Division 1 - LAND USE AND SITE DESIGN

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1.0 – [~~General~~] Purpose and enforcement.

1. Purpose. [~~These design standards have been prepared to foster quality design of office, commercial, multi-family, public, industrial and institutional projects within Carson City.~~] The image of the community affects the economic well being of the **City** [~~city, especially the tourism economy~~]. These **design** standards are aimed at improving the community image **by fostering quality design of projects within the City**.

These standards are intended to inspire development of lasting quality and designs that enhance the overall community **for the benefit of the City's residents, businesses, and visitors**. They are intended to assist the public, developers and design professionals in planning and designing projects. These standards shall also serve as criteria for design review by city staff, the [~~planning commission (commission), and board of supervisors (board)~~] **Commission and the Board**.

2. Enforcement. The standards of this Division are enforced under Section 18.020.030 (Enforcement) of Title 18.

[Staff notes: This first section should include a general purpose statement for the entire Division 1, not just for architectural design (Section 1.1).]

1.1 - Architectural design.

[Staff notes: This section and each subsequent section should include an applicability statement.]

These architectural design standards apply to development within all zoning districts excluding single-family residential districts. [~~Office, retail, commercial, public, institutional, industrial and multi-family buildings and their architecture play~~] **Architecture plays** a large role in establishing the overall image of the community. In all cases, these standards stress the importance of visually identifying and unifying the community character. These standards do not require a single architectural style [~~; instead~~] **, and** an eclectic mixture of harmonious styles [~~are~~] **is** encouraged. Buildings **located within the Downtown Mixed-Use zoning district must follow the specific design requirements of that district in**

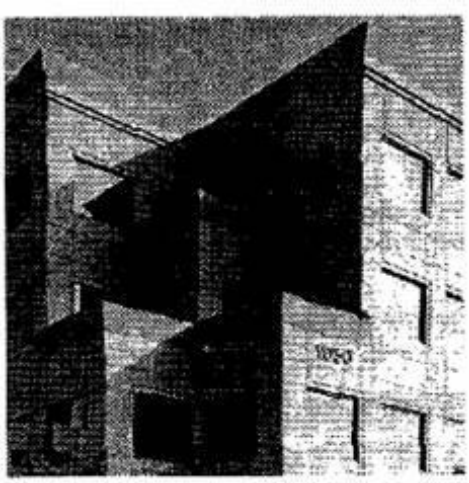
addition to the standards of this chapter [~~which are 50 years or older within the downtown area must meet the requirements of the downtown business district found in the Carson City Municipal Code~~].

[~~1.1.1~~] **1.** The architectural style, massing and proportion of a building should be compatible with and [~~compliment~~] **complement** its surroundings and environmental characteristics of the community.

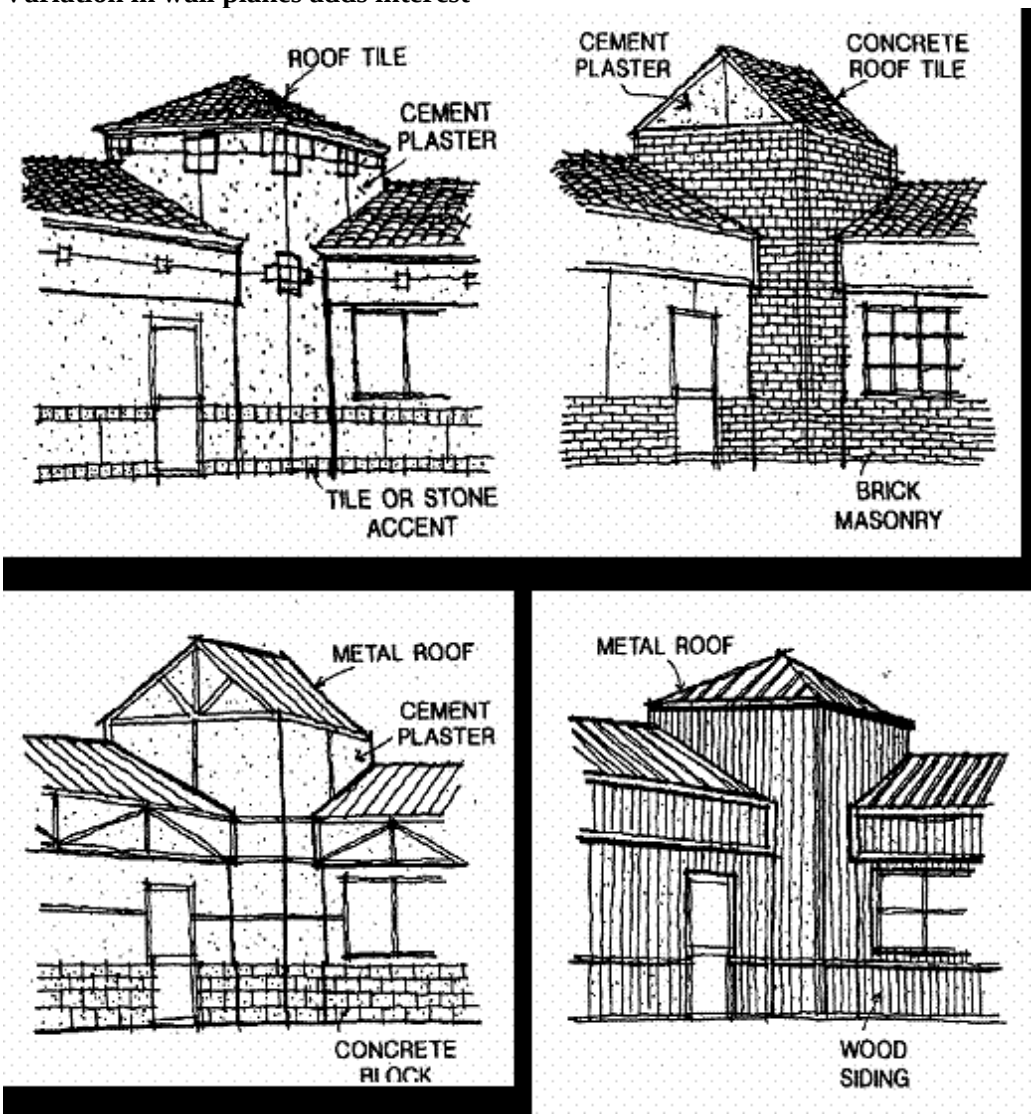
[~~1.1.2~~] **2.** Buildings should be designed on a "human scale" by using architectural enhancements such as windows, awnings, arcades, plazas, courtyards and roof overhangs.

Architectural enhancements such as roof overhangs, arcades and trellises shall be used.

[~~1.1.3~~] **3.** Variations of building details, form, line, color and materials shall be employed to create visual interest. Variations in wall planes, roof lines and direction are encouraged to prevent monotonous appearance in buildings. Large expanses of walls devoid of any articulation or embellishment shall be avoided. Similarly**,** vertical variation in the roof line is encouraged. [~~Mansard roofs shall wrap around the entire building.~~] **On commercial and institutional buildings, façades greater than 100 feet in continuous length must incorporate recesses or projections of not less than 3 feet in depth for a minimum of 20 percent of the façade length, and wall planes may not run more than 50 feet in a continuous direction without a recess, projection or offset.**



Variation in wall planes adds interest



Typical materials and finishes

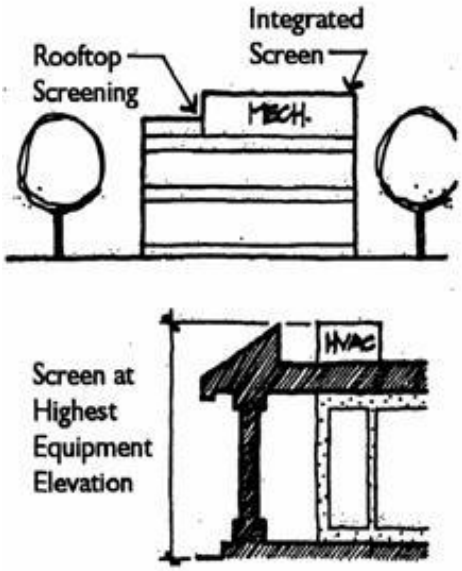
[~~1.1.4~~] **4.** All building elevations shall receive architectural treatment, except in special situations where an elevation is not visible from an adjoining property or street.

[~~1.1.5~~] **5.** Materials and finishes shall be selected for architectural harmony and enhancement of the architectural theme as well as aesthetic quality, durability and ease of maintenance. Materials, finishes and colors shall be varied where appropriate to provide architectural interest. The number of building materials generally shall be limited to three and these materials shall not stop abruptly at corners, but continue to side or back elevations. [~~Smooth faced block or fabricated metal wall panels are not allowed as the predominant building material.~~]

[~~1.1.6 Exterior building colors should blend with surrounding development and not cause abrupt changes. Primary building surfaces (excluding trim areas) should be muted or earthtone in color. Bold colors shall be avoided except when used as accent or trim.~~]

[~~1.1.7~~] **6.** Except as otherwise provided in this section, roof-mounted equipment [~~within commercial, industrial, office, public or multi-family districts~~] shall be screened from view from a public right-of-way and adjacent property through the use of architectural means such as parapet walls and equipment wells. Screening of roof-mounted equipment from view must be integrated into the building design. All equipment shall be located below the highest vertical element of the building. Wall-mounted air conditioning units shall be integrated into the design and/or screened. Roof-mounted solar panels are excluded from the requirement for screening. Roof-mounted mechanical support and accessory mechanical equipment for solar panels shall be screened architecturally and integrated to match the existing roof and/or building materials.

On sites exhibiting topographic relief effecting visual screening capabilities, site-obscuring screening shall be provided to visually screen the equipment at a minimum of 100 feet from the site.



Typical Equipment Screening

[~~1.1.8~~] **7.** Reflective, untreated roofs shall be prohibited [~~unless painted flat, non-glossy paint to compliment or match the primary color of the primary exterior building material(s)~~].

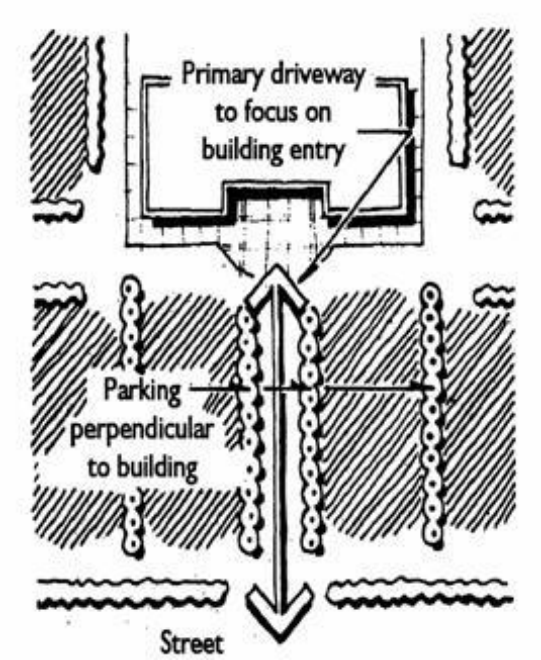
[~~1.1.9~~] **8.** Multi-building/tenant projects shall include architectural consistency for all buildings including color schemes, wall textures, roofs, roof slopes, awnings and other similar architectural themes.

[~~1.1.10~~] **9.** Buildings which give the appearance of "box-like" structures shall be discouraged. (Ord. 2001-23, Development Standards). (Ord. No. 2008-29, § II, 8-7-2008)

1.2 - Site design.

These site design standards apply to development within all zoning districts excluding single-family residential districts. These standards are intended to promote quality development, visual compatibility, safety and consistency through an integration of site design elements including building orientation and location, site access, circulation, parking, service areas and pedestrian and bicycle access. Of primary concern is the appearance as viewed from the street.

[~~1.2.1~~] **1.** Primary entries and/or facades of buildings should be oriented towards the street or main parking area.



Typical building and parking relationship

[~~1.2.2~~] **2.** The orientation and location of a building should provide for pedestrian and bicycle activity and access. **Bike racks shall be provided based on the type of use and location of the property.** Bike racks shall be located in a safe and convenient location close to building entrances. Clustering of multiple buildings should create pedestrian plazas, courts or patio areas and be linked architecturally with arcades, trellises, or other similar open structure concepts.

Typical building clusters shall create friendly outdoor spaces.

[~~1.2.3~~] **3. Site layouts shall be designed so buildings front on the primary street with parking to the side or rear of the buildings. Sites with multiple buildings may be designed with variations of buildings fronting on the primary street and parking fronting on the street.** Buildings oriented in a "strip" or straight row with parking along the entire street frontage [~~are not encouraged~~] **shall be avoided. The Director may waive the requirement for a building to be located on the street frontage based on lot size, lot shape or other constraints that may prevent the reasonable placement of buildings on the street frontage**.

[~~1.2.4~~] **4.** Buildings or other improvements shall not impair visibility at street corners or driveway.

[~~1.2.5~~] **5.** Detached storage buildings or storage areas shall be located towards the rear of a site and be screened with the use of walls, fencing, and/or landscaping.

Typical screening of service area.

[~~1.2.6~~] **6. Trash enclosures shall be provided to screen the storage of trash receptacles.** Trash enclosures shall be placed so as to be screened from public [~~right-of-ways~~] **rights-of-way** and adjacent uses. Outside areas used for the storage of trash, refuse or recycled materials shall be completely enclosed by a gate and a six-foot masonry block wall (all cells grouted solid) and be designed to integrate with the site design. Trash enclosures shall be screened with appropriate plant material.

Trash enclosures shall be designed to meet or exceed minimum size requirements as determined by the sanitation company **for the proposed use** and shall be located to provide unobstructed access to refuse vehicles. All trash, refuse or recycled material shall be stored in containers within its walled enclosure.

[~~1.2.7~~] **7.** Provision for [~~newspaper racks~~] **bus stops**, postal boxes and street furniture shall be included as necessary in the overall project design.

[~~1.2.8~~] **8.** All utilities shall be supplied to a building or project by underground service, except as approved by the Director.

[~~1.2.9~~] **9.** Non-residential power transformers or other above ground equipment shall not impair sight distances and shall be screened from the adjacent public right-of-way. Consideration shall be given to utility company access.

~~[1.2.10 Restaurant and food service businesses shall install a drain that is connected to an approved grease interceptor in accordance with Division 15.]~~ *[Staff note: This standard is located in Division 15 (Water, Sewer, Reclaimed Water Standards). Generally, standards that are contained in other parts of the Municipal Code should not be duplicated elsewhere unless they directly relate to that section.]*

(Ord. 2001-23, Development Standards). (Ord. No. 2008-33, § XIII, 9-4-2008)

1.3 - Lighting standards.

These lighting standards apply to development within all zoning districts excluding single-family residential districts, except as otherwise superseded by state or federal regulations. This section sets forth criteria and standards to mitigate impacts caused by lighting and glare.

Lighting Purpose Statement. Office, retail, commercial, public, institutional, industrial and multi-family buildings and their lighting are part of the overall image of the community. In all cases, these standards stress the importance of visually identifying and unifying the community character. Unnecessary and improperly designed light fixtures cause glare, or intense light that results in unnecessary brightness, a reduction of visual performance and visibility, light pollution and wasted resources through additional expense for utility costs, hazardous conditions for all modes of transportation, and also affects the ability to view the night sky, including astronomical observations. The following regulations are intended to mitigate these conditions by regulations that require shielding, pointing lighting downward (other than accent lighting), only using the amount of light that is necessary and recommending turning fixtures down or off when not required. All new lighting including upward wall lighting must be reviewed and approved by the [~~director or his designee~~] **Director**.
~~[Applicability:]~~

[~~1.3.1~~] **1. Existing structures.** All existing structures [~~and residential uses~~] are exempt from this ordinance and are considered [~~grand fathered~~] **legal nonconforming** improvements. All proposed new commercial developments, buildings, multi-family residential complexes of 10 units or more, structures or building additions of 50 percent or more in terms of additional dwelling units, gross floor area, seating capacity, or other units of measurement specified herein, either with a single addition or cumulative additions subsequent to the effective date of this provision, shall meet the requirements of this Ordinance for the entirety of the property, including all existing and proposed lighting unless exempted under Nonconforming Uses, shown below. For all building additions of less than a cumulative amount of 50 percent, the applicant shall only have to meet the requirements of this section for only the new outdoor lighting proposed.

[~~1.3.2~~] **2. Abandonment of a nonconforming use or structure** [~~Nonconforming Uses or Structures~~]. Whenever a nonconforming use, structure or building is abandoned for a period of 12 months **or** longer [~~and then changed to a new use according to the requirements of this code as described in Municipal Code Title~~] **in accordance with the provisions of** 18.04.030 **(**Nonconforming Uses**)**, then any existing outdoor lighting [~~, with the exception of conversion to a residential use of nine units or less,~~] shall be [~~reviewed and~~] brought into compliance with [~~this code~~] **the lighting standards of this section upon the establishment of the new use or structure on the property**.

[~~1.3.3~~] **3.** General **requirements.** [~~Requirements in All Commercial and Industrial Zones: Light. All nonresidential uses shall provide lighting~~] **Lighting shall be provided** within public parking areas and access ways to provide safety and security. All light sources shall be located and installed in [~~such a way as to prevent spillover lighting onto adjoining properties and glare to the sky. The~~] **accordance with** following provisions [~~shall apply to all proposed development~~]:

[~~1.~~] **(a) Except as otherwise provided in this section, lighting fixtures** [~~Any lighting facilities~~] shall be [~~so~~] installed [~~as to project~~] **so that** light **is projected** downward and away from adjoining properties [~~and glare to the sky, with the exception of accent lighting, which is limited to a maximum upward angle of forty-five (45) degrees. Site lighting trespass onto adjacent locations and the night sky shall be minimized~~]. Covers must be installed on all lighting fixtures and lamps **or bulbs** must not extend below the bottom of the cover. All light fixtures, except street lights, shall be located, aimed or shielded so as to minimize stray light trespassing beyond property boundaries.

[~~2. All light fixtures that are required to be shielded shall be installed in such a manner that the shielding is installed as designed. Fixtures, which are International Dark Sky Association approved such as Dark Sky Friendly or equivalent, with full cutoff lighting for area and wall pack fixtures are recommended. Sag, convex, drop lenses and luminaries with open bulbs are prohibited.~~

~~3. If elevations of buildings are proposed for accent illumination, drawings and a photometric plan shall be provided for all relevant building elevations showing the fixtures, the portions of the~~

~~elevations to be illuminated, the illuminance levels of the elevations and the aiming points. The maximum upward angle is forty-five (45) degrees.~~]

[~~4.~~] **(b) All freestanding light fixtures and wall-mounted light fixtures** [~~Light standards, light poles and wall pack lighting~~] adjacent to residential zones shall be limited in height as follows: Fixtures shall not exceed an overall height of [~~twelve (12)~~] **12** feet within [~~seventy-five (75)~~] **75** feet, [~~sixteen (16)~~] **16** feet within [~~one hundred (100)~~] **100** feet, [~~twenty (20)~~] **20** feet within [~~one hundred twenty-five (125)~~] **125** feet, [~~twenty-four (24)~~] **24** feet within [~~one hundred fifty (150)~~] **150** feet**,** and [~~twenty-eight (28)~~] **28** feet within [~~one hundred seventy-five (175)~~] **175** feet of **a** property line **of a residentially-zoned parcel**, or center of street **adjacent to a residentially-zoned parcel**, whichever is closer[~~, when adjacent to residential zones~~]. Additional height may be permitted by the Director provided such lights are a sharp cutoff lighting system. [~~Illumination levels at the property line of a project shall be reduced by the use of house side~~] **Light fixtures must include** shields and reflectors, **as necessary, to shield the lamp or bulb from view from the adjacent residential property line** [~~and shall be maintained in such a manner as to confine light rays to the premises of the project~~].

[~~5.~~] **(c)** No permanent rotating searchlights shall be permitted in any regulatory zone, except that an Administrative Permit may be issued by the Director for a period not to exceed [~~three (3)~~] **3** days for a temporary searchlight. The Administrative Permit shall be limited to a minimum of [~~three (3)~~] **3** times in [~~one (1)~~] **1** calendar year. [~~This prohibition shall not apply to the Carson City Airport.~~]

[~~6. Parking area lights are encouraged to be greater in number, lower in height and lower in light level, as opposed to fewer in number, higher in height and higher in light level. A photometric plan is required on all projects with building size of fifty thousand (50,000) square feet or larger and may also be required at the discretion of the Director.~~

~~7. For all projects where the total initial output of the proposed lighting equals or exceed one hundred thousand (100,000) lumen, certification that the lighting, as installed, conforms to the approved plans shall be provided by a certified engineer before the certificate of occupancy is issued. Until this certification is submitted and reviewed, approval for use of a certificate of occupancy shall not be issued for the project.~~

~~8.~~] **(d)** Exterior lighting installations shall include timers, dimmers, sensors or photocell controllers that turn the lights off during daylight hours or when lighting is not needed, which will reduce unnecessary lighting, as practical. Businesses are encouraged to turn lighting down or off when businesses are not open.

[~~9. Glare. Reflected glare on nearby buildings, streets or pedestrian areas shall be avoided by incorporating overhangs and awnings, using building materials and colors which are less reflective for exterior walls and roof surfaces, controlling angles of reflection and placing landscaping and screening in appropriate locations.~~

~~1.3.4~~] **(e)** Interior lighting. Where residential uses abut non-residential uses, interior building lighting of the non-residential uses shall be controlled at night through the use of timers, window blinds or other acceptable means.

[~~1.3.5 General Lighting Performance Standards. All exterior light fixtures shall use full cut-off luminaries with the light source downcast and fully shielded with no light emitted above the horizontal plane. Again, fixtures which are International Dark Sky Association approved such as Dark Sky Friendly or equivalent with full cutoff lighting for area and wall pack fixtures are recommended. Exceptions are noted below.~~

~~1.~~] **(f)** [~~Luminaries which have~~] **Luminaires with** a maximum output of 500 lumen per fixture, (**approximately** equivalent to one 40-watt incandescent bulb) regardless of number of bulbs, may be left unshielded provided the fixture has an opaque top to keep light from shining directly up. [~~Luminaries which have~~] **Luminaires with** a maximum output of 850 lumen per fixture, (**approximately** equal to one 60 watt incandescent light) regardless of number of bulbs, may be partially shielded, provided the bulb is not visible from off-site, no direct glare is produced, and the fixture has an opaque top to keep light from shining directly up.

[~~2.~~] **(g)** Accent Lighting. Architectural features may be illuminated by up-lighting or light directed to the building, such as wall washing, provided that the light is effectively aimed to or contained by the structure by such methods as caps, decks, canopies, marquees, signs, etc, the lamps are low intensity to produce a subtle lighting effect, and no light trespass is produced. The angle of up-lighting shall not exceed 45 degrees. [~~Luminaries~~] **Luminaires** shall not be installed above the height of the parapet or roof. For national flags, statutes, public art, historic buildings or other objects of interest that cannot be illuminated with down-lighting, upward lighting may be used in the form of narrow-cone spotlighting that confines the illumination to the object of interest.

[~~3.~~] **(h)** All [~~luminaries~~] **luminaires** shall be aimed and adjusted to provide illumination levels and distribution as indicated on submitted plans. All fixtures and lighting systems shall be in good working order, cleaned and maintained in a manner that serves the original design intent of the system.

[~~4. Floodlights that are not full cut-off (light emitted above the fixture) may be used if permanently directed downward, not upward, and aimed at no more than a 45 degree angle, so no light is projected above the horizontal plane, and fitted with external shielding for top and side to prevent glare and off-site light trespass. Unshielded floodlights are prohibited.~~

~~5.~~] **(i)** Sensor activated lighting may be used provided it is located in such a manner as to prevent direct glare and lighting into properties of others or into a public right-of-way, and provided the light is set to go on only when activated and to go off within five minutes after activation has ceased, and the light shall not be triggered by activity off the property.

[~~6.~~] **(j)** Vehicular lights and all temporary emergency lighting such as search lights or any similar high-intensity lights as needed by the fire department, sheriff's office, public works department, Carson City Airport, utility companies, State or Federal Departments or other emergency services shall be exempt from the requirements of this [~~ordinance~~] **section**.

[~~7.~~] **(k)** Illumination for outdoor recreation facilities must conform to the shielding requirements, except when such shielding would interfere with the intended activity. For such facilities, partially-shielded [~~luminaries~~] **luminaires** are permitted. Examples **o**f activities where partially-shielded [~~luminaries~~] **luminaires** are permitted include, but are not limited to, baseball, softball and football. Fully-shielded [~~luminaries~~] **luminaires** are required for tennis, volleyball, racquetball, handball courts and swimming pools. [~~Rotating airport beacons are exempt from this requirement.~~

~~8. Service Station/Canopy Lighting. All luminaries mounted on the under surface of service station canopies shall be fully shielded and utilize flat covers. All lighting shall be recessed sufficiently so as to ensure that no light source causes glare on public rights-of-way or adjacent property. A maximum of 850 lumen per fixture is allowed (equivalent to one 60-watt incandescent bulb).~~]

[~~9.~~] **(l)** Temporary Lighting. The [~~director~~] **Director** may grant a permit for temporary lighting [~~,~~] which does not conform to the provisions of this ordinance [~~if the applicant meets~~] **subject to** the following criteria: [~~the purpose for which the lighting is proposed does not extend beyond 60 days, but may be granted a 30 day extension after review by the Director. The director will rule on the application within 5 business days of the date of submission of the request, and notify the applicant in writing of the decision.~~]

[~~a.~~] **(1)** The proposed lighting must be designed in such a manner as to minimize light trespass and glare to the sky [.] **;**

[~~b. It will be~~] **(2) The proposed lighting will be for** a temporary use and will be in the public interest [.] **;**

[~~c.~~] **(3)** The application for temporary lighting shall include the [~~following information: The~~] name and address of the applicant and property owner, a site plan showing entire site and location of proposed [~~luminaries~~] **luminaires**, manufacturers specification sheets showing type, wattage and height of lamp(s) with type and shielding of proposed [~~luminaries~~] **luminaires**, or if not new, pictures of previous sites or of the fixtures proposed to be used [.] **; and**

(4) The proposed lighting may not be used for more than 90 consecutive days.

[~~10.~~] **(j)** Maintenance. All fixtures shall be maintained in good working order, with aiming, angles, wattage and intensity as originally approved. Replacement bulbs shall be the same or less wattage

and intensity as originally approved. Fixtures and reflecting surfaces shall be cleaned on a regular schedule to reduce additional unapproved glare.

[~~11.~~] **(k)** The [~~director~~] **Director** may approve variations to the standards set out in this [~~Division~~] **section** if variations are more appropriate to a particular site, provide an equivalent means of achieving the intent of these lighting standards and are in keeping with the purpose statement of this section. A letter of request detailing the reason for the variation and changes requested is required to be submitted to the [~~director~~] **Director with any request for variation to the standards**.

~~[12. These standards are enforced under Title 18.020.030 (Enforcement).]~~

[Staff note: This section is reworded primarily to eliminate redundant verbiage and to eliminate unnecessary requirements where the basic standards achieve the desired outcome to reduce over-spill of light.]

(Ord. 2007-12 § 1, 2007: Ord. 2001-23, Development Standards). (Ord. No. 2008-29, § III, 8-7-2008)

1.4 - Guest building development.

These guest building development standards apply to all single-family residential zoning districts. "Guest building**"** refers to a dwelling unit on the same lot as [~~the~~] **a** primary dwelling unit and ancillary to it. A guest building may provide complete, independent living facilities for 1 or more persons, including permanent facilities for living, sleeping, eating, cooking and sanitation. ~~[Typical uses include guest houses, second units, extended family housing and caretaker's quarters.]~~

[~~1.4.1~~] **1. All applications for a guest building shall include a** [~~A~~] site plan [~~shall be submitted~~] indicating the following:

[~~a.~~] **(a)** Location of **the guest building showing setbacks distances from the property line, the** primary residential structure [~~with setback distances, distance to guest building~~] and other accessory structures.

[~~b.~~] **(b)** Location of all public and private utilities and/or well and septic tank/leach field.

[~~c.~~] **(c)** Access to primary residential structure and guest building.

[~~d.~~] **(c)** Zoning, size of lot, assessor**'**s parcel number, north arrow, scale, location of other outbuildings.

[~~1.4.2~~] **2. Minimum lot size. The minimum lot size required to construct a guest building is 8,000 square feet.** [~~Recordation. The property owner shall, prior to the issuance of a certificate of occupancy for the building permit, record a deed restriction against the subject property with the city recorder's office stating the guest building occupation limitations contained in Section 1.4.10.~~]

[~~1.4.3~~] **3.** Existing Guest Buildings. **An existing** ~~[Existing]~~ guest buildings **that does not include kitchen facilities** may [~~expand~~] **be modified** to include a kitchen facility only upon full compliance with the provisions of this division. [~~Approval of a building permit is required if the structure itself is being altered.~~] *[Staff note: The Building Code provides for when a building permit is required.]*

[~~1.4.4~~] **4.** Maximum Size. Guest building living space gross floor area shall not exceed 50 percent of the assessed floor area of the main residence, excluding garages, basements and other accessory structures, or the following limitations, whichever is less:

[~~a.~~] **(a)** In the SF6, MH6, SF12 and MH12 zoning districts **and on other residentially-zoned lots of less than 21,000 square feet in area**, a maximum of 700 square feet;

[~~b.~~] **(b)** In all other single family residential districts, a maximum of 1,000 square feet **provided that the lot size is a minimum of 21,000 square feet in area**.

[~~1.4.5~~] **5.** Required Setbacks. All guest buildings shall meet the same setbacks as required for the primary residence on the lot, provided that second story elements of a guest building are a minimum of 20 feet from all property lines.

[~~1.4.6~~] **6.** Maximum Building Height. The guest building shall meet the maximum height requirements of the zoning district in which it is located, provided that second story elements of a guest building are a minimum of 20 feet from all property lines.

[~~1.4.7~~] **7.** Required Parking. A minimum of 1 off-street parking space or, for guest buildings with multiple bedrooms, 1 parking space per bedroom shall be provided outside of the required front-yard

setback area in addition to the required parking for the main residential use. In the SF6, MH6, SF12 and MH12 zoning districts, the guest parking must be provided on a paved surface.

[~~1.4.8~~] **8.** Site Design.

[~~a.~~] **(a)** Architectural design and materials for a guest building shall be consistent and compatible with the design and materials of the main structure, including but not limited to roof pitch, roof materials, siding materials and color, and other architectural features;

[~~b.~~] **(b)** Only one entrance may be visible from the street frontage.

1.4.9 Modifications to These Provisions.

[~~a.~~] **(a)** The above guest building provisions relating to size, height and site design may only be modified by approval of a special use permit;

[~~b.~~] **(b)** The above guest building provisions relating to setbacks and parking may only be modified by approval of a variance.

[~~1.4.10~~] **10.** Guest Building Occupation. A guest building may only be occupied by the family members of the primary residence, as defined by Title 18 of the Carson City Municipal Code, and their non-paying guests. Guest buildings may not be rented as secondary dwelling units. **The property owner shall, prior to the issuance of a certificate of occupancy for the building permit, record a deed restriction against the subject property with the City Clerk-Recorder's office stating the guest building occupation limitations contained in this section.** *[Staff note: This requirement relocated from Section 1.4.2, above.]*

(Ord. 2007-24 § 2, 2007: Ord. 2006-4 § 1, 2006: Ord. 2001-23, Development Standards).

1.5 - Not used.

(Ord. 2006-4 § 2 (part), 2006: Ord. 2001-23, Development Standards).

1.6 - Child care facilities performance standards.

These child care facilities standards apply to the development of child care facilities in all zoning districts. The purpose of these standards is to promote the health, safety and welfare of the residents of Carson City by providing development standards of child care facilities with careful awareness of their compatibility with surrounding areas and residents, as well as providing needed non-institutionalized child care facilities. *[Staff note: Purpose statement copied from Chapter 18.11 (Child Care Facilities).]*

The following performance standards shall be used in review of individual special use permit requests for child care facilities in addition to other standards of this title.

1. The size, client density and operational characteristics, including, but not limited to, the number of employees, hours of operation and loading/unloading area of a proposed child care facility within a residential zoning district shall be compatible with and shall not adversely affect adjacent residents pursuant to the requirements of this chapter. Consideration shall be given to the following:

[~~a.~~] **(a)** With the construction of, or approval of, new facilities, the facility shall be similar in scale, bulk and site coverage with that of the immediate neighborhood;

[~~b.~~] **(b)** The availability of public facilities, services and utilities;

[~~c.~~] **(c)** Emphasis on maintaining the residential neighborhood character;

[~~d.~~] **(d)** The generation of traffic and the capacity and physical character of surrounding streets.

2. Parking shall meet the requirements of Division 2 (Parking and Loading) of the development standards.

3. Landscaping. In the design of parking area landscaping, considerations shall be given to the retention of existing trees and shrubbery.

4. Signs. [~~This section shall apply exclusively to signs for child care facilities located within a residential zoning district. Compliance with Division 4 (Signs) of the development standards shall not be required for a child care facility. The board find and declare that an on-site sign to "advertise or promote" the facility is not necessary. On-site~~] **Notwithstanding the sign provisions of Division 4 (Signs) of the Development Standards, within residential zoning districts, 1 on-site** identification [~~of the address and~~

~~logo no greater than 2 square feet in size distinctive to a particular child care facility used as a public convenience in identifying the site for the public shall be~~] **sign of not more than 6 square feet in size is** permitted.

5. If the facility's structure is located within the historic district, then design and material shall require review and approval by the HRC.

6. Open Space. Open space **as required by the applicable State licensing agency must be provided and shown on the plans.** ~~[requirements shall be designated and regulated by the Carson City health department prior to approval of the special use permit.]~~

7. Interior Space Requirement for Children. **Interior space as required by the applicable State licensing agency must be provided and shown on the plans.** ~~[The interior space requirements shall be designated and regulated by the Carson City health department prior to approval of the special use permit.]~~

[Staff note: The Carson City Health Department does not regulate child care facilities.]

8. Child care facilities may be established in the [~~general industrial (GI) zoning district~~] **General Industrial (GI) and General Industrial Airport (GIA) zoning districts** only as an accessory use to a permitted primary use.

9. In residential zoning districts, a child care facility may only be established as an accessory use to the residential use of the structure, and the residence must be occupied by the operator as a primary residence.

[Staff note: Chapter 18.11 (Child Care Facilities) contains the purpose statement for child care facilities standards but is otherwise unnecessary. The required permits for child care facilities are identified in Chapter 18.04 (Use Districts). Staff recommends including the purpose statement in this section and deleting Chapter 18.11. This will be included when the amendments to this section are brought back to the Planning Commission for action.]

(Ord. 2002-33 § 2, 2002; Ord. 2001-23, Development Standards).

1.7 - Bed and breakfast inn performance standards.

These bed and breakfast inn standards apply to the development of bed and breakfast inns within any zoning district.

The purpose of these bed and breakfast inn standards is to provide transient occupancy, lodging and limited meals, primarily within the historic district and also for also residential zoning districts in which they are permitted. The intent of these standards is to provide some economic incentives to the owners of qualifying homes while showcasing the unique beauty of the historic homes. Within the historic district, it is the further purpose of these standards to require safeguards to protect the architectural, residential and historic character of the neighborhood.

[Staff note: Purpose verbiage adapted from Chapter 18.13 (Bed and Breakfast Inns).]

The following performance standards shall be used in review of individual special use permit requests for bed and breakfast inn uses in addition to the other standards of this title.

1. The location, size, design and operation characteristics of the proposed bed and breakfast inn shall be compatible with and shall not adversely affect adjacent uses and residents. Consideration shall be given to:

[~~a.~~] **(a)** Harmony in scale, bulk, site coverage and density of all associated improvements and alterations;

[~~b.~~] **(b)** The availability of public facilities, services, and utilities;

[~~c.~~] **(c)** The effect upon desirable neighborhood character;

[~~d.~~] **(d)** The generation of traffic and the capacity and physical character of surrounding streets;

[~~e.~~] **(e)** The suitability of the site for the use which is proposed including available parking in relation to intensity of use;

[~~f.~~] **(f)** Other relevant impacts of the proposed use.

2. Parking. In all districts, 1 off-street parking space per guest room and 2 off-street parking spaces for the owner resident shall be required. On an individual basis, consideration may be given to off-premises and on-street parking as a part of the bed and breakfast inn special use permit.
Replacement of existing landscaping (including lawns and ground cover) with paving for parking use shall be avoided whenever possible.
Consideration shall be given to allowing parking within landscaped areas by utilizing paver stones, turf stones, decorative gravel, or other alternatives to asphalt or concrete paving.

3. Landscaping:

[~~a.~~] **(a)** Parking areas and exterior waste receptacles shall be screened by a [~~wooden~~] fence in conjunction with an earth berm and/or shrubbery. The combination of screening shall be at least 4 feet in height.

[~~b.~~] **(b)** In design of landscaped areas, consideration shall be given to retention of existing trees, harmony with setting and structure, strengthening of vistas and seasonal shade.

4. Signs. [~~This section shall apply exclusively to signs for bed and breakfast inns. Compliance with Division 4 (Signs) of the development standards shall not be required for a bed and breakfast inn business. The board finds and declares that an on-site sign to "advertise or promote" the business is not necessary. On-site identification of the address and a small logo distinctive to a particular inn used as a public convenience in identifying the site for guests shall be permitted.~~] **Notwithstanding the sign provisions of Division 4 (Signs) of the Development Standards, within residential zoning districts, 1 on-site identification sign of not more than 6 square feet in size is permitted.**

[~~a.~~] **(a)** The main performance criteria for bed and breakfast inn signs shall be design, materials and location which are compatible with the architecture, colors and materials of the subject residence and which enhances the character of the neighborhood.

[~~b.~~] **(b)** Within the historic district, signs for bed and breakfast inns shall be limited to 1 per establishment, not to exceed a cumulative total of 3 square feet in size and consisting of the name and address only. Any sign illumination shall be exterior to the sign and shielded so as not to glare upon an adjacent property or public right-of-way. Backlighting shall be prohibited. Siting shall be either on the structure or a fence, or shall be freestanding. If freestanding, the sign shall not exceed 3 feet in height. Design materials and colors shall be compatible with the style and detailing of the residence and shall require review and approval of the HRC.

[~~c.~~] **(c)** Outside the historic district, signs shall be approved on an individual basis at the time of special use permit approval. Regardless of the zoning district, signs shall be reviewed in terms of good design, compatibility with surrounding neighborhood, materials and identification as opposed to advertisement.

5. Number of Guest Rooms.

[~~a.~~] **(a)** A maximum number of 5 guest bedrooms shall be allowed.

[~~b. A minimum of 2 guest bedrooms shall be allowed.~~]

6. Ancillary Uses.

[~~a.~~] **(a)** The sale or display of merchandise or other commodities shall be prohibited unless allowed in the specific zoning district and the required public facilities, including parking, are provided.

[~~b.~~] **(b)** Except for personal use of the owner, private weddings, receptions, luncheons, cocktail parties and any other such functions for which the owner receives consideration for the use of the inn shall be regulated in frequency and manner by the special use permit. Such ancillary functions shall be sponsored by paying guests at the inn.

[~~c.~~] **(c)** Bed and breakfast inns which are located outside the historic district shall not be limited in the number of social functions, except as otherwise established in the zoning district, or by special use permit.

[~~d.~~] **(d)** Each owner who manages a bed and breakfast inn shall obtain a permit for the facility from the Carson City health department prior to the validation of a special use permit.

[~~e.~~] **(e)** The fire department shall inspect and approve all bed and breakfast inns prior to validation of a special use permit.

[Staff note: Chapter 18.13 (Bed and Breakfast Inns) contains process-oriented standards and will be considered with amendments to this section. The provisions of 18.13 are generally redundant and may be considered for elimination.]
(Ord. 2001-23, Development Standards).

[~~1.8 - Satellite dishes and antennas.~~
~~Satellite dish antennas exceeding 18 inches in diameter are subject to the following conditions:~~
~~1. Location and Placement.~~
~~a. All antennas must be ground mounted. If ground mounting is not feasible, or special circumstances exist, an alternative location, such as roof mounting, may be approved subject to a special use permit.~~
~~b. Shall not be located within any front or street side yard setback, nor visible from the front or street side property line.~~
~~c. All cables and lines serving the antenna shall be located underground.~~
~~2. Height and Dimensions.~~
~~a. In residential districts, the antenna shall not exceed 12 feet in height above grade and 10 feet in diameter.~~
~~3. Setbacks.~~
~~a. The antenna shall set back from any side or rear property lines a minimum distance of 5 feet, or the applicable setback requirement for the respective use district in which it is located, whichever is greater.~~
~~b. If lot is irregular in shape, or other special circumstances exist, a variance may be requested from the standards listed above.~~
~~4. Screening and Design.~~
~~a. Satellite dish antennas shall be consistent in color with the surrounding natural or built environment.~~
~~b. Non-residential satellite dish antennas located adjacent to residentially zoned property and which exceed 10 feet in diameter shall require screening in accordance with adopted Carson City standards.~~]
(Ord. 2001-23, Development Standards).
[Staff notes: Small satellite dishes (39 inches in diameter or less) are exempt from the Wireless Communication Facilities standards of Division 1.9 (below) and Chapter 18.15 in accordance with FCC regulations. Larger dishes are regulated under those same sections, so this section is unnecessary.]

1.9 - Wireless [~~telecommunication~~] communication facilities and equipment.
These wireless communication facilities and equipment standards apply to the placement of such equipment within any zoning district. Regulations and standards set forth in this section are designed to address wireless telecommunication facilities and equipment used for the commercial broadcasting/receiving of transmissions regulated under the Telecommunications Act of 1996. Definitions for the various uses and terms referenced in this section are included in the Section 18.03 (Definitions). Electrical or mechanical equipment that creates video or audio interference in customary residential electrical appliances or causes fluctuations in line voltage outside the dwelling unit is prohibited.

1. Location and Placement Standards.

[~~a.~~] **(a)** Facilities and equipment shall be located according to the following priorities, (#1 is the most acceptable, #5 is the least acceptable):

(1) Concealed within an existing structure;

(2) Camouflaged or screened within an existing structure;

(3) Camouflaged or screened on an existing structure, particularly existing telecommunications facilities, utility poles and towers, water towers, and commercial, industrial or public facility buildings;

(4) Co-located with existing wireless communication service facilities;

(5) Erection of a new, freestanding facility subject to other requirements of this section and where visual impact can be minimized and/or mitigated.

[~~b.~~] **(b)** The applicant shall adequately justify the location proposed based on a consideration of the above priorities.

[~~c.~~] **(c)** Placement on existing structures shall not jeopardize the character and integrity of the structures as determined by the building and/or engineering department.

[~~d.~~] **(d)** If ground mounted, facilities and equipment shall not be located in the front yard portion of a parcel with an existing structure.

[~~e.~~] **(e)** Either the applicant or co-applicant must be a carrier licensed by the Federal Communications Commission and submit documentation of the legal right to install and use the proposed facility.

2. Height and Dimensional Standards.

[~~a.~~] **(a)** The height of the facility shall include any antenna, array or other appurtenances.

[~~b.~~] **(b)** Facilities shall not exceed 120 feet in height above grade. The applicant must provide a written justification for the proposed use and adequately demonstrate that the proposed height is necessary, including co-location opportunities. The applicant shall submit a report from an independent, accredited source providing justification for the proposed height or an alternative lower height.

3. Setbacks.

[~~a.~~] **(a)** All facilities, equipment and equipment shelters shall comply with the building setback provisions of the zoning district in which they are located.

[~~b.~~] **(b)** Roof mounted facilities shall be stepped back from the front facade in order to limit their impact on the building's silhouette and/or concealed, camouflaged or screened.

[~~c.~~] **(c)** Facilities and equipment shall be located no closer than 4 times the facility height from any residentially zoned property.

4. Design Standards.

[~~a.~~] **(a)** Ground mounted facilities and equipment not camouflaged by design, existing buildings or structures shall be screened according to adopted Carson City standards, including landscaping and screen walls.

[~~b.~~] **(b)** Facilities and equipment that are side mounted on buildings shall be consistent with the architectural style and color of the building on which it is mounted.

[~~c.~~] **(c)** Ground and roof mounted facilities shall be painted a non-glossy color that blends with the surrounding natural and built environment.

[~~d.~~] **(d)** Equipment shelters not placed underground shall be appropriately screened according to adopted Carson City standards.

[~~e.~~] **(e)** New, stand-alone facilities shall be designed to allow additional wireless service providers to co-locate antennas on the structure.

[~~f.~~] **(f)** The exterior of facilities and equipment shall not be lighted unless required by the Federal Aviation Administration (FAA) with the exception of manually operated emergency lighting.

[~~g.~~] **(g)** All ground mounted facilities and equipment shall be surrounded by a security barrier. The barrier shall contain adequate controlled access and be posted with a 1 square foot sign indicating the facility owner(s) and a 24-hour emergency telephone number.

[Staff note: Chapter 18.15 (Communications Facilities and Equipment) contains the process standards for these types of facilities. Staff will bring Chapter 18.15 forward for consideration concurrent with standards for this section. No changes to the process-oriented standards are recommended.]

(Ord. 2007-9 § 7, 2007; Ord. 2006-4 § 2 (part), 2006: Ord. 2001-23, Development Standards).

1.10 - Personal storage and metal storage containers.

These personal storage and metal storage containers standards apply to the use and placement of such containers within any zoning district.

Trends indicate that as communities continue to grow, the need for personal storage uses also increases. With the continued development of upscale subdivisions prohibiting on-site storage of vehicles

or other items, personal storage facilities are becoming increasingly necessary. Commercial locations may also require additional storage in metal storage containers. The following [~~section sets forth criteria and standards for development of~~] **standards shall apply to** personal storage facilities and metal storage containers.

1. Personal **storage facilities.** [~~Storage:~~]

[~~1.~~] **(a)** A minimum of 60% of the lot's street frontage(s) shall be developed with retail and/or office space in the neighborhood business, retail commercial and tourist commercial (NB, RC and TC) zoning districts only.

[~~2.~~] **(b)** A sight-obscuring entrance gate and perimeter opaque fence or wall shall be provided to screen views of individual storage units.

[~~3.~~] **(c)** The architectural and site design of the retail/office building, storage units, perimeter fencing, lighting, and landscaping is subject to approval by the director. A metal pre-fabricated exterior office/retail building is prohibited.

[~~4.~~] **(d)** No business activities other than storage shall be conducted within individual storage units.

[~~5.~~] **(e)** Outside storage is prohibited except as expressly permitted in Title 18 or the development standards. Storage containers may be utilized in industrial districts to house storage items within them. Temporary storage containers are allowed at construction sites for a maximum of 30 days, or as approved by the director after review of the individual construction schedule.

[~~6. Additionally, storage~~] **(f) Storage** units adjacent to residential [~~areas~~] **zoning districts** shall:

[~~a.~~] **(1)** Not exceed 14 feet in height (1 story);

[~~b.~~] **(2)** Have a minimum 20 foot landscape buffer and a solid 6 foot masonry wall located between the storage units and residential uses;

[~~c.~~] **(3)** Have limited hours of operation 7:00 a.m. to 7:00 p.m. unless otherwise approved by the planning commission; **and**

[~~d. Have a monument style sign not~~] **(4) Not have a freestanding sign** exceeding 6 feet in height.

[~~7. Shared use parking shall not exceed 5% of total parking.~~]

[~~8.~~] **(g)** Must meet the definition as defined in CCMC 18.03.

[~~9.~~] **2.** Metal storage containers [~~, as defined in CCMC 18.03 is a fully enclosed unit, excluding semi-truck trailers, that house storage items and~~] may be utilized in any industrial, public or commercial zoning district, excluding the [~~neighborhood business~~] **Neighborhood Business** (NB) zoning district, in conjunction with a permitted primary use of the property subject to the following use performance standards:

[~~a.~~] **(a)** Metal storage containers may be utilized on a temporary basis, for a maximum of 90 days, once in any calendar year, subject to the approval of the [~~director~~] **Director**.

[~~b.~~] **(b)** Within any industrial zoning district, the use of metal storage containers on a permanent basis is subject to the approval of the [~~director~~] **Director**.

[~~c.~~] **(c)** Within the commercial or public zoning districts, excluding the [~~neighborhood business~~] **Neighborhood Business** (NB) zoning district, the use of metal storage containers [~~on a permanent basis beyond~~] **for a period of more than** 90 days **within a calendar year** requires approval of a special use permit. No metal storage containers are allowed in the neighborhood business (NB) zoning district.

[~~d.~~] **(d)** The use of metal storage containers within the [~~downtown commercial (DC)~~] **Downtown Mixed-Use (DTMU)** zoning district also requires approval by special use permit [~~and downtown design review approval pursuant to 18.07 and development standards Division 6~~].

[~~e.~~] **(e)** Metal storage containers shall be used for storage purposes only **with no human occupancy** [~~and no human occupation shall occur~~]. No alterations shall be made or allowed to the metal storage container including, but not limited to, doors, windows, electrical, plumbing, or connection of multiple containers unless factory built with those improvements. No storage shall be placed upon or above the metal storage container. Storage containers shall not be stacked upon each other.

[~~f.~~] **(f)** No hazardous materials shall be stored in metal storage containers. Metal storage containers shall not be sited in a manner to be detrimental to the public's health and safety.

[~~g.~~] **(g)** Metal storage containers shall be at building grade and located at the side or rear of the primary structure. Metal storage containers shall not occupy any required parking spaces, landscape areas, drive-aisles, firelanes, drainage courses, drainage easements, detention basins, or vehicular or pedestrian access ways. Metal storage containers shall not be permitted on vacant property.

[~~h.~~] **(h)** All metal storage containers shall be painted either to blend with the primary or adjacent structures or painted earth-tone colors to minimize visual impacts. Graffiti shall be removed in accordance with the city's graffiti ordinance. All metal storage containers in use shall be in a condition free from rust, peeling paint, or other visible forms of deterioration. Metal storage containers shall be screened with chain link fencing with slats, concrete masonry unit (CMU) block walls and/or landscaping as approved by planning staff. Metal storage containers and their screening and landscaping shall be maintained in good repair. Any metal storage containers that are not maintained in good repair or that are dilapidated or dangerous, shall be repaired or removed, following an order to comply from the director.

[~~i.~~] **(i)** Advertising is prohibited on the exterior of all metal storage containers.

[~~j.~~] **(j)** The use of semi-truck trailers as storage containers is prohibited in all zoning districts.

[~~k.~~] **(k)** The number of metal storage containers allows for a business is dependent upon the following list of factors:

(1) Overall site placement;
(2) Screening provisions;
(3) Square footage of store or building;
(4) Square footage of parcel;
(5) Adjacency to residential zoning districts;
(6) Length of stay of metal storage container;
(7) Applicants justification/need for extra on-site storage for their business.

l. **A permit for a metal storage container shall be reviewed by the Director in 5-year increments for continued compliance with the storage container standards. The Director may require the removal of the storage container if the primary use of the property has changed or the container is in violation of any of the standards of this section.** [~~A metal storage container special use permit shall be reviewed in 5-year increments or at any time the principal property use changes, with a $50.00 administrative service charge and noticing costs paid by applicant.~~

~~m. Special use permit fees for metal storage containers as adopted by resolution of the board, shall be charged, collected and deposited with the planning and community development department.~~]

3. Metal storage containers may be used in residential zoning districts upon approval of an application for a metal storage container by the Director and subject to the following requirements:

(a) Metal storage containers may only be placed in the side or rear yard area and must meet the location, placement and maximum permitted area standards for detached accessory structures contained in this title;

(b) Metal storage container exterior walls shall be fully covered in building siding material to have the appearance of a permanent structure and shall be painted either to blend with the primary structure or painted earth-tone colors to minimize visual impacts;

(c) Metal storage containers shall be used for storage purposes only with no human occupancy;

(d) No storage shall be placed upon or above the metal storage container; and

(e) Notwithstanding the above provisions regarding metal storage containers in residential zoning districts, a storage container may be placed on a hard surface in the front yard area on a temporary basis of up to 30 days, with approval from the Director, when used to store household goods during a construction or home remodeling project or when moving to or from the residence.

(Ord. 2006-4 § 2 (part), 2006: Ord. 2002-40, Development Standards: Ord. 2001-23, Development Standards).

[Staff note: The requirement for a 5-year review of storage container permits (paragraph l) provides no added value to the process, in staff's opinion. If there are circumstance where the Planning Commission thinks a future review is warranted, it can be added as a condition to the special use permit. Also, it is unnecessary to state here (paragraph m) that application fees are collected.

From 18.03 (Definitions), "Metal storage container means a fully enclosed unit, excluding semi-truck trailers, that houses storage items in the industrial, commercial and public districts. In addition, used temporarily at a construction site." Currently, the use of metal storage containers—also known as "conex boxes," or shipping containers—are prohibited in residential districts, and the modification of metal storage containers for other uses (e.g. addition of windows, electricity, etc.) is expressly prohibited. New standards are proposed in a new subsection 3 for the use of metal storage containers within residential zoning districts. In staff's opinion, metal storage containers have the same visual impacts as other types of storage shed structures. When properly maintained, they can be less obtrusive to adjacent properties than other types of storage buildings that are currently permitted.]

1.11 - Street vendors.

The following minimum standards shall apply to all requests for street vendor permits.

1. **Approval of a street vendor permit shall be for a specific location.** [~~Street vendors shall be approved at a specific, permanent location~~].

2. Carts used for street vending shall be on wheels and the carts shall not be larger than 3 feet by 5 feet**, excluding appurtenances**.

3. Only consumable products may be sold from a street vendor cart.

4. If located within a city or state right-of-way, **an** encroachment **permit is** [~~permits and liability insurance shall be~~] required. *[Staff note: The encroachment permit requires liability insurance, among other things.]*

5. If adjacent to or in front of a business not their own, the street vendor cart operator shall be responsible for obtaining permission of the affected business and property owner and shall submit written evidence of such permission.

6. If adjacent to or in front of a property listed in the Carson City historic district, review, approval and compliance with conditions of the HRC shall be required.

7. Electrical and gas services require review and approval of the building department and the fire marshall.

8. Approval of the health department is required for all food vendors.

9. Other conditions deemed appropriate by the commission or redevelopment advisory citizens committee, as applicable, may be required to mitigate any adverse impacts to adjoining properties and pedestrians.

(Ord. 2007-33 § 4, 2007: Ord. 2001-23, Development Standards).

1.12 - Outside storage.

These outside storage standards apply to outside storage on properties within any non-residential zoning district in which outside storage is a permitted, accessory or conditional use.

Outside storage requires the following:

1. Storage areas shall be enclosed by a one hundred percent (100%) sight obscuring fence or wall permanently installed and maintained by a minimum height of six (6) feet. No materials and/or equipment shall be stored therein to a height exceeding that of the wall or fence.

2. Storage areas allowed as an accessory use in a commercial or Limited Industrial zoning district shall not occupy more than twenty percent (20%) of the lot area unless a Special Use Permit is first obtained.

3. Storage areas shall not be located within any required yard setback, or parking areas nor shall they be located in any way which interferes with normal traffic flow onto, within or from the lot, or which impedes sight distance at intersections, or which otherwise impedes driver visibility. In the case of

gasoline service stations, storage areas shall not be permitted in the setback distance applicable to pump islands.

4. Outside storage is prohibited as a primary permitted use in the RC and GC districts.

5. Storage containers or other similar enclosures are allowed in the LI, GI**, GIA** and AIP districts, subject to approval of the Director. The storage containers themselves shall be screened from view from a public right-of-way by a one hundred percent (100%) site obscuring fence or wall six (6) feet in height (minimum).

(Ord. 2006-4 § 2 (part), 2006: Ord. 2001-23, Development Standards). (Ord. No. 2008-33, § XIV, 9-4-2008)

1.13 - Fences, walls and hedges.

These fences, walls and hedges standards apply to properties within all zoning districts.

1. Fences, walls and hedges are a permitted use in all districts so long as such uses are consistent with health, safety and welfare of the community and in compliance with following regulations as outlined in this section. All retaining walls 4 feet or taller shall require a building permit. All block or masonry walls/fences 4 feet or taller shall require a building permit.

2. All fences and walls shall meet the requirements of the Building Code and Fire Code as currently adopted by Carson City.

3. Electrically charged or barbed fences are a permitted accessory use in CR, A, MH1A, SF5A, SF2A and SF1A districts. Such fences are a permitted accessory use in all other use districts **for security purposes** [~~only~~] with the prior written approval of the **Director** [~~director or his designee~~].

4. The height of a fence, wall or hedge shall be measured from the highest adjacent ground, either natural or filled, upon which it is located ~~[, except within 15 feet of any front property line or within 30 feet of any street intersection, wherein all base measurements shall be considered from an extension of street grade~~]. *[Staff note: This method of measuring fence height has not been applied consistently in the past and would be difficult to enforce.]*

5. A fence, wall or hedge not exceeding 6 feet in height may be located within any yard except as follows:

[~~a.~~] **(a)** No fences, walls or hedges exceeding 4 feet in height shall be permitted within a front yard setback or within 5 feet of the property line on the street side. When such fence is constructed of a sight-obscuring material, it shall not exceed 3 feet in height; and

[~~b.~~] **(b)** A maximum 5 foot tall split rail fence within SF5A, SF2A, SF1A and MH1A districts are not restricted by this section and may be located along or within the front yard or street side yard property line or setback; and

[~~c.~~] **(c)** No fences, walls or hedges exceeding 3 feet in height, which obstruct vision to any significant degree, shall be permitted within sight distance areas as defined in Section 18.03 (Definitions);

[~~d.~~] **(d)** For the purposes of this section only, picket fences, tight-railed fences, chain-link fences with slats, or wire fences with slats, are considered to be sight-obscuring.

6. The height of fences, walls or hedges, which in no way encroach upon setback requirements and conform with the Building Code as currently adopted by Carson City, shall be governed by building height restrictions for each use district.

7. Fences within setbacks may be permitted in excess of ordinance requirements by approval of a special use permit.

8. 6 foot high fences on flag lots may be located on the property line on all sides except portions of the parcel fronting on a public street must maintain a 10 foot setback for fences over 4 feet tall.

9. Driveway lots must maintain a sight distance area as defined in Section 18.03 (Definitions) measured from the property line intersection adjacent to the neighbor's driveway measuring a distance of 10 feet along both the common property line and along the street.

10. Where property lines may be in the center of the road, the boundary line for purpose of measuring setbacks are measured 30 feet from the centerline of the road with sight distance area requirements met in accord with Section 18.03 (Definitions).

11. When this title requires open storage to be screened by a fence or wall, the intent is to require items such as stacked materials to be screened, but not to require large equipment over 6 feet in height to be obscured by a fence or wall.
(Ord. 2006-4 § 2 (part), 2006: Ord. 2004-13 § 5, 2004: Ord. 2001-23, Development Standards).

1.14 – [~~Cornices, porches and projections~~] Encroachments into setbacks.
These encroachments standards apply to properties within all zoning districts.

1. Cornices, eaves, canopies, fireplaces, decks [~~thirty (30)~~] **30** inches high or less, bay windows and similar architectural features, but not including flat walls, may extend into any required setback a distance not to exceed [~~two (2)~~] **2** feet.

2. Uncovered porches may project not more than [~~three (3)~~] **3** feet into any required side yard setback, and not more than [~~six (6)~~] **6** feet into any required front or rear yard setback. Unenclosed covered porches with decks [~~thirty (30)~~] **30** inches high or less may project into the front yard setback no more than eight (8) feet provided they are no less than [~~five (5)~~] **5** feet from a front or street side property line; and do not impede sight distance area. [~~All construction must comply with the Building Code currently adopted by Carson City.~~]

3. Landing places, outside stairways, railings and guardrails may project not more than [~~three (3)~~] **3** feet into any required front, side, street side or rear yard setback. Eaves over the encroaching landing places, outside stairways, railings or guardrails may extend, only over areas of encroachment, up to a maximum of [~~three (3)~~] **3** feet into any required front, side, street side or rear yard setback.
(Ord. 2007-14 § 5, 2007: Ord. 2001-23, Development Standards). (Ord. No. 2008-29, § IV, 8-7-2008)

1.15 - Manufactured home installation within a single family zoning district.

The following standards **shall apply to** [~~shall be used in the review of and~~] the placement of a manufactured home in a single family zoning district.

1. The manufactured home shall be permanently affixed to a residential lot and converted to real property. A foundation permit is required. Foundations are to be designed by a Nevada licensed engineer to meet Carson City's requirements for wind, snow and seismic zone.

2. The manufactured home shall be manufactured within 5 years immediately preceding the date on which it is affixed to the single family zoned residential lot.

3. The owner/owner's agent shall provide written and photographic documentation that the manufactured home shall have:

[~~a.~~] **(a)** Siding which is similar in color, material and appearance to the exterior siding primarily used on other single family residential dwellings in the immediate vicinity of the proposed location of the manufactured home.

[~~b.~~] **(b)** Roof pitch/slope, eaves and roof covering which is consistent with those roofs primarily used on other single family residential dwellings in the immediate vicinity of the proposed location of the manufactured home.

[~~c.~~] **(c)** Foundation that is masked architecturally with materials primarily used on other single family residential dwellings in the immediate vicinity of the proposed location of the manufactured home.

4. For the purpose of this chapter, the term "primarily" shall mean "51 percent" and the term "immediate vicinity" shall mean "within 300 feet" of the subject parcel, excluding commercial, multi-family and industrial development.

5. The manufactured home shall consist of more than 1 section.

6. The manufactured home shall consist of at least 1,200 square feet of living area.

7. The owner/owner's agent shall provide written documentation that the subject site is not located within:

[~~a.~~] **(a)** An "A" flood zone.

[~~b.~~] **(b)** The historic district as recognized by Carson City pursuant to NRS 384.005 and NRS 384.100

8. The placement complies with all covenants, conditions and restrictions (CC&R's) of the subdivision where the manufactured home is proposed to be placed. The owner/owner's agent shall provide a copy of the CC&R's or written documentation of the non-existence of CC&R's within the subject area.

9. If there are no single family residential dwelling units in the immediate vicinity, a minimum 4:12 roof pitch/slope is required and a minimum eave length of 12 inches is required.

[Continued on next page]

[~~**CARSON CITY**~~
~~**RESIDENTIAL DISTRICT INTENSITY AND DIMENSION STANDARDS**~~
~~**Site Development Standards**~~

~~Zoning Districts~~	~~Min. Parcel Area (Acres or Sq. Ft.)~~	~~Max. Density~~	~~Min. Lot Width (Feet)~~	~~Max. Lot Depth (Feet)~~	~~Max. Height (Feet)~~	~~Min. Setbacks (Feet) Front~~	~~Min. Setbacks (Feet) Side~~	~~Min. Setbacks (Feet) Street Side~~	~~Min. Setbacks (Feet) Rear~~
~~SF5A (1)~~	~~5 AC~~	~~1 per 5 AC parcel~~	~~200 (9)~~	~~N/A~~	~~40*~~	~~100~~	~~50~~	~~50~~	~~50~~
~~SF2A (1)~~	~~2 AC~~	~~1 per 2 AC parcel~~	~~200 (9)~~	~~N/A~~	~~32*~~	~~50~~	~~20~~	~~20~~	~~30~~
~~SF1A (1)~~	~~1 AC~~	~~1 per 1 AC~~	~~120 (9)~~	~~360 (7)~~	~~32*~~	~~30~~	~~15~~	~~20~~	~~30~~
~~SF21 (1)~~	~~21,000 SF~~	~~1 per 21,000 SF parcel~~	~~80 (9)~~	~~240 (7)~~	~~26*~~	~~20~~	~~10~~	~~15~~	~~20~~
~~SF12 (1)~~	~~12,000 SF~~	~~1 per 12,000 SF parcel~~	~~70 (9)~~	~~210 (7)~~	~~26*~~	~~20~~	~~10~~	~~15~~	~~20~~
~~SF6 (1)~~	~~6,000 SF 6,500 SF Corner~~	~~1 per 6,000 SF parcel/ 6,500 SF corner parcel~~	~~60 (9)~~	~~180 (7) (120 cul-de-sac)~~	~~26*~~	~~20 (2)~~	~~5 (2)~~	~~10~~	~~10 (3)~~
~~MH6 (1)~~	~~6,000 SF 6,500 SF Corner~~	~~1 per 6,000 SF parcel~~	~~60 (9)~~	~~180 (7)~~	~~26*~~	~~20~~	~~5~~	~~10~~	~~10 (3)~~
~~MH12(1)~~	~~12,000 SF~~	~~1 per 12,000 SF parcel~~	~~70 (9)~~	~~210 (7)~~	~~26*~~	~~20~~	~~10~~	~~15~~	~~20~~
~~MH1A(1)~~	~~1 AC~~	~~1 per acre~~	~~120 (9)~~	~~360 (7)~~	~~32*~~	~~30~~	~~15~~	~~20~~	~~30~~
~~MFD~~	~~6,000 SF~~	~~1 or 2 per 6,000 SF parcel~~	~~60 (9)~~	~~150~~	~~26*~~	~~20~~	~~5 (4)~~	~~10~~	~~10 (3)~~
~~MHFA(8)~~	~~6,000 SF~~	~~29-36; 1,200 SF of land area/1 bedroom units or studios and/or 1,500 SF of land area/2 bedroom or more units~~	~~60 (9)~~	~~150~~	~~45*~~	~~20~~	~~10 (4) (5)~~	~~15~~	~~20 (5)~~
~~MHP~~	~~1 AC~~	~~N/A~~	~~N/A~~	~~N/A~~	~~NIA~~	~~10 (6)~~	~~10 (6)~~	~~10 (6)~~	~~10 (6)~~
~~RO (1)~~	~~6,000 SF~~	~~7.26~~	~~60 (9)~~	~~150~~	~~35*~~	~~20~~	~~10~~	~~15~~	~~20~~

~~Additional Requirements or Allowances:~~
~~*Additional height allowed by Special Use Permit.~~
~~(1) Only 1 main building or home is allowed per 1 parcel.~~

~~(2) Varied setbacks are permitted in accordance with Division 1.17 of the development standards.~~
~~(3) All portions of a structure exceeding 20 feet in height must be a minimum of 20 feet from the rear property line.~~
~~(4) Side setback may be waived if 2 adjacent structures are subject to the latest adopted edition of the Uniform Building Code.~~
~~(5) For each story above 1 story, add 10 feet if adjacent to a single family district.~~
~~(6) Park perimeter only; see Division 10 of the development standards for interior space/setback requirements.~~
~~(7) Maximum lot depth is 3 times the minimum lot width except as necessary to meet minimum parcel size.~~
~~(8) Open Space. Each parcel of land must contain a single, continuous tract of land designated as an open area of not less than 150 square feet per dwelling unit, reserved exclusively for the common recreational use of the tenants on such parcel. 50 percent of the required common open space shall be softscape as listed in definitions. Only 25 percent of the total required open space requirement may be within an enclosed recreation facility. The required open space must not be contained within any of the required front yard or side yard setback abutting a street. In addition, there must be an open space area at least 100 square feet in size either contiguous to each dwelling unit for the exclusive use of the resident of that dwelling unit, or that space added to the requirements of this section.~~
~~(9) 54 feet minimum street frontage at the end of a cul-de-sac.~~]

[Staff note: See same table in 18.04.090. The table should be in one location and not duplicated.]

[Continued on next page.]

[~~**CARSON CITY**~~
~~**NON-RESIDENTIAL DISTRICT INTENSITY AND DIMENSION STANDARDS**~~
~~**Site Development Standards**~~

~~Zoning Districts~~	~~Minimum Area (SF or AC)~~	~~Minimum Lot Wdth (Feet)~~	~~Maximum Lot Depth (Feet)~~	~~Maximum Height (Feet)~~	~~Minimum Setbacks (Feet) Front~~	~~Minimum Setbacks (Feet) Side~~	~~Minimum Setbacks (Feet) Street Side~~	~~Minimum Setbacks (Feet) Rear~~
~~RO~~	~~6,000 SF [4]~~	~~60 [12]~~	~~150~~	~~35 [1]~~	~~20 [8]~~	~~10 [5]~~	~~15 [5, 8]~~	~~20 [8]~~
~~GO~~	~~6,000 SF [4]~~	~~60~~	~~150~~	~~50 [1]~~	~~15 [8]~~	~~10~~	~~10 [8]~~	~~20 [6, 8]~~
~~NB~~	~~9,000 SF [4]~~	~~75~~	~~N/A~~	~~26 [1]~~	~~0 [7, 8]~~	~~0 [7]~~	~~0 [7, 8]~~	~~0 [7, 8]~~
~~RC~~	~~6,000 SF [4]~~	~~50~~	~~N/A~~	~~45 [1]~~	~~0 [7, 8]~~	~~0 [7]~~	~~0 [7, 8]~~	~~0 [7, 8]~~
~~GC~~	~~6,000 SF~~	~~60~~	~~N/A~~	~~45 [1]~~	~~0 [7, 8]~~	~~0 [7]~~	~~0 [7, 8]~~	~~0 [7, 8]~~
~~TC~~	~~6,000 SF~~	~~60~~	~~N/A~~	~~45 [1]~~	~~0 [8]~~	~~0 [7]~~	~~0 [8]~~	~~0 [8]~~
~~DC~~	~~6,000 SF~~	~~50~~	~~N/A~~	~~45 [1, 2]~~	~~0 [8, 9]~~	~~0 [9]~~	~~0 [8, 9]~~	~~0 [8, 9]~~
~~LI~~	~~21,000 [4]~~	~~100~~	~~N/A~~	~~32 [1]~~	~~30 [8, 10]~~	~~10 [10, 11]~~	~~10 [8, 10]~~	~~30 [8, 10, 11]~~
~~GI~~	~~12,000 SF [4]~~	~~120~~	~~N/A~~	~~45 [1]~~	~~30 [8, 10]~~	~~0 [10]~~	~~0 [8, 10]~~	~~0 [8, 10]~~
~~AIP~~	~~20,000 SF~~	~~100~~	~~N/A~~	~~45 [1]~~	~~30 [8]~~	~~20~~	~~20 [8]~~	~~30 [8]~~
~~CR~~	~~20 AC~~	~~300~~	~~N/A~~	~~40 [1]~~	~~30~~	~~20~~	~~20~~	~~30~~
~~A~~	~~20 AC~~	~~300~~	~~N/A~~	~~40 [1]~~	~~30~~	~~20~~	~~20~~	~~30~~
~~P~~	~~N/A [3]~~	~~N/A [3]~~	~~N/A [3]~~	~~N/A [3]~~	~~N/A [3]~~	~~N/A [3]~~	~~N/A [3]~~	~~N/A [3]~~
~~PN/PC/PR~~	~~N/A [3]~~	~~N/A [3]~~	~~N/A [3]~~	~~N/A [3]~~	~~N/A [3]~~	~~N/A [3]~~	~~N/A [3]~~	~~N/A [3]~~

~~Additional Requirements or Allowances:~~
~~1. Additional height allowed by special use permit.~~
~~2. In accordance with the restrictions outlined in the downtown master plan element for building heights of structures located within 500 feet of the State Capital.~~
~~3. Building height, building setbacks, minimum area, minimum lot width, and maximum lot depth to be determined by special use permit.~~
~~4. For each main structure.~~
~~5. Side setback may be waived if 2 adjacent structures are connected by a parapet fire wall.~~
~~6. Rear yard shall be increased by 10 feet for each story above 2 stories. Where the rear yard abuts a commercial district, the setback is zero feet.~~
~~7. Adjacent to Residential District, 30 feet is required. Corner lots require setback for sight distance.~~
~~8. Business Arterial landscape setback requirement = 10 feet (average).~~
~~9. Adjacent to Residential District, 10 feet required. Corner lots require setback for sight distance.~~
~~10. 50 feet adjacent to Residential District.~~
~~11. If Adjacent to Limited Industrial (LI) District, the side and rear yard setbacks may be reduced to zero subject to applicable building and fire codes.~~
~~12. 54 feet minimum street frontage at the end of a cul-de-sac.~~]

[Staff note: See same table in 18.04.095.]

13. Except in the CR, A, P, PN, PC and PR zoning districts, minimum area includes all common areas, parking, landscaping and building areas associated with a project for the purposes of creating building envelopes or condominium units where common access is provided to the project site.
(Ord. 2007-33 § 3, 2007; Ord. 2004-10 § 2, 2004: Ord. 2003-20 § 2, 2003: Ord. 2003-13 § 2, 2003: Ord. 2001-23, Development Standards).

1.16 - Youth recreation facilities performance standards.

The following performance standards shall be considered in review of individual special use permit requests for youth recreation facilities with residential zoning districts in addition to other development standards.

1. Design and Development Standards.

[~~a.~~] **(a)** Lot size shall be a minimum of 3 acres.

[~~b.~~] **(b)** Youth recreation facilities within residential zoning district shall be located a minimum of one mile from other facilities or separated by Highway 395, Highway 50, or the freeway right-of-way.

[~~c.~~] **(c)** A facility for youth recreation should be designed to enhance the character of the surrounding neighborhood.

[~~d.~~] **(d)** The availability of public facilities, services and utilities **shall be considered**.

[~~e.~~] **(e)** The pedestrian, bicycle, and motor vehicle traffic generated by the facility and how it relates to the existing circulation plans shall be considered. Circulation patterns and pick-up/drop-off areas for users of the facilities shall be designed to minimize negative impacts to surrounding properties while providing safe and convenient pedestrian, bicycle, and vehicular traffic movements and access to the site.

[~~f.~~] **(f)** Landscaping should be designed to enhance the character of the surrounding area and shall include deciduous trees and a variety of decorative plantings and shrubs.

[~~g.~~] **(g)** Lighting shall be designed with residential character and shall be shielded to eliminate glare onto adjoining properties.

[~~h.~~] **(h)** All structures shall meet a minimum setback of 50 feet from adjacent residential property lines. Active outdoor recreation use areas such as ball fields, courts, and play equipment shall be setback a minimum of 25 feet from adjacent residential properties.

[~~i.~~] **(i)** Fencing and/or screening shall be located along the perimeter of the site abutting residential properties. Fencing/screening should be sufficient to minimize noise and visual impacts to adjacent properties.

[~~j.~~] **(j)** Loading and unloading areas shall be located at or near the rear of the building and away from and/or screened from adjacent streets and abutting residential properties.

2. Operational and Program Standards.

[~~a.~~] **(a)** Programs designed for the users may include but not be limited to leadership programs, education and career guidance, health and life skills, arts, sports, fitness, recreation and specialized programs.

[~~b.~~] **(b)** Programs should be scheduled at times that noise will not be a problem for surrounding areas.

[~~c.~~] **(c)** Hours of operation shall be such that indoor activities and programs are completed 10:00 p.m. weekdays and 11:00 p.m. weekends. Outdoor activities shall be completed by 9:00 p.m. weekdays and 10:00 p.m. on weekends.

[~~d.~~] **(d)** The facility shall have a minimum of 1 instructor, with appropriate training, per 20 youth.
(Ord. 2002-37, Development Standards).

1.17 - Multi-family apartment (MFA) development standards.

The following standards are intended to establish minimum standards for residential development within the Multi-Family Apartment (MFA) zoning district.

1. Maximum permitted density:

[~~a.~~] **(a)** For one-bedroom or studio units, one (1) unit per one thousand two hundred (1,200) square feet of area.

[~~b.~~] **(b)** For two (2) or more bedroom units, one (1) unit per one thousand five hundred (1,500) square feet of area.

2. Maximum building height: Forty-five (45) feet.

3. Setbacks:

[~~a.~~] **(a)** Front yard: Ten (10) feet, plus an additional ten (10) feet for each story above two (2) stories; minimum driveway approach from property line to garage doors is twenty (20) feet.

[~~b.~~] **(b)** Side yard: Ten (10) feet for external project boundaries; minimum ten (10) feet between residential structures for internal setbacks. Where a side yard is adjacent to a single-family zoning district, an additional ten (10) feet is required for each story above one (1) story.

[~~c.~~] **(c)** Street side yard: Ten (10) feet, plus an additional five (5) feet for each story above two (2) stories; minimum driveway approach from property line to garage doors is twenty (20) feet.

[~~d.~~] **(d)** Rear yard: Twenty (20) feet. Where a rear yard is adjacent to a single-family zoning district, an additional ten (10 feet is required for each story above one (1) story.

4. Required parking: Two (2) spaces per dwelling unit; and in compliance with the Development Standards Division 2, Parking and Loading.

5. Open Space:

[~~a.~~] **(a)** For Multi-Family Residential development, a minimum of 150 square feet per dwelling unit of common open space must be provided. For projects of 10 or more units, areas of common open space may only include contiguous landscaped areas with no dimension less than 15 feet, and a minimum of 100 square feet per unit of the common open space area must be designed for recreation, which may include but not be limited to picnic areas, sports courts, a softscape surface covered with turf, sand or similar materials acceptable for use by young children, including play equipment and trees, with no dimension less than 25 feet.

[~~b.~~] **(b)** For Multi-Family Residential development, a minimum of 100 square feet of additional open space must be provided for each unit either as private open space or common open space.

[~~c.~~] **(c)** For Single-Family Residential development or Two-Family Residential development, a minimum of 250 square feet of open space must be provided for each unit either as private open space or common open space.

[~~d.~~] **(d)** Front and street side yard setback areas may not be included toward meeting the open space requirements.

6. Landscaping. Landscaping shall comply with the Development Standards Division 3, Landscaping.

(Ord. 2007-14 § 6, 2007). (Ord. No. 2008-37, § IV, 12-4-2008 ; Ord. No. 2017-15 , § I, 7-6-2017)

1.18 - Residential development standards in non-residential districts.

The following standards are intended to establish minimum standards and Special Use Permit review criteria for residential development within the Neighborhood Business (NB), Retail Commercial (RC), General Commercial (GC), Residential Office (RO) and General Office (GO) zoning districts.

1. Permitted uses. Residential uses are only allowed as permitted by Chapter 18.04, Use Districts, as a primary or conditional use in the applicable zoning districts.

2. Maximum permitted density. There is no maximum residential density within non-residential zoning districts subject to meeting the height, setback, parking and open space requirements of this chapter.

3. Maximum building height shall be the maximum height established by the zoning district in which the project is located.

4. Setbacks. Minimum setbacks shall be those established by the zoning district in which the project is located, subject to the following:

[~~a.~~] **(a)** In the NB, RC, GC and GO zoning districts, a minimum setback of [~~twenty (20)~~] **30** feet is required adjacent to a residential zoning district, with an additional ten (10) feet for each story above one (1) story if adjacent to a single-family zoning district. *[Staff note: 30 ft. setback per 18.04.195.]*

[~~b.~~] **(b)** A minimum setback of ten (10) feet is required from the right-of-way of an arterial street as identified in the adopted Transportation Master Plan, excluding the Downtown Mixed-Use area.

5. Required parking: Two (2) spaces per dwelling unit; and in compliance with the Development Standards Division 2, Parking and Loading.

6. Open Space.

[~~a.~~] **(a)** For Multi-Family Residential development, a minimum of 150 square feet per dwelling unit of common open space must be provided. For projects of 10 or more units, areas of common open space may only include contiguous landscaped areas with no dimension less than 15 feet, and a minimum of 100 square feet per unit of the common open space area must be designed for recreation, which may include but not be limited to picnic areas, sports courts, a softscape surface covered with turf, sand or similar materials acceptable for use by young children, including play equipment and trees, with no dimension less than 25 feet.

[~~b.~~] **(b)** For Multi-Family Residential development, a minimum of 100 square feet of additional open space must be provided for each unit either as private open space or common open space.

[~~c.~~] **(c)** For Single-Family Residential development or Two-Family Residential development, a minimum of 250 square feet of open space must be provided for each unit either as private open space or common open space.

[~~d.~~] **(d)** Front and street side yard setback areas may not be included toward meeting the open space requirements.

7. Landscaping. Landscaping shall comply with the Carson City Development Standards Division 3, Landscaping.

8. Special Use Permit review standards. Where a residential use is a conditional use within a given zoning district, the Planning Commission shall make two (2) of the following findings in the affirmative in the review of the Special Use Permit in addition to the required findings of Section 18.02.080 of the Carson City Municipal Code.

[~~a.~~] **(a)** The development is not situated on a primary commercial arterial street frontage.

[~~b.~~] **(b)** The development is integrated into a mixed-use development that includes commercial development

[~~c.~~] **(c)** The applicant has provided evidence that the site is not a viable location for commercial uses.

[~~d.~~] **(d)** The site is designated Mixed-Use Commercial, Mixed-Use Residential or Mixed-Use Employment on the Master Plan Land Use Map and the project meets all applicable mixed-use criteria and standards.

(Ord. 2007-14 § 7, 2007). (Ord. No. 2008-37, § V, 12-4-2008 ; Ord. No. 2017-15 , § II, 7-6-2017)

1.19 - Adult merchandise retail establishment performance standards.

The following performance standards are mandatory requirements in the review of business licenses for Adult Merchandise Retail Establishments.

1. The floor area devoted to material defined in "Adult Merchandise Retail Establishment" does not exceed up to five percent (5%) of the total display or retail floor area of the business or two hundred (200) square feet, whichever is less;

2. The material is available only for sale or lease for private use by the purchaser or lessee off the premises of the business;

3. The floor area devoted to material as defined in "Adult Merchandise Retail Establishment" is segregated by partition, separate entrance or otherwise obscured from casual observance by minors;

4. The floor area devoted to material defined in "Adult Merchandise Retail Establishment" is clearly signed to prohibit access to minors;

5. The floor area devoted to material defined in "Adult Merchandise Retail Establishment" is adequately staffed by persons over eighteen (18) years of age to assure monitoring of minors who may seek access to the restricted floor area;

6. The business does not advertise or hold itself out to the public in any way as being an adult merchandise retail establishment, whether by store window displays, signs or other means;

7. The business cannot be combined with any other area or business to result in an increase in the floor area devoted to this activity beyond the maximum specified in (1) above;

8. No product for sale or gift, picture or other graphic representation thereof, shall be displayed so as to be visible form the street or exterior of the building;

9. At the time of the business license request, the applicant shall provide a detailed site plan designating the proposed Adult Merchandise Retail Establishment area, as it relates to the total floor area of the business;

10. Adult Merchandise Retail Establishments established prior to November 7, 2007 which do not comply with the provisions of Division 1.19 Adult Merchandise Retail Establishment shall be deemed non-conforming and may continue to operate as approved by the criteria identified in their approved Carson City Business License.

11. Nonconforming Adult Merchandise Retail Establishments shall not relocate in Carson City unless the establishment comes into full compliance with the current code and development standards.

12. No Adult Merchandise Retail Establishment shall be located within one thousand (1,000) feet of any other Adult Merchandise Retail Establishment or Adult Entertainment Facility.

13. Location Criteria. Adult Merchandise Retail Establishments may be located only in Retail Commercial (RC), General Commercial (GC), Limited Industrial (LI), and General Industrial (GI) zoning districts and provided that the business comply with all performance standards.

(Ord. 2007-37 § 2, 2007). (Ord. No. 2008-33, § XV, 9-4-2008)

1.20 - Medical Marijuana Establishments and Marijuana Establishments.

The following standards are intended to establish minimum standards and Special Use Permit review criteria for Medical Marijuana Establishments and Marijuana Establishments, in addition to other standards for commercial and industrial development.

1. The following standards apply to all Medical Marijuana Establishments and Marijuana Establishments:

[~~a.~~] **(a)** All Medical Marijuana Establishments and Marijuana Establishments require the issuance of a Special Use Permit. Special Use Permits for Medical Marijuana Establishments and Marijuana Establishments are only valid at the specific location for which a person has obtained the required approval through the applicable state agency to operate as a Medical Marijuana Establishment or Marijuana Establishment. A Special Use Permit that is issued in accordance with this Division automatically expires and shall be deemed null and void if the Medical Marijuana Establishment or Marijuana Establishment loses or otherwise forfeits the required state approval to operate. A Special Use Permit issued in accordance with this Division is not transferable between operators and locations within Carson City. Except as otherwise provided in this Division and notwithstanding any other provision of CCMC, a separate Special Use Permit is not required for a Medical Marijuana Establishment or Marijuana Establishment that will be established in an existing location at which a Medical Marijuana Establishment or Marijuana Establishment in good standing already operates. The expansion of any location of a Medical Marijuana Establishment or Marijuana Establishment that will result in an increase of more than ten (10) percent of the space in which the Medical Marijuana Establishment or Marijuana Establishment has been approved to operate requires the issuance of an amended Special Use Permit.

[~~b.~~] **(b)** The consumption of marijuana products is prohibited on the premises of any Medical Marijuana Establishment and Marijuana Establishment.

[~~c.~~] **(c)** All business activities related to Medical Marijuana Establishments and any marijuana cultivation facility, marijuana testing facility, marijuana product manufacturing facility or retail marijuana store must be conducted indoors and within a permanent building. The use of an office trailer or other

temporary structure is prohibited. All Medical Marijuana Establishments and Marijuana Establishments must at all times maintain an interior and exterior appearance that is professional, orderly, dignified and consistent with the traditional style of pharmacies and medical offices.

[~~d.~~] **(d)** The outdoor display or sale of any Medical Marijuana Establishment or Marijuana Establishment merchandise or product is prohibited.

[~~e.~~] **(e)** Accessory outside storage for Medical Marijuana Establishments and Marijuana Establishments must comply with the provisions of Title 18 Appendix (Carson City Development Standards), Division 1.12 (Outside Storage).

[~~f.~~] **(f)** Access to Medical Marijuana Establishment or Marijuana Establishment must comply with all applicable state [~~and federal~~] laws and regulations.

[~~g.~~] **(g)** Medical Marijuana Establishment and Marijuana Establishment merchandise and products must not be visible when viewed from outside the building in which the Marijuana Establishment or Marijuana Establishment is located.

[~~h.~~] **(h)** All signage for Medical Marijuana Establishments and Marijuana Establishments must be discreet, professional and consistent with the traditional style of signage for pharmacies and medical offices. All Medical Marijuana Establishments and Marijuana Establishments are limited to following signage:

(1) A maximum of 30 square feet of wall sign area.

(2) A maximum of 32 square feet of freestanding sign area.

(3) The maximum freestanding sign height for Marijuana Dispensaries and Marijuana Retail Stores shall be determined by the applicable commercial or shopping center regulations of Division 4.

(4) The maximum freestanding sign height for all Medical Marijuana Establishments and Marijuana Establishments other than Medical Marijuana Dispensaries and Marijuana Retail Stores shall be 10 feet.

(5) Where a Medical Marijuana Establishment and Marijuana Establishment are jointly located on a single property, the maximum permitted sign area applies to the property and not each type of Establishment.

[~~i.~~] **(i)** Off-street parking must be provided for Medical Marijuana Establishments and Marijuana Establishments in accordance with the following:

(1) For Medical Marijuana Dispensaries and Marijuana Retail Stores: A minimum of one space for every 300 square feet of gross floor area.

(2) For Medical Marijuana Cultivation Facilities and Marijuana Cultivation Facilities: A minimum of one space for every 1,000 square feet of gross floor area.

(3) For Medical Marijuana Product Manufacturing Facilities and Marijuana Product Manufacturing Facilities: A minimum of one space for every 500 square feet of gross floor area.

(4) For Medical Marijuana Testing and Marijuana Testing Facilities: A minimum of one space for every 400 square feet of gross floor area.

[~~j.~~] **(j)** Notwithstanding any other provision of CCMC, not more than two Medical Marijuana Dispensaries are allowed to operate at the same time in Carson City.

[~~k.~~] **(k)** A Marijuana Retail Store may only be jointly located within the same premises of an existing Medical Marijuana Dispensary that is operating in good standing.

[~~l.~~] **(l)** A Medical Marijuana Establishment or Marijuana Establishment is prohibited within 1,000 feet of a public or private school that provides formal education traditionally associated with preschool or kindergarten through grade 12, or within 300 feet of a facility that provides day care to children, a public park, a playground, a public swimming pool, and any other center or facility, the primary purpose of which is to provide recreational opportunities or services to children or adolescents, which already exists on the date the application for the proposed Medical Marijuana Establishment or Marijuana Establishment is submitted to the applicable state agency for approval to operate, as measured on a straight line from the property line of the nearest such school or facility to the front door or primary entrance of the Medical Marijuana Establishment or Marijuana Establishment.

2. The following standards apply to all Medical Marijuana Dispensaries:

[~~a.~~] **(a)** A single point of secure public entry must be provided and identified.

[~~b.~~] **(b)** Hours of operation are limited to between 7:00 a.m. and 8:00 p.m., daily.

[~~c.~~] **(c)** Drive-through service is prohibited.

[~~d.~~] **(d)** A Medical Marijuana Dispensary or Retail Marijuana Store is prohibited on any property, or within a shopping center with frontage, that is located on the same street on which a residentially zoned property is also located unless the dispensary or store is located more than 300 feet from the residential property, as measured on a straight line from the nearest residential property line abutting the street right-of-way to the front door of the dispensary or store.

3. In addition to the required findings for a Special Use Permit, the following standards must also be considered in the review of a request for a Special Use Permit for a Medical Marijuana Dispensary or Marijuana Retail Store to be located within the General Industrial zoning district:

[~~a.~~] **(a)** That the proposed Medical Marijuana Dispensary or Marijuana Retail Store is located where sufficient, convenient and safe access is provided to the public.

[~~b.~~] **(b)** That the proposed location has adequate lighting and street improvements for a use providing public access.

(Ord. No. 2014-10, § IV, 7-3-2014; Ord. No. 2017-21 , § VI, 10-5-2017, Ord. No. 2018-7)