

**Title 29**

**Zoning**

**Title 29**

**ZONING\***

- NOTE: Chapter Not Locked In Under Development Agreement

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\* For statutory authority relating to zoning, see NRS Chapter 278.

## **general provisions and definitions**

GENERAL PROVISIONS

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- 29.01.010 Short title.
- 29.01.020 General purpose.
- 29.01.030 Statutory authority.
- 29.01.040 Interpretation and conflict.
- 29.01.050 Constitutional compliance and applicability.

**29.01.010 Short title.** This title shall be known as and may be cited as the "zoning ordinance of Clark County, Nevada." (Ord. 429 (part), 1974)

**29.01.020 General purpose.** This title is adopted for the purpose of promoting the health, safety, morals or general welfare of the present and future inhabitants of Clark County and divides the county into districts and sets forth the regulations pertaining to such districts in accordance with the general plan for Clark County and is designed:

- (A) To preserve the quality of air and water resources;
- (B) To promote the conservation of open space and the protection of other natural and scenic resources from unreasonable impairment;
- (C) To provide for recreational needs;
- (D) To protect life and property in areas subject to floods, landslides and other natural disasters;
- (E) To conform to the adopted population plan;
- (F) To develop a timely, orderly and efficient arrangement of transportation and public facilities and services;
- (G) To ensure that the development on land is commensurate with the character and the physical limitations of the land;
- (H) To take into account the immediate and long-range financial impact of the application of particular land to particular kinds of development, and the relative suitability of such land for such development;
- (I) To promote health and the general welfare.

This title is made with reasonable consideration, among other things, for the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout Clark County. (Ord. 429 (part), 1974)

**29.01.030 Statutory authority.** This title is adopted pursuant to Chapter 278 of the Nevada Revised Statutes and all acts amendatory thereof and supplementary thereto. (Ord. 429 (part), 1974)

\*\* NOTE: See Section 2: Modified Development Standards

**29.01.040 Interpretation and conflict.** In their interpretation and application, the provisions of this title shall be held to be minimum requirements, adopted for the promotion of the public health, safety, morals or general welfare. Wherever the requirements of this title are at variance with the requirements of any other lawfully adopted rules, regulations or ordinances, the most restrictive or that imposing the higher standards shall govern. (Ord. 429 (part), 1974)

**29.01.050 Constitutional compliance and applicability.** Title 29, the zoning code of Clark County, is predicated upon and may only be enforced consistent with the Constitutions of the United States of America and the state of Nevada. In the application of the Clark County Zoning Code, no provision or ordinance shall be enforced or mandated which would violate the Constitution of the United States of the state of Nevada. Specifically, nothing in this title shall be construed to prohibit the use of a single-family residence for constitutionally protected activities including the use of the home for noncommercial gatherings of family and friends, discussion groups, religious or political gatherings, or neighborhood meetings. (Ord. 1375 § 1, 1992)

## Chapter 29.02

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29.02.010

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**29.02.010** Generally. For the purpose of this title, certain words and terms are defined as follows in this chapter. Words used in the present tense include the future; words in the singular number include the plural and the plural the singular; "building" includes "structure" and "shall" is mandatory, not directory; words not included herein but defined in the building code, land development regulations (Title 26), the subdivision code (Title 28) or any other title included in the Clark County development code shall be construed as defined therein. (Ord. 1733 § 1, 1995; Ord. 429 (part), 1974)

**29.02.020** Acre. For the purpose of this title, in interpreting building site areas, an acre of land shall be deemed to be a commercial acre of forty thousand square feet. Such area shall be exclusive of public streets or alleys or other public rights-of-way, lands or any portion thereof abutting on, running through or within a building site. (Ord. 429 (part), 1974)

**29.02.030** Agriculture. "Agriculture" means the tilling of the soil, the raising of crops, horticulture and gardening, but not including the keeping or raising of domestic animals and fowl, except household pets, and not including any agricultural industry or business such as fruit packing plants, fur farms, animal hospitals or similar uses. (Ord. 429 (part), 1974)

29.02.040

**29.02.040 Airport.** "Airport" means any landing area, runway or other facility designed, used or intended to be used either publicly or by any person or persons for the landing and taking off of aircraft, including all necessary taxiways, aircraft storage and

tie-down areas, hangars and other necessary buildings and open spaces. (Ord. 429 (part), 1974)

**29.02.050 Airport zones.** "Airport zones" includes the following zones:

(A) Approach Zone. The area leading from each end of a landing strip;

(B) Transition Zone.

(1) The area adjacent to each side of a landing strip,

(2) The area outside of the circumference of a turning zone and adjacent

thereto,

(3) Area adjacent to each side of an approach zone;

(C) Turning Zone. The circular area centered upon an airport reference point.

(Ord. 429 (part), 1974)

**29.02.060 Accessory building.** "Accessory building" means a detached subordinate building clearly incidental to and located upon the same lot occupied by the main building. Any accessory building shall be considered to be a part of the main building when joined to the main building by a common wall not less than four feet long, or when any accessory building and the main building are connected by a breezeway which shall be not less than ten feet in width. (Ord. 429 (part), 1974)

**29.02.070 Accessory use.** "Accessory use" means a use customarily incident and accessory to the principal use of the land, building or structure located on the same lot or parcel of land as the accessory use. (Ord. 429 (part), 1974)

**29.02.080 Advertising.** "Advertising" means any writing, printing, painting, display, emblem, drawing, sign or other device, designed, used or intended to be used to advertise products, goods, services, or promote the sale of objects, or attract attention to a place, or lenering for the purpose of making anything known.

(A) "On-premises advertising" means any advertising display strictly incidental to a lawful use of the premises on which it is located indicating the business transacted at, services rendered, goods sold or produced on the premises, name of the business, name of the person, firm or corporation occupying the premises.

(B) "Off-premises advertising" means any advertising display indicating the business transacted, services rendered, goods sold or produced, name of business, person, firm or corporation which is not available or located on the same premises as the display. (Ord. 429 (part), 1974)

**29.02.090 Alley.** "Alley" means a main public thoroughfare other than a dedicated half street twenty feet in width, permanently reserved as a secondary means of access to abutting properties. (Ord. 429 (part), 1974)

**29.02.095 Amusement arcade.** "Amusement arcade" means any establishment other than a hotel-casino which maintains five or more coin-operated amusement machines, excluding coin-operated gaming devices. (Ord. 681 § 2 (part), 1980)

**29.02.100 Animal hospital.** "Animal hospital" means a place where animals or pets are given medical or surgical treatment and are cared for during the time of such treatment. The use of the premises as a kennel or a place where animals or pets are

29.02.100

boarded for remuneration may be permitted only when incidental to the principal use. (Ord. 429 (part), 1974)

**29.02.105 Animated sign.** "Animated sign" means a sign with action or motion, flashing, color changes requiring electrical energy, electronic or manufactured sources of supply, but not including wind-actuated elements such as flags, banners or specialty items. This definition does not include public service signs such as time and temperature units. (Ord. 429 (part), 1974)

**29.02.110 Apartment.** "Apartment" includes the following:

(A) Apartment, Bachelor. One room and bath with or without cooking facilities, in a multiple dwelling;

(B) Apartment Hotel. Any building which contains dwelling units and also satisfies the definition of a hotel, as defined in this title;

(C) Apartment House. See Section 29.02.350(D) and (E), "multiple family dwelling" and "group dwelling." (Ord. 429 (part), 1974)

**29.02.112 Architectural intrusion.** "Architectural intrusion" means any part of a building or structure, such as eaves, cornices, canopies, sills, belt courses, stairs, balconies, decks above the level of the first floor of the building or structure, patios, second story room overhangs, columns, and other similar architectural features which may extend out from any wall of a building or structure. Except for second story room overhangs, the intrusion may be supported by a foundation. (Ord. 1834 § 1, 1996)

**29.02.115 Attention-gaining devices.** "Attention-gaining devices" means any streamers, flags, wheels, propellers, bunting or other artificial devices, figures, shapes, colors, sounds, lights, exhibits, live, animated or still, intended for attracting attention of passersby. (Ord. 429 (part), 1974)

**29.02.120 Automobile or tourist court.** For a definition of "automobile or tourist court," see "motel," Section 29.02.630. (Ord. 1767 § 1 (part), 1996; Ord. 429 (part), 1974)

**29.02.130 Automobile, truck and/or trailer sales lot.** "Automobile, truck and/or trailer sales lot" means an open area used for display, sales and/or rental of new or used automobiles, trucks or trailers, but where no repair, repainting or remodeling is done. (Ord. 429 (part), 1974)

**29.02.140 Automobile wrecking.** "Automobile wrecking" means the dismantling or wrecking of used motor vehicles or trailers, or the storage, sale or dumping of dismantled or wrecked vehicles or their parts. (Ord. 429 (part), 1974)

**29.02.150 Aviary.** "Aviary" means a house, large cage or enclosure for keeping and rearing of four or more birds in confinement. (Ord. 429 (part), 1974)

**29.02.160 Basement.** "Basement" means a story partly underground. A basement shall be counted as a story for the purpose of height measurement if its height is one-half or more above grade. (Ord. 429 (part), 1974)

29.02.162

**29.02.162 Bathhouse.** "Bathhouse" means any place, including a private club or organization, wherein any person engages in, conducts or carries on, or permits to be engaged in, conducted or carried on, the business of giving or furnishing baths of any kind or type whatever, where an attendant is or may be present within the bathing area, including, but not limited to, Russian, Turkish, Swedish, hot air, vapor, electric cabinet, steam, mineral, sweat, salt, Japanese, sauna, fomentation or electric baths. (Ord. 1840 § 1 (part), 1996)

**29.02.165 Bedroom.** "Bedroom" means a habitable room in a dwelling unit planned and intended for sleeping, separable from other rooms by a door. The term shall include all rooms within the dwelling unit except for kitchens, bathrooms, the room from which exterior access to the dwelling unit is taken, or any other room having less than one hundred square feet of floor area. (Ord. 1771 § 1 (part), 1996; Ord. 1738 § 1 (part), 1995)

**29.02.170 Block.** "Block" means a parcel of land bounded by streets or by streets and a natural or artificial barrier. (Ord. 429 (part), 1974)

**29.02.180 Boardinghouse.** "Boardinghouse" means a building with not more than three guest rooms where, for compensation, lodging and/or meals are provided for at least three but not more than ten persons. (Ord. 429 (part), 1974)

**29.02.182 Boarding stables, commercial.** "Commercial boarding stables" means the keeping or housing and/or riding and training of horses, which exceed a total number of ten animals per acre, for the purpose of monetary gain, but prohibiting rental of animals, open for service to the general public. A horse kept on the land for the purpose of training shall be considered to be a boarded horse. Young animals less than six months of age shall not count toward the allowable limit. (Ord. 1606 § 1, 1994)

**29.02.184 Boarding stables, residential.** "Residential boarding stables" means the keeping or housing and/or riding and training of horses, not to exceed ten animals per acre with a maximum of twenty-five animals, for the purpose of monetary gain, and including the owner/proprietor's personal horses, but prohibiting rental of animals, open for service to the general public. A horse animal kept on the land for the purpose of training shall be considered to be a boarded horse. Young animals less than six months of age shall not count toward the allowable limit. (Ord. 1606 § 2, 1994)

**29.02.186 Boarding stall or corral.** "Boarding stall or corral" means a pen, building or structure for the enclosure or confinement of animals. (Ord. 1606 § 3, 1994)

**29.02.190 Breezeway.** "Breezeway" means any structure connecting two buildings and with a roof in keeping with the design and construction of the main building. (See accessory building.) (Ord. 429 (part), 1974)

**29.02.295 Brew pub.** "Brew pub" means an establishment which manufactures malt beverages, including beer, ale, porter, stout, or other similar fermented beverages brewed or produced from malt, and sells those malt beverages at retail for either on- or off-premises consumption or to a distributor to be resold, providing production shall not exceed the allowable limit as established by NRS 597.230. (Ord. 1745 § 1 (part), 1995)

**29.02.200 Building.** "Building" means any structure having a single or common roof supported by columns or walls. "Existing building" means any building erected in conformance with legal permit issued therefor.

(A) "Building height" means the vertical distance from the grade to the highest point of the building.

(B) "Building line" means a line between any street right-of-way, either existing or future, and any building, parts of a building or structures which may be erected or altered on a lot, parcel of land or tract.

(C) "Main building" means the principal building or one of the principal buildings upon a lot, or the building or one of the principal buildings housing a principal use upon a lot.

(D) "Public building" means a building owned and operated, or owned and intended to be operated, by a public agency of the United States of America, of the state of Nevada, or any of their subdivisions.

(E) "Building site" means the ground area of a building or buildings, together with all open spaces which are required. (Ord. 1791 § 1 (part), 1996; Ord. 429 (part), 1974)

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**29.02.205 Cabana.** "Cabana" means any cabin, small house, room, enclosure or other building erected, constructed or placed on any manufactured home site which is designed as habitable space for residential use as an addition to the manufactured or mobile home existing or to be placed on the site. A manufactured home from which the kitchen has been removed and which is modified in compliance with the requirements of the Manufactured Housing Division of the state of Nevada is a cabana. (Ord. 1876 § 1 (part), 1996)

**29.02.210 Camp, public.** "Public camp" means any land used or intended to be used in occupancy by persons using automobile house trailers, tents, cabins or other temporary quarters of any kind. (Ord. 429 (part), 1974)

**29.02.220 Camp or court, trailer.** "Trailer camp or court" means any area or premises where space for five or more house trailers is rented, held out for rent or on which free occupancy or camping for such number is permitted to house trailer owners or users for the purpose of securing their trade, including groups designated as trailer parks, courts and lots, but not including automobile or trailer sales lots on which unoccupied house trailers are parked for inspection or sales. (Ord. 429 (part), 1974)

**29.02.225 Camping trailer.** "Camping trailer" means a folding unit of canvas or other material, mounted on wheels, which opens over the top of the trailer base. (Ord. 429 (part), 1974)

**29.02.230 Carport.** "Carport" means an accessory residential use consisting of a reserved space roofed or unroofed, but not completely enclosed by wall or doors, and established for the convenient loading or unloading of passengers and for the accommodation of a passenger car. For the purposes of this title, a carport shall be subject to all the regulations prescribed for a garage. (Ord. 429 (part), 1974)

**29.02.235 Casino.** "Casino" means any place where gaming is operated or maintained, except that "casino" shall not be construed to include any place devoted to slot machines only as defined by NRS 463.0127. (Ord. 429 (part), 1974)

**29.02.240 Cemetery.** "Cemetery" means any land used or intended to be used for the burial of the dead and may include columbariums, crematoriums, mausoleums and mortuaries when operated in conjunction with and within the boundary of such cemetery. (Ord. 429 (part), 1974)

**29.02.250 Clinic.** "Clinic" means medical or dental offices which provide professional services more than eighty-four hours per week, or which have designated facilities for providing emergency medical care to the general public without appointment. A "clinic," in contrast to a "hospital," does not provide overnight care or boarding of patients. (Ord. 797 § 1, 1982; Ord. 429 (part), 1974)

**29.02.260 Corral.** "Corral" means a space, other than a building, less than one acre in area, or less than one hundred feet in width, used for the confinement of animals. (Ord. 429 (part), 1974)



**29.02.270 Club, private.** "Private club" means an institution, used or intended to be used for an association of persons, whether incorporated or unincorporated, for some common purpose, but not including a group organized solely or primarily to render a service customarily carried on as a commercial enterprise. (Ord. 429 (part), 1974)

**29.02.280 Commerce.** "Commerce" means the purchase, rental, sale or other transaction involving the handling of or disposition of any article, substance or commodity for profit or livelihood, or the ownership or management of office buildings, offices, recreational or amusement enterprises, automobile courts, garages, hotels, outdoor advertising and outdoor advertising structures, or shops conducted for the sale of personal services and other similar enterprises of the same class. (Ord. 429 (part), 1974)

**29.02.285 Commercial vehicle.** "Commercial vehicle" means every vehicle designed, maintained or used primarily for the transportation of property or passengers in furtherance of commercial enterprise, or any vehicle of over ten thousand pounds gross unloaded weight, but not including any residential mobile home or motor home. Storage of a commercial vehicle or vehicles constitutes a commercial use of land; but this provision shall not be interpreted to prohibit the parking of a single commercially licensed passenger car or pickup truck at a residence. (Ord. 1871 § 1 (part), 1996; Ord. 797 § 2, 1982)

**29.02.290 Commission.** "Commission" means the county planning commission. (Ord. 429 (part), 1974)

**29.02.292 Condominium.** "Condominium" means an estate in real property consisting of an undivided interest in common in portions of a parcel of real property together with:

(A) A separate interest in space in a residential, industrial or commercial building or industrial and commercial building on such real property such as but not restricted to an apartment, office or store; or

(B) A separate interest in air space only, without any building or structure, to be used for a manufactured or mobile home. (Ord. 1771 § 1 (part), 1996; Ord. 1738 § 1 (part), 1995)

**29.02.293 Condominium hotel.** "Condominium hotel" means an establishment meeting the criteria for a "hotel" as set forth in Section 29.02.520 of this title, but subdivided into individual rooms or suites for separate ownership and which may contain limited cooking facilities otherwise prohibited in hotel units. A "condominium hotel" is a commercial condominium development, rather than a residential condominium for permanent residential use as regulated by Sections 29.47.040 and 29.47.050 of this title, and accordingly may not be used for continuous or unlimited residency by a single individual group or family as required and enforced by the covenants, conditions and restrictions of the commercial condominium development. (Ord. 901 § 1, 1984)

**29.02.296 Condominium motel.** "Condominium motel" means an establishment meeting the criteria for an "automobile or tourist court" as set forth in Section 29.02.120 of this title, but subdivided into individual rooms or suites for separate ownership. A "condominium motel" is a commercial condominium, rather than a residential condominium for permanent residential use as regulated by Sections 29.47.040 and 29.47.050 of this title, and accordingly may not be used for continuous or unlimited residency by a single

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individual group or family as required and enforced by the covenants, conditions and restrictions of the commercial condominium development. (Ord. 901 § 2, 1984)

**29.02.305 Convenience store.** "Convenience store" means any retail establishment offering for sale food, prepackaged food products, household items and other goods commonly associated with the same which contains not less than one thousand two hundred square feet nor more than six thousand square feet of floor space, exclusive of warehouse and office areas, devoted to the display of merchandise. A retail business licensed as a drugstore or pharmacy shall not be considered to be a convenience store. (Ord. 1870 § 1, 1996)

**29.02.300 Convalescent home.** For a definition of "convalescent home," see "rest home." Section 29.02.690. (Ord. 429 (part), 1974)

**29.02.310 Court or courtyard.** "Court or courtyard" means an open unoccupied area, other than a yard, on the same lot with a building and bounded on two or more sides by such a building. (Ord. 1771 § 1 (part), 1996; Ord. 1738 § 1 (part), 1995; Ord. 429 (part), 1974)

**29.02.320 Dairy.** "Dairy" means any premises upon which three or more cows or goats are kept for the commercial production or sale of milk and dairy products. (Ord. 429 (part), 1974)

**29.02.325 Decorative lighting.** "Decorative lighting" means superfluous light, not used as part of an advertising display, intended to increase the attractiveness or other incidental use. (Ord. 1771 § 1 (part), 1996; Ord. 429 (part), 1974)

**29.02.326 Decorative wall, decorative masonry fence or wall.** "Decorative wall" or "decorative masonry fence or wall" means a wall having an appearance enhanced by either texture or design finished with stucco, columns, pilasters, tile, wrought iron or brick, split-face block, block containing a pattern or design or a combination of any of the above. Such enhancements may also include landscape cutouts and/or tree wells. Decorative wall or decorative masonry fence or wall shall not include the standard, solid gray cinderblock or concrete walls with a flat finish. Further, decorative wall or decorative masonry fence or wall shall not include wood or chain link fences, either with or without slats. Wherever possible, decorative walls and decorative masonry fences and walls should be consistent in appearance (i.e., style, texture, color) with existing adjoining walls. (Ord. 1524 § 1, 1993)

**29.02.3265 Density.** "Density" means the number of residential dwelling units occupying a given land area, expressed in terms of either dwelling units per gross acre of land or dwelling units per net acre of land area. (Ord. 1738 § 1 (part), 1995)

**29.02.327 Dependent unit.** "Dependent unit" means a recreational vehicle which requires connection or access to external sources of electricity, water and sewage systems. (Ord. 429 (part), 1974)

**29.02.330 District.** "District" includes the following districts:

- (A) "R residential district" means any O-S, R-U, R-A, R-E, R-D, R-1, R-1a, R-2, R-3, R-4, R-5, or R-T district.
- (B) "C commercial district" means any C-C, C-P, C-1, C-2, or C-3 district.
- (C) "M manufacturing or industrial district" means any M-D, M-1, M-2, or M-3 district.
- (D) "Special district" means any H-1, H-2, T-C, R-V-P, or P-F district.
- (E) "Overlay district" means any A-E or P-C district.

Within the following categories, each district shall be deemed to be less restrictive than the district preceding it:

Residential district category: O-S, R-U, R-A, R-E, R-D, R-1, R-T, R-1a, R-2, R-3, R-4, R-5:

Commercial district category: C-P, C-1, C-C, C-2, C-3:

Manufacturing or industrial district category: M-D, M-1, M-2, M-3:

Special category: P-F, H-2, T-C, R-V-P, H-1. (Ord. 1733 § 2, 1995; Ord. 1250 § 1, 1990; Ord. 566 § 2, 1978; Ord. 429 (part), 1974)

**29.02.340 Dormitory.** "Dormitory" means any building or portion thereof used and maintained to provide sleeping accommodations for a group other than a family, whether for compensation or not, including "cothouses," "flophouses" and similarly designated uses, but not including hotels, automobile or tourist court, lodginghouses, boardinghouses, hospitals or other approved institutions or similar uses. Each one hundred square feet or fraction thereof of floor area used for sleeping purposes shall be considered to be a separate guest room. (Ord. 1713 § 1, 1995; Ord. 429 (part), 1974)

**29.02.345 Driveway.** "Driveway" means the principal means of vehicular access other than a street, provided and maintained in any zoning district into and within the development or to lots within the development designed consistent with the requirements of this title. (Ord. 1876 § 1 (part), 1996; Ord. 429 (part), 1974)

**29.02.350 Dwelling.** "Dwelling" means a building or portion thereof designed or used exclusively for residential occupancy including factory-built homes, manufactured and mobile homes, one-family, two-family and multiple-family dwellings, not including, however, any other building wherein human beings may be housed. Manufactured and mobile homes may only be used as permanent dwellings in the zoning districts set forth in Section 29.02.623 of this title.

(A) "Dwelling unit" means one or more rooms and a single kitchen in a dwelling or apartment hotel, designed as a unit for occupancy by not more than one family for living or sleeping purposes, and not having more than one kitchen or set of fixed cooking facilities, whether or not designed for use of occupants such as janitors, caretakers, servants or guests.

(B) "One-family dwelling" means any detached building containing only one dwelling unit.

(C) "Two-family dwelling" means any building containing only two dwelling units.

(D) "Multiple-family dwelling" means a building containing three or more dwelling units.

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(E) "Group dwelling" means one or more buildings containing dwelling units arranged around two or more sides of a court. (Ord. 1876 § 1 (part), 1996; Ord. 429 (part), 1974)

**29.02.360 Dump.** "Dump" means a place used for the disposal, by abandonment, discarding, dumping, reduction, burial, incineration or by other means, of garbage, sewage, trash, refuse, waste material, offal or dead animals. (Ord. 429 (part), 1974)

**29.02.370 Educational institution.** "Educational institution" means any school, college or university supported wholly or in part by public funds and any other college or university giving general academic instruction as prescribed by the Nevada State Board of Education. (Ord. 429 (part), 1974)

**29.02.375 Escort bureau.** "Escort bureau" shall be as defined by Chapter 6.66 of this code. (Ord. 566 § 3, 1978)

**29.02.378 Exotic animal.** "Exotic animal" means any animal not permitted in this title as either a "household pet" or as a farm animal specifically permitted in the R-A (residential agricultural) district. (Ord. 681 § 2 (part), 1980)

**29.02.379 Factory-built housing.** "Factory-built housing" means a residential building, dwelling unit or habitable room thereof which is either wholly manufactured or is in substantial part manufactured at an off-site location to be wholly or partially assembled on-site in accordance with regulations adopted by the Clark County building department and built in accordance with the Uniform Building Code most recently adopted by the International Conference of Building Officials and the board of county commissioners. The term shall not include a manufactured home or mobile home as defined by the Clark County Code. A factory-built home shall be considered to be a single-family dwelling of a permanent character in a permanent location and will be permitted wherever such dwellings are permitted. (Ord. 1713 § 2, 1995)

**29.02.380 Family.** "Family" includes the following if living together as a single housekeeping unit within a dwelling unit:

- (A) An individual living alone;
- (B) Two or more persons related by blood or marriage;
- (C) One or more handicapped persons together with caretakers or houseparents;
- (D) A group, of which not more than six individuals shall be unrelated to any other individual in the group. (Ord. 1713 § 3, 1995; Ord. 429 (part), 1974)

**29.02.390 Farming, small livestock.** "Small livestock farming" means the raising or keeping of more than twelve fowl of any kind, or twelve rabbits or twelve similar animals; any goats, sheep or similar livestock but not hogs; or the breeding, raising or keeping of any cats or dogs; provided however, that "small livestock farming" as used in this title shall not include animal hospitals, commercial cat or dog kennels, hog raising or the breeding for commercial purposes of horses, cattle or similar livestock as determined by the planning commission. (Ord. 429 (part), 1974)

**29.02.400 Fence height.** "Height of fence" means the vertical distance between the ground, either natural or filled, directly under the fence and the highest point thereof. (Ord. 429 (part), 1974)

**29.02.405 Freestanding sign.** "Freestanding sign" means any sign which is supported by one or more columns, uprights or braces in or upon the ground. (Ord. 429 (part), 1974)

**29.02.410 Frontage.** "Frontage" means all the property fronting on one side of a street between an intercepting or intersecting street or between a street and right-of-way, waterway, end of street or city boundary. An intercepting street shall determine only the boundary of the frontage on the side of the street which it intercepts. (Ord. 429 (part), 1974)

**29.02.420 Future width lines.** "Future width lines" means lines established adjacent to highways or streets for the purpose of defining limits within which no structure nor any part thereof shall be erected or maintained in order to insure the future acquisition of these limits as public rights-of-way. (Ord. 429 (part), 1974)

**29.02.430 Gambling establishment -- Gaming.** "Gambling establishment" means any place where gaming is operated and maintained. "Gaming" means and includes all games of chance or devices and any slot machines played for money or for checks or tokens redeemable in money, except, for the purpose of this title only, "gaming" shall not be construed to include slot machines when such slot machines are operated incidental or accessory to the conduct of a business permitted under the provisions of this title. (Ord. 429 (part), 1974)

**29.02.440 Garage, private.** "Private garage" means a detached accessory building or a portion of a main building designed or used for the parking or temporary storage of automobiles owned and used by the occupants of the premises. (Ord. 429 (part), 1974)

**29.02.450 Garage, public.** "Public garage" means any building or portion thereof, other than a private garage, designed or used for servicing, repairing, equipping, hiring, selling or storing of motor-driven vehicles. (Ord. 429 (part), 1974)

**29.02.460 Grade.** "Grade" includes the following meanings:

(A) For buildings adjoining one street only, the elevation of the side walls at the center of that wall adjoining the street;

(B) For buildings adjoining more than one street, the average of the elevations of the side wall at the centers of all walls adjoining streets;

(C) For buildings having no wall adjoining street, the average level of the finished ground level at the center of all walls of the building. All walls approximately parallel to and not more than five feet from a street line are to be considered as adjoining a street. (Ord. 429 (part), 1974)

**29.02.465 Group foster home.** "Group foster home" means any individual, partnership, firm, corporation or association which provides full-time care for six to fifteen children not related by blood, adoption, or marriage to the person or persons maintaining

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or operating the home, who are received, cared for, and maintained for compensation or otherwise, including the provision of permanent free care. (Ord. 499 § 1, 1976)

**29.02.470 Guest house or cottage.** "Guest house or cottage" means a separate dwelling structure located on a lot with one or more main dwelling structures and used for the housing of guests or servants of the occupant of the premises; and such building shall not have a kitchen and shall not be rented, leased or sold separately from the rental, lease or sale of the main dwelling. (Ord. 429 (part), 1974)

**29.02.480 Guest room.** "Guest room" means any room in a hotel, dormitory, boarding or lodging house, or home for the aged, used and maintained to provide sleeping accommodations for not more than two persons. Each one hundred square feet or fraction thereof of floor area used for sleeping purposes shall be considered to be a separate guest room. (Ord. 429 (part), 1974)

**29.02.482 Handicap.** "Handicap" means, with respect to a person:

(A) A physical or mental impairment that substantially limits one or more of such person's major life activities;

(B) A record of having such an impairment; or

(C) Being regarded as having such an impairment;

but such term does not include current illegal use of or addiction to a controlled substance. (Ord. 1713 § 4, 1995)

**29.02.485 Heliport.** "Heliport" means any area used or to be used for the landing or take-off of helicopters or other steep gradient aircraft capable of hovering, and shall include any and all of the area or buildings which are appropriate to accomplish these functions. (Ord. 609 § 1, 1979)

**29.02.490 Hog ranch.** "Hog ranch" means any premises where three or more hogs are kept. (Ord. 429 (part), 1974)

**29.02.500 Home occupation.** "Home occupation" means any commercial use conducted entirely within a dwelling unit and carried on by family members residing in that dwelling unit, the use of which is clearly incidental and secondary to the use of the dwelling for dwelling purposes, and does not alter the exterior or affect the residential character of the neighborhood, and in connection with which there is no display, nor stock in trade. Any commercial use conducted as a home occupation shall not involve the use of any accessory building or yard space, nor involve any activities not normally associated with residential use outside of the main building. (Ord. 1871 § 1 (part), 1996; Ord. 747 § 1, 1981; Ord. 429 (part), 1974)

**29.02.505 Horse riding stable and/or academies, commercial.** "Commercial horse riding stable and/or academies" means a facility for the primary purpose of horseback riding (rental) which is used or intended to be used by the general public. (Ord. 1606 § 4, 1994)

**29.02.510 Hospital.** "Hospital" means any building or portion thereof used for the accommodation and medical care of sick, injured or infirmed persons. This would include

sanitariums, institutions for the cure of chronic drug addicts and mental patients, rest homes, homes for the aged and alcoholic sanitariums. (Ord. 429 (part), 1974)

**29.02.520 Hotel.** "Hotel" means any building or group of buildings in which there are one hundred or more guest rooms used, designed or intended to be used, let or hired out for the purpose of offering to the general public lodging on a day-to-day basis, where the primary entrance is through a lobby or foyer; also, that in which there are no provisions for cooking in any individual room or suite, but not including jails, hospitals, asylums, sanitariums, orphanages, prisons, detention homes and other similar buildings where human beings are housed and detained under legal restraint. (Ord. 1767 § 1 (part), 1996; Ord. 429 (part), 1974)

**29.02.530 Hotel, resort.** "Resort hotel" means any building or group of buildings used as a hotel, and in which there are one or more dining rooms available for meals to be served and where entertainment may be provided transient guests. Additionally that in which there are facilities used, designed or intended to be used in order to serve or sell intoxicating beverages. Also, those which permit the operation of gambling or games of chance. (Ord. 429 (part), 1974)

**29.02.540 Household pets.** "Household pets" means animals or fowl ordinarily permitted in the house and kept for company or pleasure, such as dogs, cats, canaries and parakeets, but not including a sufficient number of dogs to constitute a kennel, as defined in this title, unless the dogs are licensed under the provisions of Section 10.08.020 of this code relating to "dog fanciers," or a sufficient number of fowl to constitute an aviary, as defined in this title. (Ord. 429 (part), 1974)

**29.02.545 Independent unit.** "Independent unit" means a recreational vehicle which may operate independently of connection or access to external sources of electricity, water and sewage systems for a period of from one to seven days. Such a unit has its own battery and/or gas system to operate lights, refrigerator, stove and heater, a large water tank with a pressure system, and a holding tank with a toilet. (Ord. 429 (part), 1974)

**29.02.550 Industry.** "Industry" means the manufacture, fabrication, processing, reduction or destruction of any article, substance or commodity, or any other treatment thereof, in such a manner as to change the form, character or appearance thereof, including but not limited to the following: Animal hospitals, bakeries, bottling plants, building or contractors' yards, cleaning and dyeing establishments, creameries, dog pounds, junkyards, laundries, lumberyards, milk bottling and distributing stations, stockyards, storage elevators, truck storage yards, warehouses, wholesale storage and other similar types of enterprise. (Ord. 429 (part), 1974)

**29.02.560 Junkyard.** "Junkyard" means the use of any lot, portion of a lot or tract of land for the storage, keeping, sale or abandonment of junk, including scrap metals or other scrap material; also, that which is for the dismantling, demolition or abandonment of automobiles, other vehicles, machinery or parts thereof. (Ord. 429 (part), 1974)

**29.02.570 Kennel.** "Kennel" means any lot, building, structure or premises on which four or more dogs more than four months old are kept, but this term shall not

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include any dogs licensed under the provisions of Section 10.08.020 of this code relating to "dog fanciers." (Ord. 429 (part), 1974)

**29.02.580 Kitchen.** "Kitchen" means any room principally used, intended or designed to be used for cooking or the preparation of food. The presence of a range or oven, or utility connections suitable for servicing a range or oven, shall normally be considered as establishing a kitchen. (Ord. 681 § 1, 1980; Ord. 429 (part), 1974)

**29.02.584 Land sales presentation office.** "Land sales presentation office" means any building or room therein or portion thereof wherein land sales presentations, as defined in Chapter 6.80 of this code, are presented, held or conducted. (Ord. 429 (part), 1974)

**29.02.586 Land sales presentation unit broker office.** "Land sales presentation unit broker office" means any building or room therein or portion thereof wherein prospective customers are solicited to attend land sales presentations as defined in Chapter 6.80 of this code. (Ord. 429 (part), 1974)

**29.02.588 Landscape area.** "Landscape area" means an open area unoccupied except for landscaping and bounded on no more than one side by any building. Sidewalks sufficient to provide access to buildings and utility equipment are permitted within a landscape area. (Ord. 1771 § 1 (part), 1996; Ord. 1738 § 1 (part), 1995)

**29.02.589 Live entertainment.** "Live entertainment" means the provision of any amusement or attention engaging activity by an animal, or human performing in person, including but not limited to the performance of acts, music, speech, dance, acrobatics or display. Live entertainment performed inside a building, which consists of one or two individuals who perform without the aid of any electronic equipment, synthesizers, or other devices which enhance sound or noise beyond that of an acoustical instrument and from which the volume of the sound produced is not audible from the exterior of the building, are exempt from the use permit requirement under Section 29.66.020 (L). Live entertainment conducted in the C-3 district and adult entertainment in the M-1 district, when conducted in accordance with Chapter 29.49 are also exempt from the use permit requirement under Section 29.66.020 (L). (Ord. 1823 § 1, 1996)

**29.02.590 Livestock feed yard.** "Livestock feed yard" means a lot or parcel of land improved with corrals, fences, buildings or improvements, and used primarily for the feeding and fattening of livestock for subsequent sale, and includes the feeding of garbage for disposal. (Ord. 429 (part), 1974)

**29.02.600 Loading space.** "Loading space" means an off-street space or berth on the same lot with a building or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials. (Ord. 429 (part), 1974)

**29.02.610 Lodginghouse.** "Lodginghouse" means a building or dwelling unit other than a hotel with not more than four rentable rooms where lodging for compensation is provided for not more than eight persons who are not members of a family occupying such building or dwelling unit. (Ord. 566 § 11, 1978; Ord. 429 (part), 1974)



**29.02.620 Lot.** "Lot" means a parcel of land, or a space within an approved mobile home park or recreational vehicle park, occupied or to be occupied by a building or group of buildings, together with such yards, open spaces, lot width and lot area as required by this title, having frontage upon a street or upon a right-of-way approved by the planning commission. A lot may be land so recorded on a plat of record, or considered as a unit of property and described by metes and bounds, and which may include parts of or a combination of such lots, when adjacent to one another, providing such grounds are used for one improvement. All lots shall front on or have ingress or egress by means of an officially approved public right-of-way.

- (A) "Lot area" means the total horizontal area within the lot.
- (B) "Corner lot" means a lot abutting two intersecting streets, where the interior angle of intersection does not exceed one hundred thirty-five degrees.
- (C) "Lot depth" means the horizontal distance between the front and the rear lot lines measured in the mean direction of the side lot lines.
- (D) "Interior lot" means a lot other than a corner lot.
- (E) "Front lot line" means the shortest line of a lot separating the lot from the street. In case a corner lot has equal frontage on two or more streets, or in the case of a through lot, the lot shall be considered to front on that street on which the greatest number of buildings have been erected on that side of a street within the same block, except in those cases where the latest deed restrictions or record map of a tract specify another side or sides as the front or fronts of such a lot.
- (F) "Rear lot line" means a lot line which is opposite and most distant from the front line and, in the case of an irregular, triangular or gore-shaped lot, a line ten feet in length within the lot parallel to and at the maximum distance from the front lot line.
- (G) "Side lot line" means any lot boundary, not a front lot line or a rear lot line.
- (H) "Width of lot" means the horizontal distance between the side lot lines measured at right angles to the lot depth across the rear of the required front yard. (Ord. 1876 § 1 (part), 1996; Ord. 429 (part), 1974)

**29.02.623 Manufactured and mobile home.** "Manufactured home" or "mobile home" means a structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or forty body feet or more in length, or, when erected on site, is three hundred twenty or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein except that such term shall include any structure which meets all the requirements of this section except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of Housing and Urban Development and complies with the standards established under federal standards of Housing and Urban Development. Whenever this title or Title 28 refers to mobile homes, manufactured homes shall be considered as having the same restrictions or privileges governing them. Mobile homes or manufactured homes are permitted in the following zoning districts of Clark County: R-U, R-A, R-T, T-C and RMRD as specified in the specific chapters of this title. Each manufactured home or mobile home, together with any cabana additions, shall contain only a single living unit which is occupied or intended to be occupied by one family. (Ord. 1876 § 1 (part), 1996)

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**29.02.625 Marquee.** "Marquee" means a permanent roofed structure attached to and supported by the building and projecting beyond the face of the building. (Ord. 429 (part), 1974)

**29.02.626 Massage.** "Massage" means any method of treating any of the external parts of a person including, but not limited to, rubbing, stroking, kneading, tapping, pounding, vibrating or stimulating with the hands, feet, elbows or any part of the body, with or without aid of any instrument or device and with or without such supplementary aids as rubbing alcohol, liniment, antiseptic, oil, powder, cream, lotion, ointment or other similar preparations, under such circumstances that it is reasonably expected that the person to whom the treatment is provided or some third person on his or her behalf will pay money or give any other consideration or gratuity therefor. Massage as a principal use is permitted only with a use permit in the C-P district, and must conform to all provisions of Chapter 7.08. Massage as an incidental use shall mean that no more than twenty-five percent of the public floor area of the premises may be used for massage activities. Massage shall be considered an incidental use only in a licensed beauty parlor or shop, health club, country club, golf course and accompanying clubhouse, and as an incidental use in a resort hotel as defined in CCC title 6, Chapter 6.12 (with no limit on the square footage of public floor area used for massage activities in such resort hotel). (Ord. 1840 § 1 (part), 1996; Ord. 1628 § 2 (part), 1994)

**29.02.627 Massage establishment.** "Massage establishment" means any place where any massage, as defined in Section 29.02.626 and in Section 7.08.020, is given or offered. (Ord. 1840 § 1 (part), 1996; Ord. 1628 § 2 (part), 1994)

**29.02.628 Massage technician.** "Massage technician" means any person, whether male or female, who performs massage, as defined in Section 29.02.626, and met all of the requirements of Title 7, Chapter 7.08 (Business License). (Ord. 1628 § 2 (part), 1994)

**29.02.629 Mobile home park.** "Mobile home park" means any area or premises where space for two or more mobile homes is rented, held out for rent, or on which free occupancy or parking of such mobile homes is permitted to house mobile home owners or users for the purposes of securing their trade, including groups designated as mobile home parks, courts, lots or parks but not including automobile or mobile home sales lots on which unoccupied mobile homes are parked for inspection or sales, nor recreational vehicle parks as defined by this chapter. (Ord. 1876 § 1 (part), 1996)

**29.02.630 Motel.** "Motel" means a building or group of two or more detached or semidetached buildings containing individual dwelling or sleeping units designed for or used temporarily by automobile tourists or transients with a parking space conveniently located to each unit, including groups designated as automobile or tourist courts or motor lodges. Each rentable room shall constitute one unit. (Ord. 1767 § 1 (part), 1996; Ord. 429 (part), 1974)

**29.02.633 Motorized home.** "Motorized home" means a portable home designed and constructed as an integral part of a self-propelled vehicle. (Ord. 429 (part), 1974)

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**29.02.635 Nameplate.** "Nameplate" means a sign giving the name, address and permitted occupation of the occupant thereof, or the name only of the land or building on which displayed. (Ord. 429 (part), 1974)

**29.02.640 Nonconforming building or structure.** "Nonconforming building or structure" means the lawful use of a building or structure or portion thereof, existing at the time this title or amendments thereto take effect, and which does not conform to all the height, area and yard regulations prescribed in the zone in which it is located. (Ord. 429 (part), 1974)

**29.02.650 Nonconforming use.** "Nonconforming use" means areas lawfully occupied by a building or land use at the time this title or amendments thereto take effect, and which does not conform with the use regulations of the zone in which it is located. (Ord. 429 (part), 1974)

**29.02.652 Office.** "Office" means a building, or portion of a building, wherein services are performed involving predominantly administrative, professional or clerical operations. (Ord. 1737 § 1, 1995)

**29.02.653 Open space.** "Open space" means land areas which are not and may not be occupied by any surface designed or intended for vehicular traffic, parking, buildings or structures, except recreational buildings and structures as provided. An area of open space shall have no dimension of less than ten feet and may include landscaping, walks, recreational buildings, game courts, enclosed child play areas, clubhouses, workout areas, picnic areas, swimming pools, water features, decorative objects such as art work, unenclosed patios and balconies, or other similar uses.

(A) "Usable open space" means land area meeting the qualifications and definitions of either usable common open space or usable private open space.

(B) "Usable common open space" means open space which is suitably located and improved for common recreational purposes and accessible to each lot or dwelling unit within a development through a system of public or private walkways; such walkways may abut a private or dedicated right-of-way.

(C) "Usable private open space" means open space which is designed and maintained for sole and exclusive use of the occupants of not more than one dwelling unit and may include private patio areas. (Ord. 1771 § 1 (part), 1996: Ord. 1738 § 1 (part), 1995)

**29.02.655 Operator.** "Operator" includes manager, owner, caretaker, agent and/or employee and means the person who is in continuous, responsible charge of a recreational vehicle park or mobile home park. (Ord. 1876 § 1 (part), 1996: Ord. 429 (part), 1974)

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**29.02.657 Owner.** "Owner" includes agent, occupant-owner and/or employee. (Ord. 429 (part), 1974)

**29.02.660 Parking lot, public.** "Public parking lot" means an open area, other than a street, used for the parking of more than four automobiles and available for public use, whether free, for compensation or as an accommodation for clients or customers. (Ord. 429 (part), 1974)

**29.02.670 Parking space.** "Parking space" means space within a building, lot or parking lot for the parking or storage of one automobile. The space shall not be less than a nine-foot by nineteen-foot area, exclusive of drives, streets, alleys or aisles giving ingress and egress thereto. In the front or rear one-third of the space a one-foot intrusion may be allowed into the sides of the space for structural supports or landscape curbs. (Ord. 1771 § 1 (part), 1996; Ord. 1738 § 1 (part), 1995; Ord. 429 (part), 1974)

**29.02.673 Pawnshops and motor vehicle pawnshops.** "Pawnshops and motor vehicle pawnshops" means any business that loans money on deposit of personal property or deals in the purchase or possession of personal property on condition of selling the same

back again to the pledger or depositor, or loans or advances money on personal property by taking chattel mortgage security thereon, and takes or receives such personal property. (Ord. 1695 § 1, 1995)

**29.02.675 Pick-up coach and camper.** "Pick-up coach and camper" means a structure designed primarily for mounting on a pick-up truck chassis with sufficient equipment to render it suitable for use as a temporary dwelling for travel, recreation and vacation uses. (Ord. 429 (part), 1974)

**29.02.677 Persons.** "Persons" means any natural person, firm, association or corporation. (Ord. 429 (part), 1974)

**29.02.679 Planned development unit.** "Planned development unit" as regulated in Chapter 29.47 means a tract of land which is developed as an integrated unit under single ownership or control, which includes two or more principal buildings, and where the specific requirements of a given district may be modified, and where the minimum area is affixed. (Ord. 1771 § 1 (part), 1996; Ord. 1738 § 1 (part), 1995)

**29.02.680 Professional office.** "Professional office" means a building more or less of residential, but not commercial character and containing one or more offices in which there is no display of stock or wares in trade, commodity sold, nor any commercial use conducted other than the professional offices of a doctor, dentist, lawyer, architect, landscape architect, engineer, minister of religion, insurance agent, realtor or other similar professional services; but shall not include barbershops, beauty parlors, nor similar services, nor general business offices. (Ord. 429 (part), 1974)

**29.02.686 Real estate office.** "Real estate office" means any building or room therein or portion thereof, maintained by a real estate broker licensed pursuant to Chapter 645 of the Nevada Revised Statutes; but shall not include a land sales presentation office as defined in Section 29.02.584 or a land sales presentation unit broker office as defined in Section 29.02.586, notwithstanding the fact that a licensed real estate broker manages or is employed by the same. (Ord. 429 (part), 1974)

**29.02.687 Recreational vehicle.** "Recreational vehicle" means any building or structure designed and/or used for living or sleeping purposes and equipped with wheels to facilitate movement from place to place, and automobiles when used for living or sleeping purposes and including pick-up coaches (campers), motorized homes, travel trailers and camping trailers not meeting the specifications required for a manufactured home or mobile home. (Ord. 1876 § 1 (part), 1996; Ord. 429 (part), 1974)

**29.02.688 Recreational vehicle park.** "Recreational vehicle park" means any lot or parcel of land used or intended to be used for the accommodation of two or more recreational vehicles for transient dwelling purposes. (Ord. 429 (part), 1974)

**29.02.689 Recreational vehicle site (or space).** "Recreational vehicle site" or "recreational vehicle space" means a plot of land in a recreational vehicle park, used or intended to be used for the accommodation of not more than one recreational vehicle and one tow motor vehicle which is not in itself a recreational vehicle. (Ord. 429 (part), 1974)

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**29.02.690 Rest home.** "Rest home" means any building used or maintained to provide nursing, dietary and other personal services to convalescents, invalids, aged or infirm persons, but excluding cases of contagious or communicable diseases, and excluding surgery or primary treatments such as those customarily provided in sanitariums and hospitals. (Ord. 429 (part), 1974)

**29.02.691 Restaurant.** "Restaurant" means an establishment that sells prepared food and beverages from a permanent building, whether for on- or off-premises consumption. (Ord. 1745 § 1 (part), 1995)

**29.02.693 Revolving sign.** "Revolving sign" means a sign which revolves three hundred sixty degrees but does not exceed eight revolutions per minute. (Ord. 429 (part), 1974)

**29.02.695 Riding stables.** "Riding stables" means the keeping or housing and/or riding and training of horses, which exceed a total number of ten animals per acre, for the purpose of monetary gain, including the rental of animals, open for service to the general public. A horse kept on the land for the purpose of training shall be considered to be a boarded horse. Young animals less than six months of age shall not count toward the allowable limit. (Ord. 1791 § 1 (part), 1996)

**29.02.696 Roof sign.** "Roof sign" means a sign erected upon or above a roof or parapet wall of a building and which is wholly or partially supported by the building. (Ord. 429 (part), 1974)

**29.02.700 Rumpus or recreation room.** "Rumpus or recreation room" means a single room in the main building or in an accessory building designed, used or intended to be used exclusively for recreational purposes by the occupants or guests of the occupants of the premises. The floor area of such a room shall be limited to twenty percent of the floor area of the main building, but such floor area need not be less than four hundred square feet; however, no portion of such room shall be used as sleeping quarters or as a kitchen. (Ord. 429 (part), 1974)

**29.02.710 Sanitarium.** "Sanitarium" means a building or institution for the recuperation and treatment of persons with physical or mental disorders. (Ord. 429 (part), 1974)

**29.02.720 Schools, elementary and high.** "Elementary and high schools" means any institution of learning which offers instruction in the several branches of learning and study required to be taught in the public schools by the Education Code of Nevada. (Ord. 429 (part), 1974)

**29.02.725 Senior housing.** (A) "Senior housing" means:

(1) Where housing is intended for, and solely occupied by, persons sixty-two years of age or older; or

(2) Where housing is intended and operated for occupancy by at least one person fifty-five years of age or older per unit.

(B) In determining whether housing qualifies as senior housing under this provision the following factors shall be considered:

(1) The existence of significant facilities and services specifically designed to meet the physical or social needs of older persons; and

(2) The publication of, and adherence to, policies and procedures which demonstrate an intent by the owner or manager to provide housing for persons fifty-five years of age or older. (Ord. 1615 § 1 (A), 1994)

**29.02.730 Servants' quarters.** "Servants' quarters" means living quarters in the main building or in an accessory building for the sole use of persons employed on the premises. Such quarters shall not have a kitchen nor cooking facilities and shall not be rented or otherwise used as a separate dwelling. (Ord. 429 (part), 1974)

**29.02.740 Service station.** "Service station" means any building or structure, premises or other place used to supply motor fuels, lubricants, tires, batteries and other small accessories to motor vehicles; and where repair work is not done other than minor repairs made by the attendant in the installation and servicing of such lubricants, tires, batteries and other small accessories. (Ord. 429 (part), 1974)

**29.02.743 Shopping center.** "Shopping center" means any group of five or more commercial businesses upon a single parcel of land, or upon contiguous parcels of land which have common vehicular access. (Ord. 681 § 2 (part), 1980)

**29.02.745 Sign.** "Sign" means any device and all parts thereof which are used to advertise products, goods, services or events, or otherwise to promote commercial activity or identify objects for sale, including all temporary banners, portable or mobile signs, and all attention-gaining devices related to commercial activity. (Ord. 1062 § 1, 1988; Ord. 429 (part), 1974)

**29.02.750 Slaughterhouse.** "Slaughterhouse" means a place where cattle, sheep, hogs or other animals are killed or butchered for market or for sale; provided, however, that this shall not be taken to mean or include the killing of poultry or rabbits as permitted by this title. (Ord. 429 (part), 1974)

**29.02.760 Stable, private.** "Private stable" means a detached accessory building for the keeping of horses owned by the occupants of the premises, and not kept for remuneration, hire or sale. (Ord. 429 (part), 1974)

**29.02.780 Story.** "Story" means a space within a building included between the surface of any floor and the surface of the ceiling above. (Ord. 429 (part), 1974)

**29.02.790 Street.** "Street" means a thoroughfare which has been dedicated or abandoned to the public and accepted by proper public authority, or a thoroughfare which has been made public by right of use and which affords the principal means of access to abutting property.

"Side street" means that street bounding a corner lot and which extends in the same general direction as the line determining the depth of the lot. (Ord. 429 (part), 1974)

**29.02.800 Structure.** "Structure" means any building, fence, tower, edifice or building of any kind, or any piece of work artificially built up or composed of parts joined

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together in some definite manner which requires location on the ground or is attached to something having a location on the ground. (Ord. 429 (part), 1974)

**29.02.810 Structural alteration.** "Structural alteration" means any change in the supporting members of a building or structure, such as bearing walls, columns, beams and girders, floor or ceiling joists, roof rafters, foundation piles, retaining walls or similar components, or change designed to alter the use of the structure. (Ord. 429 (part), 1974)

**29.02.820 Tavern.** "Tavern" means a place where alcoholic liquors are sold at retail to the general public, and where no other kind of business is being maintained or conducted; provided, however, that in such taverns, cigars, cigarettes, tobacco, nuts, jerky, popcorn, potato chips and pretzels may be sold or given away. Otherwise, however, no lunches, foodstuffs or so-called "free lunches" shall be either sold or given away in such taverns, including groups designated as bars or cocktail lounges. (Ord. 429 (part), 1974)

**29.02.821 Tenant.** "Tenant" means a person, persons, or business who holds or occupies a dwelling, lot or commercial/industrial location either as an owner or pursuant to a rental agreement or lease. (Ord. 1876 § 1 (part), 1996)

**29.02.822 Time-share estate.** "Time-share estate" means an ownership or leasehold estate in property devoted to a time-share fee (tenants in common, time span ownership, interval ownership, or other form of ownership) or a time-share lease. (Ord. 726 § 3 (part), 1980)

**29.02.824 Time-share interval.** "Time-share interval" means a time-share estate or a time-share use. (Ord. 726 § 3 (part), 1980)

**29.02.825 Time-share program.** "Time-share program" means any arrangement for time-share intervals in a time-sharing project whereby the use, occupancy or possession of real property has been made subject to either a time-share estate or time-share use whereby such use, occupancy or possession circulates among purchasers of the time-share intervals according to a fixed or floating time schedule on a periodic basis for a specific period of time during any given year, but not necessarily for consecutive years, and which extends for a period of time in excess of three years in duration. (Ord. 726 § 3 (part), 1980)

**29.02.826 Time-share use.** "Time-share use" means any contractual right of exclusive occupancy on a periodic as opposed to a continuous or single-event basis which does not fall within the definition of a time-share estate and does not constitute a vacation certificate or vacation plan. (Ord. 726 § 3 (part), 1980)

**29.02.830 Tourist home.** "Tourist home" means a home which has been converted into premises offering rooms to transient guests for remuneration. (Ord. 429 (part), 1974)

**29.02.835 Townhouse.** "Townhouse" means an arrangement of single-family dwellings separated or joined by common walls on not more than two opposite sides with the uppermost story being a portion of the same dwelling located directly beneath at the grade or first floor level and having exclusive individual ownership and occupant rights



of each dwelling unit including but not limited to the land area directly beneath the dwelling. (Ord. 1771 § 1 (part), 1996; Ord. 1738 § 1 (part), 1995)

**29.02.840 Trailer, house.** "House trailer" means a vehicle without motive power, designed to be drawn by a motor vehicle and used for human habitation and/or the carrying of property. (Ord. 429 (part), 1974)

**29.02.850 Trailer court, park or lot.** For a definition of "trailer court, park or lot," see "public camp," Section 29.02.210. (Ord. 429 (part), 1974)

**29.02.860 Transient.** "Transient" means a person who requests accommodations for a price, with or without meals, for a period of less than twenty-one days. (Ord. 429 (part), 1974)

**29.02.865 Trailer, travel/recreational.** "Trailer, travel/recreational" means a portable structure built on a chassis designed to be used as a temporary dwelling for travel, recreational and vacation uses. When factory equipped for the road, it shall have a body width of not more than eight feet and a body length of not more than thirty-two feet. The term "travel trailer" includes "park trailers" built to ANSI Standard A119.5 (1982) unless a specific unit shall meet the standards of the term manufactured home as defined by this title. (Ord. 1876 § 1 (part), 1996; Ord. 429 (part), 1974)

**29.02.870 Use.** "Use" means the purpose for which land or building is arranged, designed or intended, or for which it is or may be occupied or maintained. (Ord. 429 (part), 1974)

**29.02.872 Vacation certificate.** "Vacation certificate" means any document defined as a "vacation certificate" by Title 6 of this code, but not including any time-share program document. (Ord. 726 § 3 (part), 1980)

**29.02.874 Vacation plan.** "Vacation plan" means any manner of conveying vacation occupancy rights similar to the rights granted by a vacation certificate, but not utilizing a document which meets the definition of a vacation certificate, and not constituting a time-share program. (Ord. 726 § 3 (part), 1980)

**29.02.875 Wall sign.** "Wall sign" means a sign which is in any manner affixed to any exterior wall of a building or structure, the display surface of which is parallel to the supporting surface and which projects not more than twelve inches from the building or structure wall. (Ord. 429 (part), 1974)

**29.02.880 Yard.** "Yard" means an open space on a lot, other than a court, unoccupied and unobstructed from the ground upward, except as otherwise provided herein.

(A) "Front yard" means an open space on the same lot with a building between the front line of the building and the front lot line or future width line, and extending across the full width of the lot. The depth of the front yard is the minimum distance between the front lot line and the nearest exterior wall of the building, the front of a bay window or the front of a covered porch, or other similar projections, whichever is nearest the front lot line.

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(B) "Rear yard" means an open space extending across the full width of the lot between the most rear main building and the rear lot line. The depth of the required rear yard shall be measured horizontally from the nearest part of a main building toward the nearest point of the rear lot line.

(C) "Side yard" means an open space between the main building and the side lot line and extending from the front yard to the rear yard. (Ord. 429 (part), 1974)

**29.02.885 Zoning administrator.** "Zoning administrator" refers to the director of the department of comprehensive planning or his designee. (Ord. 895 § 1, 1984)

**29.02.900 Title 29 use equivalency to standard land use classification manual land use categories.** For the purpose of regulation, the Title 29 land use permitted, conditionally permitted or allowed in conjunction with a permitted use are equivalent to the standard land use classification manual land use categories as follows:

TITLE 29 LAND USES ↔ SLUCM CODES			
	SLUCM MAJOR GROUPS	SLUCM MINOR GROUPS	CODE PS
TITLE 29 LAND USE:			
Manufactured housing, agriculture and horticulture	Residential	Other agriculture (1)	2190

(Non)commercial keeping/breeding/raising of domestic animals...	Resources	Other agriculture (1)	8190
(Non)commercial small livestock farming...(no hogs or pigs)...	Resources	Other agriculture (1)	8190
A recreational vehicle park.	Residential	Trailer/mobile home parts—courts	1420
Advertising agencies/offices only.	Services	Business services	6300
Advertising agency.	Services	Business services	6300
Agriculture and cattle grazing uses provided...	Resources	Other agriculture (1)	8190
Aircraft and marine sales.	Trade	Automotive—marine and aircraft accessor	5500
Aircraft and motor vehicle assembly.	Manufacturing	Fabricated metal products	3400
Aircraft maintenance and sale...and fuel storage.	Services	Repair services	6400
Airports (public and private) and landing fields...	Trans. & util.	Aircraft transportation	4300
Airports and heliports—including accessory commercial uses.	Trans. & util.	Aircraft transportation	4300
Amusement parks.	Recreation	Fairgrounds and amusement parks	7310
Animal by-products plant...	Manufacturing	Chemicals and allied products	2800
Animal hospital.	Resources	Agricultural related activities (2)	8200
Answering service.	Services	Business services	6300
Antique shop.	Trade	Other retail trade	5900
Apartment hotels.	Residential	Residential hotels	1300
Apartment houses.	Residential	Multifamily structures	1130
Apexes on condition...	Resources	Other agriculture (1)	8190
Appliance store.	Trade	Furniture and home furnishings (retail)	5700
Art galleries.	Trade	Other retail trade	5900
Art gallery or artists' studios.	Trade	Other retail trade	5900
Art needlework shop.	Trade	Apparel and accessories (retail)	5600
Art shop and artists' supplies.	Trade	Other retail trade	5900
Assembly of machines (but not aircraft or motor vehicles)...	Manufacturing	Fabricated metal products	3400
Assembly of machines...from previously prepared parts.	Manufacturing	Fabricated metal products	3400
Athletic goods store.	Trade	Other retail trade	5900
Athletic goods store.	Trade	Other retail trade	5900
Auto accessory store.	Trade	Automotive—marine and aircraft accessor	5500
Auto rental.	Services	Business services	6300
Auto repair shops.	Services	Repair services	6400
Auto service station (no repair—paint—or upholster).	Trade	Automotive—marine and aircraft accessor	5500
Auto service station (no repairing/painting...).	Trade	Automotive—marine and aircraft accessor	5500
Auto and/or trailer spaces area.	Trans. & util.	Auto parking	4600
Auto-trailer rental.	Services	Business services	6300
Automobile laundry.	Services	Repair services	6400
Automobile service station (no repairing/painting...)	Trade	Automotive—marine and aircraft accessor	5500
Automobile wrecking and/or baling.	Manufacturing	Fabricated metal products	3400
Automobile/truck/airplane/...or farm machinery repair or sale...	Services	Repair services	6400
Averages.	Resources	Other agriculture (1)	8190
Baby formula service.	Services	Personal services	6200
Bag cleaning.	Services	Contract construction services	6600
Bakery.	Manufacturing	Food & kindred products	2100
Bakery/retail only.	Trade	Food—retail	5400
Bakery/retail sale only.	Trade	Food—retail	5400
Bank savings and loan.	Services	Finance—insurance & real estate	6100
Bank.	Services	Finance—insurance & real estate	6100
Bar and lounge.	Trade	Eating and drinking places	5800
Bar and taverns.	Trade	Eating and drinking places	5800
Barbershop.	Services	Personal services	6200
Beauty parlor or shop.	Services	Personal services	6200
Beauty shop or parlor.	Services	Personal services	6200
Bedding—carpet and pillow manufacturing—cleaning or renovating	Manufacturing	Apparel and finished products	2300
Beer and/or wine sales (not for on-premises consumption).	Trade	Other retail trade	5900
Bicycle repair shop.	Services	Repair services	6400
Blacksmith shop.	Manufacturing	Fabricated metal products	3400
Blind furnace.	Manufacturing	Primary metal industries	3300
Blueprinting and photostetting.	Services	Business services	6300
Boat building or repair.	Manufacturing	Fabricated metal products	3400
Boiler works.	Trans. & util.	Utilities	4800
Book binding.	Manufacturing	Printing—publishing	2700
Bottling plant (no brewery).	Manufacturing	Food & kindred products	2100
Bowling alley.	Recreation	Indoor sports activities	7413
Brewery.	Manufacturing	Food & kindred products	2100
Building material.	Trade	Building materials and hardware (retail)	5200
Building materials storage or sales yard...	Trade	Building materials and hardware (retail)	5200
Butcher shops.	Trade	Food—retail	5400
Cabinet shop or furniture manufacture.	Manufacturing	Furniture & fixtures	2500
Cafe or cafeteria.	Trade	Eating and drinking places	5800
Camera and photo supplies.	Trade	Other retail trade	5900
Candy factory.	Manufacturing	Food & kindred products	2100
Candy manufacturing.	Manufacturing	Food & kindred products	2100
Candy store.	Trade	Food—retail	5400
Candy store/china and silver shop.	Trade	Other retail trade	5900
Car rental agencies.	Services	Business services	6300
Carbonated water sales.	Trade	Other retail trade	5900
Carver's building of a permanent nature.	Residential	Single family (LE 2 du/ac)	1115
Catering establishments.	Services	Business services	6300

Catering service.	Services	Business services	6300
Cemeteries/colombariums/crematories and mausoleums...	Services	Cemeteries	6240
Ceramics manufacture using previously pulverized clay...	Manufacturing	Stone-clay & glass products	3200
Ceramics manufacture.	Manufacturing	Stone-clay & glass products	3200
Check-cashing services.	Services	Finance—insurance & real estate	6100
Child nurseries	Services	Educational services	6800
Christmas tree sales/allowing outdoor display.	Trade	Other retail trade	5900
Churches	Services	Religious activities	6910
Circuses	Recreation	Fairgrounds and amusement parks	7310
Cleaning and dyeing plant.	Services	Personal services	6200
Cleaning/dry (restricted).	Services	Personal services	6200
Clinics/medical and dental	Services	Medical & other health services	6510
Clothing/clothing accessory store.	Trade	Apparel and accessories (retail)	5600
Clubs/lodges/fraternities and societies... nonprofit nature.	Services	Other misc. services	6990
Collection agency.	Services	Business services	6300
Commercial or private stables.	Recreation	Golf courses, riding stables & water rec.	7430
Commercial raising...hatching/fetching...of (small animals).	Resources	Livestock farms and ranches (2)	8160
Commercial storage units provided...	Services	Warehousing and storage services	6370
Confectionery.	Trade	Food—retail	5400
Consultants.	Services	Other professional services	6590
Consumer credit office.	Services	Business services	6300
Consumer credit offices.	Services	Business services	6300
Convenience market.	Trade	General merchandise (retail)	5300
Convention and exposition halls.	Recreation	Misc. public assembly	7230
Cooperative apartments...	Residential	Multifamily structures	1130
Cosmetic manufacturing or packaging.	Manufacturing	Chemicals and allied products	2800
Cosmetic retail	Trade	Apparel and accessories (retail)	5600
Creamery	Manufacturing	Food & kindred products	2100
Dairy farm.	Resources	Dairy farming	3150
Dairy production/packaging or bottling.	Manufacturing	Food & kindred products	2100
Data processing center.	Services	Business services	6300
Day nurseries and nursery schools.	Services	Educational services	6800
Delicatessen.	Trade	Eating and drinking places	5800
Department store.	Trade	General merchandise (retail)	5300
Diaper service.	Services	Personal services	6200
Distribution plant	Services	Warehousing and storage services	6370
Dog grooming	Services	Personal services	6200
Dog pounds.	Resources	Agricultural related activities (2)	8200
Drapery and curtain store.	Trade	Furniture and home furnishings (retail)	5700
Drying/freighting or trucking yard or terminal	Trans. & utils.	Motor vehicle transportation	4200
Dress or dressmaking shop.	Trade	Apparel and accessories (retail)	5600
Drive-in movie.	Recreation	Outdoor entertainment assembly	7211
Drive-in restaurants.	Trade	Eating and drinking places	5800
Drive-it-yourself-agency.	Services	Business services	6300
Drugstore.	Trade	Other retail trade	5900
Dry cleaners/provided the floor area...not exceed 1800 sq. ft.	Services	Personal services	6200
Dry cleaning and laundry	Services	Personal services	6200
Dry cleaning and laundry collection (office only).	Services	Personal services	6200
Dry cleaning collection office.	Services	Personal services	6200
Dry goods store.	Trade	General merchandise (retail)	5300
Duplication/blueprinting/photostats.	Services	Business services	6300
Dwelling groups.	Residential	Group quarters	1200
Eating and drinking places.	Trade	Eating and drinking places	5800
Eating places (no alcoholic beverages).	Trade	Eating and drinking places	5800
Education and scientific research.	Services	Educational services	6800
Educational services (no trade school).	Services	Educational services	6800
Electric distributing and transmission substations.	Trans. & utils.	Utilities	4800
Electric generating stations.	Trans. & utils.	Utilities	4800
Electric or neon signs or billboard manufacture...	Manufacturing	Misc. manufacturing	3900
Electric plating.	Manufacturing	Primary metal industries	3300
Electrical equipment store (including business machine sales).	Trade	Other retail trade	5900
Electrical repair services.	Services	Repair services	6400
Electrical shops.	Trade	Other retail trade	5900
Electronic equipment store (including business machine sales).	Trade	Other retail trade	5900
Embroidery store.	Services	Apparel and accessories (retail)	5600
Employment agencies.	Services	Business services	6300
Employment agency.	Services	Business services	6300
Experimental laboratories.	Services	Business services	6300
Explosives storage.	Services	Explosives storage	6380
Express office.	Trans. & utils.	Other trans. — comm. and utilities	4900
Fabric and sewing materials shop.	Trade	Apparel and accessories (retail)	5600
Facilities/structures incidental to recreational vehicle parts.	Residential	Trailer mobile home parts—courts	1420
Fairgrounds.	Recreation	Fairgrounds and amusement parks	7310
Feed and fuel yard and asphaltic oil storage.	Manufacturing	Petroleum refining & related industries	2900
Feed and fuel yard.	Manufacturing	Petroleum refining & related industries	2900
Feed—cereal or flour mill.	Manufacturing	Food & kindred products	2100
Fire stations.	Services	Government services	6700
Five and ten cent store.	Trade	General merchandise (retail)	5300

Fix-it/radio or television repair shops.	Services	Repair services	6400
Flood control channels/spreading grounds and settling basins.	Undeveloped	Open space	9910
Flower or florist shop.	Trade	Other retail trade	5900
Flower or seed processing and sales.	Resources	Agricultural related activities (2)	8200
Food products manufacture....	Manufacturing	Food & kindred products	2100
Food store.	Trade	Food—retail	5400
Fountain equipment and supply.	Trade	Building materials and hardware (retail)	5200
Frozen food lockers (not commercial).	Services	Business services	6300
Fruit and vegetable store.	Trade	Food—retail	5400
Fruit or fruit juice bar.	Trade	Eating and drinking places	5800
Fur sales and storage.	Trade	Apparel and accessories (retail)	5600
Furniture store.	Trade	Furniture and home furnishings (retail)	5700
Gambling casinos and establishments.	Recreation	Indoor sports assembly	7222
Garage.	Trans. & util.	Auto parking	4600
Garden supplies.	Trade	Other retail trade	5900
Garment manufacture.	Manufacturing	Apparel and finished products	2300
Gasoline filling station.	Trade	Automotive—marine and aircraft accessory	5900
General offices and office buildings.	Services	Other professional services	6590
General offices.	Services	Other professional services	6590
Gift shop novelty and souvenir.	Trade	Other retail trade	5900
Gift shop.	Trade	Other retail trade	5900
Glass and china shop.	Trade	Furniture and home furnishings (retail)	5700
Grazing of cattle/sheep or horses....	Resources	Livestock farms and ranches (2)	8160
Grease or oil composting.	Manufacturing	Petroleum refining & related industries	2900
Grocery store.	Trade	Food—retail	5400
Group foster homes....	Residential	Group quarters	1200
Guest cottages and servant's quarters....	Residential	Other residential	1900
Guest ranch.	Recreation	Resorts & group camps	7500
Gunsmith.	Trade	Other retail trade	5900
Haberddashery.	Trade	Apparel and accessories (retail)	5600
Hardware store.	Trade	Building materials and hardware (retail)	5200
Hardware store/not including sale of power vehicles....	Trade	Building materials and hardware (retail)	5200
Hat shops.	Trade	Apparel and accessories (retail)	5600
Health and allied services.	Services	Medical & other health services	6510
Health club or reducing parlor.	Recreation	Indoor playgrounds and athletic areas	7425
Health club.	Recreation	Indoor playgrounds and athletic areas	7425
Heating and airconditioning sales/supply and repair.	Trade	Building materials and hardware (retail)	5200
Heating and plumbing.	Trade	Building materials and hardware (retail)	5200
Helicopters upon condition....	Trans. & util.	Aircraft transportation	4300
Hemstitching and pleating shop.	Services	Personal services	6200
High-voltage power transmission lines....	Trans. & util.	Utilities	4800
Hobby store.	Trade	General merchandise (retail)	5300
Hog farm or ranch.	Resources	Livestock farms and ranches (2)	8160
Home occupations (> 2 du/ac)	Residential	Accessory use to residential (> 2 du/ac)	1110
Home occupations (LE 2 du/ac)	Residential	Accessory use to residential (LE 2 du/ac)	1115
Horse ranch.	Resources	Livestock farms and ranches (2)	8160
Hospital and medical supplies.	Trade	Other retail trade	5900
Hospitals/clinics/rest homes and sanitariums....	Services	Medical & other health services	6510
Hotels.	Residential	Hotels and motels & tourist courts	1510
Hotels/resort hotels/inns and motels....	Residential	Hotels and motels & tourist courts	1510
House cleaning and repair.	Services	Business services	6300
Household merchandise and furnishings store.	Trade	Furniture and home furnishings (retail)	5700
Housing for employees.	Residential	Other residential	1900
Ice and cold storage.	Services	Warehousing and storage services	6370
Ice cream parlor.	Trade	Eating and drinking places	5800
Ice cream parlor/milk shop.	Trade	Eating and drinking places	5800
Insurance office.	Services	Finance—insurance & real estate	6100
Interior decorating studio.	Trade	Furniture and home furnishings (retail)	5700
Japanizing.	Services	Contract construction services	6600
Jewelry store.	Trade	Other retail trade	5900
Juice bar or shop.	Trade	Eating and drinking places	5800
Keeping of exotic animals....	Resources	Agricultural related activities (2)	8200
Kennels.	Resources	Agricultural related activities (2)	8200
Key and lock service.	Services	Repair services	6400
Laundrette.	Services	Personal services	6200
Laundry collection office.	Services	Personal services	6200
Laundry.	Services	Personal services	6200
Legal offices.	Services	Legal services	6520
Libraries.	Recreation	Cultural activities	7110
Library/public or rental.	Recreation	Cultural activities	7110
Limited noncommercial raising of chinchillas...(no pelting).	Resources	Other agriculture (1)	8190
Limited noncommercial raising of...rabbits or similar animals....	Resources	Other agriculture (1)	8190
Limited price variety.	Trade	General merchandise (retail)	5300
Lunch shop.	Trade	Furniture and home furnishings (retail)	5700
Liquor store (package).	Trade	Other retail trade	5900
Live entertainment....	An undetermined	An undetermined use	0
Livestock feed yard.	Resources	Livestock farms and ranches (2)	8160
Livestock sales yard....	Resources	Livestock farms and ranches (2)	8160



Photographer or photographic supplies\ studio.	Services	Personal services	6200
Photographic studio.	Services	Personal services	6200
Planned development units.	Residential	Other residential	1900
Planned unit developments.	Residential	Other residential	1900
Plant materials/soil and lawn service.	Trade	Building materials and hardware (retail)	5200
Plant nursery.	Trade	Building materials and hardware (retail)	5200
Plumbing shop and yard/providing...yard is fenced...	Trade	Building materials and hardware (retail)	5200
Police stations.	Services	Government services	6700
Pool or billiard parlor.	Recreation	Indoor amusements	7396
Pottery shop and ceramics (no baking or kiln operations).	Trade	Furniture and home furnishings (retail)	5700
Precast concrete fence manufacture (no cinder block).	Manufacturing	Stone--clay & glass products	3200
Pressing and alterations.	Services	Personal services	6200
Printing--lithographing and publishing.	Manufacturing	Printing--publishing	2700
Private employment agency.	Services	Business services	6300
Privately owned recreational centers...	Recreation	Indoor amusements	7396
Professional and administrative office.	Services	Other professional services	6590
Professional answering services.	Services	Business services	6300
Public and quasi-public and institutional buildings or units.	Services	Government services	6700
Public garages and automobile repair shops.	Trans. & util.	Auto parking	4600
Public utility uses...television transmitters & antennas...	Trans. & util.	Utilities	4800
Race tracks.	Recreation	Outdoor sports assembly	7221
Radio and television sales and repair.	Trade	Furniture and home furnishings (retail)	5700
Radio store and service.	Trade	Furniture and home furnishings (retail)	5700
Railroad/bus/truck and air terminals...	Trans. & util.	Other trans. -- comm. and utilities	4900
Real estate office.	Services	Finance--insurance & real estate	6100
Real estate sales office.	Services	Finance--insurance & real estate	6100
Recreation areas/parks/playground/wildlife preserves...	Recreation	Parks	7400
Restaurant.	Trade	Eating and drinking places	5800
Restaurants and eating places.	Trade	Eating and drinking places	5800
Retail business establishments.	Trade	Other retail trade	5900
Retail sale of vehicle tires as a principle use.	Trade	Automotive--marine and aircraft accessor	5500
Retail sales.	Trade	Other retail trade	5900
Retail shops and stores.	Trade	Other retail trade	5900
Riding academies.	Recreation	Golf courses, riding stables & water rec.	7430
Riding and boarding stables with a minimum land area of 10 acres.	Recreation	Golf courses, riding stables & water rec.	7430
Rock crushers/stone mills/quarries or gravel pits.	Resources	Mining activities and related services	8500
Rubber fabrication.	Manufacturing	Rubber & misc. plastics	3100
Sale of airline and tour tickets.	Trans. & util.	Other trans. -- comm. and utilities	4900
Sale of dairy products--but not including processing or bottling.	Trade	Food--retail	5400
Salvage yard and baling.	Manufacturing	Misc. manufacturing	3900
Sandwich shop.	Trade	Eating and drinking places	5800
Sandwich shop/not including drive-in.	Trade	Eating and drinking places	5800
Scenic drives and access roads.	Trans. & util.	Highway & street c.o.w.	4500
Schools/colleges/public playgrounds and athletic fields...	Services	Educational services	6800
Secondhand store/apparel/books/furniture.	Trade	Other retail trade	5900
Securities sales and investment companies.	Services	Finance--insurance & real estate	6100
Security services and investment companies.	Services	Finance--insurance & real estate	6100
Self-service laundries.	Services	Personal services	6200
Service establishments.	Services	Business services	6300
Service station.	Trade	Automotive--marine and aircraft accessor	5500
Sewing machine store.	Trade	Furniture and home furnishings (retail)	5700
Sheet metal shop.	Manufacturing	Fabricated metal products	3400
Shoe manufacture.	Manufacturing	Apparel and finished products	2300
Shoe repair.	Services	Personal services	6200
Shoe store and repair.	Trade	Apparel and accessories (retail)	5600
Sign painting store.	Services	Business services	6300
Single family dwellings on individual lots...	Residential	Single family (> 2 du/ac)	1110
Single family residence--permanent (LE 2 du/ac)	Residential	Single family (LE 2 du/ac)	1115
Single family residence--permanent.	Residential	Single family (> 2 du/ac)	1110
Single family residences with side yard climaxed...	Residential	Single family (> 2 du/ac)	1110
Slot and pinball machines.	Recreation	Indoor amusements	7396
Soda fountains.	Trade	Eating and drinking places	5800
Sporting goods.	Trade	Other retail trade	5900
Stable.	Recreation	Golf courses, riding stables & water rec.	7430
Stationery store and bookstore.	Trade	Other retail trade	5900
Steam baths.	Recreation	Indoor playgrounds and athletic areas	7425
Storage garages...	Services	Warehousing and storage services	6370
Storage or service yard...	Services	Warehousing and storage services	6370
Storage space for contractor's equipment.	Services	Warehousing and storage services	6370
Storage warehouse.	Services	Warehousing and storage services	6370
Tailor shop.	Services	Personal services	6200
Tavern.	Trade	Eating and drinking places	5800
Tax return preparation office.	Services	Finance--insurance & real estate	6100
Taxicab office.	Trans. & util.	Motor vehicle transportation	4200
Taxidermist.	Services	Personal services	6200
Taxstand.	Trans. & util.	Motor vehicle transportation	4200
Tea room or shop.	Trade	Eating and drinking places	5800
Telegraph office.	Trans. & util.	Communications	4700

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Telephone exchange.	Trans. & util.	Communications	4700
Television sales and repair.	Trade	Furniture and home furnishings (retail)	5700
Tennis club.	Recreation	Indoor sports activities	7413
Time sharing apartments.	Residential	Multifamily structures	1130
Time-share program projects within existing moets...	Residential	Hotels and motels & tourist courts	1510
Tire rebuilding recapping or retreading.	Manufacturing	Rubber & misc. plastics	3100
Tobacco store.	Trade	Other retail trade	5900
Toy store.	Trade	General merchandise (retail)	5300
Trade schools.	Services	Educational services	6800
Travel agencies (not including vacation plan...sales...)	Services	Business services	6300
Travel bureaus (no depot).	Services	Business services	6300
Undefined accessory uses incidental to a permitted use	Nonresidential	General accessory use	0
Union hall.	Services	Other misc. services	6990
Upholstery shop.	Services	Repair services	6400
Upholstery shops.	Services	Repair services	6400
Upholstery.	Services	Repair services	6400
Utility office.	Services	Business services	6300
Vacation certificate and vacation plan sales and solicitation.	Services	Business services	6300
Variety store.	Trade	General merchandise (retail)	5300
Veterinary services/outpatient only.	Resources	Agricultural related activities (2)	8200
Walk-in movie.	Recreation	Indoor entertainment assembly	7212
Wallpaper store.	Trade	Building materials and hardware (retail)	5200
Warehouses and warehouse complex.	Services	Warehousing and storage services	6370
Waste paper and rag collection and baling...	Manufacturing	Paper & allied products	2600
Watch and clock repair shop.	Services	Repair services	6400
Wearing apparel store.	Trade	Apparel and accessories (retail)	5600
xxx use not currently listed in Title 29	As undetermined	An undetermined use	0

**KEY**

**CONDITIONS**

- (1) - Includes livestock grazing but excludes feedlots and intensive animal husbandry.  
8190
- (2) - Includes feedlots and intensive animal husbandry.  
8160 & 8200
- (3) - Includes hunting and fishing.  
8400 & 9300
- LE - Less than or equal to...

(Ord. 975 § 4 (part), 1986)



## Chapter 29.03

## OFFICIAL ZONING MAP

## Sections:

- 29.03.010 Official zoning map.
- 29.03.020 Changes of official zoning map.
- 29.03.030 Replacement of official zoning map.
- 29.03.040 Rules for interpretation of district boundaries.

**29.03.010 Official zoning map.** The county is divided into zones, or districts, as shown on the official zoning map which, together with all explanatory matter thereon, is adopted by reference and declared to be a part of this title.

The official zoning map shall be identified by the signature of the chairman of the board of county commissioners attested by the county clerk and bearing the seal of the county under the following words: "This is to certify that this is the Official Zoning Map referred to in Section 29.03.010 of the Clark County Code of the County of Clark, State of Nevada" together with the date of the adoption. (Ord. 429 (part), 1974)

**29.03.020 Changes of official zoning map.** In accordance with the provisions of this title, if changes are made in district boundaries or other matters portrayed on the official zoning map, such changes shall be entered on the official zoning map promptly after the resolution of intent has been complied with and noted as complete in the minutes of the board of county commissioners. No amendment to this title which involves matter portrayed on the official zoning map shall become effective until after such change and entry has been made on the map.

No changes of any nature shall be made in the official zoning map or matter shown thereon except in conformity with the procedures set forth in this title.

Regardless of the existence of purported copies of the official zoning map which may from time to time be made or published, the official zoning map shall be under the custody of the county clerk, and maintained within the offices of the zoning division of the department of comprehensive planning and shall be the final authority as to the current zoning status of land and water area, buildings and other structures in the county. (Ord. 895 § 2, 1984; Ord. 429 (part), 1974)

**29.03.030 Replacement of official zoning map.** In the event that the official zoning map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes and additions, the board of county commissioners may by resolution adopt a new official zoning map which shall supersede the prior official zoning map. The new official zoning map may correct drafting or other errors or omissions in the prior official zoning map, but no such correction shall have the effect of amending the original official zoning map or any subsequent amendment thereof. The new official zoning map shall be identified by the signature of the chairman of the board of county commissioners attested by the county clerk and bearing the seal of the county under the following words: "This is to certify that this Official Zoning Map supersedes and replaces the Official Zoning Map adopted (date of adoption of map being replaced) as part of Section 29.03.030 of the Clark County Code of the County of Clark, State of Nevada."

Unless the prior official zoning map has been lost or has been totally destroyed, the prior map or any significant parts thereof remaining shall be preserved, together with all available records pertaining to its adoption or amendment. (Ord. 429 (part), 1974)

**29.03.040 Rules for interpretation of district boundaries.** Where uncertainty exists as to the boundaries of districts as shown on the official zoning map, the following rules shall apply:

(A) Boundaries indicated as approximately following the centerlines of streets, highways or alleys shall be construed to follow such centerlines;

(B) Boundaries indicated as approximately following platted lot lines, section lines, quarter section lines or city limits shall be construed as following such lines;

(C) Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks;

(D) Boundaries indicated as following shorelines shall be construed to follow such shorelines, and in the event of change in the shoreline shall be construed as moving with the actual shoreline; boundaries indicated as approximately following the centerlines of streams, rivers, canals, lakes or other bodies of water shall be construed to follow such centerlines;

(E) Boundaries indicated as parallel to or extensions of features indicated in subsections (A) through (D) above shall be so construed. Distances not specifically indicated on the official zoning map shall be determined by the scale of the map;

(F) Where physical or cultural features existing on the ground are at variance with those shown on the official zoning map, or in other circumstances not covered by subsections (A) through (E) above, the planning commission shall interpret the district boundaries. (Ord. 429 (part), 1974)

**Chapter 29.04****ESTABLISHMENT OF DISTRICTS****Sections:**

- 29.04.010 Division of county into districts.
- 29.04.020 Application of district regulations.

**29.04.010 Division of county into districts.** In order to classify, regulate, and segregate the use of land, buildings and structures, and to regulate and restrict the height and bulk of buildings, the unincorporated territory of Clark County is divided into twenty-eight districts, as follows:

**Residential Districts**

- O-S. open spaces district
- R-U. rural open land district
- R-A. residential agricultural district
- R-E. rural estates residential district
- R-D. suburban estates residential district
- R-1. single-family residential district
- R-1a. single-family residential district
- R-T. mobile home residential district
- R-2. medium density residential district
- R-3. multiple-family residential district
- R-4. multiple-family residential district (high density)
- R-5. apartment residential district

**Commercial Districts**

- C-C. shopping center district
- C-P. office and professional district
- C-1. local business district
- C-2. general commercial district
- C-3. general commercial district

**Manufacturing Districts**

- M-D. designed manufacturing district
- M-1. light manufacturing district
- M-2. industrial district (without dwelling)
- M-3. heavy industrial district

**Special Districts**

- H-1. limited resort and apartment district
- H-2. general highway frontage district
- T-C. mobile home park district
- R-V-P. recreational vehicle park district
- P-F. public facility district

29.04.010

### Overlay Districts

A-E, airport environs overlay district

P-C, planned community overlay district.

(Ord. 1733 § 3, 1995; Ord. 975 § 3, 1986; Ord. 783 § 3, 1981; Ord. 640 § 3, 1979; Ord. 566 § 1, 1978; Ord. 516 § 1, 1976; Ord. 429 (part), 1974)

**29.04.020 Application of district regulations.** The regulations set by this title within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, and particularly, except as hereinafter provided:

(A) No building, structure or land shall hereafter be used or occupied, and no building or structure, or part thereof, shall hereafter be erected, constructed, reconstructed, moved or structurally altered except in conformity with all of the regulations specified in this title for the district in which it is located.

(B) No building or other structure shall hereafter be erected or altered:

(1) To exceed the height or bulk;

(2) To accommodate or house a greater number of families;

(3) To occupy a greater percentage of lot area;

(4) To have narrower or smaller rear yards, front yards, side yards or other open spaces when required by this title; or in any other manner contrary to the provisions of this title.

(C) No part of a yard, or other open space, or off-street parking or loading space required about or in connection with any building for the purpose of complying with the ordinance codified herein shall be included as part of a yard, open space or off-street parking or loading space similarly required for any other building.

(D) No yard or lot existing at the time of passage of this title shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this title shall meet at least the minimum requirements established by this title. (Ord. 429 (part), 1974)

# **residential districts**

## Chapter 29.05

## O-S OPEN SPACES DISTRICT

## Sections:

- 29.05.010 Purpose and intent.
- 29.05.020 Uses permitted.
- 29.05.030 Uses permitted subject to a conditional use permit.
- 29.05.040 Uses prohibited.
- 29.05.050 Property development standards.
  - (A) Dwelling unit density and lot area.
  - (B) Lot dimensions.
  - (C) Yards.
  - (D) Height.
  - (E) Lot coverage.
  - (F) Accessory buildings.
  - (G) Off-street parking.

**29.05.010 Purpose and intent.** The open spaces district is intended to provide for permanent open spaces in the community, to prevent irreversible environmental damage to sensitive areas and to safeguard the health, safety and welfare of the people by limiting development in areas where police and fire protection, protection against flooding by stormwater or other services cannot be provided without excessive cost to the community. (Ord. 429 (part), 1974)

**29.05.020 Uses permitted.** In an O-S open spaces district, land may be used and buildings and structures may be erected, maintained and used if they are arranged, intended or designed for the following uses, subject to securing architectural supervision in each case as provided in Chapter 29.52:

- (A) Flood control channels, spreading grounds and settling basins;
- (B) Scenic drives and access roads;
- (C) Recreation areas, parks, playgrounds, wildlife preserves and such buildings and structures as are related thereto;
- (D) Agricultural and cattle grazing uses provided that no dwellings, either temporary or permanent, are permitted in relation thereto. (Ord. 429 (part), 1974)

**29.05.030 Uses permitted subject to a conditional use permit.** The following additional uses may be permitted subject to securing a conditional use permit in each case as provided for in Chapter 29.66:

- (A) One single-family dwelling of a permanent character in a permanent location with each residence on its own lot or parcel of land including all required yard areas;
- (B) A single caretaker's building of a permanent nature;
- (C) Accessory uses, buildings and structures if they are clearly incidental to a permitted use and when placed upon the same lot or parcel with a permitted use, including home occupations subject to the provisions of Section 29.44.030. (Ord. 1871 § 2, 1996; Ord. 429 (part), 1974)

**29.05.040 Uses prohibited.** All other uses are expressly prohibited. (Ord. 429 (part), 1974)

29.05.050

**29.05.050 Property development standards.** The following property development standards shall apply to an O-S district, except as they may be modified or restricted as provided in Chapter 29.44, and provided that a conditional use permit as required in Section 29.05.030 is obtained where required.

(A) **Dwelling Unit Density and Lot Area.** The dwelling unit density in an O-S district shall not exceed two-tenths dwelling unit per gross acre and the lot area shall not be less than five acres for any single-family dwelling.

(B) **Lot Dimensions.**

(1) **Width.** The width of any lot shall not be less than three hundred feet.

(2) **Depth.** The depth of any lot shall not be less than three hundred feet.

(C) **Yards.**

(1) **Front.** There shall be a front yard of not less than fifty feet in depth from the front property line or future width line of a street. On corner lots, both main and accessory buildings on the side street shall have a minimum setback of fifty feet.

(2) **Side.** There shall be a side yard of not less than twenty-five feet on each side of a dwelling.

(3) **Rear.** There shall be a rear yard of not less than seventy-five feet in depth from the rear property line.

(D) **Height.** The height of a building or structure shall not exceed two stories nor shall the overall height exceed thirty-five feet.

(E) **Lot Coverage.** Regardless of any other provisions of this chapter, the maximum roofed area on any lot shall not exceed five percent of the total lot area, including accessory buildings and eaves.

(F) **Accessory Buildings.** Accessory buildings may be erected in the rear yard provided that the building complies with all of the following conditions and that a conditional use permit has been obtained if required by Section 29.05.030:

(1) The overall height does not exceed twenty-five feet;

(2) The building shall not be less than twenty-five feet from any side or rear property line;

(3) That no portion of the building shall be within ten feet of any utility easement;

(4) That the building shall have a minimum separation of twenty feet from any dwelling or other building.

(G) **Off-street Parking.** Every building shall have a minimum of two off-street parking places. (Ord. 429 (part), 1974)

## Chapter 29.06

## R-U RURAL OPEN LAND DISTRICT

## Sections:

- 29.06.010 Purpose and intent.
- 29.06.020 Uses permitted.
- 29.06.030 Uses permitted subject to a conditional use permit.
- 29.06.040 Uses prohibited.
- 29.06.050 Property development standards.
  - (A) Dwelling unit density and lot area.
  - (B) Lot dimensions.
  - (C) Yards.
  - (D) Height.
  - (E) Lot coverage.
  - (F) Accessory buildings.
  - (G) Off-street parking.
  - (H) Boarding stables, residential.

**29.06.010 Purpose and intent.** The rural open land district is established for the vast areas of rural land and to provide for a very low density residential use. (Ord. 429 (part), 1974)

**29.06.020 Uses permitted.** In the R-U, rural open land district, land may be used and buildings and structures may be erected, maintained and used if they are arranged, intended or designed for the following uses:

(A) One single-family dwelling of a permanent character in a permanent location with each residence on its own lot or parcel of land including all required yard areas. The single-family dwelling may be a mobile home provided it is located not less than one hundred feet from any other zoning district boundary and provided the lot contains a minimum of two acres;

(B) Accessory uses, buildings and structures only if they are clearly incidental to a permitted use and when placed upon the same lot or parcel with a permitted use, except that fences and walls may be permitted without a principal use in conjunction with a subdivided lot in accordance with the requirements of Section 29.44.085. Further, if a building permit for a model home has been issued for an approved final map consistent with subsection (G) of this section or for a previous phase of an approved final map, block walls may be permitted on the proposed lots within the approved final map;

(C) The following accessory uses may be permitted in conjunction with a residential dwelling for the use of the family residing on the lot or parcel, as an incidental use, but not for commercial purposes:

(1) Farming, including all types of agriculture and horticulture such as flower and vegetable gardening, field crops, berry and bush crops, tree crops and orchards,

(2) Small livestock farming and/or the keeping of cows, horses, sheep, goats or similar animals. Hogs or pigs shall be allowed only in Community District 5, otherwise they are prohibited.

One cow or one horse or two sheep or two goats will be allowed for each ten thousand square feet of lot area and one hog or pig per acre, but the total number of any



29.06.020

combination of the above animals shall not exceed twenty nor shall the total number of pigs or hogs exceed five, other than their young under the age of six months.

(3) A maximum of one hundred chickens or one hundred rabbits or similar animals will be allowed on a lot or parcel of land, provided that all killing or dressing is done for the owner's consumption.

(4) A maximum of one hundred pairs of chinchillas will be allowed on a lot or parcel of land, provided that no pelting is done on the premises.

(5) The keeping, breeding and raising of domestic animals will be allowed, but not for commercial purposes.

(6) Aviaries.

(7) Apiaries, upon the following conditions:

(a) Occupied hives shall be at least four hundred feet from any other apiary or existing dwelling on another property, unless the written consent of the owner of such a dwelling or apiary is secured.

(b) Occupied hives shall have a minimum separation of fifty feet to any common property line of another property.

(c) Occupied hives shall have a minimum separation of one hundred fifty feet to any street or highway.

(8) Guest cottages, and servants' quarters; provided, that such a building has no kitchen and is not rented or leased separate from the main building.

(9) Boarding stables, residential;

(D) Home occupations subject to the provisions of Section 29.44.030;

(E) In Community District 5 the following is also permitted:

(1) If the lot or parcel contains at least two acres, any of the uses permitted in subsection (C) of this section may be raised for commercial purposes and sold from the premises; provided, that no advertising signs or structures shall be allowed on the premises.

(2) If the lot or parcel contains more than five acres any of the following additional uses may be permitted:

(a) The commercial raising, including hatching, fattening, marketing, sale, slaughtering, dressing, processing and packing of poultry, fowl, rabbits, chinchilla, nutria, mice, frogs, fish, bees, earthworms and other similar animals of comparable nature, form and size.

(b) The grazing of cattle, sheep or horses, including the supplementary feeding of such cattle, sheep or horses, provided such grazing is not a part of nor conducted in conjunction with any dairy or livestock sales yard located on the same premises.

(c) Commercial and private stables;

(F) If the lot or parcel contains more than forty acres any of the following additional uses may be permitted:

(1) Horse ranch.

(2) Guest ranches.

(3) Riding stable and/or academies.

(4) Housing for employees:

(G) The following temporary uses may be established if the board of county commissioners has approved a final map for at least one phase of a project which has had a tentative map approved, provided all other requirements of the county code have been met. The uses must provide paved access to the structures, adequate access controls as required by Section 29.46.020. The final map must record within one year from the date permits are issued for the uses:

(1) A temporary structure to be utilized as a sales office located on property included on the approved tentative map. The structure is not required to provide paved parking, landscaping or a wall-enclosed trash area regardless of any other provision of this title.

(2) Not more than six model homes upon property covered by the approved final map subject to the following conditions:

(a) The final map may not be revised after the permits for the models have been issued except as approved by the county.

(b) The models or lots within the proposed subdivision may not be separately sold or offered for sale until the final subdivision map has been recorded in the office of the county recorder in accordance with NRS 278.

(c) The model homes must meet the minimum setbacks required from the future lot lines to be established by the subdivision as required by code.

(d) The use of the structures will be expressly limited to the model home use, including display for potential customers and sales office.

(e) The issuance of a permit for construction will not be construed as a commitment by the county to record the final map or to approve any zoning matter.

(f) An off-site bond for improvements as required by the approved final map must be posted prior to issuance of a building permit.

(H) A manufactured or mobile home, or a recreational vehicle may be temporarily established for residential purposes during the construction of a permitted dwelling subject to the following conditions:

(1) A building permit for the permitted dwelling must be issued prior to the establishment of or issuance of an installation permit for the temporary dwelling.

(2) The temporary dwelling must be set back a minimum of five feet from any front, side, side corner, or rear property line.

(3) The maximum length of time the temporary dwelling may be permitted shall not exceed twenty-four months from the date of building permit issue for the permitted dwelling or thirty days after the final inspection has been approved, whichever comes first. (Ord. 1876 § 2 1996: Ord. 1871 § 3, 1996: Ord. 1701 § 1, 1995: Ord. 1606 § 5, 1994: Ord. 1406 § 1, 1992: Ord. 429 (part), 1974)

**29.06.030 Uses permitted subject to a conditional use permit.** The following additional uses may be permitted subject to securing a conditional use permit in each case as provided for in Chapter 29.66 of this title:

(A) Petroleum pumping;

(B) Explosives storage;

(C) Rock crushers, stone mills, quarries or gravel pits subject to a one-thousand-foot setback to any equipment from an existing occupied residential dwelling on any other property. Rock crushers, stone mills, quarries or gravel pits located within the following townships which are in the PM10 nonattainment area:

Township 15: Ranges 59-61,

Township 16: Ranges 58-61,

Township 17: Ranges 58-61,

Township 18: Ranges 56-62,

Township 19: Ranges 56-63,

Township 20: Ranges 57-63,

Township 21: Ranges 58-63,

Township 22: Ranges 58-631/2, and

## Township 23: Ranges 58-63

shall pave all haul roads providing access to the site included in the use permit. The paving on those portions of the haul roads located on public access easements, dedicated right-of-way or other portions designated by the planning commission or board of county commissioners shall be designed to satisfy load and durability requirements in accordance with Clark County standards. Service roads located within such facilities and employee parking areas as specified by the planning commission or board of county commissioners shall be treated with Type II compacted gravel and dust suppressant. Where rock crushers, stone mills, quarries or gravel pits are located outside of the townships described above, haul roads need not be paved and service roads and parking areas need not be graveled unless otherwise required by the planning commission or board of county commissioners as conditions of the use permit. The provisions of Chapter 29.44 pertaining to landscaping, trash enclosure and zone boundary wall requirements shall not apply to such a use, and paved parking and driveways shall not be required providing dust control measures are applied if required by the Clark County air pollution control division. Any application for an extension of time for such a use permit shall demonstrate continued compatibility with any existing use, or proposed use approved by any land use application, within a one-thousand-foot radius from any equipment utilized for the gravel pit;

(D) Concrete or asphaltic batch plants only in conjunction with a gravel pit, providing access to the site is paved if the property is located within the PM10 nonattainment area described in subsection (C) of this section, and subject to a one-thousand-foot setback to the batch plant from an existing occupied residential dwelling on any other property. The provisions of Chapter 29.44 pertaining to landscaping, trash enclosure and zone boundary wall requirements shall not apply to such a use, and paved parking and driveways shall not be required providing dust control measures are applied if required by the Clark County air pollution control division. Any application for an extension of time for such a use permit shall demonstrate continued compatibility with any existing use, or proposed uses approved by any land use application, within a one-thousand-foot radius from the batch plant;

(E) Mines or mining. Mines or mining locations providing all haul roads providing access to the site included in the use permit are paved if the property is located within the PM10 nonattainment area described in subsection (C) of this section and subject to a one-thousand-foot setback to the excavation, tailing or equipment from an existing occupied residential dwelling on any other property. The paving on those portions of the haul road located on public access easements, dedicated right-of-way or other portions designated by the planning commission or board of county commissioners shall be designed to satisfy load and durability requirements in accordance with Clark County standards. Service roads located within such facilities and employee parking areas as specified by the planning commission or board of county commissioners shall be treated with Type II compacted gravel and dust suppressant. Where mining facilities are located outside of the townships described above, haul roads need not be paved and service roads and parking areas need not be graveled unless otherwise required by the planning commission or board of county commissioners as conditions of the use permit. The provisions of Chapter 29.44 pertaining to landscaping, trash enclosure and zone boundary wall requirements shall not apply to such a use, and paved parking and driveways shall not be required providing dust control measures are applied if required by the Clark County air pollution control division. Any application for an extension of time for such a use permit shall demonstrate continued compatibility with any existing use, or proposed uses approved by

any land use application, within a one-thousand-foot radius from any equipment utilized for the mine:

- (F) Oil wells;
- (G) Planned unit developments subject to the provisions of Chapter 29.47;
- (H) The uses listed in Section 29.66.020 as permitted in any zone subject to a conditional use permit;

(I) In Community District 5, the following additional uses provided that the lot or parcel is not less than forty acres in area and that the operation will not be detrimental to any existing or future residential and commercial development in the area:

- (1) Dairy farm.
- (2) Hog farm or ranch.
- (3) Livestock feed yard.
- (4) Livestock sales yard.
- (5) A mobile home or homes for housing employees provided they are located not less than two hundred feet from any other building, structure or mobile home being used as a primary residence. The number of mobile homes permitted as employee housing shall not exceed the number of acres included in the property at which the employees are employed;

(J) Boarding stables, commercial. For riding and boarding stables five net acres or greater in size, quarters for servants and caretakers employed on the premises are permitted where kitchen facilities are provided therein and evidence is provided indicating that such quarters are to be used as bona fide servant and caretaker quarters and not as a rental unit. (Ord. 1880 § 1, 1996; Ord. 1606 § 6, 1994; Ord. 1541 § 1, 1993; Ord. 1406 § 2, 1992; Ord. 834 § 3, 1983; Ord. 497 § 1, 1976; Ord. 429 (part), 1974)

**29.06.040 Uses prohibited.** All other uses are expressly prohibited. (Ord. 429 (part), 1974)

**29.06.050 Property development standards.** The following property development standards shall apply to an R-U district, except as may be modified or restricted as provided in Chapter 29.44 of this title.

(A) **Dwelling Unit Density and Lot Area.** The dwelling unit density in an R-U district shall not exceed five-tenths dwelling unit per gross acre and the lot area shall not be less than two acres for any single-family dwelling.

(B) **Lot Dimensions.**

- (1) **Width.** The width of any lot shall not be less than two hundred feet.
- (2) **Depth.** The depth of any lot shall not be less than two hundred fifty feet.

(C) **Yards.**

- (1) **Front.** There shall be a front yard of not less than fifty feet in depth from the front property line or future width line of a street.

On corner lots, both main and accessory buildings on the side street shall have a minimum setback of twenty-five feet.

- (2) **Side.** There shall be a side yard of not less than fifteen feet on each side of a dwelling.

- (3) **Rear.** There shall be a rear yard of not less than fifty feet in depth from the rear property line.

(D) **Height.** The height of a dwelling shall not exceed two stories nor shall the overall height exceed thirty-five feet.

29.06.050

(E) Lot Coverage. Regardless of any other provisions of this chapter, the maximum roofed area on any lot shall not exceed ten percent of the total lot area, including accessory buildings and eaves.

(F) Accessory Buildings. Accessory buildings may be erected in the rear yard provided that the building complies with all of the following conditions:

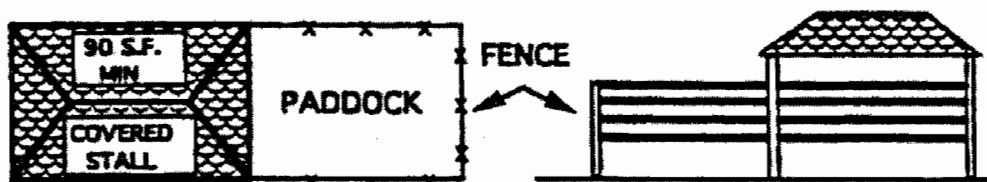
- (1) The overall height does not exceed twenty-five feet;
- (2) The building shall not be less than fifteen feet from any side or rear property line;
- (3) No portion of the building shall be within one foot of any utility easement;
- (4) The building shall have a minimum separation of twenty feet from any dwelling or other building.

(G) Off-Street Parking. Every dwelling shall have a minimum of two off-street parking places.

(H) Boarding Stables, Residential. Two net acres minimum, exclusive of any land area devoted to streets, access easements, rights-of-way or future rights-of-way and public drainage ways.

Pastures, arenas or turnout areas for the purpose of training or exercising shall be considered temporary, shall contain at least one thousand two hundred square feet of area for each horse kept on the premises.

Boarding stalls and attached paddock, shall be located in the rear yard with a side and rear setback of not less than five feet and shall be set back a minimum of thirty feet from any existing adjacent residence, are considered permanent structures and shall be provided for each horse occupying the premises. Each stall or corral shall contain at least one hundred twenty square feet, ninety square feet of which must be covered with a solid construction material for shelter from outside elements and to prevent improper surface runoff, pollution and ground water contamination.



The keeping of horses on properties located in residential zoning districts other than permitted above is prohibited.

Manure storage, open air, shall not exceed a height of three feet and a ten-foot radius. Storage of manure may be within flyproof solid waste disposal containers. Open storage must be located in the rear yard, set back a minimum of forty feet from all property lines.

Manure must not create a health hazard regarding air and water pollution to the community in general or the persons inhabiting or using the surrounding acreage. The housing of horses shall conform to all regulations of local and state health authorities. Corrals and stalls shall be cleaned regularly.

The business shall not generate any noise, vibration, smoke, dust, odors, pests (including flies), heat, glare, or electrical interference with radio or television transmission in the area that would exceed that normally produced by a dwelling unit in a single-family residential zoning district used solely for residential purposes.

A perimeter fence or wall, not less than five feet in height, shall be required along and adjacent to any side, rear and front property line encompassing the entire facility. Access gates shall be provided and remain closed at all times. Gates shall contain a self-locking or latching device to prevent accidental loss of animals from the premises.

Landscaping consisting of one large tree for each fifty linear feet shall be placed within ten feet of adjacent common property lines for the purpose of buffering adjacent land uses and shade for animals.

Any outdoor lighting on a property shall be directed on site and shall conform to the shielding requirements for outdoor lighting as specified by the Clark County building code. Lighting standards shall not exceed sixteen feet in height.

29.06.050

Toilet facilities shall be provided for in accordance with local health and building code requirements for normal operations as well as for horse shows and similar activities.

The use of public address systems to conduct the instruction of riders, training of horses and the spectator participation in competitions should be modulated and continuously controlled in order to avoid becoming a nuisance to surrounding neighbors. A guide for specific noise level measurement is as follows:

The maximum permissible sound pressure levels measured at the property line between the hours of seven a.m. to eight p.m. for a continuous noise source, i.e., occurring for more than five percent of any hour period in a residential zone or at its boundaries shall be as follows:

Frequency Band (Cycles Per Second)	Allowable Sound Pressure Level (Decibels)
25 — 75	72
75 — 150	67
150 — 300	59
300 — 600	52
600 — 1,200	46
1,200 — 2,400	40
2,400 — 4,800	34
4,800 — 10,000	32

Other noise shall be allowed as follows:

Type of Noise	Correction Factor in Decibels
Noise between hours of eight p.m. and seven a.m.	-3
Noise occurring less than five percent of any one-hour period	+5

(Ord. 1606 § 7, 1994; Ord. 429 (part), 1974)

## Chapter 29.08

## R-A RESIDENTIAL AGRICULTURAL DISTRICT

## Sections:

- 29.08.010 Purpose and intent.
- 29.08.020 Uses permitted.
- 29.08.030 Uses permitted subject to a conditional use permit.
- 29.08.040 Uses prohibited.
- 29.08.050 Property development standards.
  - (A) Dwelling unit density and lot area.
  - (B) Lot dimensions.
  - (C) Yards.
  - (D) Height.
  - (E) Lot coverage.
  - (F) Accessory buildings.
  - (G) Off-street parking.
  - (H) Boarding stables, residential.

**29.08.010 Purpose and intent.** The residential agricultural district is established for areas particularly suited for residential uses in conjunction with the raising of crops and animals and other related agricultural activities. (Ord. 429 (part), 1974)

**29.08.020 Uses permitted.** In the R-A, residential agricultural district, land may be used and buildings and structures may be erected, maintained and used if they are arranged, intended or designed for the following uses:

(A) One single-family dwelling of a permanent character in a permanent location with each residence on its own lot or parcel of land including all required yard areas. In Community District 5 the single-family dwelling may be a mobile home provided it is attached to a permanent foundation and is located not less than fifty feet from any other building, structure or mobile home being used for residential purposes;

(B) Accessory uses, buildings and structures only if they are clearly incidental to a permitted use and when placed upon the same lot or parcel with a permitted use, including home occupations subject to the provisions of Section 29.44.030; except that fences and walls may be permitted without a principal use in conjunction with a subdivided lot in accordance with the requirements of Section 29.44.085. Further, if a building permit for a model home has been issued for an approved final map consistent with subsection (G) of this section, or for a previous phase of an approved final map, block walls may be permitted on the proposed lots within the approved final map;

(C) The following accessory uses may be permitted in conjunction with a residential dwelling for the use of the family residing on the lot or parcel, as an incidental use, but not for commercial purposes:

(1) Farming, including all types of agriculture and horticulture such as flower and vegetable gardening, field crops, berry and bush crops, tree crops and orchards,

(2) Small livestock farming and/or the keeping of cows, horses, sheep, goats or similar animals, except no hogs or pigs shall be allowed.

One cow or one horse or two sheep or two goats will be allowed for each ten thousand square feet of lot area, but the total number of any combination of the above animals shall not exceed twenty, other than their young under the age of six months.



29.08.020

(3) A maximum of two hundred chickens or two hundred rabbits or similar animals will be allowed on a lot or parcel of land, provided that all killing or dressing is done for the owner's consumption.

(4) A maximum of one hundred pairs of chinchillas will be allowed on a lot or parcel of land, provided that no pelting is done on the premises.

(5) The keeping, breeding and raising of domestic animals will be allowed, but not for commercial purposes.

(6) Aviaries.

(7) Apiaries, upon the following conditions:

(a) Occupied hives shall be at least four hundred feet from any other apiary or existing dwelling on another property unless the written consent of the owner of such dwelling or apiary is secured.

(b) Occupied hives shall have a minimum separation of fifty feet to any common property line of another property,

(c) Occupied hives shall have a minimum separation of one hundred fifty feet to any street or highway,

(8) Guest cottages, and servants' quarters, provided that such a building has no kitchen and is not rented or leased separate from the main building.

(9) Boarding stables, residential;

(D) If the lot or parcel contains more than two acres any of the uses permitted in subsection (C) of this section may be raised for commercial purposes and sold from the premises provided that no advertising signs or structures shall be allowed on the premises:

(E) If the lot or parcel contains more than five acres any of the following additional uses may be permitted:

(1) The commercial raising, including hatching, fattening, marketing, sale, slaughtering, dressing, processing and packing of poultry, fowl, rabbits, chinchilla, nutria, mice, frogs, fish, bees, earthworms and other similar animals of comparable nature, form and size,

(2) The grazing of cattle, sheep or horses, including the supplementary feeding of such cattle, sheep or horses, provided such grazing is not a part of nor conducted in conjunction with any dairy or livestock sales yard located on the same premises.

(3) Commercial and private stables;

(F) If the lot or parcel contains more than forty acres any of the following additional uses may be permitted:

(1) Horse ranch,

(2) Guest ranches,

(3) Riding stable and/or academies,

(4) Housing for employees;

(G) The following temporary uses may be established if the board of county commissioners has approved a final map for at least one phase of a project which has had a tentative map approved, provided all other requirements of the county code have been met. The uses must provide paved access, adequate access controls as required by Section 29.46.020. The final map must record within one year from the date permits are issued for the uses:

(1) A temporary structure to be utilized as a sales office located on property included on the approved tentative map. The structure is not required to provide paved parking, landscaping or a wall-enclosed trash area regardless of any other provision of this title.

(2) Not more than six model homes upon property covered by the approved final map subject to the following conditions:

(a) The final map may not be revised after the permits for the models have been issued except as approved by the county.

(b) The models or lots within the proposed subdivision may not be separately sold or offered for sale until the final subdivision map has been recorded in the office of the county recorder in accordance with NRS 278.

(c) The model homes must meet the minimum setbacks required from the future lot lines to be established by the subdivision as required by code.

(d) The use of the structures will be expressly limited to the model home use, including display for potential customers and sales office.

(e) The issuance of a permit for construction will not be construed as a commitment by the county to record the final map or to approve any zoning matter.

(f) An off-site bond for improvements as required by the approved final map must be posted prior to issuance of a building permit:

(H) A manufactured or mobile home, or a recreational vehicle may be temporarily established for residential purposes during the construction of a permitted dwelling subject to the following conditions:

(1) A building permit for the permitted dwelling must be issued prior to the establishment of or issuance of an installation permit for the temporary dwelling.

(2) The temporary dwelling must be set back a minimum of five feet from any front, side, side corner, or rear property line.

(3) The maximum length of time the temporary dwelling may be permitted shall not exceed twenty-four months from the date of building permit issue for the permitted dwelling or thirty days after the final inspection has been approved, whichever comes first. (Ord. 1876 § 3, 1996; Ord. 1871 § 4, 1996; Ord. 1701 § 2, 1995; Ord. 1606 § 8, 1994; Ord. 1303 § 1, 1991; Ord. 584 § 1, 1978; Ord. 429 (part), 1974)

**29.08.030 Uses permitted subject to a conditional use permit.** The following additional uses may be permitted subject to securing a conditional use permit in each case as provided for in Chapter 29.66:

(A) The uses listed in Section 29.66.020 as permitted in any zone subject to a conditional use permit;

(B) The following uses provided that the lot or parcel is not less than forty acres in area and that the operation will not be detrimental to any existing or future residential and commercial developments in the area:

(1) Dairy farm,

(2) Hog farm or ranch,

(3) Livestock feed yard,

(4) Livestock sales yard, or

(5) A mobile home or homes for housing employees provided they are located not less than fifty feet from any other building, structure or mobile home being used for residential purposes; and

(C) Boarding stables, commercial. For riding and boarding stables five acres net or greater in size, quarters for servants and caretakers employed on the premises are permitted where kitchen facilities are provided therein and evidence is provided indicating that such quarters are to be used as bona fide servant and caretakers quarters and not as a rental unit. (Ord. 1606 § 9, 1994; Ord. 1303 § 2, 1991; Ord. 584 § 2, 1978; Ord. 429 (part), 1974)

**29.08.040 Uses prohibited.** All other uses are expressly prohibited. (Ord. 429 (part), 1974)

**29.08.050 Property development standards.** The following property development standards shall apply to an R-A district, except as may be modified or restricted as provided in Chapter 29.44:

(A) Dwelling Unit Density and Lot Area. The dwelling unit density in an R-A district shall not exceed one dwelling unit per gross acre and the lot area shall not be less than forty thousand square feet for any single-family dwelling.

(B) Lot Dimensions.

- (1) Width. The width of any lot shall not be less than one hundred feet.
- (2) Depth. The depth of any lot shall not be less than one hundred sixty

feet.

(C) Yards.

(1) Front. There shall be a front yard of not less than fifty feet in depth from the front property line or future width line of a street.

On corner lots, both main and accessory buildings on the side street shall have a minimum setback of twenty-five feet.

(2) Side. There shall be a side yard of not less than fifteen feet on each side of a dwelling.

(3) Rear. There shall be a rear yard of not less than fifty feet in depth from the rear property line.

(D) Height. The height of a dwelling or structure shall not exceed two stories nor shall the overall height exceed thirty-five feet.

(E) Lot Coverage. Regardless of any other provisions of this chapter, the maximum roofed area on any lot shall not exceed ten percent of the total lot area, including accessory buildings and eaves.

(F) Accessory Buildings. Accessory buildings may be erected in the rear yard provided that the building complies with all of the following conditions:

- (1) The overall height does not exceed thirty-five feet;
- (2) The building shall not be less than fifteen feet from any side or rear property line;
- (3) No portion of the building shall be within one foot of any utility easement;
- (4) The building shall have a minimum separation of twenty feet from any dwelling or other building.

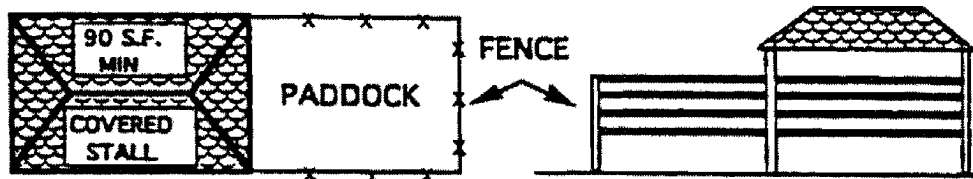
(G) Off-Street Parking. Every dwelling shall have a minimum of two off-street parking places.

(H) Boarding Stables, Residential. Two net acres minimum, exclusive of any land area devoted to streets, access easements, rights-of-way or future rights-of-way and public drainage ways.

29.08.050

Pastures, arenas or turnout areas for the purpose of training or exercising shall be considered temporary, shall contain at least one thousand two hundred square feet of area for each horse kept on the premises.

Boarding stalls and attached paddock, shall be located in the rear yard with a side and rear setback of not less than five feet and shall be set back a minimum of thirty feet from any existing adjacent residence, are considered permanent structures and shall be provided for each horse occupying the premises. Each stall or corral shall contain at least one hundred twenty square feet, ninety square feet of which must be covered with a solid construction material for shelter from outside elements and to prevent improper surface runoff pollution and ground water contamination.



The keeping of horses on properties located in residential zoning districts other than permitted above is prohibited.

Manure storage, open air, shall not exceed a height of three feet and a ten-foot radius. Storage of manure may be within flyproof solid waste disposal containers. Open storage must be located in the rear yard, set back a minimum of forty feet from all property lines.

Manure must not create a health hazard regarding air and water pollution to the community in general or the persons inhabiting or using the surrounding acreage. The housing of horses shall conform to all regulations of local and state health authorities. Corrals and stalls shall be cleaned regularly.

The business shall not generate any noise, vibration, smoke, dust, odors, pests (including flies), heat, glare, or electrical interference with radio or television transmission in the area that would exceed that normally produced by a dwelling unit in a single-family residential zoning district used solely for residential purposes.

A perimeter fence or wall, not less than five feet in height, shall be required along and adjacent to any side, rear and front property line encompassing the entire facility. Access gates shall be provided and remain closed at all times. Gates shall contain a self-locking or latching device to prevent accidental loss of animals from the premises.

Landscaping consisting of one large tree for each fifty linear feet shall be placed within ten feet of adjacent common property lines for the purpose of buffering adjacent land uses and shade for animals.

Any outdoor lighting on a property shall be directed on site and shall conform to the shielding requirements for outdoor lighting as specified by the Clark County building code. Lighting standards shall not exceed sixteen feet in height.

Toilet facilities shall be provided for in accordance with local health and building code requirements for normal operations as well as for horse shows and similar activities.

The use of public address systems to conduct the instruction of riders, training of horses and the spectator participation in competitions should be modulated and continuous-

ly controlled in order to avoid becoming a nuisance to surrounding neighbors. A guide for specific noise level measurement is as follows:

The maximum permissible sound pressure levels measured at the property line between the hours of seven a.m. to eight p.m. for a continuous noise source, i.e., occurring for more than five percent of any hour period in a residential zone or at its boundaries shall be as follows:

Frequency Band (Cycles Per Second)	Allowable Sound Pressure Level (Decibels)
25 — 75	72
75 — 150	67
150 — 300	59
300 — 600	52
600 — 1,200	46
1,200 — 2,400	40
2,400 — 4,800	34
4,800 — 10,000	32

Other noise shall be allowed as follows:

Type of Noise	Correction Factor in Decibels
Noise between hours of eight p.m. and seven a.m.	-3
Noise occurring less than five percent of any one-hour period	+5

(Ord. 1606 § 10, 1994; Ord. 429 (part), 1974)

29.10.010

## Chapter 29.10

### R-E RURAL ESTATES RESIDENTIAL DISTRICT

#### Sections:

- 29.10.010 Purpose and intent.
- 29.10.020 Uses permitted.
- 29.10.030 Uses permitted subject to a conditional use permit.
- 29.10.040 Uses prohibited.
- 29.10.050 Property development standards.
  - (A) Dwelling unit density and lot area.
  - (B) Lot dimensions.
  - (C) Yards.
  - (D) Height.
  - (E) Lot coverage.
  - (F) Accessory buildings and structures.
  - (G) Off-street parking.
  - (H) Covered patios.
  - (I) Boarding stables, residential.

**29.10.010 Purpose and intent.** The rural estates residential district is established for areas particularly suited for low density residential uses and to the raising of crops and of a limited number of animals for noncommercial purposes. (Ord. 429 (part), 1974)

**29.10.020 Uses permitted.** In the R-E, rural estates residential district, land may be used and buildings and structures may be erected, maintained and used if they are arranged, intended or designed for the following uses:

(A) One single-family dwelling of a permanent character in a permanent location with each residence on its own lot or parcel of land including all required yard areas;

(B) Accessory uses, buildings and structures only if they are clearly incidental to a permitted use and when placed upon the same lot or parcel with a permitted use, including home occupations subject to the provisions of Section 29.44.030; except that fences and walls may be permitted without a principal use in conjunction with a subdivided lot in accordance with the requirements of Section 29.44.085. Further, if a building permit for a model home has been issued for an approved final map consistent with subsection (D) of this section, or for a previous phase of an approved final map, block walls may be permitted on the proposed lots within the approved final map;

(C) The following accessory uses may be permitted in conjunction with a residential dwelling for the use of the family residing on the lot or parcel, as an incidental use, but not for commercial purposes:

(1) Farming, including all types of agriculture and horticulture such as flower and vegetable gardening, field crops, berry and bush crops, tree crops and orchards,

(2) Small livestock farming and/or the keeping of cows, horses, sheep, goats or similar animals, except no hogs or pigs shall be allowed.

One cow or one horse or two sheep or two goats will be allowed for each ten thousand square feet of lot area, but the total number of any combination of the above animals shall not exceed ten, other than their young under the age of six months.

**\*\* NOTE: See Section 2: Modified Development Standards**

(3) A maximum of twenty chickens or twenty rabbits or similar animals will be allowed on a lot or parcel of land: provided, that all killing or dressing is done for the owner's consumption.

(4) A maximum of ten pairs of chinchillas will be allowed on a lot or parcel of land: provided, that no pelting is done on the premises.

(5) The keeping, breeding and raising of domestic animals will be allowed, but not for commercial purposes.

(6) Aviaries.

(7) Apiaries, upon the following conditions:

(a) Occupied hives shall be at least four hundred feet from any other apiary or existing dwelling on another property unless the written consent of the owner of such dwelling or apiary is secured.

(b) Occupied hives shall have a minimum separation of fifty feet to any common property line of another property.

(c) Occupied hives shall have a minimum separation of one hundred fifty feet to any street or highway.

✱ ✱ (8) One guest home or servant's residence: provided, that such a building has no kitchen and is not rented or leased as a separate dwelling unit.

(9) Boarding stables, residential;

(D) The following temporary uses may be established if the board of county commissioners has approved a final map for at least one phase of a project which has had a tentative map approved, provided all other requirements of county code have been met. The uses must provide paved access to the structures, adequate access controls as required by Section 29.46.020. The final map must record within one year from the date permits are issued for the uses:

(1) A temporary structure to be utilized as a sales office located on property included on the approved tentative map. The structure is not required to provide paved parking, landscaping or a wall-enclosed trash area regardless of any other provision of this title.

(2) Not more than six model homes upon property covered by the approved final map subject to the following conditions:

(a) The final map may not be revised after the permits for the models have been issued except as approved by the county.

(b) The models or lots within the proposed subdivision may not be separately sold or offered for sale until the final subdivision map has been recorded in the office of the county recorder in accordance with NRS 278.

(c) The model homes must meet the minimum setbacks required from the future lot lines to be established by the subdivision as required by code.

(d) The use of the structures will be expressly limited to the model home use, including display for potential customers and sales office.

(e) The issuance of a permit for construction will not be construed as a commitment by the county to record the final map or to approve any zoning matter.

(f) An off-site bond for improvements as required by the approved final map must be posted prior to issuance of a building permit.

(E) A manufactured or mobile home, or a recreational vehicle may be temporarily established for residential purposes during the construction of a permitted dwelling subject to the following conditions:

(1) A building permit for the permitted dwelling must be issued prior to the establishment of or issuance of an installation permit for the temporary dwelling.

29.10.020

(2) The temporary dwelling must be set back a minimum of five feet from any front, side, side corner, or rear property line.

(3) The maximum length of time the temporary dwelling may be permitted shall not exceed twenty-four months from the date of building permit issue for the permitted dwelling or thirty days after the final inspection has been approved, whichever comes first. (Ord. 1876 § 4, 1996; Ord. 1871 § 5, 1996; Ord. 1791 § 2, 1996; Ord. 1701 § 3, 1995; Ord. 1606 § 11, 1994; Ord. 429 (part), 1974)

**29.10.030 Uses permitted subject to a conditional use permit.** The following additional uses may be permitted, subject to securing a conditional use permit in each case as provided for in Chapter 29.66 of this title:

(A) Child nurseries;

(B) Planned development units, subject to the provisions of Chapter 29.47 of this title;

(C) Riding stables with a minimum land area of ten acres;

(D) Group foster homes; provided, that:

(1) The home shall remain consistent with the general neighborhood appearance and not be institutional in character or appearance. No sign or other identifying physical characteristics shall be permitted.

(2) No group foster home shall occupy less than one commercial acre (forty thousand square feet). No more than six foster children will be allowed in any home having a lot size of forty thousand square feet; one additional child may be allowed for each additional ten thousand square feet of lot area up to a maximum of fifteen children.

(3) No group foster home shall contain less than one thousand eight hundred square feet of structural space excluding garages and outbuildings. No more than six foster children will be allowed in any home having one thousand eight hundred square feet of structural space; one additional foster child may be allowed for each additional one hundred square feet of structural space up to a maximum of fifteen children.

(4) A conditional use permit for any group foster home may be approved subject to such time limit as the board of county commissioners deems appropriate;

(E) **Boarding Stables, Commercial.** For riding and boarding stables five acres net or greater in size, quarters for servants and caretakers employed on the premises are permitted where kitchen facilities are provided therein and evidence is provided indicating that such quarters are to be used as bona fide servant and caretaker quarters and not as a rental unit. (Ord. 1791 § 3, 1996; Ord. 1606 § 12, 1994; Ord. 499 § 2, 1976; Ord. 497 § 2, 1976; Ord. 429 (part), 1974)

**29.10.040 Uses prohibited.** All other uses are expressly prohibited. (Ord. 429 (part), 1974)

\*\* NOTE: See Section 2: Modified Development Standards

**29.10.050 Property development standards.** The following property development standards shall apply to an R-E district, except as may be modified or restricted as provided in Chapter 29.44 of this title:

\*\* (A) **Dwelling Unit Density and Lot Area.** The dwelling unit density in an R-E district shall not exceed two dwelling units per gross acre and the lot area shall not be less than twenty thousand square feet for any single-family dwelling.

\*\* (B) **Lot Dimensions.**

(1) **Width.** The width of any lot shall not be less than one hundred feet.



**\*\* NOTE: See Section 2: Modified Development Standards**

(2) **Depth.** The depth of any lot shall not be less than one hundred forty feet.

**\*\* (C) Yards.**

(1) **Front.** There shall be a front yard of not less than forty feet in depth from the front property line or future width line of a street.

(2) **Side.** There shall be a side yard of not less than ten feet on each side of a dwelling. On corner lots, the setback from the side street shall be a minimum of fifteen feet providing there are no openings designed for vehicular ingress and egress in the wall toward the street. If the building or structure is designed with an opening designed for vehicular ingress and egress, the setback shall be twenty feet as required by Section 29.44.060(H)(2).

(3) **Rear.** There shall be a rear yard of not less than thirty feet.

**\*\* (D) Height.** The height of a dwelling or structure shall not exceed two stories nor shall the overall height exceed thirty-five feet.

**\*\* (E) Lot Coverage.** Regardless of any other provisions of this chapter, the maximum roofed area on any lot shall not exceed fifty percent of the total lot area, including accessory buildings and eaves.

\*\* NOTE: See Section 2: Modified Development Standards

**\*\* (F) Accessory Buildings and Structures.** Accessory buildings and structures other than those permitted under Section 29.44.058(A) may be erected in the rear yard; provided, that the building or structure complies with all of the following conditions:

(1) The overall height does not exceed twenty-five feet;  
 (2) The building or structure shall not be less than five feet from any side or rear property line. On corner lots, the setback from the side street shall be a minimum of ten feet providing there are no openings designed for vehicular ingress and egress in the wall toward the street. If the building or structure is designed with an opening designed for vehicular ingress and egress, the setback shall be twenty feet as required by Section 29.44.060(H)(2);

(3) No portion of the building or structure shall be less than one foot from any utility easement;

(4) The building or structure shall have a minimum separation of ten feet from any dwelling or other building;

(5) A barn, pen or coop may be permitted if located not less than one hundred feet from the front property line, and not less than five feet from any side or rear property line.

(G) **Off-Street Parking.** Every dwelling shall have a minimum of two off-street parking places.

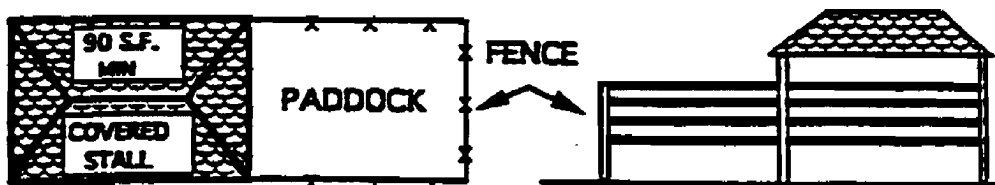
**\*\* (H) Covered Patios.** Covered patios attached to the dwelling may be erected into the rear yard; provided, that no portion of the roof is closer than twenty-five feet to the rear property line and further provided the roof area complies with subsection (E) of this section.

That portion of the covered patio within the minimum rear yard may be enclosed; provided, that the wall area is not less than fifty percent open.

(I) **Boarding Stables, Residential.** Two net acres minimum, exclusive of any land area devoted to streets, access easements, rights-of-way or future rights-of-way and public drainage ways.

Pastures, arenas or turnout areas for the purpose of training or exercising shall be considered temporary, shall contain at least one thousand two hundred square feet of area for each horse kept on the premises.

Boarding stalls and attached paddock, shall be located in the rear yard with a side and rear setback of not less than five feet and shall be set back a minimum of thirty feet from any existing adjacent residence, are considered permanent structures and shall be provided for each horse occupying the premises. Each stall or corral shall contain at least one hundred twenty square feet, ninety square feet of which must be covered with a solid construction material for shelter from outside elements and to prevent improper surface runoff pollution and groundwater contamination.



29.10.050

The keeping of horses on properties located in residential zoning districts other than permitted above is prohibited.

Manure storage, open air, shall not exceed a height of three feet and a ten-foot radius. Storage of manure may be within flyproof solid waste disposal containers. Open storage must be located in the rear yard, set back a minimum of forty feet from all property lines.

Manure must not create a health hazard regarding air and water pollution to the community in general or the persons inhabiting or using the surrounding acreage. The housing of horses shall conform to all regulations of local and state health authorities. Corrals and stalls shall be cleaned regularly.

The business shall not generate any noise, vibration, smoke, dust, odors, pests (including flies), heat, glare, or electrical interference with radio or television transmission in the area that would exceed that normally produced by a dwelling unit in a single-family residential zoning district used solely for residential purposes.

A perimeter fence or wall, not less than five feet in height, shall be required along and adjacent to any side, rear and front property line encompassing the entire facility. Access gates shall be provided and remain closed at all times. Gates shall contain a self-locking or latching device to prevent accidental loss of animals from the premises.

Landscaping consisting of one large tree for each fifty linear feet shall be placed within ten feet of adjacent common property lines for the purpose of buffering adjacent land uses and shade for animals.

Any outdoor lighting on a property shall be directed on site and shall conform to the shielding requirements for outdoor lighting as specified by the Clark County building code. Lighting standards shall not exceed sixteen feet in height.

Toilet facilities shall be provided for in accordance with local health and building code requirements for normal operations as well as for horse shows and similar activities.

The use of public address systems to conduct the instruction of riders, training of horses and the spectator participation in competitions should be modulated and continuously controlled in order to avoid becoming a nuisance to surrounding neighbors. A guide for specific noise level measurement is as follows:

The maximum permissible sound pressure levels measured at the property line between the hours of seven a.m. to eight p.m. for a continuous noise source, i.e., occurring for more than five percent of any hour period in a residential zone or at its boundaries shall be as follows:

Frequency Band (Cycles Per Second)	Allowable Sound Pressure Level (Decibels)
25 — 75	72
75 — 150	67
150 — 300	59
300 — 600	52
600 — 1,200	46
1,200 — 2,400	40
2,400 — 4,800	34
4,800 — 10,000	32

Other noise shall be allowed as follows:

29.10.050

Type of Noise	Correction Factor in Decibels
Noise between hours of eight p.m. and seven a.m.	-3
Noise occurring less than five percent of any one-hour period	+5

(Ord. 1791 § 4, 1996; Ord. 1606 § 13, 1994; Ord. 746 §§ 1, 2, 1981; Ord. 566 § 13, 1978;  
Ord. 516 § 2, 1976; Ord. 429 (part), 1974)

## Chapter 29.12

R-D SUBURBAN ESTATES RESIDENTIAL  
DISTRICT

## Sections:

- 29.12.010 Purpose and intent.
- 29.12.020 Uses permitted.
- 29.12.030 Uses permitted subject to a conditional use permit.
- 29.12.040 Uses prohibited.
- 29.12.050 Property development standards.
  - (A) Dwelling unit density and lot area.
  - (B) Lot dimensions.
  - (C) Yards.
  - (D) Height.
  - (E) Lot coverage.
  - (F) Accessory buildings.
  - (G) Off-street parking.
  - (H) Covered patios.

**29.12.010 Purpose and intent.** The suburban estates residential district is established for use in areas particularly suited to low density single-family residential use on estate-size lots of ten thousand square feet or more in area. (Ord. 429 (part), 1974)

**29.12.020 Uses permitted.** In the R-D, suburban estates residential district, land may be used and buildings and structures may be erected, maintained and used if they are arranged, intended or designed for the following uses:

(A) One single-family dwelling of a permanent character in a permanent location with each residence on its own lot or parcel of land including all required yard areas;

(B) Accessory uses, buildings and structures only if they are clearly incidental to a permitted use and when placed upon the same lot or parcel with a permitted use, including home occupations subject to the provisions of Section 29.44.030; except that fences and walls may be permitted without a principal use in conjunction with a subdivided lot in accordance with the requirements of Section 29.44.085. Further, if a building permit for a model home has been issued for an approved final map consistent with subsection (D) of this section, or for a previous phase of an approved final map, block walls may be permitted on the proposed lots within the approved final map;

(C) The following accessory uses may be permitted in conjunction with a residential dwelling for the use of the family residing on the lot or parcel, as an incidental use, but not for commercial purposes: flower gardening, private nursery, greenhouses and orchards; aviaries for the keeping of not more than ten pigeons, doves, or similar small fowl (but not chickens or turkeys) and their young under the age of six weeks;

(D) The following temporary uses may be established if the board of county commissioners has approved a final map for at least one phase of a project which has had a tentative map approved, provided all other requirements of the county code have been met. The uses must provide paved access to the structures, adequate access controls as required by Section 29.46.020. The final map must record within one year from the date permits are issued for the uses:

29.12.020

(1) A temporary structure to be utilized as a sales office located on property included on the approved tentative map. The structure is not required to provide paved parking, landscaping or a wall-enclosed trash area regardless of any other provision of this title.

(2) Not more than six model homes upon property covered by the approved final map subject to the following conditions:

(a) The final map may not be revised after the permits for the models have been issued except as approved by the county.

(b) The models or lots within the proposed subdivision may not be separately sold or offered for sale until the final subdivision map has been recorded in the office of the county recorder in accordance with NRS 278.

(c) The model homes must meet the minimum setbacks required from the future lot lines to be established by the subdivision as required by code.

(d) The use of the structures will be expressly limited to the model home use, including display for potential customers and sales office.

(e) The issuance of a permit for construction will not be construed as a commitment by the county to record the final map or to approve any zoning matter.

(f) An off-site bond for improvements as required by the approved final map must be posted prior to issuance of a building permit.

(E) A manufactured or mobile home, or a recreational vehicle may be temporarily established for residential purposes during the construction of a permitted dwelling subject to the following conditions:

(1) A building permit for the permitted dwelling must be issued prior to the establishment of or issuance of an installation permit for the temporary dwelling.

(2) The temporary dwelling must be set back a minimum of five feet from any front, side, side corner, or rear property line.

(3) The maximum length of time the temporary dwelling may be permitted shall not exceed twenty-four months from the date of building permit issue for the permitted dwelling or thirty days after the final inspection has been approved, whichever comes first. (Ord. 1876 § 5, 1996; Ord. 1871 § 6, 1996; Ord. 1701 § 4, 1995; Ord. 943 § 1, 1985; Ord. 429 (part), 1974)

**29.12.030 Uses permitted subject to a conditional use permit.** The following additional uses may be permitted subject to securing a conditional use permit in each case as provided for in Chapter 29.66:

(A) Child nurseries;

(B) Planned development units, subject to the provisions of Chapter 29.47. (Ord. 1871 § 7, 1996; Ord. 429 (part), 1974)

**29.12.040 Uses prohibited.** All other uses are expressly prohibited. (Ord. 429 (part), 1974)

\*\* NOTE: See Section 2: Modified Development Standards

**29.12.050 Property development standards.** The following property development standards shall apply to an R-D district, except as may be modified or restricted as provided in Chapter 29.44:

\*\* (A) Dwelling Unit Density and Lot Area. The dwelling unit density in an R-D district shall not exceed three dwelling units per gross acre and the lot area shall not be less than ten thousand square feet for any single-family dwelling.

\*\* NOTE: See Section 2: Modified Development Standards

**\*\* (B) Lot Dimensions.**

- (1) Width. The width of any lot shall not be less than eighty-five feet.
- (2) Depth. The depth of any lot shall not be less than one hundred ten feet.

**\*\* (C) Yards.**

- (1) Front. There shall be a front yard of not less than thirty feet in depth from the front property line or future width line of a street.

On corner lots, both main and accessory buildings on the side street shall have a minimum setback of fifteen feet.

- (2) Side. There shall be a side yard of not less than ten feet on each side of a dwelling.

- (3) Rear. There shall be a rear yard of not less than twenty-five feet in depth from the rear property line.

**\*\* (D) Height.** The height of a dwelling or structure shall not exceed two stories nor shall the overall height exceed thirty-five feet.

**\*\* (E) Lot Coverage.** Regardless of any other provisions of this chapter, the maximum roofed area on any lot shall not exceed forty percent of the total lot area, including accessory buildings and eaves.

**\*\* (F) Accessory Buildings.** Accessory buildings may be erected in the rear yard provided that the building complies with all of the following conditions:

- (1) The overall height does not exceed fourteen feet;
- (2) The building shall not be less than five feet from any side or rear property line;
- (3) No portion of the building shall be less than one foot from any utility easement;
- (4) The building shall have a minimum separation of ten feet from any dwelling or other building.

**(G) Off-Street Parking.** Every dwelling shall have a minimum of two off-street parking places.

**\*\* (H) Covered Patios.** Covered patios attached to the dwelling may be erected into the rear yard provided that no portion of the roof is closer than fifteen feet to the rear property line and further provided the roof area complies with subsection (E) above.

That portion of the covered patio within the minimum rear yard may be enclosed provided that the wall area is not less than fifty percent open. (Ord. 516 § 3, 1976; Ord. 429 (part), 1974)

29.14.010

## Chapter 29.14

### R-1 SINGLE FAMILY RESIDENTIAL DISTRICT

#### Sections:

- 29.14.010 Purpose and intent.
- 29.14.020 Uses permitted.
- 29.14.030 Uses permitted subject to a conditional use permit.
- 29.14.040 Uses prohibited.
- 29.14.050 Property development standards.
  - (A) Dwelling unit density and lot area.
  - (B) Lot dimensions.
  - (C) Yards.
  - (D) Height.
  - (E) Lot coverage.
  - (F) Accessory buildings.
  - (G) Off-street parking.
  - (H) Covered patios.

**29.14.010 Purpose and intent.** The single-family residential district is established to provide for the development of single-family residential use and to prohibit the development of incompatible uses that are detrimental to the residential environment. (Ord. 429 (part), 1974)

**29.14.020 Uses permitted.** In the R-1, single-family residential district, land may be used and buildings and structures may be erected, maintained and used if they are arranged, intended or designed for the following uses:

(A) One single-family dwelling of a permanent character in a permanent location with each residence on its own lot or parcel of land including all required yard areas;

(B) Accessory uses, buildings and structures only if they are clearly incidental to a permitted use and when placed upon the same lot or parcel with a permitted use, including home occupations subject to the provisions of Section 29.44.030; except that fences and walls may be permitted without a principal use in conjunction with a subdivided lot in accordance with the requirements of Section 29.44.085. Further, if a building permit for a model home has been issued for an approved final map consistent with subsection (C) of this section, or for a previous phase of an approved final map, block walls may be permitted on the proposed lots within the approved final map;

(C) The following temporary uses may be established if the board of county commissioners has approved a final map for at least one phase of a project which has had a tentative map approved, provided all other requirements of the county code have been met. The uses must provide paved access to the structures, adequate access controls as required by Section 29.46.020. The final map must record within one year from the date permits are issued for the uses:

(1) A temporary structure to be utilized as a sales office located on property included on the approved tentative map. The structure is not required to provide paved parking, landscaping or a wall-enclosed trash area regardless of any other provision of this title.



(2) Not more than six model homes upon property covered by the approved final map subject to the following conditions:

(a) The final map may not be revised after the permits for the models have been issued except as approved by the county.

(b) The models or lots within the proposed subdivision may not be separately sold or offered for sale until the final subdivision map has been recorded in the office of the county recorder in accordance with NRS 278.

(c) The model homes must meet the minimum setbacks required from the future lot lines to be established by the subdivision as required by code.

(d) The use of the structures will be expressly limited to the model home use, including display for potential customers and sales office.

(e) The issuance of a permit for construction will not be construed as a commitment by the county to record the final map or to approve any zoning matter.

(f) An off-site bond for improvements as required by the approved final map must be posted prior to issuance of a building permit.

(D) A manufactured or mobile home, or a recreational vehicle may be temporarily established for residential purposes during the construction of a permitted dwelling subject to the following conditions:

(1) A building permit for the permitted dwelling must be issued prior to the establishment of or issuance of an installation permit for the temporary dwelling.

(2) The temporary dwelling must be set back a minimum of five feet from any front, side, side corner, or rear property line.

(3) The maximum length of time the temporary dwelling may be permitted shall not exceed twenty-four months from the date of building permit issue for the permitted dwelling or thirty days after the final inspection has been approved, whichever comes first. (Ord. 1876 § 6, 1996; Ord. 1871 § 8, 1996; Ord. 1701 § 5, 1995; Ord. 429 (part), 1974)

\*\* NOTE: See Section 2: Modified Development Standards

**29.14.030** Uses permitted subject to a conditional use permit. The following additional uses may be permitted subject to securing a conditional use permit in each case as provided for in Chapter 29.66:

(A) Child nurseries;

(B) Planned development units, subject to the provisions of Chapter 29.47;

\* \* (C) Single-family residences with one side yard reduced or eliminated, provided that:

(1) The remaining side yard is at least ten feet in width.

(2) A recorded maintenance easement is granted by the property owner adjoining that side of the lot on which the side yard has been eliminated, and

(3) The applicant can demonstrate that such design is not out of character with the neighborhood. (Ord. 1871 § 9, 1996; Ord. 1445 § 1, 1992; Ord. 460 § 1, 1975; Ord. 429 (part), 1974)

**29.14.040** Uses prohibited. All other uses are expressly prohibited. (Ord. 429 (part), 1974)

\*\* NOTE: See Section 2: Modified Development Standards

**29.14.050 Property development standards.** The following property development standards shall apply to an R-1 district, except as may be modified or restricted as provided in Chapter 29.44:

\*\* (A) **Dwelling Unit Density and Lot Area.** The dwelling unit density in an R-1 district shall not exceed four dwelling units per gross acre and the lot area shall not be less than seven thousand square feet for any single-family dwelling.

\*\* (B) **Lot Dimensions.**

(1) **Width.**

- (a) Interior lots shall have a minimum width of seventy feet.
- (b) Corner lots shall have a minimum width of seventy-five feet.
- (c) Lots located on a knuckle or cul-de-sac shall have a minimum street frontage of thirty-nine feet.
- (d) Lots located on a curve shall have a minimum street frontage of fifty-six feet.

(2) **Depth.**

- (a) Lots facing on local streets (or frontage streets) shall have a minimum depth of one hundred feet, except any lot fronting on a turnaround section of a cul-de-sac or knuckle shall have a minimum depth of ninety feet.
- (b) Lots facing on collector streets shall have a minimum depth of one hundred fifteen feet.
- (c) Lots facing on major streets or highways shall have a minimum depth of one hundred twenty-five feet.
- (d) Lots backing on freeways, major highways, railroad rights-of-way, commercial or industrial districts shall have a minimum depth of one hundred twenty-five feet.

\*\* (C) **Yards.**

(1) **Front.** There shall be a front yard of not less than twenty feet in depth from the front property line or future width line of a street.

(2) **Side.** There shall be a side yard of not less than five feet on each side of a building or structure, except when one side yard is eliminated in accordance with 29.14.030(D) above. On corner lots, both main and accessory buildings on the side street shall have a minimum setback of fifteen feet.

(3) **Rear.** There shall be a rear yard of not less than twenty-five feet in depth from the rear property line;

\*\* (D) **Height.** The height of a dwelling or structure shall not exceed two stories nor shall the overall height exceed thirty-five feet.

\*\* (E) **Lot Coverage.** Regardless of any other provisions of this chapter, the maximum roofed area on any lot shall not exceed fifty percent of the total lot area, including accessory buildings and eaves.

(F) **Accessory Buildings.** Accessory buildings may be erected in the rear yard provided that the building complies with all of the following conditions:

- (1) The overall height does not exceed fourteen feet;
- (2) The building shall not be less than five feet from any side or rear property line;
- (3) No portion of the building shall be less than one foot from any utility easement;
- (4) The building shall have a minimum separation of ten feet from any dwelling or other building.

\*\* NOTE: See Section 2: Modified Development Standards

**(G) Off-Street Parking.** Every dwelling shall have a minimum of two of street parking places.

**\*\* (H) Attached Structures in Rear Yard.**

**(1) Covered patios.** Covered patios attached to the dwelling may be erected into the rear yard provided that no portion of the roof is closer than ten feet to the rear property line and further provided that the roofed area complies with subsection (E) above. That portion of the covered patio within the minimum rear yard may be enclosed provided that the wall area is not less than fifty percent open.

**(2) Additions to existing structures.** Permanent additions to existing structures may be erected into the rear yard provided that the total area of such additions within the required rear yard area does not exceed three hundred fifty square feet and that no portion of any addition is closer than ten feet to the rear property line. (Ord. 460 §§ 2, 3, 1975; Ord. 429 (part), 1974)

## Chapter 29.15

## R-1a SINGLE-FAMILY RESIDENTIAL DISTRICT

## Sections:

- 29.15.010 Purpose and intent.
- 29.15.020 Uses permitted.
- 29.15.030 Uses permitted subject to a conditional use permit.
- 29.15.040 Uses prohibited.
- 29.15.050 Property development standards.
  - (A) Dwelling unit density and lot area.
  - (B) Lot dimensions.
  - (C) Yards.
  - (D) Height.
  - (E) Lot coverage.
  - (F) Accessory buildings.
  - (G) Off-street parking.
  - (H) Attached structures in rear yard.

**29.15.010 Purpose and intent.** The single-family residential district is established to provide for the development of a single-family residential use and to prohibit the development of incompatible uses that are detrimental to the residential environment. (Ord. 429 (part), 1974)

**29.15.020 Uses permitted.** In the R-1a, single-family residential district, land may be used and buildings and structures may be erected, maintained and used if they are arranged, intended or designed for the following uses:

(A) One single-family dwelling of a permanent character in a permanent location with each residence on its own lot or parcel of land including all required yard areas;

(B) Accessory uses, buildings and structures if they are clearly incidental to a permitted use and when placed upon the same lot or parcel with a permitted use, including home occupations subject to the provisions of Section 29.44.030; except that fences and walls may be permitted without a principal use in conjunction with a subdivided lot in accordance with the requirements of Section 29.44.085. Further, if a building permit for a model home has been issued for an approved final map consistent with subsection (C) of this section, or for a previous phase of an approved final map, block walls may be permitted on the proposed lots within the approved final map;

(C) The following temporary uses may be established if the board of county commissioners has approved a final map for at least one phase of a project which has had a tentative map approved, provided all other requirements of the county code have been met. The uses must provide paved access to the structures, adequate access controls as required by Section 29.46.020. The final map must record within one year from the date permits are issued for the uses:

(1) A temporary structure to be utilized as a sales office located on property included on the approved tentative map. The structure is not required to provide paved parking, landscaping or a wall-enclosed trash area regardless of any other provision of this title.

29.15.020

(2) Not more than six model homes upon property covered by the approved final map subject to the following conditions:

(a) The final map may not be revised after the permits for the models have been issued except as approved by the county.

(b) The models or lots within the proposed subdivision may not be separately sold or offered for sale until the final subdivision map has been recorded in the office of the county recorder in accordance with NRS 278.

(c) The model homes must meet the minimum setbacks required from the future lot lines to be established by the subdivision as required by code.

(d) The use of the structures will be expressly limited to the model home use, including display for potential customers and sales office.

(e) The issuance of a permit for construction will not be construed as a commitment by the county to record the final map or to approve any zoning matter.

(f) An off-site bond for improvements as required by the approved final map must be posted prior to issuance of a building permit.

(D) A manufactured or mobile home, or a recreational vehicle may be temporarily established for residential purposes during the construction of a permitted dwelling subject to the following conditions:

(1) A building permit for the permitted dwelling must be issued prior to the establishment of or issuance of an installation permit for the temporary dwelling.

(2) The temporary dwelling must be set back a minimum of five feet from any front, side, side corner, or rear property line.

(3) The maximum length of time the temporary dwelling may be permitted shall not exceed twenty-four months from the date of building permit issue for the permitted dwelling or thirty days after the final inspection has been approved, whichever comes first. (Ord. 1876 § 7, 1996; Ord. 1871 § 10, 1996; Ord. 1701 § 6, 1995; Ord. 429 (part), 1974)

\*\* NOTE: See Section 2: Modified Development Standards

**29.15.030 Uses permitted subject to a conditional use permit.** The following additional uses may be permitted subject to securing a conditional use permit in each case as provided for in Chapter 29.66:

(A) Child nurseries;

(B) Planned development units, subject to the provisions of Chapter 29.47;

\* \* (C) Single-family residences with one side yard reduced or eliminated, provided that:

(1) The remaining side yard is at least ten feet in width,

(2) A recorded maintenance easement is granted by the property owner adjoining that side of the lot on which the side yard has been eliminated, and

(3) The applicant can demonstrate that such design is not out of character with the neighborhood. (Ord. 1871 § 11, 1996; Ord. 1445 § 2, 1992; Ord. 460 § 4, 1975; Ord. 429 (part), 1974)

**29.15.040 Uses prohibited.** All other uses are expressly prohibited. (Ord. 429 (part), 1974)

\*\* NOTE: See Section 2: Modified Development Standards

**29.15.050 Property development standards.** The following property development standards shall apply to an R-1a district except as may be modified or restricted as provided in Chapter 29.44:

**\*\* NOTE: See Section 2: Modified Development Standards**

**\*\* (A) Dwelling Unit Density and Lot Area.** The dwelling unit density in an R-1a district shall not exceed five dwelling units per gross acre and the lot area shall not be less than six thousand square feet for any single-family dwelling.

**\*\* (B) Lot Dimensions.****(1) Width.**

- (a) Interior lots shall have a minimum width of sixty feet.
- (b) Corner lots shall have a minimum width of seventy feet.
- (c) Lots located on a knuckle or cul-de-sac shall have a minimum street frontage of thirty-nine feet.
- (d) Lots located on a curve shall have a minimum street frontage of forty-eight feet.

**(2) Depth.**

- (a) Lots facing on local streets (or frontage streets) shall have a minimum depth of one hundred feet, except any lot fronting on the turnaround section of a cul-de-sac or knuckle shall have a minimum depth of ninety feet.
- (b) Lots facing on collector streets shall have a minimum depth of one hundred fifteen feet.
- (c) Lots facing on major streets or highways shall have a minimum depth of one hundred twenty-five feet.
- (d) Lots backing on freeways, major highways, railroad rights-of-way, commercial or industrial districts shall have a minimum depth of one hundred twenty-five feet.

**\*\* (C) Yards.**

**(1) Front.** There shall be a front yard of not less than twenty feet in depth from the front property line or future width line of a street.

**(2) Side.** There shall be a side yard of not less than five feet on each side of a building or structure, except when one side is eliminated in accordance with 29.15.030(D) above. On corner lots, both main and accessory buildings on the side street shall have a minimum setback of fifteen feet.

**(3) Rear.** There shall be a rear yard of not less than twenty-five feet in depth from the rear property line.

**\*\* (D) Height.** The height of a dwelling or structure shall not exceed two stories nor shall the overall height exceed thirty-five feet.

**\*\* (E) Lot Coverage.** Regardless of any other provisions of this chapter, the maximum roofed area on any lot shall not exceed fifty percent of the total lot area, including accessory buildings and eaves.

**(F) Accessory Buildings.** Accessory buildings may be erected in the rear yard provided that the building complies with all of the following conditions:

- (1) The overall height does not exceed fourteen feet;
- (2) The building shall not be less than five feet from any side or rear property line;
- (3) No portion of the building shall be less than one foot from any utility easement;
- (4) The building shall have a minimum separation of ten feet from any dwelling or other building.

**(G) Off-Street Parking.** Every dwelling shall have a minimum of two off-street parking places.

**\*\* (H) Attached Structures in Rear Yard:**

29.15.050

(1) **Covered Patios.** Covered patios attached to the dwelling may be erected into the rear yard provided that no portion of the roof is closer than ten feet to the rear property line and further provided that the roofed area complies with subsection (E) above. That portion of the covered patio within the minimum rear yard may be enclosed provided that the wall area is not less than fifty percent open.

(2) **Additions to Existing Structures.** Permanent additions to existing structures may be erected into the rear yard provided that the total area of such additions within the required rear yard does not exceed three hundred square feet and that no portion of any addition is closer than ten feet to the rear property line. (Ord. 460 §§ 5, 6, 1975; Ord. 429 (part), 1974)

## Chapter 29.16

## R-T MOBILE HOME RESIDENTIAL DISTRICT

## Sections:

- 29.16.010 Purpose and intent.
- 29.16.020 Uses permitted.
- 29.16.030 Uses permitted subject to a conditional use permit.
- 29.16.040 Uses prohibited.
- 29.16.050 Property development standards.
  - (A) Dwelling unit density and lot area.
  - (B) Lot dimensions.
  - (C) Yards.
  - (D) Height.
  - (E) Lot coverage.
  - (F) Accessory buildings.
  - (G) Off-street parking.
  - (H) Covered patios.
  - (I) Special provisions.

**29.16.010 Purpose and intent.** The mobile home residential district is established to provide for residential areas which would be compatible for the development of a mobile home residential use, and to prohibit the development of incompatible uses that are detrimental to the residential environment. (Ord. 429 (part), 1974)

**29.16.020 Uses permitted.** In the R-T, mobile home residential district, land may be used and buildings and structures may be erected, maintained and used if they are arranged, intended or designed for the following uses:

(A) One single-family residence or one mobile home provided it is used as a single-family residence and is located on its own lot or parcel of land including all required yard areas;

(B) Accessory uses, buildings and structures only if they are clearly incidental to a permitted use and when placed upon the same lot or parcel with a permitted use, including home occupations subject to the provisions of Section 29.44.030; except that fences and walls may be permitted without a principal use in conjunction with a subdivided lot in accordance with the requirements of Section 29.44.085. Further, if a building permit for a model home has been issued for an approved final map consistent with subsection (C) of this section, or for a previous phase of an approved final map, block walls may be permitted on the proposed lots within the approved final map;

(C) The following temporary uses may be established if the board of county commissioners has approved a final map for at least one phase of a project which has had a tentative map approved, provided all other requirements of the county code have been met. The uses must provide paved access to structures, adequate access controls as required by Section 29.46.020. The final map must record within one year from the date permits are issued for the uses:

(1) A temporary structure to be utilized as a sales office located on property included on the approved tentative map. The structure is not required to provide



29.16.020

paved parking, landscaping or a wall-enclosed trash area regardless of any other provision of this title.

(2) Not more than six model homes upon property covered by the approved final map subject to the following conditions:

(a) The final map may not be revised after the permits for the models have been issued except as approved by the county.

(b) The models or lots within the proposed subdivision may not be separately sold or offered for sale until the final subdivision map has been recorded in the office of the county recorder in accordance with NRS 278.

(c) The model homes must meet the minimum setbacks required from the future lot lines to be established by the subdivision as required by code.

(d) The use of the structures will be expressly limited to the model home use, including display for potential customers and sales office.

(e) The issuance of a permit for construction will not be construed as a commitment by the county to record the final map or to approve any zoning matter.

(f) An off-site bond for improvements as required by the approved final map must be posted prior to issuance of a building permit:

(D) A manufactured or mobile home, or a recreational vehicle may be temporarily established for residential purposes during the construction of a permitted dwelling subject to the following conditions:

(1) A building permit for the permitted dwelling must be issued prior to the establishment of or issuance of an installation permit for the temporary dwelling.

(2) The temporary dwelling must be set back a minimum of five feet from any front, side, side corner, or rear property line.

(3) The maximum length of time the temporary dwelling may be permitted shall not exceed twenty-four months from the date of building permit issue for the permitted dwelling or thirty days after the final inspection has been approved, whichever comes first. (Ord. 1876 § 8, 1996: Ord. 1871 § 12, 1996: Ord. 1701 § 7, 1995: Ord. 429 (part), 1974)

**29.16.030 Uses permitted subject to a conditional use permit.** The following additional uses may be permitted, subject to securing a conditional use permit in each case as provided for in Chapter 29.66:

(A) Planned development units, subject to the provisions of Chapter 29.47. (Ord. 1871 § 13, 1996: Ord. 429 (part), 1974)

**29.16.040 Uses prohibited.** All other uses are expressly prohibited. (Ord. 429 (part), 1974)

**29.16.050 Property development standards.** The following property development standards shall apply to an R-T district, except as may be modified or restricted as provided in Chapter 29.44:

(A) **Dwelling Unit Density and Lot Area.** The dwelling unit density in an R-T district shall not exceed five dwelling units per gross acre and the lot area shall not be less than six thousand five hundred square feet for any single-family dwelling.

(B) **Lot Dimensions.**

(1) **Width.**

- (a) Interior lots shall have a minimum width of sixty-five feet.
- (b) Corner lots shall have a minimum width of seventy-five feet.
- (c) Lots located on a knuckle or cul-de-sac shall have a minimum street frontage of thirty-nine feet.
- (d) Lots located on a curve shall have a minimum street frontage of fifty-two feet.

(2) **Depth.**

- (a) Lots facing on local streets (or frontage streets) shall have a minimum depth of one hundred feet, except any lot fronting on the turnaround section of a cul-de-sac or knuckle shall have a minimum depth of ninety feet.
- (b) Lots facing on collector streets shall have a minimum depth of one hundred fifteen feet.
- (c) Lots facing on major streets or highways shall have a minimum depth of one hundred twenty-five feet.
- (d) Lots backing on freeways, major highways, railroad rights-of-way, commercial or industrial districts shall have a minimum depth of one hundred twenty-five feet.

(C) **Yards.**

(1) **Front.** There shall be a front yard of not less than twenty-five feet in depth from the front property line or future width line of a street.

On corner lots, both main and accessory buildings on the side street shall have a minimum setback of fifteen feet.

(2) **Side.** There shall be a side yard on each side of a dwelling. No side yard shall be less than five feet.

(3) **Rear.** There shall be a rear yard of not less than twenty-five feet in depth from the rear property line.

(D) **Height.** The height of a dwelling or structure shall not exceed two stories nor shall the overall height exceed thirty-five feet.

(E) **Lot Coverage.** Regardless of any other provisions of this chapter, the maximum roofed area on any lot shall not exceed fifty percent of the total lot area, including accessory buildings and eaves, but excluding covered parking.

(F) **Accessory Buildings.** Accessory buildings may be erected in the rear yard provided that the building complies with all of the following conditions:

- (1) The overall height does not exceed fourteen feet;
- (2) The building shall not be less than five feet from any side or rear property line;
- (3) No portion of the building shall be within one foot of any utility easement;
- (4) The building shall have a minimum separation of ten feet from any dwelling or other building.

(G) **Off-street Parking.** Every dwelling shall have a minimum of two off-street parking places.

**(H) Covered Patios.** Covered patios may be erected into the rear yard provided that no portion of the roof is closer than ten feet to the rear property line and further provided the roof area complies with subsection (E) above.

That portion of the covered patio within the minimum rear yard may be enclosed provided that the wall area is not less than fifty percent open.

**(I) Special Provisions.** Cabanas, ramadas and other structures may be added to a mobile home, provided that said cabanas, ramadas and other structures comply with all of the foregoing provisions.

The mobile home may encroach five feet into the front and rear yard provided that no portion of the mobile home shall be closer than twenty feet to the front or rear property line or future width line of a street. (Ord. 680 § 1, 1980; Ord. 429 (part), 1974)

# **multiple family residential districts**

## Chapter 29.18

## R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT

## Sections:

- 29.18.010 Purpose and intent.
- 29.18.020 Uses permitted.
- 29.18.030 Uses permitted subject to a conditional use permit.
- 29.18.040 Uses prohibited.
- 29.18.050 Property development standards.
  - (A) Dwelling unit density and lot area.
  - (B) Lot dimensions.
  - (C) Yards.
  - (D) Height.
  - (E) Lot coverage.
  - (F) Accessory structures.
  - (G) Off-street parking.
  - (H) Covered patios.

**29.18.010 Purpose and intent.** The R-2 district is established to provide for the development of single-family and two-family residential uses and to prohibit the development of incompatible uses that are detrimental to the residential environment. (Ord. 783 § 2 (part), 1981; Ord. 429 (part), 1974)

**29.18.020 Uses permitted.** In the R-2, residential district, land may be used and buildings and structures may be erected, maintained and used if they are arranged, intended or designed for the following uses:

(A) One single-family dwelling of a permanent character in a permanent location with each residence on its own lot or parcel of land including all required yard areas;

(B) Accessory uses, buildings and structures only if they are clearly incidental to a permitted use and when placed upon the same lot or parcel with a permitted use, including home occupations subject to the provisions of Section 29.44.030; except that fences and walls may be permitted without a principal use in conjunction with a subdivided lot in accordance with the requirements of Section 29.44.085. Further, if a building permit for a model home has been issued for an approved final map consistent with subsection (C) of this section, or for a previous phase of an approved final map;

(C) The following temporary uses may be established if the board of county commissioners has approved a final map for at least one phase of a project which has had a tentative map approved, provided all other requirements of the county code have been met. The uses must provide paved access to structures, adequate access controls as required by Section 29.46.020. The final map must record within one year from the date permits are issued for the uses:

(1) A temporary structure to be utilized as a sales office located on property included on the approved tentative map. The structure is not required to provide paved parking, landscaping or a wall-enclosed trash area regardless of any other provision of this title.

(2) Not more than six model homes upon property covered by the approved final map subject to the following conditions:

29.18.020

(a) The final map may not be revised after the permits for the models have been issued except as approved by the county.

(b) The models or lots within the proposed subdivision may not be separately sold or offered for sale until the final subdivision map has been recorded in the office of the county recorder in accordance with NRS 278.

(c) The model homes must meet the minimum setbacks required from the future lot lines to be established by the subdivision as required by code.

(d) The use of the structures will be expressly limited to the model home use, including display for potential customers and sales office.

(e) The issuance of a permit for construction will not be construed as a commitment by the county to record the final map or to approve any zoning matter.

(f) An off-site bond for improvements as required by the approved final map must be posted prior to issuance of a building permit.

(D) A manufactured or mobile home, or a recreational vehicle may be temporarily established for residential purposes during the construction of a permitted single family dwelling subject to the following conditions:

(1) A building permit for the permitted dwelling must be issued prior to the establishment of or issuance of an installation permit for the temporary dwelling.

(2) The temporary dwelling must be set back a minimum of five feet from any front, side, side corner, or rear property line.

(3) The maximum length of time the temporary dwelling may be permitted shall not exceed twenty-four months from the date of building permit issue for the permitted dwelling or thirty days after the final inspection has been approved, whichever comes first. (Ord. 1876 § 14, 1996; Ord. 1871 § 9, 1996; Ord. 1701 § 8, 1995; Ord. 1445 § 3 (part), 1992; Ord. 783 § 2 (part), 1981; Ord. 429 (part), 1974)

\*\* NOTE: See Section 2: Modified Development Standards

**29.18.030 Uses permitted subject to a conditional use permit.** The following additional uses may be permitted subject to securing a conditional use permit in each case as provided for in Chapter 29.66:

(A) Planned development units, subject to the provisions of Chapter 29.47;

(B) Single-family dwellings on individual lots having a lot area and lot width not less than half that otherwise required by Section 29.18.050;

\* (C) Single-family residences with one side yard reduced or eliminated, provided that:

(1) The remaining side yard is at least ten feet in width.

(2) A recorded maintenance easement is granted by the property owner adjoining that side of the lot on which the side yard has been eliminated, and

(3) The applicant can demonstrate that such design is not out of character with the neighborhood;

(D) Two-family dwelling residences, provided that each two-family dwelling is on its own lot or parcel of land including all required yard areas and that the applicant can demonstrate that such design is not out of character with the neighborhood. (Ord. 1871 § 15, 1996; Ord. 1445 § 4, 1992; Ord. 1006 § 1, 1987; Ord. 669 § 3, 1979; Ord. 566 § 23, 1978; Ord. 429 (part), 1974)

**29.18.040 Uses prohibited.** All other uses are expressly prohibited. (Ord. 429 (part), 1974)

**\*\* NOTE:** See Section 2: Modified Development Standards

**29.18.050 Property development standards.** The following property development standards shall apply to an R-2 district, except as may be modified or restricted as provided in Chapter 29.44:

**\*\* (A) Dwelling Unit Density and Lot Area.** The dwelling unit density in an R-2 district shall not exceed eight dwelling units per gross acre and the lot area shall not be less than seven thousand square feet for any residential building.

**\*\* (B) Lot Dimensions.**

(1) **Width.**

(a) Interior lots shall have a minimum width of seventy feet.

(b) Corner lots shall have a minimum width of seventy-five feet.

(c) Lots located on a knuckle or cul-de-sac shall have a minimum street frontage of thirty-nine feet.

(d) Lots located on a curve shall have a minimum street frontage of fifty-six feet.

(2) **Depth.** All lots shall have a minimum depth of one hundred feet, except any lot fronting on the turnaround section of a cul-de-sac or knuckle shall have a minimum depth of ninety feet.

**\*\* (C) Yards.**

(1) **Front.** There shall be a front yard of not less than twenty feet in depth from the front property line or future width line of a street. On corner lots, both main and accessory buildings on the side street shall have a minimum setback of fifteen feet.

(2) **Side.** There shall be a side yard of not less than five feet on each side of a residential building, except when one side is reduced or eliminated in accordance with subsection (C) of Section 29.18.030 above.

(3) **Rear.** There shall be a rear yard of not less than twenty feet in depth from the rear property line.

**\*\* (D) Height.** The height of a building or structure shall not exceed two stories nor shall the overall height exceed thirty-five feet.

**\*\* (E) Lot Coverage.** Regardless of any other provisions of this chapter, the maximum roofed area on any lot shall not exceed fifty percent of the total lot area, including accessory buildings and eaves.

**(F) Accessory Structures.** Accessory structures may be erected in the rear yard provided that:

(1) The overall height does not exceed fourteen feet;

(2) Any structure other than a fence shall be not less than five feet from any side or rear property line;

(3) No structure other than a fence shall be within one foot of any utility easement;

(4) Any building shall have a minimum separation of ten feet from any dwelling or other building.

**(G) Off-Street Parking.** Every dwelling unit shall have a minimum of two off-street parking places.

**\*\* (H) Covered Patios.** Covered patios attached to the dwelling may be erected into the rear yard provided that no portion of the roof is closer than ten feet to the rear property line and further provided the roof area complies with subsection (E) above. That portion of the covered patio within the minimum rear yard may be enclosed provided that the wall area is not less than fifty percent open. (Ord. 1006 § 2, 1987; Ord. 566 § 5, 1978; Ord. 429 (part), 1974)

29.20.010

## Chapter 29.20

### R-3 MULTIPLE FAMILY RESIDENTIAL DISTRICT

#### Sections:

- 29.20.010 Purpose and intent.
- 29.20.020 Uses permitted.
- 29.20.030 Uses permitted subject to a conditional use permit.
- 29.20.040 Uses prohibited.
- 29.20.050 Property development standards.
  - (A) Dwelling unit density and lot area.
  - (B) Lot dimensions.
  - (C) Yards.
  - (D) Height.
  - (E) Lot coverage.
  - (F) Accessory buildings.
  - (G) Off-street parking.
  - (H) Special provisions for multiple-family dwelling groups.
  - (I) Covered patios.

**29.20.010 Purpose and intent.** The R-3 multiple family residential district is established to provide for the development of medium density residential use and to prohibit the development of incompatible uses that are detrimental to the residential environment. (Ord. 429 (part), 1974)

**29.20.020 Uses permitted.** In the R-3, multiple family residential district, land may be used and buildings and structures may be erected, maintained and used if they are arranged, intended or designed for the following uses:

(A) One of the following types of residential buildings, provided that each building is of a permanent character in a permanent location with each building on its own lot or parcel of land including all required yard areas:

- (1) One single-family dwelling residence,
- (2) One two-family dwelling residence,
- (3) One three-family dwelling residence,
- (4) One four-family dwelling residence,
- (5) Multiple-family dwellings,
- (6) Multiple-family dwelling groups;

(B) Accessory uses, buildings and structures only if they are clearly incidental to a permitted use and when placed upon the same lot or parcel with a permitted use, including home occupations subject to the provisions of Section 29.44.030; except that fences and walls may be permitted without a principal use in conjunction with a subdivided lot in accordance with the requirements of Section 29.44.085. Further, if a building permit for a model home has been issued for an approved final map consistent with subsection (D) of this section, or for a previous phase of an approved final map, block walls may be permitted on the proposed lots within the approved final map;

(C) On-premises signs may be permitted for multiple-family dwellings and multiple-family dwelling groups, subject to the provisions of Section 29.44.096;



(D) The following temporary uses may be established if the board of county commissioners has approved a final map for at least one phase of a project which has had a tentative map approved, provided all other requirements of the county code have been met. The uses must provide paved access to the structures, adequate access controls as required by Section 29.46.020. The final map must record within one year from the date permits are issued for the uses:

(1) A temporary structure to be utilized as a sales office located on property included on the approved tentative map. The structure is not required to provide paved parking, landscaping or a wall-enclosed trash area regardless of any other provision of this title.

(2) Not more than six model homes or eight condominium units upon property covered by the approved final map subject to the following conditions:

(a) The final map may not be revised after the permits for the models have been issued except as approved by the county.

(b) The models, units or lots within the proposed subdivision may not be separately sold or offered for sale until the final subdivision map has been recorded in the office of the county recorder in accordance with NRS 278.

(c) The model homes or units must meet the minimum setbacks required from the future lot lines to be established by the subdivision as required by code.

(d) The use of the structures will be expressly limited to the model home or unit use, including display for potential customers and sales office.

(e) The issuance of a permit for construction will not be construed as a commitment by the county to record the final map or to approve any zoning matter.

(f) An off-site bond for improvements as required by the approved final map must be posted prior to issuance of a building permit.

(E) A manufactured or mobile home, or a recreational vehicle may be temporarily established for residential purposes during the construction of a permitted dwelling subject to the following conditions:

(1) A building permit for the permitted dwelling must be issued prior to the establishment of or issuance of an installation permit for the temporary dwelling.

(2) The temporary dwelling must be set back a minimum of five feet from any front, side, side corner, or rear property line.

(3) The maximum length of time the temporary dwelling may be permitted shall not exceed twenty-four months from the date of building permit issue for the permitted dwelling or thirty days after the final inspection has been approved, whichever comes first. (Ord. 1876 § 10, 1996; Ord. 1871 § 16, 1996; Ord. 1701 § 9, 1995; Ord. 429 (part), 1974)

\*\* NOTE: See Section 2: Modified Development Standards

**29.20.030 Uses permitted subject to a conditional use permit.** The following additional uses may be permitted subject to securing a conditional use permit in each case as provided for in Chapter 29.66:

(A) Planned development units, subject to the provisions of Chapter 29.47;

\*\* (B) Single-family dwellings on individual lots not less than thirty-five feet in width and one hundred feet in depth; one side yard on such lots may be eliminated;

(C) Senior housing. (Ord. 1871 § 17, 1996; Ord. 1615 § 1(C), 1994; Ord. 460 § 7, 1975; Ord. 429 (part), 1974)

**29.20.040 Uses prohibited.** All other uses are expressly prohibited. (Ord. 429 (part), 1974)

\*\* NOTE: See Section 2: Modified Development Standards

**29.20.050 Property development standards.** The following property development standards shall apply to an R-3 district, except as modified or restricted by provisions of Section 29.20.030(C) or Chapter 29.44:

\* \* (A) **Dwelling Unit Density and Lot Area.** The dwelling unit density in an R-3 district shall not exceed eighteen dwelling units per gross acre and the lot area shall not be less than seven thousand square feet for any residential building.

\* \* (B) **Lot Dimensions.**

(1) **Width.**

(a) Interior lots shall have a minimum width of seventy feet.

(b) Corner lots shall have a minimum width of seventy-five feet.

(c) Lots located on a knuckle or cul-de-sac shall have a minimum street frontage of thirty-nine feet.

(d) Lots located on a curve shall have a minimum street frontage of fifty-six feet.

(2) **Depth.**

(a) Lots facing on local streets (or frontage streets) shall have a minimum depth of one hundred feet, except any lot fronting on the turnaround section of a cul-de-sac or knuckle shall have a minimum depth of ninety feet.

(b) Lots facing on collector streets shall have a minimum depth of one hundred fifteen feet.

(c) Lots facing on major streets or highways shall have a minimum depth of one hundred twenty-five feet.

(d) Lots backing on freeways, major highways, railroad rights-of-way, commercial or industrial districts shall have a minimum depth of one hundred twenty-five feet.

\* \* (C) **Yards.**

(1) **Front.** There shall be a front yard of not less than twenty feet in depth from the front property line or future width line of a street.

(2) **Side.** There shall be a side yard of not less than five feet on each side of a residential building, except when one side is eliminated in accordance with Section 29.20.030(C) above. On corner lots, both main and accessory buildings on the side street shall have a minimum setback of fifteen feet.

(3) **Rear.** There shall be a rear yard of not less than twenty feet in depth from the rear property line.

\* \* (D) **Height.** The height of a building or structure shall not exceed two stories nor shall the overall height exceed thirty-five feet.

\* \* (E) **Lot Coverage.** Regardless of any other provisions of this chapter the maximum roofed area on any lot shall not exceed fifty percent of the total lot area, including accessory buildings and eaves.

(F) **Accessory Buildings.** Accessory buildings may be erected in the rear yard; provided, that the building complies with all of the following conditions:

(1) The overall height does not exceed fourteen feet;

(2) The building shall not be less than five feet from any side or rear property line;

(3) No portion of the building shall be within one foot of any utility easement;

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(4) The building shall have a minimum separation of ten feet from any dwelling or other building.

(G) Off-Street Parking. On-site parking for residents and their guests shall be provided as follows:

(1) One and one-quarter parking spaces for each bachelor apartment or one-bedroom dwelling unit;

(2) One and three-quarter parking spaces for each two-bedroom dwelling unit;

(3) Two parking spaces for each dwelling unit having in excess of two bedrooms;

(4) At least one space for each five dwelling units must be provided for visitor parking.

\*\* NOTE: See Section 2: Modified Development Standards

\* \* (H) Special Provisions for Multiple-Family Dwelling Groups. The following special provisions shall apply to multiple-family dwelling groups and all of the foregoing conditions shall apply except as provided in this title:

(1) Groups of multiple-family dwelling units shall be considered as one building for the purpose of front, side and rear yard requirements.

(2) All multiple-family dwelling units shall face upon a courtyard, or if not arranged around a courtyard, shall face upon a landscaped area an average of twenty feet in depth.

(3) The minimum courtyard shall be open and unobstructed by any buildings or structures, except swimming pools or other recreational facilities, providing they do not obstruct the minimum open space required.

(4) The minimum open courtyard unobstructed except by architectural intrusions permitted by Section 29.44.060(D), shall be as follows:

(a) One-story dwelling groups, not less than two thousand square feet with an average width of not less than thirty feet;

(b) Two-story dwelling groups, not less than two thousand square feet with an average width of not less than forty feet.

(5) Distances Between Buildings. No building or structure may be within ten feet of any other building or structure, except that buildings or structures arranged in such a manner so that alleys or access driveways separate them, the separation shall not be less than thirty feet between the buildings or structures so arranged.

(6) Open Space. Four hundred square feet of open space shall be provided for each unit in the multiple-family dwelling group. If a play area for children is provided, it shall be enclosed by buildings, fences or walls not less than five feet in height.

\* \* (I) Covered Patios. Covered patios in conjunction with and attached to a single-family dwelling (including a single-family dwelling constructed in accordance with Section 29.20.030(C)) may be erected in the required rear yard area; provided, that no portion of the roof is closer than ten feet to the rear property line; and further provided, that the roofed area complies with Section 29.20.050(E). That portion of the covered patio within the minimum rear yard may be enclosed; provided, that the wall area is not less than fifty percent open. (Ord. 1771 § 2, 1996; Ord. 1738 § 2, 1995; Ord. 681 § 3, 1980; Ord. 669 § 4, 1979; Ord. 566 § § 6, 14, 1978; Ord. 460 § 8, 1975; Ord. 429 (part), 1974)

## Chapter 29.21

R-4 MULTIPLE FAMILY RESIDENTIAL DISTRICT  
(HIGH DENSITY)

## Sections:

- 29.21.010 Purpose and intent.
- 29.21.020 Uses permitted.
- 29.21.030 Uses permitted subject to a conditional use permit.
- 29.21.040 Uses prohibited.
- 29.21.050 Property development standards.
  - (A) Dwelling unit density and lot area.
  - (B) Lot dimensions.
  - (C) Yards.
  - (D) Height.
  - (E) Lot coverage.
  - (F) Accessory buildings.
  - (G) Off-street parking.
  - (H) Special provisions for multiple-family dwelling groups.

**29.21.010 Purpose and intent.** The R-4 multiple family residential district (high density) is established to provide for the development of high-density multiple-family residential use and to prohibit the development of incompatible uses that are detrimental to the high-density residential use. (Ord. 429 (part), 1974)

**29.21.020 Uses permitted.** In the R-4, multiple family residential district (high density), land may be used and buildings and structures may be erected, maintained and used if they are arranged, intended or designed for the following uses:

(A) One of the following types of residential buildings, provided that each building is of a permanent character in a permanent location with each building on its own lot or parcel of land including all required yard areas:

- (1) One three-family dwelling residence,
- (2) One four-family dwelling residence,
- (3) Multiple-family dwellings,
- (4) Multiple-family dwelling groups;

(B) Accessory uses, buildings and structures only if they are clearly incidental to a permitted use and when placed upon the same lot or parcel with a permitted use, including home occupations subject to the provisions of Section 29.44.030; except that fences and walls may be permitted without a principal use in conjunction with a subdivided lot in accordance with the requirements of Section 29.44.085. Further, if a building permit for a model home has been issued for an approved final map consistent with subsection (D) of this section, or for a previous phase of an approved final map, block walls may be permitted on the proposed lots within the approved final map;

(C) On-premises signs may be permitted for multiple-family dwellings and multiple-family dwelling groups, subject to the provisions of Section 29.44.096;

(D) The following temporary uses may be established if the board of county commissioners has approved a final map for at least one phase of a project which has had a tentative map approved, provided all other requirements of the county code have been met. The uses must provide paved access to the structures, adequate access controls as

29.21.020

required by Section 29.46.020. The final map must record within one year from the date permits are issued for the uses:

(1) A temporary structure to be utilized as a sales office located on property included on the approved tentative map. The structure is not required to provide paved parking, landscaping or a wall-enclosed trash area regardless of any other provision of this title.

(2) Not more than eight model condominium units upon property covered by the approved final map subject to the following conditions:

(a) The final map may not be revised after the permits for the models have been issued except as approved by the county.

(b) The models or lots within the proposed subdivision may not be separately sold or offered for sale until the final subdivision map has been recorded in the office of the county recorder in accordance with NRS 278.

(c) The model homes must meet the minimum setbacks required from the future lot lines to be established by the subdivision as required by code.

(d) The use of the structures will be expressly limited to the model unit use, including display for potential customers and sales office.

(e) The issuance of a permit for construction will not be construed as a commitment by the county to record the final map or to approve any zoning matter.

(f) An off-site bond for improvements as required by the approved final map must be posted prior to issuance of a building permit. (Ord. 1876 § 11, 1996; Ord. 1871 § 18, 1996; Ord. 1701 § 10, 1995; Ord. 429 (part), 1974)

**29.21.030** Uses permitted subject to a conditional use permit. The following additional uses may be permitted subject to securing a conditional use permit in each case as provided in Chapter 29.66:

(A) Planned development units, subject to the provisions of Chapter 29.47;

(B) Time-sharing apartments; any conditional use permit issued for such use shall be irrevocable except on grounds of noncompliance with conditions imposed at the time of initial approval;

(C) Senior housing. (Ord. 1871 § 19, 1996; Ord. 1615 § 1(D), 1994; Ord. 727 § 2, 1980; Ord. 429 (part), 1974)

**29.21.040** Uses prohibited. All other uses are expressly prohibited. (Ord. 429 (part), 1974)

\*\* NOTE: See Section 2: Modified Development Standards

**29.21.050** Property development standards. The following property development standards shall apply to an R-4 district, except as may be modified or restricted as provided in Chapter 29.44:

\*\* (A) Dwelling Unit Density and Lot Area. The dwelling unit density in an R-4 district shall not exceed twenty-five dwelling units per gross acre and the lot area shall not be less than seven thousand square feet for any residential building.

\*\* (B) Lot Dimensions.

(1) Width.

(a) Interior lots shall have a minimum width of seventy feet.

(b) Corner lots shall have a minimum width of seventy-five feet.

(c) Lots located on a knuckle or cul-de-sac shall have a minimum street frontage of thirty-nine feet.

29.21.050

(d) Lots located on a curve shall have a minimum street frontage of fifty-six feet.

\*\* (2) Depth.

(a) Lots facing on local streets (or frontage streets) shall have a minimum depth of one hundred feet, except any lot fronting on the turnaround section of a cul-de-sac or knuckle shall have a minimum depth of ninety feet.

(b) Lots facing on collector streets shall have a minimum depth of one hundred fifteen feet.

\*\* NOTE: See Section 2: Modified Development Standards

(c) Lots facing on major streets or highways shall have a minimum depth of one hundred twenty-five feet.

(d) Lots backing on freeways, major highways, railroad rights-of-way, commercial or industrial districts shall have a minimum depth of one hundred twenty-five feet.

\*\* (C) Yards.

(1) Front. There shall be a front yard of not less than twenty feet in depth from the front property line or future width line of a street.

(2) Side. There shall be a side yard of not less than five feet on each side of a residential building. On corner lots, both main and accessory buildings on the side street shall have a minimum setback of fifteen feet.

(3) Rear. There shall be a rear yard of not less than twenty feet in depth from the rear property line.

\*\* (D) Height. The height of a building or structure shall not exceed two stories nor shall the overall height exceed thirty-five feet.

\*\* (E) Lot Coverage. Regardless of any other provisions of this chapter, the maximum roofed area on any lot shall not exceed fifty percent of the total lot area, including accessory buildings and eaves, but excluding covered parking.

(F) Accessory Buildings. Accessory buildings may be erected in the rear yard; provided, that the building complies with all of the following conditions:

(1) The overall height does not exceed fourteen feet;

(2) The building shall not be less than five feet from any side or rear property line;

(3) No portion of the building shall be within one foot of any utility easement;

(4) The building shall have a minimum separation of ten feet from any dwelling or other building;

(5) Covered carports may be attached to the main building and/or erected in the rear yard; provided, that three sides are not enclosed; and further provided, that no portion of the carport shall be closer than five feet to any property line.

(G) Off-Street Parking. On-site parking for residents and their guests shall be provided as follows:

(1) One and one-quarter parking spaces for each bachelor apartment or one-bedroom dwelling unit;

(2) One and three-quarter parking spaces for each two-bedroom dwelling unit;

(3) Two parking spaces for each dwelling unit having in excess of two bedrooms;

(4) At least one space for each five dwelling units must be provided for visitor parking.

(H) Special Provisions for Multiple-Family Dwelling Groups. The following special provisions shall apply to multiple-family dwelling groups and all of the foregoing conditions shall apply, except as provided in this title:

(1) Groups of multiple-family dwellings shall be considered as one building for the purpose of front, side and rear yard requirements.

(2) All multiple-family dwelling units shall face upon a courtyard, or if not arranged around a courtyard, shall face upon a landscaped area an average of fifteen feet in depth.

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(3) The rear yard may be reduced to not less than five feet from the rear property line provided:

- (a) That the rear property line is not along a public street or alley;
- (b) That the area of the rear yard that is eliminated is added to the front, side or courtyards;
- (c) That the reduced rear yard is not adjacent to a different zoning district.

(4) The minimum courtyard shall be unoccupied by any buildings or structures except swimming pools or other recreational facilities, providing they do not obstruct the minimum open space required.

(5) The minimum open courtyard unobstructed except by architectural intrusions permitted by Section 29.44.060(D), shall be as follows:

- (a) One-story dwelling groups, not less than one thousand square feet with an average width of not less than thirty feet;
- (b) Two-story dwelling groups, not less than one thousand five hundred square feet with an average width of not less than thirty feet.

(6) No building or structure may be within ten feet of any other building or structure, except that buildings or structures arranged in such a manner so that alleys or access driveways separate them, the separation shall not be less than thirty feet between the buildings or structures so arranged.

(7) Open Space. Three hundred square feet of open space shall be provided for each unit in the multiple-family dwelling group. If a play area for children is provided, it shall be enclosed by buildings, fences or walls not less than five feet in height. (Ord. 1771 § 3, 1996; Ord. 1738 § 3, 1995; Ord. 681 § 5, 1980; Ord. 669 § 2, 1979; Ord. 429 (part), 1974)



## Chapter 29.22

## R-5 APARTMENT RESIDENTIAL DISTRICT

## Sections:

- 29.22.010 Purpose and intent.
- 29.22.020 Uses permitted.
- 29.22.030 Uses permitted subject to a conditional use permit.
- 29.22.040 Uses prohibited.
- 29.22.050 Property development standards.
  - (A) Dwelling unit density and lot area.
  - (B) Lot dimensions.
  - (C) Yards.
  - (D) Height.
  - (E) Lot coverage.
  - (F) Accessory buildings.
  - (G) Off-street parking.
  - (H) Special provisions for multiple-family dwelling groups.

**29.22.010 Purpose and intent.** The R-5 apartment residential district is established to provide for the development of high-density apartment residential use and to prohibit the development of incompatible uses that are detrimental to the high-density residential use. (Ord. 429 (part), 1974)

**29.22.020 Uses permitted.** In the R-5. apartment residential district, land may be used and buildings and structures may be erected, maintained and used if they are arranged, intended or designed for the following uses:

- (A) One of the following types of residential buildings:
  - (1) Multiple-family dwellings,
  - (2) Multiple-family dwelling groups,
  - (3) Apartment houses,
  - (4) Apartment hotels,
  - (5) Lodginghouses and boardinghouses, but not dormitories, provided that one permanently maintained off-street parking space be provided for each rentable room in accordance with Section 29.44.050(G); rentable rooms may have a common kitchen,
  - (6) Clubs, lodges, fraternities and societies of a private and nonprofit nature;

(B) Accessory uses, buildings and structures only if they are clearly incidental to a permitted use and when placed upon the same lot or parcel with a permitted use, including home occupations subject to the provisions of Section 29.44.030; except that fences and walls may be permitted without a principal use in conjunction with a subdivided lot in accordance with the requirements of Section 29.44.085. Further, if a building permit for a model home has been issued for an approved final map consistent with subsection (D) of this section, or for a previous phase of an approved final map, block walls may be permitted on the proposed lots within the approved final map;

(C) On-premises signs may be permitted, subject to the provisions of Section 29.44.096;

(D) The following temporary uses may be established if the board of county commissioners has approved a final map for at least one phase of a project which has had

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a tentative map approved, provided all other requirements of the county code have been met. The uses must provide paved access to the structures, adequate access controls as required by Section 29.46.020. The final map must record within one year from the date permits are issued for the uses:

(1) A temporary structure to be utilized as a sales office located on property included on the approved tentative map. The structure is not required to provide paved parking, landscaping or a wall-enclosed trash area regardless of any other provision of this title.

(2) Not more than eight model condominium units upon property covered by the approved final map subject to the following conditions:

(a) The final map may not be revised after the permits for the models have been issued except as approved by the county.

(b) The models or lots within the proposed subdivision may not be separately sold or offered for sale until the final subdivision map has been recorded in the office of the county recorder in accordance with NRS 278.

(c) The model units must meet the minimum setbacks required from the future lot lines to be established by the subdivision as required by code.

(d) The use of the structures will be expressly limited to the model unit use, including display for potential customers and sales office.

(e) The issuance of a permit for construction will not be construed as a commitment by the county to record the final map or to approve any zoning matter.

(f) An off-site bond for improvements as required by the approved final map must be posted prior to issuance of a building permit. (Ord. 1876 § 12, 1996; Ord. 1871 § 20, 1996; Ord. 1701 § 11, 1995; Ord. 566 § 12, 1978; Ord. 429 (part), 1974)

**29.22.030** Uses permitted subject to a conditional use permit. The following additional uses may be permitted subject to securing a conditional use permit in each case as provided in Chapter 29.66:

(A) Planned development units, subject to the provisions of Chapter 29.47;

(B) Commercial businesses limited to the following type:

(1) Barbershop,

(2) Beauty shop or parlor,

(3) Food and miscellaneous household product sales,

(4) Dry cleaning and laundry collection office,

(5) Launderette;

provided, that the uses are clearly incidental to an apartment complex containing not less than one hundred units and for the convenience of the occupants thereof; provided, that there is no entrance to such business except from inside the building in which the same is located, that the uses are restricted to the ground floor, that the floor area used for such business purposes shall not exceed twenty-five percent of the ground floor area of the building, and that there is no outside advertising signs;

(C) Time-sharing apartments; any conditional use permit issued for such use shall be irrevocable except on ground of noncompliance with conditions imposed at the time of initial approval. (Ord. 1871 § 21, 1996; Ord. 1870 § 2, 1996; Ord. 727 § 3, 1980; Ord. 547 §§ 1 and 2, 1977; Ord. 429 (part), 1974)

**29.22.040** Uses prohibited. All other uses are expressly prohibited. (Ord. 429 (part), 1974)

**\*\* NOTE:** See Section 2: Modified Development Standards

**29.22.050 Property development standards.** The following property development standards shall apply to an R-5 district, except as may be modified or restricted as provided in Chapter 29.44:

**\*\* (A) Dwelling Unit Density and Lot Area.** The dwelling unit density in an R-5 district shall not exceed fifty dwelling units per gross acre and the lot area shall not be less than seven thousand square feet for any residential building.

**\*\* (B) Lot Dimensions.**

(1) **Width.**

(a) Interior lots shall have a minimum width of seventy feet.

(b) Corner lots shall have a minimum width of seventy-five feet.

(2) **Depth.**

(a) Lots facing on local streets (or frontage streets) shall have a minimum depth of one hundred feet, except any lot fronting on a turnaround section of a cul-de-sac or knuckle shall have a minimum depth of ninety feet.

(b) Lots facing on collector streets shall have a minimum depth of one hundred fifteen feet.

(c) Lots facing on major streets or highways shall have a minimum depth of one hundred twenty-five feet.

(d) Lots backing on freeways, major highways, railroad rights-of-way, commercial or industrial districts shall have a minimum depth of one hundred twenty-five feet.

**\*\* (C) Yards.**

(1) **Front.** There shall be a front yard of not less than twenty feet in depth from the front property line or future width line of a street.

(2) **Side.** There shall be a side yard of not less than five feet on each side of a residential building. On corner lots, both main and accessory buildings on the side street shall have a minimum setback of fifteen feet.

(3) **Rear.** There shall be a rear yard of not less than twenty feet in depth from the rear property line.

**\*\* (D) Height.** The height of a building or structure shall not exceed four stories nor shall the overall height exceed fifty feet.

**\*\* (E) Lot Coverage.** Regardless of any other provisions of this chapter, the maximum roofed area on any lot shall not exceed fifty percent of the total lot area, including accessory buildings and eaves, but excluding covered parking.

**(F) Accessory Buildings.** Accessory buildings may be erected in the rear yard; provided, that the building complies with all of the following conditions:

(1) The overall height does not exceed fourteen feet;

(2) The building shall not be less than five feet from any side or rear property line;

(3) No portion of the building shall be within one foot of any utility easement;

(4) The building shall have a minimum separation of ten feet from any dwelling or other building;

(5) Covered carports may be attached to the main building and/or erected in the rear yard; provided, that three sides are not enclosed; and further provided, that no portion of the carport shall be closer than five feet to any property line.

**(G) Off-street Parking.** On-site parking for residents and their guests shall be provided as follows:

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(1) One and one-quarter parking spaces for each bachelor apartment or one-bedroom dwelling unit;

(2) One and three-quarter parking spaces for each two-bedroom dwelling unit;

(3) Two parking spaces for each dwelling unit having in excess of two bedrooms;

(4) At least one space for each five dwelling units must be provided for visitor parking.

(H) Special Provisions for Multiple-family Dwelling Groups. The following special provisions shall apply to multiple-family dwelling groups and all of the foregoing conditions shall apply, except as provided in this title:

(1) Groups of multiple-family dwellings shall be considered as one building for the purpose of front, side and rear yard requirements.

(2) All multiple-family dwelling units shall face upon a public street, a courtyard or a landscaped area one-half the requirement listed under subsection (H)(5) of this section.

(3) The rear yard may be reduced to not less than five feet from the rear property line provided:

(a) That the rear property line is not along a public street or alley;

(b) That the area of the rear yard that is eliminated is added to the front, side or courtyards;

(c) That the reduced rear yard is not adjacent to a different zoning district.

(4) The minimum courtyard shall be unoccupied by any buildings or structures except swimming pools or other recreational facilities, providing they do not obstruct the minimum open space required.

(5) The minimum unobstructed open courtyard shall be as follows:

(a) One-story dwelling groups, not less than one thousand square feet with a minimum width of thirty feet;

(b) Two-story dwelling groups, not less than one thousand five hundred square feet with a minimum width of thirty feet;

(c) Three-story dwelling groups, not less than two thousand square feet with a minimum width of forty feet;

(d) Four-story dwelling groups, not less than two thousand five hundred square feet with a minimum width of fifty feet.

(6) No building or structure may be within ten feet of any other building or structure, except that buildings or structures arranged in such a manner so that alleys or access driveways separate them, the separation shall not be less than thirty feet between the buildings or structures so arranged; and further provided, that an additional five-foot separation shall be required to the above for each story in excess of two stories.

(7) Open Space. Three hundred square feet of open space shall be provided for each unit in the multiple-family dwelling group. If a play area for children is provided, it shall be enclosed by buildings, fences or walls not less than five feet in height. (Ord. 1771 § 4, 1996; Ord. 1738 § 4, 1995; Ord. 429 (part), 1974)

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## Chapter 29.24

### C-C SHOPPING CENTER DISTRICT

#### Sections:

- 29.24.010 Shopping center district defined.
- 29.24.020 Purpose.
- 29.24.030 General conditions for establishment.
- 29.24.040 Uses permitted.
- 29.24.045 Uses permitted subject to a conditional use permit.
- 29.24.050 Uses prohibited.
- 29.24.060 Building site area regulations.
- 29.24.070 Yard regulations.
- 29.24.080 Height regulations.
- 29.24.090 Loading requirements.
- 29.24.100 Divided district.
- 29.24.110 Nonconforming uses and intent.

**29.24.010 Shopping center district defined.** For the purpose of this title, "shopping center district" is defined as a group of retail stores planned and designed for the site on which they are built and characterized by a concentrated grouping of stores, shops and uses herein permitted. They are ordinarily planned as a unit and built according to such plan and located away from the general business district to serve the needs of suburban and fringe growth. (Ord. 429 (part), 1974)

**29.24.020 Purpose.** In order to preserve residential values and promote the general welfare of the surrounding residential district, the shopping center district is created in order to provide such store groupings so located to have the following: Traffic safety through provisions for proper traffic routing and car parking; freedom from the traffic congestion on public streets through provision for adequate off-street parking; off-street loading and adequate ingress and egress; and protection of residential character of neighborhoods through provisions of adequate and suitably treated business-area open spaces at boundaries adjacent to residential area. For the C-C shopping center district the specific intent of this chapter is:

(A) To encourage the construction and continued use of land for neighborhood commercial and service purposes;

(B) To prohibit residential, heavy commercial and industrial use of the land, and prohibit any other use which would substantially interfere with the development or continuation of the commercial structures in the district;

(C) To discourage any use which, because of its character and size, would interfere with the use of land in the district as a shopping and service center for surrounding residential districts. (Ord. 429 (part), 1974)

**29.24.030 General conditions for establishment.** A C-C district may be established adjoining and including portions of C-1 or C-2 districts, or in an area which is being newly developed, upon a tract of land with the requirements as listed below:

(A) Any application for a C-C district classification shall be accompanied by an application for a zone change or amendment as specified in Chapter 29.68.

**Commercial services**





(B) Provided that a detailed and specific plan for its development has been approved by the county planning commission and the board of county commissioners.

(C) If adjoining and including portions of a C-1 district, the tract of land included for such planned development shall be at least two acres in size and, if developed in conjunction with a C-2 district (or in an area under development), it shall be at least five acres in size, the net area not including areas of dedicated streets, highways or alleys.

(D) The location of the C-C district shall be on property which has an acceptable relationship to the major thoroughfares. The commission must satisfy itself as to the adequacy of the thoroughfares to carry additional traffic engendered by the development, and may request reports and recommendations from various agencies or departments.

(E) The plan for the proposed development must present a unified and organized arrangement of buildings and service facilities which shall have a functional relationship to the properties comprising the planned development, the properties and uses of properties immediately adjacent to the proposed development.

(F) The area occupied by buildings in this district shall be twenty-five percent or less of the net area of the district.

(G) The developer must satisfy the county planning commission and board of county commissioners of his financial ability to carry out a proposed plan and shall prepare and submit a schedule of construction, which construction shall begin within a period of six months. Failure to carry out construction as scheduled shall void the plan as approved, unless an extension of time is approved by the planning commission.

(H) The proponents of a planned shopping center shall prepare and submit a preliminary plan and supporting data showing: The proven necessity; the available spendable income is adequate to support it; the population service area; any other pertinent data as may be requested for review and tentative approval of the county planning commission, upon which plan the county planning commission shall hold a public hearing. Upon approval of the preliminary development plan by the planning commission and the board of county commissioners, the proponents shall prepare and submit a final development plan which shall incorporate any changes or alterations requested by the said commissions of which:

(1) Such plans shall include advertising signs or structures when upon buildings or premises to which the signs apply;

(2) On-premises signs may be permitted, subject to the provisions of Section 29.44.050(J).

(I) After approval of the final plans by the planning commission and upon final presentation of the shopping center plans to the board of county commissioners, the board of county commissioners shall set a public hearing on the proposed zone change. After the public hearing they shall approve or disapprove such plans and zone change.

(J) The board of county commissioners shall approve the preliminary and final plans before the area included is changed into a C-C classification. (Ord. 429 (part), 1974)

**29.24.040 Uses permitted.** In the C-C, shopping center district, no building or structure shall be erected which is arranged, intended or designed to be used for other than one or more of the following uses:

- (1) Advertising agency;
- (2) Answering service;
- (3) Antique shop;
- (4) Appliance store;
- (5) Art needlework shop;

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- (6) Athletic goods store;
- (7) Auto accessory store;
- (8) Auto rental;
- (9) Bakery, retail sale only;
- (10) Bank and savings and loan;
- (11) Bar and lounge;
- (12) Barbershop;
- (13) Beauty shop or parlor;
- (14) Bicycle repair shop;
- (15) Bowling alley;
- (16) Bookstore;
- (17) Brew pub;
- (18) Butcher shops;
- (19) Cafe or cafeteria;
- (20) Camera and photo supplies;
- (21) Candy store;
- (22) Catering service;
- (23) China and silver shop;
- (24) Christmas tree sales, allowing outdoor display;
- (25) Cleaning, dry (restricted);
- (26) Clinics, medical and dental;
- (27) Clothing, clothing accessory store;
- (28) Collection agency;
- (29) Confectionery;
- (30) Convenience store, subject to the restrictions listed under Section 29.26.015(4) of this title;
- (31) Costume rental;
- (32) Data processing center;
- (33) Delicatessen;
- (34) Department store;
- (35) Dog grooming;
- (36) Drapery and curtain store;
- (37) Dress or dressmaking shop;
- (38) Drive-in restaurants;
- (39) Drugstore;
- (40) Dry cleaning collection office;
- (41) Dry goods store;
- (42) Duplication, blueprinting, photostats;
- (43) Eating places (no alcoholic beverages);
- (44) Eating and drinking places;
- (45) Education and scientific research;
- (46) Electrical shops;
- (47) Electronic equipment store (including business machine sales);
- (48) Embroidery store;
- (49) Fabric and sewing materials shop;
- (50) Five and ten cent store;
- (51) Fix-it, radio or television repair shops;
- (52) Flower or florist shop;
- (53) Food stores;

- (54) Frozen food lockers (not commercial);
- (55) Fruit and vegetable store;
- (56) Fur sales and storage;
- (57) Furniture store;
- (58) Garden supplies;
- (59) General offices;
- (60) Gift shop, novelty and souvenirs;
- (61) Grocery store;
- (62) Haberdashery;
- (63) Hardware store;
- (64) Hat shops;
- (65) Health and allied services;
- (66) Health club or reducing parlor;
- (67) Hemsitching and pleating shop;
- (68) Hobby store;
- (69) Household merchandise and furnishings store;
- (70) Ice cream parlor, malt shop;
- (71) Interior decorating studio;
- (72) Investment companies;
- (73) Jewelry store;
- (74) Juice bar or shop;
- (75) Key and lock service;
- (76) Launderette;
- (77) Laundry collection office;
- (78) Library, public or rental;
- (79) Limited price variety;
- (80) Linen shops;
- (81) Liquor store (package);
- (82) Luggage sales;
- (83) Lunchroom;
- (84) Mail-order house;
- (85) Mail shop;
- (86) Meat market;
- (87) Messenger office;
- (88) Millinery;
- (89) Movie theater, walk-in;
- (90) Music store, studio or school;
- (91) News dealers and stands;
- (92) Notion, variety store;
- (93) Office (general);
- (94) Offices, professional, not otherwise listed;
- (95) Office, optometrist or oculist;
- (96) Office supply store;
- (97) Paint, glass and wallpaper store;
- (98) Parking lot (commercial);
- (99) Personal loan agency;
- (100) Pet shop;
- (101) Pharmacies only;
- (102) Photographic studio;

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- (103) Plant nursery;
- (104) Pool or billiard parlor;
- (105) Pottery shop and ceramics (no baking or kiln operations);
- (106) Pressing, alteration;
- (107) Private employment agency;
- (108) Professional answering services;
- (109) Professional and administrative office;
- (110) Radio store and service;
- (111) Real estate office;
- (112) Restaurant;
- (113) Sandwich shop;
- (114) Security services;
- (115) Self-service laundries;
- (116) Service establishments;
- (117) Service stations, subject to the restrictions listed under Section 29.26.015(4)

of this title:

- (118) Sewing machine store;
- (119) Soda fountains;
- (120) Sporting goods store;
- (121) Stationery store;
- (122) Tailor shop;
- (123) Tavern;
- (124) Tax return preparation office;
- (125) Taxicab office;
- (126) Tearoom or shop;
- (127) Telegraph office;
- (128) Telephone exchange;
- (129) Television sales and repair;
- (130) Tobacco store;
- (131) Toy store;
- (132) Travel bureau (no depot);
- (133) Utility office;
- (134) Variety store;
- (135) Wallpaper store;
- (136) Wearing apparel store;
- (137) Watch and clock repair shop.

(138) Any use permitted in the C-1, local business district, C-P, office and professional district, and C-2, general commercial district, subject to securing a conditional use permit as provided in Chapter 29.66 of this title for any use for which a conditional use permit is required in said districts, and subject to the restrictions listed in said districts. (Ord. 1870 § 3, 1996; Ord. 1792 § 1, 1996; Ord. 1745 § 2, 1995; Ord. 509 § 5, 1976; Ord. 429 (part), 1974)

**29.24.045** Uses permitted subject to a conditional use permit. The following uses may be permitted subject to securing a conditional use permit in each instance:

- (1) Suntanning center (without massage or other attendant service within tanning booths);
- (2) Mail-order puzzle contests;
- (3) Psychic arts;
- (4) Off-set printing establishments;
- (5) Outside eating areas in conjunction with restaurants;

(6) The uses permitted in Section 29.66.020 of this title as permitted in any zone subject to a conditional use permit;

(7) Bathhouse (without massage). (Ord. 1840 § 3, 1996; Ord. 1745 § 3, 1995; Ord. 1477 § 1, 1993; Ord. 1467 § 1, 1993)

**29.24.050 Uses prohibited.** All other uses, including residential uses, are expressly prohibited. (Ord. 429 (part), 1974)

**29.24.060 Building site area regulations.** There shall be no building site regulations except as designated under Section 29.24.030. (Ord. 429 (part), 1974)

**29.24.070 Yard regulations.** (A) **Setback for Building or Parking Lot.** In any C-C district, there shall be a setback from any property line and/or future width line of at least twenty feet for any building or parking lot.

(B) **Adjoining Commercial District.** Along any property line within or adjoining an established commercial district, there shall be a setback of at least ten feet. This requirement may be modified or waived if, in the judgment of the planning commission and the board of county commissioners, a fire lane is not considered to be necessary.

(C) **Adjoining Residential District.** Along any property line abutting or adjoining a residentially zoned district, there shall be a setback of at least twenty feet, not less than ten feet of which shall be sodded, planted and/or shrubbed in such a way as to form a permanent screen. (Ord. 669 § 8, 1979; Ord. 429 (part), 1974)

**29.24.080 Height regulations.** The height of a building or structure shall not exceed three stories nor shall the overall height exceed forty-five feet. (Ord. 429 (part), 1974)

**29.24.090 Loading requirements.** Ample off-street space for standing, loading and unloading shall be provided within the development. Each space shall consist of a ten-foot by twenty-five-foot area for small trucks, such as pickup trucks, and a ten-foot by forty-five-foot space for larger trucks, including tractor-trailer type trucks. The height clearance in both cases shall be at least fourteen feet. (Ord. 429 (part), 1974)

**29.24.100 Divided district.** For the purposes of calculating the minimum area, lot width, lot dimension, floor area ratio, percentage of lot covered by building and yard requirements established by this chapter, a single C-C shopping center district cannot lie on two sides of a public street or alley. Any area designated as being zoned C-C commercial and lying on both sides of a public street or alley shall be deemed to be two C-C shopping center districts, and all the minimum requirements shall be met by buildings on each side of the public street or alley as separate districts. (Ord. 429 (part), 1974)

**29.24.110 Nonconforming uses and intent.** It is the intent of this title to designate no area as a C-C shopping center district in which there is, at the date of adoption of the ordinance codified in this title, any residential or other nonconforming use. It is the further intent of this title that insofar as possible all neighborhood commercial and service areas in newly developed portions of the county shall be located in a C-C shopping center district, in order to decrease traffic and parking congestion and to preserve the residential values of the county. The county planning commission and the board of county commissioners shall refuse to approve any request for an amendment rezoning any portion of the

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county to a C-C shopping center district if there is in that district any use which would be a nonconforming use upon passage by the board of county commissioners of the ordinance codified in this title. (Ord. 429 (part), 1974)

### Chapter 29.25

### C-P OFFICE AND PROFESSIONAL DISTRICTS

#### Sections:

- 29.25.010 Purpose and intent.
- 29.25.020 Uses permitted.
- 29.25.025 Uses permitted subject to a conditional use permit.
- 29.25.030 Uses prohibited.
- 29.25.040 Building site area regulations.
- 29.25.050 Side yard regulations.
- 29.25.060 Front yard regulations.
- 29.25.070 Rear yard regulations.
- 29.25.080 Height regulations.
- 29.25.090 Building coverage regulations.

**29.25.010 Purpose and intent.** The C-P office and professional district is established to provide for the development of office and clinic uses and to provide a buffer use area between the more intensive commercial and residential districts. (Ord. 429 (part), 1974)

**29.25.020 Uses permitted.** In a C-P, office and professional district, no building or structure shall be erected which is arranged, intended or designed to be used for other than one or more of the following uses:

- (1) Advertising agencies, office only;
- (2) Art gallery or artists' studios;
- (3) Consultants;
- (4) Consumer credit office;
- (5) Educational services (no trade school);
- (6) Insurance offices;
- (7) Legal offices;
- (8) Medical or dental offices;
- (9) Offices, business and professional;
- (10) Parking lot;
- (11) Personal counselors, including psychologists;
- (12) Pharmacy, when operated in conjunction with and on the same premises as a medical or dental office or clinic;
- (13) Photographic studio;
- (14) Real estate sales office;
- (15) Securities sales and investment companies;
- (16) Tax return preparation office.

(Ord. 1737 § 2, 1995; Ord. 566 § 10, 1978; Ord. 429 (part), 1974)

**29.25.025 Uses permitted subject to a conditional use permit.** The following shall be permitted subject to securing a conditional use permit in accordance with Chapter

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**29.66 of this title: massage as a principal use as defined in Section 29.02.626 of this title, the uses allowed in the C-1, local business district, excepting the following: service stations, the uses permitted by Section 29.26.015, shopping centers, off-premises advertising, and uses involving the sale of food for on- or off-premises consumption. (Ord. 1840 § 4, 1996: Ord. 1737 § 3, 1995: Ord. 1105 § 1, 1988: Ord. 764 § 1, 1981)**

29.25.030

**29.25.030 Uses prohibited.** All other uses are expressly prohibited. (Ord. 429 (part), 1974)

**29.25.040 Building site area regulations.** There shall be no building site area regulations except that any portion of a building which is designed, intended or used for any residential or dwelling purpose shall comply with the provisions of this title as to yards and areas which are required in residential zone R-3. (Ord. 429 (part), 1974)

**29.25.050 Side yard regulations.** There shall be no side yard required except that wherever a building is located upon a lot adjacent to a residential zone boundary, there shall be provided a side yard of not less than ten feet on the side of the building adjacent to the zone boundary line, and on corner lots the side yard which faces on a street shall not be less than twenty feet. (Ord. 429 (part), 1974)

**29.25.060 Front yard regulations.** The minimum depth of the front yard for all buildings, walls or fences more than two feet in height shall be fifteen feet. (Ord. 429 (part), 1974)

**29.25.070 Rear yard regulations.** There shall be no rear yard required except lots which rear against a lot in a residential zone, the minimum rear yard shall be ten feet. (Ord. 429 (part), 1974)

**29.25.080 Height regulations.** The height of a building or structure shall not exceed two stories nor shall the overall height exceed thirty-five feet. (Ord. 429 (part), 1974)

**29.25.090 Building coverage regulations.** No building or structure or group of buildings or structures shall cover more than sixty percent of the area of the lot. (Ord. 429 (part), 1974)



29.26.010

## Chapter 29.26

### C-1 LOCAL BUSINESS DISTRICT

#### Sections:

- 29.26.010 Uses permitted.
- 29.26.015 Uses permitted subject to a conditional use permit.
- 29.26.020 Special provisions.
- 29.26.030 Building site area regulations.
- 29.26.040 Side yard regulations.
- 29.26.050 Front yard regulations.
- 29.26.060 Rear yard regulations.
- 29.26.070 Height regulations.
- 29.26.080 Building coverage regulations.

**29.26.010 Uses permitted.** In local business zone C-1, no building or structure shall be erected which is arranged, intended or designed to be used for other than one or more of the following uses:

- (1) Antique shop;
- (2) Appliance store;
- (3) Art shop and artists' supplies;
- (4) Athletic goods store;
- (5) Automobile maintenance, excluding the repairing, painting or upholstering of motor vehicles;
- (6) Bakery, retail only;
- (7) Bank;
- (8) Barbershop;
- (9) Beauty parlor or shop;
- (10) Cafe or cafeteria;
- (11) Candy store;
- (12) Christmas tree sales;
- (13) Confectionery;
- (14) Delicatessen;
- (15) Dress and dressmaking shop;
- (16) Drugstore;
- (17) Dry cleaning and laundry collection (office only);
- (18) Eating places (no alcoholic beverages);
- (19) Five and ten cent stores;
- (20) Flower or florist shop;
- (21) Food store;
- (22) Fruit or fruit juice bar;
- (23) Gift shop;
- (24) Glass and china shop;
- (25) Grocery store;
- (26) Hardware store, not including sale of power vehicles using motors of more than one horsepower;

- (27) Ice cream parlor;
- (28) Insurance office;
- (29) Library, public or rental;
- (30) Beer and/or wine sales (not for on-premises consumption);
- (31) Lunchroom;
- (32) Malt shop;
- (33) Meat market;
- (34) News dealers and stands;
- (35) Notions store;
- (36) Office, business or professional;
- (37) Parking lot;
- (38) Photographer or photographic supplies, studio;
- (39) Pressing, alteration;
- (40) Radio and television sales and repair;
- (41) Real estate office;
- (42) Restaurant;
- (43) Sale of dairy products, but not including processing or bottling;
- (44) Sandwich shop, not including drive-in;
- (45) Shoe repair shop;
- (46) Soda fountain;
- (47) Sporting goods store;
- (48) Stationery store;
- (49) Taxistand;
- (50) Tobacco stores;
- (51) Travel agencies (not including vacation plan or vacation certificate sales or solicitations);
- (52) Employment agencies. (Ord. 1870 § 4, 1996; Ord. 721 § 5, 1980; Ord. 509 § 6, 1976; Ord. 429 (part), 1974)

**29.26.015 Uses permitted subject to a conditional use permit. The following uses may be permitted subject to securing a conditional use permit in each instance:**

- (1) Outside eating areas in conjunction with restaurants;
- (2) The uses listed in Section 29.66.020 of this title as permitted in any zone subject to a conditional use permit;
- (3) Mini-warehouses ("commercial storage units"); provided, that such units are not used as separate business locations and subject to the restrictions on such facilities as described in Chapter 29.29 of this title;
- (4) Convenience store or service station, subject to the following requirements:
  - (A) All buildings and canopies shall be set back not less than thirty feet from the right-of-way line of any section line street.
  - (B) All buildings and canopies shall be set back not less than twenty feet from the right-of-way line of any non-section line street.
  - (C) All buildings and canopies shall be either (1) set back a minimum of two hundred feet from existing residential development or property designated as other than commercial or industrial in an adopted land use guide, or (2) visually and acoustically buffered from adjacent properties in a manner acceptable to the planning commission or board of county commissioners;
- (5) The uses permitted in the C-2 general commercial district, but excluding the sale of alcoholic beverages for on-premises consumption and also excluding the uses

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subject to a conditional use permit in the C-2 general commercial district. (Ord. 1870 § 5, 1996: Ord. 1792 § 2, 1996: Ord. 1745 § 4, 1995: Ord. 1477 § 2, 1993: Ord. 1467 § 2, 1993: Ord. 1120 § 1, 1988: Ord. 1013 § 1, 1987: Ord. 721 § 6, 1980: Ord. 497 § 3, 1976)

**29.26.020 Special provisions.** The stores, shops or businesses specified in Section 29.26.010 shall be retail establishments only and shall be permitted only under the following conditions:

(A) The businesses shall be conducted wholly within an enclosed building except for the outdoor displays of Christmas trees and the parking of automobiles. In no case shall any merchandise be displayed nor shall any business be conducted between the street line and any building line.

(B) All on-premises production, whether primary or incidental, shall be conducted within a completely enclosed building and items produced shall be sold at retail on the premises and not more than two persons shall be engaged in such production. No beer shall be sold for consumption on the premises. No entertainment except music shall be permitted in cafes, confectioneries or refreshment stands.

(C) All uses shall be free from objections because of odor, dust, smoke, noise, vibrations or other causes.

(D) On-premises, all temporary, nameplates and trespass signs may be permitted subject to the provisions of Section 29.44.050(J).

(E) All exterior walls of a building hereafter erected, extended or structurally altered, which face a street or property located in a residential zone, shall be designed, treated and finished in a uniform and satisfactory manner approved by the planning commission. (Ord. 429 (part), 1974)

**29.26.030 Building site area regulations.** There shall be no building site area regulations except that any portion of a building which is designed, intended or used for any residential or dwelling purpose shall comply with the provisions of this title as to yards and areas which are required in residential zone R-3. (Ord. 429 (part), 1974)

**29.26.040 Side yard regulations.** There shall be no side yard required except wherever a building is located upon a lot adjacent to a residential zone boundary, there shall be provided a side yard of not less than ten feet on the side of the building adjacent to the zone boundary line, and on corner lots the side yard which faces on a street shall not be less than twenty feet. (Ord. 429 (part), 1974)

**29.26.050 Front yard regulations.** The minimum depth of the front yard for all buildings, walls or fences more than two feet in height shall be ten feet. (Ord. 429 (part), 1974)

**29.26.060 Rear yard regulations.** There shall be no rear yard required except that in lots which rear against a lot in a residential zone the minimum rear yard shall be ten feet. (Ord. 566 § 15, 1978: Ord. 429 (part), 1974)

**29.26.070 Height regulations.** The height of a building or structure shall not exceed two stories nor shall the overall height exceed thirty-five feet. (Ord. 429 (part), 1974)

**29.26.080 Building coverage regulations.** No building or structure or group of buildings or structures shall cover more than sixty percent of the area of the lot. (Ord. 429 (part), 1974)

**Chapter 29.28**

**C-2 GENERAL COMMERCIAL DISTRICT**

**Sections:**

- 29.28.010 Uses permitted.
- 29.28.015 Uses permitted subject to a conditional use permit.
- 29.28.020 Special provisions.
- 29.28.030 Building site area regulations.
- 29.28.040 Side yard regulations.
- 29.28.050 Front yard regulations.
- 29.28.060 Rear yard regulations.
- 29.28.070 Height regulations.
- 29.28.080 Building coverage regulations.

**29.28.010 Uses permitted.** In the C-2, general commercial district, no building or structure shall be erected which is arranged, intended or designed to be used for other than one or more of the following uses:

- (1) Auto rental;
- (2) Baby formula service;
- (3) Blueprinting and photostating;
- (4) Building material;
- (5) Catering establishments;
- (6) Costume rental;
- (7) Diaper service;
- (8) Drive-in movie;
- (9) Electrical repair services;
- (10) Employment agency;
- (11) Express office;
- (12) Gunsmith;
- (13) Health club;
- (14) Hospital and medical supplies;
- (15) House cleaning and repair;
- (16) Medical and dental labs;
- (17) Mobile home dealers;
- (18) Motor vehicle sales;
- (19) Secondhand store, apparel, books, furniture, etc.;
- (20) Sign painting store;
- (21) Taxidermist;
- (22) Trade schools;
- (23) Upholstery;
- (24) Veterinary services, outpatient only;
- (25) Water sales;
- (26) Any use permitted in the C-1, local business district, C-C, shopping center district, and C-P, office and professional district, subject to securing a conditional use permit as provided in Chapter 29.66 of this title for any use for which a conditional use permit is required in said districts, and subject to the restrictions on such facilities listed in said districts.

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(27) Retail stores or businesses not involving any kind of manufacture, processing or treatment of products, but excluding wholesale storage, warehouses and trailer courts. (Ord. 1767 § 2, 1996; Ord. 1376 § 1, 1992; Ord. 721 § 4, 1980; Ord. 548 § 1, 1977; Ord. 497 § 4, 1976; Ord. 434 § 1, 1974; Ord. 429 (part), 1974)

**29.28.015** Uses permitted subject to a conditional use permit. The following uses may be permitted subject to the issuance of a conditional use permit in each case, which permit shall prescribe conditions as to building site area, dimensions of yards, building setback, provisions of adequate off-street parking and loading space and such other matters as may be deemed necessary and/or not specified in this title:

- (1) Auto laundry;
- (2) Dry cleaners, provided the floor area utilized for dry-cleaning equipment or dry-cleaning processes shall not exceed one thousand eight hundred square feet. The one thousand eight hundred square foot limitation shall not include public areas, office space or space devoted to clothing storage racks and devices;
- (3) Buildings higher than four stories or fifty feet, but in no event higher than nine stories or one hundred feet;
- (4) Retail sale of vehicle tires as a principal use;
- (5) Outside eating areas in conjunction with restaurants;
- (6) Hotels and motels subject to maintaining minimum setbacks from property lines consistent with the requirements listed under Section 29.20.050(C). Where the requirements of this chapter or other chapters of this title differ, the greater requirement shall apply.
- (7) The uses listed in Section 29.66.020 as permitted in any zone subject to a conditional use permit. (Ord. 1767 § 3, 1996; Ord. 1745 § 5, 1995; Ord. 1477 § 3, 1993; Ord. 1467 § 3, 1993; Ord. 1376 § 2, 1992)

**29.28.020** Special provisions. The stores, shops or businesses specified in Section 29.28.010 shall be retail establishments only and shall be permitted only under the following conditions:

- (A) Such businesses shall be conducted wholly within an enclosed building except for the outdoor displays of Christmas trees and the parking of automobiles. In no case shall any merchandise be displayed nor shall any business be conducted between the street line and any building line.
- (B) All on-premises production, whether primary or incidental, shall be conducted within a completely enclosed building and items produced shall be sold at retail on the premises and not more than two persons shall be engaged in such production.
- (C) All uses shall be free from objections because of odor, dust, smoke, noise, vibration or other causes.
- (D) On-premises, all temporary and miscellaneous signs may be permitted subject to the provisions of Section 29.44.050(J) of this title.
- (E) All exterior walls of a building hereafter erected, extended or structurally altered which face a street or property located in a residential zone shall be designed, treated and finished in a uniform and satisfactory manner approved by the planning commission. (Ord. 429 (part), 1974)

**29.28.030** Building site area regulations. There shall be no building site area regulations, except that any portion of a building which is designed, intended or used for

any residential or dwelling purpose shall comply with the provisions of this title as to yards and areas which are required in residential zone R-4. (Ord. 429 (part), 1974)

**29.28.040 Side yard regulations.** There shall be no side yard required, except that wherever a building is located upon a lot adjacent to a residential zone boundary, there shall be provided a side yard of not less than ten feet on the side of the building adjacent to the zone boundary line and on corner lots the side yard which faces on a street shall be not less than twenty feet. (Ord. 429 (part), 1974)

**29.28.050 Front yard regulations.** The minimum depth of the front yard for all buildings, walls or fences more than two feet in height shall be ten feet. (Ord. 429 (part), 1974)

**29.28.060 Rear yard regulations.** There shall be no rear yard required except that in lots which rear against a lot in a residential zone the minimum rear yard shall be ten feet. (Ord. 566 § 16, 1978: Ord. 429 (part), 1974)

**29.28.070 Height regulations.** The height of a building or structure shall not exceed four stories nor shall the overall height exceed fifty feet. (Ord. 429 (part), 1974)

**29.28.080 Building coverage regulations.** No building or structure or group of buildings or structures shall cover more than sixty percent of the area of the lot. (Ord. 429 (part), 1974)

29.29.010

**Chapter 29.29**

**C-3 GENERAL COMMERCIAL DISTRICT**

**Sections:**

- 29.29.010 Uses permitted.
- 29.29.012 Uses permitted subject to a conditional use permit.
- 29.29.014 Uses prohibited.
- 29.29.017 Special provisions.
- 29.29.020 Building site area regulations.
- 29.29.030 Side yard regulations.
- 29.29.040 Front yard regulations.
- 29.29.050 Rear yard regulations.
- 29.29.060 Height regulations.
- 29.29.070 Building coverage regulations.

**29.29.010 Uses permitted.** In the C-3, general commercial district, no building or structure shall be erected which is arranged, intended or designed to be used for other than one or more of the following uses:

- (1) Aircraft and marine sales;
- (2) Auto repair shops;
- (3) Auto, truck or trailer rental;
- (4) Auto and/or trailer storage area;
- (5) Garage;
- (6) Heating and plumbing;
- (7) Hotels and motels;
- (8) Lumberyards;
- (9) Mobile home dealers;
- (10) Monument sales;
- (11) Motor vehicle sales;
- (12) Oil burner shop;
- (13) Pest extermination and control service;
- (14) Plant materials, soil and lawn service;
- (15) Tennis clubs;
- (16) Commercial storage units, provided all stored items are located within an enclosed building and there is no on-site sale of the stored items, nor any commercial repair or sale of passenger cars, trucks, two-wheeled vehicles, trailers, boats and other like vehicles. "Commercial repair" shall mean any repair work except repair work done by the owner on his own personal property.

(a) Commercial storage units shall provide a minimum of five permanently maintained off-street parking spaces adjacent to or in close proximity to the central leasing office. Additional off-street parking areas shall also be provided by maintaining a minimum of thirty feet between storage buildings, which shall be used as a driveway for access to individual units but may be used for handicapped parking and access only required under the provisions of Chapter 11 of the Uniform Building Code. Off-street parking spaces may be provided in lieu of the above requirements in accordance with Chapter 29.44 of this title;

(17) Any use permitted in the C-P, office and professional district, C-1, local business district, C-C shopping center district, and C-2, general commercial district, subject

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to securing a conditional use permit as provided in Chapter 29.66 of this title for any use for which a conditional use permit is required in such district and subject to the restrictions on such facilities listed in said districts. (Ord. 1817 § 1, 1996; Ord. 1767 § 4, 1996; Ord. 1035 § 3, 1987; Ord. 599 § 1, 1978; Ord. 566 § 7, 1978; Ord. 549 § 1, 1977)

**29.29.012** Uses permitted subject to a conditional use permit. Pawnshops and motor vehicle pawnshops, provided that the proposed location is at least one thousand five hundred feet from any H-1 zone. (Ord. 1695 § 2, 1995; Ord. 1183 § 1, 1990)



**29.29.014 Uses prohibited.** All other uses are expressly prohibited. (Ord. 549 § 2, 1977)

**29.29.017 Special provisions.** The stores, shops, or businesses specified in Section 29.29.010 shall be permitted only under the following conditions:

(A) Such businesses shall be conducted wholly within an enclosed building except for other than aircraft and marine sales, auto-trailer rentals, auto and/or trailer sales, lumberyards, mobile home dealers, monument sales, motor vehicle sales, and the outdoor displays of Christmas trees and the parking of automobiles. In no other case shall any merchandise be displayed nor shall any business be conducted between the street line and any building line;

(B) All on-premises production, whether primary or incidental, shall be conducted within a completely enclosed building and items produced shall be sold at retail on the premises and not more than two persons shall be engaged in such production;

(C) All uses shall be free from objections because of odor, dust, smoke, noise, vibration or other causes;

(D) On-premises, all temporary and miscellaneous signs may be permitted subject to the provisions of Section 29.44.050(J);

(E) All exterior walls of a building hereafter erected, extended or structurally altered, which face a street or property located in a residential zone, shall be designed, treated and finished in a uniform and satisfactory manner approved by the planning commission. (Ord. 549 § 3, 1977)

**29.29.020 Building site area regulations.** There shall be no building site area regulations except that any portion of a building which is designed, intended, or used for any residential or dwelling purpose shall comply with the provisions of this title as to yards and areas which are required in residential zone R-4. (Ord. 549 § 4 (part), 1977)

**29.29.030 Side yard regulations.** There shall be no side yard required except, wherever a building is located upon a lot adjacent to a residential zone boundary, there shall be provided a side yard of not less than ten feet on the side of the building adjacent to the zone boundary line and on corner lots the side yard which faces on a street shall be not less than twenty feet. (Ord. 549 § 4 (part), 1977)

**29.29.040 Front yard regulations.** The minimum depth of the front yard for all buildings, walls or fences more than two feet in height shall be ten feet. (Ord. 549 § 4 (part), 1977)

**29.29.050 Rear yard regulations.** There shall be no rear yard required except, in lots which rear upon a residential zone, the minimum rear yard shall be ten feet. (Ord. 549 § 4 (part), 1977)

**29.29.060 Height regulations.** The height of a building or structure shall not exceed four stories nor shall the overall height exceed fifty feet. (Ord. 549 § 4 (part), 1977)

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**29.29.070 Building coverage regulations.** No building or structure group of buildings or structures shall cover more than sixty percent of the area of the lot. (Ord. 549 § 4 (part), 1977)

# special districts

### Chapter 29.30

#### H-1 LIMITED RESORT AND APARTMENT DISTRICT

##### Sections:

29.30.005	Designation as gaming enterprise district.
29.30.007	Conditions for enlargement or establishment.
29.30.010	Permitted uses.
29.30.015	Uses permitted subject to a conditional use permit.
29.30.020	Uses prohibited.
29.30.030	Building site area.
29.30.035	Front yard regulations.
29.30.040	Side yard regulations.
29.30.050	Height regulations.
29.30.060	Rear yard regulations.
29.30.070	Building coverage regulations.

**29.30.005 Designation as gaming enterprise district.** In accordance with the provisions of Chapter 463 of the Nevada Revised Statutes, the H-1 limited resort and apartment district is hereby designated as a gaming enterprise district. All property zoned H-1 or approved under resolution of intent procedures to H-1 is hereby declared to be located within the gaming enterprise district. (Ord. 1159 § 1, 1989)

**29.30.007 Conditions for enlargement or establishment.** A H-1 district may be enlarged or established upon a tract of land in accordance with the requirements as listed below.

(A) Any application for a H-1 classification shall be accompanied by an application for a zone change or amendment as specified in Chapter 29.68, and shall be considered as a request to enlarge the gaming enterprise district.

(B) The proponents shall also concurrently prepare and submit written documentation demonstrating that:

(1) The roads, water, sanitation, utilities and related services to the location are adequate;

(2) The proposed establishment will not unduly impact public services, consumption of natural resources and the quality of life enjoyed by residents of the surrounding neighborhoods;

(3) The proposed establishment will enhance, expand and stabilize employment and the local economy;

(4) The proposed establishment will be located in an area planned or zoned for that purpose pursuant to NRS 278.010 to 278.630, inclusive; and

(5) The proposed establishment will not be detrimental to the health, safety or general welfare of the community or be incompatible with the surrounding area.

(6) All traffic impacts can be adequately mitigated. This requirement must be satisfied by the submission of a traffic study meeting the requirements set forth in the Clark County improvement standards adopted pursuant to Clark County Code Chapter 28.26 to the Clark County traffic engineer thirty days prior to submitting the application for a zone change.

(C) Upon receipt of the documentation required in subsection (A) and (B), the board of county commissioners shall hold a public hearing in accordance with the

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procedures established in Chapter 29.68 at which interested persons are entitled to be heard to consider the petition. Following the public hearing, the board shall grant the petition only if it is determined that the proponents have brought forth adequate evidence to demonstrate that the issues and concerns addressed in Subsections (B)(1)-(6) have been sufficiently addressed.

(D) The board shall not consider another petition for reclassification to H-1 or enlargement of the gaming enterprise district concerning the same location or any portion thereof for one year after the date of a final denial. (Ord. 1159 § 2, 1989)

**29.30.010 Permitted uses.** In the H-1 limited resort and apartment district, no building or structure shall be erected which is arranged, intended or designed for other than one or more of the following uses:

(A) Hotels, resort hotels, inns and motels, subject to securing architectural supervision of any construction as specified in Chapter 29.52 of this title. Upon the premises of a hotel, resort hotel, inn or motel containing at least one hundred fifty guest rooms, a condominium hotel or motel may be established and maintained as a separate freestanding structure subject to a use permit. In any hotel, resort hotel, inn or motel having at least twenty guest rooms, time-share program projects may be established and maintained in all or any number of guest rooms within such facility. In any hotel, resort hotel, inn, or motel containing at least fifty guest rooms, there may be conducted business incidental thereto and for the convenience of the occupants and guests thereof, including live entertainment. Such incidental businesses shall be accessed only from inside the building in which the same are located; the floor area used for such incidental business purposes shall not exceed twenty-five percent of the ground floor area of such building; and no outside signs for such incidental businesses shall be established, except that a restaurant, bar, retail sales establishment or health spa may be advertised if the advertising for the same is an integral part of a permitted sign principally advertising the use of hotel, resort hotel, inn or motel;

(B) Accessory buildings and uses customarily incidental to the above uses;

(C) On-premises signs subject to the provisions of Sections 29.44.095 and 29.44.096 of this title. (Ord. 1745 § 6, 1995; Ord. 1376 § 3, 1992; Ord. 901 § 3, 1984; Ord. 726 § 1, 1980; Ord. 727 § 4, 1980; Ord. 704 § 1, 1980; Ord. 682 § 1, 1980; Ord. 460 § 9, 1975; Ord. 429 (part), 1974)

**29.30.015 Uses permitted subject to a conditional use permit.** The following uses, upon the issuance of a conditional use permit in each case, which permit shall prescribe conditions as to the building site area, materials, dimensions of yards, building setback, provisions of adequate off-street parking and loading space, and such other matters as may be necessary and not considered and/or not specified in this title:

(1) Multiple dwellings, dwelling groups, apartment houses and time-sharing apartments, provided there is a minimum size of three hundred fifty square feet per dwelling unit and further provided that all buildings and structures shall comply to Section 29.21.050 (property development standards) of the R-4 (multiple-family residential—high-density) district; any conditional use permit issued for such use shall be irrevocable except on grounds of noncompliance with conditions imposed at the time of initial approval;

(2) Public and quasi-public and institutional buildings and uses;

(3) Bars, taverns, brew pubs, etc.;

(4) Restaurants;

- (5) Retail businesses consistent with the uses permitted in the C-C, shopping center district;
- (6) Service stations;
- (7) Gambling casinos and establishments;
- (8) High-rise structures more than nine stories or one hundred feet in height if approved by the management of McCarran International Airport after consultation with the Federal Aviation Administration;
- (9) Vacation certificate and vacation plan sales and solicitation;
- (10) Check-cashing services;
- (11) Planned development units;
- (12) Office and office buildings;
- (13) Car rental agencies (five vehicle maximum);
- (14) Outdoor dining and drinking establishments in conjunction with and accessed only through a restaurant or resort hotel, provided that either: (1) such establishments are set back two hundred feet from any existing residential development or property not designated commercial or industrial in any adopted land use guide; or (1) the planning commission or board of county commissioners determine that adequate visual and acoustical buffering will be provided between the establishment and the adjacent property;
- (15) The uses listed in Section 29.66.020 as permitted in any zone subject to a conditional use permit. (Ord. 1745 § 7, 1995: Ord. 1712 § 1, 1995: Ord. 1477 § 4, 1993: Ord. 1467 § 4, 1993: Ord. 1376 § 4, 1992)

**29.30.020 Uses prohibited.** All other uses, and all outdoor commercial activities not explicitly permitted under conditional use permit or variance procedures, are expressly prohibited. (Ord. 721 § 8, 1980: Ord. 429 (part), 1974)

**29.30.030 Building site area.** There shall be no building site area regulations, except that every building or portion thereof which is designed, intended or used for any residential or dwelling purpose shall comply with the provisions of this title as to yards and areas which are required in residential zone R-4. (Ord. 429 (part), 1974)

**29.30.035 Front yard regulations.** The minimum front yard for any building or structure more than two feet in height, except as required for residential uses in Sections 29.30.015 and 29.30.030, shall be ten feet unless a greater setback is required by the provisions of Chapter 29.64 of this title. (Ord. 1745 § 8, 1995)

**29.30.040 Side yard regulations.** The minimum side yard for any buildings or structures, except as provided in Section 29.30.030, shall not be less than ten percent of the width of the lot or building plot, but in no case less than five feet and need not exceed fifty feet, except that a building or structure over forty feet in height shall have one foot additional side yard on each side of the building for each story of height above forty feet. On corner lots, the side yard which faces on a street shall not be less than twenty feet. (Ord. 566 § 18, 1978: Ord. 429 (part), 1974)

**29.30.050 Height regulations.** The height of a building or structure shall not exceed nine stories nor shall the overall height exceed one hundred feet unless permitted in accordance with Section 29.30.015(8) and except where the height of an off-premises advertising structure is further restricted by Section 29.44.097. (Ord. 1477 § 5, 1993: Ord. 1467 § 5, 1993: Ord. 460 § 10, 1975: Ord. 429 (part), 1974)

29.30.060

**29.30.060 Rear yard regulations.** There shall be no rear yard required except lots which rear against a lot in a residential zone, the minimum rear yard shall be twenty feet, except where buildings or structures exceed forty feet in height, one foot of additional rear yard shall be provided for each story in height over forty feet. (Ord. 566 § 17, 1978; Ord. 429 (part), 1974)

**29.30.070 Building coverage regulations.** No building or structure or group of buildings shall cover more than sixty percent of the area of the lot. (Ord. 429 (part), 1974)

## Chapter 29.32

### H-2 GENERAL HIGHWAY FRONTAGE DISTRICT

**Sections:**

- 29.32.010 Uses permitted.
- 29.32.015 Uses permitted subject to conditional use permit.
- 29.32.020 Uses prohibited.
- 29.32.030 Building site area regulations.
- 29.32.035 Front yard regulations.
- 29.32.040 Side yard regulations.
- 29.32.050 Rear yard regulations.
- 29.32.060 Height regulations.
- 29.32.070 Future applications for H-2 zoning prohibited.

**29.32.010 Uses permitted.** In general highway frontage zone H-2, no building or structure shall be erected which is arranged, intended or designed to be used for other than one or more of the following uses:

- (A) Nurseries and greenhouses;
- (B) On-premises signs except in conjunction with residential uses, subject to the provisions of Sections 29.44.095 and 29.44.096 of this title;
- (C) The uses permitted pursuant to Section 29.06.020 in the R-U rural open land district subject to the provisions and property development standards of the R-U district;
- (D) Accessory uses, buildings and structures if they are clearly incidental to a permitted use and when placed upon the same lot or parcel with a permitted use. (Ord. 1238 § 1, 1990; Ord. 727 § 5, 1980; Ord. 726 § 2, 1980; Ord. 566 § 9, 1978; Ord. 497 § 5, 1976; Ord. 429 (part), 1974)

**29.32.015 Uses permitted subject to a conditional use permit.** The following uses, provided that the site has direct access to and frontage on a highway with a right-of-way width or future right-of-way width of one hundred fifty feet or more and upon the issuance of a conditional use permit in each case, which permit may prescribe conditions as to building site area, material, dimensions of yards, building setbacks, off-street parking and loading spaces, and such other matters as may be deemed necessary and not considered and or not specified in this title:

- (A) Public and quasi-public and institutional buildings or uses;
- (B) Restaurants and eating places (no on-premises consumption of alcoholic beverages);
- (C) Motels;
- (D) Upholstery shops;
- (E) Service stations (allows routine auto maintenance only, no auto repair);
- (F) Retail business establishments;
- (G) Offices and office buildings;
- (H) Off-set printing establishments;
- (I) The uses listed in Section 29.66.020 of this title as permitted in any zone subject to a conditional use permit;
- (J) Time-share program projects within existing motels, provided that such motels contain at least twenty rooms;



29.32.015

(K) In areas where public water and sewer lines exist, the uses permitted pursuant to Section 29.18.020 and 29.18.030 in the R-2 medium density residential district subject to the provisions and property development standards of the R-2 district. Sites proposed for R-2 development need not have direct access to nor frontage on a highway with a right-of-way width or future right-of-way width of one hundred fifty feet or more. (Ord. 1477 § 6, 1993: Ord. 1467 § 6, 1993: Ord. 1238 § 2, 1990)

**29.32.020 Uses prohibited.** All other uses, and all outdoor commercial activities (except nurseries and greenhouses) not explicitly permitted under conditional use permit or variance procedures, are expressly prohibited. (Ord. 721 § 9, 1980: Ord. 429 (part), 1974)

**29.32.030 Building site area regulations.** There shall be no building site area regulations, except that every building or portion thereof which is designed, intended or used for any residential or dwelling purpose shall comply with the provisions of this title as to yards and areas which are required in the R-U zoning district or, where a use permit is obtained under the provisions of Section 29.32.015(J), the R-2 zoning district. (Ord. 1238 §3, 1990: Ord. 429 (part), 1974)

**29.32.035 Front yard regulations.** The minimum front yard for any building or structure more than two feet in height, except as required for residential uses in Section 29.32.030, shall be ten feet unless a greater setback is required by the provisions of Chapter 29.64 of this title. (Ord. 1745 § 9, 1995)

**29.32.040 Side yard regulations.** The minimum side yard for any building or structure, except as required for residential uses in Section 29.32.030, shall not be less than ten percent of the width of the lot or building plot, but in any case not less than five feet and need not exceed twenty feet. On corner lots, the side which faces on a street shall not be less than twenty feet. (Ord 1238 § 4, 1990: Ord. 429 (part), 1974)

**29.32.050 Rear yard regulations.** There shall be no rear yard required except that in lots which rear against a lot in a residential zone the minimum rear yard shall be twenty feet, and except as required for residential uses in Section 29.32.030. (Ord. 1238 § 5, 1990: Ord. 566 § 19, 1978: Ord. 429 (part), 1974)

**29.32.060 Height regulations.** Except for residential uses the height of a building or structure shall not exceed four stories nor shall the overall height exceed fifty feet. The height of residential uses shall be in accordance with the property development standards referenced in Sections 29.32.010(C) and 29.32.015(J) of this title. (Ord. 1238 § 6, 1990: Ord. 429 (part), 1974)

**29.32.070 Future applications for H-2 zoning prohibited.** No petition for a zone change from any other zoning district to H-2 nor for the expansion of an H-2 zoning district pursuant to Section 29.68.020 of this title shall be accepted by the zoning administrator after September 30, 1990. (Ord. 1238 § 7, 1990)

## Chapter 29.34

## T-C MOBILE HOME PARK DISTRICT

## Sections:

- 29.34.010 Permitted uses.
- 29.34.020 Prohibited uses.
- 29.34.030 Property development standards.
- 29.34.040 Utilities, on- and off-site improvements, and fire protection.
- 29.34.050 Operation and supervision.

**29.34.010 Permitted uses.** In mobile home park zone T-C, land may be used and buildings or structures may be erected, maintained and used if they are arranged, intended, or designed for any of the following uses:

- (A) Mobile home parks, camps or courts and normal incidental uses thereto, such as a manager's office or residence, vending machines and laundromats for the sole use and convenience of residents of the park, upon the condition that the development plan be approved by the planning commission or board of county commissioners.
- (B) A single-family residence of a permanent character, provided, that any such residence is located on its own parcel of land.
- (C) On-premises signs in conjunction with a permitted mobile home park, subject to the provisions of Section 29.44.096.
- (D) Accessory uses, buildings and structures if they are clearly incidental to a permitted use and when placed upon the same lot or parcel with a permitted use, including home occupations subject to the provisions of Section 29.44.030. (Ord. 1876 § 13 (part), 1996; Ord. 1871 § 22, 1996; Ord. 947 § 1, 1985; Ord. 858 § 1, 1983; Ord. 640 § 2 (part), 1979)

**29.34.020 Prohibited uses.** All uses of land, buildings or structures not permitted by the terms of Section 29.34.010 are expressly prohibited. Further, the following uses are expressly prohibited even if intended to be conducted as accessory uses in conjunction with a permitted use:

- (A) The sale of mobile homes, but this prohibition does not apply to the resale in place of a mobile home previously located and occupied within a mobile home park, by the owner thereof or his agent;
- (B) The placement of a mobile home within a mobile home park for the purpose of display as a sales model; but this prohibition does not apply to the placement or display of sales models or the sale of mobile homes by the owner/developer of the park in a new and previously unoccupied mobile home park for a sale over a period of five years, which may be extended by an application for extension of time made annually (not to exceed three additional years), so long as those models being sold comply with the design, amenity and other restrictions applicable to the new mobile home park development;
- (C) The placement of a business license, or any form of business office, for mobile home sales within a mobile home park except as provided in subsection (B) of this section;
- (D) The use for residential purposes of any building or portion of building originally constructed, designed or intended to be used as a recreational facility or other amenity of a mobile home park. (Ord. 1053 § 1, 1987; Ord. 858 § 2, 1983; Ord. 640 § 2 (part), 1979)

29.34.030

**29.34.030 Property development standards.** The following property development standards shall apply to a T-C district, except as modified or restricted as provided in Chapter 29.44 of this code:

(A) **Area of Mobile Home Park.** The minimum area of any mobile home park shall be ten acres.

(B) **Area of Mobile Home Space.** No mobile home space or lot in any mobile home park shall contain less than fifteen hundred square feet of ground area, nor shall any such space or lot be less than twenty-five feet in minimum width measured parallel to the front lot line, nor shall any such space or lot be less than sixty feet in depth.

(C) **Height.** The height of a dwelling or structure shall not exceed two stories nor shall the overall height exceed thirty-five feet.

(D) **Lot Coverage.** Regardless of any other provisions of this chapter, the maximum roofed area of any lot or space shall not exceed fifty percent of the total lot or space area, including sheds, cabanas and other accessory buildings and eaves, but excluding covered parking.

(E) **Setbacks and Separation.** The following shall be required for mobile homes and other structures, not including sheds and other structures which are accessory to an individual mobile home:

(1) A minimum setback of fifteen feet shall be maintained between any mobile home or other structure and any public street.

(2) A minimum setback of five feet shall be maintained between any mobile home or other structure and any lot line, property line and/or driveway (interior private street) except as provided in subsection (F) of this section.

(3) A minimum separation of ten feet shall be maintained between mobile homes and/or other structures except as provided in subsection (F) of this section.

(4) Every building or portion thereof, other than a mobile home, which is designed, intended or used for any residential or dwelling purpose shall comply with the provisions of this title as to yards and areas which are required in residential zone R-1.

(5) Awnings may intrude into a required setback or separation up to a maximum of two feet; however, metal awnings may intrude into the required setbacks or separation a maximum of three feet; provided, that a minimum separation of five feet is maintained between mobile homes and/or other structures.

(6) No provision of this section shall be held to prohibit the construction of an otherwise legal fence or windbreak along any lot line.

(F) **Accessory Buildings and Structures.** Accessory buildings and structures may be erected; provided, that the building or structure complies with all of the following conditions:

(1) The overall height does not exceed fourteen feet.

(2) A minimum setback of five feet shall be maintained from any lot line, property line and/or driveway (interior private street).

(3) A minimum separation of ten feet shall be maintained from any mobile home or other structure. Other structures include, but are not limited to cabanas, carports, garages, and sheds.

(4) **Exceptions:**

(a) One shed of one hundred twenty square feet or less, built of noncombustible materials such as brick, cement block or metal, may be placed in any required side or rear yard, or may be placed in any required separation between structures on the lot upon which it is located providing that in no case shall such a shed:

- (i) Intrude into the minimum separation from any other building or structure on an adjacent lot or parcel;
- (ii) Impede public safety access;
- (iii) Obstruct nuisance (surface) water drainage;
- (iv) Obstruct utility access;
- (v) Be constructed over utility lines;
- (vi) Be utilized for the storage of hazardous materials or flammable liquids;
- (vii) Block egress from a manufactured or mobile home;
- (viii) Restrict required light or ventilation;
- (ix) Restrict maintenance of appliances, such as water heaters or furnaces.

(b) A ramada or roof may be constructed without regard to the separation requirement from the mobile home it is designated to cover providing it complies with the administrative building code of Clark County.

(G) **Driveways (Interior Private Streets).** Every mobile home space shall have access to and abut upon a private driveway (interior private street). The driveway shall have a clear and unobstructed access to a public thoroughfare. Parking which blocks vehicular movement on driveways or interior private streets is prohibited.

No driveway shall be less than thirty-two feet in width. Collector driveways (interior private streets) and entrances shall not be less than forty feet in width.

(H) **Parking Spaces Required.** Every mobile home park shall provide the following minimum number of parking spaces:

(1) There shall be at least two paved off-driveway parking spaces for each space or structure designed, intended or used for any residential or dwelling purpose.

(2) One paved visitor parking space shall be provided for each five mobile home spaces.

(3) One parking space shall be provided for the storage of a recreational vehicle or boat for each six mobile home spaces. Paving of the parking spaces for the storage of recreational vehicles is not required if:

(a) The spaces are provided in an area with restricted access;

(b) The area is not subject to other vehicular traffic;

(c) The area is covered with gravel; and

(d) A dust suppressant is applied annually.

(4) Any changes to the number or location of parking spaces shall be reviewed and approved by the zoning administrator; any disapproval may be appealed to the planning commission by submission of an application for architectural supervision or variance if necessary.

(I) **Fences.** A six-foot masonry wall or fence shall be constructed:

(1) Along all property lines adjacent to a different zoning district; and

(2) Between adjoining mobile home parks;

(3) Along abutting right-of-way or future width line along a street with a ten-foot setback for required landscaping and irrigation.

(J) **Signs.** Only one on-premises sign of not more than one hundred square feet shall be permitted for each mobile home park and any such sign shall be set back at least ten feet from any property line.

(K) **Toilet Facilities.** Every mobile home park shall provide at least one centrally located toilet and lavatory for each sex properly installed, maintained in good working order, and accessible at all times for the use of the occupants of the mobile home park.

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(L) **Garbage and Trash.** In every mobile home park not having individual garbage and trash collection services for each mobile home space, an adequate number of garbage and trash collection containers shall be provided. The containers shall be enclosed as required under Section 29.44.085. Every mobile home space shall be within two hundred feet of a trash collection container.

(M) **Additions to Mobile Homes.** A cabana addition shall be designed and erected as a freestanding structure and shall not be permanently attached to or become a permanent part of a manufactured or mobile home. Manufactured or mobile homes shall not be a physical part of any cabana. No cabana shall be constructed, placed or maintained on more than one side of a manufactured or mobile home. As used in this section "side" includes each end. An addition other than a cabana may be added to more than one side of a manufactured or mobile home. (Ord. 1876 § 13 (part), 1996; Ord. 1294 § 1, 1991; Ord. 1078 § 1, 1988; Ord. 640 § 2 (part), 1979)

**29.34.040 Utilities, on- and off-site improvements, and fire protection.** (A) **Utilities.** In order to promote the health, safety, convenience and general welfare of all mobile home park inhabitants and to improve the aesthetic appearance of the development, all electric, gas, and communication distribution lines, including television service facilities, wires, cables, pipe and service extensions, shall be installed underground. The following also apply:

(1) **Water and Sewer.** All water and sewer lines shall conform to the standards of Clark County. The size, type and locations shall be further subject to the approval of the utility providing the service.

(2) **Gas Distribution.** No master meter system shall be installed in new mobile home parks. Additions to existing master meter gas systems in mobile home parks shall require specific approval in writing from the director of the building department.

(B) **On- and Off-Site Improvements.** All improvements shall be in accordance with the specifications of the Clark County department of public works and Chapter 28.26 of this code, "Improvement Standards," and shall normally include curbs and gutters, street lights, street name signs, traffic control devices, paving of streets and driveways, fire hydrants of a number and at locations in conformance with fire department specifications and served by a minimum six-inch water main, and underground utilities. Interior street and sidewalk lights shall be installed in accordance with published standards of the building department and shall be powered by the park. Plans and construction of all off-site improvements and utility installations shall be inspected and approved by the department of public works. A performance bond shall be required to guarantee the installation and proper construction of all off-site improvements.

(C) **Fire Protection.** In every mobile home park there shall be installed and maintained approved fire hydrants and fire extinguishers of the number, type, size, and locations as approved by the department having jurisdiction; provided, however, that all mobile home parks regardless of size shall meet the minimum requirements of the fire department. (Ord. 1078, § 2, 1988)

**29.34.050 Operation and supervision.** It is unlawful for any person to operate or maintain or permit the operation or maintenance of any mobile home park unless there is a designated operator for the park. Such person shall post a schedule showing his name, office hours, office mailing address, an after-hours emergency phone number and identify those responsible for his duties in his absence. The schedule shall be posted at the office for the park and where the park map is posted. The operator shall enforce within the park

the provisions of this chapter governing the operation and supervision of mobile home parks. Mobile home parks established under this chapter shall provide and maintain the following to ensure a safe, wholesome and aesthetically appealing environment is maintained within the park.

(A) The operator of every mobile home park shall display the county business license, the health district permit and a scale drawing of the park as required by subsection (C)(10) of this section in a conspicuous protected location visible to residents, visitors and emergency service personnel as they enter the park. In existing master meter parks, a map of the park must be available in the manager's office which shows the lines and valves and provides an acceptable plan to respond to outages.

(B) The operator of the mobile home park shall be responsible for securing the maintenance of all devices, installations and safeguards required by any ordinance of Clark County in an approved safe and sanitary condition and in approved repair and operating order, and shall also be responsible for securing the maintenance and repairs of all structures and their sites and mobile home lots. Required maintenance includes the trimming of tree branches away from power lines and manufactured homes at a minimum distance of two feet and ensuring that each manufactured home space remains clean without an accumulation of weeds, trash, debris, lumber or inoperable vehicles.

(C) Supervision. The operator of any mobile home park shall:

(1) Maintain the park and manufactured home spaces in a clean, orderly and sanitary condition at all times;

(2) Require that all manufactured homes and automobiles be located on their respective lot, except for automobiles for guests for which visitor parking spaces have been provided or government vehicles performing duly authorized functions;

(3) Require that mobile home toilet fixtures which are not connected to the park sewer system, package plant system or septic tanks be sealed so that they cannot be used;

(4) See that all required electric lights are kept lighted from dusk until dawn;

(5) Ensure that adequate facilities and methods are provided and used for the collection, storage, handling and disposal of trash, garbage and refuse;

(6) On January fifteenth and July fifteenth of each year, provide to the Clark County current planning division a current list of park tenant addresses;

(7) Not permit any domestic animal to be at large in the park;

(8) Report promptly to the proper authorities any violation of the law;

(9) Ensure that tenants have secured all necessary permits and inspections for any construction work;

(10) Display a permanent map of the park which shall:

(a) Be of a scale of at least one inch equals fifty feet and of sufficient size so that letters and numbers are easily read.

(b) Be sufficiently illuminated so as to be visible and readable at night.

(c) Provide names and layouts of streets and manufactured home lots and the assigned number of all lots as marked.

(d) Have minimum dimensions of twenty inches by thirty inches;

(11) Post a copy of this chapter in a conspicuous location within the mobile home park;

(12) Ensure that every mobile home lot line is adequately and clearly marked by the placing of permanent markers at each space or lot corner or by the

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installation of fencing along the lot line. The assigned lot number shall be placed on the mobile home consistent with the address requirements required under Chapter 29.72 of this title. Lot markers on a vacant mobile home lot may be relocated by the operator so long as the total number of spaces in the park does not increase, safe installation of a manufactured home meeting the setbacks required by this title on the lot is still possible and all of the resultant lot(s) meet the requirements of Section 29.34.030. (Ord. 1876 § 13. (part). 1996)

## Chapter 29.36

## R-V-P RECREATIONAL VEHICLE PARK DISTRICT

## Sections:

- 29.36.010 Purpose and intent.
- 29.36.020 Uses permitted.
- 29.36.030 Uses prohibited.
- 29.36.040 Property development standards.
  - (A) Minimum building site area.
  - (B) Density.
  - (C) Site (space) dimensions, setbacks and surfacing.
  - (D) Driveways (internal streets).
  - (E) Off-street parking.
  - (F) Screening—Landscaping.
  - (G) Private areas.
  - (H) Accessory facilities.
- 29.36.060 Supervision.
- 29.36.070 Provision of utilities and fire protection.
- 29.36.080 Prohibited activities.

**29.36.010 Purpose and intent.** The recreational vehicle park district is established to provide for the location and development of sites suitable for the temporary or transient location of recreational vehicles. (Ord. 429 (part), 1974)

**29.36.020 Uses permitted.** In an R-V-P recreational vehicle park district, land may be used and buildings and structures may be erected, maintained and used if they are arranged, intended or designed for the following uses:

(A) A recreational vehicle park, upon the condition that the development plan, including advertising signs or structures, be approved by the planning commission or board of county commissioners;

(B) Management headquarters, recreational facilities, toilets, showers, coin-operated laundry facilities and other uses and structures customarily incidental to the operation of recreational vehicle parks. (Ord. 1876 § 14, 1996; Ord. 947 § 2, 1985; Ord. 429 (part), 1974)

**29.36.030 Uses prohibited.** All other uses are expressly prohibited. (Ord. 429 (part), 1974)

**29.36.040 Property development standards.** The following property development standards shall apply to an R-V-P district, except as modified or restricted as provided in Chapter 29.44:

(A) **Minimum Building Site Area.** The minimum building site area for a recreational vehicle park shall be ten acres.

(B) **Density.** The maximum density shall be twenty units per acre.

(C) **Site (Space) Dimensions, Setbacks and Surfacing.**

(1) **Size.** The size of recreational vehicle sites (spaces) shall not be less than the following:



(a) Drive-through spaces for recreational vehicles other than pick-up coaches (campers): Minimum width, twenty-five feet; minimum depth, sixty feet;

(b) Back-in spaces for recreational vehicles other than pick-up coaches (campers): Minimum width, thirty-five feet; minimum depth, forty-five feet;

(c) Drive-through spaces for pick-up coaches (campers): Minimum width, twenty feet; minimum depth, forty feet;

(d) Back-in spaces for pick-up coaches (campers): Minimum width, twenty feet; minimum depth, thirty feet.

(22) Separation and Setbacks. The following shall be required:

(a) Separation required shall be a minimum of ten feet between recreational vehicles. Any attachment to the recreational vehicle shall be considered a part of such vehicle when determining the clearance between recreational vehicles;

(b) A minimum setback of five feet shall be maintained between the recreational vehicle and any lot line of the recreational vehicle space and/or driveway (internal street);

(c) There shall be a minimum setback of twenty-five feet between any recreational vehicle site and any public street.

(3) Surfacing. All recreational vehicle sites shall be provided with a paved surface of bituminous mix or cement approved by the department of public works. The paved surface within the site shall be wide enough to sustain the wheels of the vehicles. The area between the wheels may be of all-weather surface, such as compacted stone or chat. The paved surface within the space shall be wide enough to assure occupants firm footing when stepping from or into their recreational vehicle.

(D) Driveways (Internal Streets). Every recreational vehicle park shall comply with the following:

(1) Access Streets. For every recreational vehicle park there shall be at least one access to a public street either by abutting directly on such street or by means of a driveway developed in accordance with the standards as set forth herein.

(2) Surfaced driveways shall have a minimum width of forty feet with thirty-six feet of paving and a two-foot roll curb and gutter at each side.

(3) All driveways (internal streets) shall be surfaced to grade with asphaltic concrete (hot mix), paving or approved equal of a minimum thickness as specified by the department of public works.

(E) Off-street Parking. There shall be provided a paved, centrally-located parking area for additional occupant vehicle parking, boat parking and visitor parking. Parking shall be provided at a ratio of one parking space for each five recreational vehicle sites.

(F) Screening — Landscaping. Every recreational vehicle park shall be enclosed by a minimum of a six-foot high block wall along the exterior boundary lines except for the permitted access driveway. Along any exterior boundary line which is a street frontage, the wall shall be set back a minimum of ten feet in order to provide a landscaped area. Additionally, landscaping shall be provided at office and recreational building areas and at each recreational vehicle site. Landscaping plans for all required areas shall be presented to the planning commission for approval.

(G) **Private Areas.** Each recreational vehicle site shall have a minimum of sixty square feet for private areas, and the areas shall be landscaped.

(H) **Accessory Facilities.** All recreational vehicle parks shall comply with the following requirements for accessory facilities:

(1) **Service Building.** There shall be provided on every recreational vehicle park a centrally-located service building and recreational area containing the following: Management offices; storage areas; sanitary facilities; laundry facilities; and recreational facilities. All such facilities shall be constructed in accordance with the requirements of this title, applicable building code, and fire regulations of Clark County.

(2) **Sanitary Facilities.** The following minimum number of sanitary facilities shall be provided for each sex:

No. of Recreational Vehicle Sites	Toilets	Showers	Lavatories
Less than 50	2	2	2
51 through 100	4	4	4

There shall be one additional toilet, one additional shower and one additional lavatory for each sex for each fifty additional recreational vehicle sites or fraction thereof in excess of one hundred. Complete sanitary facilities shall be located no more than three hundred feet from each recreational vehicle site.

(3) **Refuse Areas.** Every recreational vehicle park shall contain an adequate number of airtight, watertight and covered trash receptacles located within a centralized trash area. The centralized trash area shall be screened from public view by a minimum of a six-foot high block wall enclosure.

(4) **Wash Racks.** Washing of automobiles or recreational vehicles within a recreational vehicle park shall be allowed only within an approved wash rack constructed in accordance with all applicable building code requirements and requirements of this title. (Ord. 429 (part), 1974)

**29.36.060 Supervision.** Every recreational vehicle park shall comply with the following standards for supervision:

(A) **Person-in-charge.** The owner or operator of every recreational vehicle park, before allowing any recreational vehicle therein, shall file with the license department the name of the person who will be in continuous, responsible charge of the park and who is authorized to act for him. Any change in such person-in-charge will be immediately reported to the license department.

(B) **Office-park Register.** In every recreational vehicle park there shall be an office building in which shall be located the office of the person-in-charge of the park. The park register shall at all times be kept in said office.

(C) **Duties of Operator.** It shall be the duty of the owner, operator or person-in-charge of any recreational vehicle park:

(1) To keep at all times a register of all persons staying in the park, which register shall at all times be open to the officers and officials of Clark County. The register shall record the names and home addresses of all persons staying in the recreational vehicle park, the date of their arrival, date of their departure, the number of and state in which the drivers' licenses of such persons were issued, the

license number of all recreational vehicles in the park, the name of the state and county if appropriate in which they are registered, the make and model of vehicle and the recreational vehicle site on which each is located;

(2) To maintain the park in a clean, orderly, litter-free and sanitary condition at all times;

(3) To allow no more than one recreational vehicle and one tow vehicle on any one recreational vehicle site at any one time;

(4) To require that all such recreational vehicles and automobiles are located on their respective recreational vehicle sites as required by the terms of this chapter;

(5) To require every plumbing fixture in any recreational vehicle in the park to be connected to the park sewer during its entire stay in the park or provide a dumping station which shall be approved by the Clark County health department;

(6) To see that all required lights are kept lighted as provided for in this chapter;

(7) To see that all garbage and trash is properly disposed of in the trash receptacles as required by this chapter. To maintain the trash areas in a neat and sanitary condition at all times and see that all such receptacles are collected and cleaned regularly;

(8) To maintain or be in charge of the continuing maintenance of all landscaped areas;

(9) To allow domestic animals to be kept in the park only as provided by this chapter and in compliance with all other Clark County ordinances;

(10) To report promptly to the proper authorities any violations of the law;

(11) To see that the intent and purpose of the recreational vehicle park district as only transitory accommodation is maintained by not allowing an occupant to remain longer than fourteen days;

(12) To post in a waterproof holder in a conspicuous place in each recreational vehicle site a copy of this section;

(13) To see that no inoperable vehicles, machinery, equipment or parts thereof are kept or stored;

(14) To see that the accessory uses and buildings as permitted herein are operated in accordance with the restrictions as set forth in this chapter. (Ord. 429 (part), 1974)

**29.36.070 Provision of utilities and fire protection.** Every recreational vehicle park shall provide utilities and fire protection in conformity with the following:

(A) Utilities. In order to promote the health, safety, convenience and general welfare of all recreational vehicle park inhabitants and to improve the aesthetic appearance of the development, all electric, gas and communication distribution lines, including television service facilities, wires, cables, pipe and service extensions, shall be installed underground. The following also apply:

(1) Electrical Work. All electrical work shall conform to the current adopted county electrical code.

(2) Lighting. Every recreational vehicle park shall have an adequate lighting system for proper illumination of the driveways, service building(s) and parking areas. The lighting system shall be developed in accordance with applicable ordinances of Clark County.

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(3) **Plumbing Work.** All plumbing work, water and sewer connections shall conform to the current adopted county plumbing code.

(4) **Water and Sewer.** All water and sewer lines shall conform to the standards of Clark County. The size, type and location shall be further subject to the approval of the Las Vegas Valley Water District and the Clark County Sanitation District.

(B) **Fire Protection.** Every recreational vehicle park shall provide adequate fire protection as required by the fire protection regulation of Clark County and the plans shall be approved by the fire department of Clark County. (Ord. 429 (part), 1974)

**29.36.080 Prohibited activities.** The following restrictions apply to all recreational vehicle parks or recreational vehicles, as appropriate:

(A) **Enclosures Prohibited.** No attachment, lean-to or other enclosure shall be allowed on any recreational vehicle site which is not portable in nature or approved for accessory use by the director of building and safety.

Any permitted accessory structure, awning, shade or other attachment shall comply with the minimum setbacks set forth in Section 29.36.040(C)

(B) **Removal of Wheels Prohibited.** It is unlawful for any person owning, operating or occupying for living quarters any recreational vehicle within the unincorporated limits of Clark County to remove, or cause to be removed, the wheels or any similar transporting device, excepting in the storage of a pickup coach (camper) from the recreational vehicle, or to otherwise permanently fix it to the ground in a manner that would prevent the ready removal of the recreational vehicle.

(C) **Rental of Recreational Vehicles Outside Licensed Area Prohibited.** It is unlawful for any person to rent or lease, or cause to be rented or leased, any recreational vehicle to any person to be used as living quarters within the unincorporated limits of Clark County, except within a licensed recreational vehicle park.

(D) **Recreational Vehicles on Private Property Outside of Recreational Vehicle Parks Prohibited.** It is unlawful to place, keep or maintain any recreational vehicle on any land within the unincorporated limits of Clark County without the express permission of the owner of such land and no person shall allow, suffer or permit any recreational vehicle to be placed, kept or maintained on any land owned or controlled by him except in a recreational vehicle park for which a permit to construct and establish has been issued by the department of building and safety and a license to operate has been issued by the business license agency. This shall not preclude the storage of a recreational vehicle on the home premises of its owner, provided it is not there used for living or sleeping purposes, is not connected with or served by any sewage, electric, gas or water facility, and is not used for any other purpose whatsoever. It is unlawful for the owner, occupant or other person having charge or control of any lot or tract of land in the unincorporated limits of Clark County, other than a recreational vehicle park as herein defined, to permit any person to occupy for living, sleeping or business purposes any recreational vehicle parked thereon. (Ord. 1876 § 15, 1996; Ord. 429 (part), 1974)

**P-F PUBLIC FACILITY DISTRICT**

**Sections:**

- 29.37.010 Purpose and intent.
- 29.37.020 Uses permitted.
- 29.37.030 Uses permitted subject to conditional use permit.
- 29.37.040 Uses prohibited.
- 29.37.050 Property development standards.

**29.37.010 Purpose and intent.** The public facility district is established in order to provide for the location and development of sites suitable for necessary public buildings, structures, and uses, and reasonably appurtenant private buildings, structures, and accessory uses. (Ord. 509 § 14 (part), 1976)

**29.37.020 Uses permitted.** In a P-F public facility district, land may be used and buildings and structures may be erected, maintained and used if they are arranged, intended or designed for any of the following uses:

- (A) Public facilities not restricted by the terms of Section 29.37.030 or 29.66.020;
- (B) Accessory structures and uses appurtenant to the above uses. (Ord. 1477 § 7, 1993; Ord. 1467 § 7, 1993; Ord. 1035 § 2, 1987; Ord. 902 § 1, 1984; Ord. 509 § 14 (part), 1976)

**29.37.030 Uses permitted subject to conditional use permit.** The following uses are permitted in a P-F public facilities district; provided, that a conditional use permit is obtained for any such use:

- (A) Airports and heliports, including accessory commercial uses;
- (B) Aircraft maintenance and sale and/or storage of aircraft-related products, including fuels;
- (C) Retail sales;
- (D) Sale of airline and tour tickets;
- (E) Slot and pinball machines;
- (F) Car rental agencies;
- (G) Other uses requiring a conditional use permit under the terms of Section 29.66.020. (Ord. 1477 § 8, 1993; Ord. 1467 § 8, 1993; Ord. 902 § 2, 1984; Ord. 509 § 14 (part), 1976)

**29.37.040 Uses prohibited.** All other uses are strictly prohibited. (Ord. 509 § 14 (part), 1976)

**29.37.050 Property development standards.** Property development standards, including regulations as to height, size, and location of any structure, shall be specified in the approval of any conditional use permit, when required, for any use to be conducted within a P-F public facility district. (Ord. 509 § 14 (part), 1976)

# **manufacturing districts**

**M-D DESIGNED MANUFACTURING  
DISTRICT**

**Sections:**

- 29.38.010 Purpose.
- 29.38.020 Conformance with site plan.
- 29.38.030 Contents and approval of site plans.
- 29.38.040 Uses permitted.
- 29.38.050 Uses permitted subject to a conditional use permit.
- 29.38.080 Yards.
- 29.38.090 Parking and loading regulations.
- 29.38.100 Height.
- 29.38.110 Outdoor uses and activity limited.
- 29.38.120 Building coverage regulations—Floor area ratio.
- 29.38.130 Width regulations.
- 29.38.150 Uses prohibited.
- 29.38.160 Nonconforming uses and intent.

**29.38.010 Purpose.** The regulations for M-D designed manufacturing districts are intended to permit and encourage commercial and industrial development that will be so located and designed as to assure an orderly grouping of buildings and uses so as to constitute a harmonious, efficient, convenient and appropriate part of the physical development of the county; also, contribute to a sound economic base, preserve the land values, secure the character of the resort and recreational districts and otherwise further the purposes set forth in Section 29.01.020. Such districts shall be established from time to time by amendments of this title consisting of appropriate changes in district boundaries. The further intent of this chapter is to:

(A) Encourage the construction of buildings and the continued use of land for commercial and industrial development;

(B) Discourage any use which, because of its character and size, would interfere with the use of land in the district as a manufacturing and commercial area which contributes to the soundness of the economic base;

(C) Prohibit residential and trailer court use of the land, and prohibit any other use which would substantially interfere with the development or continuation of the commercial or manufacturing structure in the area;

(D) Prohibit any use which would by reason of its contribution of gas, odors, dust, smoke, fumes or noise substantially interfere with the development or continuation of the development of other districts in the vicinity. (Ord. 429 (part), 1974)

**29.38.020 Conformance with site plan.** In any M-D district the location of the main and accessory buildings on the site and in relation to one another, the traffic circulation features within the site, the height and bulk of buildings, the provisions of off-street parking and loading space, the provision of other open spaces on the site and the display of signs shall, in addition to conforming to any and all regulations pertaining thereto that are specifically set forth in this title, be in accordance with a site plan or plans or subsequent amendment thereof, approved in any case by the planning commission or board of county commissioners. (Ord. 947 § 3, 1985; Ord. 429 (part), 1974)

**29.38.030 Contents and approval of site plans.** In approving site plans, the planning commission may act on site plans submitted to it or may act on its own initiative in preparing and approving a site plan, including any conditions or requirements designated or specified in connection therewith. A site plan may include landscaping, fences and walls designed to further the purpose of the regulations for M-D districts, and such features shall be provided and maintained as a condition of the establishment and maintenance of any use to which they are attached. In considering any site plans hereunder the planning commission shall endeavor to assure safety and convenience of traffic movement both within the area covered and in relation to access streets, orderly groupings of buildings for harmonious and beneficial relations among the buildings and uses in the area covered and harmonious relation between such area and contiguous land and buildings and adjacent neighborhoods or districts. (Ord. 429 (part), 1974)

**29.38.040 Uses permitted.** In the M-D, designed manufacturing district, no building or structure shall be erected or constructed which is arranged, intended or designed to be used for other than one or more of the following uses:

- (A) The following principal uses:
- (1) Assembly of machines (but not aircraft or motor vehicles), musical instruments, toys, novelties or appliances from previously prepared parts;
  - (2) Automobile laundry;
  - (3) Bakery;
  - (4) Bedding, carpet and pillow manufacturing, cleaning or renovating;
  - (5) Boat automobile, aircraft, mobile home and recreational vehicles sales, assembly and building; provided, that such uses are located not less than six hundred feet from any property either developed for residential use or designated for residential use in an adopted land use guide;
  - (6) Bottling plant (no brewery larger than a brew pub);
  - (7) Bookbinding;
  - (8) Cabinet shop or furniture manufacture;
  - (9) Candy manufacturing;
  - (10) Ceramics manufacture using previously pulverized clay and kilns fired only by gas or electricity;
  - (11) Construction contractor's office and shop;
  - (12) Cleaning and dyeing plant;
  - (13) Collection and baling of bottles, cans, paper, plastics, rags or other recyclable materials (except petroleum products or hazardous materials and containers for such materials) but only within a wholly enclosed building and only where located not less than six hundred feet from any property either developed for residential use or designated for residential use in an adopted land use guide;
  - (14) Cosmetic manufacture or packaging;
  - (15) Creamery;
  - (16) Dairy production, packaging or bottling;
  - (17) Distribution plant;
  - (18) Electric plating;
  - (19) Electric or neon signs or billboard manufacture;
  - (20) Flower or seed processing and sale;
  - (21) Food products manufacture or processing, not otherwise listed;
  - (22) Fountain equipment and supply;
  - (23) Garment manufacture;



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- (24) Heating and air conditioning sales, supply and repairs;
- (25) Ice and cold storage;
- (26) Laboratories, experimental (no commercial production of chemicals);
- (27) Laundry;
- (28) Machine shop, provided it is located not less than six hundred feet from any property either developed for residential use or designated for residential use in an adopted land use guide;
- (29) Manufacturing, compounding, assembling or treatment of merchandise from the following materials: bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, glass, hair, horn, leather, paper, plastics, precious or semiprecious stones, shell, straw, textiles, tobacco, wood, wool, yarn and paint;
- (30) Motion picture production;
- (31) On-premises signs subject to conditions of Section 29.44.095;
- (32) Pest extermination and control service; provided, that any area used for the storage of chemicals is located at least six hundred feet from any property either developed for residential use or designated for residential use in an adopted land use guide;
- (33) Printing, lithographing and publishing;
- (34) Rubber fabrication;
- (35) Sheet metal shop;
- (36) Tire sales and installation; provided, that such uses are located at least six hundred feet from any property either developed for residential use or designated for residential use in an adopted land use guide;
- (37) Upholstery shop;
- (38) Union hall;
- (39) Warehouses and warehouse complexes, including mini-warehouses;
- (40) Wastepaper or rag collection and baling, but only within a wholly enclosed building;
- (41) Any use permitted in the C-P, office and professional district, C-1, local business district, C-C, shopping center district, and C-2, general commercial district subject to securing a conditional use permit as provided in Chapter 29.66 of this title for any use for which a conditional use permit is required in such district and subject to the restrictions on such facilities listed in said districts, except:
  - (a) Taverns or brew pubs within one thousand five hundred feet of any property either developed for residential use or designated for residential use in an adopted land use guide,
  - (b) Buildings higher than four stories or fifty feet, and
  - (c) Residential dwellings or apartments,
  - (d) Hotels and motels,
  - (e) Convenience stores and service stations,if located in accordance with the yard requirements as specified herein;
- (B) Accessory structures and uses customarily incidental to any of the above uses when located on the same lot or parcel of land. (Ord. 1870 § 6, 1996; Ord. 1767 § 5, 1996; Ord. 1745 § 10, 1995; Ord. 1525 § 1, 1993; Ord. 1477 § 9, 1993; Ord. 1467 § 9, 1993; Ord. 429 (part), 1974)

**29.38.050** Uses permitted subject to conditional use permit. The following uses are permitted in the M-D, designed manufacturing district; provided, that a conditional use permit is obtained for any such use:

(A) The uses listed in Section 29.66.020 of this title as permitted in any zone subject to a conditional use permit;

(B) Taverns or brew pubs within one thousand five hundred feet of any property either developed for residential use or designated for residential use in an adopted land use guide;

(C) Animal hospitals, animal kennels, stables or animal impound facilities;

(D) Structures over two stories and/or thirty-five feet in height located within six hundred feet of any property either developed for residential use or designated for residential use in an adopted land use guide;

(E) Accessory structures and uses customarily incidental to any of the above uses when located on the same lot or parcel of land;

(F) Hotels and motels subject to maintaining minimum setbacks from property lines consistent with the requirements listed under Section 29.20.050(C). Where the requirements of this chapter or other chapters of this title differ, the greater requirement shall apply;

(G) Outside storage only in conjunction with a use permitted under Section 29.38.040 conducted within an enclosed building, subject to the following restrictions:

(1) The outside storage area is enclosed by a solid decorative wall, with the wall conforming to building setback requirements,

(2) No material stored shall be stacked or stored so as to be visible from any street,

(3) The property is not less than one thousand feet from an existing residence or property designated for residential use in any applicable land use guide.

(4) The current planning division shall not accept any application for a variance from the requirements listed under this subsection;

(H) Convenience stores and service stations, subject to the restrictions listed under Section 29.26.015(4) of this title. (Ord. 1870 § 7, 1996; Ord. 1824 § 1, 1996; Ord. 1767 § 6, 1996; Ord. 1745 § 11, 1995; Ord. 1525 § 2, 1993; Ord. 1477 § 10, 1993; Ord. 1467 § 10, 1993)

**29.38.080 Yards.** No building shall be less than fifteen feet distant from any street and/or future street width line. The area within this setback shall be landscaped. There shall be no side (except where adjacent to a street) or rear yard required, except where property adjoins a residential zone there shall be a setback of twenty feet. (Ord. 1525 § 3, 1993; Ord. 947 § 5, 1985; Ord. 429 (part), 1974)

**29.38.090 Parking and loading regulations.** Every building, portion thereof or use shall comply with the requirements specified in this title. (Ord. 429 (part), 1974)

**29.38.100 Height.** In an M-D district the height of a structure shall not exceed four stories and shall not exceed fifty feet, except within six hundred feet of a residential zoning district, where the height of a structure shall not exceed two stories and shall not exceed thirty-five feet unless the height and location of the structure is specifically approved through a conditional use permit. (Ord. 1525 § 4, 1993; Ord. 429 (part), 1974)

**29.38.110 Outdoor uses and activity limited.** Except as provided in Section 29.38.050 of this chapter, all uses permitted in the M-D district shall be conducted wholly within an enclosed building. No outdoor activity, sales, manufacturing, production,

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processing, assembly or storage of materials, completed products, vehicles or equipment is permitted except as follows:

(A) The parking of automobiles used for transportation of employees or customers;

(B) The display of automobiles for sale, lease or rent;

(C) The use of a portion of the property for a limited staging area in conjunction with a permitted primary use. Such staging area shall be used in the course of loading and unloading shipping trailers, shall not be used for storage and shall be fully screened from view from a public or private street and enclosed by a block wall. Where the wall is approximately parallel to and visible from a public or private street, the wall shall be a decorative wall. No materials, products or packing materials or equipment may be left in the staging area overnight.

(D) The temporary storage of shipping trailer en route to their final destination in conjunction with a permitted primary use. Sufficient space shall be provided on the private property for the storage and parking of the shipping trailers. The storage area shall be fully enclosed by a block wall. Where the wall is approximately parallel to and visible from a public or private street, the wall shall be a decorative wall. The parking or storage of shipping trailers within a public or private street right-of-way is prohibited.

(E) The parking and/or temporary storage of delivery trucks and vehicles in conjunction with a permitted primary use. Sufficient space shall be provided on the private property for the storage and parking of the delivery vehicles. The parking/storage area shall be fully screened from view from a public or private street by a block wall. Where the wall is approximately parallel to and visible from a public or private street, the wall shall be a decorative wall. Overnight parking or storage of delivery vehicles in a public or private street right-of-way is prohibited. (Ord. 1824 § 2, 1996; Ord. 1525 § 6, 1993)

**29.38.120 Building coverage regulations — Floor area ratio.** The floor area of the principal building and all accessory buildings shall not exceed forty-five percent of the total area of the lot for a single-story building nor shall it exceed fifty-five percent of the total area for buildings of more than one story. The ground area occupied by the principal and accessory buildings shall not exceed forty-five percent of the total area of the lot. (Ord. 429 (part), 1974)

**29.38.130 Width regulations.** The minimum width of any lot shall be one hundred feet at a distance of twenty-five feet back from the street and/or future width line. (Ord. 429 (part), 1974)

**29.38.150 Uses prohibited.** There shall be no residential uses allowed in this district. (Ord. 429 (part), 1974)

**29.38.160 Nonconforming uses and intent.** It is the intent of this chapter to designate no area as an M-D designed manufacturing district in which there is, at date of adoption of the ordinance codified herein, any residential or other nonconforming use. The county planning commission and the board of county commissioners shall not approve an amendment rezoning any portion of the county to an M-D designed manufacturing district if there is in that district any use which would be a nonconforming use upon passage by the board of county commissioners of the amendment rezoning that property. (Ord. 429 (part), 1974)

**Chapter 29.40**

**M-1 LIGHT MANUFACTURING  
DISTRICT**

**Sections:**

- 29.40.010 Permitted uses.
- 29.40.015 Uses permitted subject to a conditional use permit.
- 29.40.020 Area, width and yard regulations.
- 29.40.030 Height regulations.
- 29.40.040 Coverage regulations.

**29.40.010 Permitted uses.** In the M-1, light manufacturing district, no building or structure or land shall be used and no building or structure shall be erected which is arranged, intended or designed to be used for other than one or more of the following uses:

Any of the following uses subject to the issuance of a permit from the county health department approving the water and sewage for every building or structure:

(A) Any use permitted in the C-P, office and professional district, C-1, local business district, C-C, shopping center district, C-2, general commercial district, C-3, general commercial district and M-D, designed manufacturing district, subject to securing a conditional use permit as provided in Chapter 29.66 for any use for which a conditional use permit is required in said district and subject to the restrictions on such facilities listed in said districts, except:

(1) Taverns within one thousand five hundred feet of any property either developed for residential use or designated for residential use in an adopted land use guide,

(2) Buildings higher than four stories or fifty feet, if located in accordance with the yard requirements as specified herein.

(B) The following listed uses subject to the installation of equipment to secure the abatement of smoke, dust, fumes and/or noise, and provided that all such uses shall be conducted within an enclosed building:

(1) Animal hospital,

(2) Assembly of machines (other than aircraft and motor vehicles), musical instruments, toys, novelties or appliances from previously prepared parts; no outside storage of materials,

(3) Automobile, truck, airplane, motorcycle, bicycle or farm machinery repair or sale; body and fender works; dismantling and used parts storage,

(4) Antique store,

(5) Automobile laundry,

(6) Bakery,

(7) Bedding, carpet and pillow manufacturing; cleaning or renovating,

(8) Blacksmith shop,

(9) Boat building or repair,

(10) Bottling plant (no brewery),

(11) Bookbinding,

(12) Cabinet shop or furniture manufacture,

(13) Candy factory,

(14) Ceramics manufacture using previously pulverized clay and kilns fired only by gas or electricity,

(15) Cleaning and dyeing plant.

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- (16) Cosmetic manufacture or packaging.
- (17) Creamery,
- (18) Dairy production, packaging or bottling,
- (19) Distribution plant,
- (20) Electric plating,
- (21) Electric or neon signs or billboard manufacture; no outside storage of materials,
- (22) Flower or seed processing and sale,
- (23) Food products manufacture or processing, not otherwise listed,
- (24) Fountain equipment and supply,
- (25) Garment manufacture,
- (26) Heating and air conditioning sales, supply and repair,
- (27) Hotels and motels,
- (28) Ice and cold storage plant,
- (29) Kennels,
- (30) Laboratories, experimental (no commercial production of chemicals),
- (31) Laundry,
- (32) Machine shop,
- (33) Manufacturing, compounding, assembly or treatment of merchandise from the following materials: bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, glass, hair, horn, leather, paper, plastics, precious or semiprecious stones, shell, straw, textiles, tobacco, wood, wool, yarn and paint,
- (34) Motion picture production,
- (35) Oil and water well surveying and servicing business,
- (36) Printing, lithographing and publishing,
- (37) Rubber fabrication,
- (38) Sheet metal shop; no outside storage,
- (39) Shoe manufacture,
- (40) Taxidermist,
- (41) Tire rebuilding, recapping or retreading,
- (42) Upholstery shop,
- (43) Union hall,
- (44) Wastepaper or rag collection and baling, but only within a wholly enclosed building,
- (45) Warehouses and warehouse complexes;

(C) The following uses, provided they are conducted within a building or an area is enclosed by a solid wall or a compact evergreen hedge or uniformly painted six-foot wooden fence, or a six-foot chain-link fence as may be specified by the planning commission:

- (1) Building materials storage or sales yard, when fenced by at least a six-foot screen fence on its street frontage,
- (2) Draying, freighting or trucking yard or terminal,
- (3) Feed and fuel yard and asphaltic oil storage,
- (4) Feed, cereal or flour mill,
- (5) Lumberyard, when fenced by at least a six-foot screen fence on its street frontage,
- (6) Plumbing shop and yard, provided that any such yard is fenced by at least a six-foot screen fence on its street frontage,

(7) Storage space for contractor's equipment, transit and transportation equipment (except freight classification yard) and other outside storage, provided each such area is fenced by at least a six-foot screen fence on its street frontage;

(D) Accessory buildings and uses customarily incidental to any of the above uses when located on the same lot or parcel of land;

(E) On-premises signs, subject to provisions of Section 29.44.095. (Ord. 1767 § 7, 1996; Ord. 1477 § 11, 1993; Ord. 1467 § 11, 1993; Ord. 597 § 1, 1978; Ord. 566 § 24, 1978; Ord. 429 (part), 1974)

**29.40.015** Uses permitted subject to a conditional use permit. The following uses are permitted in the M-1, light manufacturing district; provided, that a conditional use permit is obtained for any such use:

(1) Precast concrete manufacture;

(2) Tattoo/permanent make-up establishments;

(3) Pharmaceutical manufacture;

(4) Pawnshops and motor vehicle pawnshops; provided, that the proposed location is at least one thousand five hundred feet from any H-1 zone;

(5) Taverns or brew pubs within one thousand five hundred feet of any property either developed for residential use or designated for residential use in an adopted land use guide;

(6) The uses listed in Section 29.66.020 of this title as permitted in any zone subject to a conditional use permit. (Ord. 1767 § 8, 1996; Ord. 1745 § 12, 1995; Ord. 1695 § 3, 1995; Ord. 1477 § 12, 1993; Ord. 1467 § 12, 1993)

**29.40.020** Area, width and yard regulations. No building shall be closer than twenty feet to any front property line or future width line of a street; there shall be no side or rear yard required except where property adjoins a residential zone; there shall be a setback of twenty feet. On corner lots the side yard facing a street shall not be less than twenty feet. For dwellings, the area, width and yard regulations shall be the same as residential zone R-4. (Ord. 429 (part), 1974)

**29.40.030** Height regulations. The height of a building or structure shall not exceed four stories, nor shall the overall height exceed forty-five feet. (Ord. 429 (part), 1974)

**29.40.040** Coverage regulations. No building, structure or group of buildings (with their accessory buildings) shall cover more than eighty percent of the lot. (Ord. 429 (part), 1974)

## Chapter 29.42

M-2 INDUSTRIAL (WITHOUT DWELLING)  
DISTRICT

## Sections:

- 29.42.010 Permitted uses.
- 29.42.020 Prohibited uses.
- 29.42.030 Area, width and yard regulations.
- 29.42.040 Height regulations.
- 29.42.050 Coverage regulation.
- 29.42.060 Nonconforming use and intent.

**29.42.010 Permitted uses.** In industrial zone M-2, no building, structure or land shall be used and no building or structure shall be erected which is arranged, intended or designed to be used for other than one or more of the following uses:

Any of the following uses, subject to the issuance of a conditional use permit, as provided in Chapter 29.66:

- (1) Aircraft and motor vehicle assembly;
- (2) Animal by-products plant (when located at least one thousand feet from any existing dwelling, school, hospital, sanitarium, park, community center and from any other zoning district boundary and at least two hundred feet from any other use except those incidental to and located upon the same piece of property as the use herein permitted);
- (3) Animal hospital;
- (4) Assembly of machines, musical instruments, toys, novelties or appliances from previously prepared parts;
- (5) Automobile, truck, airplane, motorcycle, bicycle or farm machinery repair of sale; body and fender works; dismantling and used parts storage;
- (6) Automobile wrecking and/or baling (when located at least six hundred feet from any zone boundary);
- (7) Antique store;
- (8) Automobile laundry;
- (9) Bag cleaning;
- (10) Bakery;
- (11) Bedding, carpet and pillow manufacturing, cleaning or renovating;
- (12) Blacksmith shop;
- (13) Boatbuilding or repair;
- (14) Blast furnace (when located not nearer than one thousand feet from any existing dwelling, school, hospital, sanitarium, park, community center or from any other zoning district boundary and not less than two hundred feet from any other use except those incidental to and located upon the same piece of property as the use herein permitted);
- (15) Boiler works;
- (16) Bowling plant;
- (17) Brewery;
- (18) Bookbinding;
- (19) Building materials storage or sales yard, when fenced by at least a six-foot screen fence on its street frontage;
- (20) Cabinet shop or furniture manufacture;

- (21) Candy factory;
- (22) Ceramics manufacture;
- (23) Cleaning and dyeing plant;
- (24) Cosmetic manufacture or packaging;
- (25) Creamery;
- (26) Dairy production, packaging or bottling;
- (27) Distribution plant;
- (28) Dog pound;
- (29) Draying, freighting or trucking yard or terminal;
- (30) Electric plating;
- (31) Electric or neon signs or billboard manufacture;
- (32) Feed and fuel yard;
- (33) Feed, cereal or flour mill;
- (34) Flower or seed processing and sale;
- (35) Food products manufacture or processing, not otherwise listed;
- (36) Fountain equipment and supply;
- (37) Garment manufacture;
- (38) Grease or oil compounding;
- (39) Heating and air conditioning sales, supply and repair;
- (40) Ice and cold storage plant;
- (41) Japanning;
- (42) Kennels;
- (43) Laboratories, experimental (no commercial production of chemicals);
- (44) Lumberyard, when fenced by at least a six-foot fence on its street frontage;
- (45) Machine shop;
- (46) Manufacturing, compounding, assembling or treatment of merchandise from the following materials: Bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, glass, hair, horn, leather, paper, plastics, precious or semiprecious stones, shell, straw, textiles, tobacco, wood, wool, yarn and paint;
- (47) Manufacturing, compounding, assembling, processing, treatment or storage of the following: acrylene or similar gases, emery cloth, excelsior fiber, lampblack, matches, oxygen in compressed form, pickles, pottery, shoe polish, shoddy, soap, starch, sandpaper, sauerkraut, salt, yeast;
- (48) Manufacturing, compounding, assembling, processing, treatment or storage of the following, provided they are located not less than six hundred feet from any zone boundary: alcohol, cans, candles, celluloid, dye stuffs, fish smoking or curing, glass, gypsum, oil, oilcloth, oiled rubber goods, paper, paint, pulp, plaster, plaster of paris, petroleum products, linoleum, lime, shellac, vinegar, varnish;
- (49) Manufacturing, compounding, assembling, processing, treatment or storage of the following, provided they shall be located not less than one thousand feet from any existing dwelling, school, hospital, sanitarium, park, community center and from any other zoning district boundary and not less than two hundred feet from any other use except those incidental to and located upon the same piece of property as the use herein prescribed: acid, ammonia, asphalt, bleaching powder, brick, brass, chlorine, cement or cinder block or cement tile, chemicals of an objectionable or dangerous nature, creosote, copper, distillation of coal, bones or wood, fat rendering, fertilizer, fireworks, explosives of any kind, gas, glue, glucose size or gelatin, grease or lard, garbage, offal or dead animal reduction, insecticides, iron mill, ore beneficiation, ore reduction, ore smelting or refining, potash, pyroxylin, rubber or guttapercha, rolling mill, sewage disposal or treatment.



slaughterhouses, smelting, steel, tallow, tar, tar roofing or waterproofing materials, tanning or curing of rawhide or skins, tile, terra cotta, tin, turpentine, wool pulling or scouring:

- (50) Mixing plant for cement, mortar, plaster or paving materials;
- (51) Motion picture production;
- (52) Oil and water well surveying and servicing business;
- (53) On-premises signs subject to conditions of Section 29.44.095;
- (54) Plumbing shop and yard, provided that any such yard is fenced by at least a six-foot screen fence on its street frontage;
- (55) Printing, lithographing and publishing;
- (56) Rubber fabrication;
- (57) Salvage yard and baling;
- (58) Sheet metal shop;
- (59) Storage warehouse;
- (60) Storage or service yard, provided any such yard is fenced by at least a six-foot fence on its street frontage;
- (61) Storage space for contractor's equipment, transit and transportation equipment (except freight classification yard) and other outside storage, provided each such area is fenced by at least a six-foot screen fence on its street frontage;
- (62) Shoe manufacture;
- (63) Taxidermist;
- (64) Tire rebuilding, recapping or retreading;
- (65) Upholstery shop;
- (66) Union hall;
- (67) Waste paper or rag collection and baling;
- (68) Accessory buildings and uses customarily incidental to any of the above uses when located on the same lot or parcel of land. (Ord. 1477 § 13, 1993; Ord. 1467 § 13, 1993; Ord. 497 § 6, 1976; Ord. 429 (part), 1974)

29.42.020 Prohibited uses. All residential uses are prohibited in this district. (Ord. 429 (part), 1974)

29.42.030 Area, width and yard regulations. There shall not be any area, width and yard regulations with the exception that buildings or structures shall not be located closer than twenty feet to any property line or future width line of a street. (Ord. 429 (part), 1974)

29.42.040 Height regulations. The height of a building or structure shall not exceed six stories nor shall the overall height exceed seventy-five feet, except where the height of an off-premises advertising structure is further restricted in Section 29.44.097. (Ord. 1477 § 14, 1993; Ord. 1467 § 14, 1993; Ord. 429 (part), 1974)

29.42.050 Coverage regulation. Coverage regulations shall be the same as for light manufacturing zone M-1. (Ord. 429 (part), 1974)

29.42.060 Nonconforming use and intent. It is the intent of this chapter not to designate any area as an M-2 industrial district in which there is, at the date of adoption of the ordinance codified in this title, any residential or other nonconforming use. The county planning commission and the board of county commissioners shall refuse to approve any request for an amendment rezoning any portion of the county to M-2

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industrial district if there is in that district any use which would be nonconforming upon passage by the board of county commissioners of the ordinance codified in this title. (Ord 429 (part), 1974)

## Chapter 29.43

## M-3 HEAVY INDUSTRIAL DISTRICT

## Sections:

- 29.43.010 Generally.
- 29.43.020 Uses permitted.
- 29.43.030 Exceptions.
- 29.43.040 Area, width and yard regulations.
- 29.43.050 Height regulations.
- 29.43.060 Coverage regulation.
- 29.43.070 Nonconforming use and intent.

**29.43.010 Generally.** In industrial zone M-3, no building or structure or land shall be used, and no building or structure shall be erected, which is arranged, intended or designed to be used for other than one or more of the uses designated in this chapter. (Ord. 429 (part), 1974)

**29.43.020 Uses permitted.** The following uses shall be permitted subject to the issuance of a permit from the Clark County health department and air pollution control approving the water and sewage facilities for each building and subject to the installation of equipment to secure the abatement of smoke, dust, noise and/or fumes in accordance with existing ordinances:

(A) Any use permitted in the M-2 zone except for any residential purposes, subject to securing a conditional use permit as provided in Chapter 29.66 for any use for which a conditional use permit is required in the M-2 zone and also subject to those requirements as may be specified for the maintenance of said uses in the M-2 zone;

(B) On-premises signs, subject to the provisions of Section 29.44.095;

(C) Electric distributing and transmission substations (notwithstanding the provisions of Chapters 29.48 and Section 29.66.020);

(D) Electric generating stations (notwithstanding the provisions of Section 29.66.020);

(E) Accessory buildings, structures and uses incidental to any of the above uses when located on the same lot or parcel of land; except that any building or structure designed to provide living quarters for employees, watchmen, guests, the other personnel associated with the principal use of the property, including their families, will be permitted, subject to securing a conditional use permit as provided in Chapter 29.66. (Ord. 1477 § 15, 1993; Ord. 1467 § 15, 1993; Ord. 429 (part), 1974)

**29.43.030 Exceptions.** No residential use shall be allowed in this district. (Ord. 429 (part), 1974)

**29.43.040 Area, width and yard regulations.** There are none, except that any building or structure shall not be located closer than twenty feet to any property line or future width line of a street. (Ord. 429 (part), 1974)

**29.43.050 Height regulations.** The height of any building or structure shall not exceed six stories nor shall the overall height exceed seventy-five feet, except where the height of an off-premises advertising structure is further restricted in Section 29.44.09" (Ord. 1477 § 16, 1993; Ord. 1467 § 16, 1993; Ord. 429 (part), 1974)

**29.43.060 Coverage regulation.** The coverage regulation is the same as for the M-1 zone. (Ord. 429 (part), 1974)

**29.43.070 Nonconforming use and intent.** Except as otherwise provided herein, it is the intent of this title and this chapter not to designate any area as an M-3 zone in which there is any residential or other nonconforming use. (Ord. 429 (part), 1974)

**general condition:**

## Chapter 29.44

## GENERAL CONDITIONS AND EXCEPTIONS

## Sections:

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29.44.130	Temporary outdoor commercial and promotional activities.
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29.44.150	Administrative deviation.

**29.44.010 Purpose and intent.** The regulations set forth in this chapter modify or further restrict, where applicable, the district regulations of this title.

If any ambiguity exists with reference to the classification of uses or property development standards, it shall be the duty of the planning commission to ascertain all pertinent facts concerning the use or standard and by resolution of record set forth its findings and reasons therefor and such findings and resolutions shall be referred to the board of county commissioners and if approved by the board thereafter such interpretation shall prevail. (Ord. 429 (part), 1974)

**29.44.020 Uses permitted.** The following regulations shall apply to uses permitted:

(A) **Uses Listed as Permitted.** Buildings, structures and land shall be used, erected, maintained, altered or enlarged only for the purposes listed as permitted in the district in which such building or land is located and then only after applying for and securing all permits and licenses required by law and ordinance.

Any use already established within an area prior to the present district regulations which is not a permitted use within such district or is permitted use only with a conditional use permit shall be allowed to continue therein as a nonconforming use subject to all conditions and restrictions relating to nonconforming uses as provided in Chapter 29.45.

29.44.020

(B) Uses not Listed as Permitted. When a use is not specifically listed as permitted, it shall be assumed that such uses are expressly prohibited unless a determination is set forth in writing by the planning commission as provided in Chapter 29.60. (Ord. 429 (part), 1974)

**29.44.030 Home occupations.** (A) Home occupations may be established if allowed in the zoning district and if the owner of the home occupation obtains and maintains a business license from the Clark County business license department. The home occupation must be conducted as an incidental or secondary use to the residential dwelling and the residential appearance of the dwelling shall not reflect or indicate that a business is operated therein. The floor space of the dwelling to be utilized for storage only for the home occupation shall be limited to twenty-five percent of the building or three hundred fifty square feet, whichever is less.

(B) Home occupations shall not involve:

- (1) The commercial preparation of food or food services;
  - (2) Clients or customers coming to the premises except for students;
  - (3) Employees other than family members as defined by Section 29.02.380;
  - (4) Signage or advertising in the yard or on the building;
  - (5) Signs, merchandise and/or other articles displayed for advertising purposes at the home address;
  - (6) The on-site sales of products;
  - (7) Vehicle repair, paint or body work businesses;
  - (8) The storage of hazardous materials;
  - (9) Commercial vehicles/trucks except for one commercially licensed passenger car or pickup truck parked in a driveway, not to be used as a means for advertising;
  - (10) The receipt of products or materials from a delivery service or delivery trucks;
  - (11) Businesses utilizing explosives, gun powder, ammunition or weapons;
  - (12) Tutoring or teaching of more than four students;
  - (13) The use of any accessory building or yard space, or any activity outside the dwelling unit not normally associated with residential use;
  - (14) Services provided to others upon the premises;
  - (15) Ambulance services, barbershops, beauty parlors, contractor's offices; hospitals, medical clinics, and surgery centers are not permitted home occupations.
- (C) An application for a home occupation detailing the proposed use and showing the use is consistent with the requirements of subsections (A) and (B) of this section shall be filed with the business license department prior to the establishment of the business at the residence.
- (D) The following is a list of uses permitted as home occupations under the restrictions as set forth above:
- (1) 800 numbers;
  - (2) 900 numbers;
  - (3) Appraisal and related services;
  - (4) Architectural, professional and related services;
  - (5) Artist;
  - (6) Bookkeeping, accounting services;
  - (7) Ceramics, kiln with a one hundred ten ampere service only;

- (8) Computer-based businesses;
- (9) Computer graphics services;
- (10) Consulting services;
- (11) Court reporting;
- (12) Engineering, professional and related services;
- (13) Entertainer, outcall only, no escort services;
- (14) Flower arrangement, excluding fresh flowers;
- (15) Handicraft, including gift basket assembly;
- (16) Health fitness training services;
- (17) Information services;
- (18) Insurance adjustment services;
- (19) Insurance sales;
- (20) Interior design services;
- (21) Janitorial services;
- (22) Jewelry making, excluding the smelting and casting of metal;
- (23) Maintenance businesses, except licensed contractors;
- (24) Party planning services;
- (25) Photography and related services, excluding the processing of film;
- (26) Real estate services;
- (27) Sales representative;
- (28) Secretarial services;
- (29) Service businesses except repair businesses;
- (30) Swimming pool cleaning;
- (31) Tailoring, sewing services;
- (32) Tax preparation services;
- (33) Teaching, tutoring, subject to a maximum of four students at one time;
- (34) Telephone services, does not include escort services nor telemarketing services;
- (35) Writers. (Ord. 1871 § 24, 1996: Ord. 731 § 1, 1981: Ord. 429 (part), 1974)

**29.44.040 Uses prohibited.** Such uses are prohibited in each district and are declared to be detrimental to the public health, safety and welfare.

The enumeration of prohibited uses shall not by implication enlarge the scope of permitted uses, but is for purposes of clarity only. (Ord. 429 (part), 1974)

\*\* NOTE: See Section 2: Modified Development Standards

**\* \* 29.44.050 Dwelling unit density and lot area.** (A) Dwelling Unit Density. The number of dwelling units per gross acre shall not exceed limits as set forth for the various districts or for any lot or parcel within the district.

If a lot or parcel lies within more than one district, the density of that portion within each district shall not exceed the density allowed for the district.

The gross acres shall include all of the property within the interior lot lines and if the lot or parcel abuts an existing or future public street the gross area may be calculated to the centerline of the future width of the public street.



29.44.050

(B) **Lot Area.** The requirements of this title as to the minimum lot area shall not be construed to prevent the use of any lot or parcel of land in any district for the construction of a single-family dwelling (except in those districts where single-family dwellings are prohibited), providing all other requirements of this title are complied with, in the event such lot or parcel is:

(1) Shown separately on any official subdivision map duly approved and recorded in the manner provided by law prior to 1962;

(2) Deeded by a deed of record prior to the adoption of this title or amendment thereto;

(3) Subject to a recorded contract of sale in full force and effect prior to 1962.

(C) Any lot or parcel of land, the title of which was recorded, shall not be reduced in any manner below the minimum lot area, size or dimensions required by this title.

(D) No portion of any lot or parcel of land which has been designated or used as any part of a building site area or yard as required by this title shall be included as a portion of an area or yard for another building if such inclusion will reduce the building site or yard requirement for the original lot or parcel of land to less than the minimum building site area or dimension of yard for the land use district in which such property is located.

(E) Every building hereafter erected shall be located on a lot as herein defined. In no case shall there be more than one main residential building and its accessory buildings on one lot, except as otherwise provided in this title.

(F) The minimum lot area required for any lot within any district is based on the lot being served by both public utilities of water and sewer systems. For a lot without both public utilities of water and sewer, the minimum lot area shall be not less than the minimum required by the Clark County district health department for individual systems of water service and sewage disposal.

(G) No lot area shall be reduced so that the yards, other open spaces, or total lot area shall be smaller than prescribed by this title, except that when lot width or depth is administratively reduced in accordance with Section 29.44.055, a proportionate lot area reduction commensurate with the percentage of lot dimension deviation shall be allowed.

(H) No building permit shall be issued:

(1) For any building or structure on a lot which abuts a street dedicated only to a portion of its required width and located on that side on which insufficient dedication has been secured; or

(2) For any building or structure other than a single-family residence on a lot which abuts a street on which off-site improvements have not been completed adjacent to the property in accordance with the specifications of the Clark County department of public works; but off-site improvements need not be required in the case of a building permit for which the estimated valuation is less than ten thousand dollars; or

(3) For any single-family residence on a lot which abuts a street on which off-site improvements have not been completed or off-site agreements and deed restrictions have not been executed by the property owner.

(I) After the effective date of any amendment to this title by which any area is first zoned into any district, land in such district may not be divided by the recording of any map, or by voluntary sale, contract of sale or conveyance of any kind which creates a new parcel of land under separate ownership which consists of

less than the minimum lot area, minimum lot width or minimum lot depth required for the district of which such lot is a part. Any person participating in such division in violation of this section, whether as seller, grantor, purchaser or grantee, is, as principal in the transaction, guilty of a misdemeanor. (Ord. 895 § 3, 1984; Ord. 811 § 3 (part), 1982)

**\* \* 29.44.055 Lot dimensions.** Every lot shall have a minimum width and depth not less than that prescribed in the district under consideration. Each dimension is minimum only. One or both shall be increased to attain the required minimum lot area. When unusual practical difficulties are shown which preclude reasonably meeting the lot width or depth requirement, the zoning administrator or his designee may administratively allow a deviation of up to five percent from the minimum width or depth requirement without the submission and approval of a formal variance application. Application for such deviation shall be in writing, on forms provided by the current planning division, accompanied by two copies of a plot plan showing all lot dimensions, along with a nonrefundable reviewing fee as required by Chapter 29.76 of this title. In the case of denial by the zoning administrator, an applicant may pursue a variance through procedures stipulated under Section 29.66.030.

Where a lot has a minimum width or depth less than prescribed by this title and the lot was of record under separate ownership at the time that the lot area became nonconforming, the lot may be used subject to all other property development standards of the district in which such lot is located.

(A) **Width.** The width of a lot shall be considered to be the distance between straight lines connecting the front and rear lot lines at each side of the lot, measured across the rear of the required front yard; provided, however, that width between side lot lines at their foremost points (where they intersect with the street line) shall not be less than eighty percent of the required lot width except in the case of lots on the turning circle of cul-de-sacs and knuckles, where the eighty percent requirement shall not apply.

(B) **Depth.** The depth of a lot shall be considered to be the minimum distance between the front and rear property line, measured perpendicular to the centerline of the street upon which the lot fronts. If, however, the lot fronts on the turning circle of a cul-de-sac or knuckle, the lot depth shall be measured along either side property line, or along a line extending from the midpoint on the front property line to the rear property line in the mean direction of the side property lines. (Ord. 1841 § 1, 1996; Ord. 1531 § 1, 1993; Ord. 895 § 4, 1984; Ord. 811 § 3 (part), 1982)

**\* \* 29.44.060 Yards.** Every lot shall have the minimum yards not less than that prescribed in the district under consideration and all required yards shall extend the width or depth of the lot and shall be open from the ground to the sky except for permissible accessory buildings and structures, required roadway improvements, utility equipment and architectural intrusions.

(A) **Front Yards.** Each lot shall have a front yard extending across the full width of the lot and lying along the front property line. The required front yard shall be landscaped with appropriate materials and shall be maintained.

Where the future width line of a street does not conform to the front property line, the future width line of the street shall be used in determining the front yard.

In determining the front yard, the required front yard depth for each district shall be measured by a line perpendicular to the front property line, or in the case of a curved

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front property line, from the nearest point on the front property line to the nearest corner or face of the building on the lot.

(1) **Cul-de-Sac.** Where a residential lot is facing on a cul-de-sac, the front yard may be reduced to ten feet less than the minimum required for the district in which the lot is located, but in no event shall any front yard be reduced to less than fifteen feet in minimum depth, nor less than twenty feet where accessing a carport or garage.

(2) **Knuckles.** Where a residential lot is facing on a knuckle, the front yard may be reduced to five feet less than the minimum required for the district in which the lot is located.

(3) **Modification of Front Yards for Partially Built Up Blocks.** Where lots comprising fifty percent or more of the block frontage are developed with a front yard either greater or lesser in depth than that prescribed in this chapter, the average of such existing front yards shall establish the front yard for the remaining lots in the block frontage; however, a front yard determined in this way shall not be less than twenty feet. Existing front yards of more than fifty feet shall be counted as fifty feet in calculating the average.

(4) **Collector Streets and Major Streets and Highways.** Where a residential lot is abutting a collector street or major street or highway, any driveway providing vehicular ingress and egress from the collector street or major street or highway shall include driveway design with circle drives or on-site turnarounds so as to preclude requiring backing of vehicles onto such street or highway.

(B) **Side Yards.** Except as otherwise provided by the regulations of a particular zoning district, each lot shall have a side yard parallel to the side property line, extending from the rear of the front yard to the front of the rear yard. The required side yard depth for each district shall be measured by a line perpendicular to the side property line to the corner or face of the building on the lot.

(C) **Rear Yards.** Every lot shall have a rear yard extending across the full width of the lot and lying along the rear property line. The required rear yard depth as specified for each zoning district shall be measured by a line perpendicular to the rear property line to the nearest corner or face of the building on the lot. In the case of a residential lot located on a cul-de-sac, knuckle or curve, the required rear yard depth may be reduced to ten feet less than the minimum otherwise required for the zoning district in which the lot is located; provided, that the total area of the remaining rear yard is at least equal to the required rear yard area for a minimum-size conforming lot in the zoning district.

(D) **Permitted Intrusions into Required Yards.** The following may project into required yards:

(1) **Architectural features and structure,** such as eaves, cornices, canopies, sills, belt courses, stairs, balconies, decks above the level of the first floor, patios, second story room overhangs, columns, and other similar architectural features and structures may project not more than three feet into any required yard or space required between buildings on the same building site, but in no event under this provision shall any such projection be closer than three feet to any property line.

(2) **Architectural enclosures,** such as fireplace structures, bay windows, and entertainment niches, may project not more than three feet into any required yard or separation between buildings on the same building site; but in no event under this provision shall any such projection be closer than three feet to any property line. The maximum width of such an enclosure or combination of enclosures shall be twelve feet on any wall measured in the general direction of the wall of which it is a part.

(3) **Uncovered Porches and Landings.** Uncovered porches, landings and platforms which do not extend above the floor level of the first floor may project into any required yard or yard between buildings on the same building site not more than five feet. An openwork railing not more than thirty inches in height may be installed or constructed on such porch, landing or platform without affecting this provision.

(4) **Ramps and Railings.** Openwork fences, hedges, guard railings or other landscaping or architectural devices for safety protection around depressed ramps may be located in required front yards; provided, that such devices are not more than four feet in height.

(E) **Permitted Accessory Structures, Roadway Improvements and Utility Equipment in Required Yards.** Fences, mailboxes, light poles, required roadway improvements and utility equipment and related structures may be permitted in any required yard provided that:

(1) The diameter of the light pole does not exceed one foot. The length width or diameter of the base of the light pole may be a maximum of two feet provided the base is not more than four feet high;

(2) The utility equipment is for a utility regulated by the public service commission;

(3) The roadway improvements, including but not limited to streetlights, traffic control signs and devices and pedestrian overpasses are required by Clark County and provided in accordance with county standards.

(F) **Yard Requirements for Consolidated Lots.** When the common property line separating two contiguous lots is covered by a building or permitted group of buildings, such lot shall constitute a single building site and the yard spaces required by this title shall then not apply to such common property line.

(G) **Sight Zones.**

(1) **Corner and Reverse Corner Lots.** All corner and reverse corner lots shall maintain for safety of vision purposes a triangular sight zone on the intersection side of a straight line connecting two points, one of which is on the front curbline and one of which is on the side curbline, each point being thirty feet from the intersection of the two curbline extended. For the purposes of this subsection, "curbline" means the back edge of the curb. In any case where no curbline is established, the property lines shall be used to establish the sight zone. No hedge, wall, fence, or structure of any kind may be erected to a height of more than thirty inches within the above defined sight zone.

(2) **Driveways.** In addition to any required corner sight zone, in any R-4, R-5, C, H or M district, an additional sight zone shall be maintained within fifteen feet of the point of intersection of any driveway curb cut and any public right-of-way. No hedge, wall, fence or structure of any kind may be erected to a height of more than thirty inches within the above defined sight zone.

(H) **Special Conditions.**

(1) A residential building shall not be erected within fifty feet of the right-of-way of any railroad line, freeway or drainage channel. The required setback from a drainage channel may be reduced to that which is required in the zoning district provided that the channel is concrete lined and/or a protective wall is constructed in accordance with the requirements of the Clark County department of public works.

\* \*(2) Garages or carports shall be located not less than twenty feet from any future width line of any street where the garage door or a carport opening faces the street. Where the yard requirements pose a greater setback, such greater setback shall apply.

(I) Notwithstanding any other provision of this title relating to setbacks, no building or structure other than an architectural intrusion permitted by Section 29.44.060(D) or accessory structures, roadway improvements or equipment permitted by Section 29.44.060(E), or fences or walls permitted by Section 29.44.085(A), shall be constructed or maintained within ten feet of any street or future right-of-way line in any zoning district.

(J) When it has been determined by the director of public works or his/her designee that right-of-way is not required consistent with Section 29.64.010 then the special setbacks required by Section 29.64.040 for buildings or structures within such unrequired right-of-way may be administratively waived subject to the approval of an administrative deviation by the director of public works and the zoning administrator or their designees in accordance with the provisions of Section 29.44.150.

(K) Where dedication for an arterial street exists, the setback required under Section 29.64.040(D) from a township line or range line may be reduced or eliminated for structures other than buildings, providing that an administrative deviation is approved by the director of public works and the zoning administrator or their designees in accordance with the provisions of Section 29.44.150. (Ord. 1834 § 2, 1996; Ord. 1780 § 1, 1996; Ord. 1517 § 1, 1993; Ord. 895 § 5, 1984; Ord. 811 § 3 (part), 1982)

**\*\* 29.44.065 Height.** All buildings or structures hereafter designed or erected and existing buildings which may be reconstructed, altered, moved or enlarged shall comply with the height regulations and exceptions of the district in which they may be located. Street lights may exceed the maximum height permitted in a particular district provided they are required by and in conformance with Clark County standards. (Ord. 1517 § 2, 1993; Ord. 811 § 3 (part), 1982)

**\*\* 29.44.070 Lot coverage.** All buildings hereafter designed or erected and existing buildings which may be reconstructed, altered, moved or enlarged shall not exceed the maximum building coverage regulations of the district in which they may be located. (Ord. 811 § 3 (part), 1982)

**\*\* 29.44.075 Accessory buildings.** (A) No accessory building shall be erected in any front or side yard. An accessory building will be considered to be within the rear yard if more than fifty percent of such building is closer to the rear property line than is the back edge of the principal structure.

(B) A structure which would otherwise be an accessory structure may be constructed at less than the required separation from a principal structure on the same property and be considered as a part of the principal structure; provided, that the structures are connected by a breezeway not less than ten feet in width; and further provided, all portions of all such structures adhere to the setback requirements for a principal structure in the zoning district in which they are located.

(C) An accessory structure which adheres to all required setbacks and separations for the zoning district in which it is located may be joined to other structures on the same lot or parcel of land by means of a breezeway without being deemed to be a part of the principal structure and without being required to adhere to the principal structure setback requirements.

(D) One radio transmission and receiving mast tower is permitted as an accessory use in an R-U, R-A, R-E, R-D, R-I, R-1A, R-T and R-2 district at each residence occupied by a Federal Communication Commission licensed amateur radio operation with the following conditions:

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(1) The overall height does not exceed sixty feet except where less height is established in Chapter 29.50 (Airport Height Zoning Restrictions), in such case the lesser height shall be the maximum;

(2) The structure shall not be less than fifteen feet from any side or rear property line;

**parking**

(3) The structure shall not be within one foot of any utility easement; and

(4) The tower shall be designed and operated so as not to interfere with other lawful radio or telephonic communication.

(E) No accessory building or use shall be constructed, located or developed on a lot prior to the time of construction of the principal building to which it is accessory. (Ord. 1301 § 1, 1991; Ord. 811 § 3 (part), 1982)

**29.44.080 Off-street parking required.** In any use of land for residential, commercial, industrial or any other purpose, no building or structure shall be erected, constructed, reconstructed, enlarged or increased in capacity, and no major repairs exceeding fifty percent of the value of the structure shall be made, unless there already exists upon the lot, or provisions are made for the location on the lot concurrently with such erection, construction or major repairs, off-street parking space with adequate provisions for ingress or egress by standard-size automobiles as hereinafter provided. Each such parking space shall be a permanently maintained space not less than nine feet wide by nineteen feet long, exclusive of drives and aisles, but a parking space designated for recreational vehicle parking shall be not less than ten feet wide by twenty-two feet long. Overhangs of up to one foot into landscaped areas or over private sidewalks five feet or more in width may be counted as part of the required stall length. The zoning administrator shall publish standards as to driveway and aisle widths, which shall be approved by the board of county commissioners. Deviations from such standards may be allowed through approval of an architectural supervision.

(A) **Parking Spaces for Dwellings.**

(1) For single-family and two-family residences at least two private parking spaces shall be maintained for each dwelling unit.

(2) For other than single-family and two-family residences parking shall be provided as follows:

(a) One and one-quarter parking spaces for each bachelor apartment or one-bedroom dwelling unit;

(b) One and three-quarter parking spaces for each two-bedroom dwelling unit;

(c) Two parking spaces for each dwelling unit having in excess of two bedrooms.

(d) At least one space for each five dwelling units must be provided for visitor parking.

(3) For a senior housing development the minimum number of total parking spaces for residents, visitors, and recreation vehicles and/or boats shall be one and one quarter parking spaces per dwelling unit. Each dwelling unit shall have one covered or enclosed parking space.

(B) **Parking Space for Buildings or Uses Other than Dwellings.**

(1) **Public Assembly Buildings.** For places of public assembly including theaters; school, college and university auditoriums; gymnasiums; stadiums; lodges; private clubs; exhibition halls; convention halls; skating rinks; and all types of assembly halls; at least one permanently maintained off-street parking space shall be provided for every ninety square feet of gross floor area used or intended to be used for service to the public.

(2) **Churches.** One permanently maintained parking space for each one hundred square feet of floor area, excluding vestibules, restrooms, closets, and related areas. Churches shall be allowed the use of joint off-street parking facilities provided for other kinds of buildings or uses not normally open, used or operated during the principal



functioning hours of the churches; provided, that a written consent is executed between the parties concerned for the joint use of the off-street parking facilities and an executed or certified copy of the consent is filed with the application for a building permit.

(3) **Hospitals, Clinics.** For hospitals, including sanitariums, asylums, convalescent homes, homes for the aged or infirm, and all other similar institutions, one permanently maintained off-street parking space shall be provided for every five patient beds, plus at least one additional off-street parking space for each staff and visiting doctor, plus at least one additional off-street parking space for every two employees, including nurses.

For medical and dental clinics, three permanently maintained off-street parking spaces shall be provided for every doctor or dentist having offices in such clinic.

(4) **Lodging Facilities.** Lodging facilities, including clubhouses, lodgings, boardinghouses and roominghouses, fraternities and sororities, and other similar places offering overnight accommodations, shall provide at least one permanently maintained off-street parking space for every guestroom maintained therein.

(5) **Hotels and Motels.** Hotels and motels, including resort hotels, shall provide and maintain at least one off-street parking space per guestroom for the first five hundred guestrooms in any establishment. In addition, one off-street parking space shall be provided and maintained per two guestrooms in excess of five hundred guestrooms in any establishment. One off-street parking space shall be provided and maintained per four guestrooms in excess of one thousand guestrooms in any establishment.

Off-street parking spaces shall also be provided and maintained for all areas open to the public. These areas shall include, but are not limited to, casino, showroom, bars, lounges, commercial shops and stores, dining rooms, and related spaces (except space utilized for storage or occupied by utility or maintenance equipment, elevator shafts, stairwells, restrooms, shopping mall areas, vestibules, hallways, swimming pools, tennis courts and other similar recreation areas utilized by the guests of the hotel only and not open to the general public).

The off-street parking requirements for areas of the hotel open to the general public shall be as follows: for the first forty thousand square feet of floor area, twenty off-street parking spaces for every one thousand feet. Ten off-street parking spaces shall be provided and maintained by the hotel or motel for each additional one thousand square feet up to one hundred thousand square feet of floor area. Furthermore, five off-street parking spaces shall be provided for every one thousand square feet over one hundred thousand square feet of space used. Additionally, at least one permanently maintained off-street parking space shall be provided for every three hundred square feet of floor area used for administrative offices. Convention facilities, dressing rooms, employee lounges and locker rooms, kitchen areas, stage and backstage areas, and all similar areas not open to the public and not excluded above shall provide at least one permanently maintained parking space for every one thousand square feet of floor area.

(6) **Restaurants, Taverns.** For restaurants or establishments that serve meals, lunches or drinks, including bars, nightclubs and taverns, to patrons either in their cars or in the building, at least one permanently maintained off-street parking space shall be provided for every one hundred square feet of floor space in the building or one parking space for every four seats provided for patrons' use, or ten parking spaces, whichever requirement is greater.

(7) **Office Buildings.** For office buildings, including commercial, governmental, and professional buildings, at least one permanently maintained off-street parking space for every three hundred square feet of leasable floor space in the building shall be

provided. Leasable floor space is defined as usable office space and areas customarily incidental to office use, including but not limited to waiting rooms, conference rooms and lunchrooms. Areas excludable from leasable floor space are limited to public hallways, public restrooms, elevators, stairways, and areas customarily used or occupied by building utility or maintenance equipment.

(8) **Retail Establishments.** For retail establishments, including personal service shops, equipment repair shops, amusement arcades, laundromats, retail shops and business, banks or similar financial institutions, at least three and three-tenths parking spaces shall be provided for each one thousand square feet of retail building floor area.

For grocery stores, food markets, and convenience markets, for the first four thousand square feet, at least 5.5 parking spaces shall be provided for each one thousand square feet of gross floor area; for any area in excess of four thousand square feet, at least 6.7 parking spaces shall be provided for each one thousand square feet of gross floor area.

For shopping centers, for the first one hundred thousand square feet of gross leasable area, five and one-half off-street parking spaces shall be provided and permanently maintained for every one thousand square feet; and for each one thousand square feet of gross leasable area above one hundred thousand square feet, four off-street parking spaces for every one thousand square feet.

(9) **Mortuaries.** For mortuaries, at least thirty permanently maintained off-street parking spaces shall be provided.

(10) **Schools.** For schools, including academies, colleges, universities, elementary schools, junior high schools, vocational schools and all other similar institutions of learning, at least one permanently maintained off-street parking space for every two employees, including administrators, teachers and building maintenance personnel, plus one parking space for every ten students of driving age shall be provided.

(11) **Auto Repair Garages.** For auto repair garages, at least 5.5 parking spaces shall be provided for each one thousand square feet of office and repair area, and in no event, less than five parking spaces.

(12) **Terminal Facilities.** For terminal facilities, including airports, railroad passenger and freight stations, bus depots, truck terminals and all other similar personnel or material terminal facilities, off-street parking space shall be provided as required by the county planning commission and the board of county commissioners.

(13) For all horse riding and boarding facilities, one parking space per three horse boarding stalls or corrals plus one ten-foot by twenty-five-foot stall for maintenance vehicle and horse trailer vehicles per five horse boarding stalls which may be provided in tandem. Required parking areas need not be paved, except for required handicapped spaces and access aisles, and shall be dust treated according to the Clark County air pollution control division requirements.

(14) **Other Uses.** For all businesses or industrial uses not listed above, one permanently maintained off-street parking space shall be provided for every two employees working on the highest employment shift, or one parking space for every one thousand square feet of gross floor area, whichever requirement is greater.

(C) **Parking Space and Lot Regulations.**

(1) **Surfacing Drive-in Lots.** Every parcel of land hereafter used for any public or semipublic automobile parking, public garage or any type of drive-in business or similar uses where vehicles regularly and customarily require parking space and ingress and egress thereto shall be paved with a surfacing material of asphalt or concrete composition and shall have appropriate bumper guards where needed as determined by the county building official.

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(2) **Approval and Plans.** Such a parking lot shall require detailed plans drawn to scale for driveway openings or curb cuts and shall be submitted for approval with regard to the location and relation of same to the dedicated public streets and highways.

(3) **Lighting.** Any lights used to illuminate the lot shall be arranged so as to reflect away from the adjoining premises.

(D) **Off-Street Truck Loading Space.** On the same premises with every building, structure or part thereof erected and occupied, or increased in capacity, after the effective date of the ordinance codified in this title, for manufacturing, storage, warehouse, goods display, department store, grocery, hotel, hospital, mortuary, laundry, dry cleaning or other use similarly involving the receipt or distribution by vehicles of materials or other merchandise, there shall be provided and maintained on the lot adequate space for standing, loading and unloading services in order to avoid undue interference with public use of the street or alleys. Such space, unless otherwise adequately provided for, shall include a minimum ten-foot by twenty-five-foot loading space, with a minimum fourteen-foot height clearance, for every fifteen thousand square feet or fraction thereof in excess of two thousand square feet of building floor use for the above-mentioned purposes, or for every fifteen thousand square feet or fraction thereof in excess of two thousand square feet of land use for the above-mentioned purposes.

(E) **Required Parking Accessible for Handicapped Persons.** On the same premises with every building, structure or addition thereto erected or occupied, after the effective date of the ordinance codified in this title, there shall be provided parking spaces marked as provided in NRS 484.408 for the exclusive use of handicapped persons. Parking spaces so reserved and designated for handicapped parking shall be located closest to the nearest handicapped accessible entrance on a handicapped accessible route. Of the total number of parking spaces required for the building, structure or addition, the following number of parking spaces shall be designated for use by handicapped persons:

**Total Number of Spaces in  
the Parking Facility**

**Number of Parking Spaces Designated for  
Handicapped Persons**

1 through 25

Minimum of one designated space (Exception: no space need be designated for the handicapped in off-street parking facilities with twelve or fewer spaces for residential uses, including mobile home estates and residential condominiums, hotels and motels)

26 through 50

Minimum of two designated spaces

51 through 75

Minimum of three designated spaces

76 through 100

Minimum of four designated spaces

101 through 150

Minimum of five designated spaces

151 through 200

Minimum of six designated spaces

201 through 300

Minimum of seven designated spaces

301 through 400

Minimum of eight designated spaces

401 through 500

Minimum of nine designated spaces

501 through 1,000

Minimum of two percent of the total number of spaces in the off-street parking facility

Over 1,000

Minimum of twenty designated spaces

# **screening, buffering and landscaping requirements**

All handicapped accessible parking spaces shall be at least nine feet in width and nineteen feet in length, with one or a common access aisle, dedicated solely for use as access to two or fewer handicapped accessible parking spaces. Said access aisle shall be at least five feet wide by nineteen feet long, adjacent, parallel and level with the parking spaces. (Ord. 1771 § 5, 1996; Ord. 1615 § 1 (B), 1994; Ord. 1606 § 17, 1994; Ord. 1137 §§ 1, 2, 1989; Ord. 924 § 1, 1985; Ord. 895 § 6, 1984; Ord. 811 § 3 (part), 1982)

**29.44.085 Screening, buffering and landscaping requirements.** Fences, walls, hedges and landscaping shall be erected or installed on any lot subject to the following provisions:

(A) **Fences, Walls and Hedges.**

(1) All fences, walls, hedges and landscape materials shall meet the visibility requirements at the intersection of public and private streets, and at the intersection of any street and a private drive as required by Section 29.44.060(G), Sight Zones.

(2) Any fence, wall or hedge located within a required front yard shall not exceed four feet in height above the finished grade line, and no more than fifty percent of the vertical surface above two feet may be solid.

(3) Fences, walls and hedges not greater than six feet in height shall be permitted within all rear and side yards.

(4) Where residential lots rear or back onto public or private streets, a minimum six-foot-high decorative wall shall be required along the property line adjacent to the right-of-way.

(5) Decorative walls at least seventy-five percent open may be permitted within the front yard of any apartment complex if they are set back for landscaping per subsection (B) of this section. The maximum height permitted for such a wall is six feet. Decorative walls or fences located along the periphery boundary of a planned development unit and decorative masonry fences or walls specified in Section 29.47.050 (C) shall be at least seventy-five percent open along street frontages.

(6) To discourage lengthy expanses of solid block walls along street frontages, one of the following alternatives may be substituted for a solid decorative wall or decorative masonry fence provided that no landscaping or walls encroach into any required sight zone:

(a) The combination of wrought iron panels, masonry walls and columns with sufficient dense landscaping to establish a screening effect. The plant material used shall be a minimum of four feet in height upon installation to mature at a height of at least six feet. Trees may be interspersed in the landscape area;

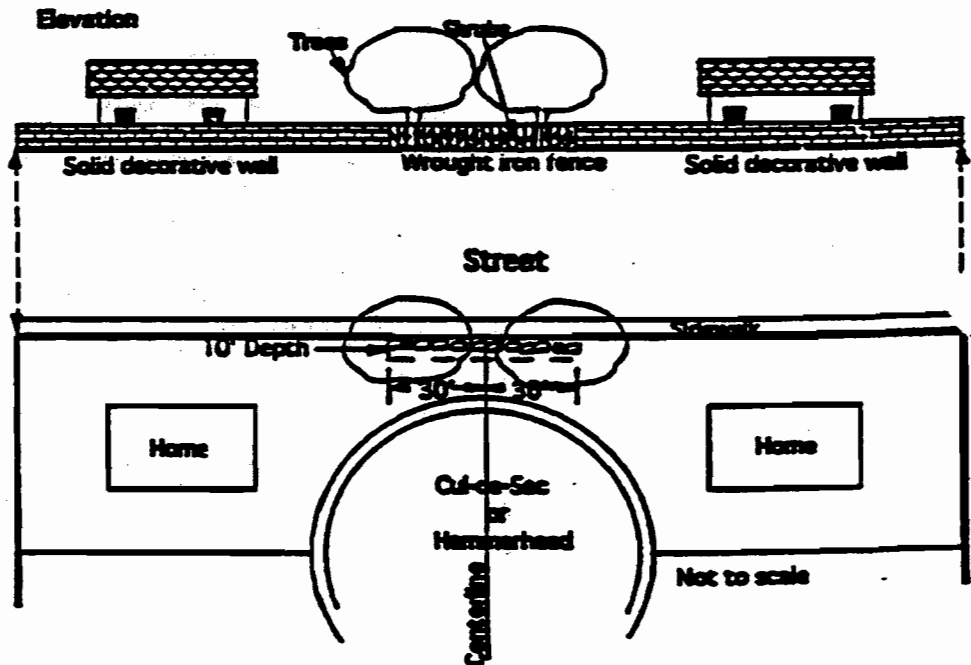
(b) An earthen berm with thirty-three percent maximum slope at finished grade and landscaping to achieve a minimum height of six feet at the time of installation. This alternative will be permitted only along street frontages, with the exception of rear yard areas.

(c) In residential subdivisions, the length of a continuous expanse of a decorative wall along a collector or arterial street shall be no more than approximately three hundred feet. Where street intersections are not feasible to break up the length of the wall, one of the following alternatives to a solid wall design shall be provided by the developer prior to issuance of certificates of occupancy:

(1) Where the front property line of a lot is adjacent to a cul-de-sac or hammerhead and the side property line of the same lot is adjacent to a collector or arterial street, the private property within the front yard area of the lots within thirty feet each of the extended centerline of the cul-de-sac or hammerhead (sixty feet total)

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shall be landscaped and the decorative wall located between the front yard and the street right-of-way line shall be at least seventy-five percent open. Within the sixty-foot opening, landscaping shall include at a minimum, two twenty-four-inch box trees or four fifteen-gallon trees, and ten shrubs at least three feet high at the time of installation. The required landscaping shall be located within ten feet of the decorative wall.



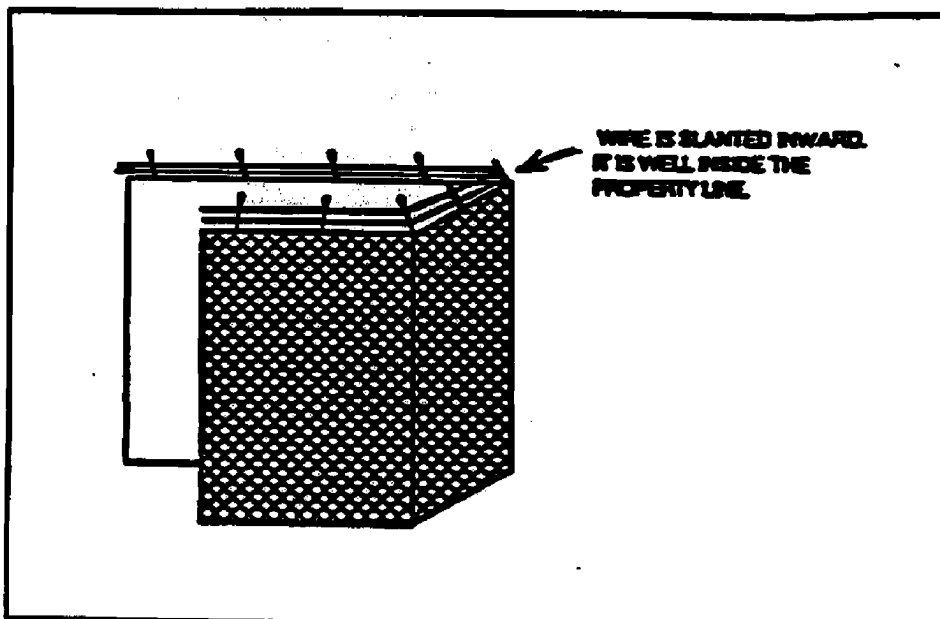
(2) The private property within rear yard areas of lots adjacent to the wall along a collector or arterial street shall be landscaped. The landscaping shall include at a minimum two twenty-four-inch box trees or four fifteen-gallon trees for each fifty feet of frontage or portion thereof. Should italian cypress (or a similar tree that has no canopy) be used, additional trees shall be required to provide trees ten feet apart along the entire rear property line. The required landscaping shall be located within ten feet of the wall.

(7) Fences and lighting over six feet in height for tennis courts or other game areas may be permitted in a rear or side yard if composed of metal supports and wire mesh capable of admitting at least ninety percent of light as measured on a reputable light meter. Such fences and structures, however, shall require the review and approval of the planning commission. The decision of the planning commission may be appealed to the board of county commissioners if requested within five working days of planning commission action.

(8) A solid six-foot-high masonry, concrete or block wall shall be required on zone boundary lines in the R-3, R-4 and R-5 districts when adjacent to a single-family residential district and in all nonresidential districts when adjacent to any residential

district. On an application pursuant to Section 29.68.020, amendments and boundary changes, this requirement may be deleted by the board of county commissioners if the affected adjoining property is undeveloped, zoned residential and the boundary wall would not fulfill its intended purpose at the present time. A design for other than a solid wall may be approved by the planning commission or board of county commissioners through the approval of a design review application. Such applications shall be approved only after a public hearing.

(9) Security fencing not to exceed ten feet in height may be permitted in any C-3, M-D, M-1, M-2 or M-3 district, or around permitted equipment storage areas and airports in a P-F district. Any security wire shall be no less than six feet above the finished grade on the outside of the wall and the wire shall be slanted inward.



(10) Upon the showing of unusual design requirements, the zoning administrator may authorize a fence, wall or hedge height of not more than eight feet in any side or rear yard. Application for such additional wall height shall be made in writing, accompanied by a plot plan showing wall location and all adjacent streets, along with a nonrefundable reviewing fee as required by Chapter 29.76 of this title. Any application for additional height to be added to an existing fence, wall or hedge shall be accompanied by a notarized letter of approval from the neighboring property owner adjacent to the fence, wall or hedge, if such property is also developed.

(11) The finished grade for the purpose of this subsection shall be the top-of-curb grade for fences, walls and hedges along a street. Where the finished grade line of a lot is above or below the finished grade line of an abutting lot, the finished grade shall be the point on the high side, but no fence shall be allowed at more than nine feet of overall height as a result of such grade difference, except in a C-3, M-D, M-1, M-2.

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M-3 or P-F district where an overall height of thirteen feet will be permitted if due to grade difference.

(12) A fence and/or wall may be required along the perimeter of any area which, by reason of the conditions on the property or physical hazards such as frequent inundations, erosion, excavation or grade differential, are considered to be dangerous by the director of the building department.

(13) Where residential lots are adjacent to a freeway right-of-way, a noise attenuating wall shall be constructed in accordance with Nevada Department of Transportation standards.

(B) Landscaping.

(1) A landscape buffer, a minimum of six feet in depth, measured perpendicular from the right-of-way line, shall be provided along all street frontages for all developments in nonresidential zoning districts and for all R-3, R-4 and R-5 developments. Exceptions to this requirement are as stated below:

(a) Private walks may encroach into the required landscape area provided such encroachment shall not exceed ten percent of the total street frontage as measured along each street and further provided the walkway is not a principal means of access to the building. Further, an area equal in size per square foot of the landscape area being displaced by walkways shall be provided along the street frontage contiguous to other required landscape areas;

(b) Driveways which meet construction standards as required by Title 28, Subdivisions, or as otherwise approved by Clark County;

(c) Light poles and utility equipment as permitted in Section 29.44.060(E) of this title.

(2) The minimum landscape width may be reduced where a six-foot-high decorative wall or decorative masonry fence or wall is permitted and is constructed along the street frontage and where the wall is set back as specified below:

(a) At least fifty percent of the total length of the wall along each street frontage shall be offset four feet or greater from the required street right-of-way line or edge of street easement;

(b) The maximum length of wall in continuous vertical plane shall not exceed twenty-five percent of the total wall length along each street frontage;

(c) The offset between the vertical plane of each length of wall shall be a minimum depth of four feet as measured from the face of the wall.

(3) Required landscaping shall be irrigated, contain live plant materials and be maintained in a living, growing condition.

(4) The use of turf is not permitted in landscape areas along a public street frontage in nonresidential zoning districts, nor in multifamily zoning districts. An exception is permitted in the P-F zoning district and in multifamily zoning districts where the turf area has a minimum width of at least ten feet.

(5) Turf areas in nonresidential zoning districts, except the P-F district, shall not exceed thirty percent of the net lot area, exclusive of public rights-of-way.

(6) To provide for the efficient use of water and to minimize the runoff of water onto adjacent nonpermeable surfaces, the minimum width of any turf area, except in single-family zoning districts, shall be ten feet.

(7) Landscaping for all nonresidential and multifamily residential development shall be designed and installed according to the following: Chapter 6, Landscaping Design Principles and Irrigation Systems, and Appendix B, Plant Materials, of the Clark County Design Manual, adopted by the board of county commissioners on May 22, 1991.

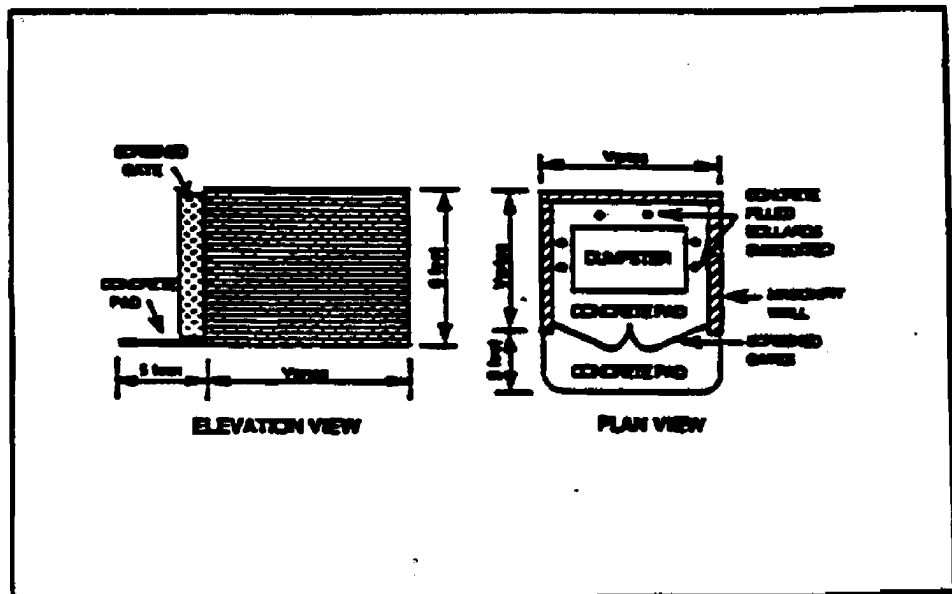


three copies of which are on file with the office of the county clerk. Copies are also for sale in the offices of the zoning division of the department of comprehensive planning. Single-family residential development need not comply with this requirement; however, in the interest of water conservation, compliance is strongly encouraged.

(8) A certificate of compliance stating that landscape materials have been installed according to subdivision (7) of this subsection shall be signed by the property owner and landscape contractor and submitted to the Clark County building department prior to issuance of any certificate of occupancy.

(C) **Trash Enclosures.** Trash enclosures shall be provided for all developments in nonresidential and multifamily zoning districts in accordance with the following:

(1) Trash enclosures shall be six feet high (plus or minus eight inches), constructed of masonry, cement or concrete block and shall have screened gates. The floor of the trash enclosure shall be a concrete pad which shall extend five feet beyond the opening of the trash enclosure.



(2) A six-foot-high cyclone fence with a six-foot-high solid landscape hedge and/or berm may be substituted in lieu of a wall where appropriate.

(3) Clear visibility for all interior drive aisles shall be maintained.

(4) Trash enclosures shall be located so as to minimize disturbance to single-family residential development. Trash enclosures shall be at least fifty feet away from any single-family residential zoning district, unless the adjacent property is undeveloped and the planning commission or board of county commissioners determines that the setback will not fulfill its intended purpose at the present time. (Ord. 1841 § 2, 1996; Ord. 1524 § 2, 1993; Ord. 1276 § 1, 1991; Ord. 1212 § 1, 1990; Ord. 1195 § 1, 1990; Ord. 895 § 7, 1984; Ord. 811 § 3 (part), 1982)

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**29.44.090 Swimming pools.** Swimming pools may be constructed as an accessory use for a residence provided that:

(A) A swimming pool may be constructed within any side or rear yard but shall not be located in any required front yard, and the edge of the water line shall not be located within five feet of any required front yard as defined in this title for each zone or district.

(B) Swimming pools shall be entirely enclosed by buildings or fences or walls not less than five feet in height. The fence or wall shall be equipped with self-closing and self-latching gates or doors, the latching device being located on the inside and not less than four feet above the ground. All lighting of pool areas shall be so hooded that the light does not shine toward abutting properties. (Ord. 811 § 3 (part), 1982)

**29.44.095 Signs generally.** Advertising displays, signs and structures shall be permitted subject to the setbacks, sizes, height and other provisions of Sections 29.44.096 through 29.44.099 of this title, except as follows:

- (A) The following displays are not regulated by this chapter:
- (1) Official notices of any court, public body or officer;
  - (2) Notices posted by a utility or other quasi-public agent in the performance of a public duty or by any person giving due legal notice;
  - (3) Directional, warning or information signs or structures either required by law or established by local authority, or institutional or group notices of a public or semi-public nature;
  - (4) Permanent lettering attached to a motor vehicle when indicating its primary purpose;

**signs**

(5) Those located within the limits of any incorporated city;  
 (6) Those located within a building or area that will not be visible from any existing or proposed public road, street, highway or alley, nor any approved private road;

(7) Off-premises signs within any public facility district.

(B) No advertising display shall be placed in any of the following locations:

(1) Within the right-of-way of any highway, road or other public easement, or within a future right-of-way;

(2) Within any stream or drainage channel;

(3) So as to prevent a traveler on a highway from obtaining a clear view of approaching traffic for a distance of not less than five hundred feet;

(4) So as to interfere with, mislead, obstruct the view of, or be confused with any directional, warning, danger, signal or informational sign or structure, either required by law or established by local authority;

(5) Above a canopy or marquee, or upon a roof, except that the following may be permitted:

(a) A mansard roof may be treated as a wall for sign purposes when such roof is more nearly vertical than horizontal, and subject to the provisions of subsection (I) of this section,

(b) A sign upon a parapet if such parapet is continuous along the entire top of the wall upon which it is constructed and is of the same surface appearance as the wall.

(C) Displays of the following nature are prohibited:

(1) Imitations or simulations of any directional, working, danger or informational sign;

(2) Illumination of such brilliance and/or position as to blind or dazzle the vision of travelers;

(3) Displays containing statements, words or suggestions or picture of an obscene, indecent or immoral character;

(4) Misleading, erroneous or false information and advertising;

(5) Those that emit any sound as a part of the advertising message;

(6) Portable or mobile signs which are placed upon, affixed to or hung from a portable, natural or contrived appliance, structure, trailer, flatched, vehicle or thing, susceptible or capable of being used for advertising, except as provided in Section 29.44.098.

(D) No advertising display shall be maintained unless the name of the manufacturer of same is displayed thereon.

(E) Abandoned displays or those advertising activities of a defunct or inoperative nature must be moved within ninety days of notification to property owner and/or owner of the business advertised and/or owner of the sign.

(F) Maintenance. All signs, advertising displays and structures as regulated by this section shall be maintained by the owner of the sign and/or property, and shall be kept free and clear of all obnoxious substances, materials, rubbish or weeds.

(G) FAA Limitations. No advertising display, sign or structure as regulated by this section shall exceed those limitations specified in Chapter 29.50, nor any recommendation of the director of aviation in regard to obstructions of visibility by height, area or lighting thereof.

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(H) **Setback Measurements.** All advertising display, sign and structure setback distances shall be determined from the future right-of-way line and measured horizontally to the closest point of projection of the display, sign or structure.

(I) **Special Provisions.**

(1) **Wall Signs.** No wall sign shall project out from the wall more than two feet measured to the front of the sign. No portion of any wall sign shall project beyond the end of top of the wall to which the wall sign is attached.

(2) **Marquee Signs.** A sign attached to the face of a marquee shall not project below the marquee and shall not have more than fifty percent of the sign projecting above the top of the marquee, and the sign shall not under any conditions exceed the height of the wall to which the marquee is attached, and no visible external bracing to the wall or top of the marquee shall be allowed.

(3) **Revolving Signs.** A sign that revolves shall not exceed eight revolutions per minute and shall be permitted only in C-C, H, and M zones.

(4) **Animated Signs.** Animated signs shall be permitted only in an H-1 or M zone. Time and temperature displays are not "animated signs" for the purposes of this section.

(5) **Signs Under Canopies and Marquees.** Signs under canopies and marquees shall be permitted if not more than sixteen square feet in area.

(J) No advertising display, sign or structure shall be allowed which is not considered aesthetically compatible with the area in which it is located or with the building or structure on which it is located. A staff determination of noncompatibility may be appealed to the planning commission by submission of an architectural supervision application. (Ord. 1062 § 3, 1988; Ord. 902 § 3, 1984; Ord. 811 § 3 (part), 1982)

**29.44.096 On-premises advertising.** On-premises advertising displays, signs and structures may be allowed subject to the provisions of Section 29.44.095 and as further provided herein:

(A) **Size.** The total area of all types of displays located on a lot or parcel of land shall not exceed the following ratio:

R zones	1 sq. ft. for ea. lineal ft. of frontage
C zones	1 sq. ft. for ea. lineal ft. of frontage
M zones	3 sq. ft. for ea. lineal ft. of frontage
H-2 zone	3 sq. ft. for ea. lineal ft. of frontage
H-1 zone	8 sq. ft. for ea. lineal ft. of frontage

If a building fronts on more than one street, then only one of the street frontages will be allowed in computing the area shown above. Square footage shall be measured on only one side of a two-sided sign, and on two sides of a three-sided or four-sided sign. Allowable sign area in any commercial complex shall be increased by fifty percent provided that the entirety of such increase is used for individual tenant panels located on the principal freestanding sign(s) within the complex.

(B) **Number of Freestanding Signs Allowed.** One freestanding sign may be allowed for each dedicated public street which abuts the property. A shopping center is a single property for the purposes of this section. Alternatively, in any M or H zone, one freestanding sign will be permitted for each one hundred feet of frontage. No freestanding sign shall be located within one hundred feet of any other freestanding sign on the same

lot or parcel, nor shall any parcel smaller than one net acre have more than one free-standing sign.

(C) **Setback.** No display, sign or structure shall be located within ten feet of the future right-of-way width or as provided in Chapter 29.64, whichever is greater. The side setback shall be the same as the building side yard setback except that if the adjacent lot or parcel is in an R zone, the sign shall be set back at least five feet from the side property line.

(D) **Height.**

(1) The minimum height of a freestanding sign shall be measured from the horizontal surface of the ground to the lowest portion of horizontal projection of the sign, and shall not be less than fourteen feet where located in an area subject to vehicular traffic.

(2) The maximum overall height for any sign shall not exceed the building height for the district in which the sign is erected.

(3) For a resort hotel in an H-1 zone, the maximum height shall be the maximum height allowed for the building.

(E) **Protection.** Every freestanding sign so located as to be subject to pedestrian or vehicular traffic shall have a curb or other appropriate safety barrier at a minimum distance of four feet from any portion of the sign which would interfere with or obstruct said traffic.

(F) **C Zones — Special Provisions.** Advertising signs in addition to subsection (A) of this section will be permitted as follows:

Wall or marquee signs attached to and parallel to the frontage walls with each individual business advertising limited to the building frontage of the particular business; and

(1) Not to exceed four feet in height in a C zone with a net area of less than five acres;

(2) Not to exceed six feet in height in a C zone with a net area of five or more acres;

(3) Individual letters of a wall sign may exceed the four-foot and six-foot limits, provided the average height of all copy meets those limits;

(4) For the purposes of this section, "frontage walls" means exterior walls parallel to an abutting street, or facing the interior of a shopping center, or that portion of other exterior walls which pertain to commercial units having a principal pedestrian access through such other walls.

(G) **R-Zones — Special Provisions.** Identification signs for boarding stables and horse riding stables and/or academies shall be permitted as follows: stating the name of the business which shall not exceed ten square feet and shall contain only the name of the owner or business, address, and phone number. Advertising of rates, services or riding events, etc. shall not be permitted. Such sign may be illuminated but the source of illumination shall not be visible, and no flashing or intermittent illumination shall be employed.

(H) **Vehicles as Promotional Devices.** Notwithstanding any other provision of this title, a casino may maintain the exterior display of a vehicle or vehicles as promotional devices, with associated signage, subject to the following conditions:

(1) Such display shall be set back from any public right-of-way in accordance with the normal front setback for an on-premises sign;

(2) One such display shall be permitted within each one hundred feet of frontage along any public right-of-way;

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(3) Any sign associated with such display shall not extend more than two feet above or beyond the vehicle being displayed. (Ord. 1606 § 15, 1994; Ord. 1062 § 3 (part), 1988)

**29.44.097 Off-premises advertising.** The purposes of these regulations are to regulate the location and design of off-premises signs and advertising structures; to maintain and enhance the aesthetic environment; to enhance the county's ability to attract sources of economic development and growth; to improve pedestrian and vehicular traffic safety; to minimize the possible adverse effect of signs on nearby public and private property and to enable the fair and consistent enforcement of these sign restrictions. Off-premises advertising displays, signs and structures shall be allowed subject to the provisions of Section 29.44.095 and as further provided herein.

(A) **Permitted Locations.** Off-premises signs are to be considered primarily as a specific type of land use rather than as an incidental use to an existing land use. Off-premises signs produce a revenue to the property owner as a land use as compared to on-premises signs which in themselves do not produce a revenue but are incidental to a revenue-producing land use. On streets that serve as access to commercial business establishments, off-premises signs compete with on-premises signs for the traveler's attention; further, the on-premises signs serve a beneficial purpose of directing the traveler to their desired destination, whereas off-premises signs typically do not. For all of the preceding reasons, off-premises signs and advertising shall be limited to the off-premises advertising overlay zone. Locations in the off-premises advertising overlay zone are along routes that do not serve as direct access to commercial business establishments or are in the resort area where traffic is slow and the existence of numerous large signs is common and, in fact, is a distinct design feature of the area. Off-premises advertising shall be permitted in the C-C, C-1, C-2, C-3, H-1, H-2, P-F, M-D, M-1, M-2 and M-3 zoning districts only in the following described off-premises advertising overlay zone:

(1) The area within the Las Vegas valley within the following boundaries:

(a) Bounded on the north by the city of Las Vegas/Clark County boundary,

(b) Bounded on the west by Arville Street between the city of Las Vegas boundary and Rochelle Avenue, then running along Rochelle Avenue to Decatur Boulevard, then continuing south on Decatur Boulevard,

(c) Bounded on the south by a line one hundred feet south of Sunset where located west of I-15 and by a line one hundred feet south of Maule Avenue where located east of I-15, and

(d) Bounded on the east by a line one hundred feet east of Paradise Road between Sahara and Harmon Avenue, then running along Harmon Avenue to Swenson Street then continuing south on Swenson Street to the exit for McCarran International Airport, then continuing south along a line one hundred feet east of Paradise Road; and

(2) Along the following interstates and federal-aid primary routes as defined by the Nevada Department of Transportation: I-15, I-515, U.S. Highway 93, U.S. Highway 95 and I-215, from I-15 east to within two hundred feet of Warm Springs Road. Evidence of approval of the off-premises advertising structure by the Nevada Department of Transportation must be provided prior to issuance of a building permit by Clark County. Off-premises advertising proposed in these areas must be oriented so as to have direct visual exposure to the highway and must be located within one hundred feet of the highway right-of-way line; and

(3) Areas where the right-of-way for U.S. Highway 91 (Las Vegas Boulevard South) is located less than one hundred feet from the right-of-way for I-15, within the following legally described sections:

- Township 23 South, Range 61 East: SW1/4, NW1/4, Section 20 and N1/2, Section 30
- Township 24 South, Range 60 East: N1/2, SE1/4 Section 1, S1/2, S1/2 Section 2, and Sections 15 and 16

Where the right-of-way for U.S. Highway 91 (as listed above) is located less than one hundred feet from the right-of-way for I-15, the off-premises advertising proposed must be oriented so as to have direct visual exposure to I-15 and the sign setback shall be measured from the east right-of-way line for U.S. Highway 91; and

(4) The Boulder Highway from the intersection of the Boulder Highway and U.S. Highway 93/95 to the city of Henderson/Clark County boundary. Off-premises advertising proposed in these areas must be oriented so as to have direct visual exposure to the highway and must be located within one hundred feet of the highway right-of-way line.

**EXCEPTION:** The off-premises advertising overlay zone shall not include the area within four hundred feet of either side of the centerline of U.S. Highway 95 within the town site of Searchlight within the following legally described sections, generally described as six miles north and six miles south of the Searchlight town center:

- Township 28 South, Range 63 East: Sections 2, 11, 14, 22, 23, 27, 34 and 35
- Township 29 South, Range 63 East: Sections 2, 11, 14, 23, 24, 25 and 36.

(B) **Conditional Use Permit.** A conditional use permit in accordance with the provisions of Chapter 29.66 of this title shall be required for any off-premises advertising proposed to be located where the leading edge of the sign is within three hundred feet of a residential zoning district, within three hundred feet of a P-F zoning district where a school, library or park is located or as required in subsection (F) below. The applicant must demonstrate that the proposed off-premises sign, its design and its location are compatible with any existing residence or a residential or P-F zoning district within a three-hundred-foot radius of the proposed off-premises sign. Compatibility will be determined in accordance with the standards described in Section 29.66.025, General standards.

(C) **Size, Height, Setbacks.** The minimum height of an off-premises advertising sign shall be measured from the horizontal surface of the ground to the lowest portion of horizontal projection of the sign. The minimum height shall not be less than fourteen feet where located in an area subject to vehicular traffic, nor less than ten feet in any other location. Maximum size, height and setbacks shall be as follows:

Size	672 square feet maximum, except in P-F zone, where the size is unrestricted
Height	Allowable building height or 50 feet, whichever is less
Setbacks	Same as building setbacks



**EXCEPTIONS:**

(1) **Size.** An embellishment of up to five feet above the face of an off-premises advertising structure may be added, not to exceed more than one hundred twenty-eight square feet additional sign area, for a maximum total sign area of eight hundred square feet.

(2) **Height.** Off-premises advertising structures along an elevated roadway shall be a maximum height of thirty feet above the grade of the travel lane of the roadway when the sign is oriented toward the roadway and the nearest edge of the structure is within sixty feet of the roadway right-of-way.

(D) **Separations.** Required separations shall be as follows: the distances designated in the chart below with an asterisk\* are to be measured in radius fashion from the leading edge of the sign. All other distances shall be measured in a linear fashion from the edge of the sign face and shall only apply to signs on the same side of the public right-of-way.

From a residential property line	100 feet minimum*
From another off-premises advertising sign, except along a roadway described in subsection (A)(2) of this section	300 feet minimum
From another off-premises advertising sign along a roadway described in subsection (A)(2) of this section	500 feet minimum
From an on-premises advertising sign on another parcel	100 feet minimum
From any point of intersection of roadways	50 feet minimum*

(E) **"Flagging" Prohibited.** No portion of an off-premises advertising sign or sign structure shall be erected above, over or through a building or structure, and following establishment of the off-premises sign, no building or structure shall be constructed or placed beneath any part of an off-premises sign.

(F) **Sign Faces.** Off-premises advertising structures shall be double-faced or otherwise covered so as to preclude visibility of any unfinished rear surface from any public right-of-way. Sign faces may be placed at an angle not to exceed forty-five degrees; provided, that the open side is covered so as to preclude visibility of the rear surface from any public right-of-way. Off-premises advertising structures consisting of more than two sign faces and/or consisting of angles exceeding forty-five degrees shall require conditional use permit approval subject to the provisions of Chapter 29.66 of this title. The applicant must demonstrate that the proposed structure is compatible with the surrounding area.

(G) **Sign Permits and Associated Fees.**

(1) **Sign Permit.** An application for a sign permit for the construction, placement or installation of a new sign or the relocation or modification of the structure of an existing sign shall be filed with the current planning division upon forms furnished by the current planning division. The permit application shall be accompanied by detailed drawings to show the dimensions, design, structure and location of each particular sign. Evidence of the property owner's approval of the sign installation is required. Evidence

of approval of the off-premises advertising structure by the Nevada Department of Transportation must be provided prior to issuance of a sign permit for any sign which is located along I-15, I-515, U.S. 93, U.S. 95 and I-215, from I-15 east to within two hundred feet of Warm Springs Road. The current planning division shall approve and issue a sign permit upon compliance with Clark County Code, payment of all required fees and issuance of any required building permit. The sign permit shall expire if the building permit for the sign expires due to lack of construction or completion of the sign structure. The sign permit number shall be clearly displayed on each off-premises advertising structure.

(2) **Sign Permit Fee.** No permit shall be issued for the construction, placement, installation, relocation or modification of an off-premises advertising structure until a fee has been paid as required by Chapter 29.76 of this title.

(H) **Requirements Waived.**

(1) Off-premises advertising structures do not require the signing of an avigation easement. Off-premises advertising structures proposed to be located in a P-F zoning district are exempt from the requirements for design review listed in Chapter 29.52. All other off-premises advertising structures are exempt from the requirements for design review listed in Chapter 29.52, unless they are proposed to be located within the areas described below where there is the potential for conflicts with aircraft departures.

Township 21 South, Range 61 East:

SE1/4 of Section 21	SW1/4 of Section 22
S1/2N1/2 of Section 31	S1/2 of Section 31
S1/2 of Section 32	S1/2 of Section 33

Township 22 South, Range 61 East:

NW1/4 of Section 4  
NE1/4 of Section 5

(2) Off-premises advertising structures, when established as the sole use of the property, do not require installation of paved parking, landscaping, wall-enclosed trash areas or off-site improvements. (Ord. 1841 § 3, 1996; Ord. 1720 § 1, 1995; Ord. 1637 § 1, 1994; Ord. 1627 § 1, 1994; Ord. 1618 § 1, 1994; Ord. 1477 § 18, 1993; Ord. 1467 § 16, 1993)

**29.44.098 Temporary signs.** The term "temporary sign" means and includes any sign, banner, pennant, flag, streamer, whirligig, valance, inflatable device, tethered balloon, mobile sign (whether or not attached to a self-propelled motor vehicle) or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard, plywood or other light materials, with or without frames and intended to be displayed for a brief and limited period of time or which are other than the permanent on-premises advertising, off-premises advertising or miscellaneous signs described in this title. Temporary signs may be allowed in any zoning district as provided in this title and subject to the provisions of Section 29.44.095 and as further provided in this section.

(A) **Types of Signs.** Temporary signs are limited to the following four types of messages described in this section and all other are expressly prohibited:

(1) **For Sale/Rent/Lease Signs.** Signs advertising an offer of sale, rent or lease of land, a building, a unit of a building or a structure;

(2) **Political Signs.** Signs advertising a political message, ballot measures or candidates for public office. Political signs shall not contain any commercial message that directly or indirectly names, advertises or calls attention to a business, product, service or other commercial activity;

(3) **Construction Signs.** Signs advertising a construction project, and the parties involved in its development, proposed to be located on the lot or parcel of land on which the sign is located;

(4) **Special Attraction/Promotional Signs.** Signs advertising a special attraction offered by an existing licensed business located on the lot or parcel of land on which the sign is located. In shopping centers the special attraction sign need not be located on the same lot or parcel of land as the business it is advertising, provided it is located on a parcel or lot within the shopping center;

(5) **Exemptions.** The following temporary signs, displays or attention-gaining devices are exempt from the provisions of this section:

(a) One flag of the United States, the state of Nevada, county of Clark or flag of any government or political subdivision is permitted on any improved lot or parcel of land; provided, that the flag is located so that when fully extended it does not overhang a property line or public right-of-way and that any pole or structure is set back a minimum of ten feet from any property line or public right-of-way line. Any flag not meeting any one or more of these conditions shall be considered a banner sign and shall be subject to regulation as such. Facilities owned or operated by a government agency may have more than one flag, provided all other requirements of this section are met.

(b) Streamers, pennants or strings of pennants, no more than twenty-four inches in total height, are permitted surrounding an approved outdoor display yard or lot. The minimum height shall not be less than fourteen feet above the ground where located in an area subject to vehicular traffic, nor less than eight feet in any other location.

(B) **Permit Requirements. Time Limits, On/Off-Premises Restrictions.** The following standards shall apply to all signs, displays and attention-gaining devices permitted under this chapter:

(1) **For Sale/Rent/Lease Signs.**

(a) **On/Off-Premises Restrictions.** For sale/rent/lease signs are allowed only on the lot or parcel of land which is being advertised or on the lot or parcel of land upon which the building, unit of building or structure being advertised is located. An exception is permitted for the sale of lots, buildings or units of buildings in residential zoning districts to allow off-premises advertising of these products in commercial areas up to six miles away from the buildings, units or lots they are advertising. "Commercial areas," for the purpose of this section means vacant lots or portions of lots which are located at least one hundred feet from any developed single-family residential property. A sign advertising a leasable sign location is not an on-premises sign permitted under this section and is expressly prohibited.

(b) **Time Limits.** For sale/rent/lease signs can be installed as soon as the product is offered for sale, rent or lease and all required permits are obtained for the sign. These signs must be removed within fifteen days after the sale, rent or lease of the land, building, unit of a building or structure or within two years, whichever occurs first. If more than one lot, building or unit is offered, the signs must be removed within fifteen days after the last lot or unit is sold, rented or leased or within two years, whichever occurs first. Weekend directional signs can be installed after six p.m. on Friday and must be removed by six a.m. on Monday, or by six a.m. on Tuesday, if county offices are closed on Monday due to a holiday.

(c) **Permits.** A sign permit (as set forth in subsection (D) of this section) is required prior to the construction, placement or installation of each sign, except on-premises signs sixteen square feet or less in size.

(2) **Political Signs.**

(a) **On/Off-Premises Restrictions.** There are on/off-premises restrictions for political signs. Political signs are allowed in any zoning district.

(b) **Time Limits.** Political signs can be installed at any time. Political signs advertising candidates or ballot measures shall be removed within fifteen days after the primary election if the advertised candidate or ballot measure is defeated and in all cases within fifteen days after the general election. Other political signs have no time limit for removal provided they are maintained in a safe and readable manner.

(c) **Permits.** Sign permits (as set forth in subsection (D) of this section) are not required for political signs.

(3) **Construction Signs.**

(a) **On/Off-Premises Restrictions.** Construction signs are allowed only on the lot or parcel of land on which the construction project is located.

(b) **Time Limits.** Construction signs can be installed as soon as the project has received land use approval (approval of a zone change, use permit, variance or design review by the planning commission or board of county commissioners). Construction signs must be removed within fifteen days after the construction project is complete.

(c) **Permits.** A sign permit (as set forth in subsection (D) of this section) is required prior to the construction, placement or installation of each sign.

(4) **Special Attraction/Promotional Signs.**

(a) **On/Off-Premises Restrictions.** Special attraction/promotional signs are permitted only on the premises of the existing licensed business conducting the promotion. In shopping centers the special attraction/promotional sign need not be located on the same lot or parcel of land as the business it is advertising, provided it is located on a parcel or lot within the shopping center.

(b) **Time Limits.** Special attraction/promotional signs may be permitted for no more than one event per month, no longer than seven days' duration, except during December when all of the month may be used for temporary signs and attention-gaining devices. Special attraction/promotional signs must be removed immediately after the sign permit expires.

(c) **Permits.** A sign permit (as set forth in subsection (D) of this section) is required prior to the construction, placement or installation of each sign.

(C) **Design and Location Standards.** The standards for sign area and number of signs indicated in this section are permitted in addition to the sign area and number of signs permitted under other sections of this title.

(1) The following standards shall apply to all signs, displays and attention-gaining devices permitted under this chapter, except political signs and permitted off-premises for sale signs:

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	Single-Family Residential Zoning Districts	Multifamily Residential, C-P, T-C and P-F	All Other Zoning Districts
<b>Maximum area *</b>			
If net area of lot is 1/2 acre or less	16 square feet	32 square feet	80 square feet**
If net area of lot exceeds 1/2 acre	16 square feet per 1/2 acre	32 square feet per 1/2 acre	80 square feet per 1 acre or portion thereof**
<b>Maximum overall height</b>	22 feet	22 feet	30 feet
<b>Minimum separation from a free standing sign</b>	25 feet	50 feet	50 feet
<b>Minimum setback from right-of-way line</b>	10 feet	10 feet	10 feet
<b>Maximum number of signs</b>			
If net area of lot is 5 acres or less	1 per lot	1 per lot	Unlimited, provided the maximum area is not exceeded
If net area of lot exceeds 5 acres	1 per 5 acres	1 per 5 acres	Unlimited, provided the maximum area is not exceeded

\* Area bonus for flags: In addition to the sign area otherwise permitted. One flag (up to 3 feet by 5 feet in size) may be permitted per 1/2 acre in any zoning district. The minimum setback for such flags shall be 5 feet from the right-of-way or any other property line.

\*\* Area bonus for very short-term signs, displays and attention-gaining devices located in all other zoning districts: Signs, displays or attention-gaining devices may occupy a maximum area of 128 square feet total (or 128 square feet per one acre or portion thereof, whichever is greater) if and only if, the sign, display or attention-gaining device is displayed for no longer than 7 days' duration in any one month, except during the month of December when all of the month may be used for such larger signs, displays and attention-gaining devices.

(2) The following standards shall apply to off-premises for sale signs:

	<b>Weekend Directional Signs</b>	<b>All Other Off-Premises For Sale Signs</b>
<b>Maximum area</b>	4 square feet	40 square feet, except up to 4 signs per subdivision may be a maximum of 96 square feet and up to 2 signs per subdivision may be a maximum of 128 square feet. An embellishment not exceeding 20 percent of the sign area may be added to each sign face.
<b>Maximum overall height</b>	4 feet	25 feet except that embellishments may protrude an extra three feet, not to exceed 28 feet overall.
<b>Minimum separation from a freestanding sign</b>	none	(1) 200 feet from any temporary off-premises for sale sign oriented toward the same side of the street, or an 80-foot radius, whichever is greater. (2) 100 feet from any sign other than a temporary sign, except for directional signs, on the same side of the street, or an 80-foot radius, whichever is greater. (3) 50 feet from a temporary on-premises for sale sign or temporary construction sign.
<b>Minimum setback from right-of-way line</b>	10 feet	10 feet
<b>Maximum number of signs</b>	70 per separately mapped subdivision	8 per separately mapped subdivision. A sign advertising more than one subdivision on the same sign face shall be counted as one sign against only one of the subdivisions.

(3) The following standards shall apply to political signs:

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	<b>Residential Subdivisions</b>	<b>All Other Areas</b>
Maximum area	16 square feet each, 80 square feet total	128 square feet each
Maximum overall height	15 feet	30 feet
Minimum separation from a freestanding sign	none	none
Minimum setback from right-of-way line	10 feet	10 feet
	<b>Residential Subdivisions</b>	<b>All Other Areas</b>
Maximum number of signs	none	none

(D) Sign Permits and Associated Fees.

(1) Sign Permit. If required by this section, an application for a sign permit for the construction, placement or installation of a new sign or modification of an existing sign shall be filed with the Clark County building department upon forms furnished by the Clark County building department. The permit application shall be accompanied by three copies of the most recent assessor's parcel map for the parcel, three copies of detailed drawings to show the dimensions, design, advertising copy, structure and location of each particular sign. Evidence of the property owner's approval of the sign installation is required for off-premises for sale signs, except weekend directional signs (three copies). One application and permit may include multiple signs, provided they are permitted on the same lot or parcel of land, except for weekend directional signs, which need not be on the same lot or parcel. The Clark County building department shall approve and issue a sign permit upon compliance with Clark County Code and payment of all required fees. The sign permit shall expire within thirty days if the sign is not installed or when any required building permit expires due to lack of construction or completion, whichever occurs last. The sign permit number shall be clearly displayed on each temporary sign.

(2) Sign Permit Fee. No permit shall be issued for the construction, placement, installation or modification of a temporary sign until the fee required by Chapter 29.76 of this title has been paid.

(E) Requirements Waived. Temporary signs do not require installation of paved parking, landscaping, wall-enclosed trash areas or off-site improvements, nor the signing of an aviation easement and are exempt from the requirements for design review listed in Chapter 29.52. Further, because of the temporary nature of the structures, temporary signs need not conform to the restrictions under Chapter 29.64 of this title, except that special attraction/promotional signs must conform to Section 29.64.020(E).

(F) Violations. Whenever a temporary sign is found to be placed, installed maintained in violation of any provision of Clark County Code or of any other ordinance.

or law, the county shall order that such sign be altered, repaired, reconstructed, demolished, relocated or removed as may be appropriate to abate such condition. Any work required to be done shall, unless a different time is specified, be completed within ten days of the date of such order.

(G) Removal of Temporary Signs. Clark County is authorized to remove temporary signs or other advertising displays in the following manner:

(1) Any temporary sign or advertising display unlawfully located in the public right-of-way or which causes the threat of immediate peril or menace to the public may be removed without notice. Thereafter, within ten judicial days, notice shall be sent by United States mail to the property owner and the beneficial user of the sign, if such user can reasonably be identified, informing them of the action taken and that the sign may be reclaimed upon payment of the prescribed fee and within the time set forth under subsection (H) of this section.

(2) Any temporary sign or other advertising display not in conformance with the provisions of this chapter may also be removed by Clark County; provided, that the owner of the property and the beneficial user of the sign, if such user can reasonably be identified, have been either served personally or by first class United States mail with the written notice fifteen days in advance of the pending removal action. The written notice must advise the property owner or beneficial user that they may request a hearing pursuant to subsection (I) of this section and if the written request for a hearing is received by Clark County within ten days from the date of the written notice, the county's action toward removal of the sign shall be stayed until a hearing is held and a decision made pursuant to subsection (I) of this section.

(3) If a hearing on the impounding of the sign is not timely requested or if the sign is not returned at the owner's request in accordance with the provisions of this chapter, Clark County may sell or otherwise dispose of the sign and deposit the proceeds, if any, from any such sale or other disposition in the county treasury.

(H) Return or Destruction of Impounded Temporary Signs.

(1) The owner or beneficial user, after providing sufficient proof of ownership of a temporary sign may, at any time up to and including thirty days after the impounding, and if a hearing pursuant to this chapter is held concerning the sign, may, at any time up to and including within thirty days after the decision at such hearing becomes final, obtain a return of the sign upon paying an impound fee of fifty dollars for a sign other than a weekend directional sign, or ten dollars for a weekend directional sign, plus the reasonable additional special itemized costs, if any, of impounding the sign in excess of the required impound fee.

(2) The zoning administrator, or designee, after a hearing in accordance with this chapter, and a determination that the impound was improper, may order the sign returned without payment of any impound fee, or if an impound fee has previously been paid, may order return of any such impound fee.

(I) Hearings on Violation and Impoundment.

(1) Any owner or beneficial user who has received a notice that a temporary sign is in violation of this chapter may within the time set forth in subsection (F)(2) of this section request a hearing before the zoning administrator or designee.

(2) Any owner or beneficial user maintaining a temporary sign which has been impounded pursuant to subsection (G)(1) of this section may at any time within thirty days of the impoundment request a hearing before the zoning administrator or designee.



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(3) All requests for hearing shall specify the name and address where the person requesting the hearing may be contacted and shall state in specific detail the reasons for the hearing request.

(4) A timely request for a hearing made prior to any impounding shall operate to stay any impounding until five working days after the decision is rendered.

(5) A hearing shall be held, unless continued by agreement, within ten working days of the request for a hearing. At the hearing, any person may present evidence or argument as to whether the sign was in violation of this chapter or whether the sign should be returned without payment of an impound fee.

(6) A written decision shall be rendered within five working days after the close of the hearing.

(7) The zoning administrator or designee, may give oral notice of the decision at the close of the hearing and must also send notice of the decision by first-class mail.

(8) The decision of the zoning administrator or designee shall be considered final and the county may take any action permitted by that decision concerning removal of the temporary sign or other advertising five days after written decision is mailed. (Ord. 1841 § 4, 1996: Ord. 1799 § 1, 1996: Ord. 1714 § 1, 1995: Ord. 1604 1994: Ord. 1536 § 1, 1993: Ord. 1478 § 2, 1992)

**29.44.099 Miscellaneous signs.** Miscellaneous signs may be permitted as provided by this title and subject to the provisions of Section 29.44.095, and as further provided herein:

(A) **Nameplates.** One nonilluminated nameplate, not exceeding three square feet in area for each dwelling unit, indicating the name and address of the occupant and permitted occupation, may be permitted.

(B) **Trespassing and Dumping Prohibition Signs.** Trespassing signs and dumping prohibition signs shall not exceed sixteen square feet in area, and one sign may be allowed for each corner and/or one sign may be located at each three-hundred-foot interval.

(C) **Entrance or Exit Signs.**

(1) One sign having the word "ENTRANCE" or "EXIT" or other vehicular directional information may be permitted for each approach or exit in an H, C, or M district. The name or corporate symbol of the establishment may be added to such sign provided such addition is smaller than the word "ENTRANCE" or "EXIT," but this comparative size restriction does not apply within the H-1 zone.

(2) The maximum height shall not exceed five feet from the horizontal grade to the bottom of the sign.

(3) No entrance or exit sign shall be located closer than ten feet to the back of curb or two feet back of the property line, whichever is greater, and shall be protected from vehicular and pedestrian traffic.

(4) The maximum size shall not exceed the following:

(a) C districts: two feet in height and four feet in length;

(b) H-2 and M districts: three feet in height and five feet in length;

(c) H-1 district: four feet in height and eight feet in length. (Ord.

1062 § 3 (part), 1988)

**29.44.100 Noise.** (A) The maximum sound pressure level radiated by any use facility when measured at each boundary line of the property on which sound is generated shall not exceed the values shown in the following table:

Octave Band Range in Cycles per Section	Sound Pressure Level in Decibels 0.0002 Dyne per Cm <sup>2</sup>
20 — 300	65
301 — 2400	45
above 2400	35

Except that, between the hours of nine p.m. and seven a.m. daily, the permitted sound pressure level in decibels for any use or facility within five hundred feet of any residential use or zoning district shall be reduced by five decibels from the figure given in the above tables for each octave-band range.

(B) Sound pressure level shall be measured with a sound level meter and associated octave band analyzer conforming to standards prescribed by the American Standards Association, including any subsequent amendment or approved revision thereof.

(C) No provision of this subsection shall be held to apply to aircraft operations, temporary construction work or in the H-1 district within five hundred feet of the centerline of Las Vegas Boulevard South between Sahara Avenue and Sunset Road. (Ord. 1533 § 1, 1993; Ord. 811 § 3 (part), 1982)

**29.44.105 Smoke.** No use, activity or facility, whether industrial or otherwise, shall emit into the atmosphere any smoke which is equal to Ringelmann No. 2 or darker. (Ord. 811 § 3 (part), 1982)

**29.44.110 Air conditioning and heating units.** Air conditioning and heating units attached to any building or structure other than a single-family residence shall be placed on the building or structure in a location which will prevent the air conditioning and heating units from being seen from any adjacent public right-of-way. If the nature or location of the building or structure precludes so locating the air conditioning and heating units, the air conditioning or heating units shall be screened or treated in a manner approved by the zoning administrator. The decision of the zoning administrator may be appealed to the planning commission. This section does not apply to equipment primarily designed for solar heating or cooling. (Ord. 865 § 1, 1983; Ord. 811 § 3 (part), 1982)

**29.44.130 Temporary outdoor commercial and promotional activities.** Notwithstanding any provision of this title prohibiting outdoor commercial and promotional activities, a licensed business located in any H-1 (limited resort and apartment), H-2 (general highway frontage), C-1 (local business), C-2 (general commercial), or C-C (shopping center) district may establish and maintain outdoor commercial or promotional activity on a temporary basis subject to the following conditions:

(A) Outside activity shall be limited to not more than three days in any calendar month;

(B) Outside activity, and any display associated with that activity, shall be set back from all property lines not less than ten feet;

(C) There shall be only one three-day outdoor commercial and promotional activity at any given motel, hotel, shopping center or business location within a calendar month;

(D) Any business wishing to establish outside activity shall provide a written notice five judicial days in advance of the activity to the zoning administrator of Clark County, delineating the type of activity, the exact location on the property, and the dates proposed for the activity, together with the fee as required by Chapter 29.76 of this title;

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the zoning administrator shall approve or deny the activity within two judicial days after receiving the written notice;

(E) This section is expressly designed to accommodate special events such as "grand openings," "sidewalk sales," and other one-time promotional events. (Ord. 1841 § 5, 1996; Ord. 833 § 1, 1983)

**29.44.140 Animals within Community District 5.** Notwithstanding the restrictions on keeping animals within the various zoning districts enumerated in this title, within Community District 5 the following additional animals may be kept, provided that such animals are part of an animal care project, sponsored and monitored by a national multi-membership animal husbandry society that provides participants with direction and guidance in the raising of animals and an opportunity to exhibit the animals at the end of the project:

(A) On lots of ten thousand square feet gross area or larger, one farm animal together with its young under the age of one year.

(B) On lots of less than ten thousand square feet of gross area, one farm animal together with its young, but no individual animal or its young shall be kept for a period of more than six months.

For the purpose of this section, "farm animal" means any animal listed as permitted or permitted subject to a conditional use permit in the R-A residential agricultural district, or any animal similar in size and nature to such listed animal. A determination of similarity shall be made by the zoning administrator, and may be appealed to the planning commission in the manner prescribed in this title for a supplemental use classification. (Ord. 1121 § 1, 1988)

**29.44.150 Administrative deviation.** Where permitted by Sections 29.44.050, 29.44.055, 29.44.060 and 29.44.085 of this chapter, an administrative deviation may be approved or conditionally approved by the zoning administrator or his/her designee subject to the provisions of Section 29.66.030(A). Any application shall be accompanied by the following:

(A) Four copies of any plan as required by the Zoning Administrator sufficient to determine compliance with Section 29.66.030(A);

(B) A nonrefundable filing fee as required by Chapter 29.76 of this title;

(C) If the deviation is to allow a fence, wall or hedge greater than six feet in height, a notarized letter of approval from any private property owner of any developed property adjacent to such fence, wall or hedge shall be submitted;

(D) If the deviation is to allow the elimination or reduction of setbacks as provided by Sections 29.44.060(J) and (K) of this title, then the deviation must be co-approved by the director of public works or his/her designee.

The decision of the zoning administrator may be appealed by the applicant to the planning commission by filing for a variance in accordance with the provisions of Chapter 29.66 of this title. (Ord. 1841 § 6, 1996; Ord. 1780 § 2, 1996)

**non-conformities**

## Chapter 29.45

## NONCONFORMITIES

## Sections:

- 29.45.010 Purpose and intent.
- 29.45.020 Nonconforming lots of record.
- 29.45.030 Nonconforming uses of land (or land with minor structures only).
- 29.45.040 Nonconforming structures.
- 29.45.050 Nonconforming uses of structures or of structures and premises in combination.
- 29.45.055 Mobile home parks.
- 29.45.060 Repairs and maintenance.
- 29.45.070 Uses under special exception provisions not nonconforming uses.
- 29.45.080 Advertising displays, signs and structures.

**29.45.010 Purpose and intent.** Within the district established by this title or amendments that may later be adopted there exist:

- (A) Lots;
- (B) Structures;
- (C) Uses of land and structures; and
- (D) Characteristics of use;

which were lawful before this title was passed or amended, but which would be prohibited, regulated or restricted under the terms of this title or future amendment. It is the intent of this chapter to permit these nonconformities to continue until they are removed, but not to encourage their survival. It is further the intent of this chapter that nonconformities shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district.

Nonconforming uses are declared by this chapter to be compatible with permitted uses in the districts involved. A nonconforming use of a structure and land in combination shall not be extended or enlarged after passage of this title by attachment on a building or premises of additional signs intended to be seen from off the premises, or by the addition of other signs intended to be seen from off the premises, or by the addition of other uses of a nature which would be prohibited generally in the district involved.

To avoid undue hardship, nothing in this chapter shall be deemed to require a change in the plans, construction or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this title and upon which actual building construction has been carried on diligently. Actual construction is defined to include the placing of construction materials in permanent position and fastened in a permanent manner. Where excavation, demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such excavation, demolition or removal shall be deemed to be actual construction, provided that work shall be carried on diligently. (Ord. 429 (part), 1974)

**29.45.020 Nonconforming lots of record.** In any district in which single-family dwellings are permitted, a single-family dwelling and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of this title, notwithstanding limitations imposed by other provisions of this chapter. Such lot must be in separate ownership and not of continuous frontage with other lots in the

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same ownership. This provision shall apply even though such lots fail to meet the requirements for area, width, or both, that are generally applicable in the district, provided that yard dimensions and requirements other than these applying to area or width, or both, of the lot shall conform to the regulations for the district in which such lot is located. Variance of yard requirements shall be obtained only through action of the board of county commissioners.

If two or more lots or combinations of lots and portions of lots having continuous frontage in single ownership are of record at the time of passage or amendment of this title and if all or part of the lots do not meet the requirements established for lot width and area, the lands involved shall be considered to be an undivided parcel for the purposes of this chapter, and no portion of the parcel shall be used or sold in a manner which diminishes compliance with lot width and area requirements established by this title, nor shall any division of any parcel be made which creates a lot with width or area below the requirements in this title. (Ord. 429 (part), 1974)

**29.45.030 Nonconforming uses of land (or land with minor structures only).** Where at the time of passage of this title lawful use of land exists which would not be permitted by the regulations imposed by this title, and where such use involves no individual structure with a replacement cost exceeding one thousand dollars, the use may be continued so long as it remains otherwise lawful, provided:

(A) Such nonconforming use shall not be enlarged, increased nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this title;

(B) Such nonconforming use shall not be moved in whole or in part to any portion of the lot or parcel other than that occupied by such use at the effective date of adoption or amendment of this title;

(C) If any such nonconforming use of land ceases for any reason for a period of more than thirty days, any subsequent use of such land shall conform to the regulations specified by this title for the district in which such land is located;

(D) No additional structure not conforming to the requirements of this title shall be erected in connection with such nonconforming use of land. (Ord. 429 (part), 1974)

**29.45.040 Nonconforming structures.** Where a lawful structure exists at the effective date of adoption or amendment of this title that could not be built under the terms of this title by reason of restriction on area, lot coverage, height, yards, its location on the lot or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

(A) Such nonconforming structure may not be enlarged or altered in a way which increases its nonconformity, but any structure or portion thereof may be altered to decrease its nonconformity.

(B) Should such nonconforming structure or nonconforming portion of structure be destroyed by any means to an extent of more than fifty percent of its replacement cost at time of destruction, it shall not be reconstructed except in conformity with the provisions of this title.

(C) Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved. (Ord. 429 (part), 1974)

**29.45.050 Nonconforming uses of structures or of structures and premises in combination.** If lawful use involving incidental structures with a replacement cost of one thousand dollars or more, or of structure and premises in combination, exists at the effective date of adoption or amendment of this title, that would not be allowed in the district under the terms of this title, the unlawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

(A) No existing structure devoted to a use not permitted by this title in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located.

(B) Any nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of this title, but such use shall not be extended to occupy any land outside such building.

(C) If no structural alterations are made, any nonconforming use of a structure, or structure and premises, may as a special exception be changed to another nonconforming use provided that the board of county commissioners, either by general rule or by making findings in the specific case, finds that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use. In permitting such change, the board of county commissioners may require appropriate conditions and safeguards in accordance with the provisions of this title.

(D) Any structure, or structure and land in combination, in or on which a nonconforming use is superseded by a permitted use, shall thereafter conform to the regulations for the district, and the nonconforming use may not thereafter be resumed.

(E) When a nonconforming use of a structure, or structure and premises in combination, is discontinued or abandoned for six consecutive months during any three-year period (except when government action impedes access to the premises), the structure or structure and premises in combination shall not thereafter be used except in conformity with the regulations of the district in which it is located.

(F) Where nonconforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land. Destruction for the purpose of this subsection is defined as damage to an extent of more than fifty percent of the replacement cost at time of destruction. (Ord. 429 (part), 1974)

**29.45.055 Mobile home parks.** The provisions of this section apply only to mobile home parks which were constructed and occupied prior to August 27, 1976. The requirements of this section, where present, supersede requirements of the same type set forth in other chapters of this title.

(A) Mobile home parks in conformance with the provisions of Ordinance 510 may continue to operate under the provisions and conditions of the original zoning actions at the time of their construction. The provisions of this section may supplement, but do not replace those requirements and conditions.

(B) For mobile home parks constructed prior to August 27, 1976, ordinance provisions for the minimum area of the park, the minimum area of spaces and width minimums for driveways (interior private streets) are waived.

(C) If a mobile home park provided a laundry facility at the date of adoption of Ordinance 1075 which was neither required by the approved site plan nor as a condition of zoning approval, then the facility may thereafter be closed only by providing evidence

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to the Clark County building department that a majority of the spaces within the park are one thousand five hundred square feet or larger in area.

(D) The required setback from the front lot line may be reduced to two feet from a driveway (interior private street) providing the mobile home's drawbar or tongue or other attachments to the front are removed or altered so as not to protrude past the front lot line into the driveway. (Ord. 1876 § 16, 1996)

**29.45.060 Repairs and maintenance.** On any nonconforming structure or portion of a structure containing a nonconforming use, work may be done in any period of twelve consecutive months on ordinary repairs, or on repair or replacement of nonbearing walls, fixture, wiring or plumbing, to an extent not exceeding ten percent of the current replacement cost of the nonconforming structure or nonconforming portion of the structure as the case may be; provided, that the cubic content existing when it became nonconforming shall not be increased.



If a nonconforming structure or portion of a structure containing a nonconforming use becomes physically unsafe or unlawful due to lack of repairs and maintenance, and is declared by any duly authorized official to be unsafe or unlawful by reason of physical conditions, it shall not thereafter be restored, repaired or rebuilt except in conformity with the regulations of the district in which it is located.

Nothing in this chapter shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by an official charged with protecting the public safety, upon order of such official. (Ord. 429 (part), 1974)

**29.45.070 Uses under special exception provisions not nonconforming uses.** Any use which is permitted as a special exception in a district under the terms of this title (other than through board of county commissioners' action from a nonconforming use to another use not generally permitted in the district) shall not be deemed a nonconforming use in such district, but shall without further action be considered a conforming use. (Ord. 429 (part), 1974)

**29.45.080 Advertising displays, signs and structures.** Any advertising display, sign or structure which exists as a nonconforming use or structure under the provisions of this title shall be discontinued and removed or altered to conform with the provisions of this title within five years of the effective date of the ordinance codified herein. (Ord. 497 § 8, 1976; Ord. 429 (part), 1974)

## Chapter 29.46

## MOTOR VEHICLE ACCESS

## Sections:

- 29.46.010 Compliance with standards.  
29.46.020 Access.  
29.46.030 Location of gasoline pumps.

**29.46.010 Compliance with standards.** Service stations, roadside stands, public parking lots, drive-in establishments and all other businesses requiring motor vehicle access shall meet the requirement as provided in this chapter. (Ord. 429 (part), 1974)

**29.46.020 Access.** Access to the station or other structure or parking lot or drive-in establishment shall be controlled as follows:

(A) In all cases where there is an existing curb, gutter or sidewalk on the street, the applicant for a permit shall provide landscaping or a safety island along the entire frontage of the property, except for the permitted roadways. On the two ends and street side of each such island shall be constructed a concrete curb, the height, location and structural specifications of which shall be approved by the county engineer, as well as the maximum and minimum curb return radii permitted and minimum roadway approach angles to the centerline of the street.

(B) Where there is not an existing curb and gutter or sidewalk, the owner may, at his option, install such safety island and curb, or in place thereof shall construct along the entire length of the property line, except in front of permitted roadways, a curb, fence or pipe rail not exceeding two feet or less than eight inches in height. (Ord. 1081 § 1, 1988; Ord. 429 (part), 1974)

**29.46.030 Location of gasoline pumps.** Gasoline pumps shall be set back not less than twenty feet from any future width line, building line or setback to which the pump island is vertical, and eighteen feet from any future width line, building line or setback to which the pump island is parallel, and not less than ten feet from any residential or agricultural zone boundary line. If the pump island is at an angle on the property, it shall be so located that automobiles stopped for service will not extend over the future width line, building line or setback. (Ord. 429 (part), 1974)

# planned development unit

## Chapter 29.47

## PLANNED DEVELOPMENT UNIT

## Sections:

- 29.47.010 Purpose.  
 29.47.030 Procedure.  
 29.47.040 Residential planned development units.  
 29.47.050 Property development standards.

**29.47.010 Purpose.** The purpose and intent of the planned development unit is to provide a more flexible method whereby land may be designed and developed as a unit for residential, commercial or industrial purposes taking advantage of more modern site planning techniques than would be possible through the strict application of conventional zoning and subdivision regulations. It is intended that development will meet the broader objectives of the general plan and this title and will exhibit excellence in design, site arrangements, integration of uses and structures and protection to the integrity of surrounding development, although such development may deviate in certain respects from the zoning regulations or subdivision regulations.

The regulations of this chapter are intended to produce developments which meet standards of open space, light and air, pedestrian and vehicular circulation and a variety of land uses which complement each other and harmonize with existing and proposed land use in the vicinity. (Ord. 429 (part), 1974)

**29.47.030 Procedure.** The right to construct a planned development unit shall be subject to securing a conditional use permit as provided in Chapter 29.66 and shall be subdivided as provided in Title 28 (Subdivisions) of this code.

(A) **Use Permit.** The planning commission may grant a conditional use permit for a planned development unit for such land in an appropriate zone if such unit meets the requirements as set forth in this section and may impose such additional conditions not specified herein which may be deemed necessary for public health, safety, convenience or general welfare, and to insure compatibility with surrounding properties.

(B) **Plans:** The applicant shall submit the following plans with the conditional use permit to construct a planned development unit for approval by the planning commission:

(1) Tentative subdivision map or preliminary map as provided in Title 28 of this code showing alleys, driveways, parking spaces, recreational facilities, open spaces and landscaped areas and such additional information as may be requested by the planning commission;

(2) Typical floor plans and elevations, except where developing for mobile homes or custom-built homes. Where lots are being offered for custom home construction, proposed design control covenants shall be submitted;

(3) Construction schedule and sequence showing the order in which the proposed development will be completed;

(4) Evidence showing that the proposed development is designed to produce an environment of stable and desirable character and that areas of open space, parking, recreational facilities, service and other common areas are consistent with the anticipated population of the development;

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(5) A statement setting forth the methods of conveying title, the type of estate to be granted; the right to use such common areas shall be appurtenant to ownership within the development and shall be made a covenant to run with the land, and the method of maintaining any common areas shall be by a corporation, partnership, trust or other legal entity having the right to assess individual ownerships within the development and shall include the right of individual owners to require the proper maintenance of such common areas. (Ord. 947 § 7, 1985; Ord. 834 § 2, 1983; Ord. 544 § 1, 1977; Ord. 429 (part), 1974)

**29.47.040 Residential planned development units.** A planned development unit may be permitted in any residential district as provided for in this title subject to the following conditions:

(A) Permitted Uses.

(1) Single-family residential units of a permanent character placed in a permanent location.

(2) Parks, recreational facilities, schools, parking, service and open areas as may be permitted by the board of county commissioners and set forth in the conditional use permit.

(3) Mobile homes, provided they are used as single-family residences and each unit is located on a separate lot or parcel of land.

(B) Accessory Uses.

(1) Accessory buildings, structures and uses incidental to each single-family residential unit provided such accessory use is located on the same lot or parcel of land, but not including guest houses, accessory living quarters or accessory dwellings.

(2) Home occupations subject to the provisions of Section 29.44.030.

(C) Temporary sales facilities and models subject to the conditions listed in the respective zoning district in which the project is located.

(D) Uses Prohibited. All other uses are expressly prohibited. (Ord. 1871 § 25, 1996; Ord. 1701 § 12, 1995; Ord. 544 § 2, 1977; Ord. 429 (part), 1974)

**29.47.050 Property development standards.** (A) Property development standards less restrictive than those set forth in the residential zoning regulations may be permitted in accordance with the following criteria; provided, that the resulting development will comply with the purposes and intent of the planned development unit regulations and will produce an environment of stable and desirable character consistent with the objectives of this title and the general plan:

(1) The maximum residential density permitted by the zoning district may be increased in the case of a planned development unit as follows:

(a) R-U district, not more than .63 units per gross acre; provided, that there may be no more than eight units per gross acre within the buildable area upon which the units are clustered and that units may be clustered in the buildable portion of the property on land up to fifteen percent slope; provided, that seventy-five percent of development is on land of no more than ten percent slope,

(b) R-E district, not more than two and one-half units per gross acre,

- acre,
- (c) R-D district, not more than three and one-half units per gross
  - (d) R-1 and R-1a districts, not more than six units per gross acre,
  - (e) R-2 district, not more than ten units per gross acre,
  - (f) R-3 district, not more than eighteen units per gross acre,
  - (g) R-4 district, not more than thirty-two units per gross acre,
  - (h) R-5 and H-1 districts, not more than fifty units per gross acre,
  - (i) R-T district, not more than six units per gross acre;
- (2) Not less than the following amount of open space including usable common open space and usable private open space, not less than thirty percent of which shall be common usable open space, shall be provided for each dwelling unit:
- (a) R-U district, two thousand square feet,
  - (b) R-E district, two thousand square feet,
  - (c) R-D district, one thousand six hundred square feet,
  - (d) R-1 and R-1a districts, one thousand two hundred square feet,
  - (e) R-2 district, eight hundred square feet,
  - (f) R-3 district, four hundred square feet,
  - (g) R-4, R-5 and H-1 district, three hundred square feet,
  - (h) R-T district, one thousand two hundred square feet,

No private open space shall be used for the keeping of animals other than domestic dogs and cats. If a play area for children is provided, it shall be enclosed by buildings, fences or walls not less than five feet in height.

(B) **Minimum Area and Unit Requirements.** The minimum area for any residential planned development unit shall be five gross acres. The minimum number of units within any residential planned development unit shall be twenty, except in the R-U district the minimum number of units shall be five.

(C) **Yard Regulations.** No part of any building or structure, other than a wall or fence shall be constructed within forty feet of the periphery boundary of the residential planned development unit or any existing or future street right-of-way line, except that where a six-foot decorative masonry fence or wall is constructed along the periphery boundary this distance may be reduced to twenty feet.

(D) **Height Regulations.** No building or structure may be more than two stories or exceed a total height of thirty-five feet, except that buildings or structures located in H-1 or R-5 districts may adhere to the height regulations appropriate to that district.

(E) **Distance Between Buildings.** Due to the complexity of planned development units, it is impractical to define an exact pattern for the arrangement of group dwellings; however, it is the intent of this title to provide a functional and nonmonotonous orientation of units with a maximum of open space consisting of curbs, parkways and patio areas all oriented so as to provide separation of vehicular traffic from play areas and recreation areas for children and adults.

In order to provide space, buildings, house dwelling units or a single dwelling unit shall be placed so the following minimum open spaces are provided between buildings:

(1) Buildings front to front or arranged around an open court, an average of not less than thirty feet for each one-story building and thirty-five feet for each two-story building. Driveway shall not be counted as part of the required courtyard;

(2) Buildings front to rear, front to side, rear to rear, or rear to side, an average of not less than twenty-five feet separation;

(3) Mobile homes when fronting on a private street shall have a minimum setback of ten feet;

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(4) Mobile homes shall have a minimum rear setback of twenty feet;

(5) In no case shall less than ten feet between buildings be permitted.

**(F) Parking Requirements.**

(1) For planned development units in any R-U, R-E, R-D, R-1, R-1a, R-T or R-2 district, there shall be a minimum of two parking spaces per dwelling unit, one of which must be covered or enclosed, visitor parking spaces shall be required based on one space for each five units and storage parking spaces for recreational vehicles and boats shall be required based on one space for each six units. Any number of required storage parking spaces may be replaced with an equivalent number of visitor parking spaces.

(2) For a planned development unit in any R-3, R-4, R-5 or H-1 district, on-site parking for residents and their guests shall be provided as follows:

(a) One and one-quarter parking spaces for each bachelor apartment or one-bedroom dwelling unit;

(b) One and three-quarter parking spaces for each two-bedroom dwelling unit;

(c) Two parking spaces for each dwelling unit having in excess of two bedrooms;

(d) At least one space for each five dwelling units must be provided for visitor parking.

**(G) Road Requirements.** Each residential planned unit development shall provide an internal system of private streets and driveways sufficient to promote the movement of vehicles and pedestrians to, from, and within the development. Although the variety of forms of planned unit development precludes the establishment of specific mandatory standards for internal streets and driveways, the normal expectation shall be:

(1) That within planned unit developments designed with private streets passing in front of each residential unit, such streets will be forty feet in width, consisting of thirty-six feet of paving, a two-foot roll curb and gutter on each side, and a four-foot sidewalk on at least one side of the street;

(2) That within planned unit developments designed with vehicle access only to parking areas, driveways to and within such parking areas shall be not less than twenty-four feet in width exclusive of parking stalls;

(3) That within mobile home planned unit developments, private streets shall be thirty-seven feet in width, consisting of thirty-three feet of paving, a two-foot roll curb and gutter on each side, and a four-foot sidewalk on at least one side of the street. (Ord. 1771 § 7, 1996; Ord. 1738 § 6, 1995; Ord. 834 § 1, 1983; Ord. 801 § 1, 1982; Ord. 681 § 4, 1980; Ord. 647 § 1, 1979; Ord. 544 § 3, 1977; Ord. 429 (part), 1974)

## Chapter 29.48

## P-C PLANNED COMMUNITY OVERLAY DISTRICT

## Sections:

- 29.48.010 Purpose and intent.
- 29.48.020 Conditions for establishment of a P-C overlay district.
- 29.48.030 Procedure for establishment of a P-C overlay district.
- 29.48.040 Development within the P-C overlay district.
- 29.48.050 Development plan.
- 29.48.060 Variation permitted from an approved development plan.
- 29.48.070 Review for conformance with approved development plan.
- 29.48.080 Property development standards and modification through conditional use permit.
- 29.48.090 Applicability and administration.

**29.48.010 Purpose and intent.** The planned community overlay district (P-C overlay district) is designed and intended to enable and encourage the development of large tracts of land which are under unified ownership or control as individual integrated communities so as to achieve land development patterns which will maintain and enhance the physical, social and economic values of an area. To this end, there may be provided within such areas a combination of land uses, including a variety of residential types, and commercial, resort, industrial, public and semipublic areas, arranged and designed in accordance with land planning principles and development techniques; and in such a manner as to be property related to each other, the surrounding community, the planned thoroughfare system, and other public facilities such as water and sewer systems, parks, schools and utilities.

Due to the large size of the land involved and the length of time required to fully develop such land, the P-C overlay district is designed to allow the land developer flexibility to respond to market and other conditions while making certain assurances for compatibility with adjacent development. The P-C overlay district and associated procedure are established to provide a land developer with reasonable assurance that specific uses proposed from time to time, if in accordance with an approved development plan, will be acceptable to the county and to provide the county with a long-term proposal for the development of a given area.

The flexibility permitted in the P-C overlay district is intended for the initial development of the land. For that reason, the provisions of this chapter, including those allowing variation from the approved development plan and modification of property development standards, become void after the initial development is approved for permanent occupancy or otherwise accepted by the county as being complete.

The P-C overlay district also provides for the use of creative design concepts to help meet market demands and encourage the effective use of the natural topography, open space and other natural or existing features. The overlay district creates an opportunity for the implementation of private sector proposals of new concepts to address community needs and provides for public review and public input to these proposals. (Ord. 1733 § 4 (part), 1995)



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**29.48.020 Conditions for establishment of a P-C overlay district.** A P-C overlay district may be established upon a tract of land in accordance with the requirements as listed below.

(A) The tract of land must contain at least three hundred gross acres, or the proposed development project must have otherwise been approved by the board of county commissioners for consideration through the major project review procedure.

(B) All of the land included in the proposed planned community must be contiguous, either directly abutting other property within the proposed community or separated from the property only by a street, other public right-of-way and/or land owned by political subdivision of the state of Nevada. To ensure that the property can be developed as an integrated unit, each portion of the property included in a planned community must be contiguous not just at a point, but must be contiguous for at least three hundred feet.

(C) All of the land included in the proposed planned community must be under unified ownership or control at the time of application and remain so until the criteria for substantial completion, listed in Section 29.68.080, are met; provided, however, that a sale, transfer or other loss of unified ownership or control of a portion of the planned community will not affect the P-C overlay district designation for the remainder of the planned community still under unified ownership or control so long as the remainder continues to satisfy the rest of the criteria of this section. Once the criteria for substantial completion are met for any portion of the property, that portion is no longer required to be under unified ownership or control in order for the remainder to retain the P-C overlay zone designation. Unified control shall include, but not be limited to, private contractual arrangements or deed restrictions controlling the land use of parcels within the planned community.

(D) All of the land included in the proposed planned community must be within an unincorporated town boundary, or the land developer must agree to be included within a town boundary before the first building permit is issued within the overlay district. Land within a proposed community may be included within a town boundary by either expansion of an existing town boundary or the establishment of a new town, if approved by Clark County.

(E) The P-C overlay district may be established outside the urban growth area, within Community District 3 as adopted in the Clark County comprehensive plan, when commitments are made for the provision of sufficient infrastructure concurrent with related development through a development agreement. The development agreement shall be considered along with the zone change request and approval of P-C overlay district shall be subject to the approval of the development agreement. (Ord. 1733 § 4 (part), 1995)

**29.48.030 Procedure for establishment of a P-C overlay district.** An application for the P-C overlay district designation shall be processed as a zone change in accordance with the provisions of Chapter 29.68, except as otherwise provided below:

(A) **Application Prerequisites.** An application for the P-C overlay district can only be made through the major project review procedure. Accordingly, the applicant must have received approval of a major project review specific plan or a land use and development guide must have been adopted for the project in accordance with the provisions of Section 26.30.060 prior to submission of an application for the P-C overlay district designation. The application shall be processed in accordance with Chapter 26.30 and Chapter 29.68 of the Clark County Code, except as provided below.

(B) Applications in Community District 3. A request for the P-C overlay district in Community District 3 shall be considered and processed as though it were in Community District 2 if a development agreement between the property owner and Clark County is proposed committing to provide sufficient infrastructure concurrent with related development. If the proposed planned community, or a portion thereof, is located within Community District 3, approval of the draft development agreement by the board of county commissioners is required prior to submission of the zone change request, in addition to the above application prerequisites.

(C) Submittal Requirements. In place of the submittal requirements listed in Chapter 29.68, the following shall be filed in the office of the current planning division of the department of comprehensive planning along with a completed zone change application form and required fees:

- (1) Four copies of one of the following:
  - (a) The approved specific plan and development schedule.
  - (b) The approved land use and development guide, or
  - (c) A development plan as described in Subsection 29.48.050(A)

below;

- (2) Two copies of the most recent assessor's map indicating the subject parcels.

(D) Application Approval. The approval of an application for the P-C overlay district shall be accomplished directly by ordinance, without a resolution of intent to reclassify, and shall include the adoption of planned community parameters. The planned community parameters shall consist, at a minimum, of the following:

- (1) The specific plan and development schedule or the land use and development guide for the project as approved by the board of county commissioners;
- (2) The development plan, if submitted and approved with the P-C overlay district application; and
- (3) All conditions agreed to by the applicant and made part of the board of county commissioners' approval which are not included in the documentation described in subsection (D)(1) of this section.

(E) Designation. Because of the variety of zoning districts permitted in a planned community and the amount of flexibility permitted in the P-C overlay district, the zoning of the property within a P-C overlay district shall be referred to as P-C planned community. The base zoning districts shall generally not be used except:

- (1) In reports and public hearing notices for the development plan and any associated zone change;
- (2) In reports and public notices for the subdivision maps for the final development of the land;
- (3) In reports and public notices for any design reviews for the final development of the land;
- (4) After the development is substantially complete. (Ord. 1733 § 4 (part), 1995)

**29.48.040 Development within the P-C overlay district.** (A) Development Plan Required. Land in a P-C overlay district may be developed in accordance with the planned community parameters only after the appropriate zoning district(s) have been approved and a development plan has been submitted, reviewed and approved in accordance with the provisions of Section 29.48.050 below, except as follows:

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(1) Permits may be approved and issued for street improvements, drainage improvements and underground utility lines along standard grid pattern street alignments or for street and drainage facilities approved in the regional transportation plan or the regional flood control master plan.

(2) Permits may be approved and issued for street improvements, drainage improvements and underground utility lines along arterial and collector street alignments indicated and approved in the planned community parameters after the adoption of the planned community parameters and the effective date of the ordinance adopting the P-C overlay district for the area.

(B) Water Commitments. Generalized land uses identified in a specific plan or land use and development guide or otherwise included in the planned community parameters in a P-C overlay district shall not be considered sufficient for the purposes of calculating water commitment requirements for subdivision maps. Only after the land uses and densities have been specified in the form of an approved development plan and after the appropriate zoning district(s) have been approved shall they be considered as approved land uses for the purposes of calculating water commitment requirements for subdivision maps. (Ord. 1733 § 4 (part), 1995)

**29.48.050 Development plan.** A development plan must be reviewed and approved in accordance with the following procedure prior to the issuance of any permits other than those specified in Section 29.48.040 above. A development plan may be submitted for the entire planned community or separate development plans may be submitted for each phase, village or other planning area. An application for development plan approval and any associated zone change shall be processed as a zone change in accordance with the provisions of Chapter 29.68, except as otherwise provided below:

(A) Submittal Requirements. In place of the submittal requirements listed in Chapter 29.68, the following shall be filed in the office of the current planning division of the department of comprehensive planning along with a completed zone change application form and required fees;

(1) Development Plan. A development plan shall consist of a map or maps drawn to a suitable scale, showing at the least the following:

- (a) The boundary of the planned community or planning area;
- (b) The topographic character of the land;
- (c) The location of any faults and geologically unstable areas which preclude any development of the land;
- (d) Existing and proposed drainage accommodations;
- (e) Any major regrading intended;
- (f) Accommodations for all major utility facilities;
- (g) The location of all existing streets and the location of all proposed arterial and collector streets;
- (h) Existing physical or cultural features which are intended to be preserved;
- (i) The location of proposed uses of the land, including, but not limited to, the approximate location and configuration of different types or densities of dwelling units, the approximate location of recreational facilities or open space areas proposed on public property or within the common area, and the approximate location of public uses proposed, such as schools, parks, fire and police stations, etc.;
- (j) The overall density proposed.

(2) **Zoning Map.** A black and white zoning map, or set of maps, drawn to scale on paper no larger than eight and one-half inches by fourteen inches, indicating the location of the proposed zoning districts along with the proposed acreage (to the nearest whole number) of each type.

(3) **Development Schedule.** A proposed development schedule per Section 26.30.070 consistent with the scope of the development plan.

(4) **Preliminary Traffic Impact Analysis.** A preliminary traffic impact analysis addressing the impacts of vehicular and pedestrian traffic generated at full build out of the development plan must be submitted at least thirty days prior to the submittal of the development plan application. The analysis must estimate traffic volumes generated by the development proposed within the development plan and distribute and assign these volumes to the study area streets and intersections. The limits of the study area will be determined in a meeting between the developer and the Clark County traffic engineer. Pedestrian safety needs, to include safe routes for public school attendees, must be addressed. Any proposed methods of traffic demand management should also be included. A level of service analysis must be furnished for each study area intersection under estimated build out traffic volumes. The preliminary traffic impact analysis shall include proposed mitigation measures to improve the level of service of any intersection within the study area projected to have a level of service of "E" or lower due to the proposed development.

(5) **Legal Description.** One copy of the legal description of the boundary of the area covered by the development plan.

(6) **Deed.** Two copies of the most recent recorded deed to the property.

(7) **Assessor's Map.** Two copies of the most recent assessor's map indicating the subject parcels.

(B) **Procedure, Hearings and Notice.** A development plan and any associated zone change may be submitted and considered with the request for reclassification to the P-C overlay district, or separately, in accordance with the provisions of Chapter 29.68, Amendments and Boundary Changes. The public hearing notice for a development plan shall include notice of the proposed zoning district(s). A development plan and/or zone change request for property within the proposed P-C overlay district located in Community District 3, whether filed with the request for the P-C overlay district reclassification or subsequent to approval of such request, shall be considered and processed as though it were in Community District 2, provided all of the conditions requiring a development agreement as listed in Section 29.48.030(B) are met.

(C) **Review and Approval of Development Plan.** A development plan and any associated zone change shall be reviewed for conformance with the planned community parameters, compatibility with adjacent and neighboring land uses and the availability of required resources. A determination that a development plan conforms with approved planned community parameters constitutes a finding that the development plan generally conforms with the standards of Section 29.68.060. The board of county commissioners shall indicate its approval of a development plan and any associated zone change by the adoption of a "resolution of intent to reclassify" the property. The resolution shall specify a time limit reasonably necessary to complete the proposed development. A copy of the zoning map submitted with the application shall be attached and recorded with the "resolution of intent to reclassify" to indicate the boundaries of the approved zoning district. (Ord. 1733 § 4 (part), 1995)

29.48.060

**29.48.060 Variation permitted from an approved development plan.** To provide the flexibility necessary to respond to market conditions, without detriment to the neighboring property owners, the zoning district boundaries adopted with a development plan may be modified as follows, provided all changes are in conformance with the planned community parameters. The submittal for either a minor or a major change shall include a new black and white zoning map, or set of maps drawn to scale on paper no larger than eight and one-half inches by fourteen inches, for the entire area covered in the original development plan which shall indicate the location of the proposed zoning districts, along with the proposed acreage of each type. Following approval of a minor or a major change, an amended resolution of intent, with the amended zoning map(s) attached, shall be recorded to reflect the most recently approved development plan.

(A) **Minor Changes.** Minor changes to the approved zoning district boundaries are subject to review through a design review, presented to the board of county commissioners, as provided in Chapter 29.52, except as otherwise provided below:

(1) **Reductions in Zoning.** A proposed change shall be considered a minor change if the change is:

(a) To a more restrictive zoning district within the same category of districts, as described in Section 29.02.330,

(b) From a commercial district to a residential district with a density of ten units per acre or less,

(c) From a manufacturing or industrial district to a commercial district other than C-3, or

(d) From a special district to a residential district with a density of six units per acre or less;

(2) **Increases in Zoning.** A proposed change shall be considered a minor change if the following criteria are met:

(a) The location of the proposed change is more than three hundred feet from the boundary of the P-C overlay district,

(b) The change does not change the acreage of the subject zoning districts as approved on the original development plan by more than ten percent, and

(c) (i) The change does not increase the density on the subject property by more than three dwelling units per acre and the subject property is located at least three hundred feet from any lot under different ownership, or

(ii) The location of the proposed change is at least one thousand feet from any lot under different ownership.

(B) **Major Changes.** Changes to zoning district boundaries that do not meet the above criteria shall be considered major changes and are subject to the same review and consideration as the originally approved development plan.

(C) **Submittal Requirements for Design Review Required for Review of Minor Changes to a Development Plan.** In place of the requirements for submittal of a specific site plan, floor plan and elevation listed in Chapter 29.52, the applicant may submit conceptual plans generally indicating the site in question, the proposed use of the property, the proposed layout of the development, and the proposed appearance of the product. (Ord. 1733 § 4 (part), 1995)

**29.48.070 Review for conformance with approved development plan.** A development must conform with the approved development plan.

(A) **Single-Family Residential Development.** Single-family residential development shall be reviewed for conformance with the development plan in conjunction with the tentative and final subdivision map review.

(B) **All Other Development.** For all development other than a single-family residential subdivision, a separate design review, in accordance with the provisions of Chapter 29.52, Design Review, shall be required. Such design review shall be presented to the planning commission for final action unless appealed. (Ord. 1733 § 4 (part), 1995)

**\* \* 29.48.080 Property development standards and modification permitted through conditional use permit.** All land uses and development plans proposed in a P-C overlay district shall conform to the property development standards of the approved zoning district. Modification of the property development standards of the approved zoning district which will produce a living environment and design quality superior to that produced by existing standards may be approved through the issuance of a conditional use permit which may prescribe conditions as to the building site area, materials design and layout, dimensions of yards, building setbacks, off-street parking and such other matters as may be deemed necessary. In addition to the findings required for approval of a conditional use permit specified in Section 29.66.025, before a conditional use permit to modify property development standards can be approved, a finding must be made that the proposed modification of the property development standards will produce a living environment and design quality superior to that produced by existing standards. (Ord. 1733 § 4 (part), 1995)

**29.48.090 Applicability and administration.** The purpose and intent of the P-C overlay district is to provide the flexibility required for the initial development of a large tract of land, particularly for a planned community. Therefore the provisions of this chapter do not apply to development other than initial development of the land as defined in Section 26.02.045.

Due to the size of development projects in the P-C overlay district and the length of time required to complete developments of this magnitude, a determination of substantial completion of a resolution of intent in this district may be considered for a portion of the area covered in the resolution of intent. After "substantial completion," as defined in Section 29.68.080, of the initial development of the land for any portion of the P-C zoned area, an ordinance will be drafted and presented for adoption by the board of county commissioners to reclassify the completed portion to the approved base zoning district. In no case, however, shall the small size or irregular shape of common area, landscape or open space lots be used to determine that a subdivision map contains lots which do not conform to the standards of the original zoning district. (Ord. 1733 § 4 (part), 1995)

**adult uses**

## Chapter 29.49

## ADULT USES

## Sections:

29.49.010	Intent and purpose.
29.49.020	Definitions.
29.49.030	Location.
29.49.040	Separations.
29.49.045	Signs.
29.49.050	Exterior display.
29.49.055	Parking.
29.49.060	Penalty.
29.49.070	Nonconforming uses.
29.49.075	Zoning approval.
29.49.080	Severability.

**29.49.010 Intent and purpose.** The purpose of this chapter is to regulate uses which, because of their very nature, are recognized as having serious objectionable operational characteristics, particularly when several of them are concentrated under certain circumstances thereby having a deleterious effect upon the adjacent areas. Special regulation of these uses is necessary to insure that these adverse effects will not contribute to the blighting or downgrading of the surrounding neighborhood. The primary control or regulation is for the purpose of preventing a concentration of these uses in any one area, to prevent the infiltration of organized crime in the area and to safeguard the youth and nonconsenting adults from exposure to nonfirst amendment expressions. (Ord. 648 § 1 (part), 1979)

**29.49.020 Definitions.** For the purposes of this chapter, the following definitions shall apply:

(a) "Adult bookstore" means an establishment which will or does derive fifty-one percent or more of its gross sales of books, magazines, films, tapes, discs and other periodicals from the sale of books, magazines, films, tapes, discs, and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities, or specified anatomical areas, or an establishment with a segment or section thereof devoted exclusively to the sale or display of such material.

(b) "Adult motion picture theater" means an establishment (enclosed or open air) with a capacity of fifty or more persons used regularly and routinely for presenting material having as a dominant theme material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas, for observation, by patrons therein.

(c) "Adult mini-motion picture theater" means an enclosed building with a capacity for less than fifty persons used regularly and routinely for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas, for observation by patrons therein, including closed circuit television viewings.

(d) "Adult entertainment cabaret" means a public or private establishment which may be licensed to serve food and/or alcoholic beverages, which features topless dancers,



strippers, male or female impersonators, exhibitions or contests wherein T-shirts, blouses, or similar garments, worn by participants are saturated with liquid so as to result in the exposure, highlighting or outlining of the participant's breasts, or similar entertainment, which is not operated in conjunction with a resort hotel and a casino as defined in Section 8.04.310.

(e) "Adult picture arcade theater" means any premises where there is maintained one or more machines or contrivances to show still or motion pictures or television sets designated for viewing by one or more customers used regularly and routinely for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas, and for which any charge, consideration or payment is required. This definition includes peep shows which exhibit motion pictures by means of coin-operated projection machine.

(f) "Sex novelty shop" means an establishment selling sex articles, materials, items, or devices which are neither books, films or pictures, tapes or discs which are designed or sold for the stimulation of human genital organs or sexual gratification, including but not limited to dildos, vibrators, marital aids and artificial vagina.

(g) "Nonadult theater" means an open air or enclosed establishment with a seating capacity of more than twenty-five persons or parking capacity of more than twenty-five vehicles used regularly and routinely for presenting material which is not relating to specified sexual activities or specified anatomical areas for observation by patrons therein.

(h) "Specified sexual activities" is defined as:

- (1) Human genitals in a state of sexual stimulation or arousal;
- (2) Acts of human masturbation, sexual intercourse or sodomy;
- (3) Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

(i) "Specified anatomical areas" is defined as:

- (1) Less than completely and opaquely covered:
  - (A) Human genitals, pubic region,
  - (B) Buttock, and
  - (C) Female breast below a point immediately above the top of the areola; and
- (2) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

(j) Zoning districts. Zoned for residential use are R-U, R-A, R-E, R-D, R-1, R-1a, R-T, T-C, R-2, R-3, R-4, R-5 and the H-1 and H-2 districts if a use permit has been issued to allow a residential use or a residential use has been established.

(k) "Motion picture," as used in this chapter, includes television viewing regardless of whether picture presentation originated with closed circuit, live broadcast or cassette or other recording.

(l) "Commercial nude establishment" means any commercial business other than an adult entertainment cabaret or a commercial establishment operated in conjunction with a resort hotel and casino as defined in Section 8.04.310 that has on the premises persons performing services or otherwise visible to the public displaying or failing to cover the specified anatomical areas defined under subsection (i) of this section. (Ord. 1513 § 1 (part), 1993; Ord. 1310 § 1 (part), 1991; Ord. 761 § 1, 1981; Ord. 758 § 1, 1981; Ord. 737 § 1, 1981; Ord. 648 § 2 (part), 1979)

**29.49.030 Location.** All adult uses, including adult bookstores, adult motion picture theaters, adult mini-motion pictures, adult entertainment cabarets, adult picture arcades, sex novelty shops and commercial nude establishments shall be located only in a M-1, light manufacturing district. (Ord. 1513 § 1 (part), 1993; Ord. 1310 § 1 (part), 1991; Ord. 737 § 2, 1981; Ord. 675 § 1, 1980; Ord. 648 § 1 (part), 1979)

**29.49.040 Separations.** (a) No adult use shall be allowed within a five-hundred-foot radius of another existing adult use.

(b) No adult use shall be located within a five-hundred-foot radius of any zoning district which is zoned for residential use.

(c) No adult use shall be located within a fifteen-hundred-foot radius of a preexisting public school or a five-hundred-foot radius from a public library or place of worship.

(d) The above distance limitations shall be determined by measurement from each and every customer entrance of the adult use to the nearest property boundary in a residential zone or to the nearest corner of the listed building or use. The measurement is to be conducted in a radius fashion, five hundred or fifteen hundred feet in all directions from the adult use. Where another existing adult use, a zoning district which is zoned for residential use or a public library or place of worship is located within a one-thousand-foot radius of the proposed adult use, the applicant for zoning approval of the adult use shall provide evidence certified by a professional land surveyor licensed pursuant to NRS Chapter 625 that the proposed adult use is in conformity with the distance requirements of this chapter. Where a preexisting school is located within a two-thousand-foot radius of the proposed adult use, the applicant for zoning approval of the adult use shall provide evidence certified by a professional land surveyor licensed pursuant to NRS Chapter 625 that the proposed adult use is in conformity with the distance requirements of this chapter. (Ord. 1327 § 1, 1991; Ord. 1310 § 1 (part), 1991)

**29.49.045 Signs.** All adult uses shall comply with the sign provisions of this title. Further signs for adult uses shall not contain any emphasis, either by wording, picture or otherwise on matter related to sexual activities as defined in Section 29.49.020. (Ord. 1310 § 1 (part), 1991)

**29.49.050 Exterior display.** No adult use shall be conducted in any manner that permits the observation of any material depicting, describing or relating to specified sexual activities or specified anatomical areas, from any public way or from any property not registered as an adult use. This provision shall apply to any display, decoration, sign, show window or other opening. (Ord. 648 § 1 (part), 1979)

**29.49.055 Parking.** (a) All adult motion picture theaters, adult mini-motion picture theaters and adult picture arcade theaters shall provide at least one permanently maintained off-street parking space for every ninety square feet of gross floor area used or intended to be used for service to the public, but in no event shall less than fifteen spaces be provided.

(b) All adult bookstores and sex novelty shops shall provide at least one permanently maintained off-street parking space for every three hundred square feet of gross floor area used or intended to be used for service to the public.

(c) All adult entertainment cabarets shall provide at least one permanently maintained off-street parking space for every one hundred square feet of gross floor area

29.49.055

used or intended to be used for service to the public, but in no event shall less than fifteen spaces be provided. (Ord. 1310 § 1 (part), 1991)

**29.49.060 Penalty.** Any person violating any of the provisions of this chapter is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars or by imprisonment in the county jail for a term of not more than six months, or by any such combination of such fine and imprisonment. Whenever in this chapter any act is prohibited or is made or declared to be unlawful, an offense or a misdemeanor, or whenever in this chapter the doing of any act is required or the failure to do any such act is declared to be unlawful or a misdemeanor, the doing of such prohibited act or the failure to do any such required act constitutes a violation of this chapter. Any day of any violation of this chapter constitutes a separate offense. (Ord. 1310 § 1 (part), 1991; Ord. 648 § 1 (part), 1979)

**29.49.070 Nonconforming uses.** Uses which are classified by the definitions set forth in this chapter which do not conform to this chapter shall be allowed to continue until they are removed provided:

(a) Said uses had fully complied with building, fire and licensing codes when said use commenced.

(b) Said use had fully complied with the zoning codes, including the acquisition by the land owner of required use permits, if applicable, when said use commenced. Uses which were not lawful in all particulars as provided in this section when the use commenced shall not be allowed to remain. Nonconforming uses run with the land and shall be only for the benefit of the property owner. (Ord. 1310 § 1 (part), 1991; Ord. 648 § 1 (part), 1979)

**29.49.075 Zoning approval.** All adult uses must receive zoning approval from the zoning administrator prior to opening for business. Zoning approval by the zoning administrator does not constitute approval of a business license which must be separately secured from the Clark County department of business license.

(a) An application for zoning approval may be submitted to the zoning administrator by:

- (1) A property owner or the authorized agent of a property owner; or
- (2) A person having a leasehold or other substantial interest in the property, in which case the application may be submitted only for the duration of the leasehold.

(b) The application shall contain the name and address of the applicant, name of the proposed adult use, and proposed location of the adult use. The application shall be accompanied by the following data and information submitted on paper of a minimum size of eighteen by twenty-four inches:

(1) Site development plan in duplicate, drawn to scale to include building dimensions of existing and proposed structures, setback dimensions, yards and open space dimensions, parking space dimensions, location of signs, location of landscaping, and location of all customer entrances;

(2) Floor plan in duplicate drawn to scale to indicate size of buildings, total square footage of buildings, and gross floor area used or intended to be used for service to the public;

(3) Rendered elevation in duplicate, to indicate the architectural appearance of proposed buildings including any proposed signs.

(c) Upon receipt in proper form of any application and required data, the zoning administrator shall review the application for compliance with this section and this title. The zoning administrator shall approve or deny the application within fourteen calendar days of receipt of the complete application and submittal of the required data. Notice of approval or denial shall be sent by U.S. Mail to the applicant at the address listed on the application and shall be communicated to the Clark County department of business license. Failure of the zoning administrator to approve or deny the application within fourteen days shall result in the application being deemed approved. (Ord. 1513 § 1 (part), 1993; Ord. 1310 § 1 (part), 1991; Ord. 741 § 1, 1981; Ord. 737 § 3, 1981; Ord. 648 § 1 (part), 1979)

**29.49.080 Severability.** If any section, paragraph, phrase or word of this chapter, or portion thereof, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not invalidate the remaining portions of this chapter. (Ord. 648 § 1 (part), 1979)

# airport neight restrictions

## Chapter 29.50

## PUBLIC USE AIRPORT HEIGHT ZONING RESTRICTIONS\*

## Sections:

29.50.010	Definitions.
29.50.020	Airport zones.
29.50.030	Airport zone height limitations.
29.50.040	Notices of construction or alteration.
29.50.050	Official airport airspace zoning maps.
29.50.060	Use restrictions.
29.50.070	Nonconforming uses.
29.50.080	Variances.

\* Prior ordinance history: Ord. 728.

**29.50.010 Definitions.** As used in this chapter, unless the context otherwise requires:

(1) "Public use airport" means any of the following airports in Clark County, Nevada: McCarran International Airport, Overton Airport, Searchlight Airport, Jean Airport, No. Las Vegas Airport, Boulder City Airport, Echo Bay Airport, Henderson Sky Harbor Airport, Three Corners Airport, Hidden Hills Airport.

(2) "Airport elevations" mean the highest point of an airport's usable landing area measured in feet above mean sea level.

(3) "Hazard to air navigation" means an obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.

(4) "Height." For the purpose of determining the height limits in all zones set forth in this chapter and/or shown on an airspace zoning map, the datum shall be mean sea level elevation unless otherwise specified.

(5) "Nonconforming use" means any preexisting structure or use of land which is inconsistent with the provisions of this chapter or an amendment thereto.

(6) "Obstruction" means any structure, growth or other object, including a mobile object, which exceeds a limiting height set forth in Section 29.50.030.

(7) "Person" means an individual, firm, partnership, corporation, company, association, joint stock association or governmental entity; includes a trustee, a receiver, an assignee, or a similar representative of any of them.

(8) "Runway" means a defined area on an airport prepared for landing and takeoff of aircraft along its length.

(9) "Runway protection zone" (formerly "runway clear zone") means a trapezoidal area at ground level, for the purpose of protecting the safety of approaches and keeping the area clear of the congregation of people.

(10) "Structure" means an object, including a mobile object, constructed or installed by man, including but without limitation, buildings, towers, cranes, smokestacks, earth formation, signs and overhead transmission lines.

(11) "Tree" means any object of natural growth. (Ord. 1221 (part), 1990)

**29.50.020 Airport zones.** In order to carry out the provisions of this chapter, there are created and established certain zones which include all of the airspace above the height of thirty-five feet above the surface of the land, lying beneath the approach surfaces, transitional surfaces, horizontal surfaces and conical surfaces, as they apply to the portions of any public use airport lying within the jurisdiction of Clark County, Nevada. Such zones for each public use airport are shown on the official airport airspace zoning map for each public use airport as adopted by specific map as put forth in Section 29.50.050. An area located in more than one of the airport zones is considered to be only in the zone with the more restrictive height limitations. (Ord. 1221 (part), 1990)

**29.50.030 Airport zone height limitations.** Except as otherwise provided in this chapter, no structure shall be erected, altered or maintained in any airport zone that would violate the height limitations depicted in the maps adopted herewith. However, nothing in this chapter shall be construed as prohibiting the construction or maintenance of any structure to a height up to thirty-five feet above the surface of the land in any zone created by this chapter. Any building or structure constructed within the zones shall be situated or marked as approved by the Federal Aviation Administration and the Clark County department of aviation so that it does not constitute a hazard as defined in Section 29.50.010 (3). All construction within the various height zones shall be subject to the property owner's signing an aviation easement. (Ord. 1221 (part), 1990)

**29.50.040 Notices of construction or alteration. (A) Construction or Alteration Requiring Notice.** Any person proposing construction or alteration in the environs of any public use airport or airport operated by the United States Armed Services shall notify the chief, air traffic division, FAA regional office having jurisdiction over the area within which the construction or alteration will be located not less than thirty days before commencement of the construction or alteration if such construction or alteration exceeds any of the following height standards:

(1) Two hundred feet above the ground level at its site;  
 (2) The plane of an imaginary surface extending outward and upward at a slope of one hundred to one for a horizontal distance of twenty thousand feet from the nearest point of the nearest runway of any airport subject to the provisions of this chapter;

(3) For highways, railroads and other traverse ways for mobile objects; if construction or alteration is of greater height than the standards set forth in subdivisions (1) or (2) of this subsection after their height has been adjusted upward for the appropriate traverse way as follows:

(a) For interstate highways: seventeen feet,  
 (b) For any other public roadways: fifteen feet,  
 (c) For any private road: ten feet or the height of the highest mobile object that would normally traverse the road, whichever is greater,  
 (d) For any railroad: twenty-three feet,  
 (e) For a waterway or any other unspecified traverse way: the height of the highest mobile object that would normally use the traverse way;

(4) When requested by the FAA, any construction or alteration that would be in an instrument approach area and available information indicates the height might exceed any FAA obstruction standard.

Any notice required by this section shall be on FAA Form 7460-1, available from the regional offices of the Federal Aviation Administration.

(B) Construction or Alteration Not Requiring Notice. Notice to the FAA is not required for construction or alteration of any of the following:

(1) Any object that would be shielded by existing structures of a permanent and substantial character or by natural terrain or topographical features of equal or greater height, and would be located in the congested area of a city, town or settlement where it is evident beyond all reasonable doubt that the structure so shielded will not adversely affect safety in air navigation;

(2) Any antenna structure of twenty feet or less in height, except one that would increase the height of another antenna structure;

(3) Any air navigation facility, airport visual approach or landing aid, aircraft arresting device or meteorological device of a type approved by the administrator, or an appropriate military service on military airports, the location and height of which is fixed by its functional purpose;

(4) Any construction or alteration for which notice is required by any other FAA regulation. (Ord. 1221 (part), 1990)

**29.50.050 Official airport airspace zoning maps.** The following official airport airspace zoning maps for specific public use airports lying within the jurisdiction of Clark County, Nevada, as adopted by ordinance of the board of Clark County commissioners, are on file at the office of the county clerk and incorporated by reference and made a part hereof:

(A) The McCarran International Airport Official Airspace Zoning Map, consisting of five sheets, prepared by the Clark County airport engineering department, dated July 18, 1990, and adopted by Ordinance 1221;

(B) The North Las Vegas Air Terminal Official Airspace Zoning Map, consisting of one sheet, prepared by the Clark County airport engineering department, dated July 18, 1990, and adopted by Ordinance 1221;

(C) The Overton Airport Official Airspace Zoning Map, consisting of one sheet, prepared by the Clark County airport engineering department, dated July 18, 1990, and adopted by Ordinance 1221;

(D) The Jean Airport Official Airspace Zoning Map, consisting of one sheet, prepared by the Clark County airport engineering department, dated July 18, 1990, and adopted by Ordinance 1221. (Ord. 1221 (part), 1990)

**29.50.060 Use restrictions.** Notwithstanding any other provisions of this chapter, no use may be made of land or water within any zone established by this chapter in such a manner as to create electrical interference with navigation signals or radio communication between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards, or otherwise in any way endanger or interfere with the landing, takeoff or maneuvering of aircraft intending to use the airport. (Ord. 1221 (part), 1990)

**29.50.070 Nonconforming uses.** (A) Regulations Not Retroactive. The regulations prescribed by this chapter shall not be construed to require the removal, lowering, or other change or alteration of any structure not conforming to the regulations as of the effective date of this chapter, or otherwise interfere with the



continuance of a nonconforming use. Nothing contained in this chapter shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this chapter, and is diligently prosecuted.

(B) **Marking and Lighting.** Notwithstanding the preceding provisions of this section, the owner of any existing nonconforming structure may be required to install, operate, and maintain thereon such markers and lights as may be deemed necessary by the director of aviation to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport obstruction. (Ord. 1221 (part), 1990)

**29.50.080 Variances.** (A) **Future Uses.** Any person desiring to erect or increase the height of any structure, or to permit the growth of any tree, or otherwise use his property in a manner which would constitute a violation of these regulations, may apply to the county planning commission for a variance from these regulations. Such variances may be allowed where a literal application or enforcement of these regulations would result in practical difficulty or unnecessary hardship, and the relief granted would not be contrary to the public interest, but would do substantial justice and be in accordance with the spirit of these regulations. Any such variance allowed may be subject to any reasonable conditions that the county planning commission or board of county commissioners may deem necessary to effectuate the purposes of Title 29, including, but not limited to, the condition to require the owner of the structure or tree in question to install, operate and maintain, at the owner's expense, such markings and lights as may be necessary. If deemed proper by the board of county commissioners, this condition may be modified to require the owner to permit the county, at its own expense, to install, operate and maintain the necessary markings and lights. Variances pursuant to this chapter shall be considered under the procedures put forth under Chapter 29.66 of this title, with the exception that the applicant shall notify the FAA regional office of the application prior to the time of submission of the variance application and that the planning commission's action concerning the variance application shall be considered advisory only, with all variances being referred to the board of county commissioners for final disposition.

(B) **Existing Uses.** No permit shall be granted that would allow the establishment or creation of an obstruction or permit a nonconforming use, structure, or tree to become a greater hazard to air navigation than it was on the effective date of this chapter or any amendments thereto, or than it is when application for a permit is made.

(C) **Nonconforming Uses Abandoned or Destroyed.** Whenever a nonconforming structure, as set forth in the provisions of Chapter 29.45, has been abandoned or more than fifty percent torn down, physically deteriorated, or decayed, no permit shall be granted that would allow such structure to exceed the applicable height limit or otherwise deviate from the zoning regulations. (Ord. 1221 (part), 1990)

**airport environs**

## Chapter 29.51

## AIRPORT ENVIRONS OVERLAY DISTRICT

## Sections:

- 29.51.010 Purpose and intent.  
 29.51.020 Subzones.  
 29.51.030 Uses permitted.  
 29.51.040 Uses permitted subject to noise attenuated construction.  
 29.51.050 Uses permitted subject to a conditional use permit.  
 29.51.060 Uses prohibited.  
 29.51.065 Exceptions.  
 29.51.070 Property development standards.  
 29.51.080 Table A-E—Land use compatibility in the airport environs overlay district.

**29.51.010 Purpose and intent.** The airport environs overlay district is an overlay zone established to provide for a range of uses compatible with airport accident hazard and noise exposure areas and to prohibit the development of incompatible uses that are detrimental to the public health, safety and welfare in these airport environs. The regulations for the airport environs overlay district shall be supplementary to the regulations of the underlying district and the regulations of the airport environs overlay district shall prevail if there is a conflict. (Ord. 975 § 4 (part), 1986)

**29.51.020 Subzones.** (A) There are seven subzones of the airport environs overlay district as follows:

Subzone	Designation
Clear zones	A-ECZ
Accident potential zone I (APZ I)	A-EI
Accident potential zone II (APZ II)	A-EII
65-70 Ldn	A-E65
70-75 Ldn	A-E70
75-80 Ldn	A-E75
80 + Ldn	A-E80

(B) The area encompassed by the seven subzones constitutes the airport environs overlay district as shown on the airport environs overlay district map dated May 9, 1986, a copy of which is incorporated by reference and made a part hereof, and as amended for the area in the proximity of McCarran International Airport by the adoption of thirteen maps numbered one through thirteen and marked with the date of adoption, and also as amended for the area in the proximity of Nellis Air Force Base by the adoption of the "Nellis AFB Airport Environs Map," marked with the date of adoption, copies of which may be obtained in the current planning division, also incorporated herein. On the thirteen maps adopted May 2, 1990 for the area in proximity of McCarran International Airport, the term "clear zone" has been deleted and replaced with the designation runway protection zone which shall be considered under the designation A-ECZ for the purposes of Title 29.

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(C) The types of uses permitted and mitigation measures required differ for each subzone of the airport environs overlay district as shown in Table A-E in Section 29.51.080. Where a proposed use is impacted by two subzones of the airport environs overlay district the use shall conform to the requirements of both subzones, except where a proposed use is impacted by two noise exposure subzones the use shall conform to the more restrictive of the two.

(D) The airport environs overlay district noise attenuation construction requirements and land use restrictions delineated in Table A-E in Section 29.51.080 shall be imposed in addition to and shall overlay all other districts that are encompassed or circumscribed by the airport environs overlay district. The symbol for the applicable airport environs overlay district subzone shall be added to the official zoning map of Clark County after the symbol of the underlying district.

(E) Land, buildings and structures are deemed to be impacted by the specific airport environs subzones that cross them as shown on the airport environs overlay district maps described in this section. Where a building is or would be impacted by one or more subzones of the airport environs overlay district, the entire building shall be considered to be within the most restrictive subzone. (Ord. 1806 § 1, 1996; Ord. 1198 § 1, 1990; Ord. 975 § 4 (part), 1986)

**29.51.030 Uses permitted.** In an A-E airport environs overlay district land may be used and buildings and structures may be erected, maintained and used if they are arranged, intended or designed for the uses permitted in the underlying district and indicated by a YES in the applicable subzone column of Table A-E, Land Use Compatibility in the Airport Environs Overlay District, in Section 29.51.080. (Ord. 975 § 4 (part), 1986)

**29.51.040 Uses permitted subject to noise attenuated construction.** In an A-E airport environs overlay district land may be used and buildings and structures may be erected, maintained and used if they are arranged, intended or designed for the uses permitted in the underlying district and indicated by a 25, 30, 35, (25), (30), or (35) key in the applicable subzone column of Table A-E, Land Use Compatibility in the Airport Environs Overlay District, in Section 29.51.080. Noise attenuated construction indicated by Table A-E in Section 29.51.080 shall be in accordance with the noise attenuation construction standards in Chapter 22.22 of the Clark County Code. (Ord. 975 § 4 (part), 1986)

**29.51.050 Uses permitted subject to a conditional use permit.** The following additional uses may be permitted subject to securing a conditional use permit in each case as provided for in Chapter 29.66:

(1) All uses permitted in the underlying district but indicated by a (YES) in the applicable subzone column of Table A-E, Land Use Compatibility in the Airport Environs Overlay District, in Section 29.51.080;

(2) All uses permitted subject to a conditional use permit in the underlying district and indicated by a YES in the applicable subzone column of Table A-E, Land Use Compatibility in the Airport Environs Overlay District, in Section 29.51.080. (Ord. 975 § 4 (part), 1986)

**29.51.060 Uses prohibited.** All uses indicated by a NO in the applicable subzone column of Table A-E, Land Use Compatibility in the Airport Environs Overlay District, in Section 29.51.080. All other uses are expressly prohibited. (Ord. 975 § 4 (part), 1986)

**29.51.065 Exceptions.** A request for a zoning reclassification, use permit, variance or any other deviation from the use or noise attenuation regulations of this chapter shall not be permitted, and no representative of the county shall accept any land use application for a use or structure not in conformance with the requirements of this chapter. Uses permitted in residential and mobile home park zoning districts R-A, R-E, R-D, R-1, R-1a, R-T, R-2, R-3, R-4, R-5 and T-C established prior to the effective date of the ordinance codified in this chapter shall be allowed and buildings and structures for such uses shall be allowed without regard to the additional standards of this chapter, except to the extent that noise attenuated construction is required by Section 29.51.080. Additionally, notwithstanding the overlay district adopted hereby, any use approved in any zoning district through zone change resolution of intent, conditional use permit, or variance procedures prior to the effective date of the ordinance codified in this chapter shall be allowed and buildings and structures for such a use shall also be allowed without regard to the additional standards of this chapter provided that all conditions imposed on such aforementioned approval are complied with, except to the extent the conditions may be modified by the board of county commissioners to authorize a change in location, size, appearance or construction completion date of buildings or structures; this exception does not preclude the imposition of additional conditions, including but not limited to the requirements of Chapter 29.51, if any extension of time to commence construction is granted to the aforementioned approval. The issuance of a building permit for any building or structure in an A-ECZ subzone shall conclusively establish that such building or structure is permitted pursuant to this section. (Ord. 1806 § 2, 1996: Ord. 975 § 4 (part), 1986)

**29.51.070 Property development standards.** Property shall be developed in accordance with the property development standards of the underlying district. In addition uses requiring noise attenuated construction as indicated by Table A-E in Section 29.51.080 shall be developed in accordance with the noise attenuation construction standards in Chapter 22.22 of the Clark County Code. (Ord. 975 § 4 (part), 1986)

**29.51.080 Table A-E — Land use compatibility in the airport environs overlay district.** The following table indicates uses permitted, uses permitted subject to noise attenuated construction, uses permitted subject to a conditional use permit and uses prohibited in each of the subzones of the airport environs overlay district:

**TABLE A— E LAND USE COMPATIBILITY IN THE AIRPORT ENVIRONS OVERLAY DISTRICT**

CODE #S	SLUCM MAJOR GROUPS	SLUCM MINOR GROUPS	SUB ZONES						
			RISK ZONES AND NOISE ZONES						
			(in Ldn)						
			C. Z. (A-ECZ)	APZ-1 (A-EI)	APZ-2 (A-EII)	65-70 (A-E65)	70-75 (A-E70)	75-80 (A-E75)	80+ (A-E80)
0	An undetermined	An undetermined use	( )	( )	( )	( )	( )	( )	( )
0	Nonresidential	General accessory use	( )	( )	( )	( )	( )	( )	( )
0	Residential	General accessory use	( )	( )	( )	( )	( )	( )	( )
1110	Residential	Accessory use to residential (> 2 du/ac)	No	No	No	25	(No)	[No]	[No]
1110	Residential	Single family (> 2 du/ac)	No	No	No	25	(No)	[No]	[No]
1115	Residential	Accessory use to residential (LE 2 du/ac)	No	No	Yes	25	30	[No]	[No]
1115	Residential	Single family (LE 2 du/ac)	No	No	Yes	25	30	[No]	[No]
1120	Residential	Two family	No	No	No	25	(No)	[No]	[No]
1130	Residential	Multifamily structures	No	No	No	25	(No)	[No]	[No]
1200	Residential	Group quarters	No	No	No	25	(No)	[No]	[No]
1300	Residential	Residential hotels	No	No	No	25	(No)	[No]	[No]

1410	Residential	Permanent mobile home parks—courts	No	No	No	25	(No)	[No]	[No]
1420	Residential	Transient mobile home parks—courts	No	No	No	Yes	(No)	[No]	[No]
1510	Residential	Hotels and motels & tourist courts	No	No	No	25	30	35	[No]
1900	Residential	Other residential	No	No	No	25	(No)	[No]	[No]
2100	Manufacturing	Food & kindred products	No	No	(Yes)	Yes	Yes	(30)	(35)
2200	Manufacturing	Textile mill products	No	No	No	Yes	Yes	(30)	(35)
2300	Manufacturing	Apparel and finished products	No	No	No	Yes	Yes	(30)	(35)
2400	Manufacturing	Lumber & wood products (except furniture)	No	(Yes)	Yes	Yes	Yes	(30)	(35)
2500	Manufacturing	Furniture & fixtures	No	(Yes)	(Yes)	Yes	Yes	(30)	(35)
2600	Manufacturing	Paper & allied products	No	(Yes)	(Yes)	Yes	Yes	(30)	(35)
2700	Manufacturing	Printing—publishing	No	(Yes)	(Yes)	Yes	Yes	(30)	(35)
2800	Manufacturing	Chemicals and allied products	No	No	No	Yes	Yes	(30)	(35)
2900	Manufacturing	Petroleum refining & related industries	No	No	No	Yes	Yes	(30)	(35)
3100	Manufacturing	Rubber & misc. plastics	No	No	No	Yes	Yes	(30)	(35)
3200	Manufacturing	Stone—clay & glass products	No	(Yes)	(Yes)	Yes	Yes	(30)	(35)
3300	Manufacturing	Primary metal industries	No	(Yes)	(Yes)	Yes	Yes	(30)	(35)
3400	Manufacturing	Fabricated metal products	No	(Yes)	(Yes)	Yes	Yes	(30)	(35)
3500	Manufacturing	Instruments and optical goods	No	No	No	25	30	No	No
3900	Manufacturing	Misc. manufacturing	No	(Yes)	(Yes)	Yes	Yes	(30)	(35)
4100	Trans. & utils.	Railroad & rapid rail & street railway	No	[Yes]	Yes	Yes	Yes	Yes	Yes
4200	Trans. & utils.	Motor vehicle transportation	No	[Yes]	Yes	Yes	Yes	(30)	(35)
4300	Trans. & utils.	Aircraft transportation	No	[Yes]	Yes	Yes	Yes	(30)	(35)
4500	Trans. & utils.	Highway & street R.O.W.	[Yes]	[Yes]	Yes	Yes	Yes	Yes	Yes
4600	Trans. & utils.	Auto parking	[Yes]	[Yes]	Yes	Yes	Yes	Yes	Yes
4700	Trans. & utils.	Communications	[Yes]	[Yes]	Yes	Yes	(25)	(30)	(35)
4800	Trans. & utils.	Utilities	[Yes]	[Yes]	Yes	Yes	Yes	Yes	Yes
4900	Trans. & utils.	Other trans.—comm. and utilities	[Yes]	[Yes]	Yes	Yes	Yes	Yes	Yes
5100	Trade	Wholesale trade	No	Yes	Yes	Yes	Yes	(30)	(35)
5200	Trade	Building materials and hardware (retail)	No	Yes	Yes	Yes	(25)	(30)	(35)
5300	Trade	General merchandise (retail)	No	No	Yes	Yes	25	30	35
5400	Trade	Food—retail	No	No	Yes	Yes	25	30	35
5500	Trade	Automotive—marine and aircraft accessories	No	Yes	Yes	Yes	25	30	35
5600	Trade	Apparel and accessories (retail)	No	No	Yes	Yes	25	30	35
5700	Trade	Furniture and home furnishings (retail)	No	No	Yes	Yes	25	30	35
5800	Trade	Eating and drinking places	No	No	No	Yes	25	30	35
5900	Trade	Other retail trade	No	No	Yes	Yes	25	30	35
6100	Services	Finance—insurance & real estate	No	No	(Yes)	Yes	25	30	35
6200	Services	Personal services	No	No	(Yes)	Yes	25	30	35
6240	Services	Cemeteries	[Yes]	[Yes]	[Yes]	Yes	(25)	(30)	(35)
6300	Services	Business services	No	No	(Yes)	Yes	25	30	35
6370	Services	Warehousing and storage services	No	Yes	Yes	Yes	Yes	(30)	(35)
6380	Services	Explosives storage	No	No	No	Yes	(25)	(30)	(35)
6400	Services	Repair services	No	(Yes)	(Yes)	Yes	(25)	(30)	(35)
6510	Services	Medical & other health services	No	No	No	25	30	No	No
6520	Services	Legal services	No	No	(Yes)	Yes	25	30	35
6590	Services	Other professional services	No	No	(Yes)	Yes	25	30	35
6600	Services	Contract construction services	No	(Yes)	(Yes)	Yes	(25)	(30)	(35)
6700	Services	Government services	No	No	(Yes)	Yes	25	30	35
6800	Services	Educational services	No	No	No	25	30	No	No
6910	Services	Religious activities	No	No	No	25	30	No	No
6990	Services	Other misc. services	No	No	(Yes)	Yes	25	30	35
7110	Recreation	Cultural activities	No	No	No	25	30	No	No
7120	Recreation	Nature exhibitions	No	(Yes)	(Yes)	Yes	No	No	No
7211	Recreation	Outdoor entertainment assembly	No	No	No	Yes	No	No	No
7212	Recreation	Indoor entertainment assembly	No	No	No	25	30	No	No
7221	Recreation	Outdoor sports assembly	No	No	No	Yes	Yes	No	No
72211	Recreation	Outdoor motor vehicle race-tracks & related uses	No	(Yes)	(Yes)	Yes	(25)	(30)	(35)
7222	Recreation	Indoor sports assembly	No	No	No	Yes	25	30	35
7230	Recreation	Misc. public assembly	No	No	No	(25)	(30)	No	No
7310	Recreation	Fairgrounds and amusement parks	No	No	No	Yes	Yes	No	No

7395	Recreation	Outdoor amusements	No	No	(Yes)	Yes	Yes	No	No
7396	Recreation	Indoor amusements	No	No	(Yes)	Yes	25	30	35
7411	Recreation	Outdoor sports activities	No	(Yes)	(Yes)	Yes	Yes	No	No
7413	Recreation	Indoor sports activities	No	No	(Yes)	Yes	25	30	35
7420	Recreation	Outdoor playgrounds and athletic areas	No	No	(Yes)	Yes	Yes	No	No
7425	Recreation	Indoor playgrounds and athletic areas	No	No	(Yes)	Yes	25	30	35
7430	Recreation	Golf courses, driving ranges, riding stables & water rec.	Yes	(Yes)	(Yes)	Yes	(25)	(30)	(35)
7490	Recreation	Other recreation	No	(Yes)	(Yes)	Yes	Yes	No	No
7500	Recreation	Resorts & group camps	No	No	No	Yes	Yes	No	No
7600	Recreation	Parks	No	No	(Yes)	Yes	Yes	No	No
8150	Resources	Dairy farming	No	Yes	Yes	(25)	(30)	(35)	No
8160	Resources	Livestock farms and ranches (2)	No	Yes	Yes	(25)	(30)	(35)	No
8190	Resources	Other agriculture (1)	Yes	Yes	Yes	(25)	(30)	(35)	(35)
8200	Resources	Agricultural related activities (2)	No	Yes	Yes	(25)	(30)	(35)	No
8300	Resources	Forestry activities & related services	No	Yes	Yes	(25)	(30)	(35)	(35)
8400	Resources	Fishing activities & related services (3)	No	Yes	Yes	Yes	Yes	Yes	Yes
8500	Resources	Mining activities and related services	No	Yes	Yes	Yes	Yes	Yes	Yes
9100	Undeveloped	Undeveloped and unused land	Yes	Yes	Yes	Yes	Yes	Yes	Yes
9300	Undeveloped	Water areas (3)	Yes	Yes	Yes	Yes	Yes	Yes	Yes
9910	Undeveloped	Open space	Yes	Yes	Yes	Yes	Yes	Yes	Yes

**KEY**

**CONDITIONS**

- ( ) — To determine the applicable "compatibility" regulations the use must be defined by SLUCM Major & Minor categories.
- Yes — Land use and related structures allowed without restrictions.
- No — Land use and related structures are not compatible and are not allowed.
- (No) — Where the provisions of Section 29.51.065 permit uses but require noise attenuated construction in buildings and structures a minimum exterior to interior noise level reduction of 30 decibels incorporated into building construction.
- [No] — Where the provisions of Section 29.51.065 permit uses but require noise attenuated construction in buildings and structures a minimum exterior to interior noise level reduction of 35 decibels incorporated into building construction.
- 25 — A minimum exterior to interior noise level reduction of 25 decibels incorporated into building construction.
- 30 — A minimum exterior to interior noise level reduction of 30 decibels incorporated into building construction.
- 35 — A minimum exterior to interior noise level reduction of 35 decibels incorporated into building construction.
- (25) — A minimum exterior to interior noise level reduction of 25 decibels incorporated into construction of portions of buildings where public is received, office areas, noise sensitive areas or where the normal noise level is low.
- (30) — A minimum exterior to interior noise level reduction of 30 decibels incorporated into construction of portions of buildings where public is received, office areas, noise sensitive areas or where the normal noise level is low.
- (35) — A minimum exterior to interior noise level reduction of 35 decibels incorporated into construction of portions of buildings where public is received, office areas, noise sensitive areas or where the normal noise level is low.
- (Yes) 2000—3999 — Conditional use permit required; additional factors to be considered: Labor intensity, structural coverage, explosive characteristics, air pollution, size of establishment, people density, peak period (including shopper/visitors) concentrations.
- (Yes) 6000—6999 — Conditional use permit required; low intensity office uses only (limited scale of concentration of such uses). Meeting places, auditoriums, etc. not allowed.
- (Yes) 7000—7999 — Conditional use permit required; facilities must be low intensity. Additional factors to be considered: labor intensity, structural coverage, explosive characteristics, air pollution, size of establishment, people density, peak period (including shopper/visitors) concentrations.
- (Yes) 7430 — Conditional use permit required; facilities must be low intensity; areas of public assembly not allowed in Clear Zones, APZ-1 or APZ-2. No structures in Clear Zones.

- [Yes] 4000—4999 — No structures in Clear Zones. No passenger terminals and no major above ground transmission lines in Clear Zones or APZ I.
- [Yes] 6240 — Chapels not allowed.
- (1) 8190 — Includes livestock grazing but excludes feedlots and intensive animal husbandry.
- (2) 8160 & 8200 — Includes feedlots and intensive animal husbandry.
- (3) 8400 & 9300 — Includes hunting and fishing.
- LE — Less than or equal to . . .  
(Ord. 1806 § 3, 1996: Ord. 1543 § 1, 1993: Ord. 975 § 4 (part), 1986)



## Chapter 29.52

## DESIGN REVIEW

## Sections:

29.52.005	Purpose and intent.
29.52.010	Design review required when.
29.52.020	Submittal requirements.
29.52.030	Procedure.
29.52.040	Filing fee.
29.52.045	Extensions of time.
29.52.050	Design review standards.

**29.52.005 Purpose and intent.** The purpose of this chapter, previously referred to as architectural supervision, hereinafter referred to as design review, is to provide that the design and layout of buildings, structures and other improvements shall be adequate to prevent them, or the uses for which they are to be intended, from being unsightly, undesirable or obnoxious to the extent that they will hinder the orderly and harmonious development of the county, limit the opportunity to attain the optimum use and value of land and improvements, impair the desirability of living conditions in the same area or adjacent areas, or otherwise adversely affect the general prosperity or welfare and to further the purposes of the master plan. (Ord. 1224 § 2, 1990)

**29.52.010 Design review required when.** (A) Design review shall be required under the following circumstances:

(1) When an application is made for a building permit for any building, structure or other improvement which will be visible from any dedicated right-of-way or easement granted for road purposes and which will be erected, constructed, altered or moved within any O-S, R-3, R-4, R-5, H-1, H-2, C-P, C-1, C-C, C-2, C-3, M-D, M-1, M-2, M-3, T-C, R-V-P or P-F district as established by this title, unless the building, structure or improvement substantially conforms to plans previously submitted and approved for the site under the terms of a zone change, variance or conditional use permit; or

(2) When the Clark County planning commission or its designated representative determines that design review is necessary in a particular instance in order to promote the purposes of this title in accordance with Section 29.01.020; or

(3) When an application is made for a building permit to relocate a residential building which is more than ten years of age to a different parcel of land, or when a residential building is relocated to a nonconforming lot of record; design review in such instances shall be treated as a public hearing before the Clark County planning commission, with appropriate public hearing notices mailed to owners of property, as listed on the latest assessment rolls of the county, within three hundred feet of the subject property prior to planning commission consideration.

(B) In determining whether or not a construction plan substantially conforms to previously approved plans, the following guidelines shall apply:

(1) No plan shall be held to substantially conform if there is an increase of more than ten percent or one hundred square feet, whichever is greater, in total building area between the originally approved plans and the final construction plan;

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(2) No plan shall be held to substantially conform if there is an increase in maximum height of any building or structure of more than ten percent, or four feet, whichever is greater, between the originally approved plans and final construction plans;

(3) No plan shall be held to substantially conform if final construction plans indicate an intention to utilize a building or structure for a principal use different than the uses shown on the originally approved plans;

(4) No plan shall be held to substantially conform if final construction plans show any deviation whatsoever from ordinance requirements as to setbacks or building separations, unless such deviation has been previously approved under variance procedures.

(C) Design review need not be required when the requested permit is for grading or filling only; provided, that the written consent of the Clark County district health department and department of public works is obtained, approving such work. (Ord. 1224 § 3, 1990; Ord. 765 § 1 (part), 1981; Ord. 754 § 1, 1981; Ord. 752 § 1, 1981; Ord. 622 § 1, 1979; Ord. 566 § 22, 1978; Ord. 509 § 15, 1976; Ord. 429 (part), 1974)

**29.52.020 Submittal requirements.** An application for design review shall be filed in the office of the zoning division of the department of comprehensive planning upon forms furnished for the purpose and shall be accompanied by the following data and information:

(A) Plans which fully comply with the Clark County Code and are drawn to a standard scale not smaller than one inch equals sixty feet or one-eighth inch equals one foot including:

(1) Four copies of a site development plan indicating the location and dimensions of the parcel of land, existing and proposed structures, setbacks, yards and open space, driveways and trash enclosures, the size and number of parking spaces, including handicapped spaces, the location of signs, the location of landscaping, and such other information as may be necessary,

(2) Two copies of a floor plan, drawn to scale to indicate the size of existing and proposed buildings, the use of space and total square footage of buildings,

(3) Two copies of rendered elevation to indicate the architectural appearance, the types of building materials proposed for the exterior and the height of all existing and proposed buildings,

(4) One copy of a landscape plan indicating the size, type and location of existing and proposed plant materials and nonliving groundcover;

(B) Two copies of the most recent recorded deed or other legal description of property;

(C) Two copies of the most recent assessor's map indicating the subject parcels;

(D) Color and material samples, if required by the zoning division. (Ord. 1224 § 4, 1990; Ord. 765 § 1 (part), 1981)

**29.52.030 Procedure.** (A) Except for the following circumstances, all design review applications will be presented to the planning commission for review and approval:

(1) When the board of county commissioners specifically requests that the plans be presented to them for approval, the design review application shall be scheduled for a hearing before the board of county commissioners;

(2) When the review by the board of county commissioners is otherwise required by this title, the design review application shall be scheduled for a hearing before the board of county commissioners; and

(3) When the subject property is in the H-1 limited resort and apartment zoning district, the design review shall be scheduled for a hearing before the board of county commissioners.

(B) The reviewing body shall consider the submitted data and information in an endeavor to provide that the design and layout of buildings, structures and other improvements shall be adequate to accomplish the purpose and intent of this chapter. To this end, the reviewing body may require any changes in the plans of such proposed buildings, structures and other improvements which it deems necessary to accomplish the purposes of this chapter, and may refuse to approve any such plans until it is satisfied that such purposes will be accomplished thereby. As a prerequisite to approval of any application for design review, the reviewing body may impose any condition, including, but not limited to, flood control, additional setbacks, off-site improvements, landscaping, street dedication, wall enclosures, noise abatement, additional parking and changes in traffic circulation, that it deems necessary to accomplish the purposes of this chapter.

(C) The reviewing body shall act upon all such plans within forty days after their receipt and, unless the applicant consents to an extension of time, shall indicate approval or disapproval of the plans insofar as this chapter is concerned. The reviewing body may act upon such plans with or without a public hearing on the same.

(D) Upon approval of the design review and following the last day of the appeal period, an application for a building permit can be processed by the county and the county building official shall issue such permit, provided all other provisions of the law have been complied with. Every drawing, plan or sketch filed under the provisions of this section shall become a part of the records of the planning commission and be retained for three years. In the event construction has not commenced within one year, the approval shall expire and the plans shall be resubmitted along with the other submittal requirements listed in Section 29.52.020 as a new application for design review.

(E) The decision of the planning commission shall be final unless appealed in writing by an interested party. Such appeal shall be delivered to the zoning division offices within five judicial days.

(F) In the event of an appeal of the planning commission decision, the application for design review shall be scheduled for consideration by the board of county commissioners. The application, copies of the plans and submittals, and the findings of the planning commission shall be considered by the board of county commissioners within forty days of the close of the appeal period.

(G) The decision of the board of county commissioners shall become final and effective five judicial days after the day the decision is made. No permits shall be issued concerning the property in question until the decision becomes final. Should any commissioner within the five-judicial-day period who voted on the prevailing side of a decision notify the zoning administrator that he or she desires to have the decision reconsidered, the decision shall not become final and no permits shall be issued concerning the property in question. The item shall thereafter be placed upon the agenda of a regularly scheduled meeting of the board of county commissioners when acting in their zoning capacity, within thirty days of the end of the five-judicial-day period. Should a majority of those commissioners present approve reconsideration of the decision at that time, the item shall be scheduled for a public hearing at a subsequent meeting of the board of county commissioners. A renotification fee as required by Chapter 29.76 of this title shall be paid not less than fifteen days in advance of the meeting for which the public hearing is scheduled.

(H) No building permit shall be issued for which design review is required until the design review has first been reviewed, approved and the appeal period and/or reconsid-

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eration period has passed. (Ord. 1841 § 7, 1996: Ord. 1224 § 5, 1990: Ord. 895 § 8, 1984: Ord. 765 § 1 (part), 1981)

**29.52.040 Filing fee.** The applicant shall, at the time of filing for a design review, pay a filing fee as specified in Chapter 29.76 of this title. (Ord. 1841 § 8, 1996: Ord. 1224 § 6, 1990: Ord. 765 § 1 (part), 1981: Ord. 754 § 2, 1981: Ord. 752 § 2, 1981: Ord. 702 § 2, 1980: Ord. 429 (part), 1974)

**29.52.045 Extensions of time.** Extensions of time to any design review not approved as a public hearing may be granted by the zoning administrator or his/her designee subject to the conditions of the original approval, if requested prior to the expiration of the original approval on forms furnished by the current planning division. Extensions of time to any design review approved as a public hearing may be granted by the planning commission or board of county commissioners, subject to a public hearing, if requested prior to the expiration of the original approval, on forms furnished by the current planning division. The decision of the zoning administrator or planning commission may be appealed to the board of county commissioners in the same manner as prescribed for appeals of planning commission actions on initial applications for design review. A fee for such an application shall be paid as required by Chapter 29.76 of this title. (Ord. 1841 § 9, 1996)

**29.52.050 Design review standards.** (A) The color, architectural style and building materials or finishes of buildings and structures shall be compatible with that of existing surrounding development.

(B) Residential, commercial and industrial subdivisions and complexes shall be designed to maximize on-site circulation and to minimize conflicts with traffic on public streets.

(C) The board of county commissioners may, by resolution duly recorded in its minutes, adopt certain general rules and specifications, and such illustrative architectural drawings showing desirable standards and types of designs, materials, colors and styles of buildings, structures, signs and lettering as will provide a basis and guide for the approval of plans for proposed development in each district. (Ord. 1224 § 7, 1990)

## Chapter 29.53

**RURAL MIXED RESIDENTIAL DEVELOPMENTS****Sections:**

29.53.010	Purpose and intent.
29.53.020	Definitions.
29.53.030	Procedure.
29.53.040	Uses permitted.
29.53.050	Uses prohibited.
29.53.060	Property development standards.

**29.53.010 Purpose and intent.** Rural mixed residential developments are intended to provide maximum flexibility in meeting housing needs in the rural portions of Clark County by allowing a mixture of manufactured housing and site-built housing with harmonious architectural elements within community district five as established by Chapter 29.77 of the Clark County Code. (Ord. 1004 § 1 (part), 1986)

**29.53.020 Definitions.** For the purpose of this chapter, certain words and phrases are defined and shall be construed as follows:

(A) "Manufactured housing" means dwellings constructed to meet the standards of the U.S. Department of Housing and Urban Development (HUD) Manufactured Housing Code (42 USC Section 5403).

(B) "Site-built housing" means dwellings constructed to meet the standards of the Uniform Building Code (UBC) as adopted by Clark County. (Ord. 1004 § 1 (part), 1986)

**29.53.030 Procedure.** A rural mixed residential development may be established within any residential zoning district within community district five as established by Chapter 29.77 of the Clark County Code. Any person wishing to establish a rural mixed residential development shall apply for the same by submission of a conditional use permit application as set forth in Chapter 29.66 of this title. In addition to the submission requirements set forth in Section 29.66.010, an applicant for a rural mixed residential development shall submit a statement outlining proposed appearance standards for the development. Approved appearance standards shall be recorded as covenants running with the land, and no building permits shall be issued nor subdivision maps recorded for the development prior to the recordation of covenants detailing the approved appearance standards. (Ord. 1004 § 1 (part), 1986)

**29.53.040 Uses permitted.** In a rural mixed residential development land may be used and buildings and structures may be erected, maintained and used if they meet the appearance standards for the development and they are arranged, intended or designed for the following uses:

(A) One single-family dwelling of a permanent character in a permanent location with each residence on its own lot or parcel of land, including all required yard areas. Such single-family dwelling may be either a manufactured housing unit

or a site-built housing unit and must be permanently attached to a foundation constructed to meet the standards and guidelines of the Clark County building department.

(B) Any use permitted in the underlying zoning district, subject to securing a conditional use permit as provided in Chapter 29.66 of this title for any use for which a conditional use permit is required in said district. (Ord. 1004 § 1 (part), 1986)

**29.53.050 Uses prohibited.** All other uses are expressly prohibited. (Ord. 1004 § 1 (part), 1986)

**29.53.060 Property development standards.** Any rural mixed residential development shall adhere to the following property development standards except as may be modified or restricted as provided in Chapter 29.44;

(A) A rural mixed residential development shall be minimum of five gross acres in area.

(B) No part of any building or structure, other than a wall or fence along a property line, shall be constructed within fifteen feet of the peripheral boundary of a rural mixed residential development.

(C) The property development standards of the underlying zoning district shall apply except that rear yards may be reduced no more than ten feet from the standards of the underlying zoning district to accommodate manufactured housing design. In no case shall a manufactured housing unit be located less than three feet from a property line.

(D) All lots and dwelling units must meet the approved appearance standards for the development. Where the underlying zoning district regulations conflict with the approved appearance standards, the more restrictive regulation shall apply. The appearance standards as approved or modified by the planning commission and/or board of county commissioners shall be the same for units built to conform to either the Uniform Building Code or the 1976 Department of Housing and Urban Development Code. Appearance standards may include and shall be limited to:

For unit design:

- (1) Minimum horizontal dimensions;
- (2) Restriction of siding materials to horizontal lap siding, vertical wood-type siding including tongue-and-groove and board-and-batten siding, stucco siding, or brick or stone siding or combinations of these materials or other materials substantially similar in appearance and without a gloss finish;
- (3) Restriction of roof materials to shingles, shakes, tile, built-up rock roofs or other materials substantially similar in appearance.

For site design:

- (1) The relationship of the unit to the land;
- (2) Setbacks;
- (3) Landscaping;
- (4) Parking and related circulation elements. (Ord. 1004 § 1 (part), 1986)

# Occupancy/Personne

## Chapter 29.56

**BUILDINGS -- PERMITS -- COMPLETION****Sections:**

- 29.56.010 Procedure for issuance of building permits.  
 29.56.020 Completion of building.

**29.56.010 Procedure for issuance of building permits.** Before commencing any work pertaining to the erection, construction, reconstruction, moving, conversion, alteration or addition to any building or structure within any district established by the provisions of this title, or as shown upon any sectional district map of Clark County duly adopted and made part of this title, a building permit for each separate building and/or structure shall be secured from the building inspector of the county by the owner or his agent for the work, and it is unlawful to commence the work until and unless the permit has been obtained; provided, however, that this requirement shall be subject to the following provisions:

(A) The provisions of the building code relating to the application for, form of and issuance of building permits under such building code shall apply to and conform with all the provisions of this title.

(B) No excavation shall be commenced, no wall, structure, premises or land used, building or part thereof shall be erected, constructed or altered, nor shall any building be moved in or upon any property, nor shall any outdoor advertising sign or structure be erected, nor major repairs made, until application has been made and the proper permit has been obtained upon plans approved by the planning director and the director of building and safety in accordance with the provisions of this title and the Clark County building code.

(C) All applications for building permits shall be accompanied by accurate plot plans in duplicate, drawn to scale, showing the actual shape and dimensions of the lot to be built upon the building site, or sites, the proposed location of the building or buildings, the exact sizes and locations of the existing buildings and accessory buildings, and the lines within which the proposed building or structure shall be erected or altered, the existing or intended use of each building or part thereof, the number of families or dwelling units the building is designed to accommodate, and such other information with regard to the lots and neighboring lots as may be necessary to determine and provide for the enforcement of this title.

(D) All buildings including single-family residences which do not have a public sewer available shall submit an additional plot plan showing the exact location of the proposed septic tank system. The location shall be approved by the Clark County health district for compliance on all plot plans, prior to issuance of a building permit. The plot plan shall become a permanent record of the health department.

(E) All buildings including single-family residences which do not have public water or public sewer available shall submit an additional plot plan showing the exact location of proposed or existing well and the exact location of the proposed septic tank system. The location shall be approved by the Clark County health district for compliance on all sets of plans, prior to the issuance of a building permit. The additional plot plan shall become a permanent record of the health department.



(F) Before any building or structure is erected, constructed, altered or moved on any property within the county, the building permit application together with plans, drawings, sketches, or description of same shall be submitted to the planning commission or its designated agent for approval or disapproval. The planning commission shall designate the director of planning as its agent to receive, inspect, consider and approve or disapprove the plans on behalf of such commission.

(G) In all cases where the board of county commissioners has allowed a variance or a use permit as authorized by this title, the planning director may approve a building permit sufficient to allow such building or work to be done in accordance with the decision of the board of county commissioners; provided, that no permit shall be issued pursuant to any decision until time for rehearing or for appeal or application for rehearing shall have been filed within such time.

(H) The issuance of a building permit under the authority of this chapter shall not be deemed or construed to permit or authorize any violation of any of the provisions of this title or amendments thereto, or any other ordinance or law. Any permit issued in conflict with this title shall be null and void. (Ord. 561 § 1, 1977: Ord. 429 (part), 1974)

**29.56.020 Completion of building.** Nothing herein contained shall require any change in the plans, construction or designated use of a building for which a building permit has heretofore been issued and upon which actual construction has begun. Actual construction shall be deemed to be the actual placing of construction materials in their permanent position fastened in a permanent manner, except that where a basement is being excavated such excavating shall be deemed to be actual construction, or where demolishing or removal of an existing building or structure has begun preparatory to rebuilding, such demolition or removal shall be deemed to be actual construction, providing in all cases that actual construction work be diligently carried on until the completion of the building or structure involved. (Ord. 561 § 2, 1977: Ord. 429 (part), 1974)

29.54.010

## Chapter 29.54

### CERTIFICATES OF USE AND OCCUPANCY

#### Sections:

- 29.54.010 Certificate required.
- 29.54.020 When certificates required.
- 29.54.030 Issuance.
- 29.54.040 Application of vacant land.

**29.54.010 Certificate required.** No vacant land in any district established under the provisions of this title shall hereafter be occupied or used, except for agricultural uses other than livestock farming, poultry or small animal raising or dairying, and no building hereafter erected, structurally altered or moved in any such district shall be occupied or used until a certificate of use or occupancy has been issued therefor. (Ord. 591 § 1, 1978; Ord. 429 (part), 1974)

**29.54.020 When certificates required.** Certificates of use or occupancy shall be required for any of the following:

- (A) Occupancy and use of a building or structure hereafter erected, constructed, reconstructed, converted, altered, structurally altered or moved;
- (B) Change in an existing building to a use of a different classification;
- (C) Occupancy and use of vacant land;
- (D) Change in the use of a nonconforming use. (Ord. 591 § 2, 1978; Ord. 429 (part), 1974)

**29.54.030 Issuance.** A certificate of use or occupancy for a building or structure shall be issued by the building official pursuant to Section 22.04.080 of this code. A certificate of use or occupancy for vacant land shall be issued by the zoning administrator pursuant to this chapter. (Ord. 591 § 3, 1978; Ord. 429 (part), 1974)

**29.54.040 Application for vacant land.** Written application for a certificate of use or occupancy for the use of vacant land or for any change in the character of the use of land, as herein provided, shall be made to the zoning administrator before any such land is so occupied or used, except for agricultural purposes other than livestock farming, poultry or small animal raising or dairying. The fee for such a certificate shall be as required by Title 22 of the Clark County Code. The certificate shall be issued within three days after the application therefor has been made, provided the proposed use is in conformity with the provisions of this title. (Ord. 1841 § 10, 1996; Ord. 591 § 4, 1978; Ord. 429 (part), 1974)

# special setbacks

## Chapter 29.60

## SUPPLEMENTAL USE CLASSIFICATIONS

## Sections:

- 29.60.010 Uses not permitted specifically deemed prohibited.  
 29.60.020 Conditional use permits in M-2 and R-U districts.  
 29.60.030 Reclassification procedure.  
 29.60.040 Notice and records of reclassifications.

**29.60.010** Uses not permitted specifically deemed prohibited. When a use is not specifically listed in the sections devoted to uses permitted, it shall be assumed that such uses are expressly prohibited unless a written decision by the planning commission, as hereinafter set forth, determines that the use is similar to and not more objectionable than the uses specifically permitted. (Ord. 429 (part), 1974)

**29.60.020** Conditional use permits in M-2 and R-U districts. Uses which in the opinion of the planning commission are similar to and as noxious as those uses listed in Sections 29.06.030 and 29.42.010 as requiring a conditional permit shall be prohibited in land use districts M-2 and R-U unless such permit is secured. (Ord. 429 (part), 1974)

**29.60.030** Reclassification procedure. The planning commission after having classified such uses in any land use district may reclassify such uses when such reclassification does not violate the intent of this title; provided, however, no action shall be taken on the part of the planning commission, as contemplated in this section, until the planning commission has published at least once, in a newspaper of general circulation in the county, a notice setting forth briefly the action contemplated and the time and place when it will hear objections to such action which shall not be less than ten days after the publication of aforesaid notice. (Ord. 429 (part), 1974)

**29.60.040** Notice and records of reclassifications. Each use which is classified or reclassified according to the provisions of this chapter as permitted in any land use district shall be entered on a list to be known as "supplementary land use classification," with the date upon which such opinion is reached by the planning commission, the land use district to which it is classified and the conditions or limitations under which each such use may be permitted in such land use district. The governing body shall be furnished a copy of such list, and notice of each supplementary land use classification made by the planning commission shall be submitted to the governing body prior to the next regular meeting of the governing body following the date of such opinion. Such classification of any use in any land use district shall have the same force and effect as if such use were classified in this title. (Ord. 429 (part), 1974)

## Chapter 29.64

## BUILDING SETBACK AND FUTURE WIDTH LINES

## Sections:

- 29.64.010 Minimum standards generally.
- 29.64.020 Setback lines established for certain streets.
- 29.64.030 Signs.
- 29.64.040 Special provisions for setback lines.

**29.64.010 Minimum standards generally.** In addition to the general provisions for yard requirements as herein set forth for the several zones, and for the purpose of measuring yard dimensions and determining building and structure locations, future width lines are established and adopted, such establishment being made pending the establishment of official plan lines based upon the street and highway plan, or sections thereof, of the general plan of the county.

(A) For the purpose of this title in interpreting the location of the lines herein established, sectional maps may be used to determine the setback location from the curb and/or as otherwise deemed appropriate.

(B) Whenever the setback lines as established herein are situated within the right-of-way lines of Las Vegas Boulevard South (U.S. 91 and 466), then lines A, B and C, as established herein, shall be a minimum of one foot back of the right-of-way line. (Ord. 429 (part), 1974)

**29.64.020 Setback lines established for certain streets.** No building or structure nor portion thereof shall hereafter be erected, nor shall any portion of a building extending into the building setback distance be altered, nor shall any use of land be conducted except the use of land for agricultural purposes or any other open use not requiring a building or structure so that the same will be closer to the right-of-way or future width line than any official plan line or building line or setback which has been established for any such street by the street and highway plan, or any section thereof, of the general plan of the county, or than any future width line, or setback, which may be specified therefor by the provisions of this title, or as follows:

(A) Charleston Boulevard:

(1) From the east line of Section 35, Township 20 South, Range 60 East, to the west line of Section 35, Township 20 South, Range 59 East, fifty feet from the fifth standard parallel south on each side thereof;

(2) From the west line of Section 5, Township 21 South, Range 61 East, to the west line of Section 1, Township 20 South, Range 60 East, fifty feet from the fifth standard parallel south on the south side thereof;

(3) From the Charleston Boulevard/Boulder Highway intersection to the east line of Section 36, Township 20 South, Range 62 East, M.D.B. & M., fifty feet from the fifth standard parallel south on each side thereof, saving and excepting that portion of Section 36, Township 20 South, Range 61 East, which is situated within the city of Las Vegas.

(B) Decatur Boulevard:

(1) From the Tonopah Highway (U.S. Highway 95) to Vegas Drive seventy-five feet from the present centerline on each side thereof;

(2) From Charleston Boulevard to the Los Angeles Highway (U.S. Highway 91) seventy-five feet from the range line between Range 60 East and Range 61 East, on each side thereof.

(C) Industrial Road:

From the south city limits of Las Vegas to the south line of Section 14, Township 22 South, Range 61 East, M.D.B. & M., sixty feet from the centerline of the right-of-way or from a line situated fifty feet east of and parallel to the Union Pacific Railroad right-of-way on each side thereof.

(D) Nellis Boulevard:

From the Salt Lake Highway to the Boulder Highway sixty-five feet from the present centerline on each side thereof.

(E) Los Angeles Highway (U.S. 91 and 466) Las Vegas Boulevard South:

(1) All setback and/or future width lines shall be determined from the section lines or from the centerline of the highway as established herein and legally described as follows:

(a) Beginning at the northeast corner of Section 9, Township 21 South, Range 61 East, M.D.B. & M., thence westerly along the north line of said section a distance of 302.13 feet to the point of intersection of the centerline of Las Vegas Boulevard South as designated by the Nevada State Highway Department plan for Project No. RS005-1 (2); thence south  $28^{\circ} 00' W.$  a distance of 2281.04 feet; thence continuing southerly along a radius to the left of 4,012 feet a distance of 2004.98 feet; thence continuing S.  $0^{\circ} 20' W.$  a distance of 730.78 feet to a point.

(b) Thence the centerlines shall be established as those designated by the Nevada State Highway Department plans for Federal Road Project No. 0015-1(6) for the northbound lanes as follows:

(i) Southbound Centerline. From the last mentioned point, the southbound centerline shall begin at a point twenty-two feet S.  $89^{\circ} 40' W.$ ; thence S.  $0^{\circ} 20' 00'' E.$  a distance of one hundred feet to a point of curvature; thence southerly along a radius to the right of ten thousand feet a distance of 868.35 feet to the point of reverse curvature; thence southerly along a radius to the left ten thousand feet to a distance of 815.99 feet to a point; thence S.  $0^{\circ} 02' 00'' E.$  a distance of 3239.48 feet to a point; thence S.  $0^{\circ} 17' 00'' E.$  a distance of 5695.02 feet to a point; thence S.  $0^{\circ} 52' 00'' E.$  a distance of 1216.13 feet to a point on the north sixteenth line of Section 32, Township 21 South and Range 61 East

(ii) Northbound Centerline. From the last-mentioned point the northbound centerline shall begin at a point twenty-two feet N.  $89^{\circ} 40' E.$ ; thence S.  $0^{\circ} 20' 00'' E.$  a distance of one hundred feet to a point of curvature; thence southerly along a radius to the right of ten thousand feet a distance of 483.07 feet to the point of reverse curvature; thence southerly along a radius to the left of ten thousand feet a distance of 430.71 feet to the point of tangency; thence S.  $0^{\circ} 02' 00'' E.$  a distance of 4008.54 feet to a point; thence S.  $0^{\circ} 17' E.$  5694.35 feet to a point; thence S.  $0^{\circ} 52' 00'' E.$  a distance of 1354.83 feet to a point on the north sixteenth line of Section 32, Township 21 South, Range 61 East.

(c) From the north sixteenth line of Sections 32 and 33, Township 21 South, Range 61 East, to the quarter section lines of Sections 8 and 9, Township 23 South, Range 61 East, the centerline of the right-of-way shall be determined from the line common to said sections.

(d) From the quarter section line of Sections 8 and 9, Township 23 South, Range 61 East, to the California state line, the centerline shall be determined from the right-of-way as determined by the Nevada State Highway Department plans for Federal Aid Project No. 101C(2);

(2) Setback lines "A," "B" and "C" are established and shall be determined from the centerline as described in subsection (E)(1) above, as follows:

(a) Sahara Avenue to the south line of Section 16, Township 21 South, Range 61 East, east side:

(i) Beginning at the point of intersection of the centerline of right-of-way of Las Vegas Boulevard South and the north line of Section 9, Township 21 South, Range 61 East, line "A" shall begin fifty-eight feet; line "B" shall begin one hundred two feet; and line "C" shall begin one hundred twelve feet easterly of said point of intersection; thence extend southwesterly and parallel to said centerline a distance of six thousand five hundred eighty-seven feet to a point

(ii) Thence line "A" shall begin fifty-eight feet; line "B" shall begin sixty-seven feet; and line "C" shall begin seventy-seven feet easterly of the centerline of Las Vegas Boulevard South; thence extend southerly and parallel to the centerline a distance of three hundred eighty-five feet to a point

(iii) Thence line "A" shall begin fifty-four feet; line "B" shall begin sixty-seven feet; and line "C" shall begin seventy-seven feet easterly of the centerline thence extend southwesterly and parallel to said centerline a distance of four hundred eighty-six feet to a point

(iv) Thence line "A" shall begin fifty-four feet; line "B" shall begin fifty-eight feet and line "C" shall begin sixty-three feet easterly of the centerline thence extend southwesterly and parallel to said centerline a distance of two thousand two hundred feet to a point

(v) From the last-mentioned point; line "A" shall begin fifty-four feet; line "B" shall begin fifty-six feet; and line "C" shall begin seventy feet easterly of the centerline; thence extend southerly and parallel to said centerline a distance of five hundred feet to a point

(vi) Thence line "A" shall begin fifty-eight feet, line "B" shall begin one hundred two feet; and line "C" shall begin one hundred twelve feet easterly of said centerline thence extend southerly and parallel to said centerline to the south line of Section 16, Township 21 South, Range 61 East,

(b) Sahara Avenue to the south line of Section 16 and 17, Township 21 South, Range 61 East, west side:

(i) Beginning at the point of intersection of the centerline of the right-of-way of Las Vegas Boulevard South and the north line of Section 9, Township 21 South, Range 61 East, line "A" shall begin fifty-eight feet; line "B" shall begin one hundred two feet; and line "C" shall begin one hundred twelve feet westerly of said point of intersection; thence extend southerly and parallel to the centerline a distance of seven thousand six hundred five feet to a point

(ii) Thence line "A" shall begin at a point fifty-eight feet west of the centerline thence extend southwesterly and parallel to the centerline a distance of one thousand seven hundred fifty feet to a point; line "B" shall begin one hundred two feet; and line "C" shall begin one hundred twelve feet westerly of said centerline thence extend southwesterly along a bearing of S. 24° 34' 39" W. a distance of six hundred twenty-five feet at which point line "B" shall be sixty-seven

feet and line "C" shall be seventy-seven feet west of said centerline; thence lines "B" and "C" shall continue southerly and parallel to the centerline, a distance of one thousand twenty-seven and fourteen-hundredths feet to a point

(iii) From the last-mentioned point, line "A" shall begin fifty-eight feet west of the centerline thence extend southerly and parallel to the centerline to the south line of Section 16, Township 21 South, Range 61 East; line "B" shall begin sixty-seven feet and line "C" shall begin seventy-seven feet west of the centerline thence extend southerly and increase uniformly for a distance of six hundred sixty feet at which points line "B" shall be one hundred two feet and line "C" shall be one hundred twelve feet west of the centerline, thence lines "B" and "C" shall continue southerly and parallel to the centerline to the south line of Section 17, Township 21 South, Range 61 East.

(c) North line of Section 21, Township 21 South, Range 61 East, to the south line of Section 33, Township 21 South, Range 61 East, east side, northbound centerline:

(i) Beginning at the point of intersection of the northbound centerline, as described in subsection (E)(1)(b) above to the north sixteenth line of Section 33, Township 21 South, Range 61 East, line "A" shall begin sixty feet; line "B" shall begin ninety-four feet; line "C" shall begin one hundred five feet east of said point of intersection thence extend southerly and parallel to the northbound centerline a distance of eleven thousand nine hundred ninety-three feet to a point on the north sixteenth line of Section 32, Township 21 South, Range 61 East

(ii) From the north sixteenth line of Section 33, Township 21 South, Range 61 East, to the south line of said Section 33, Township 21 South, Range 61 East, lines "A" and "B" and "C" shall begin two hundred one feet east of said section line thence continue southerly and parallel to the west section line to a point on the south section line of Section 33, Township 21 South, Range 61 East.

(d) The north line of Section 20, Township 21 South, Range 61 East, to the south line of Section 32, Township 21 South, Range 61 East, west side, southbound centerline:

(i) Beginning at the point of intersection of the centerline of southbound centerline as described in subsection (E)(1)(b) above, line "A" shall begin sixty feet; line "B" shall begin ninety-four feet; line "C" shall begin one hundred five feet west of said centerline; thence extend southerly and parallel to the northbound centerline a distance of eleven thousand nine hundred ninety-six feet to the north sixteenth line of Section 33, Township 21 South, Range 61 East

(ii) From the north sixteenth line of Section 32, Township 21 South, Range 61 East, to the south line of Sections 32 and 33, Township 21 South, Range 61 East, lines "A," "B" and "C" shall begin two hundred one feet west of the east section line of Section 32; thence extend southerly and parallel to the east section line to a point on the south line of said Section 32, Township 21 South, Range 61 East.

(e) From the south line of Sections 32 and 33, Township 21 South, Range 61 East, to the east/west quarter section line of Sections 8 and 9, Township 23 South, Range 61 East:

Beginning at the section corner common to Sections 32 and 33, Township 21 South, Range 61 East and Sections 4 and 5, Township 22 South, Range 61 East to the east quarter section corner of Section 8, lines "A," "B" and "C" shall begin at a



point a distance of two hundred one feet east and west of said section corner; thence continue southerly and parallel to the east section line of Sections 5, 8, 17, 20, 29 and 32, Township 22 South, Range 61 East and the east line of Sections 5 and 8, Township 23 South, Range 61 East, to the east/west corner section line of Section 8, Township 23 South, Range 61 East,

(f) The east/west quarter section line of Section 8, Township 23 South, Range 61 East to the California state line:

Beginning at the intersection of the east/west quarter section line of Section 8, Township 23 South, Range 61 East, and the centerline of the Los Angeles Highway (U.S. 91 and 466) as determined by the Nevada State Highway Department plans for Federal Aid Project No. 101C(2), lines "A," "B" and "C" shall begin at a point two hundred one feet east and two hundred one feet west of said centerline thence extend southwesterly and parallel to said centerline of the Los Angeles Highway (U.S. 91 and 466) to its intersection with the California state line.

(F) Boulder Highway from Charleston Boulevard to the Henderson city limits:

(1) The minimum setback for any permanent building shall be fifty feet back of property line;

(2) The minimum setback for any temporary structure, vehicle, mobile home, camper or motor home over the height of six feet shall conform to the required setback of a permanent structure, i.e., fifty feet back of property line. (Ord. 429 (part), 1974)

**29.64.030 Signs.** (A) Outdoor Advertising Signs on Business Location. Outdoor advertising signs, structures or devices which are located on premises for the exclusive purpose of advertising the primary functions of the business in operation on the premises, where the entire sign is devoted to such purpose and no portion of which is used for advertising as allowed under subsection (C) of this section, shall not be allowed to extend closer to the centerline and/or section line than the distance specified herein for line "A" and only so long as the sign is used and maintained for the purpose as indicated above.

(B) Canopies. Any building or structure including a canopy or overhang other than advertising signs, shall not be allowed to extend closer to the centerline and/or section line than the distance specified for line "B."

(C) Outdoor Advertising Signs Generally. Any outdoor advertising sign, structure or device which advertises goods, services or businesses at another location and/or one where the goods and services advertised are not a primary function of the business in operation on the premises shall not be allowed to extend closer to the centerline and/or section line than the distance specified herein for line "C." (Ord. 429 (part), 1974)

**29.64.040 Special provisions for setback lines.** Notwithstanding any of the foregoing provisions of this chapter, special provisions are adopted as follows:

(A) Those streets designated on the master plan of streets and highways or by ordinance as class "A," "B" and "C" highways as follows:

(1) Class "A" highways, from the established centerline one hundred fifty feet on each side thereof,

(2) Class "B" highways, from the established centerline one hundred feet on each side thereof,

(3) Class "C" highways, from the established centerline fifty feet on each side thereof;

(B) From the section lines of every section of land within Clark County, fifty feet from every section line on each side thereof;

(C) From the quarter section lines of every section of land within Clark County, forty feet from every quarter section line on each side thereof;

(D) From every township line or range line within Clark County, seventy-five feet from every township or range line on each side thereof;

(E) From every other street, whether designated as a street, highway, thoroughfare, parkway, throughway road, avenue, drive, lane, boulevard, place or however otherwise designated, thirty feet from the centerline on each side thereof. (Ord. 429 (part), 1974)

## **use permit/variance**

## Chapter 29.66

## CONDITIONAL USES — VARIANCES — PERMITS

## Sections:

- 29.66.010 Submission procedure.
- 29.66.012 Hearings and decisions.
- 29.66.0125 Hearing and decisions for expansion of the gaming enterprise district.
- 29.66.013 Finality of decision and reconsideration.
- 29.66.014 Time limit for permit.
- 29.66.015 Conditional use purpose.
- 29.66.016 Reapplication.
- 29.66.017 Extensions of time.
- 29.66.019 Expiration of application not acted upon.
- 29.66.020 Conditional use permits.
- 29.66.025 General standards.
- 29.66.027 Conditions on conditional use.
- 29.66.030 Variance permits.
- 29.66.040 Recreational vehicle accommodations and campgrounds.

**29.66.010 Submission procedure.** (A) Initiation of Applications. An application for a conditional use permit or variance may be initiated by:

- (1) A property owner or the authorized agent of a property owner;
- (2) A person having a leasehold or other substantial interest in the property, in which case the application may be submitted only for the duration of the leasehold, and in no event may a lessee apply for a variance unless his leasehold interest is for at least a five-year period; or
- (3) In the case of property owned by a governmental entity, the petition of an authorized agent of that entity, or the petition of any person when accompanied by a written statement by an authorized agent of the entity indicating that the entity is aware of the application and does not object to the same; or
- (4) Governmental entities or public utilities.

(B) Application. The application for a conditional use permit or variance permit shall be filed in the office of the current planning division of the department of comprehensive planning upon forms furnished by the current planning division. The application shall be duly signed and acknowledged by a party authorized to initiate the petition in accordance with this section. All parcels of land included within a single petition must be contiguous. The application form shall be accompanied by the following data and information:

- (1) Plans drawn to a standard scale not smaller than one inch equals sixty feet or one-eighth inch equals one foot including:
  - (a) Four copies of a site development plan indicating the dimensions of the parcel of land, existing and proposed structures, setbacks, yards and open space, the size and number of parking spaces, the location of signs, the location of landscaping, and such other information that is necessary to the current planning division.
  - (b) Two copies of a floor plan indicating the size of existing and proposed buildings, the use of space and total square footage of buildings,

(c) Two copies of a rendered elevation indicating the architectural appearance, the types of building materials proposed for the exterior and the height of the existing and proposed buildings;

(2) Two copies of the most recent recorded deed to the property;

(3) Two copies of the most recent assessor's map indicating the subject parcels;

(4) One copy of the legal description of the property included in request;

(5) If the application is to expand the gaming enterprise district outside the Las Vegas Boulevard gaming zone or the Rural Clark County gaming zone as described in Chapter 463 of the Nevada Revised statutes and not exempted by the provision of Section 29.30.007(B)(7), four copies of a map showing the location of residential developments, structures for religious services, and schools (public or private) within two thousand five hundred feet of the property upon which the establishment is to be located.

(C) Fees. A conditional use permit or variance application shall require a fee payable to the county for each petition filed to partially defray the cost of making maps, sending out notices, and other administrative expenses involved in a petition for a change in these regulations as required by Chapter 29.76 of this title. (Ord. 2037 § 3, 1997; Ord. 1841 § 11, 1996; Ord. 1663 § 1, 1995; Ord. 1534 § 1, 1993; Ord. 984 § 1, 1986; Ord. 895 § 9, 1984; Ord. 850 § 2 (part), 1983)

**29.66.012 Hearings and decisions.** (A) Notice. Upon receipt in the proper form of any application, the planning commission shall hold a public hearing thereon, unless the application is to expand the gaming enterprise district, which application shall be presented to the board of county commissioners in accordance with Section 29.66.0125 below. Notice of time and place of the hearing, a description of the property involved, and the purpose of the hearing shall be sent by first-class mail at least ten days prior to the hearing to:

(1) Each owner of property within a minimum distance of three hundred feet of the exterior boundary of the lot or parcel of land described in such application, or the nearest thirty parcels, whichever provides notices to the greater number of property owners;

(2) Tenants of mobile home parks when the park is within a minimum distance of three hundred feet of the exterior boundary of the lot or parcel of land described in the application; and

(3) Any advisory board which has been established for the affected area by the board of county commissioners.

For the purpose of this section "property owner" means that owner shown upon the latest assessment rolls of the county.

(B) Records. From the time of filing of such application, the application together with all plans and data submitted shall become a part of the records of the current planning division and shall be available for public inspection in the current planning division's office.

(C) Action of Commission. At the conclusion of the hearing, the planning commission shall take such action thereon as it deems warranted under the circumstances. The action of the planning commission in granting or denying conditional use permits or variance permits shall become final five judicial days after approval or denial, unless appealed to the board of county commissioners.

The planning commission in granting the permit may establish conditions under which the lot or parcel of land may be used, or a building structure is constructed or altered, or make requirements as to architectural height of a building or structure, open spaces, parking areas or vehicle storage and conditions of operation of any enterprise, or may make any other conditions, requirements or safeguards that the commission may consider necessary to prevent damages or prejudice to adjacent properties or detriment to the county and to secure substantially the objectives of the regulation or provision to which conditional use permit, variance or adjustment is requested and will provide adequately for the maintenance of the integrity and character of the district in which located. When deemed necessary, the commission may require guarantees in such form as it may deem proper under the circumstances, to insure that the conditions designated in connection therewith are being or will be complied with.

(D) Appeal. The planning commission action shall be final unless appealed in writing by an interested party. Such appeal shall be delivered to the zoning division offices within five judicial days. A planning commissioner who voted on the application is not an "interested party" for the purposes of this subsection. In the event of an appeal, copies of the plans with the findings of the planning commission and reasons for their action shall be presented to the board of county commissioners. This board shall consider the matter within forty days after the filing of the appeal, and may restrict debate to issues raised in the appeal. No building permit in such instance shall be issued, unless the plans filed with application therefor, as required in this chapter, have first been acted upon by the planning commission and approved by the board of county commissioners.

(E) Exception. Use permit or variance applications which are part of a zone change application and filed concurrently shall be considered part of the zone change application and treated as provided in Chapter 29.68 of this code. (Ord. 2037 § 4, 1997; Ord. 1326 § 1, 1991; Ord. 1165 § 1, 1989; Ord. 1052 § 1, 1987; 895 § 10, 1984; Ord. 850 § 2 (part), 1983)

**29.66.0125 Hearing and decisions for expansion of the gaming enterprise district.** (A) Notice. Upon receipt in the proper form of any application for expansion of the gaming enterprise district outside the boundaries of the Las Vegas Boulevard gaming corridor or the Rural Clark County gaming zone as defined by Chapter 463 of the Nevada Revised Statutes the applicant shall have the burden of establishing that the request complies with the requirements listed under Section 29.30.007(B)(7) of this title unless the application involves property that is otherwise exempt from these requirements. This type of application shall be heard by the board of county commissioners at a public hearing at which interested parties and citizens shall have an opportunity to be heard. Notice of the time and place of the board of county commissioners hearing, a description of the property involved, and the purpose of the hearing shall be sent by first class mail at least ten days prior to the hearing to:

(1) The owners of real property within two thousand five hundred feet of the exterior boundary of the property upon which the establishment is proposed as reflected on the latest assessment rolls of the county;

(2) Mobile home park tenants when the park is within two thousand five hundred feet of the property upon which the establishment is proposed as described in the application; and

(3) Any advisory board which has been established for the affected area by the board of county of commissioners.

(4) In addition, at least ten days prior to the hearing, Clark County shall cause a sign to be posted on the property describing the time and place of the public hearing and the proposed zoning district. The sign shall be a minimum of four square feet in size. The letters indicating the time of the public hearing and the proposed zoning district shall be a minimum of two inches in height.

(B) Records. From the time of filing of such application, the application together with all plans and data submitted shall become a part of the records of the current planning division and shall be available for public inspection in the current planning division's office.

(C) Action of Board of County Commissioners. A court reporter certified in accordance with Chapter 656 of the Nevada Revised Statutes shall report the meeting. At the conclusion of the hearing, the board of county commissioners shall take such action thereon as it deems warranted under the circumstances, considering whether the proposed establishment is in conformance with NRS 463. A majority vote of three quarters of the members is required to approve an application listed under this subsection. The action of the board of county commissioners in granting or denying conditional use permits for the expansion of the gaming enterprise district shall become final ten judicial days after the board of county commissioner's decision, unless a notice of appeal to the review panel of the gaming policy committee has been received by the current planning division, or unless the action is to be reconsidered in accordance with Section 29.66.013 below.

(D) Conditions. The board of county commissioners in granting the permit may establish conditions under which the lot or parcel of land may be used, or a building structure is constructed or altered, or make requirements as to architectural height of a building or structure, open spaces, parking areas or vehicle storage and conditions of operation of any enterprise, or may make any other conditions, requirements or safeguards that the board of county commissioners may consider necessary to mitigate any adverse impact to adjacent properties or detriment to the county and to secure substantially the objectives of the regulation or provision to which conditional use permit is requested and will provide adequately for the maintenance of the integrity and character of the district in which located. When deemed necessary, the board of county commissioners may require guarantees in such form as it may deem proper under the circumstances, to ensure that the conditions designated in connection therewith are being or will be complied with.

(E) Appeal. The board of county commissioners action shall be final unless appealed to the review panel of the gaming policy committee in accordance with that panel's policies and procedures or unless the action is to be reconsidered in accordance with Section 29.66.013 below.

(F) Exception. Use permit or variance applications which are part of a zone change application and filed concurrently shall be considered part of the zone change application and treated as provided in Chapter 29.68 of this code. (Ord. 2037 § 5, 1997)

**29.66.013 Finality of decision and reconsideration.** The decision of the board of county commissioners shall become final and effective after five judicial days of the day the decision is made unless the petition is to expand the gaming enterprise district. If the petition is to expand the gaming enterprise district outside the Las Vegas Boulevard gaming corridor or the Rural Clark County gaming zone as defined by Chapter 463 of the Nevada Revised Statutes, and is not specifically exempted by the provisions of NRS 463, a decision either granting or denying such application shall become final ten judicial days after the decision, providing that the application is not requested to be reconsidered or that no evidence is provided to the current planning division that the application has been

29.66.013

appealed to the review panel of the gaming policy committee. No permits shall be issued concerning the property in question until the decision becomes final.

Should any commissioner within the five-judicial-day period who voted on the prevailing side of a decision notify the zoning administrator that he or she desires to have the decision reconsidered, the decision shall not become final and no permits or licenses shall be issued concerning the property in question. The item shall thereafter be placed upon a regularly scheduled meeting of the board of county commissioners when acting in their zoning capacity, within forty days of the end of the five-judicial-day period. Should a majority of those commissioners present approve reconsideration of the decision at that time, the item shall be scheduled for a public hearing at a subsequent meeting of the board of county commissioners. No permits or licenses for the property in question shall be issued until five judicial days after the board of county commissioners thereafter reaches a final decision. (Ord. 2037 § 6, 1997; Ord. 1853 § 1, 1996; Ord. 1165 § 2, 1989)

**29.66.014 Time limit for permit.** Each conditional use permit or variance permit authorized under the provisions of this chapter which is not actually established or the actual construction commenced on the buildings or structures involved within the time limit established at the time of approval thereof is null and void. In the event some construction work is involved, it must actually commence within the stated period and must be diligently prosecuted to completion. A lapse of work for a period of six months will be sufficient to cause the invalidity of the permit; provided further, when any use of land, building, structure or premises established under the provision of this section has been discontinued for a period of one year, it is unlawful to again use such land or building or premises for such discontinued use unless a subsequent conditional use permit or variance permit is authorized and issued therefor. (Ord. 996 § 1, 1986; Ord. 895 § 11, 1984; Ord. 850 § 2 (part), 1983)

**29.66.015 Conditional use purpose.** In order to accomplish the general purpose of this title, certain unusual uses need special consideration. They require consideration in each case of the impact of those uses upon neighboring land and the public need for the particular uses at the particular location. They are not permitted by right and are subject to the regulations of this chapter and the conditions imposed in a conditional use permit. (Ord. 1301 § 2 (part), 1991)

**29.66.016 Reapplication.** No person, including the original applicant, shall reapply for a similar conditional use permit or variance permit on the same land, building, or



structure within a period of six months from the date of final denial by the board of county commissioners of such previous application. If the second application is denied, no person, including the original applicant, shall reapply again for a similar conditional use permit or variance permit on the same land, building or structure within a period of twelve months from the date of final denial of the second application. An application that is withdrawn from the consideration of the board of county commissioners or the planning commission within fifteen days in advance of their scheduled public hearing shall be considered to be the equivalent of a final denial for the purposes of the time periods which regulate reapplications unless for good cause shown the board of county commissioners or the planning commission allows the withdrawal to be without prejudice. The six-month or one-year time periods which bar reapplications shall be calculated from the date a withdrawal is received in writing by the zoning administrator or the day of the meeting at which the application is withdrawn. (Ord. 1189 § 1, 1990; Ord. 895 § 12, 1984; Ord. 850 § 2 (part), 1983)

**29.66.017 Extensions of time.** Extensions of time to any variance permit or conditional use permit may be granted by the planning commission, if requested prior to the expiration of the original approval, on forms furnished by the current planning division. Planning commission actions on requests for extensions of time may be appealed to the board of county commissioners, in the same manner as prescribed for appeals of planning commission actions on initial applications for variances and conditional use permits. A fee as required by Chapter 29.76 of this title shall be paid to cover the costs of administrative expenses. (Ord. 1841 § 12, 1996; Ord. 1663 § 2, 1995; Ord. 1534 § 2, 1993; Ord. 1114 § 1, 1988; Ord. 996 § 2, 1986; Ord. 895 § 13, 1984; Ord. 850 § 2, 1983)

**29.66.019 Expiration of application not acted upon.** When any application for a variance or conditional use permit is not acted upon due to:

- (A) The failure of the applicant to be represented at a scheduled public hearing on such application; or
- (B) The request or consent of the applicant to withhold action on any application;
- (C) And such application remains in an inactive status for more than one hundred eighty days without a request by the applicant for rehearing of the application, then such application shall expire and be treated as withdrawn. (Ord. 996 § 3, 1986; Ord. 895 § 14, 1984; Ord. 850 § 2 (part), 1984)

**29.66.020 Conditional use permits.** The planning commission has the power to authorize the issuance of conditional use permits for the specified types of uses, buildings or structures for which such permits are required or permitted by the provisions of this title.

All of the following, and all matters directly related thereto, are declared to be special uses and such declaration is based on the fact that all of the uses herein enumerated possess characteristics of unique and special forms as to make impractical their being included automatically in any class of use as set forth in the various zones defined in this title:

- (A) Airports, including commercial or public, and landing fields for private use;
- (B) Cemeteries, columbariums, crematories, mortuaries, and mausoleums upon condition that the area of any cemetery not be less than forty acres;
- (C) Establishments involving large assemblages of people or automobiles including:

- (1) Amusement parks.
- (2) Circuses.
- (3) Fairgrounds.
- (4) Race tracks.
- (5) Recreational vehicle accommodations and campgrounds in conjunction with and on the same property as an outdoor motor vehicle racetrack having fifty thousand or more seats provided that the recreational vehicle accommodations and campgrounds are used in connection with events held at the racetrack. The conditional use permit shall specify the number of events per year and that such use shall not exceed six days in length for each event.
- (6) Privately-operated recreational centers; rock concerts; miniature golf courses; amusement arcades; nudist camps; privately operated party, picnic and camping facilities; and all other similar privately-operated recreational activities.
- (7) Swap meets.
- (8) Auctions;
- (D) Hospitals, clinics, rest homes and sanitariums upon the following conditions:
  - (1) All buildings are located at least fifty feet from any property line common to other property not devoted to a similar purpose.
  - (2) Building coverage not to exceed forty percent of the building site area.
  - (3) Location of the site, building plans and plot plan.
  - (4) The conditional use permit application for any such hospital, clinic, rest home, or sanitarium shall specify in detail the proposed uses of the facility, including whether or not such facility is to be a general purpose (physiological treatment) hospital, a psychiatric hospital, a maternity hospital, or other form of specialized service hospital. The type of facility being proposed shall also be detailed on all public hearing notices, agenda items, and other documents related to such conditional use permit application;
- (E) Public utility buildings and structures and radio or television transmitters or antennas other than amateur licensed;
- (F) Churches, museums and libraries upon condition that the location, building appearance, building height, and plot plans be approved;
- (G) Schools (including private vocational and avocational schools for five or more students), colleges, public playgrounds and athletic fields. A gymnasium, auditorium, theater, or similar use may be permitted in conjunction with a school at a height greater than permitted by this code providing plans showing the height are approved by the planning commission or the board of county commissioners.
- (H) Power transmission lines greater than sixty-nine kv;
- (I) Live entertainment which is provided incidental, or in conjunction with another commercial use. Such permit shall be granted with proof that potential traffic, parking, noise, and security issues will be adequately mitigated to protect neighboring uses.
- (J) Railroad, bus, truck and air terminals, upon the condition that the location, building, structure and plot plans are approved;
- (K) Child nurseries upon the condition that the location and building plan be approved and limited to not more than twelve children when the facility is located fronting a street less than eighty feet in width, and further provided that the applicant shall demonstrate the use is compatible with neighboring uses. Nothing in this section shall apply to a child care facility defined as a "family care home" by Chapter 6.16 of this code;
- (L) Convention and exposition halls;
- (M) Watchman's trailer in conjunction with a commercial or industrial use;

(N) Offices and facilities of any governmental agency in residential districts when located on parcels of less than five gross acres;

(O) Heliports, upon condition that each proponent for a heliport must provide to the board of county commissioners (through the director of aviation and the director of comprehensive planning with their recommendations) a planning report analyzing the environmental aspect of the requested conditional use permit giving attention to whether the proposed use permit would adversely affect noise levels for a significant number of people or would produce any other significant impact upon the human environment, including those related to traffic generation and land-use compatibility. Proponents for heliports must also provide evidence of airspace and air traffic approval of the Federal Aviation Administration for the operation of the proposed heliport;

(P) Cooperative apartments, where ownership is a condition of residence and/or there is an agreement to maintain some portion of the apartment and/or apartment building as a common area and/or responsibility;

(Q) Keeping of exotic animals; provided, that the application for such permit shall demonstrate that all federal, state, and county animal control regulations have been complied with;

(R) Belfries, church spires, flag poles, elevator bulkheads, smokestacks, monuments, ornamental towers or spires, water towers and radio transmission and receiving mast towers at heights greater than permitted by this code upon the following conditions:

- (1) Used as part of and auxiliary to the lawful use of the premises,
- (2) Designed and constructed in accordance with all building codes,
- (3) The structure is designed and maintained to prohibit habitation,
- (4) Meets the standards of the Federal Aviation Administration and the department of aviation and not to interfere with safe aviation operation and communication,
- (5) Radio transmission and receiving towers to comply with the following additional conditions:

- (a) Licensure as required by Federal Communications Commission.
- (b) Height not to exceed that necessary for efficient operating as authorized by the Federal Communications Commission.
- (c) The operation of the communication facility contributes to public purposes as expressed in federal communications laws and regulations.
- (d) Designed and operated so as to not to interfere with other lawful radio or telephonic communication;

(S) Senior Housing.

(1) The maximum residential density permitted by the zoning district may be increased in the case of senior housing development only where master planned or previously zoned for multifamily use and then limited to:

- (a) R-3 zone, not more than twenty-two units per gross acre.
- (b) R-4 zone, not more than thirty-nine per gross acre;

(2) Evidence. Applicant shall submit evidence which shows that the proposed development is designed to produce an environment of stable and desirable character and that areas of open space, parking, recreational facilities, service and other common areas are sufficient and adequate to properly serve the anticipated population of the development.

(3) Road Requirements.

(a) Within any senior housing development with private streets passing in front of each residential unit, such streets will be forty feet in width, consisting

of thirty-six feet of paving, a two-foot roll curb and gutter on each side, and a four-foot sidewalk on each side of the street.

(b) Within senior housing developments designed with vehicle access only to parking areas, driveways to and within such parking areas shall not be less than twenty-four feet in width exclusive of parking stalls.

(T) Gravel pits, and/or concrete/asphaltic batch plants only in conjunction with the gravel pit, or temporary construction storage only in conjunction with a major project as defined by Title 26 of the Clark County Code and providing the gravel is excess gravel generated in the course of grading for the major project, subject to a one thousand foot setback to any equipment from an existing occupied residential dwelling on any other property, and providing that paved access is provided if the property is located within the PM10 nonattainment area described in Section 29.06.030(C). The provisions of Chapter 29.44 pertaining to landscaping, trash enclosure and zone boundary wall requirements shall apply to such a use, and paved parking and driveways shall not be required providing dust control measures are applied if required by the Clark County air pollution control sign. Any use permit approval shall not be for a period of time to exceed five years, or the time required for completion of the major project, whichever comes first.

(U) Gravel pits, temporary construction storage, and/or concrete/asphaltic batch plants in conjunction with temporary construction projects on a site other than the construction site, providing that paved access is provided if the property is located within the PM10 nonattainment area described in Section 29.06.030(C), and that the property is adequately buffered from existing residential uses as determined by the planning commission or board of county commissioners. The provisions of Chapter 29.44 pertaining to landscaping, trash enclosure and zone boundary wall requirements shall not apply to such a use, and paved parking and driveways shall not be required providing dust control measures are applied if required by the Clark County air pollution control division. Any use permit approval shall not be for a period of time to exceed two years, or the time required for completion of the construction project, whichever comes first.

(V) Gravel pits, temporary construction storage, and/or concrete/asphaltic batch plants only in conjunction with a public project initiated and funded by any governmental entity, providing the gravel is excess gravel generated in the course of grading for the public project, and providing that the property is adequately buffered from existing residential uses as determined by the planning commission or board of county commissioners. The provisions of Chapter 29.44 pertaining to landscaping, trash enclosure, and zone boundary wall requirements shall not apply to such a use, and paved parking and driveways shall not be required providing dust control measures are applied if required by the Clark County air pollution control division. Any use permit approval shall not be for a period of time to exceed two years, or the time required for completion of the public project, whichever comes first. (Ord. 2036 § 2, 1997; Ord. 1998 § 2, 1997; Ord. 1922 § 1, 1996; Ord. 1880 § 2, 1996; Ord. 1615 § 1 (E), 1994; Ord. 1301 § 2 (part), 1991; Ord. 1035 § 1, 1987; Ord. 895 § 15, 1984; Ord. 745 § 2, 1981; Ord. 721 § 1, 1980; Ord. 716 § 1, 1980; Ord. 669 §§ 5, 6, 7, 1979; Ord. 609 § 2, 1979; Ord. 583 § 1, 1978; Ord. 509 §§ 12 and 13, 1976; Ord. 429 (part), 1974)

**29.66.025 General standards.** No conditional use permit shall be approved unless it shall be found the proposed conditional use is appropriate in the location for which it is proposed. This finding shall consider the following criteria:

(A) The proposed use shall be in harmony with the general purpose, goals, objectives and standards of the comprehensive plan and of this title;

(B) The proposed use at the proposed location shall not result in a substantial or undue adverse effect on: adjacent property, the character of the neighborhood, traffic

conditions, parking, public improvements, public sites or rights-of-way, or other matters affecting the public health, safety and general welfare:

(C) The proposed use in the proposed area will be adequately served by and will not impact an undue burden on any public improvements, facilities or services. (Ord. 1301 § 2 (part), 1991)

**29.66.027 Conditions on conditional use.** All approved plans, conditions, restrictions and rules are made a part of the conditional use permit. Acceptance of a conditional use permit shall constitute certification on that part of the applicant that the proposed use conforms to all conditions, restrictions, rules and regulations. The violation of such will be a violation of the code. (Ord. 1301 § 2 (part), 1991)

**29.66.030 Variance permits.** Except for the use and noise attenuation regulations of Chapter 29.51 of this code and the requirements for the expansion of the gaming enterprise district as contained in Section 29.30.007(B)(7) of this title, the planning commission shall have the power to grant variances to the height, yard area and use regulations of this title and to authorize the issuance of variance permits therefor where by reason of exceptional narrowness, shallowness or shape of a specific piece of property at the time of the enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of such piece of property, the strict application of such regulation enacted upon this title would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships, upon, the owner of such property, to authorize upon an application relating to the property, a variance from such strict application so as to relieve such difficulties or hardship, provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of any ordinance or resolution and under such conditions as such board may deem necessary to assure that the general purpose and intent of this title will be observed, public safety and welfare secured and substantial justice done.

(A) **Application for Variance Permits.** In addition to the facts and information required in Section 29.66.010, each application shall be accompanied by the written statement of the applicant wherein the strict application of this title would be an inequality and giving adequate evidence in such form as the planning commission may require, showing that:

(1) There are special circumstances or conditions applicable to the property or building referred to in the application;

(2) The granting of the application is necessary for the preservation and enjoyment of substantial property rights;

(3) The granting of such application will not materially affect the health or safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood;

(4) The granting of such application will not adversely affect any general plan of Clark County.

(B) The planning commission shall hold a public hearing on each properly submitted application for a variance as required under Section 29.66.010.

(C) If the planning commission finds that the four conditions designated in subsection (A) of this section exist and that material detriment or injury to the neighborhood will not result from the issuance of a variance permit, it may approve or conditionally approve the same. (Ord. 2037 § 7, 1997; Ord. 1806 § 5, 1996; Ord. 975 § 5, 1986; Ord. 895 § 16, 1984; Ord. 429 (part), 1974)

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**29.66.040 Recreational vehicle accommodations and campgrounds.** Recreational vehicle accommodations and campgrounds shall be permitted in conjunction with an outdoor motor vehicle racetrack having fifty thousand or more seats, without compliance with this chapter and Chapter 29.51 of the Clark County Code, provided that the recreational vehicle accommodations and campgrounds are used in connection with events held at the racetrack prior to June 30, 1998, and so long as such use does not exceed six days in length for each event and provided that there is no recreational vehicle accommodations or campground use in the accident potential zone as shown on Exhibit 1 attached to the ordinance codified in this section and incorporated by reference herein. (Ord. 2036 § 3 (part), 1997; Ord. 1998 § 3 (part), 1997)

## Chapter 29.68

## AMENDMENTS AND BOUNDARY CHANGES

## Sections:

- 29.68.010 Procedure authorized.
- 29.68.015 Master plan for land use.
- 29.68.020 Initiation of changes, amendments.
- 29.68.025 Requirements for submittal of petition.
- 29.68.030 Hearings and notice.
- 29.68.040 Additional property included.
- 29.68.060 Decision by county commission.
- 29.68.065 Finality of decision and reconsideration.
- 29.68.070 Fees.
- 29.68.080 Resolution of intent to reclassify.
- 29.68.085 Interim compliance.
- 29.68.090 Reapplication.
- 29.68.100 Extensions of time.
- 29.68.110 Expiration of applications not acted upon.

**29.68.010 Procedure authorized.** Boundaries of zoning districts established by this title or the classification of property uses and property development standards therein may be amended, reclassified or altered by the board of county commissioners whenever public necessity and convenience and general welfare require. (Ord. 1223 § 1, 1990; Ord. 895 § 18, 1984; Ord. 429 (part), 1974)

**29.68.015 Master plan for land use.** The Clark County comprehensive plan and all adopted amendments thereto shall serve as a pattern and guide for the orderly physical growth and development of Clark County. However, for the purposes of determining procedures and submittal requirements for zone change applications, the zoning administrator shall apply only a portion of the comprehensive plan described herein as the master plan for land use, and shall have the authority to interpret these described portions for application submittal purposes. The "master plan for land use" shall consist of the following elements of the adopted comprehensive plan:

(A) The general plan map for unincorporated portions of the Las Vegas Valley adopted by the board of county commissioners on January 21, 1974, except as amended by the adoption of one or more of the following more recent plans:

(B) The plans and policy statements on pages 51 through 58 of the Laughlin land use and development guide adopted by the board of county commissioners on February 16, 1993;

(C) The plans and policy statements on pages 59 through 77 of the Northwest Clark County land use and development guide adopted October 15, 1996;

(D) The plans and policy statements on pages 71 through 94 of the Northeast Clark County land use and development guide adopted by the board of county commissioners on May 3, 1994;

(E) The plans and policy statements on pages 55 through 65 of the Enterprise land use and development guide adopted by the board of county commissioners on December 15, 1992;

(F) The plans and policy statements on pages 12 through 26 of the Spring Valley land use and development guide adopted by the board of county commissioners on August 19, 1997;

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(G) The plans and policy statements on pages 43 through 53 of the East Las Vegas land use and development guide adopted by the board of county commissioners on April 16, 1991;

(H) The general policies on pages 39 through 43 of the Lone Mountain land use and development guide adopted by the board of county commissioners on April 16, 1991 together with the Lone Mountain land use plan update adopted on July 15, 1997;

(I) The plans and policy statements on pages 49 through 65 of the Sunrise Manor land use and development guide adopted by the board of county commissioners on May 21, 1991;

(J) The plans and policy statements on pages 49 through 83 of the Winchester and Paradise land use and development guide as amended and adopted by the board of county commissioners on February 6, 1996;

(K) The plan and policy statements for community district 1, community district 2, community district 3, and community district 6 boundaries as amended and adopted by the board of county commissioners on April 2, 1996, and also as amended relative to the community district 2 A-E60 development guidelines on July 16, 1996;

(L) The plans and policy statements on pages 42 through 57 of the South County land use and development guide adopted on December 6, 1994;

(M) The plans and policy statements on pages 9 and 10 of the Summerlin's southern comprehensive planned community land use and development guide adopted June 21, 1995. (Ord. 1999 § 1, 1997: Ord. 1923 § 1, 1996: Ord. 1842 § 1, 1996: Ord. 1816 § 1, 1996: Ord. 1688 § 1, 1995: Ord. 1675 § 1, 1995: Ord. 1641 § 1, 1994: Ord. 1623 § 1, 1994: Ord. 1585 § 1, 1994: Ord. 1475 § 1, 1993: Ord. 1462 § 1, 1992: Ord. 1444 § 1, 1992: Ord. 1381 § 1, 1992: Ord. 1287 § 1, 1991: Ord. 1223 § 2, 1990)



**29.68.020 Initiation of changes, amendments.** (A) Amendments, supplements or changes to the zoning regulations, the classification of uses and the property development standards may be initiated either by:

- (1) The planning commission; or
- (2) The board of county commissioners.

(B) Amendments to zoning district boundaries or zoning district reclassifications may be initiated by:

- (1) The planning commission;
- (2) The board of county commissioners;
- (3) The petition of one or more owners of each parcel of property for which the boundary amendment or reclassification is requested; or
- (4) In the case of property owned by a government entity, the petition of an authorized agent of that entity, or the petition of any person when accompanied by a written statement by an authorized agent of the government entity indicating that the entity is aware of the application and does not object to the same. (Ord. 1223 § 3, 1990; Ord. 984 § 2, 1986; Ord. 895 § 19, 1984; Ord. 429 (part), 1974)

**29.68.025 Requirements for submittal of petition.** A petition or application to amend a zoning district boundary or change a zoning district classification shall be filed in the office of the zoning division of the department of comprehensive planning upon forms furnished by the department of comprehensive planning. The application shall be duly signed and acknowledged by a party authorized to initiate the petition in accordance with Section 29.68.020. All parcels of land included within a single petition must be contiguous. The application form shall be accompanied by the following data and information:

(A) Plans drawn to a standard scale not smaller than one inch equals sixty feet or one-eighth inch equals one foot including:

(1) Four copies of a site development plan indicating the dimensions of the parcel of land, existing and proposed structures, setbacks, yards and open space, the size and number of parking spaces, the location of signs, the location of landscaping and such other information that is necessary to the zoning division.

(2) Two copies of a floor plan indicating the size of existing and proposed buildings, the use of space and total square footage of buildings.

(3) Two copies of a rendered elevation indicating the architectural appearance, the types of building materials proposed for the exterior and the height of the existing and proposed buildings;

(B) Two copies of the most recent recorded deed to the property;

(C) Two copies of the most recent assessor's map indicating the subject parcels;

(D) One copy of the legal description of the proposed boundary of each zone classification requested;

(E) If the application is to expand the gaming enterprise district outside the Las Vegas Boulevard gaming zone or the Rural Clark County gaming zone as described in Chapter 463 of the Nevada Revised statutes unless otherwise exempt from the requirements of Section 29.30.007(B)(7), four copies of a map showing the location of residential developments, structures for religious services, and schools (public or private) within two thousand five hundred feet of the property upon which the establishment is to be located.

(F) If a zone change application includes a request for a zoning classification or district which is not within the range of land uses and residential densities indicated for the subject parcel on the master plan for land use, the application form must be accompanied by additional information regarding utilities and public services. Applications in the areas where the most recently adopted master plan for land use is the 1974 general plan map, described in Section 29.68.015 (A), are exempt from this requirement. Three

separate, unbound copies of the following reports must be submitted. Each report must be on a separate sheet of paper and must include in the upper right-hand corner the name of the correspondent, telephone number, project location and assessor's parcel number(s). The reports are to include general preliminary information for consideration by the board of county commissioners. They are intended to indicate how services not contemplated, or planned, in the master plan for land use can be provided to accommodate any increased demand for services created by the project. They are not intended to be detailed engineering studies nor are they intended to substitute for detailed engineering studies required later in the development process. The reports include:

(1) **Water Supply Report.** The applicant shall submit data indicating that there is an adequate supply of water and that the necessary facilities exist to deliver the water to accommodate the proposed land use. If the existing water supply or service facilities are not adequate to accommodate the proposed land use, the applicant must indicate how the existing supply and service facilities will be augmented to accommodate the proposed development. The report should also address the effect of any officially adopted plans and/or schedules for publicly provided improvements.

(2) **Wastewater Treatment Report.** The applicant shall submit data indicating that the existing wastewater treatment facilities and pipelines are adequate to accommodate the proposed land use. If the existing wastewater treatment capacity and pipelines are not adequate to accommodate the proposed land use, the applicant must indicate how the existing wastewater treatment capacity and pipelines will be augmented to accommodate the proposed development. The report should also address the effect of any officially adopted plans and/or schedules for publicly provided improvements.

(3) **Traffic Report.** The applicant shall submit preliminary traffic information defining the amount of traffic expected to be generated by the proposed land use, the effects of the traffic expected on the streets, roads and highways, and proposed mitigation measures considered by the applicant to be adequate to alleviate any adverse traffic impacts resulting from the proposed land use. The report should address the effect of the master transportation plan of the regional transportation commission and any officially adopted plans and/or schedules for publicly provided improvements.

(4) **Drainage Report.** The applicant shall submit preliminary drainage information defining how the applicant will drain and flood-protect the proposed land use and proposed mitigation measures considered by the applicant to be adequate to alleviate adverse flood control and drainage impacts on upstream and downstream properties resulting from the proposed land use. The report should address the effect of the flood control master plan of the regional flood control district and any officially adopted plans and/or schedules for publicly provided improvements.

(5) **Right-of-Way Report.** The applicant shall submit preliminary information delineating public and private right-of-way dedication measures considered by the applicant to be adequate to alleviate adverse access and traffic circulation impacts resulting from the proposed land use. If the right-of-way dedication measures proposed deviate from the requirements set forth in Chapter 28.26 of this code, the master transportation plan of the regional transportation commission or the flood control master plan of the regional flood control district, a traffic study or drainage study to evaluate the impact on the regional facilities shall be reviewed and accepted by the department of public works and, if required, the regional transportation commission or regional flood control district prior to preparation of the right-of-way report.

(6) **Geotechnical Report.** The applicant shall submit preliminary information delineating proposed mitigation measures considered by the applicant to be adequate to alleviate adverse subsurface soil and groundwater conditions that will impact the proposed land use.

(7) **Fire Protection Report.** The applicant shall submit data indicating that there is an adequate supply of water for fire protection as required by Section 13.04.470 of this code and that the existing water delivery facilities are sufficient to provide adequate fire protection for the proposed development. The applicant must also submit information indicating the location of the nearest fire station and its distance from the subject property. If the existing water supply and firefighting services are not adequate to accommodate the proposed land use, the applicant must indicate how the existing services will be augmented to provide adequate fire protection for the proposed development. The report should also address the effect of any officially adopted plans and/or schedules for publicly provided improvements.

(8) **Police Service Report.** The applicant shall submit the number of square feet proposed of each of the following uses: single-family residences, multifamily residences, commercial, industrial and hotel/casino. The applicant shall also submit the proposed schedule for development and any plans for phasing the project. In addition, the report shall include the number of calls for police service in the vicinity and the average police response time. The report should identify any security measures proposed to be provided for the project by the applicant and should also address the effect of any officially adopted plans and/or schedules for publicly provided improvements.

(9) **Educational Services Report.** The applicant shall submit an estimate of the number of school-age children (elementary through high school) which will live in the proposed development and data regarding the current capacity of the public schools which provide educational services to the area. The report should also address the effect of any officially adopted plans and/or schedules for publicly provided improvements.

(10) **Additional Reports.** The planning commission and/or board of county commissioners may require the submittal of any other reports and/or information they feel is necessary to make an informed decision on the zone change request. (Ord. 2037 § 8, 1997; Ord. 1223 § 4, 1990)

**29.68.030 Hearings and notice.** (A) Amendments, supplements or changes initiated under Section 29.68.020 (A) shall be considered at a public hearing following the notice required by state law.

(B) Upon the filing of a complete and verified application for an amendment to a zoning district boundary or a zoning district reclassification, the application shall be scheduled for a public hearing.

(1) When the application includes a request for a zoning classification or district which is not within the range of land uses and residential densities indicated for the subject parcel on the master plan for land use, the applicant shall have the burden of establishing that the request either complies with the land use and development plan or that exceptional circumstances or conditions apply to the property in question which warrant a deviation from the master plan for land use. This type of application shall be heard first by the planning commission during at least one public hearing at which parties of interest and citizens shall have an opportunity to be heard. Notice of the time and place of the planning commission hearing, a description of the property involved, and the purpose of the hearing shall be sent by first class mail at least ten days prior to the hearing to:

(a) The owners of the nearest thirty parcels or nearby property owners within the notice of distance specified below, whichever provides notice to the greater number of property owners, as reflected on the latest assessment rolls of the county;

(b) Mobile home park tenants when the park is within the notice distance specified below or is on one of the nearest thirty parcels; and

(c) Any advisory board which has been established for the affected area by the board of county commissioners.

When the property proposed to be rezoned is in whole or in part being changed from the R-E (rural estates residential) district to a less-restrictive district, the notice distance shall be five hundred feet from the exterior boundary of the lot or parcel of land described in the application. In all other instances, the notice distance shall be three hundred feet from the exterior boundary of the lot or parcel of land described in the application.

In addition, at least ten days prior to the hearing Clark County shall cause a sign to be posted on the property describing the time and place of the public hearing and the proposed zoning district. The sign shall be a minimum of four square feet in size. The letters indicating the time of the public hearing and the proposed zoning district shall be a minimum of two inches in height.

At the conclusion of the hearing, the planning commission shall take such action thereon as it deems warranted under the circumstances. The recommendation of the planning commission shall be forwarded to the board of the county commissioners within forty days of the final planning commission hearing on the matter. When the date and time of the subsequent board of county commissioners hearing is announced at the planning commission hearing, additional notice shall not be mailed to nearby property owners or mobile home park tenants nor shall a new sign be posted unless deemed advisable by the board of county commissioners.

(2) The board of county commissioners shall hold at least one public hearing on each petition which shall be advertised in a newspaper of general circulation in the county at least ten days before the day of such hearing, at which parties of general interest and citizens shall have an opportunity to be heard. If a planning commission hearing is not required by subsection (B)(1) of this section, then notice of the time and place of the board of county commissioners hearing, a description of the property involved and the purpose of the hearing shall be sent by first class mail at least ten days prior to the hearing to:

- (a) The owners of the nearest thirty parcels or nearby property owners within the notice distance specified below, whichever provides notice to the greater number of property owners, as reflected on the latest assessment rolls of the county,
- (b) Mobile home park tenants when the park is within the notice distance specified below or is on one of the nearest thirty parcels, and
- (c) Any advisory board which has been established for the affected area by the board of county commissioners.

When the property proposed to be rezoned is in whole or in part being changed from the R-E (rural estates residential) district to a less-restrictive district, the notice distance shall be five hundred feet from the exterior boundary of the lot or parcel of land described in the application. In all other instances, the notice distance shall be three hundred feet from the exterior boundary of the lot or parcel of land described in the application.

In addition, if a planning commission hearing is not required by subsection (B)(1) of this section, then at least ten days prior to the hearing Clark County shall cause a sign to be posted on the property describing the time and place of the public hearing and the proposed zoning district. The sign shall be a minimum of four square feet in size. The letters indicating the time of the public hearing and the proposed zoning district shall be a minimum of two inches in height.

(3) When the petition includes a request to expand the gaming enterprise district outside the boundaries of the Las Vegas Boulevard gaming corridor or the Rural Clark County gaming zone as defined by Chapter 463 of the Nevada Revised Statutes the applicant shall have the burden of establishing that the request complies with the requirements listed under Section 29.30.007(B)(7) of this title unless the application involves property that is otherwise exempt from these requirements. This type of application shall be heard by the board of county commissioners at a public hearing at which parties of interest and citizens shall have an opportunity to be heard. Notice of the time and place

of the board of county commissioners hearing, a description of the property involved, and the purpose of the hearing shall be sent by first class mail at least ten days prior to the hearing to:

(a) The owners of real property within two thousand five hundred feet of the exterior boundary of the property upon which the establishment is proposed as reflected on the latest assessment rolls of the county;

(b) Mobile home park tenants when the park is within two thousand five hundred feet of the exterior boundary of the property upon which the establishment is proposed as described in the application; and

(c) Any advisory board which has been established for the affected area by the board of county commissioners.

In addition, at least ten days prior to the hearing, Clark County shall cause a sign to be posted on the property describing the time and place of the public hearing and the proposed zoning district. The sign shall be a minimum of four square feet in size. The letters indicating the time of the public hearing and the proposed zoning district shall be a minimum of two inches in height.

The board of county commissioners shall hold at least one public hearing on each petition which shall be advertised in a newspaper of general circulation in the county at least ten days before the day of such hearing, at which parties of general interest and citizens shall have an opportunity to be heard. A court reporter certified in accordance with Chapter 656 of the Nevada Revised Statutes shall report the meeting. The board of county commissioners shall consider whether the proposed establishment is in conformance with NRS 463. A majority vote of three quarters of the members is required to approve an application listed under this subsection. (Ord. 2037 § 9, 1997; Ord. 1333 § 1, 1991; Ord. 1326 § 2, 1991; Ord. 1223 § 5, 1990; Ord. 973 § 1, 1986; Ord. 895 § 20, 1984; Ord. 429 (part), 1974)

**29.68.040 Additional property included.** When the board of county commissioners deems it necessary or expedient, the commission may consider other property for change or amendment in addition to the property described in an application for a zone change and shall include such additional property in the notices of hearing, and consider amendments relating to such property at the hearing. (Ord. 1223 § 6, 1990; Ord. 895 § 21, 1984; Ord. 429 (part), 1974)

**29.68.060 Decision by county commission.** The board of county commissioners shall make such decision as it deems warranted, or if deemed necessary, the board of county commissioners may refer such application to the planning commission for a recommendation. If, from the facts presented and the findings contained in the reports and recommendations, including the recommendation from the town advisory board or citizens' advisory council, the board of county commissioners determines that the public health, safety, welfare and convenience will best be served by an amendment, supplement or change to the zoning regulations, the classification of uses or the property development standards or an amendment to a zoning district boundary or a zoning district reclassification then, and in such event, the board of county commissioners may indicate its general approval by the adoption of an ordinance amending the text and/or the official zoning map or by the adoption of a "resolution of intent to reclassify" the property. The zoning regulations shall be adopted in accordance with the master plan for land use and shall be designed:

- (1) To preserve the quality of air and water resources;
- (2) To promote the conservation of open space and the protection of other natural and scenic resources from unreasonable impairment;
- (3) To provide for recreational needs;

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- (4) To protect life and property in areas subject to floods, landslides and other natural disasters;
- (5) To conform to the adopted population plan;
- (6) To develop a timely, orderly and efficient arrangement of transportation and public facilities and services;
- (7) To ensure that the development on land is commensurate with the character and the physical limitations of the land;
- (8) To take into account the immediate and long-range financial impact of the application of particular land to particular kinds of development, and the relative suitability of the land for development;
- (9) To promote health and the general welfare; and
- (10) To ensure that the board of county commissioners shall give reasonable consideration to, among other things, the character of the area and its peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the county. (Ord. 1223 § 7, 1990; Ord. 895 § 23, 1984; Ord. 429 (part), 1974)

**29.68.065 Finality of decision and reconsideration.** The decision of the board of county commissioners on an application pursuant to Section 29.68.020 (B) shall become final and effective after five judicial days of the day the decision is made. If the petition is to expand the gaming enterprise district outside the Las Vegas Boulevard gaming corridor or the Rural Clark County gaming zone as defined by Chapter 463 of the Nevada Revised Statutes, and is not specifically exempted by the provisions of NRS 463, a decision either granting or denying such application shall become final ten judicial days after the decision, providing that the application is not requested to be reconsidered or that no evidence is provided to the current planning division that the application has been appealed to the review panel of the gaming policy committee. No permits shall be issued concerning the property in question until the decision becomes final.

Should any commissioner within the five-judicial-day period who voted on the prevailing side of a decision notify the zoning administrator that he or she desires to have the decision reconsidered, the decision shall not become final and no permits shall be issued concerning the property in question. The item shall thereafter be placed upon the agenda of a regularly scheduled meeting of the board of county commissioners when acting in their zoning capacity within thirty days of the end of the five-judicial-day period. Should a majority of those commissioners present approve reconsideration of the decision at that time, the item shall be scheduled for a public hearing at a subsequent meeting of the board of county commissioners. A renotification fee as required by Chapter 29.76 of this title shall be paid not less than fifteen days in advance of the meeting for which the public hearing is scheduled. No permits for the property in question shall be issued until five judicial days after the board of county commissioners thereafter reaches a final decision, unless the petition is to expand the gaming enterprise district. If the petition is to expand the gaming enterprise district outside the Las Vegas Boulevard gaming corridor or the Rural Clark County gaming zone as defined by Chapter 463 of the Nevada Revised Statutes, and is not specifically exempted by the provisions of NRS 463, a decision either granting or denying such application shall become final ten judicial days after the decision, providing that the application is not requested to be reconsidered or that no evidence is provided to the current planning division that the application has been appealed to the review panel of the gaming policy committee. (Ord. 2037 § 10, 1997; Ord. 1841 § 14, 1996; Ord. 1223 § 8, 1990; Ord. 1166 § 1, 1989; Ord. 895 § 24, 1984; Ord. 560 § 2, 1977; Ord. 454 § 2, 1975; Ord. 429 (part), 1974)

**29.68.070 Fees.** A zone change application or zone boundary amendment shall require a fee payable to the county to partially defray the cost of making maps, sending out notices, and other administrative expenses involved in a petition for a change in these regulations as required by Chapter 29.76 of this title. (Ord. 1841 § 14, 1996; Ord. 1532 § 1, 1993; Ord. 1302 § 1, 1991; Ord. 1223 § 9, 1990; Ord. 895 § 25, 1984; Ord. 509 §§ 4 and 16, 1976; Ord. 429 (part), 1974)

**29.68.080 Resolution of intent to reclassify.** A resolution of intent to reclassify shall include any conditions, stipulations or limitations which the board of county commissioners may deem necessary and require in the public interest as a prerequisite to final action on a request for an amendment to a zoning district boundary or a zoning district reclassification. The resolution shall be signed by the property owner of record, notarized and recorded prior to the issuance of any building permit. The fulfillment of all conditions, stipulations and limitations contained in any such resolution, on the part of the applicant or his successor in interest, shall make the resolution a binding commitment on the part of the board of county commissioners.

Upon substantial completion of all conditions contained in the resolution by the applicant, or his successor in interest, the board of county commissioners shall authorize an amendment to a zoning district boundary or a zoning district reclassification by the adoption of an ordinance amending the official zoning map. Substantial completion, unless otherwise specified in the resolution of intent, shall be defined as follows, where applicable:

(A) Recordation of a subdivision map creating lots which do not conform to the regulations of the underlying zoning district; or

(B) Completion of construction of at least fifty percent of the total building area as shown on the plans for each zoning district included in the application to reclassify and the related on-site parking and access thereto, as well as completion of one hundred percent of the required landscaping, required zone boundary walls and required off-site improvements.

For the purposes of this section, off-site improvements shall not be determined to be complete until they are physically constructed and accepted by the board of county commissioners. The zoning administrator, or authorized representative, shall verify substantial completion with the conditions, stipulations or limitations contained in the resolution to the board of county commissioners for part or all of the land included in the resolution of intent prior to adoption of an ordinance amending the official zoning map.

The adoption of an ordinance finalizing the zoning based upon substantial completion shall not relieve the applicant or his successor in interest of the duty to actually comply with all of the conditions contained in the resolution of intent. No final building inspection shall be approved and no certificate of occupancy or business license shall be issued until the applicant has complied with the applicable conditions contained in the resolution of intent. Each and every condition contained in the resolution of intent shall be met before the building(s) in the last phase of the project is (are) approved for occupancy. (Ord. 1302 § 2, 1991; Ord. 1223 § 10, 1990; Ord. 895 § 26, 1984; Ord. 429 (part), 1974)

**29.68.085 Interim compliance.** Demonstration by a subdivider that there is an approved tentative subdivision which indicates an intent to satisfy the terms, stipulations and limitations of the resolution of intent shall be considered to amend the time limit of the resolution of intent in a manner which makes the time limit of the resolution of intent conform to the time limit of the tentative map.

Demonstration of interim compliance shall be requested by submittal of a nonrefundable compliance review fee as required by Chapter 29.76 of this title and shall

be requested on a certification of interim compliance form supplied by the department of comprehensive planning which lists the applicable resolution of intent, the subdivision name, the original expiration date of the resolution of intent and the amended expiration date of the resolution of intent. The expiration date shall be amended upon certification by the zoning administrator of the information supplied on the interim compliance form. (Ord. 1841 § 15, 1996; Ord. 895 § 27, 1984)

**29.68.090 Reapplication.** No person, including the original applicant, shall reapply for the same reclassification or a reclassification to a less restrictive zoning district within the same category of districts as defined in Section 29.02.330 of this title of the same property within the time periods listed below:

(A) If the initial request for reclassification included only those districts which were within the range of land uses and residential densities indicated for the subject parcel on the master plan for land use as defined in Section 29.68.015:

(1) the first reapplication is not restricted and may be filed at any time after final denial of the initial request by the board of county commissioners. The applicant shall indicate the changes made in the reapplication to address concerns raised during consideration of the original application.

(2) the second reapplication is prohibited for a period of six months from the date of final denial by the board of county commissioners of the most recent previous application.

(3) the third and all subsequent reapplications are prohibited for a period of twelve months from the date of final denial by the board of county commissioners of the most recent previous application.

(B) If the initial request for reclassification included a district or districts which were not within the range of land uses and residential densities indicated for the subject parcel on the master plan for land use as defined in Section 29.68.015;

reapplication is prohibited for a period of twelve months from the date of final denial by the board of county commissioners of the most recent previous application. An application that is withdrawn from the consideration of the board of county commissioners or the planning commission within fifteen days in advance of their scheduled public hearing shall be considered to be the equivalent of a final denial for the purposes of the time periods which regulate reapplications unless for good cause shown the board of county commissioners or planning commission allows the withdrawal to be without prejudice. The time periods which bar reapplications shall be calculated from the date a withdrawal is received in writing by the zoning administrator or the day of the meeting at which the application is withdrawn. (Ord. 1250 § 2, 1990; Ord. 1189 § 2, 1990; Ord. 429 (part), 1974)

**29.68.100 Extensions of time.** Extensions of time to any resolution of intent to reclassify may be granted by the board of county commissioners if the board deems an extension appropriate after considering any extenuating circumstances which justify the granting of additional time. An extension of time must be requested by the property owner of record prior to the expiration date of the original approval, on forms furnished by the department of comprehensive planning together with the fees required by Chapter 29.76 of this title. (Ord. 1841 § 16, 1996; Ord. 1302 § 3, 1991; Ord. 1223 § 11, 1990; Ord. 973 § 2, 1986; Ord. 895 § 28, 1984; Ord. 846 § 3, 1983; Ord. 743 § 1, 1981; Ord. 509 § 2, 1976; Ord. 443 § 2, 1974)



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**29.68.110 Expiration of applications not acted upon.** When any application for a zoning district boundary change is not acted upon by the board of county commissioners due to:

(1) The failure of the applicant to be represented at a scheduled public hearing on such application; or

(2) The request or consent of the applicant to withhold action on any application; and such application remains in an inactive status for more than one hundred eighty days without a request by the applicant for rehearing of the application, then such application shall expire and be treated as withdrawn. (Ord. 895 § 29, 1984; Ord. 721 § 10, 1980)

## Chapter 29.70

## MASTER PLAN CHANGES

## Sections:

- 29.70.010 Adopting plan authorized.
- 29.70.020 Hearing on plan by planning commission.
- 29.70.030 Procedure for adoption by planning commission.
- 29.70.040 Hearing on plan by county commissioners.
- 29.70.050 Planning commission to act on plans or amendments within ninety days.

**29.70.010 Adopting plan authorized.** The planning commission shall prepare and adopt any amendments, changes, extensions or parts thereof of a comprehensive long-term general plan as a basis for future development of the county. (Ord. 429 (part), 1974)

**29.70.020 Hearing on plan by planning commission.** Before adopting the plan or any part or amendment thereof, the planning commission shall hold at least one public hearing in relation thereto, which notice shall be published in a newspaper of general circulation in the county at least ten days before that day of the hearing. (Ord. 429 (part), 1974)

**29.70.030 Procedure for adoption by planning commission.** The adoption of any amendment, extension or change of any part of a comprehensive, long-term general plan (a master plan) by the planning commission shall be by resolution and carried by the affirmative vote of not less than two-thirds of the total membership of the commission and shall thereupon be endorsed and certified as adopted by the planning commission. (Ord. 429 (part), 1974)

**29.70.040 Hearing on plan by county commissioners.** The board of county commissioners, after receipt of a certified copy of the comprehensive, long-term general plan (the master plan), or any part thereof as adopted by the planning commission, may adopt such parts thereof after a public hearing in relation thereto, which notice shall be published in a newspaper of general circulation in the county at least ten days before the day of the hearing. Such parts, after adoption, shall thereupon be endorsed and certified as general plan thus adopted for the territory covered, and are declared to be established to conserve and promote the public health, safety and welfare. (Ord. 429 (part), 1974)

**29.70.050 Planning commission to act on plans or amendments within ninety days.** When the county commissioners act to initiate a master plan or any amendment thereto and refer the proposal to the planning commission, the planning commission shall act to adopt, modify or reject the proposed master plan or amendment within ninety days. Regardless of the action or inaction of the planning commission, the county commission shall thereafter adopt, modify or reject the proposed master plan or amendment after a public hearing in relation thereto, which notice shall be published in a newspaper of general circulation in the county at least ten days before the day of the hearing. Such parts, after adoption and referral if required under NRS 278.220(4) shall thereupon be

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endorsed and certified as general plan thus adopted for the territory covered, and are declared to be established to conserve and promote the public health, safety and welfare. (Ord. 1111 § 1, 1988)

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## Chapter 29.72

## STREET NAMES OR NUMBERING CHANGES

## Sections:

- 29.72.010 System authorized.
- 29.72.020 Submittal requirements.
- 29.72.030 Procedure.
- 29.72.040 Finality of decision and reconsideration.
- 29.72.050 Fees.
- 29.72.060 Determining application of system.
- 29.72.070 Owners to comply with notice.
- 29.72.080 Address display required.

**29.72.010 System authorized.** In order to conserve and promote public health, safety, and welfare, the planning commission or board of county commissioners, either on their own motion or upon submission of a street name/numbering application, shall adopt a system of street naming or numbering, and house numbering, or amendment thereof, with recommendations concerning proposed changes. The system shall be as nearly uniform as is possible and any street shall have but one name and this name shall correspond, if possible, to the extension thereof in any incorporated city within the county of Clark. The street and house numbering system shall be as nearly uniform as possible and any one street shall have but one numbering system and this numbering system shall correspond, if possible, to the extension thereof in any incorporated city within the county of Clark. All proposed addressing systems, street names, new addresses and the display of those addresses shall comply with the Las Vegas Valley street naming and address assignment policy as adopted by the Clark County board of county commissioners on August 3, 1988. (Ord. 1853 § 2, 1996: Ord. 1542 § 1 (part), 1993: Ord. 429 (part), 1974)

**29.72.020 Submittal requirements.** Any application for a street name/numbering amendment, or any application to establish a street name on a previously unnamed street or alignment shall be made on forms provided by the current planning division and shall be accompanied by:

- (A) One copy of a deed showing an interest on property affected by the proposed application unless the applicant is a governmental entity;
- (B) Two copies of the latest assessor's parcel map(s) showing the affected area or street alignment;
- (C) Filing fees, if required. (Ord. 1853 § 3, 1996: Ord. 1542 § 1 (part), 1993: Ord. 429 (part), 1974)

**29.72.030 Procedure.** (A) **Street Naming.** An application to establish a street name on a previously unnamed street alignment shall be presented to the planning commission for review and approval in accordance with the posted meeting schedule. The planning commission may approve, deny or conditionally approve the application without a public hearing. The action of the planning commission shall be final unless appealed by an interested party. Any appeal must be submitted in writing to the current planning division within five judicial days of the hearing. No action regarding street names or numbering shall be taken until the appeal period has passed without an appeal filed. Any application

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appealed shall be scheduled for a hearing before the board of county commissioners within forty days of the receipt of the appeal.

(B) **Street Name/Numbering Change.** An application to establish a street numbering system, or to amend an existing street numbering system, or street name, shall be scheduled for a public hearing before the planning commission in accordance with the posted meeting schedule. Notice of the hearing shall be sent by first class mail to:

(1) The owners of all properties or tenants of mobile home parks abutting or addressed to any dedicated segment, or segment created by easement, of any street affected by a street name change application; or

(2) To all property owners or tenants of mobile home parks within the area affected by a numbering amendment application, and within three hundred feet of the area affected by a numbering amendment application.

In addition, notice shall be published in a newspaper having general circulation in the county at least ten days prior to the meeting. The planning commission may make a recommendation of approval, denial or conditional approval for the application to the board of county commissioners for the board's consideration. The application and the recommendation of the planning commission shall be considered by the board of county commissioners within forty days of the planning commission's action. (Ord. 1853 § 4, 1996; Ord. 1542 § 1 (part), 1993; Ord. 429 (part), 1974)

**29.72.040 Finality of decision and reconsideration.** The decision of the board of county commissioners shall become final and effective five judicial days after the day the decision is made. No street naming or numbering actions shall be taken concerning the affected property until the decision becomes final.

Should any commissioner within the five-judicial-day period who voted on the prevailing side of a decision notify the zoning administrator that he or she desires to have the decision reconsidered, the decision shall not become final and no street naming or numbering actions shall be taken concerning the affected property. The item shall thereafter be placed upon the agenda of a regularly scheduled meeting of the board of county commissioners when acting in their zoning capacity within forty days of the end of the five-judicial-day period. Should a majority of those commissioners present approve reconsideration of the decision at that time, the item shall be scheduled for a public hearing at a subsequent meeting of the board of county commissioners. No street naming or numbering actions shall be taken concerning the affected property until five judicial days after the board of county commissioners reaches a final decision. (Ord. 1853 § 5, 1996; Ord. 1542 § 1 (part), 1993; Ord. 797 § 4, 1982; Ord. 429 (part), 1974)

**29.72.050 Fees.** Fees payable to the county to partially defray the cost of processing applications shall be paid as required by Chapter 29.76 of this title. (Ord. 1841 § 17, 1996; Ord. 1542 § 1 (part), 1993; Ord. 702 § 1, 1980; Ord. 429 (part), 1974)

**29.72.060 Determining application of system.** Upon the enactment of a system of street naming or numbering or house numbering, the planning commission of Clark County or its agents and employees shall determine the application thereof to all streets, avenues, thoroughfares or other trafficways or to the numbering of any premises thereon and shall communicate the same to the owner of each parcel on such streets, avenues, thoroughfares or other trafficways. (Ord. 1542 § 1 (part), 1993; Ord. 429 (part), 1974)

29.72.070

**29.72.070 Owners to comply with notice.** The owner of each parcel on such streets, avenues, thoroughfares or other trafficways shall within twenty days after the receipt of the notice of a change in the name or numbering of any street, avenue, thoroughfare, or other trafficway make any necessary provision for the new name or numbering of the street, avenue, thoroughfare or other trafficway. (Ord. 1542 § 1 (part), 1993; Ord. 429 (part), 1974)

**29.72.080 Address display required.** The official, assigned address of all buildings or units of buildings, businesses, residences, residential, commercial or industrial complexes, mobile homes, mobile home parks or other approved land uses shall be displayed in accordance with the display requirements prescribed in the Las Vegas Valley street naming and address assignment policy as adopted by the Clark County board of county commissioners on August 3, 1988. (Ord. 1542 § 1 (part), 1993)

29.73.010

## Chapter 29.73

### VACATION AND ABANDONMENTS

#### Sections:

- 29.73.010 Application submittal.
- 29.73.020 Application procedures.
- 29.73.030 Fees.
- 29.73.040 Finality of decision and reconsideration.
- 29.73.050 Expiration of applications.

**29.73.010 Application submittal.** Any person requesting the vacation and abandonment of a dedicated public right-of-way, or of any easement owned by the county of government patent easement, shall apply for the same on forms furnished by the Clark County current planning division. The applicant shall furnish at the time of application:

- (A) A completed application form;
- (B) A legal description of the right-of-way or easement to be vacated;
- (C) Evidence of his interest in property adjoining the right-of-way or easement to be vacated;
- (D) The required filing fee. (Ord. 1633 § 2 (part), 1994)

**29.73.020 Application procedures.** (A) Application shall be made with the current planning division in accordance with the posted meeting schedule. Upon receipt in the proper form of the application, the current planning division shall schedule a public hearing before the planning commission within forty-five days. Notice of the time and place of the hearing, a description of the property involved, and the purpose of the hearing shall be sent by first class mail at least ten days prior to the meeting to each owner of property abutting the proposed abandonment. For the purpose of this section "property owner" means that owner shown upon the latest assessment records of the county.

(B) The planning commission shall hold a public hearing and report on the petition to the board of county commissioners.

(C) Prior to the board of county commissioners hearing, the current planning division shall notify by certified mail each owner of property abutting the proposed abandonment and cause such notice to be published at least once in a newspaper of general circulation in the county setting forth the extent of the proposed abandonment and setting a date for the public hearing, which shall not be less than ten days and not more than forty days after the date the notice is first published. The board of county commissioners shall hold a public hearing and approve, conditionally approve, or deny the aforementioned petition pursuant to the provision of NRS 278.480.

(D) The order for vacation and abandonment must be recorded in the office of the county recorder, upon fulfillment of all of the conditions within two years of final action or the petition shall be expired. (Ord. 1633 § 2 (part), 1994)

**29.73.030 Fees.** Fees payable to the county to partially defray the cost of processing applications shall be paid as required by Chapter 29.65 of this title (Ord. 1841 § 18, 1996; Ord. 1633 § 2 (part), 1994)

**29.73.040 Finality of decision and reconsideration.** The decision of the board of county commissioners shall become final and effective five judicial days after the day

29.73.010

## Chapter 29.73

### VACATION AND ABANDONMENTS

#### Sections:

- 29.73.010 Application submittal.
- 29.73.020 Application procedures.
- 29.73.030 Fees.
- 29.73.040 Finality of decision and reconsideration.
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**29.73.040 Finality of decision and reconsideration.** The decision of the board of county commissioners shall become final and effective five judicial days after the day



29.73.040

the decision is made. No permits or licenses shall be issued concerning the property in question until the decision becomes final.

Should any commissioner within the five-judicial-day period who voted on the prevailing side of a decision notify the zoning administrator that he or she desires to have the decision reconsidered, the decision shall not become final and no permits or licenses shall be issued concerning the property in question. The item shall thereafter be placed upon a regularly scheduled meeting of the board of county commissioners when acting in their zoning capacity, within forty days of the end of the five-judicial-day period. Should a majority of those commissioners present approve reconsideration of the decision at that time, the item shall be scheduled for a public hearing at a subsequent meeting of the board of county commissioners with notice as required under Section 29.73.020. No permits or licenses for the property in question shall be issued until five judicial days after the board of county commissioners thereafter reaches a final decision. (Ord. 1853 § 6, 1996; Ord. 1633 § 2 (part), 1994)

**29.73.050 Expiration of applications.** Any application which is in an inactive or "held" status prior to final action by the board of county commissioners for more than one hundred eighty days shall expire. (Ord. 1633 § 2 (part), 1994)

## Chapter 29.77

## COMMUNITY DISTRICTS

## Sections:

- 29.77.010 Purpose and intent.  
 29.77.020 Establishment of districts.  
 29.77.030 Special development standards.

**29.77.010 Purpose and intent.** This chapter is adopted for the purpose of establishing different community districts within unincorporated Clark County and enabling the establishment of alternative development standards particularly suited for such districts. (Ord. 1003 § 1 (part), 1986)

**29.77.020 Establishment of districts.** The following districts are hereby established:

(A) "Community District A" shall include all of unincorporated Clark County not assigned to any other community district.

(B) "Community District 5" shall include those portions of unincorporated Clark County within the unincorporated towns of Indian Springs, Mt. Charleston, Searchlight, and as shown on pages 71 through 94 of the northeast Clark County land use and development guide for the unincorporated towns of Bunkerville, Glendale, Moapa and Moapa Valley, plus the unincorporated areas generally known as Goodsprings (all of Sections 25 and 26, Township 24 South, Range 58 East, Mount Diablo Base and Meridian) and Sandy Valley (all of Sections 15, 16, 21 through 27, 35 and 36, Township 24 South, Range 56 East, all of Sections 31 and 32, Township 24 South, Range 57 East, and all of Sections 4 through 9, 15 through 17 and 22, Township 25 South, Range 57 East, Mount Diablo Base and Meridian. (Ord. 1585 § 2, 1994; Ord. 1405 § 1, 1992; Ord. 1003 § 1 (part), 1986)

**29.77.030 Special development standards.** Each community district may have special development standards established by ordinance, which shall apply within that district only. Such special development standards shall be designed to reflect and accommodate the particular social, geographic, and other characteristics of the district. (Ord. 1003 § 1 (part), 1986)



## Chapter 29.48

### PUBLIC UTILITY SUBSTATIONS

#### Sections:

#### 29.48.010 Requirements.

**29.48.010 Requirements.** (A) Compliance. In all residential, commercial, industrial or highway frontage zones, public utility substations shall meet the requirements of this chapter.

(B) Location. The location of public utility substations shall be subject to the securing of a conditional use permit as provided in Chapter 29.66.

(C) Yards. Each public utility substation shall be provided with a yard on each of the sides of the lot or parcel of land not less than ten percent of the width of the lot, but such side yard need not exceed twenty-five feet and shall not be less than five feet.

(D) Access. Each public utility substation shall be located on a lot or parcel of land which has adequate access from a dedicated right-of-way.

(E) Fences. Each public utility substation shall be enclosed by a block wall fence or screen fencing of a type and height specified by the planning commission.

(F) Landscaping. Each public utility substation which faces a dedicated public right-of-way shall be landscaped as specified by the planning commission. (Ord. 429 (part), 1974)

AN AMENDED RESOLUTION OF THE CLARK COUNTY PLANNING COMMISSION ESTABLISHING CRITERIA FOR CONVERSION OF EXISTING APARTMENTS TO CONDOMINIUMS.

WHEREAS, the Clark County Planning Commission has been created in conformance with NRS 278 and Title 29 of the Clark County Code to assist the Board of County Commissioners by evaluating proposed land use changes to insure that such changes promote the health, safety, morals, and general welfare of the residents of Clark County; and

WHEREAS, numerous proposals to convert existing apartments into condominiums have recently been presented to the Clark County Planning Commission; and

WHEREAS, such proposed conversions of apartments into condominiums have potential effects on the general welfare of the residents of Clark County by changing the characteristics of the housing supply; and

WHEREAS, it is the desire of the Clark County Planning Commission to ameliorate any negative effects of the conversion of apartments to condominiums by establishing criteria for evaluating proposals for such conversion.

NOW, THEREFORE, BE IT RESOLVED by the Clark County Planning Commission that proposals for conversion of existing apartments into condominiums may be favorably recommended provided that the following criteria are met:

1. That such conversions comply in every respect to the appropriate Uniform Building Code, and standards for adequate access, utility service, and fire protection, as detailed in Appendix A. Appendix A may from time to time be amended by the Clark County Planning Commission by minute order;
2. That such conversions comply in every respect with the condominium requirements of Title 29 of the Clark County Code, including the approval of a conditional use permit in each case, except that variances may be considered as follows:
  - a. That where physical limitations preclude the provision of required on-site recreational vehicle parking, off-site facilities may be substituted at the discretion of the Planning Commission and Board of County Commissioners;
  - b. That where physical limitations prevent full adherence to required building setbacks, separations, or private street widths, deviations of up to four feet may be allowed at the discretion of the Planning Commission and the Board of County Commissioners.
3. That at the time of application for the required conditional use permit to convert existing apartments to condominiums, the applicant shall provide evidence that all present tenants of the apartment complex have been notified;

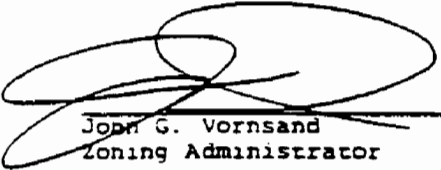
- a. Of the intention to convert to condominiums.
  - b. Of the public hearing process (including date and time of the relevant planning commission public hearing) required for such conversions.
  - c. That current residents will have the first right of refusal in purchasing their own unit when converted to condominium status, and second right of refusal (after the present resident of the particular unit) on other units within the complex.
4. That proposed conversions which comply with sections one through three above may, nonetheless, be recommended for disapproval, or delayed in approval, during and any period for which the Clark County Planning Commission finds that a rental housing shortage exists which would be worse by such conversion;
  5. That approved conversions shall, prior to the approval of any final subdivision map by the Board of County Commissioners, provide a flood and drainage study to the Department of Public Works and construct (or bond the construction of) the following:
    - a. Flood control improvements, as required after analysis of the flood and drainage study;
    - b. Reconditioning of on-site streets and parking areas;
    - c. Repair and reconditioning of all off-site improvements in accordance with current construction standards;
  6. That prior to recording of any final map, the developer provide the Zoning Administrator with a written statement that all sales contracts for individual condominium units will include at least a one year warranty on air conditioning and heating units, refrigerator, stove and oven and water heaters. Further, that if the property in its entirety is sold to another developer that the sale will be conditioned on the purchaser assuming the obligation to provide the required warranties when selling individual units within the development.

AND BE IT FURTHER RESOLVED, that this Resolution be forwarded to the Board of County Commissioners to be noted for the record.

PASSED, APPROVED, AND ADOPTED this 4th day of September, 1980, by the Clark County Planning Commission.

For the Planning Commission:

\_\_\_\_\_  
Jack Ross  
Chairman

  
\_\_\_\_\_  
John G. Vornsand  
Zoning Administrator

APPENDIX A

(A RESOLUTION OF THE CLARK COUNTY PLANNING COMMISSION  
ESTABLISHING CRITERIA FOR CONVERSION OF EXISTING  
APARTMENTS TO CONDOMINIUMS.)

BUILDING AND SAFETY DIVISION REQUIREMENTS

Each condominium unit shall have a separate:

1. sewer service connection.
2. water service with meter and shutoff valve.
3. gas service with meter and shutoff valve.
4. electrical service with meter and disconnect.
5. heating and cooling system.
6. hot water heater and supply.

Common utility systems may be installed, if the Planning Commission finds that adequate service is provided and if the Building Official certifies that the system is adequately designed by a Nevada Registered engineer (or is certified for code compliance by the submittal of an engineering report based on inspection). A central heating and cooling system shall require individually controlled heating and cooling as demanded from each condominium unit.

Specific Requirements

- One-hour minimum fire resistive construction vertically and horizontally between condominium units.
- Non-metallic sheathed cable is not allowed (by Electrical Ordinance over three stories in height and where conduit is required by type of construction and use).
- Emergency egress from sleeping rooms below fourth story.
- Compliance with State Energy Conservation Standards. (Energy Calculations submittal required.)
- Sound transmission resistance.

All wall and floor-ceiling assemblies separating dwelling units from each other and public space shall comply with airborne and impact sound insulation as required by UBC Appendix Chapter 35. (Certification of materials is burden of applicant.)

- Smoke detector installation each dwelling unit, per UBC.
- Fire alarms may be required based upon date of construction and type.
- Provide rights of access for maintenance and repair of all building, utility and other related systems.
- Door peepholes.

All construction shall comply with the applicable Uniform Building Code, Uniform Plumbing Code, Uniform Mechanical Code, National Electrical Code and their adopting ordinances at the time of construction and applicable life safety requirements specified in UBC Appendix, Chapter 12 for existing buildings, as is stated herein.

All new construction and remodels shall apply with current applicable Clark County codes and ordinances.

All existing facilities shall comply with the minimum standards of the Uniform Housing Code. The Building Official may require inspection of each and every room or space within the complex (where warranted by previous complaints or existing substandard facilities). Inspection costs will be at the published rate.

Plans shall be submitted for all existing and proposed buildings and related utilities for evaluation prior to acceptance.

**Other Information**

Specify dwelling unit floor area. (UBC Chapter 12 specifies a minimum of 220 square feet per minimum for an efficiency dwelling unit.)

Laundry facilities (individual or common) shall be declared.

FIRE DEPARTMENT REQUIREMENTS

1. Proper accessibility to site and building for emergency vehicles.
2. Adequate placement of fire hydrants on site with proper water flow.
3. Fire extinguisher properly located in building, adequate and properly protected trash areas.
4. Applicable State Fire Marshal requirements (e.g., provide maintenance agreements for all fire protection and life safety systems).





Clark  
County

Department  
Comprehensive Planning

DONALD L. ...

RICHARD  
ASSISTANT

300 SOUTH ...  
VALLEY BANK ...  
LAS VEGAS, NEV.

June 8, 1981

### HELIPORT PLANNING REPORT REQUIREMENTS

Title 29, Chapter 29.66.020 of the Clark County Code requires proponents of heliports to provide a planning report analyzing the environmental aspect of the requested conditional use permit giving attention to whether the proposed use permit would adversely affect noise levels for a significant number of people or would produce any other significant impact upon the human environment, including those related to traffic generation and land use compatibility.

The following information should be included in a heliport planning report:

1. Number of projected flights per month and year.
2. Distribution of flights from 10 p.m. to 7 a.m. and from 7 a.m. to 10 p.m.
3. Type of equipment (helicopter and ground support facilities).
4. Approach-departure paths and expected frequency of use dictated by historic wind conditions.
5. Boundaries of obstruction clearance planes (8:1 slope).
6. Distance from proposed landing pad to nearest structures on adjoining properties.
7. Size and composition of landing surface.
8. Expected surface traffic generation.

#### COMMISSIONERS

Marvin J. Cortez, Chairman • David B. Carter, Vice Chairman

Thom Conroy, Jack A. Reed, R.J. Dick, ...

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS  
OF CLARK COUNTY, NEVADA, SETTING FORTH DESIRED  
DESIGN STANDARDS FOR GASOLINE SALES FACILITIES  
WHEN LOCATED ON THE SAME PROPERTY WITH OTHER  
RETAIL SALES ACTIVITIES.

WHEREAS, design standards are appropriately established  
to insure that commercial development of property is accomplished  
in a manner that is both functional and attractive; and

WHEREAS, the establishment of gasoline sales facilities  
on the same property with other retail sales activities can adversely  
impact functional on-site and off-site traffic flow if located too  
close to public streets; and

WHEREAS, the establishment of free-standing gasoline  
pumps and canopies can adversely effect the appearance of public  
streets if located too close to those streets; and

WHEREAS, the negative impacts on traffic flow and  
appearance can be ameliorated by adequate setbacks from public  
streets.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County  
Commissioners of Clark County, Nevada, that the following setbacks  
are established as desired design standards for gasoline sales  
when located on the same property with other retail sales activities:

(1) That all aboveground structures shall be set back not  
less than 30' from the right-of-way line of any section line  
street; and

(2) That all aboveground structures shall be set back not  
less than 20' from the right-of-way line of any non-section  
line street;

unless a greater setback is otherwise required by law in a  
specific zoning district or location.

PASSED, APPROVED, AND ADOPTED this 4th day of April, 1984.

ATTEST:

CLARK COUNTY, NEVADA

Signed  
Lorinda Bowman  
County Clerk

Signed  
Thalia M. Dondero, Chairman

[Bracketed] and/or ~~struck through~~ material is that portion being deleted or amended  
Underlined material is that portion being added

BILL NO. 9-4-96-1

SUMMARY - An Ordinance to revise the land compatibility table in the airport environs overlay district.

ORDINANCE NO. 1889  
 (of Clark County, Nevada)

AN ORDINANCE TO AMEND TITLE 29, CHAPTER 29.51, SECTION 29.51.080 TO REVISE THE LAND COMPATIBILITY TABLE IN THE AIRPORT ENVIRONS OVERLAY DISTRICT AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CLARK, STATE OF NEVADA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Title 29, Chapter 29.51, Section 29.51.080 of the Clark County Code is hereby amended to read as follows:

**29.51.080 Table A-E — Land use compatibility in the airport environs overlay district.** The following table indicates uses permitted, uses permitted subject to noise attenuated construction, uses permitted subject to a conditional use permit and uses prohibited in each of the subzones of the airport environs overlay district:

TABLE A— E LAND USE COMPATIBILITY IN THE AIRPORT ENVIRONS OVERLAY DISTRICT

CODE #S	SLUCM MAJOR GROUPS	SLUCM MINOR GROUPS	SUBZONES						
			RISK ZONES AND NOISE ZONES (in Ldn)						
			C. Z. (A-ECZ)	APZ-1 (A-EI)	APZ-2 (A-EII)	65- 70 (A- E65)	70-75 (A-E70)	75-80 (A-E75)	80+ (A-E80)
0	An undetermined	An undetermined use	( )	( )	( )	( )	( )	( )	( )
0	Nonresidential	General accessory use	( )	( )	( )	( )	( )	( )	( )
0	Residential	General accessory use	( )	( )	( )	( )	( )	( )	( )
1110	Residential	Accessory use to residential (> 2 du/ac)	No	No	No	25	(No)	(No)	(No)
1110	Residential	Single family (> 2 du/ac)	No	No	No	25	(No)	(No)	(No)
1115	Residential	Accessory use to residential (LE 2 du/ac)	No	No	Yes	25	30	(No)	(No)
1115	Residential	Single family (LE 2 du/ac)	No	No	Yes	25	30	(No)	(No)
1120	Residential	Two family	No	No	No	25	(No)	(No)	(No)
1130	Residential	Multifamily structures	No	No	No	25	(No)	(No)	(No)
1200	Residential	Group quarters	No	No	No	25	(No)	(No)	(No)
1300	Residential	Residential hotels	No	No	No	25	(No)	(No)	(No)
1410	Residential	Permanent mobile home parks—courts	No	No	No	25	(No)	(No)	(No)
1420	Residential	Transient mobile home parks—courts	No	No	No	Yes	(No)	(No)	(No)
1510	Residential	Hotels and motels & tourist courts	No	No	No	25	30	35	(No)
1900	Residential	Other residential	No	No	No	25	(No)	(No)	(No)
2100	Manufacturing	Food & kindred products	No	No	(Yes)	Yes	Yes	(30)	(35)
2200	Manufacturing	Textile mill products	No	No	No	Yes	Yes	(30)	(35)

TABLE A— E LAND USE COMPATIBILITY IN THE AIRPORT ENVIRONS OVERLAY DISTRICT

CODE #S	SLUCM MAJOR GROUPS	SLUCM MINOR GROUPS	SUB ZONES							
			RISK ZONES AND NOISE ZONES (in Ldn)							
			C. Z. (A-ECZ)	APZ-1 (A-EI)	APZ-2 (A-EII)	65-70 (A-E65)	70-75 (A-E70)	75-80 (A-E75)	80+ (A-E80)	
2300	Manufacturing	Apparel and finished products	No	No	No	Yes	Yes	30)	35)	
2400	Manufacturing	Lumber & wood products (except furniture)	No	Yes	Yes	Yes	Yes	30)	35)	
2500	Manufacturing	Furniture & fixtures	No	Yes	Yes	Yes	Yes	30)	35)	
2600	Manufacturing	Paper & allied products	No	Yes	Yes	Yes	Yes	30)	35)	
2700	Manufacturing	Printing—publishing	No	Yes	Yes	Yes	Yes	30)	35)	
2800	Manufacturing	Chemicals and allied products	No	No	No	Yes	Yes	30)	35)	
2900	Manufacturing	Petroleum refining & related industries	No	No	No	Yes	Yes	30)	35)	
3100	Manufacturing	Rubber & misc. plastics	No	No	No	Yes	Yes	30)	35)	
3200	Manufacturing	Stone—clay & glass products	No	Yes	Yes	Yes	Yes	30)	35)	
3300	Manufacturing	Primary metal industries	No	Yes	Yes	Yes	Yes	30)	35)	
3400	Manufacturing	Fabricated metal products	No	Yes	Yes	Yes	Yes	30)	35)	
3500	Manufacturing	Instruments and optical goods	No	No	No	Yes	Yes	30)	35)	
3900	Manufacturing	Misc. manufacturing	No	Yes	Yes	Yes	Yes	30)	35)	
4100	Trans. & utils	Railroad & rapid rail & street railway	No	Yes	Yes	Yes	Yes	Yes	Yes	
4200	Trans. & utils	Motor vehicle transportation	No	Yes	Yes	Yes	Yes	30)	35)	
4300	Trans. & utils	Aircraft transportation	No	Yes	Yes	Yes	Yes	30)	35)	
4500	Trans. & utils	Highway & street R O W	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
4600	Trans. & utils	Auto parking	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
4700	Trans. & utils	Communications	Yes	Yes	Yes	Yes	25)	30)	35)	
4800	Trans. & utils	Utilities	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
4900	Trans. & utils	Other trans.—comm. and utilities	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
5100	Trade	Wholesale trade	No	Yes	Yes	Yes	Yes	30)	35)	
5200	Trade	Building materials and hardware (retail)	No	Yes	Yes	Yes	25)	30)	35)	
5300	Trade	General merchandise (retail)	No	No	Yes	Yes	25)	30)	35)	
5400	Trade	Food—retail	No	No	Yes	Yes	25)	30)	35)	
5500	Trade	Automotive—marine and aircraft accessories	No	Yes	Yes	Yes	25)	30)	35)	
5600	Trade	Apparel and accessories (retail)	No	No	Yes	Yes	25)	30)	35)	
5700	Trade	Furniture and home furnishings (retail)	No	No	Yes	Yes	25)	30)	35)	
5800	Trade	Eating and drinking places	No	No	No	Yes	25)	30)	35)	
5900	Trade	Other retail trade	No	No	Yes	Yes	25)	30)	35)	
6100	Services	Finance—insurance & real estate	No	No	Yes	Yes	25)	30)	35)	
6200	Services	Personal services	No	No	Yes	Yes	25)	30)	35)	
6240	Services	Cemeteries	Yes	Yes	Yes	Yes	25)	30)	35)	
6300	Services	Business services	No	No	Yes	Yes	25)	30)	35)	
6370	Services	Warehousing and storage services	No	Yes	Yes	Yes	25)	30)	35)	
6380	Services	Explosives storage	No	No	No	Yes	25)	30)	35)	
6400	Services	Repair services	No	Yes	Yes	Yes	25)	30)	35)	
6510	Services	Medical & other health services	No	No	No	Yes	25)	30)	35)	
6520	Services	Legal services	No	No	Yes	Yes	25)	30)	35)	
6590	Services	Other professional services	No	No	Yes	Yes	25)	30)	35)	
6600	Services	Contract construction services	No	Yes	Yes	Yes	25)	30)	35)	
6700	Services	Government services	No	No	Yes	Yes	25)	30)	35)	
6800	Services	Educational services	No	No	No	Yes	25)	30)	35)	
6910	Services	Religious activities	No	No	No	Yes	25)	30)	35)	
6990	Services	Other misc. services	No	No	Yes	Yes	25)	30)	35)	
7110	Recreation	Cultural activities	No	No	No	Yes	25)	30)	35)	
7120	Recreation	Nature exhibitions	No	Yes	Yes	Yes	No	No	No	
7211	Recreation	Outdoor entertainment assembly	No	No	No	Yes	No	No	No	
7212	Recreation	Indoor entertainment assembly	No	No	No	Yes	30)	No	No	
7221	Recreation	Outdoor sports assembly	No	No	No	Yes	Yes	No	No	
72211	Recreation	Outdoor motor vehicle race-tracks & related uses	No	Yes	Yes	Yes	25)	30)	35)	
7222	Recreation	Indoor sports assembly	No	No	No	Yes	25)	30)	35)	
7230	Recreation	Misc. public assembly	No	No	No	Yes	25)	30)	No	
7310	Recreation	Fairgrounds and amusement parks	No	No	No	Yes	Yes	No	No	
7395	Recreation	Outdoor amusements	No	No	Yes	Yes	Yes	No	No	
7396	Recreation	Indoor amusements	No	No	Yes	Yes	25)	30)	35)	
7411	Recreation	Outdoor sports activities	No	Yes	Yes	Yes	Yes	No	No	
7413	Recreation	Indoor sports activities	No	No	Yes	Yes	25)	30)	35)	
7420	Recreation	Outdoor playgrounds and athletic areas	No	No	Yes	Yes	Yes	No	No	
7425	Recreation	Indoor playgrounds and athletic areas	No	No	Yes	Yes	25)	30)	35)	
7430	Recreation	Golf courses, driving ranges,	No	No	Yes	Yes	25)	30)	35)	

TABLE A--- E LAND USE COMPATIBILITY IN THE AIRPORT ENVIRONS OVERLAY DISTRICT

CODE #S	SLUCM MAJOR GROUPS	SLUCM MINOR GROUPS	SUB ZONES						
			RISK ZONES AND NOISE ZONES (in Ldn)						
			C. Z (A-ECZ)	APZ-1 (A-EI)	APZ-2 (A-EII)	65- 70 (A- E65)	70-75 (A-E70)	75-80 (A-E75)	80+ (A-E80)
		riding stables & water rec	Yes	Yes	Yes	Yes	25)	30)	35)
7490	Recreation	Other recreation	No	Yes	Yes	Yes	Yes	No	No
7500	Recreation	Resorts & group camps	No	No	No	Yes	Yes	No	No
7800	Recreation	Parks	No	No	Yes	Yes	Yes	No	No
8150	Resources	Dairy farming	No	Yes	Yes	25)	30)	35)	No
8160	Resources	Livestock farms and ranches (2)	No	Yes	Yes	25)	30)	35)	No
8190	Resources	Other agriculture (1)	Yes	Yes	Yes	25)	30)	35)	35)
8200	Resources	Agricultural related activities (2)	No	Yes	Yes	25)	30)	35)	No
8300	Resources	Forestry activities & related services	No	Yes	Yes	25)	30)	35)	35)
8400	Resources	Fishing activities & related services (3)	No	Yes	Yes	Yes	Yes	Yes	Yes
8500	Resources	Mining activities and related services	No	Yes	Yes	Yes	Yes	Yes	Yes
9100	Undeveloped	Undeveloped and unused land	Yes	Yes	Yes	Yes	Yes	Yes	Yes
9300	Undeveloped	Water areas (3)	Yes	Yes	Yes	Yes	Yes	Yes	Yes
9910	Undeveloped	Open space	Yes	Yes	Yes	Yes	Yes	Yes	Yes

KEY

CONDITIONS

- ( ) - To determine the applicable compatibility regulations the use must be defined by SLUCM Major & Minor categories
- YES - Land use and related structures allowed without restrictions.
- NO - Land use and related structures are not compatible and are not allowed
- (NO) - Where the provisions of Section 29 51 065 permit uses but require noise attenuated construction in buildings and structures a minimum exterior to interior noise level reduction of 30 decibels incorporated into building construction
- [NO] - Where the provisions of Section 29 51 065 permit uses but require noise attenuated construction in buildings and structures a minimum exterior to interior noise level reduction of 35 decibels incorporated into building construction
- 25 - A minimum exterior to interior noise level reduction of 25 decibels incorporated into building construction
- 30 - A minimum exterior to interior noise level reduction of 30 decibels incorporated into building construction
- 35 - A minimum exterior to interior noise level reduction of 35 decibels incorporated into building construction
- (25) - A minimum exterior to interior noise level reduction of 25 decibels incorporated into construction of portions of building where public is received office areas, noise sensitive areas or where the normal noise level is low
- (30) - A minimum exterior to interior noise level reduction of 30 decibels incorporated into construction of portions of building where public is received office areas, noise sensitive areas or where the normal noise level is low
- (35) - A minimum exterior to interior noise level reduction of 35 decibels incorporated into construction of portions of building where public is received office areas, noise sensitive areas or where the normal noise level is low
- (YES) 2000-3999 - Conditional use permit required, additional factors to be considered: Labor intensity, structural coverage, explosive characteristics, air pollution, size of establishment, people density, peak period (including shopper/visitors) concentrations
- (YES) 6000-6999 - Conditional use permit required, low intensity office uses only (limited scale of concentration of such uses) Meeting places, auditoriums, etc. not allowed
- (YES) 7000-7999 - Conditional use permit required, facilities must be low intensity. Additional factors to be considered: Labor intensity, structural coverage, explosive characteristics, air pollution, size of establishment, people density, peak period (including shopper/visitors) concentrations
- (YES) 7430 - Conditional use permit required, facilities must be low intensity; areas of public assembly not allowed in Clear Zones, APZ-1 or APZ-2. No structures in clear zones
- [YES] 4000-4999 - No structures in Clear Zones. No passenger terminals and no major above ground transmission lines in Clear Zones or APZ I
- [YES] 6240 - Chapels not allowed
- (1) 8190 - Includes livestock grazing but excludes feedlots and intensive animal husbandry
- (2) 8160&8200 - Includes feedlots and intensive animal husbandry
- (3) 8400&9300 - Includes hunting and fishing

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Sound attenuation not required for facilities designed to accept or direct patrons or participants of outdoor races and events nor for temporary or permanent facilities designed to allow patrons to view such events.

Less than or equal to

SECTION 2. If any section of this ordinance or portion of thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not invalidate the remaining parts of this ordinance.

SECTION 3. All ordinances, parts of ordinances, chapters, sections, subsections, clauses, phrases or sentences contained in the Clark County Code in conflict herewith are hereby repealed.

SECTION 4. This ordinance shall take effect and be in force from and after its passage and the publication thereof by title only, together with names of the County Commissioners voting for or against its passage, in a newspaper published in and having a general circulation in Clark County, Nevada, at least once a week for a period of two (2) weeks.

PROPOSED on the 4th day of September, 1996

PROPOSED By: Yvonne Atkinson Gates

PASSED on the 18th day of September, 1996

VOTE:

AYES:

Jay Bingham  
Yvonne Atkinson Gates  
Lorraine Hunt  
Erin Kenny  
Bruce L. Woodbury  
\_\_\_\_\_  
\_\_\_\_\_

NAYS:

None  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ABSTAINING:

None  
\_\_\_\_\_  
\_\_\_\_\_

ABSENT:

Paul J. Christensen

Myrna Williams

BOARD OF COUNTY COMMISSIONERS  
CLARK COUNTY, NEVADA

By

*Myron Peterson*  
Chair

ATTEST:

*Loretta Bowman*  
LORETTA BOWMAN, County Clerk

This ordinance shall be in force and effect from and after the 2nd day  
of October, 1996.

[Bracketed] and/or ~~strikethrough~~ material is that portion being deleted or amended  
Underlined material is that portion being added

BILL NO. 8-21-96-1(A)

SUMMARY - An Ordinance to revise the H-1 district regulations.

ORDINANCE NO. 1898  
(of Clark County, Nevada)

AN ORDINANCE TO AMEND TITLE 29, CHAPTER 29.30, TO REVISE THE REGULATIONS AND RESTRICTIONS IN THE H-1 DISTRICT, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CLARK, STATE OF NEVADA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Title 29, Chapter 29.30 of the Clark County Code is hereby amended to read as follows:

**Chapter 29.30**

**H-1 LIMITED RESORT AND APARTMENT DISTRICT**

**Sections:**

29.30.005	Designation as gaming enterprise district.
29.30.007	Conditions for enlargement or establishment.
29.30.010	Permitted uses.
29.30.015	Uses permitted subject to a conditional use permit.
29.30.020	Uses prohibited.
29.30.030	Building site area.
29.30.040	Side yard regulations.
29.30.050	Height regulations.
29.30.060	Rear yard regulations.
29.30.070	Building coverage regulations.
<u>29.30.080</u>	<u>Special provisions.</u>

**29.30.005 Designation as gaming enterprise district.** In accordance with the provisions of Chapter 463 of the Nevada Revised Statutes, the H-1 limited resort and apartment district is hereby designated as a gaming enterprise district. All property zoned H-1 or approved under resolution of intent procedures to H-1 is hereby declared to be located within the gaming enterprise district.

**29.30.007 Conditions for enlargement or establishment.** A H-1 district may be enlarged or established upon a tract of land in accordance with the requirements as listed below.

(A) Any application for a H-1 classification shall be accompanied by an application for a zone change or amendment as specified in Chapter 29.68, and shall be considered as a request to enlarge the gaming enterprise district.



(B) The proponents shall also concurrently prepare and submit written documentation demonstrating that:

- (1) The roads, water, sanitation, utilities and related services to the location are adequate;
- (2) The proposed establishment will not unduly impact public services, consumption of natural resources and the quality of life enjoyed by residents of the surrounding neighborhoods;
- (3) The proposed establishment will enhance, expand and stabilize employment and the local economy;
- (4) The proposed establishment will be located in an area planned or zoned for that purpose pursuant to NRS 278.010 to 278.630, inclusive; and
- (5) The proposed establishment will not be detrimental to the health, safety or general welfare of the community or be incompatible with the surrounding area.
- (6) All traffic impacts can be adequately mitigated. This requirement must be satisfied by the submission of a traffic study meeting the requirements set forth in the Clark County improvement standards adopted pursuant to Clark County Code Chapter 28.26 to the Clark County traffic engineer thirty days prior to submitting the application for a zone change.

(C) Upon receipt of the documentation required in subsection (A) and (B), the board of county commissioners shall hold a public hearing in accordance with the procedures established in Chapter 29.68 at which interested persons are entitled to be heard to consider the petition. Following the public hearing, the board shall grant the petition only if it is determined that the proponents have brought forth adequate evidence to demonstrate that the issues and concerns addressed in Subsections (B)(1)-(6) have been sufficiently addressed.

(D) The board shall not consider another petition for reclassification to H-1 or enlargement of the gaming enterprise district concerning the same location or any portion thereof for one year after the date of a final denial.

**29.30.010 Permitted uses.** In the H-1 limited resort and apartment district, no building or structure shall be erected which is arranged, intended or designed for other than one or more of the following uses:

- (A) Hotels, resort hotels, inns, and motels, subject to securing architectural supervision of any construction as specified in Chapter 29.52 of this title. Upon the premises of a hotel, resort hotel, inn or motel containing at least one hundred fifty guest rooms, a condominium hotel or motel may be established and maintained as a separate freestanding structure subject to a use permit. In any hotel, resort hotel, inn, or motel having at least twenty guest rooms, time-share program projects may be established and maintained in all or any number of guest rooms within such facility. In any hotel, resort hotel, inn, or motel containing at least fifty guest rooms, there may be conducted business incidental thereto and for the convenience of the occupants and guests thereof, including live entertainment. Such incidental businesses shall be accessed only from inside the building in which the same are located; the floor area used for such incidental business purposes shall not exceed twenty-five percent of the ground floor area of such building; and no outside signs for such incidental businesses shall be established, except that a restaurant, bar, retail sales establishment, or health spa may be advertised if the advertising for the same is an integral part of a permitted sign principally advertising the use of hotel, resort hotel, inn or motel;
- (B) Accessory buildings and uses customarily incidental to the above uses;
- (C) On-premises signs subject to the provisions of Section 29.44.095 and 29.44.096 of this title.

**29.30.015 Uses permitted subject to a conditional use permit.** The following uses, upon the issuance of a conditional use permit in each case, which permit shall prescribe conditions as to the building site area, materials, dimensions of yards, building setback, provisions of adequate off-street parking and loading space, and such other matters as may be necessary and not considered and/or not specified in this title;

- (1) Multiple dwellings, dwelling groups, apartment houses and time-sharing apartments; provided there is a minimum size of three hundred fifty square feet per dwelling unit and further provided that

all buildings and structures shall comply to Section 29.21.050 (property development standards) of the R-4 (multiple-family residential — high-density) district; any conditional use permit issued for such use shall be irrevocable except on grounds of noncompliance with conditions imposed at the time of initial approval;

- (2) Public and quasi-public and institutional buildings and uses;
- (3) Bars, taverns, brew pubs, etc.;
- (4) Restaurants;
- (5) Retail businesses consistent with the uses permitted in the C-C, shopping center district;
- (6) Service stations;
- (7) Gambling casinos and establishments;
- (8) High-rise structures more than nine stories or one hundred feet in height if approved by the management of McCarran International Airport after consultation with the Federal Aviation Administration;
- (9) Vacation certificate and vacation plan sales and solicitation;
- (10) Check-cashing services;
- (11) Planned development units;
- (12) Office and office buildings;
- (13) Car rental agencies (five vehicle maximum);
- (14) Outdoor dining and drinking establishments in conjunction with and accessed only through a restaurant or resort hotel, provided that either: (1) such establishments are setback 200 feet from any existing residential development or property not designated commercial or industrial in any adopted land use guide or (2) the Planning Commission or Board of County Commissioners determine that adequate visual and acoustical buffering will be provided between the establishment and the adjacent property.
- (15) The uses listed in Section 29.66.020 as permitted in any zone subject to a conditional use permit.

**29.30.020 Uses prohibited.** All other uses, and all outdoor commercial activities not explicitly permitted under conditional use permit or variance procedures, are expressly prohibited.

**29.30.030 Building site area.** There shall be no building site area regulations, except that every building or portion thereof which is designed, intended or used for any residential or dwelling purpose shall comply with the provisions of this title as to yards and areas which are required in residential zone R-4.

**29.30.035 Front yard regulations.** The minimum front yard for any building or structure more than two feet in height, except as required for residential uses in Sections 29.30.015 and 29.30.030, shall be ten feet unless ~~a greater setback is required by~~ the provisions of Chapter 29.64 of this title apply.

**29.30.040 Side yard regulations.** The minimum side yard for any buildings or structures, except as provided in Section 29.30.030, shall not be less than ten percent of the width of the lot or building plot, but in no case less than five feet and need not exceed fifty feet, except that a building or structure over forty feet in height shall have one foot additional side yard on each side of the building for each story of height above forty feet. On corner lots, the side yard which faces on a street shall not be less than twenty feet.

**29.30.050 Height regulations.** The height of a building or structure shall not exceed nine stories nor shall the overall height exceed one hundred feet unless permitted in accordance with Section 29.30.015(8) and except where the height of an off-premises advertising structure is further restricted by Section 29.44.097.

**29.30.060 Rear yard regulations.** There shall be no rear yard required except lots which rear against a lot in a residential zone, the minimum rear yard shall be twenty feet, except where buildings or structures exceed forty feet in height, one foot of additional rear yard shall be provided for each story in height over forty feet.

**29.30.070 Building coverage regulations.** No building or structure or group of buildings shall

cover more than sixty percent of the area of the lot.

**29.30.080 Special provisions.** Any use permitted pursuant to Section 29.30.010 and 015(7) above may be constructed and maintained without regard to the development and improvement standards required anywhere in this title, including but not limited to yard, density, setback, height, coverage, landscaping, trash enclosure, parking, loading, sign, and airport airspace requirements, subject to approval of a use permit under the standards and procedures set forth in Chapter 29.66 (Conditional uses-variances-permits) and complete compliance with the approved plan and with all the conditions imposed by the Planning Commission or Board of County Commissioners. The applicant for such a use permit bears the burden of demonstrating to the Planning Commission or Board of County Commissioners that the combination of services and facilities in the proximate area are sufficient to meet the intent of development standards, that the proposed facility is compatible with adjacent uses, that the relaxed standards are justified by the unique character of the project which must be designed to enhance the economic strength and aesthetic values of the community, and that the application otherwise conforms with section 29.66.025 (General standards). A use permit granted under this section shall be considered a special exception and any applicant who is denied such a use permit may reapply without regard to the time restriction of 29.66.016 for a use permit pursuant to 29.30.015 for the same or a different use. The following are exceptions to the relaxed standards, which must be complied with:

- (1) Sight zone requirements shall be maintained as required by section 29.44.060(Yards) of this title;
- (2) Airport environs requirements shall be maintained as required by chapter 29.51(Airport Environs) of this title;
- (3) No building shall be constructed within ten feet of any street unless the provisions of 29.44.060(E) (Permitted accessory structures, roadway improvements and utility equipment in required yards) are applicable;
- (4) Parking shall not be reduced by more than 30 percent of the parking spaces required;
- (5) Parking temporarily reduced for construction purposes shall not be reduced by more than 50 percent;
- (6) The requirements for building permits shall be met as listed under Chapter 29.56 (Building-permits-completion) of this title.

SECTION 2. If any section of this ordinance or portion of thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not invalidate the remaining parts of this ordinance.

SECTION 3. All ordinances, parts of ordinances, chapters, sections, subsections, clauses, phrases or sentences contained in the Clark County Code in conflict herewith are hereby repealed.

SECTION 4. This ordinance shall take effect and be in force from and after its passage and the publication thereof by title only, together with names of the County Commissioners voting for or against its passage, in a newspaper published in and having a general circulation in Clark County, Nevada, at least once a week for a period of two (2) weeks.

PROPOSED on the 21st day of September, 1996

PROPOSED By : Yvonne Atkinson Gates

PASSED on the 2nd day of October, 1996

VOTE:

AYES:

Jay Bingham  
Paul J. Christensen  
Yvonne Atkinson Gates  
Erin Kenny  
Bruce L. Woodbury  
\_\_\_\_\_  
\_\_\_\_\_

NAYS:

None  
\_\_\_\_\_  
\_\_\_\_\_  
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ABSTAINING:

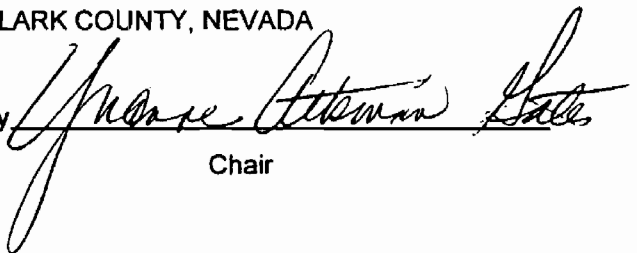
None  
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ABSENT:

Lorraine Hunt  
Myrna Williams  
\_\_\_\_\_

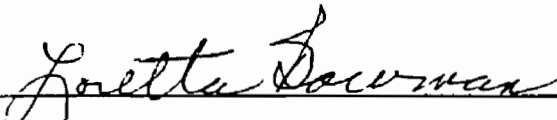
BOARD OF COUNTY COMMISSIONERS  
CLARK COUNTY, NEVADA

By



Chair

ATTEST:

  
\_\_\_\_\_

LORETTA BOWMAN, County Clerk

This ordinance shall be in force and effect from and after the 16th day  
of October, 1996.

[Bracketed] material is that portion being deleted  
Underlined material is that portion being added

BILL NO. 10-1-96-2 (A)

SUMMARY - An Ordinance to amend Title 29 providing for sight visibility zone and prohibiting objects from being placed therein.

ORDINANCE NO. 1903  
(of Clark County, Nevada)

AN ORDINANCE TO AMEND TITLE 29, CHAPTER 29.44, SECTION 29.44.060 (G)(1) PROVIDING FOR A SIGHT VISIBILITY ZONE AT STREET INTERSECTIONS AND ALLEYS AND PROHIBITING OBJECTS FROM BEING PLACED THEREIN AND EXCEPT AS SET FORTH; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CLARK, STATE OF NEVADA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Title 29, Chapter 29.44, Section 29.44.060, Paragraph (G)(1) of the Clark County Code is hereby amended to read as follows:

(G) Sight visibility zones for corner lots.

[(1) Corner and Reverse Corner Lots. All corner and reverse corner lots shall maintain for safety of vision purposes a triangular sight zone on the intersection side of a straight line connecting two points, one of which is on the front curbline and one of which is on the side curbline, each point being thirty feet from the intersection of the two curblines extended. For the purposes of this subsection, "curbline" means the back edge of the curb. In

any case where no curblineline is established, the property lines shall be used to establish the sight zone. No hedge, wall, fence, or structure of any kind may be erected to a height of more than thirty inches within the above defined sight zone.]

(1) A sight visibility zone of sufficient area shall be established and maintained at all intersections of public and/or private streets and alleys. No walls, fences, trees, shrubs, utility appurtenances or any other object, other than traffic control devices and street light poles, may be constructed or installed within the sight zone unless said object is maintained at less than 24-inches in height, measured from the top of the adjacent curb, or where no curb exists, a height of 27-inches measured from the top of the adjacent asphalt, gravel or pavement street surface. The owner/developer shall be required to dedicate sufficient right-of-way or grant an easement for sight visibility zones. The required sight visibility zone standard is illustrated in Table 1.

SECTION 2. If any section of this ordinance or portion thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not invalidate the remaining parts of this ordinance.

SECTION 3. All ordinances, parts of ordinances, chapters, sections, subsections, clauses, phrases or sentences contained in the Clark County Code in conflict herewith are hereby repealed.

SECTION 4. After its passage and the publication thereof by title only, together with the names of the County Commissioners voting for or against its passage, in a newspaper published in and having a general circulation in Clark County, Nevada, at least once a week for a period of two (2) weeks, the Provisions of this Ordinance shall take effect and be in force

on December 5, 1996. However, if a tentative map is filed prior to December 5, 1996, all subsequent applications associated with the tentative map may comply with the Provisions of this Ordinance which were in effect at the time the tentative map was filed.

PROPOSED on the 1st day of October, 1996.

PROPOSED BY: Commissioner Jay Bingham

PASSED on the 5th day of November, 1996.

AYES: Commissioners Jay Bingham

Paul J. Christensen

Erin Kenny

Myrna Williams

Bruce L. Woodbury

NAYS: Commissioners None

ABSTAINING: Commissioners None

ABSENT: Commissioners Yvonne Atkinson Gates

Lorraine Hunt


**BOARD OF COUNTY COMMISSIONERS  
CLARK COUNTY, NEVADA**

BY: 

**PAUL J. CHRISTENSEN, VICE-CHAIRMAN**

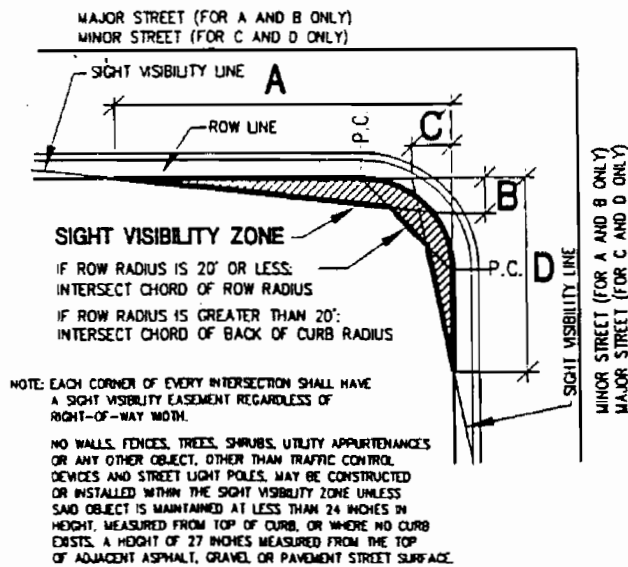


ATTEST:

  
Loretta Bowman  
LORETTA BOWMAN, County Clerk

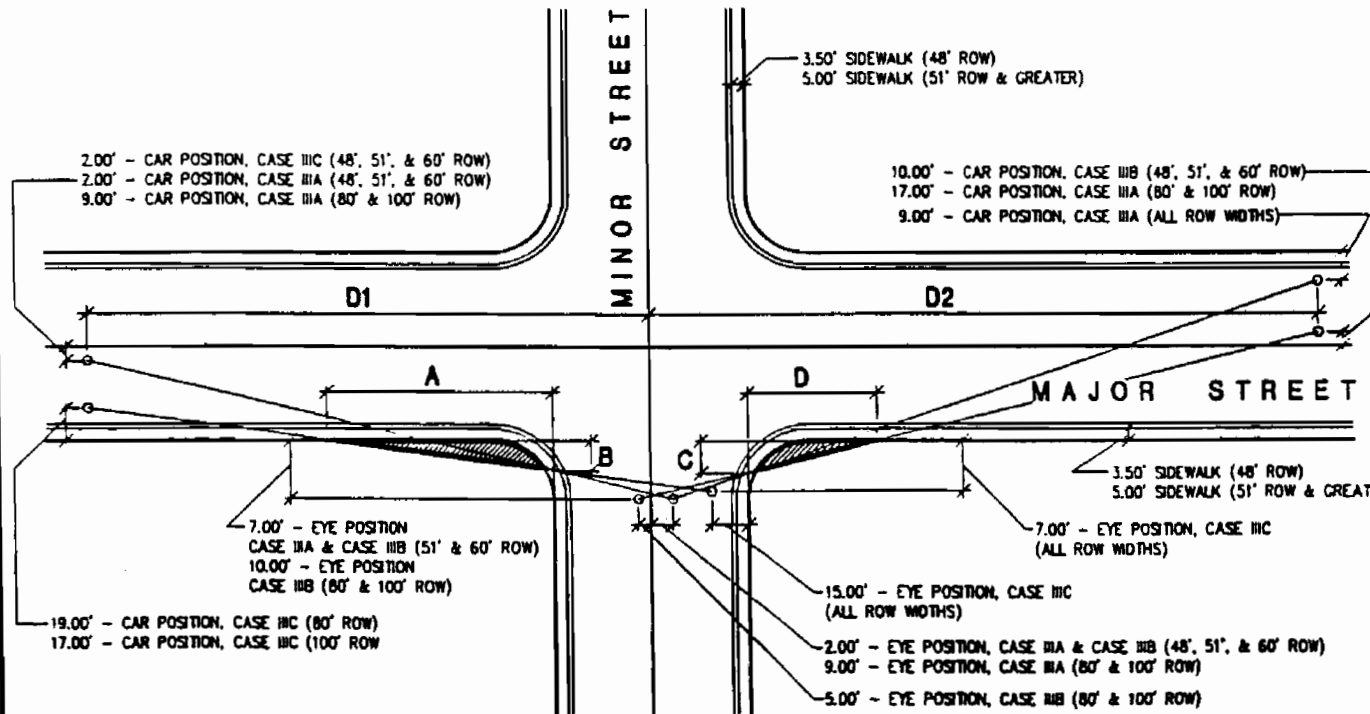
This ordinance shall be in force and effect from and after the 5th day of December, 1996.

## SETBACK TABLE



### TYPICAL INTERSECTION CORNER

MAJOR ROW \ MINOR ROW	48'	51'	60'	80'	100'
	D1=278'(IIA) D1=300'(IIC) D2=309'(IIA) D2=319'(IIB)	D1=278'(IIA) D1=300'(IIC) D2=309'(IIA) D2=319'(IIB)	D1=388'(IIA) D1=486'(IIC) D2=442'(IIA) D2=510'(IIB)	D1=394'(IIA) D1=486'(IIC) D2=491'(IIA) D2=527'(IIB)	D1=545'(IIA) D1=736'(IIC) D2=693'(IIA) D2=787'(IIB)
<b>48'</b>	A = 53' B = 6' C = 6' D = 42'	A = 39' B = 5' C = 5' D = 31'	A = 68' B = 5' C = 5' D = 55'	A = 100' B = 6' C = 5' D = 36'	A = 184' B = 6' C = 5' D = 53'
<b>51'</b>	A = 51' B = 6' C = 6' D = 40'	A = 37' B = 4' C = 4' D = 29'	A = 64' B = 5' C = 5' D = 53'	A = 98' B = 6' C = 5' D = 34'	A = 182' B = 6' C = 5' D = 51'
<b>60'</b>	A = 48' B = 6' C = 6' D = 50'	A = 33' B = 4' C = 4' D = 37'	A = 56' B = 5' C = 5' D = 48'	A = 90' B = 5' C = 4' D = 30'	A = 174' B = 6' C = 5' D = 47'
<b>80'</b>	D1=388'(IIA) D1=486'(IIC) D2=442'(IIA) D2=510'(IIB)	N/A	A = 56' B = 6' C = 6' D = 58'	A = 73' B = 6' C = 6' D = 35'	A = 157' B = 6' C = 6' D = 58'
<b>100'</b>	D1=545'(IIA) D1=736'(IIC) D2=693'(IIA) D2=787'(IIB)	N/A	N/A	A = 56' B = 4' C = N/A D = N/A	A = 140' B = 5' C = N/A D = N/A



### GENERAL NOTES

AT INTERSECTIONS WHERE THE CLASSIFICATION OF MAJOR AND MINOR STREETS CANNOT BE PERMANENTLY ESTABLISHED, EACH LEG OF THE INTERSECTION MUST BE ANALYZED AS IF THE APPROACH LEG IS A MINOR STREET INTERSECTING A MAJOR STREET. THE PORTIONS OF THE SIGHT VISIBILITY ZONE LABELED "N/A" IN THE SETBACK TABLE ARE NOT REQUIRED. AT "T" INTERSECTIONS, THE TERMINATING LEG WILL ALWAYS BE THE MINOR STREET.

CURVING ROADWAYS AND ROADWAYS WITH INTERSECTING ANGLES GREATER THAN 10 DEGREES MUST BE ANALYZED USING D1, D2, THE EYE POSITION, AND THE CAR POSITION AS SHOWN IN THE INFORMATION ABOVE.

APPROVAL OF A SIGHT VISIBILITY ZONE DIFFERENT THAN THAT SHOWN HEREIN SHALL REQUIRE A ZONING VARIANCE APPLICATION SUBMITTED BY THE OWNER AND A SIGHT VISIBILITY ANALYSIS PREPARED AND SUBMITTED BY A CIVIL ENGINEER REGISTERED IN THE STATE OF NEVADA.

THE AREA WITHIN THE LIMITS OF THE ARC AND THE CHORD AT THE CURB RETURN SHALL BE ADDED TO THE SIGHT VISIBILITY ZONE AT EACH CORNER OF EVERY INTERSECTION, EXCEPT FOR 100' x 100' INTERSECTIONS OR GREATER.

### BASIS FOR ANALYSIS

THE FOLLOWING CRITERIA WAS AND SHALL BE USED AS THE BASIS FOR DESIGN OF SIGHT VISIBILITY ZONES:

AASHTO PUBLICATION OF "A POLICY ON GEOMETRIC DESIGN OF HIGHWAYS AND STREETS", 1990 EDITION, CHAPTER IX, USING THE MOST RESTRICTIVE SIGHT LINE DERIVED FROM EACH OF THE THREE POSSIBLE CROSSING MANEUVERS (STOPPED CONDITION):

- CASE IIIA - CROSSING MANEUVER
- CASE IIB - LEFT TURN MANEUVER ONTO A MAJOR STREET
- CASE IIC - RIGHT TURN MANEUVER ONTO A MAJOR STREET

THE ANALYSIS SHOULD USE THE GREATER OF THE FOLLOWING:  
DESIGN SPEED = POSTED SPEED LIMIT PLUS FIVE  
DESIGN SPEED = POSTED SPEED LIMIT DIVIDED BY 0.85

CAR AND EYE POSITIONS AS SHOWN ABOVE.

## TABLE 1 INTERSECTION SIGHT VISIBILITY ZONE

BILL NO. 11-6-96-2(A)

SUMMARY — An ordinance to temporarily suspend certain reclassifications of zoning districts and the issuance of certain variances and conditional use permits in portions of the A-E60 Subzone of McCarran International Airport for a period of 180 days and to prohibit the current planning division of the Clark County Department of Comprehensive Planning from accepting any such applications within such area, and requiring the Department of Comprehensive Planning to present a comprehensive plan policy and applicable zoning regulations for land uses in such area within such 180 day period; and other matters properly related thereto.

ORDINANCE  
NO. 1910  
(of Clark County, Nevada)

AN ORDINANCE TO TEMPORARILY SUSPEND CERTAIN RECLASSIFICATIONS OF ZONING DISTRICTS AND THE ISSUANCE OF CERTAIN VARIANCES AND CONDITIONAL USE PERMITS IN PORTIONS OF THE A-E60 SUBZONE OF MCCARRAN INTERNATIONAL AIRPORT WHICH INCLUDE PORTIONS OF SECTIONS 19-21, 25-30, 32-36 T21S R60E; 7-35 T21S R61E; 1-5, 9, 10, 12, 16 T22S R60E; AND 2-10, 16-20, 30 T22S R61E, M.D.M. FOR A PERIOD OF 180 DAYS AND TO PROHIBIT THE CURRENT PLANNING DIVISION OF THE CLARK COUNTY DEPARTMENT OF COMPREHENSIVE PLANNING FROM ACCEPTING ANY SUCH APPLICATIONS FOR ZONE CHANGES, VARIANCES OR CONDITIONAL USE PERMITS WITHIN SUCH AREA, AND REQUIRING THE DEPARTMENT OF COMPREHENSIVE PLANNING TO PRESENT A COMPREHENSIVE PLAN POLICY AND APPLICABLE ZONING REGULATIONS FOR LAND USES IN SUCH AREA WITHIN SUCH 180 DAY PERIOD; AND OTHER MATTERS PROPERLY RELATED THERETO.

THE BOARD OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CLARK, STATE OF NEVADA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. General Purpose. This ordinance is adopted for the purpose of preserving the status quo with respect to land development within portions of the A-E60 subzone of McCarran International Airport ("McCarran"), which include portions of Sections 19-21, 25-30, 32-36 T21S R60E; 27-35 T21S R61E; 1-5, 9, 10, 12, 16 T22S R60E; and 2-10, 16-20, 30 T22S R61E, M.D.M. and is more particularly shown on the Cooperative Management Area map dated July 24, 1996, and attached hereto and made a part hereof (the "Affected Area"), while the Clark County Board of County Commissioners ("BCC") develops policies and corresponding zoning related to land uses within the Affected Area. Until recently, much of the land area within the Affected Area has been designated in the Clark County Comprehensive Plan (the "Comprehensive Plan") for low-density development. However, the land use designation of certain property within the Affected Area recently has been changed to allow denser residential development. The BCC is concerned that this could lead to development of land uses near McCarran that are incompatible with operations and activities at McCarran. Specifically, development within the Affected Area raises the following concerns:

- a) The BCC has already received numerous and vociferous complaints from people living in residential development within the Affected Area about airport noise;
- b) Under the Interim Cooperative Management Agreement between Clark County and the Bureau of Land Management, the County is obligated to take appropriate action to prevent incompatible land uses within the Affected Area;
- c) Clark County is obligated, under Federal Aviation Administration grant assurances, to take appropriate action, including the adoption of zoning laws, to ensure compatible uses in areas near McCarran; and

- d) The development of residential land uses in the Affected Area raises concerns related to public health, safety, and welfare.

In addition, the BCC has already adopted a policy in the Community District Element of the Comprehensive Plan which restricts certain types of land uses within a portion of the Affected Area. The BCC is concerned about the consistency of this policy with other sections of the Comprehensive Plan, the land use guides for Spring Valley, Paradise, and Enterprise, and the Clark County Zoning Ordinance (the "Zoning Ordinance"). In order to develop such consistency, and to address the concerns listed above, the BCC is undertaking a review of the Comprehensive Plan policies and zoning restrictions that apply to property within the Affected Area. Until this process is complete, the BCC cannot assure that land uses approved for the Affected Area are compatible with operations and activities at McCarran or that restrictions within the Affected Area will be appropriately and consistently applied.

**SECTION 2.** From the effective date of this ordinance and for a period of six (6) months thereafter (the "Prohibition Period"), the Clark County Planning Commission and the BCC shall not approve any Application, as defined in this Section 2, for any property in the Affected Area. As used herein, the term "Application" shall mean any application for a zone change, conditional use permit or variance that would increase the residential density on property within the Affected Area. This section shall not apply to any Application that is filed with the Clark County Department of Comprehensive Planning prior to November 20, 1996.

**SECTION 3.** During the Prohibition Period, the Clark County Department of Comprehensive Planning shall not accept any new Application related to property in the Affected Area.

SECTION 4. During the Prohibition Period, the Clark County Department of Comprehensive Planning shall complete and present to the Planning Commission and the BCC proposed amendments to the Comprehensive Plan, Zoning Ordinance and other related planning and zoning documents that establish restrictions on land uses within the Affected Area to insure that such land uses are compatible with airport activities and operations and with the health, safety and welfare of the community.

SECTION 5. If any section of this ordinance or portion thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not invalidate the remaining parts of this ordinance.

SECTION 6. All ordinances, parts of ordinances, chapters, sections, subsections, clauses, phrases or sentences contained in the Clark County Code in conflict herewith are hereby repealed.

SECTION 7. This ordinance shall take effect and be in force from and after its passage and the publication thereof by title only, together with names of the County Commissioners voting for or against its passage, in a newspaper published in and having a general circulation in Clark County, Nevada, at least once a week for a period of two (2) weeks.

PROPOSED on the 6th day of  
November, 1996.

PROPOSED by Jay Bingham

PASSED on the 20th day of  
November, 1996.

VOTE:

AYES: Jay Bingham  
Paul J. Christensen  
Lorraine Hunt  
Erin Kenny  
Myrna Williams  
Bruce L. Woodbury

NAYS: None

ABSTAINING: None

ABSENT: Yvonne Atkinson Gates

BOARD OF COUNTY COMMISSIONERS  
CLARK COUNTY, NEVADA

By:   
Vice Chair

ATTEST:

A handwritten signature in cursive script, reading "Loretta Bowman", is written over a solid horizontal line.

LORETTA BOWMAN, County Clerk

This ordinance shall be in force and effect from and after the 4<sup>th</sup> day of  
December, 1996.



[Bracketed] and/or ~~strike through~~ material is that portion being deleted or amended  
Underlined material is that portion being added

BILL NO. 11-20-96-1

SUMMARY - An Ordinance to revise the restrictions for off-premise for sale signs

ORDINANCE NO. 1915  
(of Clark County, Nevada)

AN ORDINANCE TO AMEND TITLE 29, CHAPTERS 29.02, AND 29.44 SECTION 29.44.097 AND TO ADD A NEW SECTION, 29.02.6895, TO DEFINE RESIDENTIAL USE, TO REVISE THE RESTRICTIONS FOR OFF-PREMISE FOR SALE SIGNS, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CLARK, STATE OF NEVADA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Title 29, Chapter 29.02, of the Clark County Code is hereby amended to add a new section to read as follows:

**29.02.6895 Residential Use.** "Residential use" means an existing occupied residential dwelling in any residential or special district (but not recreational vehicles, nor manager apartments in commercial or industrial districts), or property designated only for residential uses in any adopted land use guide, unless the final approval of any unexpired land use application allows a non-residential use on the property as a principal use.

SECTION 2. Title 29, Chapter 29.44, Section 29.44.097 of the Clark County Code is hereby amended to read as follows:

**29.44.097 Off-premises advertising.** The purposes of these regulations are to regulate the location and design of off-premises signs and advertising structures; to maintain and enhance the aesthetic environment; to enhance the county's ability to attract sources of economic development and growth; to improve pedestrian and vehicular traffic safety; to minimize the possible adverse effect of signs on nearby public and private property and to enable the fair and consistent enforcement of these sign restrictions. Off-premises advertising displays, signs and structures shall be allowed subject to the provisions of Section 29.44.095 and as further provided herein:

(A) **Permitted Locations.** Off-premises signs are to be considered primarily as a specific type of land use rather than as an incidental use to an existing land use. Off-premises signs produce a revenue to the property owner as a land use as compared to on-premises signs which in themselves do not produce a revenue but are incidental to a revenue-producing land use. On streets that serve as access to commercial business establishments, off-premises signs compete with on-premises signs for the traveler's attention; further, the on-premises signs serve a beneficial purpose of directing the traveler to their desired destination, whereas off-premises signs typically do not. For all of the preceding reasons, off-premises signs and advertising shall be limited to the off-premises advertising overlay zone. Locations in the off-premises

advertising overlay zone are along routes that do not serve as direct access to commercial business establishments or are in the resort area where traffic is slow and the existence of numerous large signs is common and, in fact, is a distinct design feature of the area. Off-premises advertising shall be permitted in the C-C, C-1, C-2, C-3, H-1, H-2, P-F, M-D, M-1, M-2 and M-3 zoning districts only in the following described off-premises advertising overlay zone:

- (1) The area within the Las Vegas valley within the following boundaries:
  - (a) Bounded on the north by the city of Las Vegas/Clark County boundary,
  - (b) Bounded on the west by Arville Street between the city of Las Vegas boundary and Rochelle Avenue, then running along Rochelle Avenue to Decatur Boulevard, then continuing south on Decatur Boulevard,
  - (c) Bounded on the south by a line one hundred feet south of Sunset where located west of I-15 and by a line one hundred feet south of Maule Avenue where located east of I-15, and
  - (d) Bounded on the east by a line one hundred feet east of Paradise Road between Sahara and Harmon Avenue, then running along Harmon Avenue to Swenson Street then continuing south on Swenson Street to the exit for McCarran International Airport, then continuing south along a line one hundred feet east of Paradise Road; and
- (2) Along the following interstates and federal-aid primary routes as defined by the Nevada Department of Transportation: I-15, I-515, U.S. Highway 93, U.S. 95 and I-215 from I-15 east to within two hundred feet of Warm Springs road. Evidence of approval of the off-premises advertising structure by the Nevada Department of Transportation must be provided prior to issuance of a building permit by Clark County. Off-premises advertising proposed in these areas must be oriented so as to have direct visual exposure to the highway and must be located within one hundred feet of the highway right-of-way line; and
- (3) Areas where the right-of-way for U.S. Highway 91 (Las Vegas Boulevard South) is located less than one hundred feet from the right-of-way for I-15, within the following legally described sections:

Township 23 South, Range 61 East: SW1/4, NW1/4, Section 20 and N1/2, Section 30  
Township 24 South, Range 60 East: N1/2, SE1/4 Section 1, S1/2, S1/2 Section 2, and Sections 15 and 16

Where the right-of-way for U.S. Highway 91 (as listed above) is located less than one hundred feet from the right-of-way for I-15, the off-premises advertising proposed must be oriented so as to have direct visual exposure to I-15 and the sign setback shall be measured from the East right-of-way line for U.S. Highway 91; and

(4) The Boulder Highway from the intersection of the Boulder Highway and U.S. Highway 93/95 to the city of Henderson/Clark County boundary. Off-premises advertising proposed in these areas must be oriented so as to have direct visual exposure to the highway and must be located within one hundred feet of the highway right-of-way line.

**EXCEPTION:** The off-premises advertising overlay zone shall not include the area within four hundred feet of either side of the centerline of U.S. Highway 95 within the town site of Searchlight within the following legally described sections, generally described as six miles north and six miles south of the Searchlight town center:

Township 28 South, Range 63 East: Sections 2, 11, 14, 22, 23, 27, 34 and 35  
Township 29 South, Range 63 East: Sections 2, 11, 14, 23, 24, 25 and 36.

(B) Conditional Use Permit. A conditional use permit in accordance with the provisions of Chapter 29.66 of this title shall be required for any off-premises advertising proposed to be located where the leading edge of the sign is within three hundred feet of the property upon which a residential [zoning district] use is located, within three hundred feet of a P-F zoning district where a school, library or park is located or as required in subsection (F) below. The applicant must demonstrate that the proposed off-premises sign, its design and its location are compatible with any existing ~~residence or a~~ residential use or P-F zoning district within a three hundred foot radius of the proposed off-premises sign. Compatibility will be determined in

accordance with the standards described in Section 29.66.025, General Standards.

(C) Size, Height, Setbacks. The minimum height of an off-premises advertising sign shall be measured from the horizontal surface of the ground to the lowest portion of horizontal projection of the sign. The minimum height shall not be less than fourteen feet where located in an area subject to vehicular traffic, nor less than ten feet in any other location. Maximum size, height and setbacks shall be as follows:

Size	672 square feet maximum, except in P-F zone, where the size is unrestricted
Height	Allowable building height or 50 feet, whichever is less
Setbacks	Same as building setbacks

**EXCEPTIONS:**

(1) Size. An embellishment of up to five feet above the face of an off-premises advertising structure may be added, not to exceed more than one hundred twenty-eight square feet additional sign area, for a maximum total sign area of eight hundred square feet.

(2) Height. Off-premises advertising structures along an elevated roadway shall be a maximum height of thirty feet above the grade of the travel lane of the roadway when the sign is oriented toward the roadway and the nearest edge of the structure is within sixty feet of the roadway right-of-way.

(D) Separations. Required separations shall be as follows: the distances designated in the chart below with an asterisk\* are to be measured in radius fashion from the leading edge of the sign. All other distances shall be measured in a linear fashion from the edge of the sign face and shall only apply to signs on the same side of the public right-of-way.

From a <del>residential</del> property line <u>upon which a residential use is located</u>	100 feet minimum*
From another off-premises advertising sign, except along a roadway described in Section (A)(2)	300 feet minimum
From another off-premises advertising sign along a roadway described in Section (A)(2)	500 feet minimum
From an on-premises advertising sign on another parcel	100 feet minimum
From any point of intersection of roadways	50 feet minimum*

(E) "Flagging" Prohibited. No portion of an off-premises advertising sign or sign structure shall be erected above, over or through a building~~-or structure~~, and following establishment of the off-premises sign, no building~~-or structure~~ shall be constructed or placed beneath any part of an off-premises sign.

(F) Sign Faces. Off-premises advertising structures shall be double-faced or otherwise covered so as to preclude visibility of any unfinished rear surface from any public right-of-way. Sign faces may be placed at an angle not to exceed forty-five degrees, provided that the open side is covered so as to preclude visibility of the rear surface from any public right-of-way. Off-premises advertising structure: consisting of more than two sign faces and/or consisting of angles exceeding forty-five degrees shall require conditional use permit approval subject to the provisions of Chapter 29.66 of this title. The applicant must demonstrate that the proposed structure is compatible with the surrounding area.

(G) Sign Permits and Associated Fees.

(1) Sign Permit. An application for a sign permit for the construction, placement or installation of a new sign or the relocation or modification of the structure of an existing sign shall be filed with the current planning division upon forms furnished by the current planning division. The permit application shall be accompanied by detailed drawings to show the dimensions, design, structure and location of each particular sign. Evidence of the property owner's approval of the sign installation is required. Evidence of approval of the off-premises advertising structure by the Nevada Department of Transportation must be provided prior to issuance of a sign permit for any sign which is located along I-15, I-515, U.S. 93, U.S. 95 and I-215 from I-15 east to within two hundred feet of Warm Springs road. The current planning division shall approve and issue a sign permit upon compliance with Clark County Code, payment of all required fees and issuance of any required building permit. The sign permit shall expire if the building permit for the sign expires due to lack of construction or completion of the sign structure. The sign permit number shall be clearly displayed on each off-premises advertising structure.

(2) Sign Permit Fee. No permit shall be issued for the construction, placement, installation, relocation or modification of an off-premises advertising structure until a fee as required by chapter 29.76 of this title has been paid.

(H) Requirements Waived.

(1) Off-premises advertising structures do not require the signing of an aviation easement. Off-premises advertising structures proposed to be located in a P-F zoning district are exempt from the requirements for design review listed in Chapter 29.52. All other off-premises advertising structures are exempt from the requirements for design review listed in Chapter 29.52, unless they are proposed to be located within the areas described below where there is the potential for conflicts with aircraft departures.

Township 21 South, Range 61 East:

SE1/4 of Section 21

S1/2N1/2 of Section 31

S1/2 of Section 32

SW1/4 of Section 22

S1/2 of Section 31

S1/2 of Section 33

Township 22 South, Range 61 East:

NW1/4 of Section 4

NE1/4 of Section 5

(2) Off-premises advertising structures, when established as the sole use of the property, do not require installation of paved parking, landscaping, wall-enclosed trash areas or off-site improvements.

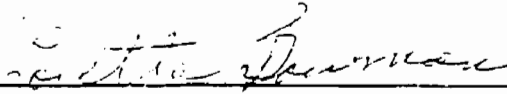
SECTION 3. If any section of this ordinance or portion of thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not invalidate the remaining parts of this ordinance.

SECTION 4. All ordinances, parts of ordinances, chapters, sections, subsections, clauses, phrases or sentences contained in the Clark County Code in conflict herewith are hereby repealed.

SECTION 5. This ordinance shall take effect and be in force from and after its passage and the publication thereof by title only, together with names of the County Commissioners voting for or against its passage, in a newspaper published in and having a general circulation in Clark County, Nevada, at least once a week for a period of two (2) weeks.



ATTEST.

  
\_\_\_\_\_

LORÉTTA BOWMAN County Clerk

This ordinance shall be in force and effect from and after the 19th day  
of December, 1996.

[Bracketed] and/or ~~striketrough~~ material is that portion being deleted or amended  
Underlined material is that portion being added

BILL NO. 12-4-96-1

SUMMARY - An Ordinance to revise the restrictions on auctions, day care centers, and temporary construction storage.

ORDINANCE NO. 1922  
(of Clark County, Nevada)

AN ORDINANCE TO AMEND TITLE 29, CHAPTER 29.66, SECTION 29.66.020, TO REVISE THE RESTRICTIONS FOR DAY CARE CENTERS, AUCTIONS, GOVERNMENT OFFICES, TEMPORARY CONSTRUCTION STORAGE, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CLARK, STATE OF NEVADA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Title 29, Chapter 29.66, Section 29.66.020 of the Clark County Code is hereby amended to read as follows:

**29.66.020 Conditional use permits.** The planning commission has the power to authorize the issuance of conditional use permits for the specified types of uses, buildings or structures for which such permits are required or permitted by the provisions of this title.

All of the following, and all matters directly related thereto, are declared to be special uses and such declaration is based on the fact that all of the uses herein enumerated possess characteristics of unique and special forms as to make impractical their being included automatically in any class of use as set forth in the various zones defined in this title:

- (A) Airports, including commercial or public, and landing fields for private use;
- (B) Cemeteries, columbariums, crematories, mortuaries, and mausoleums upon condition that the area of any cemetery not be less than forty acres;
- (C) Establishments involving large assemblages of people or automobiles including:
  - (1) Amusement parks,
  - (2) Circuses,
  - (3) Fairgrounds,
  - (4) Race tracks,
  - (5) Privately-operated recreational centers; rock concerts; miniature golf courses; amusement arcades; nudist camps; privately-operated party, picnic and camping facilities; and all other similar privately-operated recreational activities,
  - (6) Swap meets;
  - (7) Auctions;
- (D) Hospitals, clinics, rest homes and sanitariums upon the following conditions:
  - (1) All buildings are located at least fifty feet from any property line common to other property not devoted to a similar purpose,

- (2) Building coverage not to exceed forty percent of the building site area,
- (3) Location of the site, building plans and plot plan,
- (4) The conditional use permit application for any such hospital, clinic, rest home, or sanitarium shall specify in detail the proposed uses of the facility, including whether or not such facility is to be a general purpose (physiological treatment) hospital, a psychiatric hospital, a maternity hospital, or other form of specialized service hospital. The type of facility being proposed shall also be detailed on all public hearing notices, agenda items, and other documents related to such conditional use permit application;
- (E) Public utility buildings and structures and radio or television transmitters or antennas other than amateur licensed;
- (F) Churches, museums and libraries upon condition that the location, building appearance, building height, and plot plans be approved;
- (G) Schools (including private vocational and avocational schools for five or more students), colleges, public playgrounds and athletic fields. A gymnasium, auditorium, theater, or similar use may be permitted in conjunction with a school at a height greater than permitted by this code providing plans showing the height are approved by the Planning Commission or the Board of County Commissioners.
- (H) Power transmission lines greater than 69 kv;
- (I) Live entertainment which is provided incidental, or in conjunction with another commercial use. Such permit shall be granted with proof that potential traffic, parking, noise, and security issues will be adequately mitigated to protect neighboring uses.
- (J) Railroad, bus, truck and air terminals, upon the condition that the location, building, structure and plot plans are approved;
- (K) Child nurseries upon the condition that the location and building plan be approved and limited to not more than twelve children when ~~located in a residential district~~the facility is located fronting a street less than eighty feet in width, and further provided that the applicant shall demonstrate the use is compatible with neighboring uses. Nothing in this section shall apply to ~~that certain~~ a child care facility defined as a "family care home" by Chapter 6.16 of this code;
- (L) Convention and exposition halls;
- (M) Watchman's trailer in conjunction with a commercial or industrial use;
- (N) Offices and facilities of any governmental agency in residential districts when located on parcels of less than five gross acres.
- (O) Heliports, upon condition that each proponent for a heliport must provide to the board of county commissioners (through the director of aviation and the director of comprehensive planning with their recommendations) a planning report analyzing the environmental aspect of the requested conditional use permit giving attention to whether the proposed use permit would adversely affect noise levels for a significant number of people or would produce any other significant impact upon the human environment, including those related to traffic generation and land-use compatibility. Proponents for heliports must also provide evidence of airspace and air traffic approval of the Federal Aviation Administration for the operation of the proposed heliport;
- (P) Cooperative apartments, where ownership is a condition of residence and/or there is an agreement to maintain some portion of the apartment and/or apartment building as a common area and/or responsibility;
- (Q) Keeping of exotic animals; provided, that the application for such permit shall demonstrate that all federal, state, and county animal control regulations have been complied with;
- (R) Belfries, church spires, flag poles, elevator bulkheads, smokestacks, monuments, ornamental towers or spires, water towers and radio transmission and receiving mast towers at heights greater than permitted by this code upon the following conditions:
  - (1) Used as part of and auxiliary to the lawful use of the premises,
  - (2) Designed and constructed in accordance with all building codes,
  - (3) The structure is designed and maintained to prohibit habitation,
  - (4) Meets the standards of the Federal Aviation Administration and the department of aviation and not to interfere with safe aviation operation and communication,
  - (5) Radio transmission and receiving towers to comply with the following additional



conditions:

(a) Licensure as required by Federal Communications Commission,  
(b) Height not to exceed that necessary for efficient operating as authorized by the Federal Communications Commission.

(c) The operation of the communication facility contributes to public purposes as expressed in federal communications laws and regulations;

(d) Designed and operated so as to not to interfere with other lawful radio or telephonic communication;

(S) Senior Housing.

(1) The maximum residential density permitted by the zoning district may be increased in the case of senior housing development only where master planned or previously zoned for multi-family use and then limited to:

(a) R-3 zone, not more than twenty-two units per gross acre,

(b) R-4 zone, not more than thirty-nine per gross acre,

(2) Evidence. Applicant shall submit evidence which shows that the proposed development is designed to produce an environment of stable and desirable character and that areas of open space, parking, recreational facilities, service and other common areas are sufficient and adequate to properly serve the anticipated population of the development.

(3) Road Requirements.

(a) Within any senior housing development with private streets passing in front of each residential unit, such streets will be forty feet in width, consisting of thirty-six feet of paving, a two-foot roll curb and gutter on each side, and a four-foot sidewalk on each side of the street.

(b) Within senior housing developments designed with vehicle access only to parking areas, driveways to and within such parking areas shall not be less than twenty-four feet in width exclusive of parking stalls.

(T) Gravel pits, and/or concrete/asphaltic batch plants only in conjunction with the gravel pit, or temporary construction storage only in conjunction with a major project as defined by title 26 of the Clark County Code, and providing the gravel is excess gravel generated in the course of grading for the major project, subject to a one thousand foot setback to any equipment from an existing occupied residential dwelling on any other property, and providing that paved access is provided if the property is located within the PM10 nonattainment area described in Subsection 29.06.030(C). The provisions of Chapter 29.44 pertaining to landscaping, trash enclosure, and zone boundary wall requirements shall not apply to such a use, and paved parking and driveways shall not be required providing dust control measures are applied if required by the Clark County Air Pollution Control Division. Any use permit approval shall not be for a period of time to exceed five years, or the time required for completion of the major project, whichever comes first.

(U) Gravel pits, temporary construction storage, and/or concrete/asphaltic batch plants in conjunction with temporary construction projects on a site other than the construction site, providing that paved access is provided if the property is located within the PM10 nonattainment area described in Subsection 29.06.030(C), and that the property is adequately buffered from existing residential uses as determined by the Planning Commission or Board of County Commissioners. The provisions of Chapter 29.44 pertaining to landscaping, trash enclosure, and zone boundary wall requirements shall not apply to such a use, and paved parking and driveways shall not be required providing dust control measures are applied if required by the Clark County Air Pollution Control Division. Any use permit approval shall not be for a period of time to exceed two years, or the time required for completion of the construction project, whichever comes first.

(V) Gravel pits, temporary construction storage, and/or concrete/asphaltic batch plants only in conjunction with a public project initiated and funded by any governmental entity, providing the gravel is excess gravel generated in the course of grading for the public project and providing that the property is adequately buffered from existing residential uses as determined by the Planning Commission or Board of County Commissioners. The provisions of Chapter 29.44 pertaining to landscaping, trash enclosure, and zone boundary wall requirements shall not apply to such a use, and paved parking and driveways shall not be required providing dust control measures are applied if required by the Clark County Air Pollution Control

Division. Any use permit approval shall not be for a period of time to exceed ~~(five)~~two years, or the time required for completion of the public project, whichever comes first.

SECTION 2. If any section of this ordinance or portion of thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not invalidate the remaining parts of this ordinance.

SECTION 3. All ordinances, parts of ordinances, chapters, sections, subsections, clauses, phrases or sentences contained in the Clark County Code in conflict herewith are hereby repealed.

SECTION 4. This ordinance shall take effect and be in force from and after its passage and the publication thereof by title only, together with names of the County Commissioners voting for or against its passage, in a newspaper published in and having a general circulation in Clark County, Nevada, at least once a week for a period of two (2) weeks.

PROPOSED on the 4th day of December, 1996

PROPOSED By: Yvonne Atkinson Gates

PASSED on the 18th day of December, 1996

VOTE:

AYES:

Yvonne Atkinson Gates

Lorraine Hunt

Erin Kenny

Myrna Williams

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

NAYS:

None

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

ABSTAINING:

None

\_\_\_\_\_

\_\_\_\_\_

ABSENT:

Jay Bingham

Paul J. Christensen

Bruce L. Woodbury

BOARD OF COUNTY COMMISSIONERS  
CLARK COUNTY, NEVADA

By

George A. Latta

Chair

ATTEST:

Loretta Bowman

LORETTA BOWMAN, County Clerk

This ordinance shall be in force and effect from and after the 1st day  
of January, ~~1996~~ 1997.

[Bracketed] and/or ~~struck through~~ material is that portion being deleted or amended  
Underlined material is that portion being added

BILL NO. 12-4-96-2 (A)

SUMMARY - An Ordinance to include reference to a recently adopted land use guide.

ORDINANCE NO. 1923  
(of Clark County, Nevada)

AN ORDINANCE TO AMEND TITLE 29, CHAPTER 29.68, SECTION 29.68.015, TO INCLUDE REFERENCE TO A RECENTLY ADOPTED LAND USE GUIDE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CLARK, STATE OF NEVADA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Title 29, Chapter 29.68, Section 29.68.015 of the Clark County Code is hereby amended to read as follows:

**29.68.015 Master plan for land use.** The Clark County comprehensive plan and all adopted amendments thereto shall serve as a pattern and guide for the orderly physical growth and development of Clark County. However, for the purposes of determining procedures and submittal requirements for zone change applications, the zoning administrator shall apply only a portion of the comprehensive plan described herein as the master plan for land use, and shall have the authority to interpret these described portions for application submittal purposes. The "master plan for land use" shall consist of the following elements of the adopted comprehensive plan:

(A) The general plan map for unincorporated portions of the Las Vegas Valley adopted by the board of county commissioners on January 21, 1974, except as amended by the adoption of one or more of the following more recent plans:

(B) The plans and policy statements on pages 51 through 58 of the Laughlin land use and development guide adopted by the board of county commissioners on February 16, 1993;

(C) ~~[The plan on page 55 of the Mt. Charleston comprehensive land use plan adopted by the board of county commissioners on August 17, 1982;]~~ The plans and policy statements on pages 59 through 77 of the Northwest Clark County land use and development guide adopted October 15, 1996;

(D) The plans and policy statements on pages 71 through 94 of the ~~[northeast]~~ Northeast Clark County land use and development guide adopted by the board of county commissioners on May 3, 1994;

(E) The plans and policy statements on pages 55 through 65 of the Enterprise land use and development guide adopted by the board of county commissioners on December 15, 1992;

(F) The plans and policy statements on pages 69 through 88 of the Spring Valley land use and development guide adopted by the board of county commissioners on May 15, 1990 and amended January 21, 1992;

(G) ~~[The plan on page 7 of the Indian Springs comprehensive land use plan adopted by the board of county commissioners on July 1, 1980;~~

~~—(H)—~~ ]The plans and policy statements on pages 43 through 53 of the East Las Vegas land use and development guide adopted by the board of county commissioners on April 16, 1991;

~~(H)~~ (H) The plans and policy statements on pages 47 through 65 of the Lone Mountain land use and development guide adopted by the board of county commissioners on April 16, 1991;

~~(I)~~(L) The plans and policy statements on pages 49 through 65 of the Sunrise Manor land use and development guide adopted by the board of county commissioners on May 21, 1991;

~~(K)~~(J) The plans and policy statements on pages 49 through 83 of the Winchester and Paradise land use and development guide as amended and adopted by the board of county commissioners on February 6, 1996[-];

~~(L)~~(K) The plan and policy statements for community district 1, community district 2, community district 3, and community district 6 boundaries as amended and adopted by the board of county commissioners on April 2, 1996, and also as amended relative to the community district 2 A-E60 development guidelines on July 16, 1996[-];

~~(M)~~(L) The plans and policy statement on pages 42 through 57 of the South County land use and development guide adopted on December 6, 1994[-];

~~(N)~~(M) The plans and policy statements on pages 9 and 10 of the Summerlin's southern comprehensive planned community land use and development guide adopted June 21, 1995.

SECTION 2. If any section of this ordinance or portion of thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not invalidate the remaining parts of this ordinance.

SECTION 3. All ordinances, parts of ordinances, chapters, sections, subsections, clauses, phrases or sentences contained in the Clark County Code in conflict herewith are hereby repealed.

SECTION 4. This ordinance shall take effect and be in force from and after its passage and the publication thereof by title only, together with names of the County Commissioners voting for or against its passage, in a newspaper published in and having a general circulation in Clark County, Nevada, at least once a week for a period of two (2) weeks.

PROPOSED on the 4th day of December, 1996

PROPOSED By: Yvonne Atkinson Gates

PASSED on the 18th day of December, 1996

VOTE:

AYES:

Yvonne Atkinson Gates

Lorraine Hunt

Erin Kenny

Myrna Williams

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NAYS:

None

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ABSTAINING:

None

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\_\_\_\_\_

ABSENT:

Jay Bingham

Paul J. Christensen

Bruce L. Woodbury

BOARD OF COUNTY COMMISSIONERS  
CLARK COUNTY, NEVADA

By

*Thomas A. Gato*

Chair

ATTEST:

*Loretta Bowman*

LORETTA BOWMAN, County Clerk

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of January, ~~1996~~ 1997.