to ensure sufficient common open space can be incorporated
26 into the subdivision design.

27

28 C. Mixed Residential Subdivision

1 Mixed residential subdivisions allow for a diversity of single family housing types and styles within a single
 2 subdivision development while maintaining the underlying density and character of the zoning district in
 3 which it is located. The following housing types may be incorporated into a Mixed Residential Subdivision
 4 subject to the limitations of the specific zoning district: Single Family detached, Zero Lot Line, Alley
 5 Loaded, Semi attached, Cottage Housing, and Townhouse.

6
 7 **D. Planned Unit Development**

8 Planned Unit Development (PUD) allows maximum flexibility and creativity in the design and execution of
 9 large scale development projects through the use of project specific design standards, a mix of land uses,
 10 and an extended development schedule. Planned Unit Development is intended to create a mix of
 11 residential and non-residential development on parcels in excess of 5acres in suburban character areas
 12 with access to public water and sewer and the arterial transportation network.

13
 14 **15.340.03 Subdivision Type by Character District and Zone**

15 The design standards set forth in this Chapter provide for alternative subdivision types in each character
 16 district and zoning district, as follows.

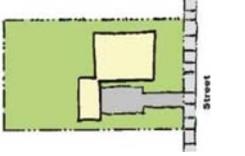
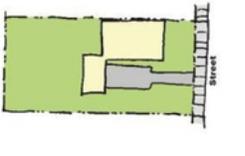
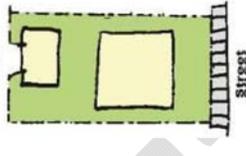
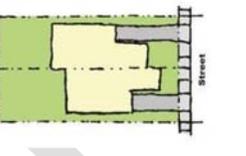
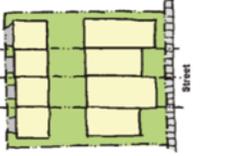
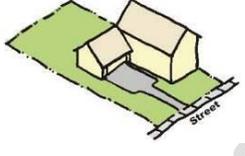
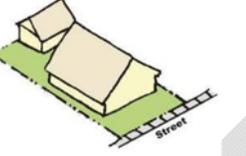
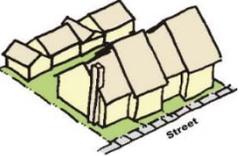
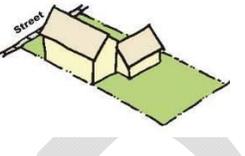
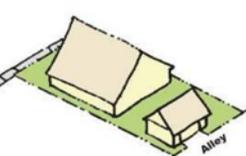
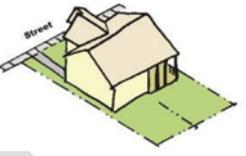
	RURAL			SUBURBAN				
	AG	RR-20	RR-2	SR-2	SR12000	NR	MFR	RMU
	NIA	RR-10	RR-1	SR-1	SR9000			
	RL	RR-5		SR-1/2				
Conventional	-	P	P	P	P	-	-	-
Cluster	AG NIA	P	P	P	SR12000	-	-	-
Mixed Residential	-	-	-	SR1/2	P	P	P	P
Planned Unit Development	-	-	-	P	P	P	P	P

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1 **15.340.04 Housing Types**

2 The following housing types are established to provide a common terminology for housing in the County. All drawings are for illustrative purposes
 3 only.

Single Family Detached	Zero Lot Line House Chapter 15.346	Alley-Loaded House Chapter 15.347	Semi-Attached House	Courtyard Cottage Chapter 15.344	Townhouse Chapter 15.345
<p>A dwelling unit located on a single lot with private yards on all four sides</p>	<p>A dwelling unit located on a single lot with private yards on three sides. The house has only a single side yard comprising the equivalent of the two side yards of a single-family detached house.</p>	<p>A dwelling unit located on a single lot with private yards on all four sides. The house is set much closer to the street than a single-family detached house, and alley access is required.</p>	<p>Two attached single-family units located on two lots that share a common wall along the lot line, providing for fee-simple ownership.</p> <p>This Duplex building type consists of structures that contain two side-by-side dwelling units, both facing the street, and sharing one common party wall. This building type has the appearance of a medium to large single-family home. This type is typically integrated sparingly into single-family neighborhoods or more consistently into neighborhoods with other medium density types such as</p>	<p>The Courtyard Cottage building type consists of a series of small detached or attached houses on a single lot, arranged to define a shared court that is perpendicular to the street. All units are oriented to and are accessed from this shared court. This type is typically integrated sparingly into single-family neighborhoods or more consistently into neighborhoods with other medium density types such as duplexes, fourplexes, or courtyard apartments. This</p>	<p>Three or more attached units where the units are lined up in a row and share side walls. Access to garages is generally from the rear.</p> <p>A small side or rear yard is provided for each unit as private open space. This building type provides a higher density, fee-simple unit in a more urban form.</p>

Single Family Detached	Zero Lot Line House Chapter 15.346	Alley-Loaded House Chapter 15.347	Semi-Attached House	Courtyard Cottage Chapter 15.344	Townhouse Chapter 15.345
			<p>courtyard cottages, fourplexes, or courtyard apartments. This building type enables the incorporation of high-quality, well-designed density within a walkable neighborhood.</p>	<p>building type provides an option for living in a smaller, high-quality house in a more community-driven environment due to the shared outdoor space.</p>	
					
					
					

1 **15.340.05 Conventional Subdivision.**

2 A. A conventional subdivision is permitted in the RR-10, RR-5, RR-2, RR-1, SR-2, SR-1, SR-1/2, and
3 SR-12000 districts. Applicants shall comply with all other provisions of this title and all other applicable
4 laws, except those that are incompatible with the provisions contained herein.

5
6 B. Dimensional standards. Applicants using the conventional subdivision option shall meet the
7 dimensional standards of the standards of the zoning district.

8
9 **15.340.06 Cluster Subdivision.**

10 A. Applicability. A cluster subdivision is permitted in the AG, NIA, RR-20, RR-10, RR-5, RR-2, RR-1, SR-
11 2, SR-1, SR-1/2, and SR-12000 districts. Applicants proposing a Cluster Subdivision shall comply with the
12 provisions of 15.340.09 and Chapter 15.343, all other provisions of this title and all other applicable laws,
13 except those that are incompatible with the provisions contained herein.

14
15 B. Dimensional standards. Applicants using the cluster subdivision option shall meet the dimensional
16 standards of the zoning district.

17
18 C. Ownership of development site. The development site to be subdivided may be held in single and
19 separate ownership or in multiple ownership. If held in multiple ownership, however, the site shall be
20 developed according to a single plan with common authority and common responsibility.

21
22 **15.340.07 Mixed Residential Subdivision.**

23 A. Applicability. A mixed residential subdivision is permitted in suburban character areas with SR-1/2,
24 SR-12000, SR-9000, NR, RMU and MFR district designations. Applicants shall comply with the provisions
25 of 15.340.09 and Chapters 15.344, 15.345, 15.346, 15.347, and 15.348, as applicable, all other
26 provisions of this title and all other applicable laws, except those that are incompatible with the provisions
27 contained herein.

1 B. Dimensional standards. Applicants using the Mixed Residential Subdivision option shall meet the
2 dimensional standards of the zoning district.

3 C. Density. Aggregate density shall be no greater than the density permitted in the underlying zoning
4 district.

5 D. Open Space. Total project open space shall not be less than the aggregate requirement for each
6 housing type.

7 E. Ownership of development site. The development site to be subdivided may be held in single and
8 separate ownership or in multiple ownership. If held in multiple ownership, however, the site shall be
9 developed according to a single plan with common authority and common responsibility.

10

11 F. Special standards for mixed residential subdivisions.

12 1. Subdivision design.

13 a. No block shall be longer than 600 feet in length unless a mid-block pedestrian and bicycle
14 connection is provided, in which case the block may extend up to 1,000 feet. A single-loaded street
15 (houses on only one side) shall not be restricted in length, provided that mid-block pedestrian and
16 bicycle connections are made at the rate of one for every 600 feet in length.

17 b. All residential collector streets shall be designed as parkways.

18 c.

19

20 **15.340.08 Planned Unit Development**

21 A. Applicability. Planned Unit Development (PUD) is permitted in all zoning districts within suburban
22 character districts where the proposed development is consistent with the Lyon County Comprehensive
23 Master Plan and applicable Community Plans, will not conflict with existing uses both within the project
24 site and sites adjacent to, or in close proximity to the PUD site.

25

26 B. Dimensional Standards. Dimensional standards for Planned Unit Development proposals shall be in
27 general conformance with the standards established for the underlying zoning district or districts and
28 modifications as permitted by Chapters 15.341 through 15.349.

1

2 C. Permitted Uses. A planned unit development may include any uses permitted in any zone
3 classification consistent with the underlying master plan designation(s) provided that any combination of
4 uses are planned in a manner compatible to each and to the surrounding environment.

5

6 D. Ownership of development site. The entire property proposed for development as a PUD shall be
7 under common ownership or unified control, so as to ensure unified development.

8

9 E. Special Standards for Planned Unit Development.

10 1. Design Regulations. Each Planned Unit Development shall be governed by a Design Manual
11 prepared and adopted as a component of the Planned Unit Development approval. The Design
12 Manual shall conform to the requirements of 15.349 of this title.

13 2. Density. The allowable density for a Planned Unit Development shall be compatible with the Lyon
14 County Comprehensive Master Plan and applicable Community Plans. The following factors will be
15 considered in approving the allowable density of a Planned Unit Development project:

16 a. The geotechnical characteristics of the site, including soils, proximity to identified faults.

17 b. Groundwater recharge capacity, etc.

18 c. The topography of the project site.

19 d. Drainage within and through the project site.

20 e. The impact of the project on views into and from the site.

21 f. Project layout and subdivision scheme.

22 g. Relation to existing and planned transportation facilities.

23 h. Water and sewer capacity.

24 3. Common Open Space. Each Planned Unit Development shall contain a minimum of twenty
25 percent (20%) Common Open Space meeting the requirements of 15.340.09 below and 15.349.

26 4. Buffer Zones. Each Planned Unit Development shall include buffers between dissimilar uses
27 within the project, and the project shall be designed in consideration of height, density, architecture,
28 and landscaping of existing uses adjacent to the planned unit development project.

1 5. Landscaping. All components of Planned Unit Development projects shall be landscaped in
2 accordance with the requirements of 15.402. Landscaping requirements shall be incorporated into the
3 Planned Unit Development's Design Manual.
4

5 **15.340.09 Special Standards for Cluster, Mixed Residential Subdivisions, and Planned Unit**
6 **Developments**

7 A. Open Space Requirements

8 1. Open space is an integral part of cluster subdivision, mixed residential subdivision, and planned
9 unit development. The minimum protected open space for each subdivision type by district is set forth
10 in Chapters 15.340, 15.343, 15.344, 15.345, 15.346, 15.347, and 15.349. Once this minimum open
11 space requirement has been met, no additional open space shall be required on the site, except
12 where otherwise required by state or federal law.

13 2. Configuration of open space.

14 a. The minimum width for any required open space shall be 50 feet. Exceptions may be granted
15 for items such as trail easements, mid-block crossings, linear parks/medians, when their purpose
16 meets the intent of the open space section.

17 b. At least 60 percent of the required open space shall be in a contiguous tract. For the
18 purposes of this section, contiguous shall include any open space bisected by a residential street
19 (including a residential collector), provided that:

20 i. A pedestrian crosswalk is constructed to provide access to the open space on both sides
21 of the street; and

22 ii. The right-of-way area is not included in the calculation of minimum open space required.

23 c. The open space shall adjoin any neighboring areas of open space, other protected areas,
24 and non-protected natural areas that would be candidates for inclusion as part of a future area of
25 protected open space.

26 d. At least 25 percent of the open space shall be made accessible with trails, active recreation
27 areas or other similar improvements. Trails shall be developed in accordance with the Lyon
28 County Design Criteria and Improvement Standards (providing for neighborhood, connector and

1 regional corridors). Active recreation areas shall be developed in accordance with the
2 requirements in Lyon County Design Criteria and Improvement Standards. Where open space
3 consists of agricultural land in active use, this accessibility requirement shall not apply.

4 e. The open space shall be directly accessible to the largest practicable number of lots within
5 the subdivision. Non-adjoining lots shall be provided with safe, convenient access to the open
6 space (i.e. mid-block connections in logical locations). No lot within the subdivision shall be
7 further than a $\frac{1}{4}$ -mile radius from the required open space. This radius shall be measured in a
8 straight line, without regard for street, sidewalk or trail connections to the open space.

9 3. Permitted uses of open space.

10 Uses of open space may include the following:

- 11 a. Conservation areas for natural, archeological or historical resources;
- 12 b. Meadows, woodlands, wetlands, wildlife corridors, game preserves, or similar conservation-
13 oriented areas;
- 14 c. Pedestrian or multipurpose trails;
- 15 d. Passive recreation areas, including pocket parks;
- 16 e. Active recreation areas, such as ball fields and playgrounds, provided that impervious area is
17 limited to no more than ten (10) percent of the total open space (active recreation areas in excess
18 of this impervious area limit shall be located outside of the protected open space);
- 19 f. Golf courses in suburban character area (excluding clubhouse areas and maintenance
20 facilities), provided the area does not exceed 50 percent of the required open space, and further
21 provided that impervious area is limited to no more than ten (10) percent of the total open space;
- 22 g. Above-ground utility rights-of-way, provided the area does not exceed 25 percent of the
23 required open space;
- 24 h. Water bodies, such as lakes and ponds, and floodways provided the total surface area does
25 not exceed 50 percent of the required open space;
- 26 i. Agriculture, horticulture, silviculture or pasture uses as provided for in a conservation plan
27 approved by the Conservation District;
- 28 j. Landscaped stormwater management facilities;

- 1 k. Easements for drainage, access, and underground utility lines; and
2 l. Other conservation-oriented uses compatible with the purposes of these regulations.
3 4. Prohibited uses of open space.

4 Open space shall not include the following:

- 5 a. Golf courses and above-ground utility rights-of-way in Rural Character Areas.
6 b. Community or individual wastewater disposal systems;
7 c. Streets (except for street crossings as expressly provided above) and parking areas;
8 d. Agricultural and forestry activities not conducted according to a conservation plan approved
9 by the Conservation District or a forest management plan approved by the Nevada Division of
10 Forestry; and
11 e. Other activities as determined by the applicant and recorded on the legal instrument
12 providing for permanent protection.
- 13 5. Ownership and management of open space.
- 14 a. Ownership of open space. No residential lots shall be allowed to extend into the required
15 open space. Open space shall be accepted and owned by one of the following entities:
- 16 i. Conservation District. The responsibility for maintaining the open space and any facilities
17 shall be borne by the Conservation District.
- 18 ii. Land conservancy or land trust. The responsibility for maintaining the open space and
19 any facilities shall be borne by a land conservancy or land trust.
- 20 iii. Homeowners association. A homeowners association representing residents of the
21 subdivision shall own the open space. Membership in the association shall be mandatory and
22 automatic for all homeowners of the subdivision and their successors. The Homeowners'
23 Association shall have lien authority to ensure the collection of dues from all members. The
24 responsibility for maintaining the open space and any facilities shall be borne by the
25 Homeowner's Association.
- 26 iv. Private landowner. A private landowner may retain ownership of open space, provided
27 that a conservation easement meeting the standards for conservation easements established

- 1 by the IRS and approved by the County is recorded. The responsibility for maintaining the
2 open space and any facilities shall be borne by the private landowner.
- 3 v. Lyon County. The responsibility for maintaining the open space and any facilities shall be
4 borne by the County.
- 5 b. Management plan. Applicants shall submit a Plan for the management of open space and
6 other common facilities that:
- 7 i. Allocates responsibility and guidelines for the maintenance and operation of the open and
8 any facilities located thereon, including provisions for ongoing maintenance and for long-term
9 capital improvements;
- 10 ii. Estimates the costs and staffing requirements needed for maintenance and operation of,
11 and insurance for, the open space and outlines the means by which such funding will be
12 obtained or provided;
- 13 iii. Provides that any changes to the Plan be approved by the County; and
- 14 iv. Provides for enforcement of the Plan.
- 15 c. Maintenance of open space.
- 16 i. Passive open space maintenance is limited to removal of litter, dead tree and plant
17 materials (that obstructs pedestrian movement), brush; weeding and mowing, and removal of
18 fire hazards and fuels modifications. Natural water courses are to be maintained as free-
19 flowing and devoid of debris. Stream channels shall be maintained so as not to alter or
20 increase floodplain levels.
- 21 ii. No specific maintenance is required for agricultural uses.
- 22 iii. Active open space areas shall be accessible to all residents of the development.
23 Maintenance is limited to ensuring that there exist no hazards, nuisances or unhealthy
24 conditions, including weeds and flammable fuels.
- 25 d. Failure to maintain open space. In the event the party responsible for maintenance of the
26 open space fails to maintain all or any portion in reasonable order and condition, the County may
27 assume responsibility for its maintenance and may enter the premises and take corrective action,
28 including the provision of extended maintenance. The County may file an enforcement action for

1 failure to maintain open space. The costs of such maintenance may be charged to the
2 Homeowner's Association, or to the individual property owners that make up the Homeowner's
3 Association, or other entity responsible for maintenance of the open space, and may include
4 administrative costs and penalties. Such costs shall become a lien on all subdivision properties.

5 e. Legal instrument for permanent protection.

6 i. The open space shall be protected in perpetuity by a binding legal instrument that is
7 recorded with the deed and enforceable by Lyon County. The instrument shall be one of the
8 following:

9 (1) A permanent conservation easement in favor of either:

10 a) The Conservation District; or

11 b) A land trust or similar conservation-oriented non-profit organization with legal
12 authority to accept such easements. The organization shall be bona fide and in
13 perpetual existence and the conveyance instruments shall contain an appropriate
14 provision for re-transfer in the event the organization becomes unable to carry out its
15 functions; or

16 c) A governmental entity with an interest in pursuing goals compatible with the
17 purposes of this ordinance. If the entity accepting the easement is not the County,
18 then a third party right of enforcement favoring the County shall be included in the
19 easement.

20 (2) A permanent restrictive covenant for conservation purposes in favor of a
21 governmental entity.

22 (3) An equivalent legal tool that provides permanent protection, if approved by the
23 County.

24 ii. The instrument for permanent protection shall include clear restrictions on the use of the
25 open space. These restrictions shall include all restrictions contained in this chapter, as well
26 as any further restrictions the Applicant chooses to place on the use of the open space.
27 Where appropriate, the instrument shall allow for stream or habitat restoration within the
28 easement area.

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B. Utilities. To the maximum extent determined feasible, utilities shall be placed underground.

C. Perimeter compatibility.

1. Applicability. Perimeter compatibility is required along project boundaries for cluster, mixed residential subdivisions, and planned unit developments to provide a suitable transition between the proposed subdivision and adjacent development.

2. Buffer required. A landscaped buffer shall be required along all boundaries of a cluster, mixed residential subdivision, or planned unit development. This buffer shall be a natural, undisturbed area where possible, and shall count towards the provision of open space for the development where the buffer is not platted and made part of an individual, privately-owned lot. Where an existing natural, undisturbed area does not exist, a planted buffer shall be required as follows:

a. Project Boundary Buffer.

i. A project boundary buffer shall be provided along all project boundaries other than arterial streets, and shall be measured perpendicular to the property lines that define the project area.

b. Minimum Project Boundary Buffer Width.

i. The minimum width of the project boundary buffer shall be 25 feet where the width of the project's perimeter lots adjacent to the buffer is equal to or greater than the minimum lot width of the adjoining development or the minimum lot width required by the zoning district applied to any adjoining undeveloped parcel.

ii. Where narrower lot widths are provided, the minimum buffer width shall be 50 feet.

iii. In Suburban Character Areas, the required width of any project boundary buffer may be reduced by 33 percent, provided a minimum six (6) foot tall opaque wall is constructed along the project boundary.

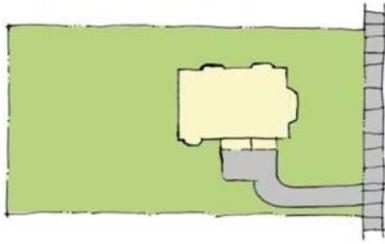
c. Arterial Street Buffer. An arterial street buffer shall be provided along any project boundary that abuts an arterial street. The buffer shall be measured perpendicular to the right-of-way line that defines the project area.

- 1 i. The minimum width of the buffer shall be 50 feet.
- 2 ii. In Suburban Character Areas, the required width of a project boundary buffer may be
- 3 reduced by 33 percent, provided that an opaque wall is constructed along the arterial street.
- 4 iii. Where a berm is created in an unvegetated portion of buffer, the shrub planting
- 5 requirement below shall be waived. Such berms shall have a minimum height of three (3) feet
- 6 and a maximum height of six (6) feet. The maximum slope of the berm shall be 3:1. Berms
- 7 shall vary in size (length and width) and in shape to avoid a strictly linear or repetitive
- 8 appearance.
- 9 d. Buffer planting in conformance with Chapter 15.402, Landscape Standards.
- 10 e. Trails within Required Buffers. Trails may be incorporated into required buffer areas provided
- 11 adequate width (minimum 15 feet) is added to the required buffer width to accommodate both the
- 12 trail and the required buffer plantings. Buffers with trails may also count toward the provision of
- 13 open space for the development.

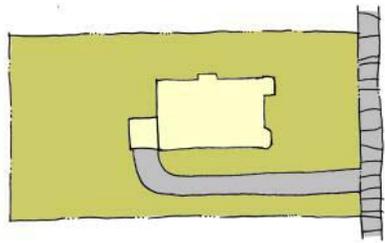
14
15 D. Anti-Monotony.

- 16 1. Applicability.
- 17 a. No building permit shall be issued for any new home that has been determined to be similar
- 18 in appearance to any home near the proposed home in accordance with the review criteria below.
- 19 b. The following homes or projects shall be exempt from the provisions of this section.
- 20 i. Any subdivision with lots of one (1) acre or more;
- 21 ii. Any home for which a building permit was approved before enactment of this code,
- 22 including a home being remodeled, reconstructed or replaced after damage by fire,
- 23 windstorm or other casualty; and
- 24 iii. Where continuity of style and character are desired outcomes, and the specific designs
- 25 have been incorporated into an approved Project Design Manual.
- 26 2. Lots to be reviewed.
- 27 a. Differences shall be reviewed for two (2) lots on either side of the proposed home on the
- 28 same side of the street.

- 1 b. Where lots are interrupted by an intervening street, parkland or similar feature of at least 50
2 feet in width, no review shall be necessary.
- 3 c. The proposed home shall be considered different from any vacant lot for which no building
4 permit has been issued without requiring further documentation.
- 5 3. Review criteria. In determining whether a proposed home is similar in appearance, the following
6 elements shall be considered. At least one (1) of the elements of the proposed home must differ from
7 each existing or permitted home.
- 8 a. Number of stories;
- 9 b. Garage location;
- 10 c. Articulation of front façade.
- 11 d. Setback variation greater than three (3) feet.
- 12 4. Review procedure.
- 13 a. Applicant shall provide a copy of the Covenants, Conditions and Restrictions or other design
14 control document for the proposed subdivision as part of the preliminary plat review process that
15 addresses the standards established in this section related to anti-monotony.
- 16 b. A subdivision or phase of a subdivision may be reviewed as a whole for conformity with this
17 requirement, provided that adequate documentation to ensure conformity is submitted with the
18 plat.
- 19 c. The County shall review the submitted documentation and make a determination. Where the
20 County finds that a home for which a building permit is being requested is similar in appearance
21 based on the standards above, the permit shall be denied.
- 22
- 23 E. Garage location.
- 24 1. Applicability. On lots of less than one (1) acre, garage placement shall match one of the following
25 garage standards.
- 26 2. Garage Standards
- 27 a. Side-loaded garage



- 1
- 2 Orient the garage door perpendicular to the street and provide an integrated architectural
- 3 treatment such as columns and a trellis, eyebrow roof, decorative masonry or other materials to
- 4 provide articulation and to visually diminish the impact of the garage doors.
- 5 b. Rear yard garage (alley or front loaded).



- 6
- 7 Locate the garage behind the rear of the principal building.

- 8
- 9 c. Front-loaded garage.



- 10
- 11
- 12 Orient the garage toward the street, provided the following conditions are met.
- 13 i. Position garage door at least four (4) feet behind the primary front wall plane of the
- 14 building front; or
- 15 ii. Position the garage doors flush with or forward of the front of the building and provide an
- 16 integrated architectural treatment such as columns and a trellis, eyebrow roof, decorative

1 masonry or other materials to provide articulation and to visually diminish the impact of the
2 garage doors. No individual garage door may exceed 12 feet in width when applying this
3 alternative and a maximum of three (3) garage doors shall be allowed.

DRAFT

1 **Chapter 15.341 Single-Family Detached Residential Development in Suburban Character Districts.**

2

3 **15.341.01 Applicability**

4 This chapter applies to single-family residential structures in new residential development projects in the
5 following suburban residential districts: SR-12000, SR-9000, SR-4500, NR, RMU, CMU, and EMU.

6

7 **15.341.02 Siting.**

8 Houses should be designed and sited to conform to the natural terrain as much as possible and to take
9 advantage of views. In tracts, houses should be located on their lots so as to create interest and varying
10 vistas as a person moves along the street. In order to prevent a tract from exhibiting a row-house effect,
11 no more than two (2) adjacent residences should have the same setback; and the minimum setback
12 variation should be three (3) feet. Care should be exercised that no house is located in such a manner to
13 create an objectionable overview which invades the privacy of an adjoining unit.

14

15 **15.341.03 Architecture.**

16 The County encourages variations of architectural theme. However, it shall be the responsibility of the
17 designer to coordinate the design with adjacent developments so that the design does not conflict with
18 the character of the neighborhood as a whole. Within a tract, architectural styles should remain uniform.

19

20 Material changes within a building shall be offset in plane or an entirely different design element. Detailing
21 of construction elements is another important consideration. For example, exterior metal portions of the
22 structure (i.e., vent pipes and flashings) should be painted to blend with the adjacent roof or wall material.

23 In addition, the vent pipes should be consolidated where possible by design. Also, thought should be
24 given to locating mechanical units in some area other than the roof. Where units are located on the roof,
25 then the units shall be screened in manner that is architecturally integrated with the design of the house.

26

1 **15.341.04 Colors and Materials.**

2 Houses should vary in color and character within the development. However, no one structure should be
3 at such variance with its neighbors that it detracts from the character of the street as a whole.

4

5 **15.341.05 Fencing.**

6 A. In new subdivisions or developments and infill developments a solid block wall or wooden fence a
7 minimum of six (6) feet in height shall be provided along side and rear lot lines of parcels 12,000 square
8 feet or less to provide privacy and screening.

9

10 B. When there is an existing well-maintained fence, new fencing requirements may be waived.

11

12 C. Adjacent to a street right-of-way required fences shall be constructed of decorative block, brick, or
13 stucco, or similar decorative masonry material.

14

15 D. Wrought iron fencing or combination block and wrought iron fencing may be utilized in place of the
16 fences required above to preserve views or provide greater openness.

17

18 E. The Planning Commission may waive fencing requirements in hillside areas where side and/or rear
19 lot line slope is extremely severe and it can be shown that fencing will serve no purpose.

20

21 **15.341.06 Roofing.**

22 All new dwelling units shall utilize non-combustible roofing materials.

23

24 **15.341.07 Performance Standards**

25 The following special requirements and performance standards shall apply to properties located in
26 residential zoning districts, except as otherwise authorized through approval of a planned development:

27

1 A. Required Landscaping. Required front and street side yards shall be landscaped in conformance with
2 Chapter 15.402.

3

4 B. Building Height Exceptions. Chimneys, vents and church steeples may exceed the maximum height
5 requirement of the zoning district.

6

7 C. Sight Distance Requirements. At all street, alley and driveway intersections there shall be triangular
8 yard area within which no tree, sight-obscuring fence, shrub, wall or other visual obstruction shall be
9 permitted higher than 30 inches above the adjacent street, alley or driveway grade. This triangular area
10 shall measure as follows:

11 1. At any intersection of two street rights-of-way, two (2) sides of the triangular area shall extend 20
12 feet along both right-of-way lines, measured from their point of intersection. For the purpose of this
13 subsection, an alley shall be considered as a street.

14 2. At any intersection of a driveway with a street or alley, the sides of the triangle shall extend ten
15 (10) feet along the street or alley right-of-way and 15 feet along the edge of the driveway, measured
16 from their point of intersection.

17 3. The provisions of this subsection shall be in addition to any other site distance protection
18 requirements of the county, and in the event of conflict between requirements, the more restrictive
19 shall apply.

20

21 D. Mechanical Equipment. Air conditioners, heating, cooling, ventilating equipment, swimming pool
22 pumps and heaters, and other similar mechanical equipment shall be screened from surrounding
23 properties and streets.

24

25 E. Driveway Setback. A driveway located in front of a garage accessed through the front yard shall not
26 be less than 20 feet in length as measured from the garage to the right-of-way line.

27

1 F. Wireless Communication Facilities. Wireless communication facilities located in the residential zones
2 when allowed by this chapter shall be subject to the provisions of Chapter 15.236 and all other applicable
3 requirements.

4

5 G. Shipping Containers. No shipping container may be placed on any residentially zoned property in a
6 Suburban Character Area.

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1 **Chapter 15.342 Duplex Residential Development**

2

3 **15.342.01 Purpose**

4 This subsection is intended to allow duplexes in order to increase available housing in the county while
5 maintaining the coherence of single-family residential neighborhoods.

6

7 **15.342.02 Applicability**

8 This chapter applies to proposals to construct a new duplex or to convert, or add on to, an existing
9 structure to create a duplex. They also apply to additions and modifications to existing duplexes. In
10 Residential Zones NR, MFR, CMU-R, CMU-S, CMU-Hand RMU a duplex is allowed outright, subject to
11 the lot size requirements for the zone.

12

13 **15.342.03 Development Criteria.**

14 A. Density. Overall density in a particular duplex project shall not exceed the maximum density allowed
15 within the zoning district for which it is located, except when designed and developed as a Planned Unit
16 Development under provisions set forth in Chapter 15.349 of this title or as provided in Chapter 15.115,
17 Density Bonus Agreements.

18

19 B. Lot Area. No duplex lot shall contain an area of less than 8,000 square feet or as otherwise provided
20 by this title.

21

22 C. Project Site. As used in this chapter, a duplex project site is the entire parcel of land for which duplex
23 units are proposed prior to the creation of any duplex lots.

24

25 D. Height of Structure. Maximum height for any duplex structure shall not be greater than 35 feet.

26

27 E. Dwelling Unit Access. Each duplex unit shall have two (2) separate entries from the ground on which
28 the structure is erected.

1
2 G. Building Coverage. In no event shall a duplex, including any accessory buildings cover more than 45
3 percent of the individual lot area.

4
5 I. Street Frontage. Each duplex project site shall border on a public street.

6
7 **15.342.04 Architectural Treatment.**

8 A. In all duplex development, architectural treatment shall be as follows:

9 1. The facades of duplexes in a group shall be varied by changed front yard setbacks and variation in
10 materials or design so that not more than two abutting duplexes will have the same front yard setback
11 and the same or essentially the same architectural treatment of facades and roof lines.

12
13 **15.342.05 Setbacks and Yards.**

14 A. Right-of-way Setback. No duplex unit shall be located closer than 20 feet from any public right-of-way
15 or within 15 feet of a private drive, access road, or common open parking area, to the front or rear of such
16 dwelling.

17
18 B. Setback Variation. No more than two (2) abutting duplexes within the duplex project site shall have a
19 common front building setback. Variations in the setback of front building faces shall be at least two (2)
20 feet. Height variations shall also be incorporated, if feasible, in duplex design.

21
22 C. Distances between Duplex Structures. Separations between duplex structures shall comply with the
23 requirements of the zoning district in which it is located.

24
25 **15.342.06 Parking and Access.**

26 A. Spaces Required. A minimum of two (2) off-street parking spaces shall be provided for the residents
27 of each duplex unit.

28

1 B. Location. A driveway located in front of a garage accessed through the front yard shall not be less
2 than 20 feet in length as measured from the garage to the right-of-way line. Additional parking shall be
3 located a minimum of five (5) feet behind the front line of the duplex structure.

4

5 C. Construction. All permanent off-street parking spaces, access drives, and facilities shall be designed
6 and constructed according to the Lyon County Development Standards and Specifications contained in
7 Appendix B.

8

9 **15.342.07 Accessory Dwelling Units and Buildings.**

10 Accessory dwelling units are not permitted on parcels containing a duplex living structure. No accessory
11 building shall be erected in any front yard or side yard. Accessory buildings other than commonly owned
12 garage, recreation, or maintenance facility may not exceed 200 square feet, nor shall any separate
13 accessory building be erected within ten (10) feet of any principal building. An accessory building shall not
14 be located within ten (10) feet of the rear property line of any duplex unit or occupy more than 25 percent
15 of the rear yard area.

16

17 **15.342.08 Utilities and Services.**

18 Each individual unit shall be connected to and serviced by public water and sewer lines. The water and
19 sewer lines shall be independent of any other unit or structure. Water and sewer service facilities shall be
20 designed and constructed in accordance with the Lyon County Design Criteria and Improvement
21 Standards and specifications contained in Appendix B. Necessary easements shall be indicated and
22 recorded on the final subdivision or parcel map.

23

24 **15.342.09 Supplementary Regulations.**

25 Development Standards. All development under this chapter shall conform to the Lyon County Design
26 Criteria and Improvement Standards and specifications, Appendix B.

1 **Chapter 15.343 Cluster Development**

2

3 **15.343.01 Purpose**

4 A. Residential Cluster Development is intended to:

- 5 1. Encourage creative and flexible site design that is sensitive to the land's natural features and
6 adapts to the natural topography;
- 7 2. Protect environmentally sensitive areas of a development site and preserve on a permanent basis
8 open space, natural features, and prime agricultural lands;
- 9 3. Decrease or minimize nonpoint source pollution impacts by reducing the amount of impervious
10 surfaces in site development;
- 11 4. Promote cost savings in infrastructure installation and maintenance by such techniques as
12 reducing the distance over which utilities, such as water and sewer lines, need to be extended or by
13 reducing the width or length of streets; and
- 14 5. Provide opportunities for social interaction and walking and hiking in open space areas.

15

16 **15.343.02 Applicability; General Provisions**

17 A. Residential cluster development shall be permitted by right in the following zoning districts:

18 Rural Character Districts: AG, NIA, RR-20, RR-10, RR-5, RR-2, RR-1

19 Suburban Character Districts: SR-2, SR-1, SR-1/2, SR-12000, SR-9000, and RMU

20

21 B. All principal and accessory uses authorized in the applicable residential zoning district(s) shall be
22 allowed in the cluster development.

23

24 **15.343.03 Contents of Site Plan**

25 A. The preliminary and final site plan for a residential cluster development shall include, but shall not be
26 limited to, the following information:

- 27 1. The maximum number and type of dwelling units proposed

- 1 2. The location of all structures to be located on the project site, including an accurate footprint and
- 2 envelop of each structure.
- 3 3. The calculations for the permitted number of dwelling units, derived pursuant to 15.343.04
- 4 4. The areas of the site on which other proposed principal and accessory uses may be located and
- 5 their size
- 6 5. The areas of the site designated for common open space and their size
- 7 6. The areas of the site designated for parking and loading and the size of individual spaces
- 8 7. The location of sidewalks, trails, and bike paths.
- 9 8. The number of acres that are proposed to be conveyed as common open space
- 10 9. Emergency access to open space.

11

15.343.04 Calculation of Permitted Number of Dwelling Units; Density Bonuses

13 A. Except as provided in paragraph C below, the maximum numbers of dwelling units proposed for a
14 residential cluster development shall not exceed the number of dwelling units otherwise permitted for the
15 residential zoning district in which the parcel is located.

16

17 B. Except as provided in paragraph C below, the number of permitted dwelling units on a site shall be
18 calculated in the following manner.

- 19 1. Measure the gross area of the proposed cluster development site in acres and tenths of an acre.
- 20 2. Subtract from the gross area determined in subparagraph 1 above the area of public and private
21 streets and other publicly dedicated improvements, measured in acres and tenths of an acre,
22 excluding common open space. The remainder shall be the net buildable area;
- 23 3. Convert the net buildable area from acres to square feet (SF), using the equivalency of 43,560 SF
24 = 1 acre; and
- 25 4. Divide the net buildable area by the smallest minimum lot size (in square feet) per unit for a
26 dwelling unit permitted in the zoning district. This figure shall be rounded to the nearest lower number
27 to establish the maximum number of dwelling units to be permitted in the cluster development.

1 C. An increase of up to a minimum of one (1) unit or 10%, whichever is greater, of the maximum number
2 of dwelling units in the cluster development, as calculated in paragraph B above, may be approved if the
3 percent of density bonus is no greater than the percent of the gross area of the cluster development that
4 is set aside and conveyed as common open space pursuant to 15.340.09.

5

6 D. Additional density may be approved when the requirements of Chapter 15.115, Density Bonus
7 Agreements, are met.

8

9 **15.343.05 Procedures for Review**

10 A residential cluster development and any amendments thereto as a land development project shall be
11 reviewed in accordance with the provisions of this title and any regulations adopted pursuant to this title.

12

13 **15.343.06 Review Criteria**

14 A. In reviewing a residential cluster development, the planning commission shall determine whether:

- 15 1. The site plan satisfies the requirements of 15.343.03 above and the limitations of the zoning
16 district in which the cluster development is located;
- 17 2. Buildings and structures are adequately grouped so at least 25 percent of the total area of the site
18 is set aside as common open space. Open space shall be configured to comply with the requirements
19 of 15.340.09;
- 20 3. Pedestrians can easily access common open space;
- 21 4. The site plan establishes, where applicable, an upland buffer of vegetation of at least 50 feet in
22 depth adjacent to wetlands and surface waters, including intermittent streams, springs, lakes, and
23 ponds;
- 24 5. Individual lots, buildings, structures, streets, and parking areas are situated to minimize the
25 alteration of natural features, natural vegetation, and topography;
- 26 6. Existing scenic views or vistas are permitted to remain unobstructed, especially from public
27 streets;

1 7. The site plan accommodates and preserves any features of historic, cultural, or archaeological
2 value;

3 8. Floodplains, wetlands, and areas with slopes in excess of 25 percent are protected from
4 development; and

5 9. The cluster development advances the purposes of this title as stated in 15.343.01 above.
6

7 B. The planning commission may, in its opinion, apply such special conditions or stipulations to its
8 approval of a residential cluster development as may be required to maintain harmony with neighboring
9 uses and to promote the objectives and purposes of the comprehensive plan and this title.
10

11 C. If the planning commission finds that the requirements of paragraph A above are satisfied, it shall
12 recommend approval of the residential cluster development, subject to any special conditions or
13 stipulations pursuant to paragraph B above, any density incentive pursuant to 15.343.04 above, and any
14 reductions and/or waivers pursuant to 15.343.07 below.
15

16 **15.343.07 Reduction of Certain Physical Design Requirements**

17 A. In approving a residential cluster development, the board may reduce the pavement width of any
18 public or private streets that would otherwise be required by this title or the Lyon County Design Criteria
19 and Improvement Standards to 22 feet.
20

21 B. An applicant who wants the reduction of pavement width of public or private streets as provided for in
22 paragraph A above, shall submit a statement of justification for the reduction along with the final site plan.
23

24 **15.343.08 Conveyance of Open Space**

25 A. Open space provided by a residential cluster development shall be identified, conveyed, and
26 managed in accordance with the requirements of 15.340.09.:
27
28

1 **Chapter 15.344 Cottage Housing Development**

2

3 **15.344.01 Purpose and Intent.**

4 The general purposes of the cottage housing development design standards are as follows:

5 A. A cottage housing development is an alternative type of detached housing providing small residences
6 for households of typically one to two individuals. Cottage housing is provided as part of the county's
7 overall housing strategy which intends to encourage affordability, innovation and variety in housing design
8 and site development while ensuring compatibility with existing neighborhoods, and to promote a variety
9 of housing choices to meet the needs of a population diverse in age, income, household composition and
10 individual needs.

11
12 B. The cottage housing development design standards contained in this section are intended to create a
13 small community of cottages oriented around open space that is pedestrian-oriented and minimizes the
14 visibility of off-street parking. These design standards are intended to ensure that cottage housing
15 developments include pedestrian amenities and take advantage of existing natural features on the site
16 including topography and vegetation. The cottage housing development design standards are intended to
17 maintain traditional cottage amenities and proportions and ensure that cottage housing developments
18 contribute to the overall community character.

19
20 C. Cottage housing may allow higher residential density than is normally allowed in the underlying zone
21 district. This increased density is possible through the use of smaller than average home sizes, clustered
22 parking, and site design standards.

23

24 D. All cottage housing developments are subject to stormwater standards and shall incorporate low
25 impact development stormwater techniques whenever possible.

26

1 **15.344.02 Applicability.**

2 Cottage housing development is permitted in the SR-1/2, SR-12000, SR-9000, NR, RMU and CMU
 3 zoning districts subject to the limitations of the zoning district.

4
 5 **15.344.03 Density, Number of Cottage Housing Units and Minimum Lot Area.**

6 A. In cottage housing developments the permitted densities shall be as follows:

7

Zoning District	SR-1/2 Low Density Residential	SR-12000, & SR-9000 Suburban Density Single-Family	NR, RMU, CMU-H & CMU-S Suburban Density Mixed
Maximum Cottage Density	1 cottage dwelling unit per 5,000 sf	1 cottage dwelling unit per 3,333 sf	1 cottage dwelling unit per 2,857 sf
Minimum number of cottages per cottage housing development	4	4	4
Maximum number of cottages per cottage housing development	8	12	14
Minimum lot size (accommodates 4 cottages)	20,000 sf	13,332 sf	11,428 sf

8 Note: Densities are subject to availability of water and sewer services

9
 10 **15.344.04 Existing Nonconforming Structures and Accessory Dwelling Units.**

11 A. On a lot to be used for a cottage housing development, an existing detached single-family residential
 12 structure, which may be nonconforming with respect to the standards of this chapter, shall be permitted to
 13 remain, but the extent of the nonconformity may not be increased. Such nonconforming dwelling units
 14 shall be included in the maximum permitted cottage density.

1 1. Nonconforming dwelling units may be modified to be more consistent with this chapter. For
2 example, roof pitches may be increased, but the building ground floor or total floor area may not be
3 increased beyond the floor area ratio (FAR) of the zoning district.

4
5 B. New accessory dwelling units are not permitted in cottage housing developments. All residential units
6 in a cottage housing development count towards the maximum permitted density. An existing attached or
7 detached accessory dwelling unit that is accessory to an existing nonconforming single-family structure
8 may be counted as a cottage unit if the property is developed subject to the provisions of this chapter.

9
10 **15.344.05 Building Height.**

11 A. Objective. Structures in cottage housing developments shall be designed to be single story or single
12 story plus a loft. Because the base density is higher and building separation less than on typical
13 residential lots, it is important to maintain a feeling of adequate light and open space by providing more
14 restrictive maximum roof heights and roof proportion standards.

15 1. The maximum building height permitted for structures in cottage housing developments shall be
16 18 feet.

17 2. The highest point of a pitched roof may extend up to 23 feet.

18
19 **15.344.06 Exterior Trim and Roof Eaves.**

20 A. Objective. Cottage housing development structures shall be provided with substantial exterior trim
21 elements consistent with traditional mining and ranching community cottage design and small home
22 craftsmanship. Roofs in cottage housing developments shall have eaves to recognize traditional cottage
23 design traits to efficiently shade walls, shed rain, and provide rain protection for exterior walls. Departures
24 from these standards (exterior trim and eave requirements) shall be reviewed through the alternative
25 design review process. Alternative exterior trim and eave designs shall demonstrate a coherent cottage
26 housing design based upon traditional design principles including weather protection.

27 1. Window and door trim with a minimum width of three and one-half (3½) inches shall be provided
28 on all cottage housing developments structures.

- 1 2. Eaves of at least 12 inches shall be provided on all cottage structures on at least two (2) sides of
2 each building. Where buildings are not square (one set of exterior parallel walls are longer than the
3 other), the eaves shall be provided on the parallel walls that are the longest.

4 **15.344.07 Covered Main Entry Porches.**

5 A. Objective. All residences in cottage housing developments shall be provided with a covered main
6 entry porch to create a private outdoor space protected from the weather and provide a transition from the
7 interior private residential space to the semi-private outdoor space. Covered porches shall be usable both
8 in design and dimension.

- 9 1. Cottage homes shall have a covered main entry porch with a floor area measuring at least 60
10 square feet in size.
11 2. The floor of the covered main entry porch shall have minimum dimensions of not less than five (5)
12 feet in any direction (length or width).

13

14 **15.344.08 Street Facing Facades.**

15 A. Objective. The street facing facades of cottages in a cottage housing development will contribute to
16 the neighborhood by including attractive design details such as windows, changes in materials, and views
17 of front doors or porches. The main entries of some cottages will be visible from the adjacent streets to
18 provide a visual pedestrian connection with the surrounding neighborhood.

19 1. All cottages shall have street facing facades that avoid blank walls or appear to “turn their backs”
20 to the street. All cottages shall include one or more of the following on-street facing facades:

- 21 a. Changes in exterior siding material and paint color;
22 b. Windows which may include bay windows; and/or
23 c. Building modulation with a depth measuring at least one foot.

24 2. At least one cottage shall have its front main entry door and/or front porches visible from each
25 street frontage.

26

1 **15.344.09 Lot Coverage Area.**

2 Cottage housing developments shall not exceed underlying lot coverage standards for the respective
3 zoning district to maintain residential neighborhood character and the balance of built structures to open
4 spaces.

5
6 **15.344.10 Cottage Floor Area.**

7 A. Objective. Structures in cottage housing developments shall be designed to be single story or single
8 story plus a loft. Residences in cottage housing developments are primarily intended for one- and two-
9 person households and their occasional guests. Maintaining the maximum square footage of residences
10 in cottage housing developments is necessary to prevent overbuilding of the site and to not exceed
11 available off-street parking.

12 1. The maximum ground floor area for an individual principal structure in a cottage housing
13 development shall be as follows:

- 14 a. For at least 50 percent of the units, the ground floor area may not exceed 650 square feet.
15 b. For no more than 50 percent of the units, the ground floor area may be up to 800 square feet.
16 c. The net total floor area of each cottage shall not exceed one and one-half times the area of
17 the main level.

18
19 **15.344.11 Yards - Building Setbacks from Exterior Lot Lines.**

20 A. Objective. Exterior lot line building setbacks in cottage housing developments are based upon
21 setbacks of the zoning district. These yard setbacks are appropriate based upon the allowed density of
22 cottage housing as well as the small size of the structures. Flexible setbacks are allowed at the discretion
23 of the planning and public works directors to obtain improved site design and to avoid impacting existing
24 physical features on the site such as trees.

25

15.344.12 Cottage Housing Development Building Separation.

A. Objective. Structures within cottage housing developments shall observe minimum setbacks from other cottage housing development structures to avoid overcrowding the site and to maintain a sense of privacy within the cottages themselves.

1. All buildings within a cottage housing development shall maintain a minimum separation of ten (10) feet from cottages within a cottage housing development measured from the nearest point of the exterior walls. Accessory buildings shall comply with building code requirements for separation.

15.344.13 Common Open Space.

A. Objective. Open space that is commonly owned by all members of a cottage housing development is an important feature of any site design. It is intended that the open space be adequately sized and centrally located with individual cottage entrances oriented towards the open space.

1. Common Open Space. A minimum of 400 square feet per cottage unit of common open space is required. Parking areas, yard setbacks, spaces between buildings of ten (10) feet or less in width, private open space, and driveways do not qualify as common open space.

2. Proximity to Common Open Space.

- a. At least 50 percent of the cottage units shall abut a common open space, all of the cottage units shall be within 60 feet walking distance measured from the nearest entrance of the cottage along the shortest safe walking route to the nearest point of the common open space. The common open space shall have cottages abutting at least two (2) sides.

- b. For the purposes of cottage housing, "common open space" shall be the central space that may be used by all occupants of the cottage complex.

15.344.14 Private Open Space.

A. Objective. Each residential unit in a cottage housing development shall be provided an area of private open space. The private open space shall separate the main entrance to the cottage from the common open space to create a sense of privacy and shall be oriented to take advantage of solar orientation and other natural features to create a small but pleasant private yard area. The private open space may be

1 separated from the common open space with a small hedge, picket fence, or other similar visual
2 separation to create a sense of separate ownership.

3 1. Each cottage unit shall be provided with a minimum of 200 square feet of usable private open
4 space separated from the common open space by a hedge or fence not to exceed 36 inches in
5 height.

6 2. No dimension of the private open space shall be less than eight (8) feet.
7

8 **15.344.15 Tree Conservation.**

9 A. Objective. Cottage housing developments should be designed to incorporate existing trees to the
10 extent possible. New trees should be located to create amenities in the common open space, private
11 open space, provide shade where appropriate, to create separation between buildings when desired, and
12 to screen and soften the perimeter of parking areas and street facing sides of cottage housing
13 developments.

14 1. Preservation of existing trees, and/or new trees, shall be provided consistent with Chapter
15 15.402, Landscape Standards. Native trees and other vegetation should be preserved to the extent
16 possible and the overall site design should take advantage of the location of existing trees and
17 topographic features.
18

19 **15.344.16 Stormwater Low Impact Development Techniques.**

20 A. Objective. Cottage housing developments shall be designed to take advantage of open space and
21 landscaped features to utilize low impact development techniques including natural filtration and on-site
22 infiltration of stormwater.

23 1. Low impact development techniques for stormwater management shall be used wherever
24 possible. Such techniques may include the use of pervious pavers in parking areas and for walkways,
25 directing roof drains and parking lot runoff to landscape beds, living roofs, and the use of rain barrels.
26

1 **15.344.17 Off-Street Parking.**

2 A. Objective. Off-street parking space requirements for cottage housing developments shall be less than
 3 normally required for detached single-family residences. These reduced standards are based upon the
 4 cottages being smaller than average detached single-family homes and on average containing fewer
 5 occupants. Off-street parking shall be located and designed to be less visible from frontage streets than
 6 the cottages themselves. Off-street parking shall be designed to maintain a pedestrian character for the
 7 overall cottage housing development. Clustering parking to the side or rear of a cottage project will most
 8 often best accomplish these goals. However, on a site-specific basis, design solutions other than
 9 clustering may be found to meet this objective through the alternative design process. Parking areas shall
 10 be attractively landscaped to screen parking from adjacent properties and street rights-of-way and shall
 11 meet parking lot landscape standards.

12 1. Parking Ratios.

Total Net Floor Area of Cottage or Nonconforming Dwelling Unit	Ratio of Off-Street Parking Spaces Required per Cottage or Nonconforming Dwelling Unit
Up to 1,000 square feet	1.25 parking spaces
1,001 to 1,200 square feet	1.5 parking spaces
Existing nonconforming single-family residence	2 parking spaces

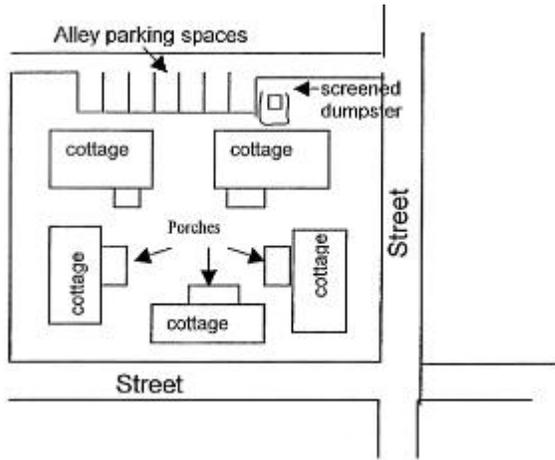
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14 2. Off-Street Parking Location. Parking shall be located on the cottage housing development
 15 property. Off-street parking lots shall be located to the side or rear of the cottage housing
 16 development (see illustrations below). Parking lots shall not be located between the cottage housing
 17 development and the primary street frontage.

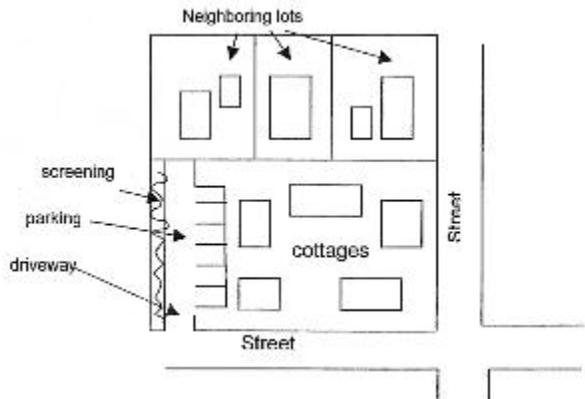
1 a. Off-Street Parking Screening. Off-street parking may be located in or under a non-cottage
2 parking structure (such as a single or multi-auto carport or garage), but such structures shall not
3 be attached to individual cottages. Uncovered parking is also permitted; provided, that off-street
4 parking shall be screened from direct street view from one or more street facades by garage
5 doors, or by a fence and landscaping.

6 b. Preferred locations for parking, in descending order of preference, are as follows:

7 1) To the rear of cottage housing units accessed by an alley.

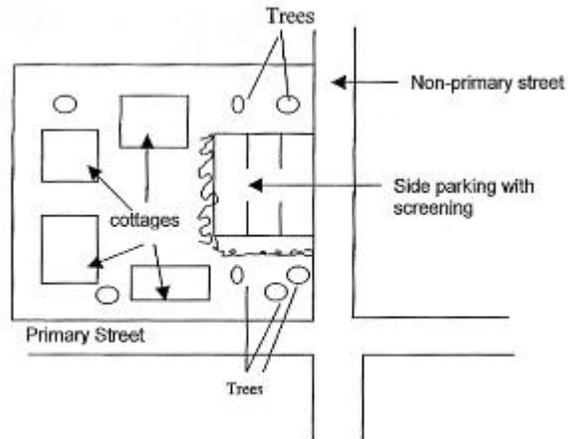


8
9 2) To the side of the cottage housing units access by a private driveway.



10

- 1 3) Parking on the side (non-primary street) screened from the side street by either garage



2 doors, landscaping, and/or fencing.

- 3 c. Parking Lot Landscaping. Parking lot landscaping shall comply with the requirements of
4 Chapter 15.402, Landscape Standards.

6 **15.344.18 Exterior Lighting and Heating/Cooling Equipment Noise.**

7 A. Objective. Cottage housing developments should be designed to minimize light and noise impacts
8 both within the development and to adjacent properties.

9 1. Where provided, exterior lighting shall be mounted as low as possible, pointed downward, and
10 the light source shall be shielded from direct observation from above, adjacent properties, and public
11 rights-of-way. Lighting “spillover” to adjacent properties shall be avoided.

12 2. Heating (and cooling, if applicable) equipment for cottage housing developments shall be
13 designed to cause little or no noise impacts within the development and to adjacent properties. To
14 help prevent noise problems, exterior heating and cooling units shall not be used for cottage housing
15 developments.

17 **15.344.19 Required Separation of Cottage Housing Developments in The SR-1, SR-1/2, SR-12000,**
18 **SR-9000, and NR Zoning Districts.**

19 A. Objective. Cottage housing developments in single-family zoning districts shall be separated from
20 each other by a minimum distance to promote housing-type diversity, to reduce potential cumulative
21 impacts of cottage housing development, and to help protect neighborhood character.

1 1. Each cottage housing development in the SR-1, SR-1/2, SR-12000, SR-9000, and NR zoning
2 districts shall be separated from any other cottage housing development in these districts by a
3 distance of at least 1,000 feet or one block, whichever is greater.

4

5 **15.344.20 Ownership and Residential Use of Cottages.**

6 A. All cottage housing developments shall be developed utilizing common ownership provisions of NRS
7 Chapter 116, except that an association, cooperative or other similar ownership technique may be
8 substituted for the requirement of residential condominiums. Appropriate documentation of formal legal
9 ownership of the development shall be recorded with the county recorder.

10 B. Cottages are for residential use only and may not be operated as transient accommodations.

11

12 **15.344.21 Alternative Site Design.**

13 It is possible that an alternative design may fulfill the intent of this chapter while not complying with the
14 provisions herein. Requests for alternative designs shall be processed pursuant to Chapter 15.300.04,
15 Alternative Equivalent Compliance.

16

1 **Chapter 15.345 Townhouse Development Standards**

2

3 **15.345.01 Purpose and Intent.**

4 Townhouse Development is intended to:

5 A. To accommodate various types of unique and innovative housing forms which are usually based
6 upon a concept of reducing the area of individually owned lots, and grouping such lots together to more
7 efficiently utilize the total space within the subdivision by creating common open spaces, scenic and
8 recreational areas, and other spaces which would compensate for the reduction of land area contained
9 within the individually owned lot.

10

11 B. To allow the grouping of separately owned one-family dwelling units into a group of townhouses in
12 such a manner as to make efficient, economical and aesthetically pleasing use of land so restricted that
13 the same will be continually well maintained in order to preserve the health, welfare, safety and
14 convenience of the surrounding neighborhood and insure a reasonable amount of open space and
15 architectural variety.

16

17 **15.345.02 Applicability**

18 Townhouse developments may be allowed in the SR-12000, SR-9000, NR, MFR, and RMU zoning
19 districts.

20

21 **15.345.03 Development Criteria.**

22 A. Density. Overall density in a particular townhouse project shall not exceed the maximum density
23 allowed within the zoning district for which it is located, except when designed and developed as a
24 Planned Unit Development under provisions set forth in 15. 342 and 15.349.

25

26 B. Lot Area. No townhouse lot shall contain an area of less than 1,600 square feet and a minimum lot
27 and building width of 20 feet. The remaining lot area that would normally be required in the zoning district,

1 per dwelling unit, shall be incorporated into usable and accessible open space and or private or common
2 vehicular access or parking area for the townhouse project site.

3

4 C. Project Site. As used in this chapter, a townhouse project site is the entire parcel of land for which
5 townhouse units are proposed prior to the creation of any townhouse lots.

6

7 D. Height of Structure. Maximum height for any townhouse structure shall not be greater than 35 feet.

8

9 E. Dwelling Unit Access. Each townhouse unit shall have two (2) separate entries from the ground on
10 which the structure is erected.

11

12 F. Size of the Project Site. Minimum size of the site to be developed for a group of townhouse units shall
13 be 25,000 square feet

14

15 G. Building Coverage. In no event shall a townhouse, including any accessory buildings cover more than
16 45 percent of the individual lot area.

17

18 H. Street Frontage. Each townhouse project site shall border on a public street, except provided that
19 they face private or common open areas as set forth herein.

20

21 **15.345.04 Architectural Treatment.**

22 A. In all townhouse development, architectural treatment shall be as follows:

23 1. The facades of townhouses in a group shall be varied by changed front yard setbacks and
24 variation in materials or design so that not more than two (2) abutting townhouses will have the same
25 front yard setback and the same or essentially the same architectural treatment of facades and roof
26 lines.

27

1 **15.345.05 Setbacks and Yards.**

2 A. Right-of-way Setback. No townhouse unit shall be located closer than 15 feet from any public right-of-
3 way or within 15 feet of a private drive, access road, or common open parking area, to the front or rear of
4 such dwelling.

5

6 B. Yard Requirements. Each individual townhouse lot shall have a minimum front yard of 15 feet and a
7 rear yard of 20 feet. The minimum side yard requirements of the zoning district shall be maintained from
8 side property lines of the townhouse project site.

9

10 C. Setback Variation. No more than two abutting townhouses or townhouse groupings within the
11 townhouse project site shall have a common front building setback. Variations in the setback of front
12 building faces shall be at least two (2) feet. Height variations shall also be incorporated, if feasible, in
13 townhouse design.

14

15 D. Distances between Townhouse Groups. Townhouse groups, as defined in the chapter, shall be
16 separated by at least 16 feet.

17

18 **15.345.06 Parking and Access.**

19 A. Spaces Required. A minimum of two (2) off-street parking spaces shall be provided for the residents
20 of each townhouse unit.

21

22 B. Location. Parking shall be located to the rear of each townhouse grouping, provided that one (1) on-
23 street parking space located directly in front of the townhouse unit may be used to fulfill the required per
24 unit space requirement, where additional guest parking of 0.5 spaces per unit are provided within 150 feet
25 of each townhouse grouping. Parking spaces shall be located in the rear of the townhouse or in a
26 commonly owned and maintained off-street parking bay or facility located to the side or rear of any
27 townhouse grouping. Such parking facility(s) shall be easily accessible and a reasonable distance from
28 the townhouse unit it serves (maximum of 150 feet).

1 1. Access drives to parking areas shall be allowed in front and side yards, but shall not exceed 20
2 feet in width.

3

4 C. Construction. All permanent off-street parking spaces, access drives, and facilities shall be designed
5 and constructed according to the Lyon County Design Criteria and Improvement Standards and
6 specifications contained in Appendix B.

7

8 **15.345.07 Open Space.**

9 A. Open Space Required. A minimum of 45 percent of the project site shall be maintained as open
10 space.

11 B. Maintenance of Common Areas. All common areas and facilities including, but not limited to,
12 recreational facilities, off-street parking and common open space shall be maintained in a satisfactory
13 manner without expense to the county.

14

15 **15.345.08 Accessory Dwelling Units and Buildings.**

16 Accessory dwelling units are not permitted within the boundary of any townhouse development site. No
17 accessory building shall be erected in any front yard or side yard. Accessory buildings other than
18 commonly owned garage, recreation, or maintenance facility may not exceed 200 square feet, not shall
19 any separate accessory building be erected within ten (10) feet of any principal building. An accessory
20 building shall not be located within ten (10) feet of the rear property line of any townhouse unit or occupy
21 more than 25 percent of the rear yard area.

22

23 **15.345.09 Utilities and Services.**

24 Each individual townhouse unit shall be connected to and serviced by public water and sewer lines, and
25 serviced by separate gas and electric utility connections. The water and sewer lines shall be independent
26 of any other townhouse unit or structure. Water and sewer service facilities shall be designed and
27 constructed in accordance with the Lyon County Design Criteria and Improvement Standards and

1 specifications contained in Appendix B. Necessary easements shall be indicated and recorded on the
2 final subdivision or parcel map.

3

4 **15.345.10 Supplementary Regulations.**

5 A. Building Permit. A Final subdivision map shall be recorded with the county recorder and all property
6 taxes, fees, liens and penalties satisfied prior to the issuance of any building permit within a townhouse
7 development.

8

9 B. Development Standards. All development under this chapter shall conform to the Lyon County Design
10 Criteria and Improvement Standards and specifications, Appendix B.

DRAFT

1 **Chapter 15.346 Zero Lot Line Developments**

2

3 **15.346.01 Purpose.**

4 Zero lot line provisions are intended to provide flexibility for the placement of structures in new residential
5 land divisions in order to increase usable yard area. Zero lot line developments are different from
6 townhouse developments in that structures are not attached at property lines.

7

8 **15.346.02 Applicability.**

9 These provisions can be used as an alternative to standard side or rear setback requirements in the SR-
10 12000, SR-9000, NR, and RMU zoning districts when the requirements of this section are applied in
11 conjunction with a land division application.

12

13 **15.346.03 Requirements.**

14 A. Tentative maps using zero lot line provisions must identify building envelopes for all dwelling units
15 placed in accordance with the provisions of this chapter. The tentative and final maps shall be consistent
16 with the standards of this section and all other applicable requirements.

17

18 B. Conditions may be imposed to ensure that development on the resultant lots is consistent with the
19 approved tentative map and site plan.

20

21 C. Building permits for structures may only be approved when consistent with the approved site plan and
22 final map.

23

24 D. A single side yard shall be provided per parcel. This reduction shall not be allowed for the front yard
25 on a corner lot or for the side yard adjacent to lots developed with other housing types.

26

27 E. Zero setbacks may be applied to a side or rear property line; provided, that the setback on the lot
28 abutting a zero setback lot line shall be at least ten (10) feet.

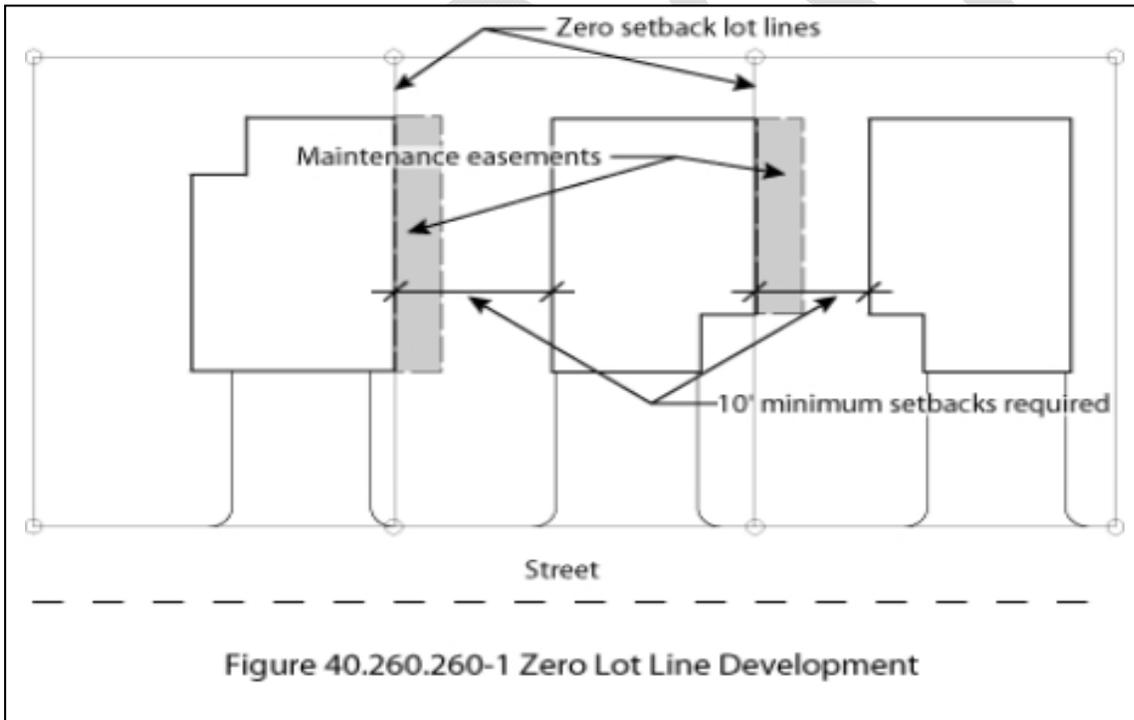
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F. Structures less than three (3) feet to a property line must meet fire resistive provisions of the residential building code.

G. If the sidewall of the house is on the property line, or within three (3) feet of the property line, windows or other openings that allow for visibility into the side yard of the adjacent lot shall not be allowed. Windows that do not allow visibility into the side yard of the adjacent lot, such as clerestory windows, translucent windows, or glass block, are permitted.

H. A note shall be placed on the final plat, and covenants running with the land shall be approved by the District Attorney and recorded with the county recorder to guarantee that the required setbacks are kept perpetually free of structures.

I. Easements for such purposes as maintenance, or for building projection encroachments beyond a zero setback line, shall be shown on the final map.



1 **Chapter 15.347 Alley Loaded Residential Developments**

2

3 **15.347.01 Purpose.**

4 Alley loaded residential development provisions are intended to provide flexibility for the placement of
5 structures in new residential land divisions in order to increase usable yard area, enhance neighborhood
6 walkability, and allow reduced street widths.

7

8 **15.347.02 Applicability.**

9 These provisions can be used as an alternative to standard front, side or rear setback requirements in the
10 SR-12000, SR-9000, NR, and RMU zoning districts when the requirements of this section are applied in
11 conjunction with a land division application.

12

13 **15.347.03 Requirements.**

14 A. Development projects using alley loaded residential development provisions must comply with the
15 following provisions in addition to all other applicable provisions of this title:

16 1. An alley shall be provided to the rear of all alley-loaded houses. All vehicular access shall take
17 place from the alley. No parking shall be permitted in the required front yard.

18 2. Front porches may encroach a maximum of eight (8) feet into the front yard and shall be at the
19 same first floor elevation as the home.

1 **Chapter 15.348 Multi-Family Residential Design Standards**

2

3 **15.348.01 Purpose.**

4 The purpose of this chapter is to:

5

6 A. Promote the livability, neighborhood compatibility and public safety of multi-family housing in the
7 community; and

8

9 B. Promote higher residential densities in the suburban areas of the county that will utilize existing
10 infrastructure and improve the efficiency of public services and facilities.

11

12 **15.348.02 Applicability.**

13 In all residential districts where permitted, including MFR, RMU, CMU-H, CMU-S, EMU and HMU-S,
14 multi-family residential development shall comply with the design standards of this chapter. In cases
15 where the standards of this chapter conflict with other standards in this Code, the standards of this
16 chapter shall prevail.

17

18 **15.348.03 Review.**

19 All multi-family residential developments shall be subject to the site plan review procedures as specified
20 in Chapter 15.235.

21

22 **15.348.04 Design Standards.**

23 All of the following design standards shall be met by all multi-family residential developments:

24

25 A. Building Orientation. Multi-family residential developments, when abutting a private street, local,
26 collector, or arterial street that has existing or planned on-street parking, shall have the building oriented
27 to the street along a minimum of 50 percent of the site's frontage (See Figure 15.348-1). The "orientation"
28 standard is met when all of the following criteria are met:

- 1 1. Primary building entrances shall face the street;
- 2 2. The front of the buildings shall be within 25 feet of the front lot/parcel line,
- 3 EXCEPTION: Open, courtyard space in excess of 25 feet may be placed in front of building
- 4 entrances. Open courtyard space is defined as usable, hard-surfaced space with pedestrian
- 5 amenities including benches, seating walls or similar furnishings.
- 6 3. Off-street parking or vehicular circulation shall not be placed between buildings and streets used
- 7 to comply with this standard;
- 8

9 B. Building Form. New multi-family construction shall comply with the following building form standards
10 (See Figure 15.348-2).

- 11 1. Structures shall not have continuous horizontal distance exceeding 100 feet (measured from end
- 12 wall to end wall).
- 13 2. A minimum of 15 percent of the front façade (area measurement) shall contain windows or doors.
- 14 All windows and doors shall be trimmed or be recessed (i.e., into the front façade) to provide
- 15 shadowing.
- 16 3. Garages attached to living units and accessed from the street (front setback) shall be recessed at
- 17 least four (4) feet behind the front façade of a dwelling structure; and
- 18 4. Exterior building elevations shall incorporate design features including offsets, balconies,
- 19 projections, window reveals, or similar elements to preclude large expansions of uninterrupted
- 20 building surfaces. Along the vertical face of a structure, the features shall occur at a minimum of
- 21 every 30 feet, and on each floor shall contain a minimum of two (2) of the following features:
- 22 a. Recesses (e.g., deck, patio, courtyard, entrance, window reveals) that have a minimum depth
- 23 of three (3) feet;
- 24 b. Extensions (e.g., floor area, deck, patio, entrance) that have a minimum depth of two (2) feet
- 25 and minimum length of four (4) feet; and/or
- 26 c. Offsets or breaks in roof elevation of two (2) feet or greater in height.
- 27

15.348.05 Transition and Compatibility between Multi-Family and Single Family Housing**Development.**

Multi-family residential developments adjacent to properties zoned Residential shall comply with the transition area and compatibility standards listed below, unless it can be demonstrated that adjacent Residential property is committed to a non-residential use (e.g., church) (See Figures 15.348-3 and 15.348-4).

A. When a single-family residence is within 75 feet of a proposed multi-family residential development site and the residence is on the same side of the street and same block, a setback similar to that of the nearest single-family residence shall be used for the front yard. "Similar" means the multifamily development setback is within five (5) feet of the setback provided by the nearest single-family residence. For example, if the single-family residence setback is 20 feet, then the multi-family building shall be setback by 15 to 25 feet. The minimum front yard setback shall be ten (10) feet, as specified in 15.312; and

B. A 25-foot buffer area shall be provided between multi-family residential development and property lines abutting a residential zoning district boundary, not including those boundary lines abutting right-of-ways. Within the 25-foot buffer area, the following standards apply:

1. No vehicular circulation (i.e., driveways, drive lanes, maneuvering areas, and private streets) is allowed within the buffer, unless driveway placement within a buffer is required in order to comply with county or NDOT access management standards;
2. Site obscuring buffers shall be required. The county may require retention of existing vegetation; installation of a six (6) foot minimum height, site-obscuring fence with shade trees planted a maximum of 30 feet on center (2-inch caliper at planting); other landscaping to provide visual buffering; and/or other sight obscuring barriers to provide visual buffering. In addition, the county may require acoustical barriers when parking is proposed within the transition area;
3. Building encroachments are allowed, provided no building may encroach more than 10 feet into the 25-foot buffer and no primary entrance shall face the abutting Single Family Residential property.

1 Buildings shall not exceed one (1) story or 21 feet in height within the buffer, and shall comply with all
2 other applicable setbacks and transition areas specified elsewhere in this title;

3 4. No active recreation areas (including, but not limited to: tot lots, swimming pools) are allowed
4 within the 25-foot buffer (garden spaces shall not be considered active recreation areas);

5 5. Light standards shall be 12 feet or less in height and shielded so that light does not allow direct
6 illumination onto adjacent Single Family Residential property or into dwelling units;

7 6. Mechanical equipment shall be screened from view (i.e., as viewed from adjacent properties and
8 street), and shall be buffered so that noise does not exceed 65dBA as measured at the property line.

9 The county may require a noise study certified by a licensed acoustical engineer; and

10 7. All rooftop equipment other than solar installations shall be hidden behind parapets or other
11 structures designed into the building.

12

13 C. Buildings, or portions of buildings adjacent to single family residential property outside of the 25-foot
14 buffer described above, shall not exceed a building height greater than one (1) foot for each foot distance
15 from the property line. For example, a building or portion of a building 30 feet in height shall be 30 feet
16 from the single-family residential property line. This standard applies up to a distance of 50 feet from the
17 property line.

18

19 D. Structures within 50 feet of a Suburban Residential zone shall not have a continuous facing horizontal
20 distance exceeding 80 feet (measured from end wall to end wall).

21

22 **15.348.06 Storage.**

23 Multi-family residential development shall provide space for trash receptacles, storage and equipment as
24 specified in the following standards (See Figure 15.348-2):

25

26 A. Adequate, accessible and secure storage space shall be provided for each dwelling. A minimum of
27 112 cubic feet of enclosed storage is required separate from the living unit. Garages and storage units
28 adjoining a dwelling (e.g., attached to decks and patios) shall qualify as storage space;

1
2 B. Trash receptacles shall be screened from view by placement of a solid wood fence, masonry wall, or
3 similar sight-obscuring, gated enclosure, from five (5) to six (6) feet in height, Obscuring landscaping shall
4 be planted a minimum 24 inches in height around all exposed sides of the wall or fence, unless breaks
5 are provided for gates.

6
7 C. No trash receptacles shall be located in any front yard setback, or within 25 feet of property lines
8 abutting residentially zoned; and

9
10 D. Ground-mounted equipment, including exterior transformers, utility pads, cable television and
11 telephone boxes and similar utility services, shall be placed underground, where practicable. When
12 placed above ground, equipment shall be placed to minimize visual impact; or screened with a wall or
13 landscaping. When walls are used they shall be tall enough to completely screen the equipment at the
14 time of the equipment installation. Landscaping shall be planted tall enough to attain 50 percent coverage
15 after two (2) years and 100 percent coverage within four (4) years.

16

17 **15.348.07 Open Space.**

18 Multi-family residential developments shall provide both Common Open Space and Private Open Space
19 as specified in the following standards (See Figure 15.348 – 1 and 15.348-6):

20

21 A. General. Inclusive of required yards, a minimum of 15 percent of the gross site area shall be
22 designated and permanently reserved as open space. The total required open space is the sum of
23 setbacks, common open space, and private open space.

- 24 1. Multi-family developments in mixed-use buildings are exempt from these standards.
25 2. Multi-family developments at densities exceeding 12 units per gross acre shall include a minimum
26 of ten (10) percent of the gross site as open space, which may be any combination of yards, common
27 open space and private open space.

1 3. Multi-family developments at densities less than 12 units per gross acre shall provide open space
2 as specified below.

3

4 B. Common Open Space shall be provided in all newly constructed multi-family residential development
5 as specified in the following standards:

6 1. A minimum of 0.25 square feet of common open space shall be required for each square foot of
7 gross residential floor area;

8 2. Common open space areas provided to comply with this standard shall be at least 500 square
9 feet with no horizontal dimension less than 15 feet;

10 3. Multi-family residential developments shall designate within common open space a minimum of
11 500 square feet of active recreation area (including, but not limited to: children's play areas, play
12 fields, swimming pools, sports courts) for every ten (10) units or increment thereof. For example, a 60
13 unit development shall provide a minimum area of 3000 square feet for active recreation. No
14 horizontal dimension shall be less than 15 feet.

15 EXCEPTION: As determined by the director, qualified senior housing developments may be excluded
16 from this requirement; however, all other common open space requirements apply;

17 4. Placement of children's play areas shall not be allowed in any required yard setback or transition
18 area;

19 5. Landscaping and/or natural vegetation shall occupy a minimum of 50 percent of required
20 common open space. On-site natural resources and historic features which are accessible to
21 residents (including, but not limited to: by trails, boardwalks) may be used to partially or fully satisfy
22 this requirements; and

23 6. Indoor or covered recreational space (including, but not limited to: swimming pools, sports courts,
24 weight rooms) shall not exceed 30 percent of the required common open space area.

25 7. Exemptions to the common open space standard may be granted for multi-family residential
26 developments of up to 60 units (or for the first 60 units of a larger project) when the developments are
27 within 1/4 mile (measured walking distance) to a public park; and there is a direct, improved,
28 permanent, public, Americans with Disabilities Act (ADA)-accessible, lighted, maintained pedestrian

1 trail or sidewalk between the site and the park. An exemption shall be granted only when the nearby
2 park provides active recreation area.

3 8. Phasing shall not be used to circumvent common open space standards.

4 9. Common Open Space does not include required yards or transition areas unless otherwise
5 allowed by this chapter.

6

7 C. Private Open Space shall be provided in all newly constructed multi-family residential developments,
8 to comply with the following standards:

9 1. All private open space shall be directly accessible from the dwelling unit through a doorway;

10 2. Private Open Space provided may be deducted from the required amount of Common Open
11 Space. For example, a project with 37,500 square feet of gross floor area requires 9,375 square feet
12 of Common Open Space under paragraph b.1., above. If 2,400 square feet of Private Open Space is
13 provided, the minimum Common Open Space requirement may be reduced to 6,975 square feet
14 (9,375 — 2,400).

15

16 **15.348.08 Landscaping, Fences and Walls.**

17 Multi-family residential developments shall provide landscaping as specified in 15.402 and the following
18 standards (See Figure 15.348-7):

19

20 A. A minimum of 15 percent of the site shall be landscaped. Xeriscape techniques are encouraged. All
21 landscaping should include a mix of vegetative ground cover, shrubbery and trees. Trees, a minimum two
22 (2) inches (dbh) in caliper, and shrubbery, a minimum of 24 inches in height, shall be planted. Mulch,
23 decomposed granite, rocks and similar non-plant material may be used to compliment the cover
24 requirement, but shall not be considered a sole substitute for the vegetative ground cover requirement;

25

26 B. Planter strips shall be required for all multi-family residential developments. Planter strips shall be a
27 minimum of 4.5 feet wide, placed between the back of curb and the sidewalk, along public or private
28 streets;

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C. Street trees, a minimum two (2) inches (dbh) caliper, shall be placed within the planter strips between the curb and the sidewalk. Street trees shall be planted one (1) per every 30 linear feet (minimum) of street frontage.

D. Fences in front yards and along any frontage used to comply with the building orientation standard shall be limited to three (3) feet in height. Fences in other yards shall comply with the fence standards contained in the Lyon County Design Criteria and Improvement Standards and specifications, Appendix

B.

E. The use of native and/or drought-tolerant landscaping is encouraged. All landscaping shall be irrigated with a permanent irrigation system unless a licensed landscape architect submits written verification that the proposed plant materials do not require irrigation. The property owner shall maintain all landscaping.

15.348.09 Pedestrian Circulation

Multi-family residential developments with more than 20 units shall provide pedestrian circulation as specified in the following standards (See Figure 15.348-8):

A. Continuous internal sidewalks shall be provided throughout the site. Discontinuous internal sidewalks shall be permitted only where stubbed to a future internal sidewalk on abutting properties, future phases on the subject property, or abutting recreation areas and pedestrian trails;

B. Internal sidewalks shall be separated a minimum of five (5) feet from dwellings, measured from the sidewalk edge closest to any dwelling unit;

C. The internal sidewalk system shall connect all abutting streets to primary building entrances;

1 D. The internal sidewalk system shall connect all buildings on the site and shall connect the dwelling
2 units to the parking areas, bicycle parking, storage areas, all recreational facilities and common areas,
3 and abutting public sidewalks and pedestrian trails;

4

5 E. Surface treatment of internal sidewalks shall be concrete or masonry pavers, at least five (5) feet
6 wide. Multi-use accessways (e.g., for bicycles, pedestrians and emergency vehicles) shall be of the same
7 materials, at least ten (10) feet wide. Where emergency vehicle access is required, there shall be an
8 additional five (5) feet on either side of the accessway. The additional five (5) foot area may be turf-block,
9 grass-crete or similar permeable material on a base of gravel capable of supporting fire equipment
10 weighing 80,000 pounds.

11

12 F. Where internal sidewalks cross a vehicular circulation area or parking aisle, they shall be clearly
13 marked with contrasting paving materials, elevation changes, speed humps, or striping. Speed humps
14 shall be subject to review and approval by the Lyon County Sheriff's Department, and the applicable fire
15 protection district. Internal sidewalk design shall comply with Americans with Disabilities Act (ADA)
16 requirements;

17

18 G. Where the internal sidewalks are parallel and abutting to a vehicular circulation area, the sidewalk
19 shall be raised or be separated from the vehicular circulation area by a raised curb, bollards, landscaping
20 or other physical barrier. If a raised sidewalk is used, the ends of the raised portions shall be equipped
21 with curb ramps; and

22

23 H. All on-site internal sidewalks shall be lighted to a minimum of two (2) foot-candles.

24

25 **15.348.10 Parking.**

26 Multi-family residential developments shall provide parking designed in conformance with the provisions
27 of Chapter 15.401, and as specified in the following standards:

28

- 1 A. Parking lots and facilities shall be placed to the side or rear of buildings as specified in the Building
2 Orientation Standards. Parking shall not be placed along that portion of the street where building
3 frontages are used to comply with the building orientation standard;
4
- 5 B. Lighting shall be provided for safety purposes, and focused/shielded to avoid glare on adjacent
6 properties or dwellings as specified in 15.405 and the Lyon County Design Criteria and Improvement
7 Standards and specifications, Appendix B;
8
- 9 C. There shall be one (1) planter island for every eight (8) parking spaces. Planter islands shall be a
10 minimum of six (6) feet wide, exclusive of the curb, the full length of a parking space containing one (1)
11 shade tree (a minimum two (2) inches (dbh) in caliper at planting) and vegetative ground cover. Trees
12 shall be specimens capable of attaining 35 feet or more in height at maturity and shall not produce
13 excessive fruit, nuts, or sap, and resistant to pest damage. Bark mulch is not an acceptable substitute for
14 vegetative ground cover in the planter island. Low Impact Development storm-water features may be
15 incorporated into planter islands. Landscape areas shall be evenly distributed throughout the perimeter of
16 interior parking areas, where practicable.
17
- 18 D. A minimum six (6) foot wide planter area shall separate and visually screen parking from living area
19 windows. The planter area shall include a mix of ground cover, shrubbery, and trees with appropriate
20 growth habit (i.e., for narrow planters and any height limitations including balconies, overhangs, and
21 eaves). Shrubbery in this planter area shall be at least 24 inches in height at the time of planting, and
22 trees a minimum of two (2) inches (dbh) in caliper at the time of planting.
23
- 24 E. Parking lots shall be connected to all building entrances by means of internal sidewalks;
25
- 26 F. All parking stalls fronting a sidewalk, or landscaped area shall be provided with a secure wheel
27 bumper not less than six (6) inches in height and set back from the front a minimum of two (2) feet to
28 allow for vehicle encroachment. Wheel bumpers, if used, shall be a minimum of six (6) feet in length. As

1 an option, the sidewalk or planter may be widened two (2) feet beyond the minimum dimension required
2 to allow for vehicle encroachment. The sidewalks and planters shall be protected by a curb not less than
3 six (6) inches in height.

4
5 G. On corner lots/parcels, parking areas shall not be located within 30 feet of an intersection, as
6 measured from the center of the curb return to the edge of the parking area (curb or wheel stop);

7
8 H. All parking, maneuvering and loading areas abutting a property line or right-of-way shall provide
9 perimeter lot/parcel landscaping. A minimum five (5) foot wide planting strip shall be planted with shade
10 trees, a minimum two (2) inches (dbh) in caliper, and a low level (e.g., 30 to 40 inches) evergreen hedge.

11
12 I. Decorative walls may be used in place of the hedge in paragraph H., above, and shall be placed no
13 closer than four (4) feet from the property line. The decorative wall shall be a minimum of 30 inches in
14 height and no more than 40 inches in height, and shall comply with the vision clearance standards
15 specified in the Lyon County Design Criteria and Improvement Standards and specifications, Appendix B.
16 Decorative walls shall be constructed of textured concrete masonry (CMU) or similar quality material, and
17 include a cap. The wall may be partially see-through (up to 40 percent) as appropriate for security
18 purposes. The area between the wall and property line shall be landscaped with shade trees;

19
20 J. Parking area landscaping shall be designed to reduce storm water runoff (e.g., through infiltration
21 swales and other measures), as practicable; and

22
23 K. Bicycle parking shall be provided and may be incorporated into the landscaping design.

24
25 **15.348.11 Vehicular Circulation.**

26 Multi-family residential developments shall provide vehicular circulation as specified in the following
27 standards (See Figure 15.348.8):

28

1 A. The on-site driveway (or private street) system shall connect with public streets abutting the site;

2

3 B. Shared driveways shall be provided whenever practicable to minimize cross turning movements on
4 adjacent streets. On-site driveways and private streets shall be stubbed to abutting high density
5 residential and commercial properties, at locations determined during Site Plan Review process to
6 facilitate development of shared driveways;

7

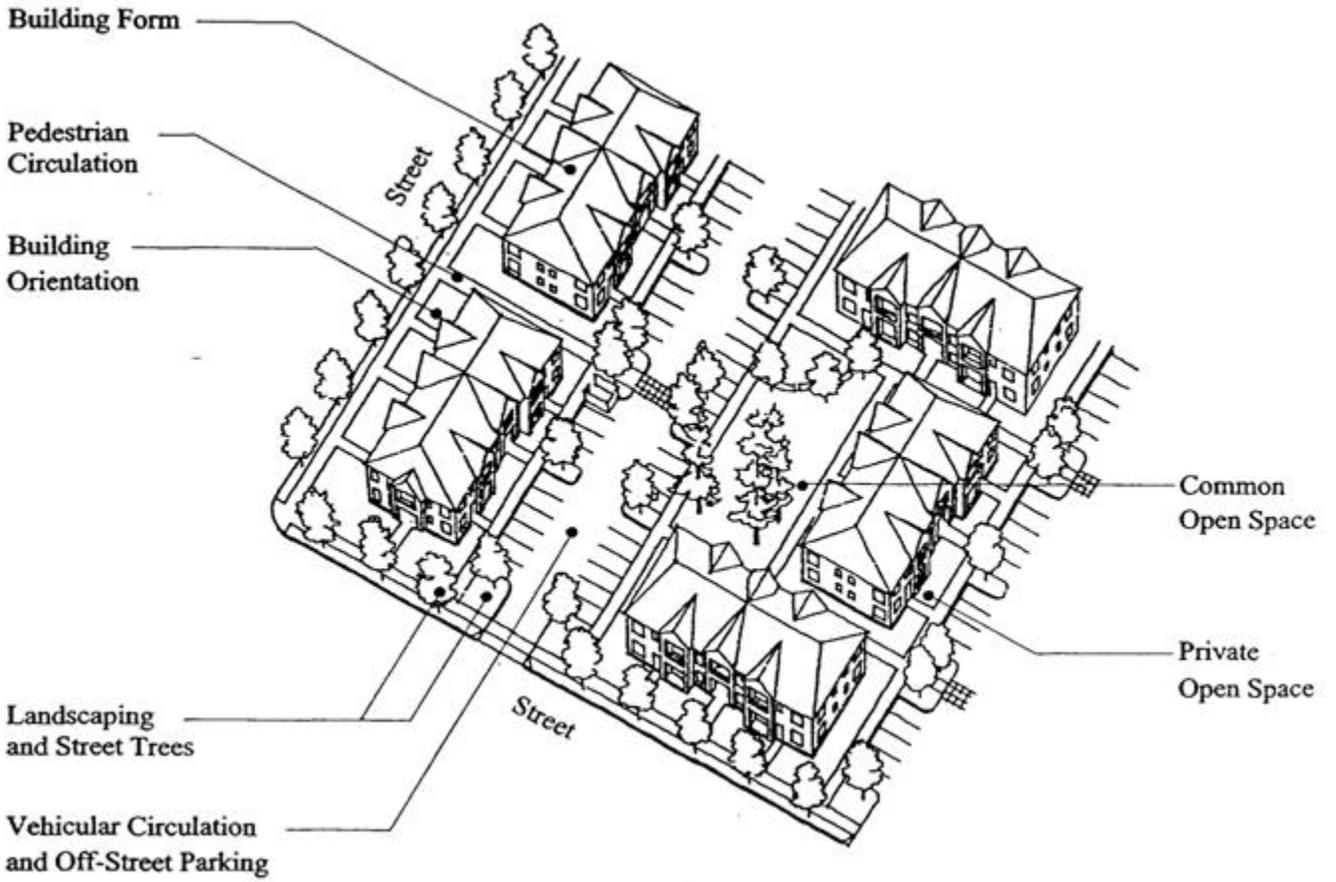
8 C. Parking areas shall be accessed from alleys when properties abut an alley, or an alley can be
9 reasonably extended to serve the development.

10



1 Multi-unit Design Standards

2 Figure 15.348-1



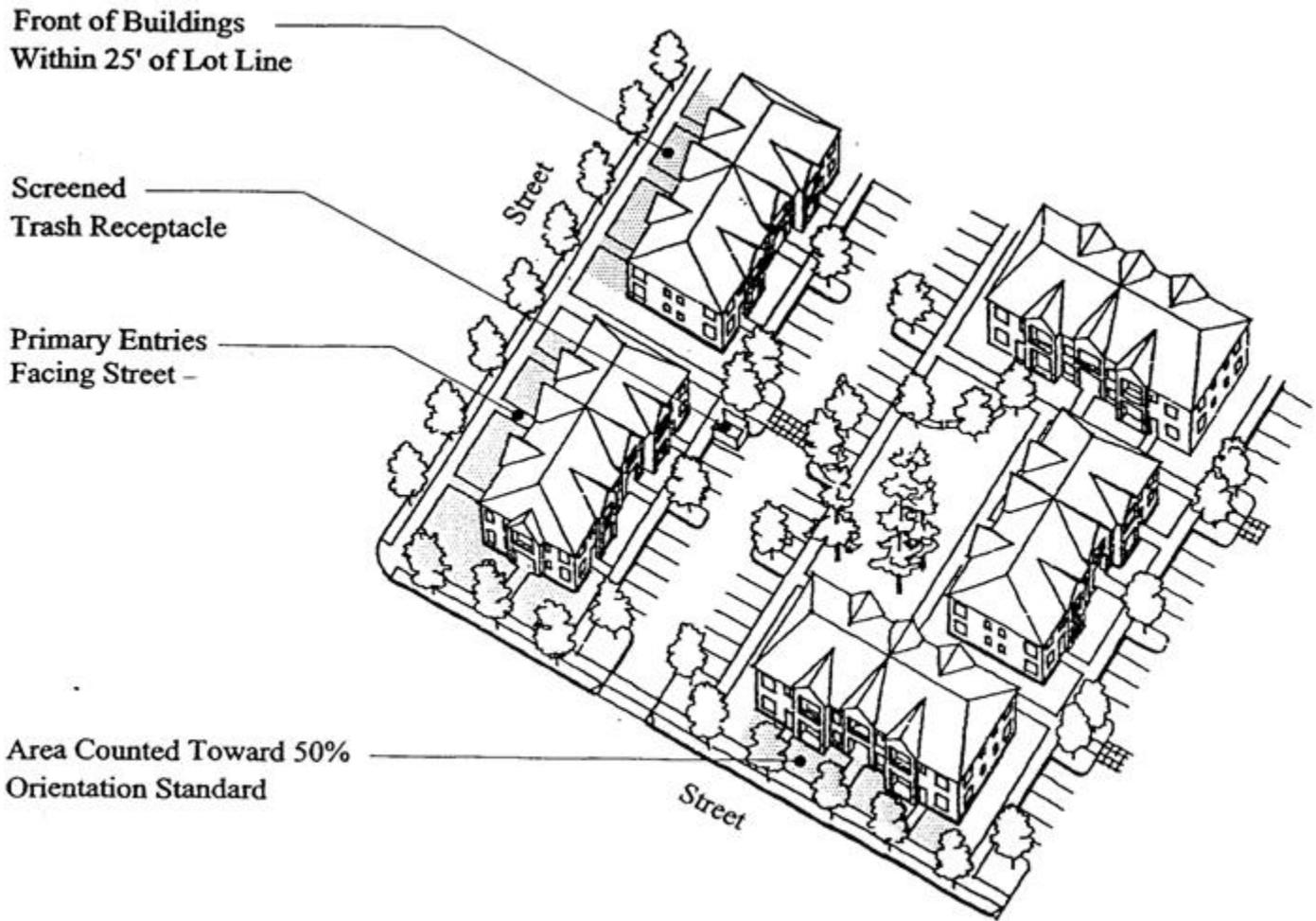
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- 1 Building Orientation and Storage
- 2 Figure 15.348-2



- 3
- 4

- 1 Building Form
- 2 Figure 15.348-3
- 3
- 4



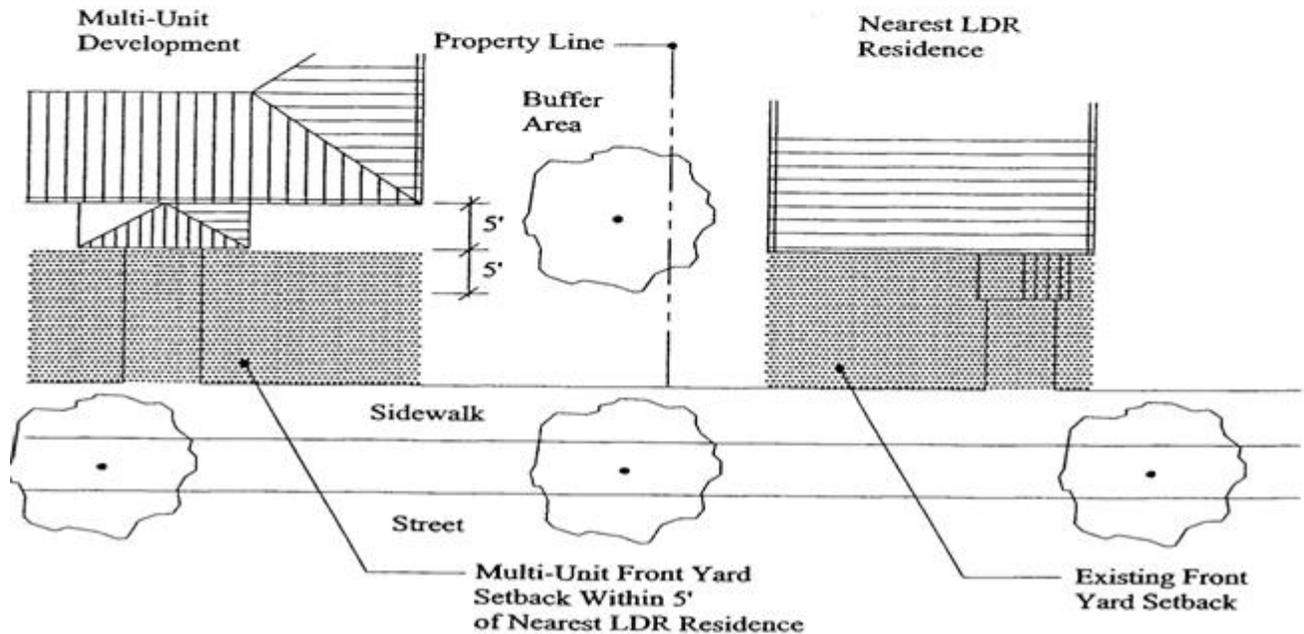
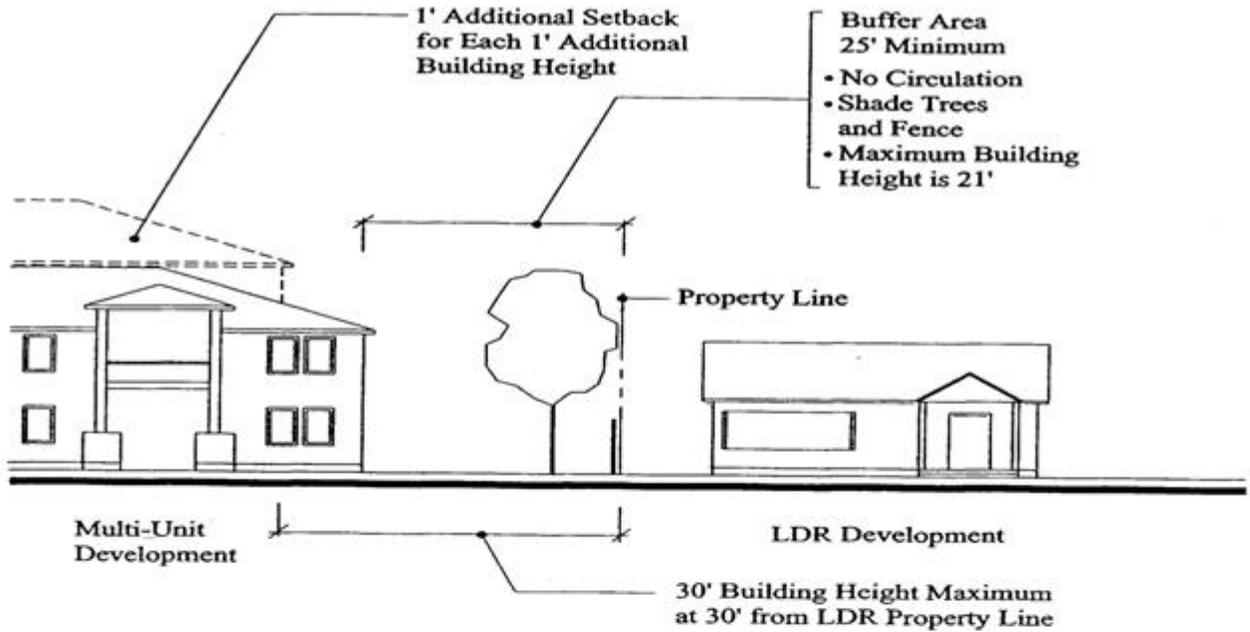
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- 6
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1 Compatibility and Transition

2 Figure 15.348-4

3

4



5

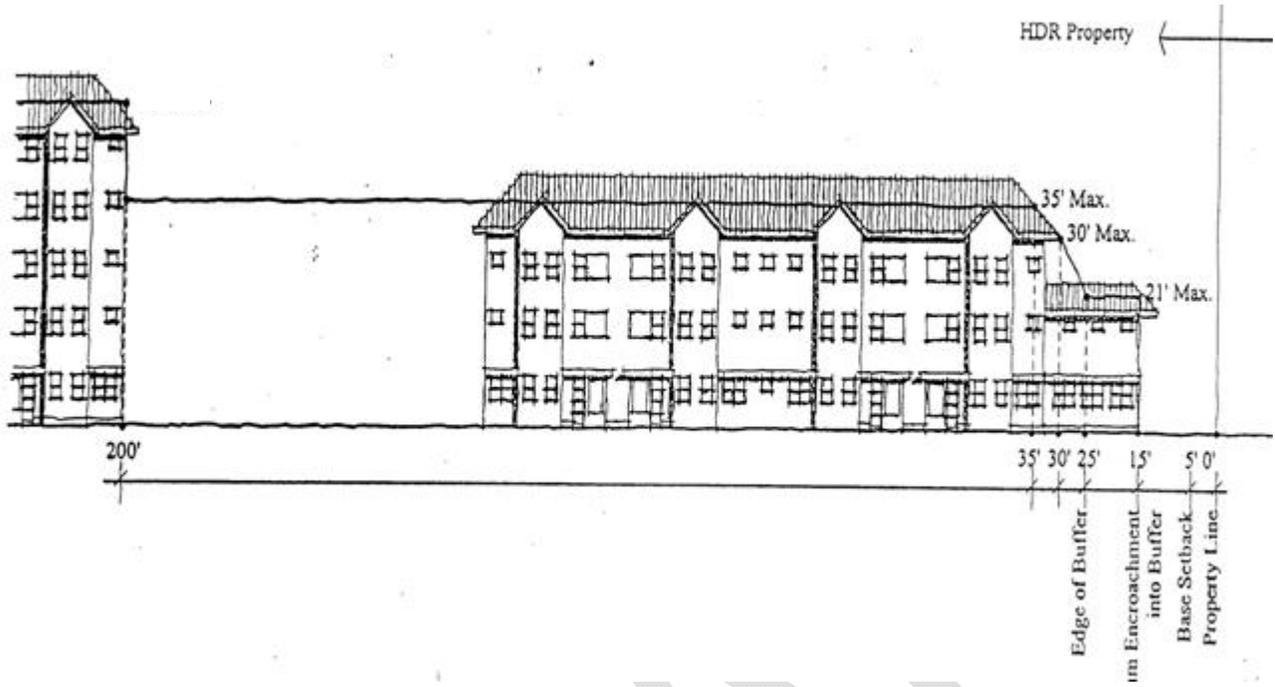
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1 Building Setbacks, Building Height and Transition to Single Family Residential

2 Figure 15.348-5

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4



5

6

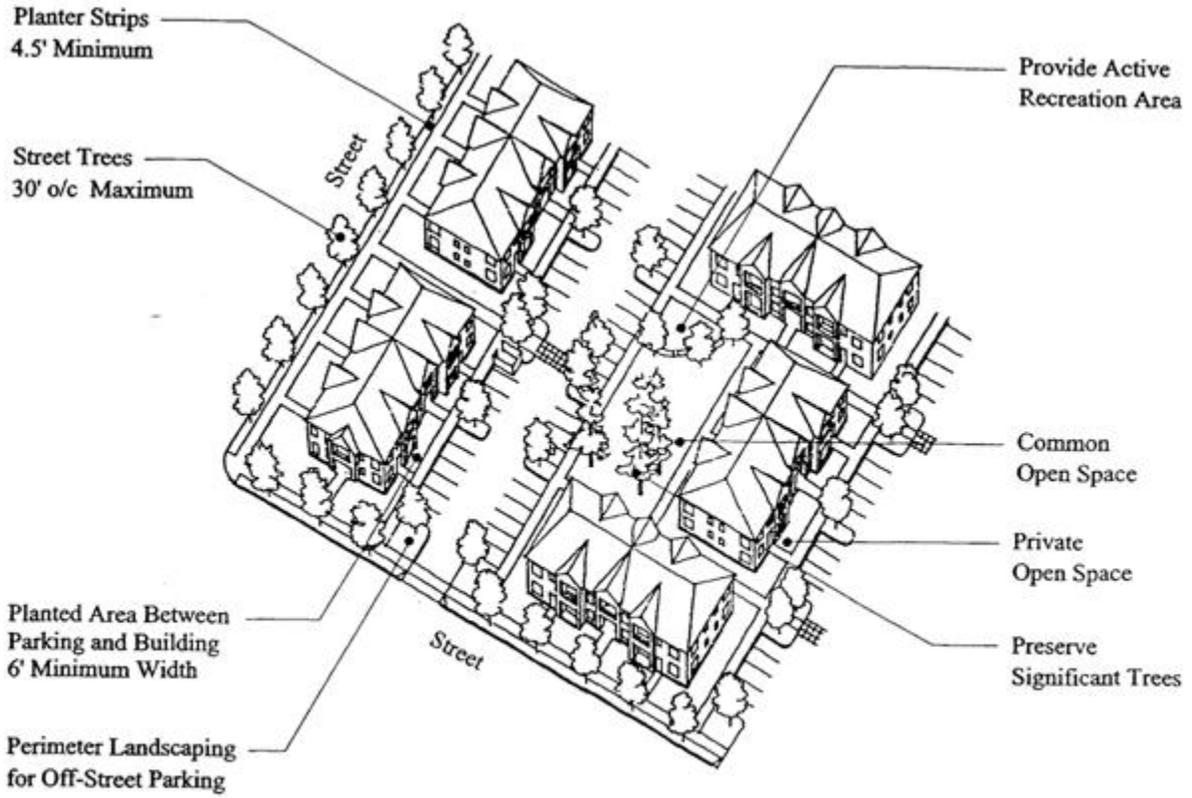
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1 Open Space and Landscaping

2 Figure 15.348-6

3

4



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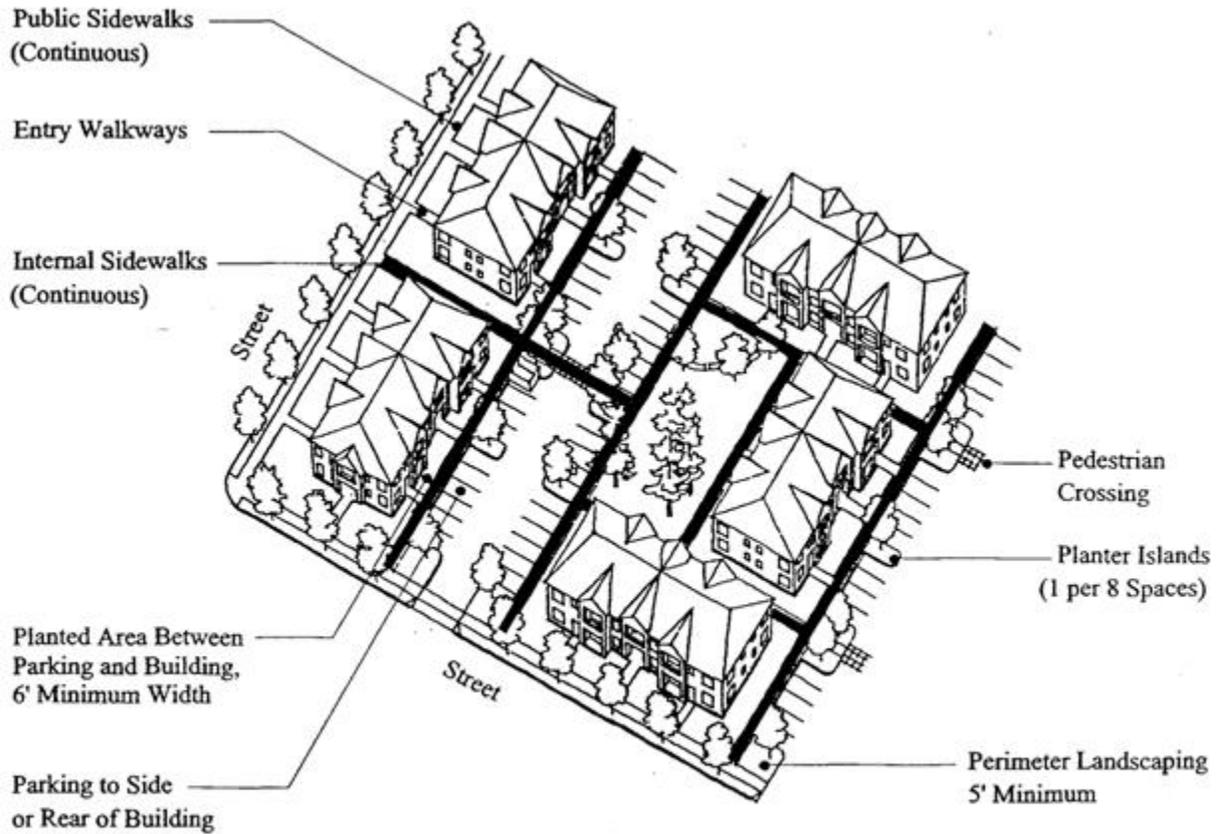
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1 Circulation and Parking

2 Figure 15.348-7

3

4



5

6

1 **Chapter 15.349 Planned Unit Development (PUD)**

2

3 **15.349.01 Purpose**

4 Planned Unit Development (PUD) is a land use designation designed to provide an overall planning and
5 design approach for a single use development or a development incorporating a mix of uses. PUD allows
6 for deviation from a strict application of dimensional and use limitations of the zoning district or districts in
7 order to provide flexibility for landowners to creatively plan for the overall development of their land to
8 achieve a more desirable environment than would be possible through strict application of the standard
9 requirements of the zoning district.

10

11 While not to be considered as the explicit Standards to be applied when evaluating a PUD, the general
12 purpose or purposes for establishing a PUD may include one or more of the following:

13

14 Permit the integration rather than separation of uses so that necessary commercial, recreation, and
15 educational facilities are conveniently located to housing;

16

17 Establish land use patterns that promote and expand opportunities for public transportation and for
18 efficient, compact, networks of streets and utilities that lower development and maintenance costs and
19 conserve energy;

20

21 Help preserve valued environmental resource lands and avoid development of natural hazard areas;

22

23 Help maintain and enhance surface and ground water quality and quantity, and to maintain air quality;

24

25 Help improve and enhance the County's trail and park system and maintain access to public lands;

26

27 Help protect and maintain critical wildlife habitat and migration corridors;

28

- 1 Establish incentives for applicants to assure that long term affordable housing will be developed;
2
3 Help provide for well-located, clean, safe, and pleasant industrial sites involving a minimum of strain on
4 transportation facilities;
5
6 Encourage innovations in residential, commercial and industrial development and renewal so that the
7 growing demands of the population may be met by greater variety in type, design, and layout of buildings,
8 and by the conservation and more efficient use of open space ancillary to the built environment;
9
10 Minimize the burden of traffic on roads and highways;
11
12 Help ensure that the purposes, goals, objectives and policies of all applicable Lyon County
13 Comprehensive Master Plans, maps, and community plans are achieved.

14
15 **15.349.02 Applicability**

16 PUDs shall be permitted in Suburban Character Areas of Lyon County as identified in the Lyon County
17 Comprehensive Master Plan and maps. PUDs may be permitted in all suburban character area zoning
18 districts provided the project, and its component elements and uses, is planned in a manner compatible
19 with each and to the surrounding environment.

20
21 **15.349.03 Standards and Criteria**

22 The following standards and criteria shall govern PUD proposals within Lyon County:

- 23
24 A. The use (or uses) proposed is (are) consistent with the goals and policies of the Lyon County
25 Comprehensive Master Plan and adopted community plan.
26
27 B. The tract or tracts of land included in a proposed PUD must be in a single ownership or under the
28 development control of a joint application of owners or authorized agents of the property involved.

1

2 C. The PUD will comply with the Lyon County Design Criteria and Improvement Standards and
3 specifications contained in Appendix B

4

5 D. The allowable residential density shall be established for the subject property, using the net
6 residential acreage as defined in Appendix A. An increase in density above the maximum density allowed
7 in the underlying zoning district may be proposed and can be permitted. The applicant must mitigate
8 increased density, and the level of mitigation shall increase as the proposed density increases. At a
9 minimum, the applicant must explain how the increase can be offset through provision of usable open
10 space and amenities, innovative site design, architectural variety, and quality of construction and
11 demonstrate that any adverse impacts can be mitigated.

12

13 E. Building and parking area setbacks, minimum lot area, lot coverage and building height must conform
14 to the requirements of the zone underlying a majority of the PUD unless a deviation is proposed,
15 considered and approved as a part of the review process. Any such deviation must be justified by the
16 applicant by addressing the allowable modifications contained in 15.340 through 15.349 where
17 appropriate, and the exceptions criteria of subsection (K) below.

18

19 F. Commercial building placement and architectural design shall conform to the intent of the Chapter
20 15.360 Commercial Design Standards.

21

22 G. Multi-family housing placement and design shall conform to the intent of Chapter 15.348, Multi-family
23 Residential Design Standards.

24

25 H. Parking shall be provided as required by Chapter 15.401, Parking and Loading. Further reductions in
26 the amount of parking to be provided may be proposed by the applicant but shall be approved only if they
27 meet the exceptions criteria of Subsection (K) below.

28

1 I. The minimum area to be designated open space in any planned unit development shall be twenty
2 percent (20%). Each Planned Unit Development proposal shall identify all areas proposed as common
3 open space meeting the requirements contained in 15.340.09. Where a decrease in the required open
4 space is proposed the applicant shall provide a detailed justification addressing the criteria for exception
5 to the open space requirement outlined in paragraph K below. For nonresidential development the
6 common open space requirement can be met by providing a minimum of 20 percent of the development
7 as landscaped area, which exceeds the minimum standards imposed.

8 1. Usable open space in residential PUDs shall be sited and improved to provide active recreational
9 amenities intended to provide appropriate opportunities for physical activity and interaction among
10 residents within the development. Except where inventoried significant natural resources or flood
11 hazard zone are present on site, 100 percent of the required usable open space area shall be
12 improved for active or passive recreational use.

13 2. Development within historic character areas shall provide usable open space improvements
14 which enhance the pedestrian environment and are appropriate to these higher density areas. Such
15 improvements may include, but are not limited to, the following: hardscaped courtyards; weather
16 canopies; water features and drinking fountains; benches or low walls with seating areas; free-
17 standing planters; play structures; public art or other pedestrian space or design features integrated
18 into the overall design of the development.

19 3. Open Space deemed unusable shall be placed under permanent protective easement as
20 proscribed in 15.340.09, with evidence provided at the time of application that the proposed
21 easement holder has or will accept the easement and perpetual management and maintenance as
22 required by 15.340.09.

23

24 J. Connectivity. Planned Unit Developments shall provide vehicular, bicycle, pedestrian or equestrian
25 connections to adjacent and nearby residential areas, transit stops, neighborhood activity centers and
26 other neighborhood facilities in the following manner:

- 1 1. In PUDs that are five (5) acres or more in size, full street connections with spacing of no more
2 than 600 feet between these connections shall be provided except where barriers such as
3 topography, railroads, or pre-existing development prevent their construction.
- 4 2. Within PUDs in which full street connections are not possible, bicycle and pedestrian connection
5 on public easements or rights-of-way shall be provided with spacing of no more than 400 feet
6 between connections except where barriers such as topography, railroads, or pre-existing
7 development prevent their construction.
- 8 3. In PUDs, opportunities to incrementally extend and connect proposed new streets with existing
9 streets in adjacent or nearby areas shall be considered in addition to addressing street connectivity
10 recommendations shown on the County-Wide Integrated Roadway Network Maps contained within
11 Appendix B of the Lyon County Comprehensive Master Plan.
- 12 4. The use of cul-de-sac designs and closed street systems shall be limited to circumstances in
13 which barriers such as topography, railroads, arterial highways, or pre-existing development prevent
14 full street extensions. When permitted, cul-de-sacs shall have a maximum length of 200 feet and shall
15 serve no more than 25 dwelling units.
- 16 5. Narrow street designs for local streets may be permitted with approval of the county engineer,
17 provided that other minimum dimensional requirements are met for travel lanes, bike lanes, parking
18 lanes and sidewalk widths.
- 19 6. Where site conditions are favorable to stormwater infiltration "green streets" designs may be
20 utilized. Permissible design elements and facilities include, but are not limited to, minimizing paving
21 and/or using pervious paving materials, maximizing street tree coverage, using multi-functional open
22 drainage systems in lieu of more conventional curb-and-gutter systems, reducing cul-de-sac radii and
23 using vegetated islands in the center, and minimizing the negative effects of stream crossings.
- 24
- 25 K. Planned Unit Development in areas designated Employment or Commercial on the Lyon County
26 Comprehensive Master Plan Map may allow mixed industrial, commercial, and residential uses subject to
27 the following:
 - 28 1. The site proposed for the PUD is not less than 20 gross acres in size.

1 2. A minimum of 60 percent of the land area subject to the PUD shall be devoted to uses allowed by
2 the underlying zoning for the property subject to the PUD. Where a proposed PUD retail commercial
3 use is not listed as an allowed use within an industrial zoning district, no multi-tenant or multi-user
4 retail commercial facility or structure under common ownership or common control may be developed
5 at a gross square footage in excess of 15,000 square feet.

6 3. The PUD preliminary development plan shall indicate the approximate size, general location, and
7 character of use of all areas of the site which the applicant designates for uses other than those
8 allowed by the Lyon County Comprehensive Master Plan Map and this title.

9
10 L. Planned Unit Developments shall establish adequate Buffer Zones between dissimilar uses within the
11 development and between dissimilar uses and/or densities exterior to the planned unit development.
12 Special design considerations such as height controls, density controls, architectural modifications, and
13 landscaping buffers shall be incorporated in any portion of the development which adjoins a previously
14 approved land use or division of land.

15
16 M. Exceptions.

17 1. Building Setback or Yard Requirements. The Commission may grant an exception to the
18 dimensional building setback or yard requirements of the applicable standards based on findings that
19 the approval will result in the following:

20 a. No adverse effect to adjoining properties in terms of light, air circulation, noise levels, privacy,
21 and fire hazard.

22 b. At least one of the following:

23 1) A more efficient use of the site;

24 2) The preservation of natural features which have been incorporated into the overall design
25 of the project;

26 3) Safe vehicular and pedestrian access to the site and safe on-site vehicular and
27 pedestrian circulation.

1 In the instance where adjoining properties to the Planned Unit Development are zoned residential, all
2 structures within the PUD shall be set back from adjoining properties to the minimum setback or yard
3 required in the underlying zone.

4 2. Building Height. The commission may grant an exception to the applicable height requirements
5 for a specified and defined area within the PUD, based on findings that:

6 a. The transportation system can accommodate increased traffic resulting from additional
7 height; and

8 b. Adequate public utilities and services are available to serve the additional structural height;
9 and

10 c. The proposal complies with the Federal Aviation Administration's Aviation Regulations (FAR)
11 Part 77; and

12 d. Solar access is maintained to existing solar energy devices on adjacent property.

13 3. Parking. The commission may grant an exception to the off-street parking dimensional and
14 minimum number of space requirements of the applicable standard based on findings that the
15 approval will result in one of the following:

16 a. An exception which is not greater than ten (10) percent of the required parking.

17 b. At least one of the following:

18 1) A proposed use which is designed for a specific purpose, is intended to be permanent in
19 nature (for example, a nursing home), and has a low demand for off-street parking;

20 2) An opportunity for sharing of parking including written evidence that the property owners
21 will enter into a binding legal agreement;

22 3) Public transportation is available to the site.

23 4. Open Space. The commission may grant an exception to the Open Space requirements of this
24 Section upon a finding that:

25 a. The development is within $\frac{1}{4}$ mile (measured in actual walking distance) of a publicly
26 accessible active open space area such as a public park; or

27 b. A minimum of 800 square feet of private open space per lot or dwelling unit is provided for at
28 least 65 percent of the lots or dwelling units in the development. To apply toward this exception,

1 such private individual open space must be configured in contiguous side or rear yards with
2 minimum depths or widths of ten (10) feet. Second story decks or roof gardens may also apply
3 toward the 800 square foot standard, provided that the decks or gardens are at least 120
4 contiguous square feet in area; and

5 c. An amenity(ies) mitigating the loss of open space are included in the PUD and available to all
6 lots and users of the PUD.

7 5. Density. The commission may grant an exception to allow an increase from the maximum density
8 of the underlying zone, up to a maximum of 120 percent of the underlying density, upon finding that:

9 a. Existing and proposed streets and pedestrian / bicycle systems within and connecting to the
10 development are adequate to support the proposed density;

11 b. Existing and proposed water, sanitary sewer and storm drainage facilities within and
12 connecting to the development are adequate to support the proposed density;

13 c. The increase does not necessitate unnecessary topographic alterations or impact significant
14 natural resource areas;

15 d. The development will provide usable open space and other amenities of exceptional quality
16 or quantity, especially active recreational areas;

17 e. The additional density will be located internal to the project in a manner which decreases the
18 visual impact on adjacent properties; and

19 f. The development demonstrates innovative site design, outstanding architectural variety, and
20 quality of construction.

21 g. The development demonstrates a high level of compliance with habitat friendly, low impact
22 development practices.

23 h. The development demonstrates a high level of compliance with recognized practices for
24 sustainable development, including but not limited to the following: lot and structure orientation for
25 passive and/or active solar energy use; covenants ensuring maintenance of future solar access;
26 use of wind turbines or wind collectors for power generation or passive ventilation; provision of
27 community greenhouses, gardens, or orchards; use of water conserving landscaping; use of
28 storm water harvesting or diversion for irrigation; enhanced tree plantings; and use of green roofs.

1 i. Development rights are transferred from areas designated “sending” areas under the
2 provisions of Chapter 15.125, Transfer of Development Rights.

3
4 N. Existing projects may be considered for planned unit development if, in the opinion of the director,
5 they do not pose any health, safety or welfare problems.

6
7 O. Any land or interest therein within a planned unit development may be dedicated to the county for
8 public use and maintenance, although the county is under no obligation to accept such dedication. In no
9 event does land dedicated to and accepted by the county constitute common open space for the
10 purposes of this chapter.

11
12 **15.349.04 Planned Unit Development Approval Process**

13 Approval of a Planned Unit Development is a land use approval conducted in conjunction with the review
14 and approval of tentative and final maps for division of land. A map implementing a planned unit
15 development may not be approved until a land use plan has been approved for the planned unit
16 development.

17
18 **15.349.05 Expeditious Processing.**

19 In order to provide an expeditious method for processing a tentative planned unit development under the
20 terms of this chapter and to avoid the delay of securing of approvals by a multiplicity of local procedures
21 with regard to the division of land, zoning map amendment, and regulations otherwise applicable to the
22 property, it is, therefore, declared to be in the public interest that all procedures with respect to the
23 approval or disapproval of a planned unit development be applied for under a single application.

24
25 The processing of a planned unit development is completed in three (3) stages. Stage one (1) is the
26 preliminary review of the conceptual plan. Stage two (2) is the application for tentative approval of a
27 planned unit development and tentative map to the commission and approval by the board. Stage three
28 (3) is final approval of the planned unit development and implementing maps by the county.

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15.349.06 Preliminary Review of Conceptual Plan.

A. Letter of Intent. Prior to submitting an application for a PUD, the developer shall submit a letter of intent providing the information outlined below. The letter of intent is for informational or advisory purposes only, and does not constitute an application for official review of a PUD.

1. The Letter of Intent shall contain the following:

a. Sketch Plan showing the project location, proposed layout and distribution of uses within the planned unit development, and all existing structures within the proposed project area.

b. A narrative identifying proposed uses, densities, site conditions, and a preliminary schedule for development of the planned unit development.

2. Upon receipt of a Letter of Intent for a planned unit development, the director shall distribute copies to all county department heads, affected fire, irrigation, improvement districts, and state or local government agencies with a potential interest in the project, and schedule an informational meeting between the developer and affected governmental entities. The informational meeting is intended to allow all parties to identify applicable development criteria and standards, potential conflicts, design opportunities, and the processes and procedures necessary to move the project from concept to implementation. Within ten (10) working days of the information meeting, the director shall compile comments from participants, and provide a written summary to the project proponent.

15.349.07 Application for Tentative Approval.

A. Application. Each Planned Unit Development proposal shall submit a tentative development plan which provides a development suitability analysis and land use concept plan for the project which establishes the constraints and opportunities for development of a site, and sets forth in the form of written text, diagrams, and/or maps one or more development alternatives and the planning objectives to guide and control the future development of the site. A Tentative Development Plan shall consist of the following elements:

- 1 1. A narrative addressing the standards and criteria established in 15.349.01, 15.349.02 and
2 15.349.03 paragraphs A thru K above, including documentation and justification for any exceptions
3 requested.
- 4 2. A statement of proposed density. The allowable density for a planned unit development shall be
5 compatible with the Lyon County Comprehensive Master Plan and any applicable community plan.
6 Where an increase in the allowable density is proposed the applicant shall provide a detailed
7 justification addressing the criteria for exception to density outlined in 15.349.03 above. Factors to be
8 considered in assigning density are as follows:
 - 9 a. Site analysis.
 - 10 b. Topography.
 - 11 c. Drainageways.
 - 12 d. Views.
 - 13 e. Soils.
 - 14 f. Layout of lots.
 - 15 g. Site sectional studies.
 - 16 h. Access
- 17 3. A site analysis drawn at 1:20 scale which, on one or more sheets, shows the following:
 - 18 a. A vicinity map showing the location of the property in relation to adjacent properties, roads,
19 pedestrian and bikeways, transit stops, utility lines and easements;
 - 20 b. The parcel boundaries, dimensions and gross area;
 - 21 c. Contour lines at two (2) foot intervals
 - 22 d. The drainage patterns and drainage courses on the site and on adjacent parcels;
 - 23 e. Portions of the site within any flood hazard zone, including a figure giving the area and
24 percentage of the site therein;
 - 25 f. Critical wildlife habitat or natural heritage sites;
 - 26 g. Significant site features, including areas with unique views, streams, and stream corridors;
 - 27 h. The location, size, and variety of trees having a six (6) inch or greater caliper at five (5) feet
28 above ground or, where the site is heavily vegetated, an aerial photograph at the same scale as

- 1 the site analysis and a drawing showing the location, size, and variety of only the vegetation that
2 will be affected by the proposed development;
- 3 i. Identification information including the name, address, and phone number of the owner,
4 developer, and project designer;
- 5 j. A north arrow and the scale.
- 6 4. A geotechnical investigation report which shows the following: slope stability studies, on-site site
7 grading, cutting and filling; structural foundation requirements; surface and subsurface drainage
8 recommendations; erosion vulnerability; building or grading limitations, including top of slope offsets
9 and areas restricted for site grading; recommendations for construction of streets, utilities, and
10 structures of the site; and identification of any portions of the site requiring further evaluation by a
11 geotechnical or structural engineer. Unless the director determines that a geotechnical investigation is
12 warranted due to site-specific characteristics, projects meeting all of the following criteria are exempt
13 from this requirement:
- 14 a. Construction value of the project is \$150,000 or less; and
15 b. The project will not involve the import, export, and/or on-site movement of more than 100
16 cubic yards of earth; and
17 c. There is no evidence of any previous fill on the site to a depth exceeding one (1) foot; and
18 d. The project does not include proposed cuts or fills on the site to a depth exceeding one (1)
19 foot; and
20 e. No portion of the site has a slope in excess of ten (10) percent.
- 21 5. A site plan, drawn at the same scale as the site analysis, which, on one or more sheets, shows
22 the following:
- 23 a. The applicant's entire property and the surrounding property to a distance sufficient to
24 determine the relationship between the applicant's property and proposed development and
25 adjacent property and development;
- 26 b. Boundary lines and dimensions for the perimeter of the property and approximate dimensions
27 for all proposed lot lines;
- 28 c. Section lines, corners, and monuments;

- 1 d. Identification information, including the name, address, and phone number of the owner,
2 developer, and project designer;
- 3 e. The scale and north arrow;
- 4 f. The location, dimensions and names of all
 - 5 1) Existing and platted streets and other public ways and easements on adjacent property
6 and on the site,
 - 7 2) Proposed streets or other public ways, easements on the site and on adjoining property;
- 8 g. The location, dimensions, and setback distances of all:
 - 9 1) Existing structures, improvements, utility, and drainage facilities on adjoining properties,
 - 10 2) Existing structures, improvements, utility and drainage facilities to remain on the site,
 - 11 3) Proposed structures and improvements and conceptual plans for utilities, fire suppression
12 and drainage facilities on the site;
- 13 h. The location and dimensions of:
 - 14 1) The entrances and exits to the site,
 - 15 2) The parking and circulation areas,
 - 16 3) Pedestrian and bicycle circulation patterns,
 - 17 4) On-site outdoor recreation spaces and common areas,
 - 18 5) Above-ground utilities;
- 19 i. The location of areas to be landscaped;
- 20 j. The location and type of street lighting;
- 21 k. The orientation of structures, except single-family detached structures and duplexes, also
22 showing the orientation of windows and doors;
- 23 l. The location of group mail boxes.
- 24 6. Architectural drawings including proposed building elevations, sections, and floor plans, except
25 for detached single-family and duplex dwelling units;
- 26 7. A grading and drainage plan including written statements and descriptions as necessary, at the
27 same scale as the site analysis, addressing the following:

- 1 a. The location and extent to which grading will take place indicating general contour lines,
2 slope ratios, and slope stabilization proposals;
- 3 b. A statement from a registered engineer supported by factual data that all drainage, both
4 upstream and on the site, can be accommodated, and the amount and rate of run-off leaving the
5 site is minimized;
- 6 c. A plan, where on-site detention is not feasible, which identifies and mitigates any off-site
7 adverse effects resulting from increased runoff; the plan shall be prepared by a registered
8 engineer.
- 9 d. Identification information, including the name and address of the owner, developer, project
10 designer, and the project engineer.
- 11 8. A landscape plan, drawn at the same scale as the site plan, which on one or more sheets shows:
12 a. The location of the underground irrigation system or hose bibs (a general description of
13 maintenance of landscaped areas may be submitted where no irrigation system is proposed);
14 b. The location and height of fences and other buffering or screening materials;
15 c. The location, size, and species of the existing and proposed plant materials;
16 d. The location, size, and variety of the trees to be removed.
- 17 9. The following information regarding proposed signage:
18 a. Freestanding sign(s)
19 1) The proposed location of any freestanding signs shall be shown on the site plan;
20 b. On-building sign(s)
21 1) The location of any on-building sign shall be shown on the architectural drawings of the
22 building,
23 2) The plot plan shall show the location of the signs on the building in relation to adjoining
24 property;
- 25 c. Sign installation
26 1) All signs shall comply with the requirements of 15.403. A drawing to scale showing the
27 dimensions, height, color, materials and means of illumination of each sign prior to its
28 placement on the property;

1 10. A map showing how proposed street, sidewalks, bike routes and bike ways and pedestrian
2 connections within the proposed planned unit development may be extended onto adjoining
3 undeveloped properties so as not to preclude their efficient development.

4 11. A connectivity analysis prepared by a qualified professional describing the existing and future
5 vehicular, bicycle and pedestrian connections between the proposed planned unit development and
6 existing and planned land uses on adjacent properties.

7 12. The applicant shall submit either:

8 a) A determination by USA that Site Assessment is not necessary, or

9 b) A USA Service Provider Letter.

10 13. An applicant for a project or phase of a multi-phase project that is one (1) or more gross acres in
11 size or which is forecast to generate 100 or more average daily auto trips, shall submit as a part of
12 the PUD application a traffic impact report. The report shall analyze the impact of the project or phase
13 of a project on the County and State road and street systems within one (1) mile of the borders of the
14 project or phase of a project, or to such greater distance as necessary until the traffic analysis shows
15 that the impact of the project or phase of a project has dissipated to where it no longer results in an
16 impact of ten (10) percent or more over current conditions. Such report shall be prepared and
17 certified by a registered traffic engineer. The required report shall comply with the standards listed in
18 the Lyon County Design Criteria and Improvement Standards for Traffic Analysis contained in
19 Appendix B.

20 14. The proposed Covenants, Conditions and Restrictions to be recorded if the PUD is approved.
21 The Covenants, Conditions and Restrictions shall incorporate appropriate provisions for the
22 establishment and maintenance of long-term PUD site development standards, including enforcement
23 mechanisms designed to assure coherent, coordinated development, maintenance and use activity
24 with the PUD site.

25 15. Letters of Intent to Serve from each utility providing service to the planned unit development.

26 16. Tentative map or maps for all land included in the PUD. Tentative maps shall be prepared in
27 accordance with the standards for tentative maps contained in the Lyon County Design Criteria and
28 Improvement Standards, Appendix B.

1
2 C. All reports, plans, and documents submitted as elements of the Preliminary Plan shall be prepared in
3 accordance with the requirements of this section and Appendix B. Where a conflict exists, the stricter
4 requirement shall be followed.

5

6 **15.349.08 Review of Application for Tentative Approval**

7 A. An application for tentative approval of a PUD shall be filed by or on behalf of the landowner. The
8 application shall be filed with the department on forms approved by the department and accompanied by
9 the payment of all applicable fees. Neither the board, commission, nor any county department shall
10 undertake a review of the proposed development until all fees have been paid in full and the complete
11 application package has been received.

12 1. The complete application package must contain the fee payment, the application form, the
13 appropriate number of prints, and all information required by 15.349.08 above. The term "print" shall
14 mean plans drawn in conformance with the requirements of the Lyon County Design Criteria and
15 Improvement Standards contained in Appendix B.

16

17 B. The department, after submittal of the complete package, shall circulate for review and comment the
18 proposed development plans. These plans will be reviewed by county, state, and federal agencies for
19 compliance with applicable laws. The agencies shall then respond, in written form, as to the conditions to
20 be imposed upon the proposed development. These comments and conditions will be incorporated into
21 the staff report and relayed to the landowner prior to the public hearing before the commission.

22

23 C. Tentative maps submitted as part of the application for a PUD shall be reviewed in accordance with
24 the requirements of 15.600 and 15.607 concurrent with the review and approval of the PUD.

25

26 **15.349.09 Hearing on Application.**

27 A. The commission shall hold a public hearing in conformance with the development review and
28 decision making requirements of 15.06 and 15.10.

1

2 B. The commission may continue a hearing to a specific time and may refer the matter to the
3 department staff for further study. In any event, however, the public hearings shall be concluded within 60
4 days after the date of the first public hearing unless the landowner consents in writing to an extension of
5 time within which such hearings shall be concluded.

6

7 C. The commission shall consider all such evidence as presented by staff, the applicant, and the public
8 and shall make findings of fact relative to the tentative map. Findings of fact shall not be inconsistent with
9 the laws of the state or the provisions of this title. The commission shall recommend disapproval or
10 conditional approval on every tentative map if the map does not demonstrate full compliance with this title
11 or NRS.

12

13 D. Recommendation of approval by the commission of the proposed planned unit development plan and
14 implementing tentative map(s) shall impose no obligation on the part of the board to approve either the
15 plan or tentative map(s) or to accept any public dedication shown thereon.

16

17 E. The board shall consider the commission's report and any new evidence as presented by the staff,
18 the applicant, or the public. The board may continue a hearing to a specific time and may refer the matter
19 back to staff or the commission for further study. In any event, however, the public hearings shall be
20 concluded within 60 days after receipt of the commission report.

21

22 F. The board shall, after the conclusion of public hearings by minute action, grant tentative approval,
23 tentative approval subject to specific conditions, or denial of a tentative plan, and all maps necessary to
24 implement the approved plan. When tentative approval is granted, the board shall specify the maps,
25 drawings, specifications, and form of performance bond that shall accompany the application for final
26 approval. If approval is granted subject to conditions, the applicant shall, within 21 days after receiving the
27 approval from the board or by special agreement from the board, a set period of time to notify the director
28 of their acceptance of or their refusal to accept all of the stated conditions. Failure to respond to the

1 director, within the established time limits, shall void all prior proceedings. If the applicant refuses to
2 accept all of the conditions, tentative approval of the plan and implementing maps is automatically
3 rescinded.

4

5 G. This section does not prevent the board and the landowners from mutually agreeing to modify such
6 conditions and the board may, at the request of the applicant, extend the time during which the applicant
7 is required to notify of his acceptance or refusal to accept the conditions.

8

9 **15.349.10 Approval or Denial of Application.**

10 The approval or denial of a tentative planned unit development plan shall be by minute action and shall
11 set forth the reasons for the approval or for the denial, and in the case of approval, shall set a specific
12 date for the filing of a final map, or in the case of phased development over a period of years, shall set the
13 specific dates for the filing of the final map phases or units. The minutes shall also set forth with
14 particularity in what respects the plan would or would not be in the public interest, including but not limited
15 to, findings of fact, conclusions of law on the following:

16

17 A. In what respects the plan is or is not consistent with the statement of objectives of this chapter;

18

19 B. The extent to which the plan departs from zoning and planned unit development regulations
20 otherwise applicable to the property, including but not limited to density, size and use, and the reasons
21 such departures are or are not deemed to be in the public interest;

22

23 C. The purpose, location and amount of the open space in the planned unit development, the reliability
24 of the proposals for maintenance and conservation of the open space and the adequacy or inadequacy of
25 the amount and purpose of the open space as related to the proposed density and type of residential
26 development;

27

1 D. A physical design of the plan and in the manner in which such design does or does not make
2 adequate provision for public services, provide adequate control over vehicular traffic, parking
3 requirements, and further the amenities of light and air, recreation and visual enjoyment;

4
5 E. The relationship, beneficial or adverse, of the proposed planned unit development to the
6 neighborhood in which it is proposed;

7
8 F. In the case of a plan which proposes a development over a period of years, the sufficiency of the
9 terms and conditions intended to protect the interest of the public and the residents of the planned unit
10 development in the integrity of the plan.

11

12 **15.349.11 Effect of Tentative Approval**

13 Tentative approval of a plan does not qualify a map or plat of the planned unit development for recording
14 or authorize development or the issuance of any building permits. A plan which has been given tentative
15 approval as submitted, or which has been given tentative approval with conditions which have been
16 accepted by the applicant, may not be modified, revoked, or otherwise impaired by action of the county
17 pending an application for final approval, without the consent of the applicant. Impairment by the county is
18 not stayed if an application for final approval has not been filed, or in the case of development over a
19 period of years applications for approval of the several parts have not been filed, within the time specified
20 in the minutes granting tentative approval.

21

22 The tentative approval must be revoked and the portion of the area included in the plan for which final
23 approval has not been given shall revert to the master plan designations and zoning classifications in
24 effect on the date of initial application for a planned unit development and shall be subject to this title if
25 the applicant/landowner elects to abandon the plan or any part thereof, and so notifies the county in
26 writing, or the applicant/landowner fails to file application for final approval within the required time.

27

1 **15.349.12 Time Limits for Filing Application for Final Approval.**

2 When the applicant has been granted tentative approval of a PUD, the applicant shall file an application
3 for final approval of the plan, and a map or maps for the first phase or unit of the PUD, on or before a date
4 set at the discretion of the board or within four (4) years from the time of tentative approval as granted by
5 the board. Specific Final Map filing dates for all phases may be extended, upon application to the board,
6 but in no event shall the dates exceed two (2) years from the previously established final filing date.
7 Tentative approval of a plan does not qualify a plat of the PUD for recording or authorize development or
8 the issuance of any building permits.

9
10 **15.349.13 Final Approval.**

11 A. An application for final approval of a planned unit development shall be made for all the land included
12 in a plan or to the extent set forth in the tentative approval for a section thereof. Such application shall be
13 made to the department within the time specified by the minutes granting tentative approval. The county
14 engineer and the department shall review, within 30 days, the final plan and map(s) for compliance with
15 the approved tentative plan and map.

16 1. If the plan, as submitted for final approval, is not in substantial compliance with the plan as given
17 tentative approval, the director shall, within 30 days of the date of the filing of the application for final
18 approval, notify the applicant in writing, setting forth the particular ways in which the plan is not in
19 substantial compliance. Thereupon, the applicant may:

- 20 a. Treat such notification as a denial of final approval;
21 b. Refile his plan in a form which is in substantial compliance with the plan as tentatively
22 approved; or
23 c. File a written request with the department that the board hold a public hearing on the
24 application for final approval.

25 2. If the applicant elects the alternatives set out in subsections b or c above, he must refile his plan
26 or file a request for a public hearing on or before the last day of the time within which he was
27 authorized to file for final approval, or 30 days from the date he receives notice that his plan is not in

1 substantial compliance, whichever is later. Failure to refile a request for public hearing within such
2 time period shall constitute an abandonment of the plan by the applicant.

3 a. The burden shall be upon the applicant to show the board good cause for any variation
4 between the plan as tentatively approved and the plan as submitted for final approval.

5 b. Any such public hearing shall be held by the board within 30 days after the request for the
6 hearing is made by the applicant. The board shall, by minute action, either grant final approval to
7 the plan or deny final approval to the plan. The grant or denial of final approval of the plan shall,
8 in cases arising under this section, contain the matters required with respect to an application for
9 tentative approval by 15.349.08, above. The board may continue the hearing, but in no case shall
10 action on the map exceed 60 days from the first hearing date.

11 3. If any errors or omissions are found on the prints of the final map submitted to the county for
12 checking, the map shall be returned to the subdivider or his engineer for correction. When the
13 corrected map has been received and approved, the county engineer and director shall then notify, by
14 certified mail, the land owner if his map is in compliance. The 30 day review period shall be extended
15 by the number of days it takes to get the map corrected. The applicant shall then have 90 days, upon
16 receipt of the county's letter, to record the final map, if the plan is in substantial compliance with the
17 plan that had been granted tentative approval.

18
19 B. Contents of Application. The application shall include such maps, drawings, specification, covenants,
20 easements, conditions and form of performance bond as were set forth in the minutes at the time of
21 tentative approval.

22
23 C. Hearing. A public hearing on an application for final map and zoning map amendment approval of the
24 plan or any part thereof, shall not be required if the plan, or any part thereof, submitted for final approval
25 is in substantial compliance with the plan that had been granted tentative approval. The plan submitted
26 for final approval shall be in substantial compliance with plans previously approved if modifications by the
27 applicant do not:

28 1. Vary the proposed gross residential density or the number of units proposed;

- 1 2. Involve a reduction of the area set aside for common or private open space or modify the
- 2 maintenance agreements;
- 3 3. Increase the total ground coverage of buildings or involve a substantial change in the height of
- 4 buildings;
- 5 4. Vary circulation, drainage, or utility patterns;
- 6 5. Vary the substance of the covenants, conditions, and restrictions.

7

8 D. Only when final approval has been granted and the map recorded shall the notation of this fact be
9 placed on the zoning map. If construction of the approved development has not begun within one (1) year
10 of the recording of the final map, the final map shall expire and the base zoning of the site shall be
11 enforced.

12

13 E. All final maps will comply with this title, and the Lyon County Design Criteria and Improvement
14 Standards contained in Appendix B, where applicable.

15

16 **15.349.14 Certification of the Final Development Plan.**

17 Approval of a plan, or any part thereof, which has been given final approval, shall be certified without
18 delay by the proper authorities and shall be filed within 90 days of final approval in the office of the county
19 recorder before the issuance of any building permits for the development. The recorder shall collect a fee
20 pursuant to NRS.

21

22 **15.349.15 Amendments After Final Map Recording.**

23 Minor amendments to the final map may be authorized by both the director and the county engineer
24 providing there is not an increase in the density of a project or a decrease in the amount of open space.

25

26 **15.349.16 Abandonment of Final Plan.**

27 A. No further development shall take place on the property included in the final plan until the property is
28 resubdivided if:

- 1 1. The landowner abandons any or all such plans or any or all sections thereof as finally approved
- 2 and gives written notification thereof to the director. Written notification can be any application filed
- 3 with Lyon County indicating that the applicant is abandoning or modifying the provisions of the finally
- 4 approved map; or
- 5 2. The applicant fails to begin the planned unit development within the prescribed period of time
- 6 after the final approval has been granted.

7

8 B. Upon abandonment of a final plan, all property not previously developed as part of the planned unit

9 development shall revert to the zoning classification in place at the time of initial application for a planned

10 unit development.

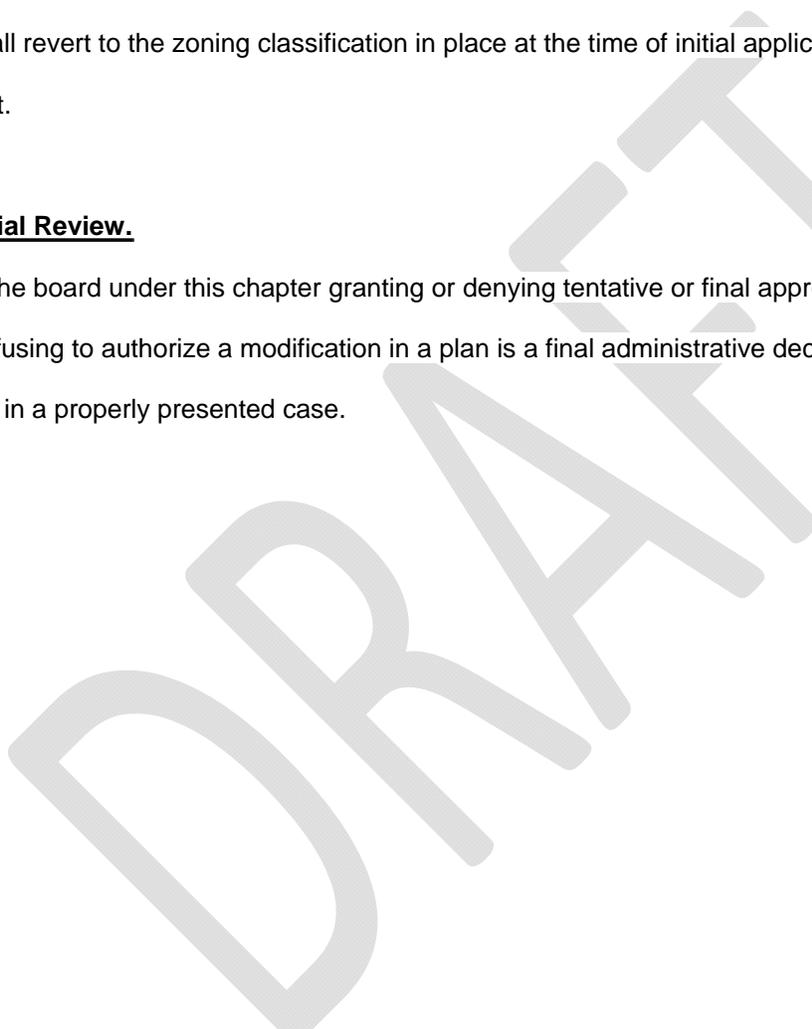
11

12 **15.349.17 Judicial Review.**

13 Any decision of the board under this chapter granting or denying tentative or final approval of the plan or

14 authorizing or refusing to authorize a modification in a plan is a final administrative decision and is subject

15 to judicial review in a properly presented case.



1 Chapter 15.350- RESERVED

2

DRAFT

1 **Chapter 15.351 Manufactured Homes and Manufactured Housing**

2

3 **15.351.01 Purpose**

4 This chapter is intended to establish standards and conditions for the placement of a manufactured home,
5 as the primary residence, on a single-family residential parcel within Lyon County while protecting the
6 public health, safety and general welfare.

7

8 **15.351.02 Applicability**

9 All manufactured homes to be placed or relocated within the county shall comply with the provisions of
10 this chapter.

11

12 All manufactured homes to be placed or relocated within the county shall comply with the requirements
13 and standards established by the Nevada Division of Manufactured Housing for the manufacture,
14 transport, installation and alteration of manufactured and mobile homes contained in Chapter 489 of the
15 Nevada Revised Statutes.

16

17 Any manufactured home placed or relocated within Lyon County, or any manufactured home that has had
18 electric and/or fuel gas services discontinued for greater than 12 months must obtain appropriate permits,
19 inspections and approvals from the county building department prior to occupancy or connection of
20 electric or fuel gas services. The building inspector will require the correction of any apparent fire and
21 safety hazards prior to authorizing restoration of the utility services.

22

23 **15.351.03 Where Permitted**

24 Manufactured homes allowed under the provisions of this chapter shall be permitted as follows:

25

26 A. Manufactured homes may be used as single-family dwellings in all residential zoning districts, except
27 designated historic districts (e.g., Comstock Historic District), if the home is certified under the National

1 Manufactured Home Construction and Safety Standards Act of 1974 and is less than six (6) years old at
2 the time of its placement.

3

4 B. Manufactured homes certified under the National Manufactured Home Construction and Safety
5 Standards Act of 1974 and that are more than six (6) years old at the time of placement may be placed
6 for primary residential use in Suburban Residential districts SR-2 and SR-1, and any rural residential
7 (RR), Agricultural (AG), or Non-irrigated Agricultural (NIA) zoning district provided the mobile or
8 manufactured home has been inspected and certified as meeting all life safety requirements of the
9 Manufactured Housing Division of the Nevada Department of Business and Industry, and all dimensional
10 standards and requirements of the zoning district are met.

11

12 C. Manufactured homes certified under the National Manufactured Home Construction and Safety
13 Standards Act of 1974 and less than six (6) years old at the time of placement may be placed as
14 Watchman's Quarters in the Light Industrial districts (LI-R & LI-S) and Heavy Industrial districts (HI-R &
15 HI-S) subject to all dimensional standards and requirements of the zoning district, and all applicable
16 design and development standards of this title.

17

18 D. Hardship Exception for manufactured home as an accessory dwelling. Manufactured homes certified
19 under the National Manufactured Home Construction and Safety Standards Act of 1974 may be placed as
20 an accessory dwelling in any single-family residential district with a hardship exception approved by the
21 Director in accordance with the procedures set forth in 15.351.05 below, provided the mobile or
22 manufactured home has been inspected and certified as meeting all life safety requirements of the
23 Manufactured Housing Division of the Nevada Department of Business and Industry, and subject to all
24 dimensional standards and requirements of the zoning district, all applicable design and development
25 standards of this title, all permits required by the county building official, and the following conditions:

26 1. The lot upon which the manufactured home (MH) is placed as an accessory dwelling is at least
27 one acre (gross) in size,

28 2. The MH is for the sole and express purpose of facilitating the care of an immediate relative,

1 3. The hardship exception is intended to mitigate a special hardship resulting from handicap, age or
2 infirmity evidenced by a physician's certification (Financial hardship alone is not sufficient),

3 4. Sufficient sewer, electrical, and water facilities and rights are available to serve the accessory
4 dwelling.

5
6 E. Manufactured homes certified under the National Manufactured Home Construction and Safety
7 Standards Act of 1974 and that are more than six (6) years old at the time of placement may be placed
8 upon issuance of a Conditional Use Permit (CUP) for Agricultural Labor Housing in Agricultural (AG), or
9 Non-irrigated Agricultural (NIA) zoning districts provided the mobile or manufactured home has been
10 inspected and certified as meeting all life safety requirements of the Manufactured Housing Division of the
11 Nevada Department of Business and Industry, the manufactured home complies with federal standards
12 for agricultural housing, and all dimensional standards and requirements of the zoning district and this
13 chapter are met.

14
15 **15.351.04 Standards**

16 Manufactured homes (MH) shall comply with all requirements, plans, setbacks, and development
17 standards required of equivalent buildings. In addition, manufactured homes shall conform to the
18 following standards as applicable.

19
20 A. Manufactured homes placed as single-family dwellings pursuant to 15.351.03, paragraphs A and B
21 shall:

- 22 1. Be permanently affixed to the residential lot, with running gear, tongues, axles, and wheels
23 removed at the time of installation;
- 24 2. Have exterior siding and roofing which is similar in color, material and appearance to the exterior
25 siding and roofing primarily used on other single family residential dwellings within 300 feet of the MH;
- 26 3. Have a minimum roof pitch of three in twelve (3:12);
- 27 4. Consist of more than one section;
- 28 5. Contain at least one thousand two hundred (1200) square feet of living area; and

1 6. Have a full, poured in place, perimeter foundation similar to that used for any other single-family
2 home, with a crawl space below or an equivalent foundation approved by the building official.

3

4 B. Manufactured homes placed as Agricultural Labor Housing in conformance with 15.351.03,
5 paragraph E above shall:

- 6 1. Comply with federal standards for agricultural housing,
- 7 2. Be placed not less than ten (10) feet apart, and
- 8 3. Maintain a density no greater than 1 unit per forty (40) acres under a single ownership.

9

10 C. Manufactured homes placed as an accessory dwelling by Hardship Exception when approved by the
11 Director in conformance with 15.315.03, paragraph D above shall:

- 12 1. Not be permanently affixed to the residential lot, and be maintained in a condition to permit
13 removal of the unit upon termination of the hardship exception, and
- 14 2. Conform to such additional requirements as may be imposed by the director.

15

16 D. Manufactured homes placed in a Mobile Home Park developed in conformance with this title shall
17 meet all standards, requirements and conditions of the Mobile Home Park approval.

18

19 **15.351.05 Hardship Exception for Manufactured Home Used as an Accessory Dwelling**

20 The director may by special exception allow the installation of an MH in addition to the primary residence
21 on a residential lot. The lot must be not less than one acre (gross) in size.

22

23 A. In approving a special exception, the director must find:

- 24 1. That the additional MH conforms to the requirements for an accessory dwelling contained in
25 15.315.03.
- 26 2. That the authorization of the additional MH is for the sole and express purpose of facilitating the
27 care of an immediate relative.

1 3. That the authorization of the additional manufactured home is intended to mitigate a special
2 hardship resulting from handicap, age or infirmity as evidenced by a physician's certification.

3 (Financial hardship alone shall not be sufficient grounds.)

4 4. That the authorization of the additional MH will not substantially impact the surrounding property
5 owners.

6 5. That sufficient sewer, electrical power and water facilities and water rights are available to serve
7 the additional manufactured home.

8
9 B. A MH approved under this section shall not be permanently affixed to the residential lot, and shall be
10 maintained in a condition to permit removal of the unit upon termination of the hardship exception.

11
12 C. The authorization of an additional manufactured home may be upon such additional terms and
13 conditions as the Director deems appropriate for the approval of the special exception.

14
15 D. Any MH authorized under this section may remain on the property only as long as the person for
16 whom it was issued shall continue to reside in said MH and the special hardship shall continue to exist.

17
18 E. A notice of continuing use must be filed with the director by the special exception grantee annually
19 certifying that the special exception continues to be necessary under the same terms and conditions as
20 the original approval.

21
22 F. At the time the applicant submits request for a special exception, the director shall notify all property
23 owners located within 300 feet of the parcel upon which the MH will be placed that the application has
24 been received. The notification letter shall advise the property owners that this chapter contains language
25 directing the director to permit these hardship exceptions administratively, provided they comply with this
26 chapter's provisions. The notification letter shall call to the property owners' attention that the director will
27 be reviewing the land use request and providing a determination on a date certain. The notification letter
28 shall encourage property owners to contact the director with their concerns and issues prior to that date.

1 The notification letter shall advise these property owners that they may appeal the director's
2 determination in writing to the Lyon County manager's office within ten (10) days of the director's
3 determination. The notification letter shall further advise that the board is the appeal authority and clarify
4 that their review is limited to a determination that the director failed to take in account some provision of
5 this chapter that would serve as a basis for its denial or modification. The board shall convene a public
6 hearing for purpose of reviewing the director's decision within 30 days of receiving the written appeal. The
7 county manager's office shall provide for the public notification according to the county's land use
8 notification process. Absent some finding that the director erred in the assessment, the board shall uphold
9 the director's decision and direct approval of the hardship exception. If the board determines that the
10 director erred in the assessment, they may conduct their own public hearing, relying upon this chapter for
11 review and guidance, or they may remand the matter back to the director with guidance.

12
13 G. The sale of the lot upon which an additional manufactured home has been authorized or the
14 discontinuance of the specific hardship shall result in the automatic cancellation of the special exception
15 approval for the additional manufactured home. Upon cancellation, the additional MH must be removed
16 within thirty (30) calendar days.

17 18 **15.351.06 Permit Requirements**

19 A. Permits are required for manufactured homes in the following instances:

- 20 1. Prior to moving a manufactured home on any lot or parcel for the purpose of establishing a
21 single-family residence, an installation permit must first be obtained from the county building
22 department. It is unlawful for any person to do any construction, erection, alteration, installation,
23 addition, reconstruction or moving of any manufactured home unless the appropriate permit has first
24 been obtained from the building department.
- 25 2. If the electric or fuel gas has been disconnected from a manufactured home for greater than six
26 (6) months, the owner must obtain a permit from the county building department prior to occupancy or
27 connection of the electric or fuel gas service.
- 28 3. The fee for issuance of said permits shall be set by resolution of the board.

1

2 B. Permit applications shall contain all documents and information as required by the building
3 department. Such applications may be reviewed by other departments of state or local government for
4 compliance with the laws and ordinances under their jurisdiction. If the building department is satisfied
5 that the work described in an application for permit and plans filed therewith conform to the requirements
6 of this code and other pertinent laws and ordinances, it may issue the appropriate permit(s). All work
7 done under the permit(s) shall be done in accordance with the approved plans. Plans and specifications
8 shall not be changed, modified or altered without authorization from the building official.

9

10 C. The following limitations and requirements shall apply to manufactured home permits:

11 1. Prior to moving an MH onto the lot or parcel, an installation permit and appropriate utility service
12 permit must be obtained from the building department.

13 2. An application to place a manufactured home on a residential lot pursuant to this chapter
14 constitutes an attestation by the owner of the lot that the placement complies with all covenants,
15 conditions and restrictions placed on the lot and that the lot is not within a historic district.

16 3. An MH installation permit will expire 180 days after the date of issuance unless a time extension
17 is granted by the building department. The building official may grant a onetime 30 day extension
18 upon request and payment of an administrative fee as set by resolution of the board.

19 4. The applicant must obtain all inspections required by the state, utility purveyor and county
20 departments in order to receive a final approval for occupancy from the building official.

21

22 **15.351.07 Converting Manufactured Home to Real Property**

23 A. All manufactured homes and factory built housing installed on or after July 1, 1998, that are eligible
24 for conversion under Nevada law, shall be converted to real property pursuant to Nevada Revised
25 Statutes section 361.244.

26

27 B. All persons or entities seeking a manufactured home installation permit shall complete an agreement
28 to convert to real property prior to Lyon County issuing the installation permit. The agreement will require

1 that the applicant complete the real property conversion and that the MH or factory built housing be taxed
2 as real property.

3

4 C. The requirement to convert to real property pursuant to subsection B of this section does not apply to
5 manufactured homes or factory built housing under the following conditions:

6 1. Manufactured home located within an approved manufactured home park.

7 2. Manufactured home permitted by hardship exception.

8 3. Manufactured home upon land which is not owned by the owner of the MH or factory built
9 housing.

10 4. Manufactured home moved within the county that is 20 or more years old at the time it is moved.

11

12 D. In order to have a manufactured home assessed as real property, the MH must be permanently
13 affixed to concrete footings that comply with the current building code, meet Lyon County permit and state
14 law requirements, and, in all cases, the "running gear" attached to the home must be completely removed
15 from under the MH.

16

17 E. Real property conversion shall comply with all federal, state and local requirements.

1 **Chapter 15.352 Manufactured Home Park Standards**

2

3 **15.352.01 Purpose**

4 The standards provided in this Chapter are intended to encourage development providing sufficient open
5 space and complimentary uses under conditions which assure protection of the character of the district in
6 which the park is located.

7

8 **15.352.02 Applicability**

9 All manufactured home parks to be developed within the county shall comply with the provisions of this
10 chapter.

11

12 All manufactured homes to be placed or relocated within a manufactured home park in Lyon County shall
13 comply with the requirements and standards established by the Nevada Division of Manufactured
14 Housing for the manufacture, transport, installation and alteration of manufactured and mobile homes
15 contained in Chapter 489 of the Nevada Revised Statutes.

16

17 Any manufactured home placed or relocated within a manufactured home park in Lyon County, or any
18 manufactured home within a manufactured home park that has had electric and/or fuel gas services
19 discontinued for greater than 12 months must obtain appropriate permits, inspections and approvals from
20 the county building department prior to occupancy or connection of electric or fuel gas services. The
21 building inspector will require the correction of any apparent fire and safety hazards prior to authorizing
22 restoration of the utility services.

23

24 Any manufactured home lawfully placed on or before the effective date of this title shall be a non-
25 conforming use as provided in chapter 15.202.

26

27 **15.352.03 Design Requirements**

28 Manufactured home parks shall be designed and constructed in the following manner:

- 1 A. Individual manufactured home space minimum setbacks shall be measured from the edge of internal
2 streets and space lines as follows:
- 3 1. Front: Ten (10) feet;
 - 4 2. Side: Five (5) feet on each side or zero (0) lot line on one side with ten (10) feet on the opposite
5 side;
 - 6 3. Rear: Ten (10) feet;
 - 7 4. Structural separation: Ten (10) foot minimum between dwelling units.
8
- 9 B. Maximum manufactured home space coverage (manufactured home and its accessory structure)
10 shall be 75 percent.
11
- 12 C. Each manufactured home shall be equipped with skirting, or provided with a support pad which is
13 recessed to give the appearance of the manufactured home being located on-grade.
14
- 15 D. All manufactured homes and park facilities shall be connected to municipal water and sewer systems.
16 All on-site utilities shall be installed underground.
17
- 18 E. The manufactured home park shall be provided with parking as required by chapter 15.401, Parking
19 and Loading.
20
- 21 F. A common recreation area shall be provided in the park for use by all tenants and their invited guests.
22 The area shall be provided in one common location with a minimum aggregate area of 200 square feet of
23 recreational space for each manufactured home space. The recreation area may contain a recreation
24 building.
- 25 G. All exterior boundaries of the manufactured home park shall appear similar to conventional residential
26 developments and shall be screened by a decorative wall, fence or other comparable device six (6) feet in
27 height, with a minimum six (6) foot-wide landscaped area provided along the outside of the perimeter
28 screen.

1

2 H. Common open space shall be landscaped in accordance with a landscape plan approved by the
3 director and in a manner consistent with chapter 15.402.

4

5 I. All manufactured home park or subdivision developments shall provide recreational amenities within
6 the site which may include but are not limited to swimming pools, spas, a clubhouse, a “tot lot” with play
7 equipment, picnic shelter or barbecue area, court game facilities such as tennis, basketball, or
8 racquetball, improved softball or baseball fields, or day care facilities. The type and number of amenities
9 shall be approved by the board and provided according to the following schedule:

10

Units	Number of Amenities
0-9	0
10-50	1
51-100	2
101-200	3
201-300	4

11

1 **Chapter 15.353 Recreational Vehicle Park Standards**

2

3 **15.353.01 Purpose**

4 This use is intended to provide commercial rental parking spaces and sites for recreational vehicles
5 (RVs), including motor homes, travel trailers, pick-up campers and tent trailers; to provide goods and
6 services customarily needed by occupants of the park; and to assure reasonable standards for the
7 development of facilities for the occupancy of recreational vehicles on a temporary basis, ranging from
8 short overnight stops to longer destination-type stays of several days to weeks

9

10 **15.353.02 Applicability**

11 All recreational vehicle parks to be developed within the county shall comply with the provisions of this
12 chapter.

13

14 Recreational Vehicle Parks shall be located only as permitted in Chapter 15.320, Table of Land Uses.

15

16 **15.353.03 Design Requirements**

17 A. Minimum Park Area. The minimum size of an RV park shall be three (3) acres.

18

19 B. Rental Space Size. Minimum rental space size for those spaces having utility hookups shall be 1,500
20 square feet. Minimum rental space size for those spaces not having hookups shall be 900 square feet.

21 Minimum rental space size shall not include any area required for access roads, off-street parking, service
22 buildings, recreation areas, office and similar RV park needs.

23

24 C. Rental Pads. A minimum of 80 percent of all spaces shall be equipped with a surfaced area of not
25 less than ten (10) feet by 40 feet, containing hookups for water, sewer and electricity. Surfacing shall
26 consist of gravel, asphalt or concrete. Where gravel surfacing is used, the design of the gravel pad shall
27 be approved by the County Engineer to maintain proper drainage and minimize dust. Where provided,

1 each RV unit shall be parked entirely on the surfaced area so that no part thereof obstructs any roadway
2 or walkway within the RV park. Those spaces not equipped with such a surfaced area, intended for
3 occupancy by recreational vehicles not having self-contained toilet, lavatory or bathing facilities, shall be
4 equipped with a gravel pad, the design of which shall be approved by the County Engineer, of not less
5 than ten (10) feet by 25 feet for RV unit parking and a hookup for water. Spaces equipped with such a
6 gravel pad shall not exceed 20 percent of the total number of spaces in the RV park.

7

8 D. Setback Requirements. Each rental space shall meet the following setback requirements:

- 9 1. 50 feet when abutting a State or Federal highway or designated major arterial;
- 10 2. 25 feet when abutting a public right of way other than a above;
- 11 3. 15 feet when abutting any property line other than a or b above;
- 12 4. There shall be a minimum distance of ten (10) feet provided between RV units parked side by
13 side;
- 14 5. There shall be a minimum distance of ten (10) feet between RV units parked end to end;
- 15 6. There shall be a minimum distance of 20 feet between any RV space and any building.

16

17 E. Streets. Streets or roadways and parking areas within the RV park shall be designed to provide safe
18 and convenient access to all spaces and to facilities for common use by park occupants, and shall be
19 constructed and maintained to allow free movement of emergency and service vehicles at all times, and
20 shall be graded to drain and surfaced with gravel, asphalt or concrete, the design of which shall be
21 approved by the county engineer, to maintain proper drainage and minimize dust. All interior roadways
22 shall be at least 32 feet in width for two-way traffic, and at least 18 feet in width for one-way traffic. A 45-
23 foot turning radius shall be required on all curves, to allow access by emergency vehicles. Any bridges
24 within the development shall have a capacity of at least 16 tons, to allow access by emergency vehicles.
25 Road grades shall not exceed six (6) percent. Access into the park from a public street shall meet the
26 same design standards as those of the public street, for a distance of 40 feet from the property line into

1 the development. All roadways and walkways within the park shall be adequately lighted at night, to
2 provide safe access.

3

4 F. Frontage. All spaces shall have a minimum frontage of 20 feet along an interior roadway.

5

6 G. Sanitary facilities. Every RV park shall be provided with one or more service buildings equipped with
7 flush toilets, lavatories, showers and laundry facilities meeting minimum state Health Department
8 standards. Such facilities shall be conveniently located at a distance of not more than 300 feet from any
9 RV served. Such facilities shall be kept in a clean and sanitary condition, and plumbing fixtures shall be
10 maintained in good working order. All such facilities shall be adequately lighted at all times of the day and
11 night and shall be well ventilated. Portable fire extinguishers of a type approved by the local fire protection
12 district shall be kept in the service buildings and at all locations designed by the fire district and shall be
13 maintained in operating condition.

14

15 H. Sanitary disposal stations. Every RV park shall contain at least one (1) sanitary disposal station for
16 the sole purpose of removing and disposing of wastes from holding tanks in a clean, efficient and
17 convenient manner.

18 1. Each sanitary station shall consist of a drainage basin constructed of impervious material,
19 containing a disposal hatch and self-closing cover, and related washing facilities.

20 2. The disposal hatch of sanitary station units shall be connected to the sewage disposal system.
21 Related facilities required to wash holding tanks and the general area of the sanitary station shall be
22 connected to the RV park water supply system.

23 3. Each sanitary station shall have a sign posted stating "Danger—Not to be used for drinking or
24 domestic purposes."

25 4. Sanitary stations shall be approved by the state Department of Health.

26

- 1 I. Utilities. All utilities shall be placed underground.
- 2 1. Water supply. An accessible, adequate, safe and potable supply of water under pressure shall be
3 provided in every RV park. The water supply system shall be designed, constructed and maintained
4 in compliance with the state Health Department standards and applicable city, standards. All plans
5 and specifications shall be submitted with the zoning or rezoning request. Each rental space
6 equipped with sewer and electrical hookups shall also be equipped with two water outlets, to provide
7 connection for the RV and a garden hose. All other rental spaces shall be equipped with one water
8 outlet.
- 9 2. Sanitary sewer. An adequate and safe sewage system shall be provided. Where a public sewage
10 system is available connection must be made subject to the requirements of the sewer utility. Sanitary
11 sewage systems shall be designed, constructed and maintained in compliance with all applicable
12 state and county codes, requirements and standards. All plumbing in the RV park shall comply with
13 state and county plumbing laws, codes and regulations.
- 14 3. Electricity. An adequate and safe electrical system shall be provided and installed in accordance
15 with applicable state and county electrical laws, codes and regulations.
- 16
- 17 J. Refuse disposal. The storage, collection and disposal of refuse shall be performed so as to minimize
18 accidents, fire hazards, air pollution, odors, insects, rodents or other nuisance conditions. All refuse shall
19 be stored in durable, washable and nonabsorbent metal or plastic containers with tight-fitting lids. Such
20 containers shall be provided at the rate of at least one (1), 30 gallon container, secured in a rack or
21 holder, for each rental space, or an equivalent storage capacity in centralized storage facilities. Adequate
22 refuse collection and removal shall be the responsibility of the park owner.
- 23
- 24 K. Landscaping. A landscape plan, to be approved by the director, shall be required for all RV parks.
25 Landscaping in conformance with the requirements of 15.402 shall be designed to perform the following
26 functions:
- 27 1. Screen the RV park visually and audibly from adjacent properties as completely as possible;

- 1 2. Provide an attractive entrance and street frontage;
- 2 3. Provide dust and erosion control;
- 3 4. Provide a neat, attractive and aesthetically pleasing appearance. Landscaping shall be required
- 4 in all RV parks, together with adequate water outlets to maintain all landscaping. The RV park shall
- 5 be screened from adjacent properties by means of fences or walls, six (6) feet in height, or by means
- 6 of hedges or other landscaping.

7

8 L. Open space. Open space for common areas, playgrounds and other recreational uses shall be
9 provided at the rate of at least ten (10) percent of the gross area of the RV park, and shall be of sufficient
10 size and distribution as to be a functional part of the entire development plan. Open space shall not
11 include any area designated as a roadway, RV rental space, storage area, swimming pool, yard area
12 surrounding the caretakers or manager's residence, or any area required for setbacks as set forth in
13 these regulations.

14

15 M. Fire protection. Fire hydrants shall be installed throughout all RV parks in accordance with the
16 specifications of the local Fire Protection District. There shall be one (1) hydrant at the entrance to the
17 development, and additional hydrants at a distance not to exceed three hundred (300) feet between
18 hydrants. All buildings within the RV park shall be equipped with fire extinguishing equipment in good
19 working order of such type, size and number as prescribed by the fire district.

20

21 N. Structural additions. Temporary structures such as canvas awnings, screened enclosures, or
22 platforms, which are normal camping equipment, may be erected but must be removed when the rental
23 space is vacated. No other structural additions shall be built onto or become a part of any RV.

24

25 O. Storage sheds. No storage sheds shall be allowed within an RV rental space.

26

1 P. Fires. Fires shall be made only in stoves and other equipment intended for such purposes and placed
2 in safe and convenient locations, where they will not constitute fire hazards to vegetation, undergrowth,
3 trees and RVs. No open fires are allowed.

4

5 Q. Tents. Tents shall be permitted, and their number shall be limited to one tent per rental space. Areas
6 for group tent camping may be established, with the following provisions:

7 1. The area set aside for such group use is not a part of any designated open space;

8 2. An adequate number of parking spaces is provided;

9 3. The area is served by one or more water outlets; and

10 4. The area is located no further than 300 feet from a service building.

11

12 R. Registration of occupants. It shall be the responsibility of the owner or manager of the RV park to
13 keep a current record of the names and addresses of the owners and/or occupants of each RV space, the
14 make, model, year and license number of each RV and motor vehicle by which it is towed, the state,
15 territory or country issuing such licenses, and the arrival and departure dates of each occupant. This
16 record must be made available for inspection to all appropriate agencies whose duties necessitate
17 acquisition.

18

19 S. Swimming pools. Swimming pools and natural swimming areas shall be operated, maintained and
20 used in compliance with recommendations and requirements of the State Board of Health's Regulations
21 and Standards Governing Swimming Pools and Swimming Areas.

22

23 **15.353.04 Application Requirements and Procedures.**

24 The proponent of a recreational vehicle park, or an expansion thereof, shall make written application for
25 review for a recreational vehicle (RV) park, pursuant to the provisions of Chapter 15.230, Conditional Use
26 Permits, and the following shall also be submitted with such application:

- 1
- 2 A. A complete and comprehensive development plan, including the following:
- 3 1. Detailed land use plan, drawn to a scale of 1"=100', unless larger scale is necessary, including
- 4 the dimensions and location of each RV rental space, service buildings, common and recreation
- 5 areas, surrounding land uses and zoning districts;
- 6 2. Typical street cross sections;
- 7 3. Location and widths of roadways, sidewalks and pedestrian ways;
- 8 4. Topography of site, at two (2) foot contours;
- 9 5. Grading and drainage plans;
- 10 6. Utility plans;
- 11 7. Legal description of property, including acreage;
- 12 8. Copy of title commitment;
- 13 9. Landscaping, screening and fencing plans;
- 14 10. Fire protection plan;
- 15 11. Location and description of all permanent structures and common facilities;
- 16 12. Acreage and percentage of land to be set aside as open space;
- 17 13. Density of RV rental spaces per acre;
- 18 14. Vicinity map drawn to a scale of 1"=1000' or 1"=5000';
- 19 15. Location of all areas subject to inundation or storm water overflow and the location, area and
- 20 direction of flow of all water courses, including the 100 year floodplain boundaries;
- 21 16. Location and principal dimensions of all existing or proposed easements, water course
- 22 boundaries, public utilities, monuments, pins, benchmarks and other significant features;
- 23 17. Proposed surface treatment and design of all interior roadways and rental pads.
- 24
- 25 B. A time schedule for development;

1

2 C. Information regarding abutting properties and land uses;

3

4 D. An application fee for Conditional Use Permit, as set by the board.

5

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- 1 Chapter 15.354- RESERVED
- 2 Chapter 15.355- RESERVED
- 3 Chapter 15.356- RESERVED
- 4 Chapter 15.357- RESERVED
- 5 Chapter 15.358- RESERVED
- 6 Chapter 15.359- RESERVED

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1 **Chapter 15.360 – Commercial and Mixed-Use Design Standards**

2

3 **15.360.01 Purpose**

4 This Section is intended to promote high-quality commercial and mixed-use building design, encourage
5 visual variety in non-residential and historic areas of the County, foster a more human scale and attractive
6 street fronts, project a positive image to encourage economic development in the County, and protect
7 property values of both the subject property and surrounding areas. In addition, this Section intends to
8 create a distinct image for important or highly visible areas of Lyon County.

9

10 **15.360.02 Applicability**

11 Development of any site or structure that will contain a commercial use, or a mix of commercial and other
12 uses shall comply with the general standards of 15.360.04. In addition, the following supplemental
13 standards are applicable to properties within the listed areas or of the listed types:

14

15 A. Properties adjacent to the rights-of-way of US Highway 50 or US Highway 95A: 15.360.05.

16

17 I. Properties within a Commercial Mixed Use (CMU) district (including historic character districts and
18 rural community mixed-use districts): 15.360.06

19

20 J. Buildings of 18,000 square feet or greater: 15.360.07

21

22 In case of conflict, the more restrictive standard as determined by the director shall apply.

23

24 **15.360.03 Exempt Commercial Uses**

25 Commercial uses conducted as a Home Occupation or Home Based Business shall not be subject to the
26 requirements of this chapter.

27

1 **15.360.04 General Standards**

2 A. Site Layout

3 1. Siting. The siting of the building should:

4 a. Reflect, rather than obscure natural topography.

5 b. Encourage preservation of significant or important trees.

6 c. Be compatible with the original structure, when the structure is an addition to an existing
7 structure.

8 2. Building Orientation. Local climatic conditions shall be considered when orienting buildings. For
9 example, north-facing facades are especially susceptible to winter snow and ice accumulation, and
10 entries may require special treatment. Snow shed from roofs and snow piling zones along streets
11 shall be considered in arranging building elements on the site. Adequate solar access shall be
12 considered when planning outdoor spaces, with shade and relief from glare provided by landscaping
13 and overhead structures.

14 3. Development Responsive to Site Conditions. Development shall respond to specific site
15 conditions and opportunities such as odd-shaped lots, location on prominent intersections, unusual
16 topography, protection of view corridors, significant vegetation, and/or other natural features to the
17 maximum extent feasible.

18 4. Street Corners. Buildings located on street corners should recognize the importance of their
19 location by:

20 a. Concentrating tallest portions of the building at the intersection where they may “frame” the
21 corner;

22 b. Employing architectural features, such as angled façades, prominent entrances, a stepped
23 parapet wall, or other unique building features at the corner; or

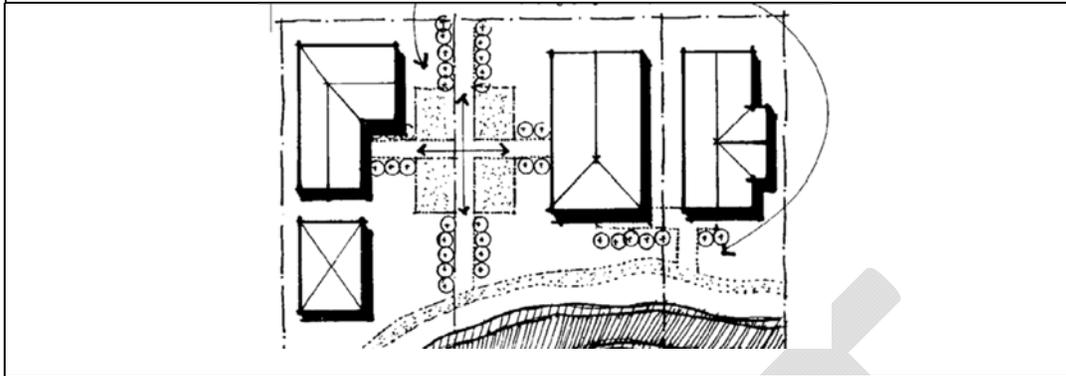
24 c. Employing a similar technique as approved by the Director.

25 5. Pedestrian Environment.

26 a. Site design shall locate pedestrian routes connecting residential, recreational, and
27 commercial uses to minimize contact with normal vehicular traffic. This can be achieved by

1 designing crossings at traffic stop points, and/or by announcing crossings with signage, pavement
2 changes, and landscape features.

3 Open spaces of adjoining properties are located to join together and link properties, while walkways link
4 properties and add connection to other pedestrian facilities.
5



6
7
8 b. Pedestrian use can be increased by the addition of amenities such as benches, drinking
9 fountains, planters, trash receptacles, path lighting, and bicycle racks in quantities and locations
10 appropriate for the development.

11 c. When existing sidewalks, curbs, gutters, or other public improvements have deteriorated, the
12 development shall be required to replace and/or repair the public amenities.

13 d. New development required to install sidewalks may be assessed an in lieu fee for pedestrian
14 improvements, as determined appropriate by the director and county engineer, to mitigate the
15 construction of certain pedestrian improvements.

16 e. When sidewalks exist or are proposed, new development should be sited and designed to
17 encourage human activity on the street.

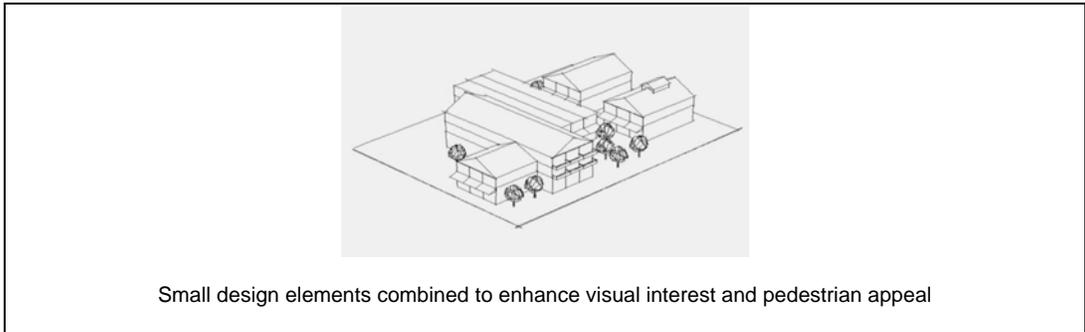
18 f. Construction of and/or land dedication for pedestrian improvements may be required
19 pursuant to the land division regulations and/or development improvement agreement.

20 g. Pedestrian facilities shall be designed and constructed to meet or exceed the development
21 standards contained in Appendix B.

22 23 B. Building Design

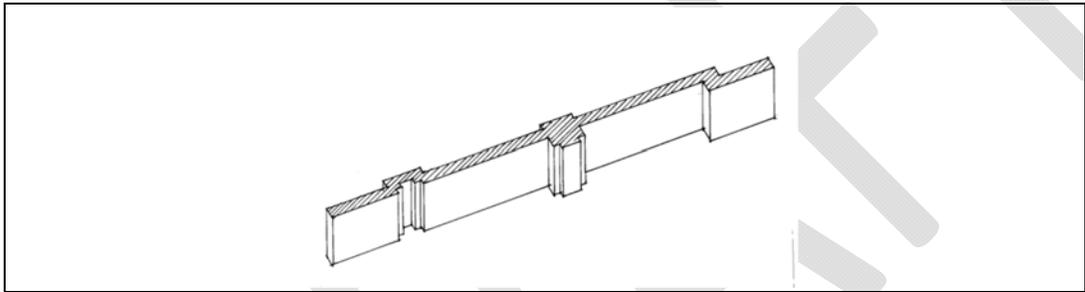
24 1. Building Massing and Form. Unless otherwise provided in this Land Use Code, building form may
25 vary widely, as long as certain features of building form are considered:

1 a. Within the development, variability in size and shape of buildings shall occur.



5 b. Incorporating human-scaled features at the ground level, referred to as “differentiation of
6 ground level,” will help to encourage pedestrian use. Examples are: articulated entries and
7 windows, canopies, arcades, recessed entries, changes in color, material, or texture.

8 c. Façade modulation shall be utilized to reduce the apparent bulk of a large building, where
9 applicable.



13 d. Large, unbroken expanses and long, continuous rooflines shall be avoided.



14
15 Sloping roof forms help to reduce the perceived scale of a building.
16

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A stepped parapet varies the roof line and helps reduce the mass of a building.



Change materials with each building module to reduce the overall perceived mass.

2. Building Materials

a. Unless otherwise provided in this title, a wide range of exterior building materials is acceptable, including but not limited to wood, brick, stone, and stucco. Materials appearing to derive from local natural settings, such as timber and native stone, are encouraged.

b. Use of metal siding may be used when appropriate to the architectural or cultural context of the application.

c. Plastic may be considered for sign letters only.

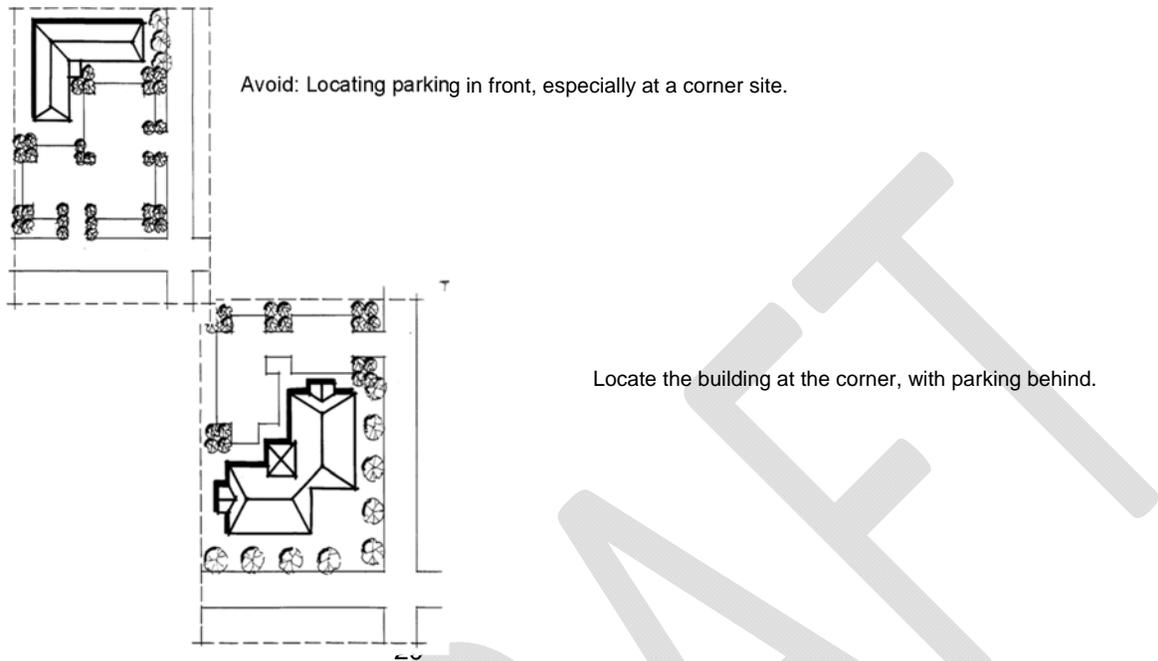
3. Architectural Style. The architectural character of new buildings or additions shall complement the architectural character of adjacent existing buildings.

4. Four-sided Design. All building facades shall be designed with a similar level of design detail.

Blank walls void of architectural detailing shall not be permitted. Exceptions may be granted for those areas of the building envelope that the applicant can demonstrate are not visible from adjacent development, public rights-of-way, or trails.

5. Entrance Visibility. Entrances shall be clearly delineated and visible from the street.

- 1 a. Buildings should be designed with delineated and unobstructed entries accessible from
- 2 adjacent streets, as opposed to entries accessible only from parking lots.
- 3 b. When entries cannot be located adjacent to the street, delineated and unobstructed pathways
- 4 using building and landscape elements should enhance building entries.
- 5



21 **15.360.05 Additional Standards: Properties with Highway 50 or Highway 95A Frontage**

22 A. Applicability. Development of any site or structure that will contain a commercial use, or a mix of
 23 commercial and other uses adjacent to the rights-of-way of Highway 50 or Highway 95A, with the
 24 exception of those properties located within a historic character district, shall comply with the general site
 25 layout and building design standards of 15.360.04 above, plus the standards of this Section.

26
 27 B. Setbacks

- 28 1. Highway Landscape Buffer. All development shall be buffered from Highway 50 or Highway 95A
- 29 by a landscaped area. Commercial development within Regional Commercial districts the minimum
- 30 buffer shall be 20 feet deep. Commercial development within Community Commercial, Highway
- 31 Mixed-use, commercial mixed-use and Neighborhood Commercial Districts the buffer shall be ten
- 32 (10) feet measured from the property line. Buildings and parking areas shall not be located in this

1 D. Access. Coordinated access points along Highway 50 and Highway 95A will be required in
2 accordance with NDOT requirements. Location and design of these highway accesses will be based on
3 projected traffic flows and NDOT guidelines.

4

5 **15.360.06 Additional Standards: Commercial Mixed-Use Zoning Districts**

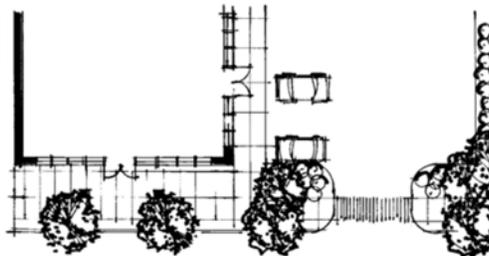
6 A. Purpose. These standards are intended to preserve and enhance the unique character and identity
7 of current and planned commercial mixed-use areas, historic districts and rural community centers, and
8 ensure that future infill and redevelopment is consistent with the County's Comprehensive Master Plan. A
9 high-quality appearance will be achieved through requirements for context-sensitive site layouts,
10 architectural detailing, façade articulation, and other features designed to provide a more distinct
11 character and pedestrian scale. Unique characteristics and distinctions in scale and use between the
12 suburban and rural character districts will be achieved through tailored standards as necessary. The
13 alternative equivalent compliance process in 15.300.04 is available to help tailor standards for specific
14 sites as necessary.

15 B. Applicability. Development of any site or structure that will contain a commercial use, or a mix of
16 commercial and other uses, and that is located within a Commercial Mixed-Use zoning district, shall
17 comply with the general site layout and building design standards of 15.360.04 above, plus the standards
18 of this Section.

19

20 C. Site Planning

21 1. Primary Entrances. Primary entrances shall be oriented towards and visible from the primary
22 street frontage.



23

24

Locate a building entry at the sidewalk edge when feasible.

1 2. Outdoor Gathering Spaces. Developments consisting of at least 25,000 square feet in size shall
2 incorporate outdoor gathering spaces. Outdoor gathering spaces may include, but are not limited to,
3 plazas, mini-parks, or courtyards that are open to and accessible to the public.



4
5 a. Minimum Size. All outdoor gathering spaces shall have a minimum depth and width of 20 feet
6 and a minimum total area of 1,000 square feet.

7 b. Pedestrian Amenities. Outdoor gathering spaces shall include amenities that encourage
8 pedestrian activity, such as benches, water features, drinking fountains, planters, public art, trash
9 receptacles and bicycle racks.

10 3. Parking Location. Surface parking shall be located behind buildings. Surface parking will not be
11 permitted between the building and the primary street frontage or to the side of the building where it
12 may be viewed from the primary street frontage.



13
14
15 4. Ground-Floor Uses. The incorporation of retail shops and/or restaurants is encouraged at the
16 street level to promote a more active environment for pedestrians and to support residential and office
17 uses located within the same building (on upper floors) or nearby. This configuration of uses is
18 particularly encouraged along Main Street, Pike Street, Ziller Way, and Highway 50 in the Dayton

1 Historic District, Highway 342 in Silver City and other downtown street frontages, as well as new
2 developments in commercial mixed-use zones, and adjacent to major public spaces, where a high
3 level of activity and visibility is desirable. If a limited portion of a structure's ground level will be
4 devoted to retail or restaurant space, such space should be located along those facades adjacent to
5 or most visible from primary street frontages or major pedestrian walkways.

6 5. Build-To Line. First floors of all commercial buildings within a CMU-S and CMU-H Districts shall
7 "build to" the back of the sidewalk or edge of property. Exceptions to the build-to line may be
8 permitted if:

9 a. The space set back from the build-to line is used for an outdoor gathering space, as defined
10 in paragraph C.2, above;

11 b. The space set back from the build-to line is designed as a protected walkway for pedestrians,
12 with the second floor placed at the build-to line; or

13 c. The space set back from the build-to line is used to provide a mid-block pedestrian
14 connection to an outdoor gathering space or additional commercial uses at the rear of the
15 building or to an adjacent trail corridor. Mid-block pedestrian connections shall be a minimum of
16 15-feet in width.

17 6. Build-To Zone

18 a. A variable setback is typical of rural community centers; therefore, placement of the front
19 building façade is guided by a flexible Build-To Zone as set forth below.

20 1) First floors of all buildings within a Commercial Mixed-Use zone in a rural character
21 district shall build to the "build-to-zone," which shall be the area located from 15 to 20 feet
22 from the back of sidewalk or property line.

23 b. The front building façade may only be located outside of the Build-To-Zone to:

24 1) Reflect existing, adjacent development (in which case buildings shall be built to the
25 average setback of the adjacent existing structures);

26 2) Accommodate an outdoor gathering space, as defined in paragraph C.2, above;

27 3) Reflect the regular rhythm of residential homes interrupted by side yards traditionally
28 found in historic districts and rural community centers;

- 1 4) Reflect distinctions in use within the building; or
- 2 5) Accomplish a similar objective, as approved by the Director.
- 3 c. Portions of the front façade of the building built that are not located within the build-to zone
- 4 shall:
- 5 1) Not extend further than five (5) feet from the build-to zone; and
- 6 2) Be limited to 20 feet in length or 20 percent of the length of the front façade, whichever is
- 7 less.

9 D. Building Considerations

10 1. Building Articulation. The perceived mass and scale of development shall be reduced to achieve

11 a human scale. This shall be accomplished by incorporating a series of smaller design elements that

12 are consistent with the development’s architectural character. Appropriate design elements for every

13 development shall incorporate, but are not limited to, at least four (4) of the following:

- 14 a. Variations in roof form and parapet heights;



- 15
- 16 b. Pronounced recesses and projections;
- 17 c. Wall plane off-sets;



- 18
- 19 d. Off-sets to accommodate outdoor gathering spaces;
- 20 e. Distinct changes in texture and color of wall surfaces;

1 f. Ground-level arcades and second or third-floor galleries/balconies;



2

3 g. Protected and recessed entries;



4

5 and

6 h. Vertical accents or focal points.



7

8

9 2. Building Height/Mass. A single, large, dominant building mass shall be prohibited.

10 3. Lot Consolidation. The consolidation of existing lots is permitted to enhance infill and
11 redevelopment opportunities. However, the following standards shall apply for developments
12 occupying two (2) or more combined lots.

13 a. Historic Districts. Façade modulation shall be provided to reflect traditional storefront widths
14 within the downtown core, which range from 25 to 50 feet in width.



- 1
- 2 b. CMU-R Districts. Façade modulation shall be provided to reflect the traditional character and
- 3 design of structures
- 4 4. Building Design and Character
- 5 a. Roof Form.
- 6 1) Flat roof forms with parapet walls are traditionally found in historic districts. Large,
- 7 unbroken expanses and long, continuous rooflines shall be prohibited.
- 8 2) Box-like structures and flat roofs are incompatible with the traditionally residential
- 9 character of rural community centers. A variety of roof forms and surfaces (pitched, shed, and
- 10 dormers) shall be incorporated into structures to break up large roof planes, provide visual
- 11 interest, and manage snow loads.
- 12 3) Flat roof sections shall be limited to a maximum of one-third of the total roof area and
- 13 shall be located where they are not visible from the primary street frontage or public right-of-
- 14 way.
- 15 b. Materials. Primary building materials shall be durable and project an image of permanence
- 16 typical of traditional masonry storefronts and many of historic residences.
- 17 c. Color. The use of historic color schemes in Historic Districts is encouraged. Historic color
- 18 palettes are provided in Design Guidelines for the Comstock Historic District. Bright colors shall
- 19 be limited to use for accents and decorative details such as window details, storefronts and
- 20 entrances.
- 21 d. Awnings. Awnings, when used, shall be designed as integral elements of the building façade.
- 22 Material, configuration, dimension, and location of awnings shall be appropriate for the building.
- 23 6. Street Level Transparency. A minimum percentage of the total area of each ground-floor building
- 24 façade that faces a street, plaza, park, or other public space, shall be comprised of transparent

1 window openings to allow views of interior spaces and merchandise, to enhance the safety of public
2 spaces by providing direct visibility to the street, and to create a more inviting environment for
3 pedestrians. Such openings shall be taller than they are wide. Minimum percentages vary by location
4 and use as follows:

- 5 a. Historic Districts. Non-residential Uses: 50 percent minimum.
- 6 b. CMU-R. Non-residential Uses: 40 percent minimum.

7

8 **15.360.07 Additional Standards: Buildings 18,000 Square Feet in Size and Greater**

9 A. Applicability. Development of any structure that will be 18,000 square feet in size or greater shall
10 comply with the general site layout and building design standards of 15.360.04, plus the standards of this
11 Section.

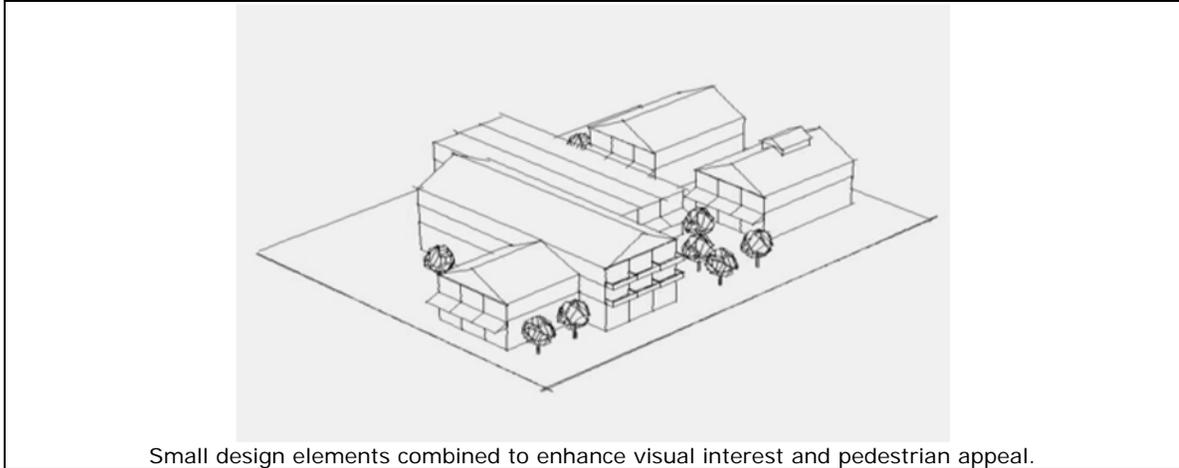
12

13 B. Setbacks. The required setbacks shall comply with the setbacks in Chapter 15.313 of this Land Use
14 Code. Reduced setbacks may be approved by the Commission if the overall design of the building
15 reflects an “urban” style building form and site design (e.g., connected sidewalks, on-street parking,
16 benches, display windows, awnings, etc.).

17

18 C. Building Height, Bulk, Scale. Buildings should be visually harmonious with their surroundings, by
19 considering the scale, proportions and character of adjacent structures and landforms. The design of a
20 new building or addition should incorporate architectural features, elements and details to achieve human
21 scale, if appropriate. Building elements that should be enlisted to achieve a better human scale include:

- 22 1. Pedestrian-oriented open space, such as courtyards or other unified landscaped areas, upper
23 story setbacks, a porch or cover entry, awnings, limited signage, and street furniture.
- 24 2. Buildings greater than 100,000 square feet should be multi-story.
- 25 3. If a large retail building is part of a development, variability in size and shape of buildings is
26 encouraged.

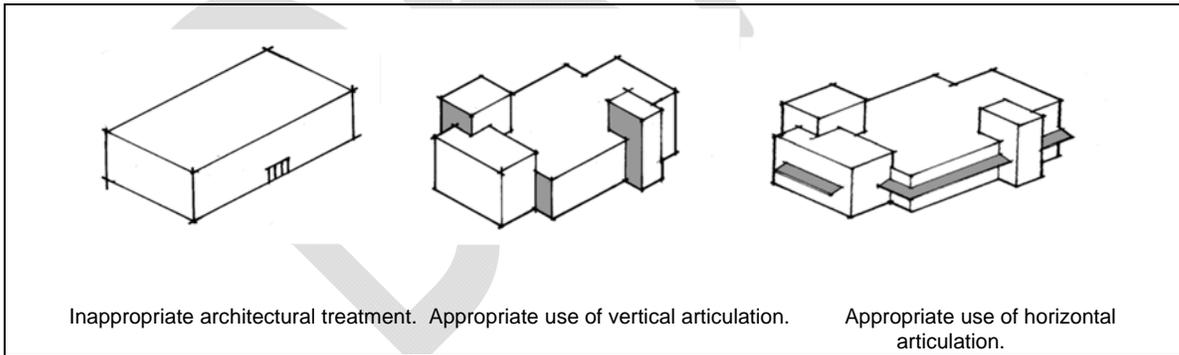


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D. Architectural Elements, Materials and Color

1. Architectural Elements

- a. Buildings should be unique and appropriate to the community and should not be recognizable by its architecture as a standard trademark design. Generic franchise architecture shall not be acceptable unless modified to meet these standards.
- b. Box-like structures and flat roofs are discouraged.
- c. Roof forms will be highly visible at a distance, and projects shall avoid large, unbroken expanses and long, continuous rooflines by variation in rooflines and height. The addition of dormers, balconies, deep eaves and overhangs may create visual interest.



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- 2. Materials. The use of neon is prohibited for any architectural application, such as building trim. See Chapter 15.403 for the standards relating to the use of neon in signs.

- 1 3. Color. Attention must be paid to the use of color on buildings as it affects the visual aesthetics of
- 2 the community.
- 3 a. Bright colors should be used minimally and may be considered only for accents and
- 4 decorative details such as window details and entrances.
- 5 b. Colors should be used to coordinate the entire building façade as a composition.
- 6

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- 1
- 2 **Chapter 15.361– RESERVED**
- 3 **Chapter 15.362– RESERVED**
- 4 **Chapter 15.363– RESERVED**
- 5 **Chapter 15.364– RESERVED**
- 6 **Chapter 15.365– RESERVED**
- 7 **Chapter 15.366– RESERVED**
- 8 **Chapter 15.367– RESERVED**
- 9 **Chapter 15.368– RESERVED**
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- 11 **Chapter 15.370– RESERVED**
- 12 **Chapter 15.371– RESERVED**
- 13 **Chapter 15.372– RESERVED**
- 14 **Chapter 15.373– RESERVED**
- 15 **Chapter 15.374– RESERVED**
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- 22 **Chapter 15.381– RESERVED**
- 23 **Chapter 15.382– RESERVED**
- 24 **Chapter 15.383– RESERVED**
- 25 **Chapter 15.384– RESERVED**
- 26 **Chapter 15.385– RESERVED**
- 27 **Chapter 15.386– RESERVED**
- 28 **Chapter 15.387– RESERVED**

- 1 **Chapter 15.388– RESERVED**
- 2 **Chapter 15.389– RESERVED**
- 3 **Chapter 15.390– RESERVED**
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- 5 **Chapter 15.392– RESERVED**
- 6 **Chapter 15.393– RESERVED**
- 7 **Chapter 15.394– RESERVED**
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- 9 **Chapter 15.396– RESERVED**
- 10 **Chapter 15.397– RESERVED**
- 11 **Chapter 15.398– RESERVED**
- 12 **Chapter 15.399– RESERVED**
- 13 **Chapter 15.400– RESERVED**
- 14

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1 **Chapter 15.401 Off Street Parking and Loading**

2

3 **15.401.01 Intent**

4 These requirements are intended to establish orderly, safe, and efficient vehicular parking, circulation and
5 access on adjoining thoroughfares within developments.

6

7 **15.401.02 Applicability**

8 A. Generally

9 1. The off-street parking and loading standards of this Section shall apply to all parking lots and
10 parking structures accessory to any building constructed and to any use established in every district.

11 2. The requirements of this Section shall apply to all temporary parking lots and parking lots that are
12 the principal use on a site.

13

14 B. Expansions and Enlargements and Changes in Use

15 The off-street parking and loading standards of this chapter shall apply when an existing structure or use
16 is expanded or enlarged, or when there is a change in use. Additional off-street parking and loading
17 spaces shall be required to serve the enlarged or expanded area or the new use, provided that in all
18 cases the number of off-street parking and loading spaces provided for the entire use (pre-existing plus
19 expansion) must equal 100 percent of the minimum ratio established in this Section.

20

21 **15.401.03 Off-Street Parking Requirements**

22 A. Schedule A. Unless otherwise expressly stated in this title, off-street parking spaces shall be provided
23 in accordance with Table 15.401-1, Off-Street Parking Schedule A.

24

25

Table 15.401-1 Off-Street Parking Schedule A		
(du = dwelling unit; sf = square feet; gfa = gross floor area)		
Use Category	Use Type	Number of Spaces Required
Residential Uses		
Household Living	Single family detached, duplex, townhouse	2/du
	Cottage	See 15.344.17
	Multi-family	1.5/du for one-bedroom units 2/du for two-bedroom and up 0.25/du guest parking
Group Living	Group living facility	1 per two beds plus 1 per 100 sf assembly area
	Intermediate care facility	1 per four beds, based on maximum occupancy
	Nursing care home	
	Nursing care facility	
Public, Institutional, and Civic Uses		
Community and Cultural Facilities	Government administration and civic buildings	1/300 sf
	Social, fraternal lodges	
	Public Assembly	
	Public Safety facility	
Child Care Facilities	Child Care Center	

Table 15.401-1 Off-Street Parking Schedule A (du = dwelling unit; sf = square feet; gfa = gross floor area)		
Use Category	Use Type	Number of Spaces Required
	Day care home	1 per 400 sq. ft., and 1 additional space, reserved for pick-up and delivery of children, per 800 sq. ft. gfa
Health Care Facilities	Hospital	1 per two beds, based on maximum capacity, plus 1 per 300 sq. ft. of office and administrative area, plus required parking for supplemental uses
	Immediate care facility	1/300 sq. ft.
	Medical or dental office or clinic	
Parks and Open Space	All Use types	See Schedule C. Playfields (soccer, baseball, etc.) shall have a minimum of 20 spaces per field.
Educational Facilities	College or University	1 per 300 sf of enclosed floor area
	Elementary or secondary school	1 per six seats in main auditorium or assembly room, based on maximum capacity, or 1.25 per classroom, whichever is greater

Table 15.401-1 Off-Street Parking Schedule A (du = dwelling unit; sf = square feet; gfa = gross floor area)		
Use Category	Use Type	Number of Spaces Required
	Trade or vocational school	1 per 300 sq. ft. of enclosed floor space
Commercial Uses		
Agriculture	All use types	See Schedule C
Animal Related Services	All use types	1/300 sq. ft.
Financial Services	All use types	1/300 sq. ft. (plus stacking spaces if drive-thru is provided)
Food and Beverage Services	All use types not listed below	1/200 sq. ft.
	Restaurant with drive-thru	1/300 sq. ft.
Lodging Facilities	B&B or Inn	1 per guestroom
	Campground, guest ranch, or RV park	1 per two beds, or 1 per cabin, sleeping unit, or tent site, whichever is greater
	Hotel, motel, or lodge	1 per guestroom, plus 1 per 90 sq. ft. of meeting or lounge area, plus parking required for supplemental uses
Offices, Business and Professional	All use types	1/300 sq. ft.
Personal Services	All use types	1/300 sq. ft.
Recreation and Entertainment, Indoor	Adult Entertainment	1/300 sq. ft.
	Art gallery	1/300 sq. ft.

Table 15.401-1 Off-Street Parking Schedule A		
(du = dwelling unit; sf = square feet; gfa = gross floor area)		
Use Category	Use Type	Number of Spaces Required
	Movie theater	1 per four seats of auditorium seating. If no fixed seating, then based on maximum capacity under provisions of the building code
Recreation and Entertainment, Outdoor	General outdoor recreation, commercial	1 per 5000 sq. ft. of land area, or 1 per 3 persons capacity (maximum), whichever is greater; playfields (soccer, baseball, etc.) shall have minimum 20 spaces per field
	Golf course or driving range	Golf course: 4 spaces per green Driving range: 1 per tee
Retail Sales	Greenhouse or nursery, commercial	See Schedule B
	Grocery Store	See Schedule B
	All other uses	1/300 sq. ft.
Vehicles and Equipment	Parking lot/structure	N/A
	Gasoline sales	See stacking requirements
	Vehicle sales and rental	See Schedule B
	Vehicle service and repair	See Schedule B
Industrial Uses		
Industrial Service	All use types	See Schedule C

Table 15.401-1 Off-Street Parking Schedule A		
(du = dwelling unit; sf = square feet; gfa = gross floor area)		
Use Category	Use Type	Number of Spaces Required
Manufacturing and Production	All use types	See Schedule C
Warehouse and Freight Movement	Mini-storage	1 per 50 units, plus 1 per 300 sq. ft. of office area, plus vehicle stacking spaces for security gate. Aisles suitable for temporary loading and unloading may be counted as required parking stalls in accordance with Table 15.401-4 as determined by a traffic engineer
	All other uses	See Schedule B
Telecommunications	Tower/antenna of any height	None
Waste and Salvage	Salvage, junk yard	See Schedule C
Accessory Uses		
Accessory dwelling units		1/du in addition to spaces required for principal dwelling
Home Occupation		1/du in addition to spaces required for dwelling unit

- 1
- 2 TABLE 6.9-1: OFF-STREET PARKING SCHEDULE A
- 3 B. Schedule B. Uses subject to Off-Street Parking Schedule B, as indicated in Table 15.401-1 shall
- 4 provide the minimum number of off-street parking spaces listed in Table 15.401-2 below. Unless

1 otherwise approved, lots containing more than one (1) activity shall provide parking and loading in an
 2 amount equal to the total of the requirements for all activities.

3 TABLE 6.9-2: OFF-STREET PARKING SCHEDULE B

Table 15.401-2	
Off-Street Parking Schedule B	
Activity	Number of Spaces Required
Offices	1 per 300 square feet
Indoor sales area	1 per 250 square feet
Outdoor sales or display area (3000 sf or less)	1 per 750 square feet
Outdoor sales or display area (over 3000 sf)	1 per 2000 square feet
Indoor storage/warehousing/vehicle service/manufacturing area	
1 – 3,000 square feet	1 per 300 square feet
3,001 to 5,000 square feet	1 per 650 square feet
5,001 to 10,000 square feet	1 per 750 square feet
10,001 to 50,000 square feet	1 per 1,250 square feet
50,001 square feet or greater	1 per 1,500 square feet

4 Activity Number of Spaces Required

5

6 C. Schedule C. Uses that reference "Schedule C" in Table 15.401-1 have widely varying parking and
 7 loading demand characteristics, making it impossible to specify a single off-street parking or loading
 8 standard. Upon receiving a development application for a use subject to Schedule C standards, the
 9 building official and the director shall apply the off-street parking and loading standard specified for the
 10 listed use that is deemed most similar to the proposed use or establish minimum off-street parking
 11 requirements on the basis of a parking and loading study prepared by the applicant. Such a study shall
 12 include estimates of parking demand based on recommendations of the Institute of Transportation
 13 Engineers (ITE), or other acceptable estimates as approved by the director, and should include other
 14 reliable data collected from uses or combinations of uses that are the same as or comparable with the

1 proposed use. Comparability will be determined by density, scale, bulk, area, type of activity, and
2 location. The study shall document the source of data used to develop the recommendations.

3

4 D. Maximum Number of Spaces Permitted

5 1. General Maximum Requirement. For any use categorized as a "Commercial" or "Industrial" use in
6 Chapter 15.320 *Land Use Tables*, off-street vehicle parking spaces shall not be provided in an
7 amount that is more than 125 percent of the minimum requirements established in Table 15.401-1,
8 *Off-Street Parking Schedule A*.

9 2. Exceptions

10 a. If application of the maximum parking standard would result in less than six (6) parking
11 spaces, the development shall be allowed six (6) parking spaces.

12 b. For the purpose of calculating parking requirements, the following types of parking spaces
13 shall not count against the maximum parking requirement, but shall count toward the minimum
14 requirement:

15 1) Accessible parking;

16 2) Vanpool and carpool parking;

17 3) Structured parking, underground parking, and parking within, above, or beneath the
18 building(s) it serves.

19

20 For the purpose of calculating parking requirements, fleet vehicle parking spaces shall not
21 count against either the minimum or maximum requirements.

22

23 c. Exceptions to the maximum parking requirement may be allowed in situations that meet all of
24 the following criteria as determined by the director:

25 1) The proposed development has unique or unusual characteristics such as high sales
26 volume per floor area or low parking turnover, which create a parking demand that exceeds
27 the maximum ratio and which typically does not apply to comparable uses; and,

- 1 2) The parking demand cannot be accommodated by on-street parking, shared parking with
2 nearby uses, or by increasing the supply of spaces that are exempt from the maximum ratio;
3 and,
4 3) The request is the minimum necessary variation from the standards; and,
5 4) If located in a mixed-use district, the uses in the proposed development and the site
6 design are highly supportive of the mixed-use concept and support high levels of existing or
7 planned transit and pedestrian activity.

8
9 E. Computation of Parking and Loading Requirements

- 10 1. Fractions. When measurements of the number of required spaces result in a fractional number,
11 any fraction shall be rounded up to the next higher whole number.
12 2. Multiple Uses. Lots containing more than one use shall provide parking and loading in an amount
13 equal to the total of the requirements for all uses.
14 3. Area Measurements. Unless otherwise specified, all square footage-based parking and loading
15 standards shall be computed on the basis of gross floor area of the use in question. Structured
16 parking within a building shall not be counted in such measurement.
17 4. Computation of Off-Street Parking. Required off-street loading space shall not be included as off-
18 street parking space in computation of required off-street parking space.
19 5. Parking for Unlisted Uses. Parking requirements for uses not specifically listed in Table 15.401-1
20 shall be determined by the Director based on the requirements for the closest comparable use, as
21 well as on the particular parking demand and trip generation characteristics of the proposed use. The
22 Director may alternately require the submittal of a parking demand study that justifies estimates of
23 parking demand based on the recommendations of the Institute of Transportation Engineers, and
24 includes relevant data collected from uses or combinations of uses that are the same or comparable
25 to the proposed use in terms of density, scale, bulk, area, type of activity, and location.

26
27 **15.401.04 Parking Area Layout and Design**

28 A. Stall Dimensions

- 1 1. Parking stall and aisle dimensions shall be measured from the middle of the stall stripe of a
- 2 parking stall to the middle of the adjacent stall stripe. Aisles for two-way flows shall be a minimum of
- 3 24 feet, except when no spaces are backing onto the aisle, in which case width shall be 20 feet.
- 4 2. One universally accessible, ADA-compatible, space shall be provided in each parking lot in
- 5 compliance with the adopted building code, and as set forth in the following table:
- 6

Table 15.401-3 Accessible Parking Requirements	
Total Parking Spaces Provided	Minimum Number of Accessible Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
More than 500	2% of total

- 7
- 8 3. In parking lots of 20 spaces or more, special considerations will be made for compact car spatial
- 9 dimensions.
- 10 4. The following standards may be used as guidelines for the design of indoor and outdoor parking
- 11 stalls:
- 12

<p>Table 15.401-4</p> <p>Design of Parking Stalls</p>

Type of Stall	Parking Angle (A)	Stall Width (B)	Stall to Curb (C)	Aisle Width (D)	Curb Length (E)
Passenger Vehicle	0 degrees	8 feet	8 feet	12 feet	24 feet
Passenger Vehicle	45 degrees	9 feet	19 feet	13 feet	12'8"
Passenger Vehicle	60 degrees	9 feet	20 feet	13 feet	12'8"
Passenger Vehicle	90 degrees	9 feet	18 feet	24 feet	9 feet
Handicapped Space	90 degrees	8' with 5' adjacent access area	18 feet	24 feet	9 feet
Handicapped Van Space	90 degrees	8' with 8' adjacent access area	18 feet	24 feet	9 feet

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B. Parking Area Layout

1. Surface. All parking and driveway areas and primary access to parking facilities shall be surfaced with asphalt, concrete or other similar materials, unless otherwise approved by the county engineer. Accent paving is recommended to indicate pedestrian linkages.
2. Integrate Parking Lots with Surroundings. Parking lots shall not dominate the frontage of pedestrian-oriented streets, interfere with designated pedestrian routes, or negatively impact surrounding neighborhoods. The pedestrian character of streets and building shall be maximized through continuity of building and landscape frontage.
3. Design Standards. All parking lot placement and design shall comply with the applicable standards in Chapter 15.360 *Commercial and Mixed-Use Design Standards*, and 15.348, *Multi-Family Residential Design Standards*.

1 4. Lot Size. Required parking shall be broken into component parking lots, avoiding large,
2 unrelieved expanses of paving.

3

4 C. Landscaping. A landscaped buffer zone of five (5) to ten (10) feet may be required between the actual
5 parking area, major arterial, or major pedestrian route. Additionally, in areas that provide parking for more
6 than ten (10) vehicles, at least ten (10) percent of the total area of the parking lot shall be used for
7 landscaping and/or aesthetic treatment. The following landscaping standards shall be met:

8 1. A minimum of one (1) tree planted in landscaped islands for every eight (8) parking spaces shall
9 be located within the parking area/lot.

10 2. Tree islands shall be installed intermittently and have a length equal to the adjacent parking
11 stalls, contain sufficient area to protect plantings from vehicles and foot traffic and accommodate a
12 tree root system with a clear area of earth not less than three (3) feet in width.

13 3. All unimproved earth areas shall be planted, restored, or otherwise protected from erosion.

14 4. Ongoing maintenance, including the replacement of dead or unhealthy plants, shall be provided
15 by the parking area owner/leaseholder.

16

17 D. Parking for Single-Family Residential Dwelling Units. Two (2) parking spaces per single-family
18 detached residential dwelling unit are required. For single family residential units on streets designated
19 local streets, an on-street parking lane at each lot's street frontage may fulfill the requirement for one (1)
20 parking space, with driveway and garage meeting the additional requirement. Driveways and garage
21 entrances from interior block alleys are preferred.

22

23 E. Shared Access. Wherever feasible, parking lots shall share access lanes.

24

25 F. Circulation Area Design. Circulation for parking areas intended to accommodate 20 vehicles or more
26 shall be designed to facilitate the safe movement of vehicles without posing a danger to pedestrians or
27 impeding the function of the parking area. Parking lots that accommodate twenty or more vehicles must
28 maintain continuous circulation patterns, with no dead-ends, and safe access to public streets.

1

2 G. Lighting and Maintenance. All parking area lighting shall comply with the lighting requirements of this
3 title and the Lyon County Design Criteria and Improvement Standards, and provide adequate lighting for
4 safety if night use is intended. Parking lots should provide adequate security and should limit visual
5 clutter, parking lot signs, and equipment.

6

7 H. Drainage. All parking areas shall have adequate drainage as determined by a drainage report, and
8 utilize Low Impact Development techniques where practical.

9

10 I. Loading/Unloading Areas. All new and substantially remodeled commercial and industrial
11 developments shall provide adequate loading and unloading zones. The loading/unloading zones must be
12 illustrated on the parking plan submitted for approval. Loading and unloading areas shall not impede
13 major roads, highways, intersections, or other paths of travel. Also, these zones must be located away
14 from areas where there is heavy pedestrian travel unless such areas cannot be avoided, as in the
15 Commercial Mixed-Use (CMU) district.

16

17 **15.401.05 Parking Alternatives**

18 The Director may approve alternatives to providing the number of off-street parking spaces required by
19 Table 15.401-1 in accordance with the following standards.

20

21 A. Shared Parking. The director may approve shared parking facilities for developments or uses with
22 different operating hours or different peak business periods if the shared parking complies with all of the
23 following standards:

24 1. Location. Every shared parking space shall be located no farther than 600 feet from the entrance
25 to each building for which the shared parking is provided (measured along the shortest legal
26 pedestrian route).

27 2. Zoning Classification. Shared parking areas shall be located on a site with the same or a more
28 intensive zoning classification than required for the primary uses served.

1 3. Shared Parking Study. Those proposing to use shared parking as a means of satisfying off-street
2 parking requirements shall submit a shared parking analysis to the County that clearly demonstrates
3 the feasibility of shared parking. The study shall be provided in a form established by the director and
4 shall be made available to the public. It shall address, at a minimum, the size and type of the
5 proposed development, location of required parking, the composition of tenants, the anticipated rate
6 of parking turnover, and the anticipated peak parking and traffic loads for all uses that will be sharing
7 off-street parking spaces. The applicant shall also demonstrate that any parking reduction requested
8 as part of the shared parking study will not result in the spillover of parking onto other properties. The
9 study shall utilize the Urban Land Institute shared parking methodology to calculate temporal and
10 locational parking reductions.

11 4. Agreement for Shared Parking. The parties involved in the joint use of off-street parking facilities
12 shall submit a written agreement in a form to be recorded for such joint use, approved by the director
13 as to form and content. The agreement shall provide for the maintenance of jointly used facilities. The
14 director may impose such conditions of approval as may be necessary to ensure the adequacy of
15 parking in areas affected by such an agreement. Recordation of the agreement shall take place
16 before issuance of a building permit for any use to be served by the shared parking area. A shared
17 parking agreement may be revoked only if all required off-street parking spaces will be provided in
18 accordance with the requirements of this title.

19
20 B. Off-Site Parking. The director may approve the location of required off-site parking spaces on a
21 separate lot from the lot on which the principal use is located if the off-site parking complies with all of the
22 following standards:

23 1. Location. No off-site parking space may be located more than 600 feet from an entrance to the
24 use being served (measured along the shortest legal pedestrian route). Off-site parking spaces shall
25 be connected to the use by acceptable pedestrian facilities. Off-site parking spaces may not be
26 separated from the use served by a street right-of-way with a width of more than 80 feet, unless a
27 grade-separated pedestrian walkway, a traffic signal, a shuttle bus, or other traffic control device or
28 remote parking shuttle bus service is provided.

- 1 2. Control of Site. Required parking spaces for residential uses must be located on the site of the
2 use or within a tract owned in common by all the owners of the properties that will use the tract.
- 3 3. Ineligible Activities. Required parking spaces for persons with disabilities may not be located
4 offsite.
- 5 4. Agreement for Off-Site Parking. In the event that an off-site parking area is not under the same
6 ownership as the principal use served, a written agreement between the record owners shall be
7 required, approved by the director as to form and content. The agreement shall guarantee the use of
8 the off-site parking area for a minimum period of at least 20 years. The director may impose such
9 conditions of approval as may be necessary to ensure the adequacy of parking in areas affected by
10 such an agreement. An attested copy of the agreement between the owners of record shall be
11 submitted to the county for recordation in a form acceptable by the district attorney. Recordation of
12 the agreement shall take place before issuance of a building permit for any use to be served by the
13 off-site parking area. An off-site parking agreement may be revoked only if all required off-street
14 parking spaces will be provided in accordance with the requirements of this title.
- 15
- 16 C. On-street Parking. On-street parking spaces in the right-of-way along the property line, between the
17 two side lot lines of the site, may be counted to satisfy the minimum off-street parking requirements, if
18 approved by the director.
- 19
- 20 D. District Parking. Minimum required off-street parking spaces may be waived or reduced for properties
21 within the boundaries of a public parking or local improvement district that provides district-wide parking
22 facilities, based on the projected parking demand to be addressed by the district-wide facility.
- 23
- 24 E. Stacked, Tandem, and Valet Parking. Stacked, tandem, or valet parking for nonresidential uses is
25 allowed if an attendant is present to move vehicles. In addition, a guarantee acceptable to the county
26 shall be filed with the county ensuring that a valet parking attendant shall always be on duty when the
27 parking lot is in operation. For residential uses, tandem or stacked vehicle parking may be allowed.
- 28

1 F. Structured Parking

2 1. Maximum Parking Waiver. Where 75 percent or more of the parking accessory to a use is in
3 structured parking, there shall be no maximum cap on the number of parking spaces.

4 2. Credit for Nearby Public Structured Parking. Spaces available in public parking structures located
5 within 1,000 feet of the subject use may be counted toward the total amount of required off-street
6 parking.

7 3. Density Bonus for Underground Parking in the Commercial and Mixed-use Districts. A density
8 bonus shall be granted for underground parking structures in the commercial and mixed-use districts.
9 The bonus shall be granted at a ratio of 0.01 du/gross acre of additional bonus density for each 100
10 square foot of structured parking that is underground.

11

12 G. Sites in Mixed-use Districts. In the mixed-use districts, the total requirement for off-street parking
13 facilities shall be the sum of the requirements for the various uses computed separately, subject to the
14 modifications set forth below.

15 1. All uses within MU districts shall be eligible for a 20 percent parking reduction to reflect the
16 reduced automobile use associated with mixed-use developments.

17 2. A 10 percent parking reduction for multifamily residential dwellings may be allowed if the
18 proposed use is located within 300 feet of a transit stop with midday service headways of 30 minutes
19 or less in each direction.

20 3. For non-residential uses, the minimum parking requirement may be reduced ten (10) percent if
21 the use incorporates a transit stop that meets minimum design standards established by the county to
22 ensure ready access to users and is compatible with the design and materials of the non-residential
23 use of which it is associated.

24 4. A ten (10) percent parking reduction for developments that include bicycle parking at a minimum
25 ratio of five (5) bicycle rack spaces to one (1) parking space. (maximum two (2) spaces).

26 5. The total number of parking spaces required of a use or uses in a MU District may be further
27 reduced by the director if the applicant prepares a parking evaluation that demonstrates a reduction is
28 appropriate based on the expected parking needs of the development, availability of mass transit, and

1 similar factors and the county engineer accepts such study as an accurate reflection of parking
2 demand. The parking evaluation shall be prepared in a form and manner prescribed by the director.

3
4 H. Other Eligible Alternatives. Modification of requirements of this chapter may be approved in
5 conformance with the provisions of 15.330.04 when substantiated by a report based on the Institute of
6 Transportation Engineers (ITE) Manual, American Planning Association (APA), Urban Land Institute (ULI)
7 or other nationally accepted authority, and where it is demonstrated that the modification will protect
8 surrounding neighborhoods, maintain traffic circulation patterns, and promote quality urban design to at
9 least the same extent as would strict compliance with the standards set forth in this chapter.

10



1 **Chapter 15.402 Landscape Standards**

2

3 **15.402.01 Purpose**

4 This Section is intended to ensure that new landscaping and the retention of existing vegetation is an
5 integral part of all development and that it contributes added high quality to development, retains and
6 increases property values, conserves water, and improves the environmental and aesthetic character of
7 the community. It is also the intent of this Section to provide flexible requirements that encourage and
8 allow for creativity in landscape design.

9

10 **15.402.02 Applicability**

11 All landscaping, buffering, and screening provided pursuant to this title shall comply with the standards in
12 this chapter.

13

14 **15.402.03 Design Standards**

15 A. General. Developments shall incorporate a variety of landscape elements to enhance the building or
16 site, add privacy or shade, screen obtrusive or objectionable features, and take advantage of special site
17 conditions. Landscape elements may include, but not be limited to:

- 18 1. Living plant material;
- 19 2. Decorative pavement;
- 20 3. Screening walls;
- 21 4. Planters; or
- 22 5. Site furniture or similar details to enhance the project.

23

24 All unimproved earth areas shall be planted, restored, or otherwise protected from erosion. The use of
25 Low Impact Development techniques such as use of native plants, on-site stormwater retention, drip-
26 irrigation, and use of pervious paving material is strongly encouraged to meet the requirements of this
27 title.

28

1 B. Protection of Existing Vegetation. The appeal and character of the site shall be preserved and
2 enhanced by retaining and protecting existing vegetation and trees whenever possible.

3 1. Designation, Protection, and Replacement. The owner must indicate on the landscaping plan
4 trees and vegetation intended to be preserved. Designated trees and vegetation must be protected
5 during construction through use of fencing and other measures.
6

7 C. Maintenance. Landscaping shall be watered and maintained by the property owner/leaseholder as
8 necessary to preserve the intent of any approved landscape plan. Ongoing maintenance shall include the
9 replacement of dead or unhealthy plants. Violations of this Section shall be subject to penalties pursuant
10 to Chapter 15.14
11

12 D. Plant Materials. Plant materials shall be adaptable to local conditions. Naturalized planting schemes
13 using native or drought-tolerant plant materials with a high desert character theme are encouraged. Lawn
14 areas shall be kept to a minimum.
15

16 E. Street Trees. Street trees shall be organized in a formal architectural fashion to reinforce, define, and
17 connect the spaces and corridors created by buildings and other features along a street.

18 1. Location. Street trees shall be planted in the area between the curb and sidewalk or a location
19 most appropriate for street tree planting.

20 2. Spacing. Spacing of street trees shall not exceed two (2) times the tree's mature crown diameter.

21 3. Type. Street trees shall consist of a mixture of canopy shade trees.

22 4. Additional Landscaping. Additional landscaping within the area between the curb and sidewalk
23 may consist of shrubs, annuals, perennials, ground cover and turf, and shall be planted and
24 maintained by the adjacent property owners at the approval of the appropriate jurisdiction
25 (homeowners association, improvement district, GID, etc.).
26

27 F. Visibility and Security.

1 1. Intersections shall be landscaped with plant materials of a shape and size that will not impede
2 visibility of motorists, cyclists, or pedestrians.

3 2. At no time may the security of a building, specifically the entryway and parking area, be
4 compromised by creating visual barriers or hiding places.

5

6 G. Landscape Plan Required. A landscape plan shall be submitted for developments as required by the
7 Director. Plant materials shall be installed prior to issuance of a Certificate of Occupancy.

8

9 **15.402.04 Buffering and Screening**

10 A. Intent. To integrate adjacent land uses and provide seamless transitions from one use to another
11 through the use of building orientation and access, landscaping, and appropriate architectural elements.

12

13 B. General Provisions.

14 1. Special consideration shall be given to adjacent land uses of different intensities. It shall be the
15 responsibility of the more intensive use to ensure that the transition from one use to another is
16 attractive, functional, and minimizes conflicts between the current and planned uses.

17 2. It is the responsibility of the higher intensity use to demonstrate that the uses will be compatible.
18 This can be accomplished through the effective use of shared access and parking, appropriate
19 building orientation and setbacks, landscaping, architectural treatment and limited use of fencing and
20 screening walls. Special consideration shall be given to the impact of aesthetics, noise, lighting, and
21 traffic.

22 3. Buffering may be required between any development and adjacent natural or environmentally
23 sensitive areas. This will be determined on a case-by-case basis.

24 4. Under no circumstances shall a fence be the only screening material used as a buffer between
25 land uses.

26

27 C. Loading and Service Areas

- 1 1. Location. Loading docks, solid waste facilities, recycling facilities and other service and utility
2 areas shall be placed to the rear or side of buildings in visually unobtrusive locations.
- 3 2. Screening and Landscaping. Screening and landscaping shall prevent direct views of the loading
4 areas and their driveways from adjacent properties or from public rights-of-way. Screening and
5 landscaping shall also prevent spill-over glare, noise, or exhaust fumes. Screening and buffering shall
6 be achieved through walls, architectural features, and landscaping, and shall be visually impervious.
7 Recesses in the building or depressed access ramps may be used.

8

9 D. Mechanical Equipment. Mechanical equipment, antennas, rooftop appurtenances, and outdoor
10 storage areas should be screened. Rooftop appurtenances, such as mechanical equipment and antennas
11 shall be screened from view.

12

13 E. Dumpsters and Trash Storage Areas. Every development that is required to provide one (1) or more
14 dumpsters for solid waste collection shall provide sites for such dumpsters that are:

15

1. Trash storage areas shall be screened from view and secure from animals.

16

2. Adjacent properties shall combine trash areas when feasible.

17

3. Located to facilitate collection and minimize any negative impact on persons occupying the site,
18 neighboring properties, or public rights-of-way; and

19

4. Constructed to allow for collection without damage to the site or the collection vehicle; and

20

5. Screened to prevent them from being visible to:

21

a. Any dwelling unit on residential property, other than the property on which the dumpster is
22 located;

23

b. Occupants, customers, or other invitees to any building on nonresidential property, other than
24 the property on which the dumpster is located; and

25

c. Persons traveling on any public street, sidewalk, or other public way.

26

1 **Chapter 15.403 Reserved**

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