

APPLICABLE COUNTY CODE
PROVISIONS & ORDINANCES LOCKED IN UNDER DEVELOPMENT
AGREEMENT FOR INITIAL DEVELOPMENT OF LAND

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Chapter 19.05*

LOCAL PARK CODE

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* Prior ordinance history: Ords. 908, 1084

19.05.010 Authority, general purposes and objectives. (a) The ordinance codified in this chapter is enacted pursuant to the authority of NRS 278.497 to 278.4987, inclusive, to provide for the acquisition, improvement and expansion of neighborhood and community parks to serve the unincorporated areas of Clark County.

(b) Further, in accordance with NRS 244.300 to 244.307 and the Clark County comprehensive plan adopted December 15, 1983, the board of county commissioners may enact, review and revise park standards and guidelines pertaining to all park revenues and park lands for the acquisition, expansion, improvements, operations and maintenance of public neighborhood, community, regional and special use parks and facilities in the unincorporated areas of Clark County. (Ord. 1360 § 1 (part), 1992)

19.05.020 Definitions. As used in Sections 19.05.020 to 19.05.120, inclusive, unless the context otherwise requires, the words and terms have the meanings ascribed to them in this section. Words used in the present tense include the future, words in the singular number include the plural and the plural the singular.

(1) “Developed open space” means a common open space within a residential subdivision or development that is developed with active recreational appurtenances, which may include swimming pools, tennis courts, handball courts, playground equipment and similar facilities or developments that are customarily associated with parks.

(2) “Neighborhood park” means a park the size of which does not exceed twenty-five acres and which is designed to serve natural persons, families and small groups in the park district that is created for the benefit of the neighborhood from which any residential construction tax is derived.

(3) “Community park” means a large site, generally exceeding one hundred acres, except in rural communities, designed to provide a wide range of open space and recreational opportunities for a population composed of several neighborhoods. Community park facilities include all the facilities typically found in a neighborhood park, but also include facilities for organized recreation and cultural programs including, but not limited to: lighted tennis courts, lighted baseball and softball fields, group picnic areas, special events areas, swimming pools and related facilities, trails, restrooms and parking.

(4) “Park or park facilities” means a tract of land that is dedicated to, and set aside and maintained for, recreational purposes and includes, without limitation, areas of turf and trees, playgrounds and playground equipment, picnic facilities, playing fields and structures to facilitate recreational and cultural programs and activities, and other recreational appurtenances such as

lighted tennis courts, lighted baseball and softball fields, trails and vehicular parking lots and public rest rooms.

(5) "Residential construction tax" means a charge imposed on new residential development to finance the costs of capital improvement or facility expansion of neighborhood parks necessitated by and attributable to the new development.

(6) "Residential dwelling unit" means a building or a portion of a building planned, designed or used as a residence for one family only, living independently of other families or persons, and having its own bathroom and housekeeping facilities included in the unit. This includes any unit(s) in a "one-family dwelling," "two-family dwelling," and "multiple-family dwelling." This also includes manufactured residences.

(7) "Mobile home lot" means any area or tract of land designated, designed or used for the occupancy of a mobile home. (Ord. 1360 § 1 (part), 1992)

19.05.030 Residential construction tax—Imposition—Rate. (a) There is hereby imposed and shall accrue and be collected a residential construction tax, as the same is provided for in this chapter, upon the privilege of constructing apartment houses and residential dwelling units, including, without limitation, the remodeling of any nonresidential structure for use as a dwelling unit, and developing mobile home lots within the county, the building permits for which are applied for on and after the date on which the ordinance codified in this chapter becomes effective.

(b) The rate of the residential construction tax shall be one percent, to the nearest dollar, of the valuation of each residential dwelling unit or mobile home lot, or one thousand dollars per residential dwelling unit or mobile home lot, whichever is less.

(c) For purposes of this chapter and the calculation of the amount of the residential construction tax, the value of apartments and residential dwelling units shall be deemed to be thirty-two dollars per square foot, for each apartment or dwelling unit; and the value of mobile home lots shall be deemed to be thirty-two dollars multiplied by the number of square feet in a twenty-four feet by sixty feet mobile home, for each mobile home lot. (Ord. 1360 § 1 (part), 1992)

19.05.040 Residential construction tax—Paid prior to issuance of building permits. Prior to the issuance of any building permit for the construction of any apartment house or residential dwelling unit or the development of any mobile home lot, or prior to the issuance of any building permit for the remodeling of any nonresidential structure for the purpose of residential dwelling use, the applicant of such building permit shall pay to the county the residential construction tax that is applicable thereto, as the same is determined in accordance with Section 19.05.030(b) of this chapter. (Ord. 1360 § 1 (part), 1992)

19.05.050 Residential construction tax—Alternative to payment. Any developer who proposes the dedication of real property or the construction and development of park facilities which, would entitle the developer to a refund of the residential construction tax, may apply to the director of parks and recreation for alternative treatment in accordance with Sections 19.05.060 and 19.05.070 of this chapter. (Ord. 1588 § 1, 1994; Ord. 1360 § 1 (part), 1992)

19.05.060 Alternative to payment—Construction and development of park facilities or dedication of real property. (a) A developer who seeks alternative treatment by proposing construction and development of park facilities shall present development plans, a project narrative and a construction timetable for the project to the director of parks and recreation.

(b) The director of parks and recreation shall review the developer's submissions and shall approve or deny such application, or request such additional information as is deemed necessary. The approval process is to be conducted in accordance with the department of parks and recreation's specifications and the intent of this chapter.

(c) If an application is approved, the residential construction tax for the project will be waived, or a credit given, conditioned upon the developer's execution of an agreement with the county requiring the developer to construct the park facilities and submit security for their construction in an amount equal to the estimated cost of construction as determined by the director of parks and

recreation, plus ten percent for contingencies, except as otherwise provided in Section 19.05.070(d) of this chapter. The instruments of security or other agreements shall specify the duration of the security and its manner of release, and shall provide remedies in the event of default.

(d) A developer who seeks alternative treatment by proposing the dedication of real property to Clark County shall present the request and the legal description of the property to the director of parks and recreation. If the director approves the request, the director shall present the request to the board of county commissioners which may ratify the action of the director and appoint one or more disinterested competent real estate appraisers to appraise the property and the board shall not grant a credit against the residential construction tax which is greater than the property's appraised value. The developer shall pay the cost of the appraisal.

(e) A developer who seeks alternative treatment by proposing both the dedication of real property and the construction of park facilities shall comply with all of the requirements of this section. (Ord 1588 § 2, 1994; Ord. 1360 § 1 (part), 1992)

19.05.070 Security deposit. The security submitted for the construction of the park facilities pursuant to Section 19.05.060 of this chapter may be as follows:

(a) A deposit of cash or approved government securities;

(b) A surety bond issued by a surety company authorized to do business in the state in a form approved by the district attorney;

(c) An agreement with a local financial institution which provides generally that, out of the funds loaned to the developer for the construction of the subdivision or development, the lending institution will require that sufficient funds to complete the park facilities and the removal of all rubbish, trash, debris, surplus material and equipment from the area that is to be improved and the adjacent properties will be set aside and used for that purpose, that the lending institution will maintain a ten-percent retention of the funds until the installation of the park facilities has been approved by the county and that the release of funds must be approved by the director of parks and recreation; or

(d) A first deed of trust which names the county as beneficiary on real property located in or near the county and which is accompanied by agreements by the trustor and the developer by which they contract with the county to provide the park facilities. The total cost of the park facilities, as set forth in the agreements, shall not exceed seventy percent of the estimated market value of the property which is the subject of the deed of trust. (Ord. 1360 § 1 (part), 1992)

19.05.080 Residential construction tax—Park revenue management districts—Creation, boundary changes and continuing study. (a) There are created within the unincorporated urban areas of Clark County nine park revenue management districts, the boundaries of which are designated on a map of Clark County attached to the ordinance codified in this section as Exhibit A and incorporated herein by reference thereto. There are created in the unincorporated rural areas of Clark County nine park revenue management districts, the boundaries of which shall be coterminous with the boundaries of the individual rural unincorporated towns which are designated on a map of Clark County attached to the ordinance codified in this section as Exhibit B and incorporated herein by reference thereto. Furthermore, there is created a park revenue management district 9 which shall comprise all unincorporated areas of Clark County situated outside of the established urban park revenue management districts and not within the legally established boundaries of any rural unincorporated town.

(b) Whenever park revenue management district boundaries are amended or altered, residential construction tax collected under previous districts shall be redistributed into the new districts for expenditure, as nearly as is practicable and feasible, for the benefit of the immediate area from which they were collected. Residential construction tax collected within a particular district shall be expended for the acquisition, improvement and expansion of neighborhood parks or the installation of facilities in the existing or neighborhood parks within such district pursuant to the adequate public service standards contained in the parks and open space plan. It is the intent of the board of county commissioners to ensure equitable park distribution throughout the various park revenue management districts as determined by population trends and continuing study.

(c) The department of parks and recreation, in cooperation with the department of

comprehensive planning, is directed to conduct a continuing study of population trends and concentrations, as well as of neighborhood development throughout the unincorporated areas of Clark County and shall, at least once every two years, submit recommendations to the board of county commissioners, based on such study, suggesting any changes, either in number of boundary locations, which may be necessary to ensure that money collected from the residential construction tax is expended, as nearly as is practicable and feasible, for the benefit of the immediate area from which they were collected. The report shall establish management districts and procedures for the administration of this chapter and the formulation of the parks capital improvement program.

(d) The board of county commissioners shall consider the recommendations of the department of parks and recreation and department of comprehensive planning required by subsection (c) of this section in determining whether any amendment to subsection (a) of this section is required. If the board of county commissioners determines that amendment to subsection (a) of this section is required, it shall consider the recommendations of the department of parks and recreation and the department of comprehensive planning in adopting such amendment. (Ord. 1958 § 1, 1997; Ord. 1820 § 1, 1992; Ord. 1360 § 1 (part), 1992)

19.05.090 Residential construction tax fund—Creation, account, interest and expenditures.

(a) There is established in the office of the county treasurer a special fund known as the residential construction tax fund.

(b) The residential construction tax fund shall be divided into separate accounts. There shall be one account for each park district.

(c) All taxes collected pursuant to Section 19.05.030 shall be placed in the account within the residential construction tax fund for the park district in which the tax was collected.

(d) All interest derived from money within the residential construction tax fund shall accrue to such fund and to the particular district account within such fund from which such interest was derived.

(e) Residential construction tax fund money shall be used only for the acquisition, capital improvement fund, and expansion of public park, playground, recreational, and cultural facilities in Clark County. Such money, insofar as is practicable and feasible to do so, shall be expended for the benefit of the immediate area within the park district from which it was collected.

(f) If a park or playground has not been developed in the park district created to serve the neighborhood in which the subdivision or development is located within three years after the date on which seventy-five percent of the residential dwelling units authorized within that subdivision or development first became occupied, all money paid by the subdivider or developer, together with interest at the rate at which the county has invested the money in the fund, must be refunded to the owners of the lots in the subdivision or development at the time of the reversion on a pro rata basis.

(g) All revenues collected prior to the adoption of the ordinance codified in this chapter pursuant to the repealed Local Park Code, Title 19, Chapter 19.05 shall be accounted and expended within the park service areas identified by the repealed Local Park Code. (Ord. 1360 § 1 (part), 1992)

19.05.100 Cooperation with incorporated cities within Clark County. The department of parks and recreation, when planning the expenditures of funds for acquisition, capital improvement, and expansion of public parks, playgrounds, and recreation facilities, shall cooperate and coordinate development plans with appropriate park and recreation departments of the various incorporated cities of Clark County. (Ord. 1360 § 1 (part), 1992)

19.05.110 Previous park code compliance exception. Where the applicant for a building permit for a residential dwelling unit or construction or electrical permit for the development of a mobile home lot demonstrates that the lot on which the residential dwelling unit or mobile home will be placed has previously complied with the Local Park Code in effect prior to the effective date of the ordinance codified in this chapter, in the form of land deeded to Clark County or fees recorded in the treasurer's office, the residential dwelling unit or mobile home lot shall be held exempt from the requirements of this code. (Ord. 1360 § 1 (part), 1992)

19.05.120 Policy differentiation by park district. (a) Park Districts in the Unincorporated Rural Areas of Clark County. Rural town characteristics of isolation from population centers and low total population do not lend themselves to a distinction between neighborhood and community parks.

(b) Space and Siting Standards. Neighborhood and community parks are, by definition, synonymous to park districts in the unincorporated rural areas of Clark County. Park site size shall be selected by the parks and recreation department on the basis of existing and projected population. (Ord. 1820 § 2, 1996; Ord. 1360 § 1 (part), 1992)

TITLE 26

TITLE 28

TITLE 29



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Title 26

LAND DEVELOPMENT REGULATIONS

Chapters:

- 26.01 General Provisions
- 26.02 Definitions
- 26.30 Major Projects Review Procedure
- 26.40 Development Agreements

Chapter 26.01

GENERAL PROVISIONS

Sections:

- 26.01.010 Title.
- 26.01.020 Statutory authority.
- 26.01.030 Relationship to other titles.

26.01.010 Title. This title shall be known as the land development regulations. (Ord. 1579 § 1 (part), 1994)

26.01.020 Statutory authority. This title is adopted pursuant to Chapter 278 of the Nevada Revised Statutes and all acts amendatory thereof and supplementary thereto. (Ord. 1579 § 1 (part), 1994)

26.01.030 Relationship to other titles. This chapter is supplemented by the provisions of Title 22, Buildings and Construction, Title 27, Development Improvement Standards, Title 28, Subdivisions and Title 29, Zoning. Together the five titles shall be known as the Clark County development code. (Ord. 2098 § 5, 1998; Ord. 1579 § 1 (part), 1994)

Chapter 26.02

DEFINITIONS

Sections:

26.02.005	Generally.
26.02.010	Development agreement.
26.02.045	Initial development of the land.
26.02.047	Land use application.
26.02.050	Master plan.
26.02.070	Property owner.

26.02.005 Generally. For the purposes 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; words in the masculine gender include the feminine; "shall" is mandatory, not directory; words not included herein but defined in the building code, the development improvement standards code, the subdivision code or the zoning code shall be construed as defined therein. (Ord. 2098 § 6, 1998; Ord. 1579 § 1 (part), 1994)

26.02.010 Development agreement. "Development agreement" means a written agreement, adopted pursuant to state statutes and the provisions of Chapter 26.40, for a specified period of time between the county and any person having a legal or equitable interest in real property for the purpose of developing such property in accordance with specified laws, ordinances, codes, resolutions, rules, regulations and plans adopted by the board of county commissioners and the regional transportation commission and in effect at the time such agreement is executed, in return for additional development requirements that may include, but are not limited to, provision of affordable housing, design standards, and on- and off-site infrastructure and other improvements, and which shall be approved by the board of county commissioners and/or other reciprocal obligations from the county. (Ord. 1579 § 1 (part), 1994)

26.02.045 Initial development of the land. "Initial development of the land" means all development and construction occurring prior to the time the development or improvement is first authorized for permanent occupancy or otherwise accepted by the county as being complete. Each phase, building or unit of the development or improvement stands alone and its status does not constitute initial development for the balance of the lot or parcel. The term does not include subsequent additions, alterations or expansions of the original improvement authorized for permanent occupancy or otherwise accepted by the county as being complete. The term does not include improvements specified as an interim or temporary use in a development agreement, design review, major project review or other land use application approval. (Ord. 1732 § 1, 1995; Ord. 1579 § 1 (part), 1994)

26.02.047 Land use application. "Land use application" means any application for design review, major project review, variance, use permit or zone change or other application required by the Clark County Code to approve the use of land or the design of proposed improvements to the land or any adopted procedures, administrative or otherwise, for subsequent extensions of time. The term does not include applications or procedures for the subdivision of land. (Ord. 1579 § 1 (part), 1994)

26.02.050 Master plan. "Master plan" means the comprehensive plan adopted by the board of county commissioners in 1983 and all amendments thereto including, but not limited to, all adopted land use and development guides and 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 more recent plans. (Ord. 1579 § 1 (part), 1994)

26.02.070 Property owner. "Property owner" means the person, persons or entity having a legal or equitable interest in the subject real property and includes the property owner's successor(s) in interest. (Ord. 1579 § 1 (part), 1994)

MAJOR PROJECTS REVIEW PROCEDURE

Sections:

26.30.010	Purpose and intent.
26.30.020	Requirement and qualification for major projects review.
26.30.030	General procedure and requirements described.
26.30.040	Preapplication conference.
26.30.050	Concept plan review and identification of issues.
26.30.060	Specific plan review and approval of methodology for issue resolution.
26.30.070	Development schedule.
26.30.080	Design review or land use approval and issue resolution.
26.30.090	Finality of decision and reconsideration.
26.30.100	Substantial changes to approved major projects.

26.30.010 Purpose and intent. The purpose of this chapter is to provide a procedure which allows the comprehensive yet timely and predictable consideration of large projects, their impacts on the neighborhood and community and their requirements for community resources in order to further the purposes of the master plan, to promote the health, safety and general welfare of the community and to assist the board of county commissioners in a determination of the proper zoning designation for the project. (Ord. 1580 § 1 (part), 1994)

26.30.020 Requirement and qualification for major projects review. Major projects review shall be required for any development project covering seven hundred acres or more. At the applicant's request, an application for major project review may be filed for a development project covering between three hundred acres and six hundred ninety-nine acres. Smaller projects may be considered at the request of the applicant with the approval of the board of county commissioners. (Ord. 1700 § 1, 1995; Ord. 1580 § 1 (part), 1994)

26.30.030 General procedure and requirements described. The major projects review process consists of four basic steps:

(a) **Preapplication Conference.** A preapplication conference with the zoning administrator and other appropriate staff is required prior to submittal for a major projects review.

(b) **Concept Plan Review and Identification of Issues.** The board of county commissioners will review the proposed concept plan and identify the issues of concern to the county and the applicant. The board of county commissioners will take action on the concept plan and provide direction regarding the related issues and issue resolution. At this point in the review process, neither the staff recommendation nor the board action should attempt to resolve the issues, but should only identify them.

(c) **Specific Plan Review and Approval of Methodology for Issue Resolution.** The planning commission and board of county commissioners will review the proposed land use plan, development schedule and methodology for resolving issues identified in the concept review. After the planning commission makes a recommendation, the board of county commissioners will take action on the specific plan and provide direction regarding the methods for issue resolution. At this point in the review process, neither the staff recommendation, the planning commission action nor the board action should attempt to resolve the issues, but should only identify the proposed methodology or approach toward resolution. At the applicant's request, an adopted land use and development guide, with the notice and fees prescribed below, can be substituted for the specific plan review step in the major projects review process. The guide must provide the information generally contained in and consistent with land use and development guides adopted for other portions of Clark County in accordance with Nevada Revised Statutes, and must generally address the items listed in the submittal requirements for a specific plan. The guide must be adopted by the board of county commissioners following hearings before any advisory board established by the board of county commissioners having jurisdiction over the project area, the comprehensive plan steering committee and the planning commission.

(d) **Design Review or Land Use Approval and Issue Resolution.** The planning commission and/or

board of county commissioners will review the required design review or land use application(s) and approve, conditionally approve or deny the development project and will resolve the related issues. (Ord. 1658 § 1, 1995; Ord. 1580 § 1 (part), 1994)

26.30.040 Preapplication conference. (a) **Submittal Requirements.** A request for a preapplication conference shall be submitted in writing to the zoning administrator along with a map indicating the location and boundaries of the proposed major project and the address and telephone number where the applicant can be reached.

(b) **Procedure.** The zoning administrator shall schedule a meeting to be held within thirty days of receipt of the request to discuss the project with county staff, other agencies and the applicant. At the meeting preliminary concerns and issues regarding the project and related service needs will be identified. (Ord. 1580 § 1 (part), 1994)

26.30.050 Concept plan review and identification of issues. After a preapplication conference, the property owner may file for concept plan review.

(a) **Submittal Requirements.** An application for concept plan review shall be filed in the office of the current planning division of the department of comprehensive planning upon forms furnished for the purpose and shall be duly signed by the property owner and acknowledged. All parcels of land included within a single petition must be contiguous. The application form shall be accompanied by the following data and information, unless specifically waived by the zoning administrator:

- (1) Four copies of the following, in map or text form:
 - (A) The property boundaries, dimensions and total acreage,
 - (B) The proposed generalized land use categories and the amount of acreage and percentage of total site area of each category,
 - (C) The proposed phasing plan, the proposed sequence of the phases and the approximate dates of beginning and completion of development of the entire project,
 - (D) A description of any significant natural and built characteristics of the site and surroundings including topography, the location of any federally designated special flood hazard areas and other drainage features, subsidence, etc.,
 - (E) The proposed major transportation and circulation routes,
 - (F) The existing land uses of adjacent properties and the planned land uses of adjacent properties as indicated on a land use guide adopted by the board of county commissioners or other local governing body if within their jurisdiction,
 - (G) A vicinity map;
- (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) Two copies of the legal description of the property;
- (5) The approximate amount of water and sewerage capacity required along with the approximate dates the supply will be needed;
- (6) Evidence that sufficient power can be provided to the site in a timely manner;
- (7) The property owner's list of issues requiring resolution;
- (8) Any other information identified and deemed necessary as a result of the preapplication conference;
- (9) The property owner's proposal for the membership of a review team for the project and his proposed schedule for the review process;
- (10) A nonrefundable filing fee of two hundred dollars plus two dollars per gross acre for every acre over three hundred acres.

(b) **Procedure.**

(1) After a complete application for a concept plan review has been filed, the current planning division shall schedule a hearing before the board of county commissioners within thirty-five days of filing, unless the time is extended by mutual agreement of the zoning administrator and the property owner.

(2) The current planning division shall distribute copies of the application and related information for review and comment to any advisory board which has been established for the affected area by the board of county commissioners and other governmental agencies and entities. A courtesy notice shall also be sent to any advisory board whose jurisdiction is within one-half mile of the proposed project.

(3) The current planning division shall present the concept plan and preliminary list of related issues requiring resolution to the board of county commissioners along with a staff recommendation.

(4) The board of county commissioners shall review the proposed concept plan and list of issues of concern to the county and the property owner. The board will approve, conditionally approve or deny the concept plan and list of related issues requiring resolution and provide any comments or direction deemed necessary to expedite further consideration of the proposed major project.

(5) The board of county commissioners' approval of a concept plan and list of related issues requiring resolution shall remain active for two years, unless otherwise specified by the board. If the property owner does not file for specific plan review or for approval of a land use and development guide within the specified time period, all action on the major project review will be null and void.

(6) If a concept plan is approved for a project over two thousand acres in size, the county manager will appoint a team of county representatives, including an assistant county manager, to work with the property owner to resolve the identified issues. (Ord. 1580 § 1 (part), 1994)

26.30.060 Specific plan review and approval of methodology for issue resolution. After the board of county commissioners' approval of the concept plan and list of related issues requiring resolution and within the specified time period, the property owner may file for specific plan review for approval of a land use and development guide as prescribed in Section 26.30.030(c). If the proposed major project is within the jurisdiction of any advisory board established by the board of commissioners, the applicant is required to make a presentation on the specific plan or proposed land use and development guide to that advisory board prior to the hearing before the board of county commissioners. (a) **Submittal Requirements for Specific Plan.** An application for specific plan review shall be filed in the office of the current planning division of the department of comprehensive planning upon forms furnished for the purpose and shall be duly signed by the property owner and acknowledged. All parcels of land included within a single petition must be contiguous. The application form shall be accompanied by the prescribed fee and the following data and information at a level of detail similar to that found in an adopted land use and development guide, unless specifically waived by the zoning administrator:

- (1) Four copies of a site plan or land use plan including the following information:
 - (A) The property boundaries, dimensions and total acreage,
 - (B) If more than one type of land use is proposed, the proposed generalized land use categories and the amount of acreage and percentage of total site area of each category,
 - (C) The proposed phasing plan, the proposed sequence of the phases and the approximate dates of beginning and completion of development of the entire project,
 - (D) Any significant natural and built characteristics of the site and surroundings including topography, drainage, subsidence, etc.,
 - (E) The proposed major transportation and circulation routes,
 - (F) The existing land uses of adjacent properties and the planned land uses of adjacent properties as indicated on a land use guide adopted by the board of county commissioners or other local governing body if within their jurisdiction,
 - (G) A vicinity map;
- (2) The overall density, and, if other than residential development is proposed, the number of direct jobs proposed to be generated within the development project;
- (3) A description of the proposals to ensure compatibility with adjoining land uses;
- (4) The proposed development schedule per Section 26.30.070;
- (5) An analysis of the adequacy of the existing regional roads and drainage improvements to serve the project, including the effect of the regional transportation plan and the transportation improvement program of the regional transportation commission, the flood control master plan of the regional flood control district and any officially adopted plans and/or schedules for publicly provided improvements. Provide a list of any required improvements which are not addressed in an officially adopted plan nor proposed to be provided by the developer along with a brief description of the required improvement, the estimated date required, the approximate cost and the proposed funding source;
- (6) A description of the proposed measures for transportation demand management and transportation supply management including ride sharing, mass transit and other transportation

conservation measures;

(7) An analysis of the adequacy of the existing regional water and sewer facilities to serve the project, including the effect of any officially adopted plans and/or schedules for publicly provided improvements. Provide a list of any required improvements which are not addressed in an officially adopted plan nor proposed to be provided by the developer along with a brief description of the required improvement, the estimated date required, the approximate cost and the proposed funding source;

(8) A description of the fire protection methods proposed for any aboveground construction on the site planned to begin further than three hundred feet from an existing fire hydrant along with the location of the fire station nearest the proposed first phase of development and its distance, over paved roads, from the subject property;

(9) Identify any known uses that may require special emergency services such as senior citizens' communities, hospitals, certain industrial uses and any significant use of hazardous materials;

(10) A description of the methods proposed by the property owner to resolve issues requiring resolution identified by the board of county commissioners in the concept plan review;

(11) Two copies of the most recent assessor's map indicating the subject parcels;

(12) Any other information identified and deemed necessary as a result of the board of county commissioners' action on the concept plan review.

If any of the above data and information was submitted with, and has not been revised since the concept plan review, it need not be submitted again with the specific plan application.

(b) Procedure for Specific Plan.

(1) After a complete application for a specific plan review has been filed, the current planning division shall schedule a hearing before the planning commission within thirty-five days of filing, unless the time is extended by mutual agreement of the zoning administrator and the property owner.

(2) The current planning division shall distribute copies of the application and related information for review and comment to other governmental agencies and entities and shall send notice of the hearing as identified in the notice subsection below.

(3) The current planning division shall present the specific plan and the proposed methodology for resolving the related issues along with a staff recommendation to the planning commission.

(4) The planning commission shall hold at least one public hearing at which parties of interest and citizens shall have an opportunity to be heard. Following the hearing the planning commission shall review the proposed specific plan and the proposed methodology for resolving the related issues. The planning commission shall take such action on the application as it deems warranted under the circumstances. If, for any reason, the planning commission does not take action within ninety days of the first scheduled hearing, the application shall be automatically forwarded to the board of county commissioners.

(5) If the major project is located within the jurisdiction of a town board, the applicant shall be required to make a presentation to the town board prior to the hearing by the board of county commissioners.

(6) Following action by the planning commission, or after ninety days of no action by the planning commission, whichever comes first, the current planning division shall, within forty days, schedule a hearing and present the specific plan and the proposed methodology for resolving the related issues to the board of county commissioners along with the planning commission resolution and a staff recommendation.

(7) The board of county commissioners shall conduct a public hearing and review the proposed specific plan and the proposed methodology for resolving the related issues. The board will approve, conditionally approve or deny the specific plan and the proposed methodology for resolving the related issues and provide any comments or direction deemed necessary to expedite further consideration of the proposed major project.

(8) The board of county commissioners' approval of a specific plan and the proposed methodology for resolving the related issues shall remain active for two years unless otherwise specified by the board. If the property owner does not file for design review or land use approval and final issue resolution within the specified time period, all action on the major project review will be null and void.

(c) Notice and Fees for Specific Plan and Land Use and Development Guide. Notice of the planning commission hearing shall be sent at least ten days prior to the hearing to nearby property owners as reflected on the latest assessment rolls of the county and mobile home park tenants in accordance with the following:

(1) Each owner of property within five hundred feet of the site of the major project 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 five hundred feet of the site of the major project; and

(3) Any advisory board which has been established for the affected area by the board of county commissioners.

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 unless deemed advisable by the board of county commissioners. If the date and time of the subsequent board of county commissioners hearing is not announced at the planning commission hearing, notice shall be sent as required for the original planning commission hearing.

A non-refundable filing fee of one thousand dollars plus four dollars per gross acre for every acre over three hundred acres shall be paid at the time of filing for either a specific plan review or a land use and development guide. (Ord. 1580 § 1 (part), 1994)

26.30.070 Development schedule. The development schedule will be used by numerous county departments and agencies to try to anticipate the requirements of and plan for the provision of services to the major project. It is only a planning tool representing the property owners' best estimate of the development project's requirements. None of the contents of a development schedule is binding on any party. It does not represent a commitment by the property owner, the developer, the county, any other agency or any other party to perform in any manner. It does not identify who is responsible for building or funding a facility; it just identifies the approximate anticipated requirements of the major project. In the development schedule, the applicant shall identify by year, for a five-year period, the approximate numbers of the following items estimated to be generated, required or submitted:

- (a) Subdivision maps:
 - (1) Number of tentative maps to be submitted for approval and number of lots,
 - (2) Number of final maps to be submitted for approval and number of lots,
 - (3) Number of maps to be submitted for recording and number of lots;
- (b) Building permits:
 - (1) Number of residential units to be included in permit requests,
 - (2) Number of square feet of commercial or industrial space and number of commercial or industrial projects to be included in permit requests;
- (c) Public facilities:
 - (1) Location, type and size of regional transportation projects or facilities to be constructed or implemented,
 - (2) Location, type and size of regional drainage facilities to be constructed,
 - (3) Number of parks to be constructed, their size and location,
 - (4) Number of fire stations to be constructed and their location,
 - (5) Number of schools to be constructed, their type and location,
 - (6) Number of police stations to be constructed and their location,
 - (7) Number of libraries to be constructed, their size and location,
 - (8) Number of other public facilities to be constructed, their type, size and location;
- (d) Traffic generation:
 - (1) Number of trips to the site per day,
 - (2) Number of trips from the site per day,
 - (3) Number of trips per day internal to the site;
- (e) Projected population living there and projected number of school age children;
- (f) Projected number of direct jobs;
- (g) Water:
 - (1) Number of acre-feet of water to be put to use,
 - (2) Location, type and size of water facilities and distribution lines;
- (h) Sewer:

- (1) The daily average and peak flows to be generated in millions of gallons per day,
- (2) Location, type and size of sewer facilities and distribution lines.

The development schedule shall be updated by the property owner and submitted to the current planning division every two years for the lifetime of the project. If the project is the subject of a development agreement, the development schedule shall be updated and submitted in conjunction with the biennial review of the development agreement. (Ord. 1580 § 1 (part), 1994)

26.30.080 Design review or land use approval and issue resolution. After the board of county commissioners' action on the specific plan and the proposed methodology for resolving the related issues and within the specified time period or following the adoption of a land use and development guide, the property owner may file for design review or other required land use application(s) and issue resolution.

(a) **Submittal Requirements.** An application for design review or other required land use application(s) and issue resolution shall be filed in the office of the current planning division of the department of comprehensive planning upon forms furnished for the purpose and shall be duly signed by the property owner and acknowledged. The application form shall be accompanied by the following data and information:

- (1) The application and all associated submittals required for a design review, or if required, any other necessary land use approval;
- (2) A description of the final resolution proposed for each of the issues identified by the board of county commissioners in the specific plan review and a draft of any agreement, ordinance or other document required to effect the proposed resolution;
- (3) Any other information identified and deemed necessary as a result of the board of county commissioners' action on the specific plan review;
- (4) A nonrefundable filing fee of five hundred dollars or the required filing fee for the design review or other required land use application, whichever is higher.

(b) **Procedure.**

(1) After a complete application for design review or other required land use application(s) and issue resolution has been filed, the current planning division shall schedule hearings, send notice and process the application(s) in accordance with the adopted procedures for the design review or land use application(s) submitted, except that in every case the planning commission action will not be final on a major project.

(2) Where planning commission action is required under the specified procedure, the planning commission resolution, along with a staff recommendation, shall be forwarded within forty days to the board of county commissioners. If, for any reason, the planning commission does not take action within ninety days of the first scheduled hearing, the application shall be automatically forwarded to the board of county commissioners.

(3) The board of county commissioners shall conduct hearings and review the design review or other land use application(s) in accordance with adopted procedures. In the final action on the design review or other land use application, the board of county commissioners shall determine the final resolution for each of the issues identified in the specific plan review. The board may then proceed to adopt any ordinances, agreements or other documents necessary to resolve the related issues in the approved manner. (Ord. 1580 § 1 (part), 1994)

26.30.090 Finality of decision and reconsideration. The decision of the board of county commissioners on an application pursuant to Section 26.30.080 shall become final and effective after five judicial days of 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 of two hundred dollars 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. (Ord. 1580 § 1 (part), 1994)

26.30.100 Substantial changes to approved major projects. In addition to, and prior to, any required additional land use approvals, any substantial change to a major project shall require the same submittals, processing, hearings and review as though it were a new major project. For the purposes of this section, substantial change shall be defined as:

- (a) An addition of more than five percent or one hundred acres, whichever is greater; or
- (b) An addition of dwelling units within the originally approved land area which exceeds the maximum number of dwelling units approved for the project by more than ten percent; or
- (c) An addition of more than twenty-five percent in total building area; or
- (d) A change in the principal use from what was shown and approved on the original plans.

The request shall be accompanied by documentation of unforeseen changes in the marketplace, government regulations or natural conditions that have occurred since the original major project approval which necessitate the amendment to the project.

The submission of more detailed plans for subsequent phases of an approved major project within the originally approved land area which substantially conform with the original approval will not be considered a substantial change. (Ord. 1580 § 1 (part), 1994)

Chapter 26.40

DEVELOPMENT AGREEMENTS

Sections:

26.40.010	Purpose.
26.40.020	Qualification as an applicant and requirement for major project status.
26.40.025	Vesting of rights.
26.40.030	Filing requirements for draft.
26.40.035	Contents of development agreement.
26.40.040	Public hearing and approval process.
26.40.045	Compliance with applicable laws and ordinances.
26.40.050	Approval of supplements, amendments or cancellation of the agreement by mutual consent.
26.40.055	Requirement and procedure for biennial review.
26.40.060	Cancellation by the county.
26.40.065	Rights of the parties after cancellation or termination.
26.40.070	Recordation.

26.40.010 Purpose. The purpose of this chapter is to provide an alternative mechanism, when deemed appropriate by the board of county commissioners, to give assurance to a property owner at a specified point in time who has obtained the necessary approvals for a project that he may proceed with and complete development, as specified in and in accordance with the development agreement, under the specified laws, ordinances, codes, resolutions, rules, regulations, plans and conditions of approval adopted by the board of county commissioners or the regional transportation commission and in effect at the time the project was originally approved in return for specified benefits pursuant to the terms of a development agreement. (Ord. 1579 § 1 (part), 1994)

26.40.020 Qualification as an applicant and requirement for major project status. Only a qualified applicant may file an application to enter into a development agreement. A qualified applicant (hereinafter referred to as applicant for the purposes of this chapter) is the owner of the property which is the subject of the development agreement. The proposed development of said property must either (a) qualify for a major project review and have received concept plan approval of the major project as prescribed by this title, or (b) have received approval of a land use application with direction from the board of county commissioners that it might consider a development agreement as an appropriate mechanism to implement the approved development. Application for a development agreement may be processed concurrently with, but not prior to, an application for specific plan review or a request for approval of a land use and development guide. The term applicant includes an authorized agent of a property owner. The planning department may require an applicant to submit proof of his interest in the real property and of the authority of the agent to act for the property owner. (Ord. 1579 § 1 (part), 1994)

26.40.025 Vesting of rights. Any development agreement approved pursuant to this chapter may provide that the property owner will be vested for specific development rights only upon achieving specific progress thresholds. Such progress thresholds shall be based on the construction of specific public or private improvements or the submission of specific plans or data prior to the exercise of certain development rights. The property owner applicant shall acquire no vested rights other than those allowed in the agreement and otherwise provided under the laws of Clark County, the state of Nevada or governmental or quasi-governmental bodies. (Ord. 1579 § 1 (part), 1994)

26.40.030 Filing requirements for draft. An application for a development agreement may be processed concurrently with, but not prior to: an application for specific plan review for a major project as defined in this title, a request for approval of a land use and development guide, or a land use application for the proposed development. An application for a development agreement shall be filed with the current planning division of the department of comprehensive planning on forms furnished by the division and shall include the following:

- (a) The legal description of the property involved;
- (b) The most recent assessor's maps with the subject property highlighted along with a list

of the assessor's parcel number of all of the parcels involved;

(c) A written description of the proposed development and statement of objectives and reasons for the request;

(d) The application number and scheduled hearing dates of the corresponding major project review or land use application for the proposed development project along with a copy of the concept plan approval if required by this title;

(e) A copy of the map submitted with the specific plan application, or other site plan providing the same information, for the proposed development project;

(f) A statement of the proposed duration of the agreement;

(g) The proposed draft development agreement;

(h) Any other information required to provide a complete understanding of the proposed development agreement;

(i) An initial filing fee of two thousand dollars plus ten dollars per gross acre for every acre over three hundred acres up to a maximum initial filing fee of five thousand dollars. Further filing, processing or review fees may be required as determined by the board of county commissioners.

The zoning administrator shall review the application within ten working days of filing and may reject it if it is incomplete or inaccurate for processing. Such rejection shall be in writing and shall be accompanied by the reasons for rejection. The applicant may modify or amend the application in accordance with the zoning administrator's rejection without paying an additional filing fee or may appeal the rejection to the board of county commissioners. (Ord. 1579 § 1 (part), 1994)

26.40.035 Contents of development agreement. (a) A development agreement shall:

(1) Describe the land subject to the development agreement;

(2) Specify the permitted uses of the property, the density or intensity of the uses, and the maximum height and size of proposed buildings;

(3) Provide, where appropriate, for reservation or dedication of land for public purposes, including, but not limited to rights-of-way, easements or public facilities, as may be required or permitted pursuant to laws, ordinances, resolutions, rules or plans adopted by the board of county commissioners or the regional transportation commission and in effect at the time of entering into the agreement;

(4) Specify the duration of the agreement and, if desired, terms for modification and extension of the agreement; provided, that the parties shall not be precluded from extending the termination date by mutual agreement or from entering into subsequent development agreements or supplements thereto;

(5) Specify the laws, ordinances, codes, resolutions, rules, regulations, plans, design and improvement standards by name and date of adoption applicable to the initial development of the land. Unless specified in the agreement or unless directly in conflict with what is specified in the agreement, the laws, ordinances, codes, resolutions, rules, regulations, plans and design and improvement standards adopted by the board of county commissioners or the regional transportation commission and in effect at the time of issuance of any required construction or building permit shall apply;

(6) Specify other conditions, terms, restrictions and requirements for other discretionary actions.

(b) A development agreement may:

(1) Provide for commencement and completion of various portions of the proposed development. Each portion or phase of development or improvement contemplated should be able to stand alone, independent of proposed further phases or improvements. Subsequent phases of development may be added to completed phases to achieve independent status;

(2) Include conditions imposed by other land use and permit approvals allowed by law as of the effective date of the development agreement;

(3) If required by the board of county commissioners, be accompanied by a bond, posted by the property owner, to insure provision of some or all of the public facilities;

(4) Contain an indemnity or insurance clause requiring the developer, applicant and/or property owner to indemnify the county against certain claims arising out of the development process.

(c) The development agreement also may cover any other matter not inconsistent with this chapter, nor prohibited by law. (Ord. 1579 § 1 (part), 1994)

26.40.040 Public hearing and approval process. (a) Draft Development Agreement.

(1) After a complete application for a development agreement has been filed, the current planning division shall schedule the draft agreement for a hearing before the board of county commissioners to be held within sixty-five days of filing, unless the time is extended by mutual agreement of the zoning administrator and the applicant.

(2) The current planning division shall distribute copies of the development agreement application to the district attorney and other governmental agencies and entities for review and comment along with a request for an estimate of the required review time and any other costs related to the review and processing of the development agreement.

(3) The current planning division shall forward the final draft of the development agreement to the board of county commissioners along with a staff recommendation on the draft agreement and an estimate of the amount of time required for the review and processing of the development agreement and other related costs, including an estimate of the total cost.

(4) After approving a specific plan under the major project review procedures, a land use and development guide for the proposed project as described in Section 26.30.030(c), or a land use application for a proposed development project, the board of county commissioners shall conduct a public hearing prior to taking action on the draft development agreement.

(5) The board of county commissioners shall discuss the draft development agreement, provide any comments or direction deemed necessary to expedite final review and consideration of the proposed development agreement and determine the need for and the amount of any additional review fees. The board may give a preliminary, non-binding indication of whether it finds the following:

(A) The development agreement is a necessary and appropriate mechanism to implement the development of the project;

(B) The development agreement is consistent with the objectives, policies, general land uses and programs specified in the master plan;

(C) The development agreement is compatible with the uses authorized in, and the regulations prescribed for, the zoning district(s) in which the property is proposed to be located and all other provisions of Title 29 of this code;

(D) The development agreement is in conformity with the public convenience, general welfare and good land use practices;

(E) The development agreement will not be detrimental to the public health, safety and general welfare;

(F) The development agreement will not adversely affect the orderly development of property or the preservation of property values; and

(G) The development agreement is consistent with the provisions of NRS Chapter 278.

(b) Development Agreement in Final Form.

(1) After a draft development agreement has been reviewed by the board of county commissioners, any additional review and processing fees have been paid to date and the development agreement in final form has been filed with the current planning division, the current planning division shall schedule the development agreement for a hearing before the board of county commissioners to be held within thirty-five days of filing, unless the time is extended by mutual agreement of the zoning administrator and the applicant.

(2) The current planning division shall distribute copies of the development agreement to the district attorney and other governmental agencies and entities for review and comment.

(3) The current planning division shall forward the development agreement to the board of county commissioners along with a staff recommendation.

(4) The board of county commissioners shall conduct a public hearing prior to taking action on the development agreement.

(5) The board of county commissioners may approve the development agreement if it finds that:

(A) Any additional review and processing fees have been paid in full in accordance with the approved schedule of fees and charges;

(B) Final action has been taken approving the land use application for the proposed development project;

(C) A development agreement is a necessary and appropriate mechanism to implement the development of the project;

(D) The development agreement is consistent with the objectives, policies, general land uses and programs specified in the master plan;

(E) The development agreement is compatible with the uses authorized in, and the regulations prescribed for, the zoning district in which the property is located and all other provisions of Title 29 of this code;

(F) The development agreement is in conformity with the public convenience, general welfare and good land use practices;

(G) The development agreement will not be detrimental to the public health, safety and general welfare;

(H) The development agreement will not adversely affect the orderly development of property or the preservation of property values; and

(I) The development agreement is consistent with the provisions of NRS Chapter 278.

(6) If the board of county commissioners approves the development agreement, it shall adopt an ordinance approving the agreement and directing the chairman of the board of county commissioners to execute the agreement, and any amendments or supplements thereto approved under the provisions of this chapter, after the effective date of the ordinance on behalf of the county. (Ord. 1579 § 1 (part), 1994)

26.40.045 Compliance with applicable laws and ordinances. (a) Laws in Effect. Where specified in the development agreement, the laws, ordinances, codes, resolutions, rules, regulations, plans, design and improvement standards listed by name and date of adoption apply to the initial development of the land. Unless specified in the agreement or unless directly in conflict with what is specified in the agreement, the laws, ordinances, codes, resolutions, rules, regulations, plans and design and improvement standards adopted by the board of county commissioners or the regional transportation commission and in effect at the time of issuance of any required construction or building permit shall apply.

(b) Subsequent Actions. A development agreement shall not prevent the county from adopting new laws, ordinances, codes, resolutions, plans, design and improvement standards or regulations that alter or amend those laws, ordinances, codes, resolutions, plans, design and improvement standards and regulations in effect at the time the development agreement is made, except that any subsequent action by the county shall be void as applied to property subject to a development agreement to the extent that it is inconsistent or in conflict with the development agreement; except if the county finds that such new law, ordinance, code, resolution, plan, design or improvement standard or regulation could have been lawfully applied to the property at the time of execution of the development agreement and that compliance with the new law, ordinance, code, resolution, plan, design or improvement standard or regulation is necessary to protect the residents of the project or of the immediate community, or both, from a condition hazardous or perilous to the residents' health and/or safety.

(c) Emergency Situations. The county may suspend the issuance of building permits for the development project after a noticed public hearing if it finds in good faith that a clear and present emergency requires the suspension.

(d) State or Federal Restrictions. In the event that state or federal laws or regulations enacted after a development agreement has been entered into prevent or preclude compliance with one or more of the provisions of the development agreement, such provisions may be modified or suspended as may be necessary to comply with the new state or federal laws or regulations after the county and the property owner have attempted to mutually agree upon the modification or suspension. Any such action may only be taken by the board of county commissioners after a public hearing. (Ord. 1579 § 1 (part), 1994)

26.40.050 Approval of supplements, amendments or cancellation of the agreement by mutual consent. (a) Either party may propose a supplement or amendment to or cancellation in whole or in part of the development agreement previously entered into. The supplement, amendment or cancellation permitted by this section must be by mutual consent of the parties.

(B) The procedure for proposal and adoption of a supplement or amendment to or cancellation in whole or in part of the development agreement is the same as the procedure for entering into an agreement in the first instance. However:

(1) Where the county initiates the proposed supplement, amendment or cancellation in whole or in part of the development agreement, it shall first give notice to the property owner of its intention to initiate such proceedings at least thirty days before filing the supplement, amendment or cancellation with the current planning division; and

(2) Where amendment, supplement or cancellation of any portion of the agreement is proposed, notice of intention to amend, supplement or cancel must be published in a newspaper of general circulation in the county. (Ord. 1579 § 1 (part), 1994)

26.40.055 Requirement and procedure for biennial review. Every twenty-four months for the duration of the development agreement the board of county commissioners shall review the development of the property for compliance with the terms and conditions of the development agreement.

(a) Procedure for review.

(1) The applicant shall submit a report describing the status of the development project and outlining the actions taken to comply with the development agreement along with a three hundred dollar fee to the current planning division. The report and fee should be submitted biennially and at least two months prior to the anniversary date of recording of the agreement, however, a lapse of the prescribed time period for submitting the report or holding a review hearing of up to six months due to administrative oversight, excusable neglect or acts of God shall not preclude subsequent filing for review or holding a review hearing or void any provisions of the development agreement.

(2) The current planning division shall schedule the review hearing before the board of county commissioners to be held within thirty-five days of filing, unless the time is extended by mutual agreement of the zoning administrator and the applicant.

(3) The current planning division shall distribute copies of the report to the district attorney and other governmental agencies and entities for review and comment.

(4) The current planning division shall forward the report to the board of county commissioners along with a staff recommendation.

(5) The board of county commissioners shall conduct a public hearing and shall determine upon the basis of substantial evidence whether or not the terms and conditions of the agreement have been complied with in good faith for the period under review.

(b) Finding of Compliance. Unless otherwise specified in the development agreement, if the board of county commissioners find and determines on the basis of substantial evidence that there has been compliance in good faith with the terms and conditions of the agreement during the period under review, it shall make a finding of compliance which specifies the items, projects and/or phases which have been completed and releases the county and the property owner from further obligation under the development agreement on those specific items, projects and/or phases.

(c) Finding of Noncompliance. If the board of county commissioners finds and determines on the basis of substantial evidence that the property owner has not complied in good faith with the terms and conditions of the agreement during the period under review, the board of county commissioners may initiate proceedings to amend or cancel the agreement. (Ord. 1579 § 1 (part), 1994)

26.40.060 Cancellation by the county. (a) If at any time during the term of a development agreement, the board of county commissioners finds by clear and convincing evidence that the property owner has not complied with the terms and conditions of the development agreement, and such noncompliance has not been cured after notice and an opportunity to cure as specified in the development agreement, then the county may amend or cancel the agreement without the consent of the property owner.

(b) Prior to amending or canceling a development agreement due to noncompliance, notice of intention to amend or cancel shall be provided as follows:

(1) In writing to the property owner at least thirty days prior to the hearing; and

(2) Published in a newspaper of general circulation in the county.

(c) The board of county commissioners shall conduct a public hearing at which the property

owner and any other interested person shall be entitled to submit such evidence and testimony as may be germane to the issue of the property owner's compliance with the terms of the development agreement.

(d) After conducting a hearing, the board of county commissioners may amend or cancel the agreement, in whole or in part, or take other action considered necessary to protect the interests of the county. (Ord. 1579 § 1 (part), 1994)

26.40.065 Rights of the parties after cancellation or termination. In the event that a development agreement should be canceled, or otherwise terminated, unless otherwise agreed, all rights, except those already vested, of the property owner under the development agreement shall terminate. The property owner can proceed with the development pursuant to permits issued prior to the date of termination and under the existing rules, regulations and ordinances of the county absent the development agreement. (Ord. 1579 § 1 (part), 1994)

26.40.070 Recordation. The county clerk shall file for recording the original of:

- (a) A development agreement;
- (b) An ordinance adopting a development agreement;
- (c) Any amendment or supplement to the development agreement; or
- (d) Notice of action taken to cancel all or part of a development agreement with the county recorder within twenty days after the board of county commissioners takes final action on the matter.

Upon recordation the agreement or amendment or supplement to the agreement binds all parties and their successors in interest for the duration of the agreement. (Ord. 1579 § 1 (part), 1994)

Title 28

SUBDIVISIONS*

NOTE: Chapter Not Locked In Under Development Agreement

Chapters:

- 28.04 General Provisions
- 28.08 Definitions
- 28.12 Technical Study
- 28.16 Tentative Map
- 28.18 Final Map Technical Review
- 28.20 Final Map
- 28.22 Reversionary Final Maps
- 28.24 Design Standards
- 28.28 Improvement Requirements
- 28.32 Minor Subdivisions
- ~~28.34 Boundary Line Adjustments~~
- ~~28.36 Fees and Charges~~
- ~~28.38 Laughlin Drainage Facility Acquisition Regulations~~
- ~~28.40 Exceptions~~
- 28.42 Underground Installations
- ~~28.44 Enforcement~~
- ~~28.46 Desert Tortoise Habitat Conservation~~

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

general provisions and definitions

Chapter 28.04

GENERAL PROVISIONS

Sections:

28.04.010	Authority.
28.04.020	Applicability.
28.04.030	Purpose.
28.04.040	Submission to county planning.
28.04.050	Conformance to precise plans and zoning code.
28.04.060	Submission to city.
28.04.070	Conformance to master plan.
28.04.080	Sale, lease, prior to recording.
28.04.090	Advisory agency.
28.04.100	Powers and duties of county planning commission.
28.04.110	Interpretation, purpose and conflict.
28.04.120	Sale of copies.

28.04.010 Authority. This title is adopted pursuant to the planning and zoning act of the state of Nevada and to any other authority provided by law or as such statutes may be amended. The provisions of this title are in addition to the regulations of the planning and zoning act of the state of Nevada and are supplemental thereto. (Ord. 168 Art. I § 1, 1962)

28.04.020 Applicability. The provisions of this title shall apply to all development in Clark County including but not limited to building permits, grading permits, encroachment permits, offsite permits, subdivisions, resubdivisions, minor subdivisions or other divisions of land for any purpose whatsoever. (Ord. 1158 § 1, 1989; Ord. 168 Art. I § 2, 1962)

28.04.030 Purpose. In accordance with the provisions of NRS, 1957, Title 22, Chapter 278, this title shall have as its purposes the following standards and principles to provide for the future growth and orderly development of Clark County, and is designed to promote the convenience, health, safety and general welfare of its people by providing for lots of sufficient size, adequate improvements and facilities, and appropriate design for the purpose for which they are to be used; the provision, construction and installation of streets, alleys, highways, public utilities and other public facilities, uniformity of street width, access to lands, to minimize traffic congestion and safety hazards, preventing the subdivision of lands which are subject to flash flooding or otherwise unsuitable for subdivision, and to provide for a permanently wholesome community environment, adequate public services, and safe streets, and has been adopted by the board of county commissioners as part of the master plan. (Ord. 168 Art. I § 3, 1962)

28.04.040 Submission to county planning. Wherever any subdivision of land, as herein defined, is laid out within or partially within the said unincorporated territory the subdivider or his agent shall submit a tentative map thereof to the county planning commission. The maps and all procedure relating thereto shall in all aspects be in full compliance with the provisions of the Planning and Zoning Act of the state of Nevada and any amendments thereto and the regulations hereinafter contained in this title. (Ord. 168 Art. I § 4, 1962)

28.04.050 Conformance to precise plans and zoning code. All division of lands shall conform to applicable precise plans adopted by legal procedures for the purpose of effectuating the master plan. All divisions of land shall conform to the requirement of the zoning code of Clark County provided, however, that where this title imposes higher standards, the requirements of this title shall prevail. (Ord. 168 Art. I § 5, 1962)

28.04.060 Submission to city. Whenever any subdivider proposes to subdivide any land within

three miles of the exterior boundary of an incorporated city, the subdivider shall file a tentative map of the proposed subdivision with the city planning commission of the incorporated city, or where there is no planning commission shall file with the clerk of the governing board for approval of said board. In either case, the city planning commission or the governing board shall have not to exceed thirty day's time for action and report to the governing board of Clark County. (Ord. 168 Art. I § 6, 1962)

28.04.070 Conformance to master plan. The subdivision of land or dedication of land for streets, highways, alleys or other public use, shall conform with the master plan of streets and highways and shall make provision for the continuation of principal existing streets. (Ord. 168 Art. I § 7, 1962)

28.04.080 Sale, lease prior to recording. It shall be unlawful for any individual, firm, association, syndicate, copartnership, corporation, trust, or any other legal entity, as principal, agent, or otherwise, to sell, offer for sale, or cause or permit to be sold or offered for sale, any portion of any subdivision of land in the county prior to the recording of the final subdivision map in the office of the county recorder. (Ord. 168 Art. I § 8, 1962)

28.04.090 Advisory agency. The county planning commission is hereby designated as the advisory agency to the chairman and board of county commissioners on all matters related to the division or subdivision of land. (Ord. 168 Art. I § 9, 1962)

28.04.100 Powers and duties of county planning commission. The county planning commission shall have all the powers and duties with respect to the filing of tentative maps, making investigations and reports on design and improvements, and recommending the approval of tentative and final subdivision maps, recording of survey maps and private street maps and establishing procedures related to the processing thereof which are specified by law and this title. (Ord. 168 Art. I § 10, 1962)

28.04.110 Interpretation, purpose and conflict. In interpreting and applying the provisions of this title, they shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, comfort, prosperity or general welfare. It is not intended by this ordinance to interfere with or abrogate or annul any easements, covenants or other agreements between parties, provided however, where this title imposes a greater restriction upon the use of premises or requires larger space than is imposed or required by other ordinances, rules or regulations, or by easements, covenants or agreements, the provisions of this title shall govern. (Ord. 168 Art. XII § 1, 1962)

28.04.120 Sale of copies. Copies of this title may be sold by the county zoning division at the uniform charge of five dollars per copy, plus costs of mailing when sold by mail. (Ord. 1118 § 2, 1988: Ord. 168 Art. XII § 3, 1962)

Chapter 28.08

DEFINITIONS

Sections:

28.08.010	Generally.
28.08.015	Aliquot parts.
28.08.020	Alley.
28.08.025	Amended map.
28.08.027	Approvable form.
28.08.030	As built drawings.
28.08.040	Block.
28.08.050	Board of county commissioners.
28.08.055	Certificate of land division.
28.08.057	Contiguous tract.
28.08.060	County planning commission.
28.08.070	County engineer.
28.08.080	County surveyor.
28.08.085	Current planning division.
28.08.090	Cul-de-sac.
28.08.095	Department of public works.
28.08.100	Design.
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28.08.120	Final map.
28.08.130	Minor subdivision.
28.08.140	Owner.
28.08.145	Parcel map.
28.08.150	Protective covenants (deed restrictions).
28.08.160	Resubdivision.
28.08.165	Reversionary map.
28.08.170	Roadway.
28.08.180	Service road.
28.08.190	Street or street right-of-way.
28.08.195	Street, private.
28.08.200	Subdivision.
28.08.210	Zoning administrator.

28.08.010 Generally. The words and terms used in this title shall be defined as follows in this chapter unless it is plainly evident from the context that a different meaning is intended. All words used in the singular shall include the plural and the plural the singular. Each gender shall include the others; any tense shall include the other tenses. The word “shall” is mandatory and the word “may” is permissive. (Ord. 1452 § 1 (part), 1992: Ord. 168 Art II § 1 (part), 1962)

28.08.015 Aliquot parts. The term “aliquot parts” means one hundred sixty-acre, eighty-acre, forty-acre and ten-acre units, or other regular subdivisions of a section, which are quarter divisions of a section of land, excluding government lots and tracts, as set forth in the current manual of instructions for the survey of the public lands of the United States. (Ord. 1452 § 1 (part), 1992)

28.08.020 Alley. The term “alley” means a public way, primarily for vehicular use, of a minimum width of twenty feet, which affords a secondary means of access to abutting properties. (Ord. 168 Art. II § 1(A), 1962)

28.08.025 Amended map. The term “amended map” means a subdivision map prepared and recorded for purposes of correcting an error or omission contained in a previously recorded final map, parcel map, certificate of land division or reversionary map, if the correction changes or purports to change the location of any survey monument, property line or boundary line. (Ord. 1638 § 1 (part), 1994)

28.08.027 Approvable form. The term “approvable form” means that off-site improvement plans have been reviewed and that all required corrections have been made to the satisfaction of the department of public works. (Ord. 1638 § 1 (part), 1994)

28.08.030 As built drawings. The term “as built drawings” means drawings or plans which show and delineate any and all changes from the approved plans which occurred during the construction and installation of the subdivision improvements. (Ord. 168 Art. II § 1(B), 1962)

28.08.040 Block. The term “block” means a tract of land within a subdivision entirely bounded by streets, highways or ways, except alleys; and the exterior boundary or boundaries of the subdivision. (Ord. 168 Art. II § 1(C), 1962)

28.08.050 Board of county commissioners. The term “board of county commissioners” means the governing board of Clark County, Nevada. (Ord. 1638 § 1 (part), 1994; Ord. 168 Art. II § 1 (D), 1962)

28.08.055 Certificate of land division. The term “certificate of land division” means a minor subdivision meeting of all the requirements of Section 28.32.012(b) of this chapter. (Ord. 1638 § 1 (part), 1994)

28.08.057 Contiguous tract. The term “contiguous tract” means any parcel which abuts, shares any common property corner or is separated only by a public right-of-way dedicated by fee or grant of easement and having a width of one hundred feet or less. In the case of “noncontiguous” parcels resulting from the foregoing definition, as it relates to public right-of-way created by grant of easement and in the event of a subsequent abandonment of all or a portion of such easement by the governing body, limits of reversion shall refer to the centerline or line of reference of the original grant of easement. (Ord. 2027 § 1, 1997; Ord. 1638 § 1 (part), 1994)

28.08.060 County planning commission. The term “county planning commission” means the planning commissioners of Clark County, Nevada. (Ord. 1638 § 1 (part), 1994; Ord. 168 Art. II § 1(E), 1962)

28.08.070 County engineer. The term “county engineer” means the person who holds the appointive office of county engineer. (Ord. 168 Art. II § 1(F), 1962)

28.08.080 County surveyor. The term “county surveyor” means the person who holds the office of county surveyor. (Ord. 1638 § 1 (part), 1994; Ord. 168 Art. II § 1(G), 1963)

28.08.085 Current planning division. The term “current planning division” means the current planning division of the Clark County department of comprehensive planning. (Ord. 1638 § 1 (part), 1994)

28.08.090 Cul-de-sac. The term “cul-de-sac” means a minor street, with only one outlet, which provides for an adequate turning area for vehicular traffic at its terminus. (Ord. 168 Art. II § 1(H), 1962)

28.08.095 Department of public works. The term “department of public works” means the Clark County department of public works. (Ord. 1638 § 1 (part), 1994)

28.08.100 Design. The term “design” means the alignment, grades and width of streets; location

and widths of easements and rights of way and alleys; widths, depth and arrangement of lots; the suitability of land for subdivision and the relationship of land uses as well as the layout. (Ord. 168 Art. II § 1(I), 1962)

28.08.110 Development. The term “development” means the act of building structures and/or installing site improvements. (Ord. 168 Art. II § 1(J), 1962)

28.08.115 Director of public works. The term “director of public works” means the director of the Clark County department of public works. (Ord. 1638 § 1 (part), 1994)

28.08.120 Final map. The term “final map” means a map prepared in accordance with the provisions of the Planning and Zoning Act of the state of Nevada and with the provisions of this title, which map is to be placed on record in the office of the county recorder as the approved design for a subdivision. The term shall include a map prepared to amend or revert to acreage a previously recorded map. (Ord. 1929 § 1, 1997: Ord. 168 Art. II § 1(K), 1962)

28.08.130 Minor subdivision. The term “minor subdivision” means any real property shown on the preceding year’s tax roll as a unit or contiguous units which is divided for the purpose of sale, lease, or transfer of all or any part thereof into four or less lots or parcels. The term “minor subdivision” includes parcel maps and certificates of land division. (Ord. 1638 § 1 (part), 1994: Ord. 1452 § 1 (part), 1992: Ord. 608 § 1, 1979: Ord. 168 Art. II § 1(L), 1962)

28.08.140 Owner. The term “owner” means any individual, firm, association, syndicate, copartnership or corporation having sufficient proprietary interest, in the land sought to be subdivided, to commence and maintain proceedings to subdivide the same under this title. (Ord. 168 Art. II § 1(M), 1962)

28.08.145 Parcel map. The term “parcel map” means a minor subdivision prepared and recorded for the purpose of dividing land into four or less parcels. (Ord. 1638 § 1 (part), 1994)

28.08.150 Protective covenants (deed restrictions). The term “protective covenants (deed restrictions)” shall mean a list of restrictions and covenants of proper record in the county recorder’s office, which run with the land and is binding on all property owners in the protected area, for a stipulated period of time with extension provisions therefor, and which shall be enforced by the property owners in said protected area by appropriate civil action. The covenants may include, but not be limited to the following: the establishment of minimum front, side and rear yards; minimum dwelling sizes and type; the prohibition of multiple-family dwellings, trailers, trade or business, and other activities obnoxious or offensive; the provision of street planting or water courses; and the exclusion of signs and/or other matters related to or restricted in the protected area. (Ord. 168 Art. II § 1(N), 1962)

28.08.160 Resubdivision. The term “resubdivision” means the redivision of lot(s) and/or block(s) of a previously recorded legal subdivision or portion thereof to provide more saleable lots. For any such redivision which proposes to alter the location of existing platted lot and/or block lines of record, an amended map, or reversionary map, as the case may be, must first be filed in accordance with the provisions of NRS 278.010 through 278.630, inclusive. For four lots or less, a parcel map; or five lots or more, a new tentative and final subdivision map may then be filed in accordance with NRS 278 and the provisions of this title. (Ord. 1452 § 1 (part), 1992: Ord. 168 Art. II § 1(O), 1962)

28.08.165 Reversionary map. The term “reversionary map” means a map prepared for purposes of reverting any recorded subdivision map, parcel map, certificate of land division or part thereof to acreage. (Ord. 1638 § 1 (part), 1994)

28.08.170 Roadway. The term “roadway” means that portion of a street right-of-way intended to

accommodate vehicular traffic. (Ord. 168 Art. II § 1(P), 1962)

28.08.180 Service road. The term “service road” means a street adjacent to a freeway, major or primary street, and separated therefrom, that provides the primary means of vehicular and pedestrian access to abutting properties. (Ord. 168 Art. II § 1(Q), 1962)

28.08.190 Street or street right-of-way. The term “street or street right-of-way” means the total area granted, dedicated or to be dedicated for public or private use and which includes a street, highway, thoroughfare, parkway, road, avenue, drive, lane, boulevard, place and appurtenances thereto, including but not limited to curb, gutter, sidewalks, streetlights, fire hydrants, multiuse trails or however designated, but not including alleys.

(a) The term “local street” means a street, having a width of not less than forty-eight feet of minor importance and intended wholly or principally for local traffic from abutting property and for use within low or medium density residential use districts.

(b) The term “collector street” means a street, having a width of not less than eighty feet, of secondary importance, and in addition used primarily where commercial areas front on said streets and on quarter section lines.

(c) The term “arterial street” means a street having a width of one hundred feet or more, and in addition used primarily on section lines and as intercity or interarea means of access. (Ord. 1638 § 1 (part), 1994; Ord. 168 Art. II § 1(R), 1962)

28.08.195 Street, private. The term “private street” means a street designated for use by specified property owners and not dedicated for public use, nor intended for access by the general public. (Ord. 1638 § 1 (part), 1994)

28.08.200 Subdivision. The term “subdivision” means the division of any land or portion thereof, shown on the last preceding tax roll as a unit or contiguous units, which is divided for the purpose of sale or lease, either immediately or in the future into lots and/or parcels of land as set forth by the laws of the state of Nevada, and provided that the lots created are not reduced below the minimum sizes required by this title or any other applicable regulations or ordinance. Subdivisions include final maps, amended maps and minor subdivisions. (Ord. 1638 § 1 (part), 1994; Ord. 168 Art. II § 1(S), 1962)

28.08.210 Zoning administrator. The term “zoning administrator” means the director of the department of comprehensive planning or his designee. (Ord. 1638 § 1 (part), 1994)

tentative map

Chapter 28.16

TENTATIVE MAP

Sections:

28.16.010	Preparation.
28.16.020	Tentative map requirements.
28.16.025	Submittal requirements.
28.16.030	Filing.
28.16.040	Distribution.
28.16.075	Processing and approval.

28.16.010 Preparation. After the subdivider has considered the availability and/or cost of electric power, telephone, sewerage, a potable water supply accessibility, fire and police protection, and such other improvements as may be required by the county; and has reached preliminary conclusions and has decided to continue, he shall cause a tentative map to be prepared by a professional person or persons competent to compile the necessary data in full compliance with this title. Said map shall be clearly and legibly drawn at an adequate scale in order to show details of the proposed subdivisions with accuracy and clarity. (Ord. 1929 § 3 (part), 1997: Ord. 168 Art. IV § 1, 1962)

28.16.020 Tentative map requirements. The tentative map shall contain the following information:

- (a) Subdivision name and number. The subdivision number will be assigned by Clark County.
- (b) The proposed subdivision in its entirety and at a suitable scale so that all information required thereon is clear and legible. Where necessary, a legend shall be shown clarifying all marking and lines delineated on the map.
- (c) The date of preparation and the map scale.
- (d) The lettering shall be so placed as to read from the bottom right-hand side of the sheet, and the north point shall be directed away from the reader.
- (e) Names, addresses and telephone numbers of owners of record, subdivider, and person or persons who prepared the map.
- (f) Sufficient legal description of the land to describe the location, including exterior subdivision boundary dimensions and approximate acreage.
- (g) Locations, names, present widths, and improvements of adjacent streets.
- (h) The names of adjacent subdivisions, including lot and block numbers.
- (i) Location and widths of proposed streets and highways as shown on any precise plan and/or the master plan.
- (j) The location, names, proposed grades, and widths of all streets and alleys within the proposed subdivision.
- (k) Contour lines of the entire subdivision, having the following intervals:
 - (1) Two-foot contour intervals for ground slopes between level and forty percent.
 - (2) Five-foot contour intervals for ground slopes between forty percent and eighty percent.
 - (3) Ten-foot contour intervals for ground slopes exceeding eighty percent.
- (l) The width and location of all easements for drainage, sewage, public utilities, and other purposes.
- (m) Radii of all curves.
- (n) The lot layout, lot number, and approximate dimensions of each lot.
- (o) A map indicating plans for the development of the entire area if the proposed plat is a portion of a larger holding intended for subsequent development.
- (p) The location and outline, to scale, of each building or other structure within the proposed subdivision, noting whether or not such building or structure is to be removed or remain in the development of the subdivision, and other physical features which would influence the layout or design.
- (q) Location of areas subject to inundation or stormwater overflow, and the location, widths, and direction of flow of all watercourses and proposed stormwater drainage and facilities.

(r) Location and size of existing culverts, drain pipes, watercourses, natural drainage channels and their relocation if proposed.

(s) Sources and availability of water supply, proposed size and location of existing water mains, and proposed location of fire hydrants.

(t) Proposed method of sewage disposal. Location and size of nearest main.

(u) Proposed use of property.

(v) Proposed sites to be reserved or dedicated for public parks, schools, playgrounds and/or other public uses.

(w) Proposed improvements and location.

(x) Location of sidewalks.

(y) A vicinity or key map showing the relation of the subdivision to the area in which it is located.

(z) A statement regarding protective covenants and deed restrictions which the subdivider intends to enforce. (Ord. 1929 § 3 (part), 1997: Ord. 168 Art. IV § 2, 1962)

28.16.025 Submittal requirements. In order to request approval for a tentative map, an application, on forms provided by the current planning division, along with the following must be submitted to the current planning division:

(a) Twenty-four copies of the tentative map, folded to the approximate dimensions of nine inches by twelve inches;

(b) Two copies of the owner's statement and checklist;

(c) One copy of a preliminary title report, not more than six months old at the time of submittal, from a reputable title company, showing the names of those parties who may be required to sign the subdivision map and listing all encumbrances on the property to be subdivided;

(d) One copy of each document listed in the preliminary title report which created an encumbrance or easement on the property to be subdivided;

(e) Three copies of a map prepared and certified by a licensed Nevada land surveyor showing the locations of all easements on the property which are identified in the preliminary title report. Any easement shown shall reference the document identified in the title report which created the easement;

(f) Two copies of the latest assessor's map(s) showing the property to be subdivided;

(g) Fees as required by Chapter 28.36 of this title. (Ord. 1989 § 1, 1997: Ord. 1929 § 3 (part), 1997)

28.16.030 Filing. (a) Acceptance. The tentative map shall be accepted for filing if it is in full compliance as to form, information and statements required to be furnished therewith in accordance with the terms of this title, and if the prescribed filing fees have been paid.

(b) Copies for City. Upon acceptance of the map by the zoning administrator, the subdivider shall submit as many copies of the tentative map as is required by the jurisdiction to the city planning commission for action and report to the county whenever the subdivision is within three miles of a city boundary. (Ord. 1929 § 3 (part), 1997: Ord. 721 § 1, 1980: Ord. 168 Art. IV, § 3, 1962)

28.16.040 Distribution. (a) Departmental Recommendations. The zoning administrator shall refer one copy of the tentative map and owner's statement to the county engineer and one copy of the map to any department, government entity, or public utility potentially affected by the proposed subdivision deemed advisable. Each department or agency to whom the tentative map is referred shall submit to the zoning administrator its recommendations regarding said map within fourteen days.

(b) Analysis of Recommendations. The zoning administrator shall analyze the recommendations submitted by the other departments and agency heads, coordinate these recommendations and submit his recommendations to the planning commission. (Ord. 1929 § 3 (part), 1997: Ord. 168 Art. IV, § 4, 1962)

28.16.075 Processing and approval. The planning commission shall review all reports and recommendations within forty-five days of map submission unless extended by mutual agreement, and if

the map is complete and accompanied by all data necessary for proper interpretation and analysis, shall approve, disapprove, or conditionally approve the same. The action of the planning commission shall be final unless appealed within five judicial days. The form of appeal shall be in writing to the current planning division offices, and if appealed the map shall be brought forward to the board of county commissioners for final disposition within thirty-six days of the planning commission's action on the same. (Ord. 1929 § 3 (part), 1997: 1043 § 3, 1987)

final map

Chapter 28.20

FINAL MAP*

Sections:

28.20.010	Preparation.
28.20.020	Submittal requirements.
28.20.030	Filing.
28.20.040	Bonds and cash deposits.
28.20.050	Approval and acceptance.
28.20.060	Recording.

* Prior ordinance history: Ords. 168, 370, 642, 721, 961, 1043 and 1452.

28.20.010 Preparation. Within one year after approval or conditional approval of the tentative map by the planning commission or board of county commissioners, and within one year from the submission date of the final map technical review the subdivider may cause the subdivision, or any portion thereof which is determined by the county engineer to be a logical unit of the tentative map, to be recorded in the county recorder's office, providing the final map is in compliance with the tentative map, any condition imposed on a relevant land use application, the final map technical review, and the requirements of this title and the Planning and Zoning Act of the state of Nevada. (Ord. 1929 § 5 (part), 1997)

28.20.020 Submittal requirements. In order to request approval of a final map, an application, on forms provided by the current planning division, along with the following must be submitted to the current planning division:

- (a) Four blueline copies of the final map;
- (b) One copy of the updated title report not more than two weeks old;
- (c) One copy of a certificate from the official computing redemptions showing that, according to the records of his office, there are no liens against the subdivision or any part thereof, of unpaid state, county, municipal or local taxes or assessments collected as taxes, except taxes or special assessments not yet payable;
- (d) Fees as required by Chapter 28.36 of this title. (Ord. 1929 § 5 (part), 1997)

28.20.030 Filing. The final map shall be accepted for filing if it is in full compliance as to form, information and statements required to be furnished therewith in accordance with the terms of this title, if the requirements identified by the final map technical review have been completed, and if the prescribed filing fees have been paid. (Ord. 1929 § 5 (part), 1997)

28.20.040 Bonds and cash deposits. (a) When Required. The subdivider shall install, erect and/or construct the improvements required by this title, Clark County standards, and the conditional approval of the subdivision, prior to recordation of the final map, or may assure the construction and installation of all necessary improvements by entering into agreement with the board of county commissioners, whereby, in consideration of acceptance of the streets, alleys and easements offered for dedication, the subdivider agrees to furnish equipment and material necessary to complete the work within the time specified and shall deliver to the county either a one hundred percent performance bond or a cash deposit in such an aggregate amount as is estimated by the county engineer to be the total cost of the construction, installation, and/or improvements required.

(b) Conditions Thereof.

(1) Bonds posted pursuant to the above shall run to Clark County, and provide that the subdivider, his heirs or successors and assigns, and their agents and servants will comply with the applicable terms, conditions, and provisions of these regulations and will faithfully perform the work of constructing and installing such facilities and improvements in accordance with such laws and regulations, and that the subdivider will save Clark County harmless from any expense incurred through

the failure of the subdivider, his heirs, successors or assigns, and their agents or servants, to complete the work of installation and construction required.

(2) Before acceptance, any such bond or cash deposit shall be approved by the district attorney's office and the county engineer. If a bond is offered, it shall be executed by a surety or guaranty company qualified to do business in the state of Nevada.

If cash is offered it shall:

(A) Be deposited with the county treasurer who shall give his official receipt therefor and signify the amount and purpose of said deposit, in compliance with these regulations; or

(B) Be deposited in local bank if a proper agreement is entered into by and between the subdivider, the county and such financial institution to pay for the installation of said improvements as they are installed, which said agreement shall provide, among other things, that there shall at all times be a ten percent retention of the funds so deposited until all of such improvements have been completed and accepted by the county. The word "local" hereinabove set forth in this subsection (b)(1)(B) as it pertains to the named financial institutions shall be defined as those institutions that have an office or offices lawfully located and actually doing business within the county of Clark, state of Nevada.

(c) Duration and Release. Bonds posted or cash, or the unused portion thereof, deposited pursuant to these regulations shall be released or returned, as the case may be, at such time as the facilities guaranteed have been accepted and approved. No such facilities shall be accepted or approved unless they conform to the applicable standards and specifications in effect and required at the time of approval of the final map.

(d) Default. If the construction or installation of any improvements or facilities for which a bond is posted is not completed within three months after substantial completion of any buildings or structures which such improvements or facilities are designed to serve, or within two years of the date of approval of the final map, whichever is sooner, or if such construction is not in accordance with the applicable standards and specifications prescribed by law, the county may proceed to construct or install such improvements and the surety on such bond shall be liable for the expense incurred thereby, or in the event cash is deposited with the county treasurer, the county may use as much of such cash as is necessary to construct or install such improvements or facilities. If any portion of a cash deposit is not required or used by the county, such excess cash shall be repaid to the person making the deposit upon acceptance or approval of the improvements or facilities herein required.

(e) Cash Deposits — Installment Agreements. If a cash deposit is made with the county treasurer, the county and the subdivider shall have the authority to enter into written agreement itemizing the several phases of construction or installation in sequence with an amount opposite each phase thereof, and providing that each amount so listed may be repaid to the subdivider upon completion approval and acceptance after inspection of the particular phase of work represented by said amount; provided, however, that there shall at all times be a ten percent retention of all funds so deposited. In the event a cash deposit is made with a local financial institution the release of the funds so deposited shall be governed by the provisions of the deposit agreement. (Ord. 1929 § 5 (part), 1997)

28.20.050 Approval and acceptance. Upon receipt of the final map, the planning commission shall at its next regular meeting at least ten days, but not more than twenty-nine days, thereafter, act on the map if it conforms to the applicable provisions of this title and the Planning and Zoning Act of the state of Nevada. The time limit for approval may be extended by mutual consent. The action of the planning commission shall be final, unless appealed by an interested party in writing within five judicial days of the planning commission's action. If appealed, the map shall be scheduled for a hearing before the board of county commissioners within forty days after the filing of the appeal, and the board of county commissioners may restrict debate to issues raised in the appeal. The decision of the board of county commissioners shall be final and effective after five judicial days of the day the decision is made. (Ord. 1929 § 5 (part), 1997)

28.20.060 Recording. Within ten days after a final map has been approved by the planning commission or board of county commissioners, providing all required bonds and fees have been

posted and accepted, and requisite signatures from affected entities obtained, the zoning administrator shall verify compliance with any conditions of approval and upon such verification release the original of the map for recordation. The county recorder shall make a negative from the recorded original and provide the same to the county surveyor. (Ord. 1929 § 5 (part), 1997)

design and improvement standards

Chapter 28.24

DESIGN STANDARDS

Sections:

28.24.010	Applicability.
28.24.020	Lots.
28.24.030	Block.
28.24.040	Conformance to master plan for street design.
28.24.050	Street patterns.
28.24.060	Street names.
28.24.080	Provisions for water and sanitary sewerage facilities.
28.24.100	Street lighting and electric service.
28.24.110	Utility easements.
28.24.120	Reservation of community facilities sites.
28.24.130	Grading permits.
28.24.140	Building permits.

28.24.010 Applicability. The standards and principles as set forth in this chapter and in Chapters 27.10, 27.30 and 27.40 of Title 27, Clark County Code shall apply to all subdivisions, resubdivisions or minor subdivisions. (Ord. 2098 § 11 (part), 1998: Ord. 907 § 1, 1984: Ord. 875 § 1, 1983: Ord. 168 Art. VII § 1, 1962)

28.24.020 Lots. All divisions of land shall conform to applicable adopted plans for the purposes of effectuating the master plan. All divisions of land shall conform to the requirements of the zoning code of Clark County, provided, however, that where this title imposes higher standards, the requirements of this title shall prevail.

(a) All divisions of land shall result in the creation of lots which conform to lot requirements contained in the zoning code and are capable of being developed or built upon, unless they are required for public or private utilities. Provisions must be made by a recorded document for the permanent maintenance such utility lots.

(b) The side lines of lots shall be approximately at right angles to the street upon which the lot faces, or approximately radial if the street is curved.

(c) All lots, parks or public ground created shall have legal access to streets meeting the minimum requirements of this title and any adopted street standards of Clark County for right-of-way widths, paving widths, and improved in accordance with the standards for street improvements as set forth in the adopted street and improvement standards of Clark County.

(d) Double frontage lots shall be avoided wherever possible.

(e) Each subdivision map shall include an entire assessor's parcel and no remnants of land shall be left in the subdivision.

(f) All lots shall have adequate drainage.

(g) Lot depths exceeding two times their width shall be avoided wherever possible.

(h) Corner lots shall have additional width wherever possible.

(i) Residential lots cannot be divided by a city boundary or another lot or property. Dividing a lot by a street, effectively creating two separate portions within one legal lot, shall be avoided wherever possible. In no case shall a lot be divided by a street or right-of-way greater than one hundred feet in width.

(j) Subdivisions should be designed with lots fronting on local streets exterior to the subdivision to the greatest extent possible. The number of lots which rear or side onto local streets exterior to the subdivision should be minimized. (Ord. 1523 § 1, 1993; Ord. 168 Art. VII § 2, 1962)

28.24.030 Block. (a) Blocks in Residential Subdivisions.

(1) Blocks on the Interior of Subdivisions.

(A) Block Length. Blocks shall not exceed one thousand feet in length between

intersections except where topographical or other conditions require longer blocks. Wherever blocks are longer than one thousand feet, pedestrian crosswalks of not less than five feet in width shall be required where deemed essential for circulation and access to schools, playgrounds, shopping centers and other community facilities.

(B) **Block Width.** Block widths shall be planned to provide two rows of lots except where lots are planned to back upon a major highway, drainage channel, shopping center, etc., provided, however, that this shall not prevent the inclusion within any subdivision plan blocks of greater width of irregular outline, which blocks shall be indented by cul-de-sacs, looped access roads, etc., to provide access to the central areas thereof.

(2) **Blocks on the Exterior of Subdivisions.** Blocks along collector and arterial streets shall be approximately six hundred sixty feet in length, except near intersections of arterial and collector streets, where the length shall be no more than one thousand feet. **EXCEPTION:** where traffic-control considerations do not permit such design, the developer shall provide and maintain landscaped areas on private property within the exterior lots of the subdivision to minimize effect of lengthy expanses of block walls along collector and arterial streets.

(b) **Blocks in Commercial or Industrial Subdivisions.** Commercial or industrial blocks shall be of such length and width as acceptable for the proposed use, including adequate provisions for off-street parking and deliveries. (Ord. 1523 § 2, 1993; Ord. 168 Art. VII § 3, 1962)

28.24.040 Conformance to master plan for street design. The subdivision of land or dedication of land for streets, highways or other public use shall conform with the county plan for streets as described in Chapter 27.20 of Title 27, Clark County Code, the major street network referenced in adopted land use and development guides and the Regional Transportation Plan as adopted by the Regional Transportation Commission and shall make provision for the continuation of principal existing streets. (Ord. 2098 § 11 (part), 1998; Ord. 1523 § 3, 1993; Ord. 168 Art. VII § 4, 1962)

28.24.050 Street patterns. The street pattern shall be related to a plan for the most advantageous development of the subdivision as well as adjoining areas and the entire neighborhood or district and shall conform to the natural contour of the land as much as possible. However, in order to discourage through traffic and high traffic speeds and to increase the salability and stability of the subdivision by preventing monotonous development, primary and secondary residential streets in level or nearly level areas of undue length shall be avoided wherever possible by the use of slight amounts of curvature.

(a) Whenever right-of-way dedication has been provided on an adjoining property, the remaining portion shall be dedicated on the proposed plat to make the street the required full width.

(b) Whenever an existing subdivision has provided lots abutting the exterior boundaries, any proposed subdivision shall be designed so as to eliminate the formation of double-frontage lots in either subdivision.

(c) In case a tract is subdivided into lots larger than the minimum required in this chapter and the zoning ordinance of Clark County and its amendments, the planning commission may decline to approve the subdivision unless such parcels are arranged so as to allow the proper opening of future streets and resubdivision, and may require the dedication and improvement of the streets as a condition of approval thereof.

(d) All private road easements serving more than one lot of a minor subdivision shall be a minimum of forty feet in width, and shall terminate in a cul-de-sac with a minimum radius of forty-five feet. A private road easement serving only one lot of a minor subdivision shall be considered a driveway, shall be not less than twenty feet in width, need not terminate in a cul-de-sac and need not be improved. (Ord. 1696 § 1, 1995; Ord. 1523 § 5, 1993; Ord. 168 Art. VII § 6, 1962)

28.24.060 Street names. All street names shall be assigned and addresses displayed in conformance with the Las Vegas Valley street naming and address assignment policy. (Ord. 1523 § 5, 1993; Ord. 168 Art. VII § 6, 1962)

28.24.080 Provisions for water and sanitary sewerage facilities. Every lot in a minor

subdivision and every lot in a major subdivision shall be supplied with adequate water, for domestic use and fire protection, and sanitary sewerage facilities connected to systems with adequate supply and capacity to serve the proposed subdivision.

(a) Individual Wells and/or Individual Sewage Disposal Systems. Where the subdivision is located outside the mandatory connection distance for public water and/or sewer systems, individual wells and/or individual sewage disposal systems may be used to provide the required water and sanitary sewerage facilities, if the subdivider can provide evidence of the following approvals:

(1) Approval of the Use of Wells and Surface or Groundwater Resources.

(A) Las Vegas Artesian Basin. In the Las Vegas Artesian Basin, as designated and described by the office of the state engineer of the state of Nevada, the state engineer has indicated that there is an insufficient water supply to support new lots relying on well or groundwater. Unless the proposed subdivision is separately approved by the state engineer or is in an area otherwise restricted by the state engineer, further subdivision will only be allowed if (1) all the lots in the subdivision are five acres or more in size or if (2) nonrevocable water rights can be obtained and relinquished back to the public waters in an amount sufficient to support the number of lots being created in a manner approved by the state engineer.

Exception for Lots Within Minor Subdivisions Located within the Projected Urban Water Service Area. An exception is made within the Las Vegas artesian basin to allow lots to be created where it is anticipated that public waterlines will possibly be extended in the foreseeable future and therefore, where development with an urban rather than a rural remote character is expected. That area is indicated as the shaded area of the map titled Las Vegas Valley Water District Projected Urban Water Service Area dated June 16, 1993 adopted herewith and on file in the office of the county clerk. Lots within minor subdivisions relying on wells, surface or groundwater as the "adequate source of water" may be created if they are located within the shaded area and all of the following conditions are met:

a. The lot must be created by a minor subdivision map and contain less than five acres, but consist of a nominal acre or more;

b. The subdivision must be located more than one thousand two hundred fifty feet from a waterline with adequate capacity and pressure to serve the subdivision at the time the map is recorded and is not in an area restricted by the state engineer for reasons other than groundwater supply;

c. The property owner must sign an agreement, which will be recorded and run with the land, binding them and their successors and assigns, stating that they will:

1. Connect to the Las Vegas Valley Water District's water system in the future when waterlines are located adjacent to their property (as outlined in the agreement) or at the time of development of the property, which ever occurs last, and pay all fees and charges required at that time for such connection, and

2. Pay all costs associated with the construction of future adjacent waterlines installed for the extension of water service to the property or participate in any future special improvement districts providing water service to the property, and

3. Plug and abandon, in accordance with specifications acceptable to the state engineer, any existing domestic well on the property when water district facilities are available;

d. The subdivider proposing to record either a parcel map or a certificate of land division must construct all improvements required by Section 28.32.160. This requirement is added due to the fact that the groundwater exception is made for areas expecting urban style development in the foreseeable future. Compliance with the requirements of this section shall allow the creation of lots, but does not in any way constitute a present or future water commitment by the county or the Las Vegas Valley Water District. Water may be supplied by the Las Vegas Valley Water District in the future subject to availability and subject to the service rules of the water district.

(B) All Other Parts of Clark County. The subdivider shall obtain the approval of state engineer of the state Division of Water Sources of the Department of Conservation and Natural Resources for the creation of new lots which would rely on the use of wells, surface or groundwater resources.

(2) Approval of Individual Sewage Disposal Systems. The subdivider shall obtain the approval of the use of individual sewage disposal systems from the Clark County health district. Where individual wells and/or individual sewage disposal systems are approved as the adequate water or sanitary sewerage facilities the subdivider shall denote such intention upon the final plat and/or every sales contract of every lot purchaser.

(b) Public Sanitary Sewer and/or Water Service.

(1) When the use of an individual sewage disposal system is prohibited by Section 278.460 of the Nevada Administrative Code due to the proximity of a public sewer line, sewerage collection and/or treatment shall be provided by a public system. The subdivider shall provide evidence that the sanitary sewer service provider has agreed to serve the subdivision, has adequate treatment capacity and has approved the proposed design for any necessary facilities. As-built plans and profiles showing the size and exact location of all sewer lines and constructed house laterals with reference to property lines and street surfaces shall be submitted to the county engineer upon completion of construction.

(2) When any portion of the subdivision is within one thousand two hundred fifty feet of a public waterline with adequate capacity and pressure to serve the subdivision, water service shall be provided by a public system. The subdivider shall provide evidence that the water service provider has agreed to serve the subdivision, will provide adequate supply for domestic use and fire protection, and has approved the proposed design for any necessary facilities. As-built plans and profiles showing the size and exact location of all valves, fire hydrants and waterlines with reference to property lines and street surfaces shall be submitted to the county engineer upon completion of construction. In cases where there is an existing well serving existing development on the lot, only the new lots being created need be connected to the public water system, provided that the lot remaining on the well meets the health district requirements for lot size.

(3) Exceptions.

(A) The provision of an exception to the public water and sanitary sewer requirements of this section is intended only for the use of subdividers of a lot or lots for which they do not have immediate plans for development. If development is foreseeable in the near future, a subdivider should not utilize this exception. The purpose of the exception is to allow an owner to subdivide property where immediate development is proposed for at least one of the lots and where there are no immediate development plans for another lot or lots. The future development of a lot created under this section will be subject to the availability of water and/or sanitary sewer service and the rules and regulations governing water and sanitary sewer connections at the time of building permits or subsequent resubdivision. An exception to the requirements for provisions for public water and/or sewer facilities may be made for a certain lot or lots within a subdivision only if:

(i) The resulting lot is part of a minor subdivision; and
(ii) The resulting lot is not being created for the purpose of developing the lot; and

(iii) The resulting lot is within the required connection distance of existing water and/or sewer lines specified in paragraphs (b)(1) and (b)(2) above; and

(iv) The resulting lot is not in an area where further subdivision is prohibited due to inadequate public water supply, or inadequate public sanitary sewerage line or treatment capacity; and

(v) The resulting lot is at least two gross acres in size. Such an exception must be approved by the director of public works and/or the zoning administrator, or their designees. To apply for such an exception, in addition to any submittal requirements listed in Chapter 28.40, the property owner must submit the request along with a notarized statement declaring:

(a) The parcel is not being created for the purpose of development and the owner has no intention of developing the lot at this time, and

(b) A notation will be included on the map indicating that provisions for water supply or sanitary sewerage service have not been made for a certain lot or lots and there is no guarantee that adequate water supply or sanitary sewage service will be available to serve the lots, and

(c) Simultaneous with the recording of the map, a covenant

and deed restriction shall be recorded which shall run with the land which shall serve to inform subsequent purchasers of the purchasers of the property and shall state that:

1. The specified lot or lots were created without provisions for water supply or sanitary sewer service, and
2. Water and/or sanitary sewer service may not be available in the future, and
3. Unless water and sanitary sewer service are available and the requirements of the service provider can be met, use of the lot may be severely restricted.

(B) Any lot created between July 1, 1973 and July 20, 1993 which was not created by minor subdivision as required by Chapter 28.32 of this title may submit and record a minor subdivision to legalize the lot, providing the lot conforms to all the requirements of Title 29 of the Clark County Code, and further providing that the lot complies with requirements for individual wells and/or individual sewage disposal systems by the Clark County health district.

(c) Private Water and Sanitary Sewerage Facilities. When water and/or sanitary sewer service is to be provided by a private system, the subdivider must provide evidence that the proposed system has been approved in accordance with the laws of the state of Nevada and/or Clark County. (Ord. 1966 § 1, 1997: Ord. 1696 § 2, 1995; Ord. 1506 § 1, 1993: Ord. 1402 § 2, 1992)

28.24.100 Street lighting and electric service. The electrical distribution systems shall meet the requirements of Clark County and shall be sufficient to serve the proposed development with street lights and power to every lot.

(a) The subdivider shall furnish statements from the electric utility company supplying the development that the company will furnish electric power to any lot within the development upon the demand of any lot purchaser at no cost to the purchaser to bring the service to the lot. To this end the utility company shall include in the above statement an estimate of the cost to bring power in and power and pole the said tract, so that a sufficient bond may be required for that purpose.

(b) Street lighting materials, candlepower, illumination, and installation shall conform to recommended practice for street and highway lighting as established by the illuminating engineers society.

(c) All electrical improvements shall be constructed or installed in accordance to the requirements herein and meet all applicable requirements of the following authorities:

- (1) National Electrical Code;
- (2) American Standards Association;
- (3) American Society for Testing Materials;
- (4) Federal Specifications;
- (5) National Electric Light Association;
- (6) National Electric Safety Code;
- (7) Underwriters Laboratories, Inc;
- (8) Insulated Power Cable Engineers Association;
- (9) Illuminating Engineering Society;
- (10) Code of standard specifications for public improvements (Clark County electrical ordinance). (Ord. 875 § 5, 1983: Ord. 168 Art. VII § 10, 1962)

28.24.110 Utility easements. Uniform and continuous easements shall be provided at all rear lot lines for utilities service. The easements shall be not less than ten feet in width. However, the easements may be centered on the rear or side lot lines. (Ord. 168 Art. VII § 11, 1962)

28.24.120 Reservation of community facilities sites. Where the master plan or other plans for community facilities have been developed for sites located wholly or in part in a subdivision, or where any public facility should be located within the subdivision in order to serve the development and adjacent lands, the subdivider shall reserve a site appropriate in area and location for such public facility. The subdivider shall reserve these community facilities sites for dedication to the public agency involved. (Ord. 168 Art. VII § 12, 1962)

28.24.130 Grading permits. No lands shall be cleared of vegetation, graded or the natural ground surface thereof otherwise disturbed unless and until approval has been obtained for the proposed land use, construction or development as authorized by this chapter and a grading permit has been issued. Before issuing a grading permit, the following shall be required:

- (1) A topsoil disturbance permit from the Clark County health district;
- (2) Approval of a grading plan;
- (3) The posting of a bond in accordance with Title 27, Chapter 27.90, Bonds and Cash Deposits, of the Clark County Code for the construction and installation of required off-site improvements; and,

- (4) In the case of a new major subdivision development, the submittal of the final map for final action by the planning commission or board of county commissioners. (Ord. 2098 § 11 (part), 1998: Ord. 1989 § 2, 1997: Ord. 1929 § 7, 1997: Ord. 1538 § 1, 1993: Ord. 168 Art. VII § 13, 1962)

28.24.140 Building permits. No building permit shall be issued or granted for grading or the erection, construction, reconstruction, moving, conversion, alteration, addition of or to any building or structure, within the area encompassed by a tentative subdivision, until a final subdivision map has been recorded, as required by this title and in conformity with the requirements of the zoning ordinance, except as expressly permitted by Title 29 of the Clark County Code. However, permits for grading and grading related improvements including but not limited to, retaining walls, flood walls and drainage channels, may be issued consistent with Section 28.24.130 above. Such permits may be approved on the site of the approved final map. Where necessary to accommodate the construction of the on-site improvements, permits for grading and grading related improvements may be approved outside of the boundaries of the final map. Such improvements may include limited grading sufficient to balance the site of the final map. An offsite grading plan depicting cuts and fills necessary to balance the site must be submitted and approved for any grading or grading related improvements outside the boundaries of the final map. All off-site grading must be completed no later than the grading on the site of the final map. In the case of a minor subdivision, such permits may be issued upon approval of grading plans. (Ord. 1989 § 3, 1997: Ord. 1538 § 2, 1993: Ord. 168 Art. VII § 14, 1962)

improvement requirements

IMPROVEMENT REQUIREMENTS

Sections:

- 28.28.010 General requirements.
- 28.28.020 Adopted standards and specifications.
- 28.28.050 Service connections to each lot.
- 28.28.080 Building site plan.
- 28.28.090 Public sites.
- 28.28.100 Dedication and improvements.
- 28.28.110 Land not required or suitable for public use.
- 28.28.120 Completion of public improvements.
- 28.28.130 Specifications and procedures.
- 28.28.140 Compliance with other laws.

28.28.010 General requirements. The subdivider shall provide all improvements, or agree, in writing, to provide all improvements required by this title and Title 27 of the Clark County Code prior to recordation of the final subdivision map. Such improvements shall include but not be limited to the following:

- (a) Grading, curbs, gutters, berms, paving, drainage and drainage structures necessary for the proper use and drainage of streets, highways and other rights-of-way within, bordering, or necessary to serve the subdivision;
- (b) Site grading and drainage, taking into consideration the drainage patterns adjacent to improved or unimproved property;
- (c) Street name signs and traffic control devices;
- (d) Sidewalks on all streets, as required;
- (e) Fire hydrants in proper location and in sufficient numbers to provide adequate fire protection, as required;
- (f) A water system with mains of sufficient size and having a sufficient number of outlets to furnish adequate water supply for all lots in the subdivision, and to provide adequate fire protection, as required;
- (g) Sanitary sewer facilities and connections for each lot, as required;
- (h) Street lighting facilities, as required;
- (i) Street trees, landscaping, and masonry walls as required;
- (j) Electrical power distribution system. (Ord. 2098 § 14 (part), 1998; Ord. 961 § 6, 1986; Ord. 168 Art. IX § 1, 1962)

28.28.020 Adopted standards and specifications. All improvements except sanitary sewers and water facilities shall conform with county standards and specifications in accordance with Title 27 of the Clark County Code. Sanitary sewers and water facilities shall conform with standards and specifications adopted by Clark County Sanitation District No. 1 and the Las Vegas Valley Water District, respectively. (Ord. 2098 § 14 (part), 1998; Ord. 590 § 1, 1978; Ord. 168 Art. IX § 2, 1962)

28.28.050 Service connections to each lot. Provision for service connections from utility lines and sanitary sewers shall be made available for each lot in such a manner as will eliminate the necessity of disturbing the street pavement, gutters, culverts, curbs and sidewalks when service connections are made. (Ord. 168 Art. IX § 5, 1962)

28.28.080 Building site plan. A. OFFICERS REQUIRING COPIES. Whenever the subdivider plans to develop the area as a whole and to construct the dwellings thereon, he shall submit a plot plan to each of the following officers:

- 1. The county engineer
- 2. The building inspector

3. The planning director

B. **PLOT PLAN INFORMATION.** The plot plan shall contain information as to the location and arrangement of all dwellings on the plot and any dimension which is necessary to show the relationship of such dwellings to the lot lines.

C. **SETBACKS.** Building setback lines, front, rear and side yards, shall conform to the official zoning code for that section of Clark County and in which the land to be subdivided is located. (Ord. 168 Art. IX § 8, 1962)

28.28.090 Public sites. A. **HISTORIC OR SCENIC SITES.** The county planning commission shall encourage the preservation of and/or may recommend the dedication or reservation of suitable areas for historic purposes.

B. **PARKS, PLAYGROUNDS AND SCHOOL SITES.** The subdivider shall give due consideration to the allocation of areas suitably located and of adequate size for schools, playgrounds, playfields and parks for local or neighborhood use to be dedicated, reserved for common use by all the property owners within the subdivision by deed covenants, and/or reserved for acquisition by the county within a period of five years. To this end the county planning commission may recommend the dedication and/or reservation of sites for public purposes when deemed essential to the development of the area or neighborhood. (Ord. 168 Art. IX § 9, 1962)

28.28.100 Dedication and improvements. A. **OFFER FOR DEDICATION.** All streets, highways, alleys, and/or parcels of land shown on the final map and intended for any public use shall be offered for dedication and/or deeded to the county in accordance with Title 27 of the Clark County Code.

B. **IMPROVING DEDICATED LAND.** The subdivider shall improve or agree to improve all land dedicated or to be dedicated for streets, highways, public ways and easements as a precedent to acceptance thereof and approval of the final map. Such improvements shall include all grading, surfacing, sidewalks, curbs, gutters, electric power and street lights, culverts, bridges, storm drains, sewer mains and house laterals, water mains, fire hydrants, parkway areas, subsurface drainage, and/or such other improvements required in accordance with Title 27 of the Clark County Code and as recommended by the county planning commission or the board of county commissioners as conditions of approval of the tentative map, necessary for the general use of the lot owners and local traffic and drainage needs. (Ord. 2098 § 14 (part), 1998: Ord. 168 Art. IX § 10, 1962)

28.28.110 Land not required or suitable for public use. Wherever a preliminary plan or final map proposes the dedication of land to public use and the county planning commission finds that such land is not required or suitable for public use, the commission may either refuse to approve said preliminary plan or final map or it may require the rearrangement of lots to include such land. (Ord. 168 Art. IX § 11, 1962)

28.28.120 Completion of public improvements. Within a period of two years of the approval of the final map all public improvements required by these regulations and other applicable laws and regulations shall be completely installed and constructed within the area covered by such map, unless the board of county commissioners shall by resolution grant an extension of time for completion and if the bonds or cash guarantees are renewed to cover the extension of time. (Ord. 168 Art. IX § 12, 1962)

28.28.130 Specifications and procedures. The county planning commission shall have authority to adopt specifications and procedures relating to the administration of these regulations and the technical data required hereunder. (Ord. 168 Art. IX § 13, 1962)

28.28.140 Compliance with other laws. No preliminary plan or final map of a subdivision shall be approved if it violates or will result in the violation of any applicable zoning regulation or any other applicable law or regulation. (Ord. 168 Art. IX § 14, 1962)

minor subdivisions (parcel maps)

Chapter 28.32

MINOR SUBDIVISIONS

Sections:

- 28.32.010 Minor subdivisions—Applicability.
- 28.32.012 Form of minor subdivision.
- 28.32.015 Parcel map—Determination of parcel map requirements.
- 28.32.020 Submittal requirements for determination of parcel map requirements.
- 28.32.025 Processing the determination of parcel map requirements.
- 28.32.027 Administrative exception to filing request for determination of parcel map requirements.
- 28.32.030 Submittal requirements and fees for parcel map.
- 28.32.032 Second or subsequent parcel map.
- 28.32.035 Street, drainage improvement and survey monumentation requirements.
- 28.32.040 Processing.
- 28.32.045 Hearings and decisions.
- 28.32.050 Time limit for recording.
- 28.32.055 Certificate of land division—Submittal requirements for a certificate of land division.
- 28.32.060 Street and drainage improvement requirements.
- 28.32.065 Processing, hearings and decisions and time limit for recording.
- 28.32.070 Amendments to minor subdivisions—Applicability.
- 28.32.075 Requirements for an amended parcel map.
- 28.32.090 Requirements for an amended certificate of land division.
- 28.32.100 Reversions of minor subdivisions—Applicability.
- 28.32.105 Requirements for reversion of a parcel map.
- 28.32.110 Processing, hearings and decisions and time limit for recording a reversion of a parcel map.
- 28.32.125 Requirements for reversion of a certificate of land division.
- 28.32.140 Processing, hearings and decisions and time limit for recording a reversion of a certificate of land division.
- 28.32.160 Improvement standards—Improvements and standards for a parcel map.
- 28.32.165 Bonds and cash deposits.
- 28.32.170 Reimbursement.
- 28.32.180 Survey review, monumentation and bonding.

28.32.010 Minor subdivisions — Applicability. A minor subdivision is required to divide land into four lots or less except when the land division is for the express purpose of:

- (a) Creation or realignment of a public right-of-way by a public agency;
- (b) Creation or realignment of an easement;
- (c) Adjustment of the boundary line between two abutting parcels or the transfer of land between two owners of abutting parcels which does not result in the creation of any additional parcels if such an adjustment is approved pursuant to NRS 278.5692 and is made in compliance with the provisions of NRS 278.5693;

- (d) Purchase, transfer or development of space within an apartment building or an industrial or commercial building;
- (e) Carry out an order of any court or dividing land as a result of an operation of law;
- (f) Any additional exceptions outlined in NRS 278.461. (Ord. 1638 § 2 (part), 1994)

28.32.012 Form of minor subdivision. A minor subdivision shall be in the form of and meet all the requirements of:

- (a) A parcel map; or
- (b) Under certain circumstances listed below, the requirement for a parcel map shall be waived, and in its place a certificate of land division shall be required in accordance with NRS 278.463 through 278.467 inclusive, provided that:

- (1) Unusual circumstances regarding lot size and description exist as follows:
 - (A) All of the resulting lots are ten gross acres or more, and
 - (B) All of the resulting lots can be described by aliquot part(s) in accordance with the Bureau of Land Management's current Manual of Surveying Instructions for the survey of the public lands of the United States, and

- (C) The lot being subdivided was not previously created by a parcel map or subdivision within the meaning of this chapter,

- (2) The requirement for a survey is waived. Under the unusual circumstances described above, the county surveyor has determined that a survey is not required and the requirement for a survey shall be waived unless:

- (A) It is known by the county surveyor that the boundaries of the land proposed to be divided are in dispute, or

- (B) The land proposed to be divided is within a geographical area of the county which contains documented historic and/or recent surveying and title conflicts known to the county surveyor, or

- (C) The land proposed to be divided is within an area originally unsurveyed by the General Land Office or Bureau of Land Management, or

- (D) The land proposed to be divided is within a closing section, adjacent to the state line, adjacent to a grant boundary or military or Indian reservation, adjacent to a standard parallel, a guide meridian, a township or a range line, adjacent to a navigable stream, adjacent to or within a tract boundary, or adjacent to a patented mining claim which does not meet the requirements of subsection (b)(1)(B) of this section or a senior survey, or

- (E) The land proposed to be divided is within a fractional or irregular township containing elongated, truncated, or otherwise non-standard sections known to the county surveyor, or

- (F) The land proposed to be divided is in a tract or portion thereof, or

- (G) The land proposed to be divided is a government lot or portion thereof.

Unless the unusual circumstances listed in subsection (b)(1) of this section exist and the survey is waived, a certificate of land division will not be accepted for filing by Clark County and a parcel map will be required. (Ord. 1638 § 2 (part), 1994)

28.32.015 Parcel map — Determination of parcel map requirements. A determination of parcel map requirements shall be filed by the subdivider and issued by Clark County prior to the filing of a parcel map. The purpose of the determination of parcel map requirements is to review the proposed minor subdivision and list requirements for the property owner with minimal initial investment. Submittal requirements include information of record only. A request for a determination of parcel map requirements need not be prepared and/or submitted by a professional consultant. (Ord. 1638 § 2 (part), 1994)

28.32.020 Submittal requirements for determination of parcel map requirements. In order to request such a determination, an application, on the forms provided by the current planning division, along with the following must be submitted to the current planning division:

- (a) One copy of preliminary title report which is no more than six months old at the time of

submittal covering the property proposed to be subdivided;

(b) Five copies of a site plan drawn to an appropriate scale (generally no less than one equals sixty feet) showing the property proposed to be subdivided, indicating the following:

- (1) North arrow,
- (2) Existing property lines and dimensions of existing lots (may be obtained from information of record, i.e., an assessor's parcel map),
- (3) Property lines and dimensions of lots proposed to be created,
- (4) All existing and proposed streets providing access to existing and proposed parcels,
- (5) All existing structures and other physical features,
- (6) Notation of the distance to existing municipal sewer and water sources if water and sewer lines are located within one mile of the subject property. If such services are further than one mile from the subject property the map should be noted "Municipal water/sewer is located greater than one mile away." The proposed source of water supply and the proposed method of sewage disposal shall be noted on the plan;

(c) Two copies of the most recent assessor's map indicating the parcel proposed to be subdivided;

(d) A nonrefundable review fee payable to Clark County as required by Chapter 28.36 of this title. (Ord. 1854 § 1, 1996; Ord. 1696 § 3, 1995; Ord. 1638 § 2 (part), 1994)

28.32.025 Processing the determination of parcel map requirements. The zoning administrator or designees and the director of public works or designees shall conduct the necessary reviews, inspections and research to make a determination of requirements to be completed by the subdivider either prior to submittal or prior to recording of the parcel map, whichever applies. The zoning administrator or designee shall issue a determination of parcel map requirements within thirty days of the submittal of the complete request. Said determination shall be applicable and can be relied upon by the subdivider for purposes of submitting a parcel map for a period of six months from the date of issuance of the determination of parcel map requirements, subject to the provisions of any state statutes or local ordinances adopted prior to final approval of the parcel map by the zoning administrator.

If the subdivider is unable to complete the requirements necessary for submittal of a parcel map application for the entire property referenced in the determination of parcel map requirements, the subdivider may request an extension of time for up to six months. The request for an extension of time and a fee as required by Chapter 28.36 of this title must be submitted to the current planning division on or before the expiration date of the determination of parcel map requirements. The zoning administrator or designee may grant an extension of time not to exceed six months. Such extension may require the reevaluation of parcel map requirements and may result in a different determination than the original. (Ord. 1854 § 2, 1996; Ord. 1696 § 4, 1995; Ord. 1638 § 2 (part), 1994)

28.32.027 Administrative exception to filing request for determination of parcel map requirements. An exception to the requirement for filing a request for determination of parcel map requirements may be granted to allow a subdivider to submit a parcel map if all of the issues which would have been identified in the determination of parcel map requirements have been addressed. Such request for administrative exception must be in writing and must be accompanied by the following:

(a) One copy of documentation explaining that the following requirements have been identified and satisfied through previous subdivision or land use application approvals. Such documentation shall include the following:

- (1) Approval of the proposed land use,
- (2) Demonstration of legal access to the parcel,
- (3) Evidence that the property is outside the one-hundred-year floodplain,
- (4) Approved drainage study or evidence that the drainage requirements have otherwise been identified and/or satisfied,
- (5) Evidence that any required off-site improvement requirements have been identified and/or satisfied;

(b) Filing fee of as required by Chapter 28.36 of this title.

The director of public works and the zoning administrator or their designees shall issue a written approval or denial of the request within ten days of receipt of a complete request. (Ord. 1854 § 3, 1996: Ord. 1638 § 2 (part), 1994)

28.32.030 Submittal requirements and fees for parcel map. After the determination of parcel map requirements has been issued and the requirements of the determination have been satisfied, the owner or his authorized agent shall submit an application on the forms provided by the current planning division, along with the information, documents and fees required below to the current planning division:

(a) One copy of the determination of parcel map requirements issued by the zoning administrator or designee;

(b) Original mylar (twenty-four inches by thirty-two inches minimum), rolled, and ten blue-line copies of the original mylar, folded to the approximate dimensions of eight and one-half inches by twelve inches, containing the following:

- (1) North arrow,
- (2) Scale of map,
- (3) Boundaries and dimensions of the land proposed to be divided,
- (4) Proposed lot lines and the dimensions of all lots,
- (5) Acreage of lots or, if under two acres in size, the square footage of lots to the nearest one-hundredth of a foot and shown in feet and decimals,
- (6) Assessor's parcel numbers of all abutting parcels,
- (7) Name, location, right-of-way width of all streets abutting the proposed parcel map and those streets providing legal access to each proposed lot,
- (8) All monuments found, set, reset or replaced and used as control for the survey, describing their kind, size and location, and giving other data relating thereto,
- (9) Bearing of witness monuments, basis of bearings, bearing and length of lines,
- (10) Memorandum of oaths pursuant to NRS 625.320 if applicable,
- (11) The following certificates:
 - (A) Owners' certificate, including dedication of public rights-of-way and easements, and acknowledgments which essentially states:

I/we, _____, do hereby certify that I/we am/are the owner(s) of the parcel of land which is shown upon the attached map. I/we hereby consent to the preparation and recordation of the plat and do hereby offer to dedicate to Clark County all streets, drainage easements and other rights-of-way as indicated and outlined hereon for the use of the public.

Date (Name)

Owner

Date (Name)
Owner

(B) Beneficiaries' certificate, if applicable (may be a separate document), and acknowledgments which essentially states:

I/we, _____, do hereby consent to the preparation and recordation of this map and dedication of right-of-way offered in accordance with the owners' certificate.

Date (Name)

(C) Certificate of professional land surveyor preparing the map pursuant

to NRS 278.375;

(D) County surveyor's certificate which essentially states:

I, _____, County Surveyor, Clark County, Nevada, do hereby certify that on this _____ day of _____, 199__, I have examined this parcel map and that it is technically correct.

(Name)

(E) Certificate accepting right-of-way and easements which essentially states:

This is to certify that _____, as designated by the Board of County Commissioners, approved and accepted on behalf of the public, any parcels of land offered for dedication for public use in conformity with the terms of the offer of dedication shown hereon.

(Name)

Date

for the Director of Public Works

(F) Zoning administrator's certificate which essentially states:

This is to certify that the Zoning Administrator, as designated by the Board of County Commissioners, approved this map on behalf of Clark County on the _____ day of _____, 199__.

(Name)

for the Zoning Administrator

PURSUANT TO N.R.S. 278.468, THIS MAP MUST BE RECORDED BY _____, 199__.

(12) Any easements of record to include patent reservations, and any easements granted or dedications made, indicating location, width, purpose and recording information,

(13) If a community well is the proposed source of water, the location and dimensions of the well site and the community well permit number,

(14) Any other data necessary for the interpretation of the various items and locations of the points, lines and area shown as determined by the zoning administrator, director of public works and/or county surveyor;

(c) One copy of a title report which is no more than six months old at the time of submittal covering the property proposed to be subdivided. An ownership guarantee, no more than two weeks old, from a title company which lists the following shall be required prior to approving the final map:

(1) The name of each owner of record of the land to be divided, and

(2) The name of each holder of record of a security interest in the land to be divided, if the security interest was created by a mortgage or a deed of trust;

(d) Copies of all documents of record which contain a grant of easement, including government patents;

(e) Documents necessary to demonstrate legal access to the parcel proposed to be subdivided;

(f) A statement declaring the proposed method of sewage disposal;

(g) A statement declaring the proposed source of water supply;

(h) Three copies of completed street name form if new street names are required;

(i) One of the following, whichever is specified in the determination of parcel map requirements:

- (1) Two copies of the letter issued by the department of public works approving a drainage study and three blueline copies of the approved grading plan, or
- (2) Three blueline copies of the approved grading plan, or
- (3) Original mylar and three blueline copies of the topographic map showing:
 - (A) Contour lines over the entire parcel map having the following intervals:
 - (i) One-foot contour levels for ground slopes less than three percent,
 - (ii) Two-foot contour levels for ground slopes between three percent and five percent,
 - (iii) Five-foot contour intervals for ground slopes between five percent and twenty-five percent, and
 - (iv) Ten-foot contour intervals for ground slopes exceeding twenty-five percent,
 - (B) Location of all permanent physical features such as flood washes and direction of flow, areas subject to inundation by a one-hundred-year flood as on file in the Clark County public works department, type of road surface, width of road surfaces, and existing structures, fences, or any other improvements,
 - (C) A certificate prepared by the surveyor indicating:
 - (i) The person or entity for whom the survey was performed,
 - (ii) The general vicinity of the property being surveyed,
 - (iii) The date the survey was completed,
 - (iv) Any other pertinent information,
 - (D) Signature and validated seal of the surveyor who performed the survey;
- (j) Documentation from the department of public works that any required off-site improvement plans are in approvable form;
- (k) One copy of the county surveyor's check print pursuant to Section 28.32.180;
- (l) Nonrefundable filing fee as required by Chapter 28.36 of this title. (Ord. 2098 § 15 (part), 1998; Ord. 1854 § 4, 1996; Ord. 1696 § 5, 1995; Ord. 1638 § 2 (part), 1994)

28.32.032 Second or subsequent parcel map. For a second or subsequent parcel map, with respect to (a) a single parcel; or (b) a contiguous tract of land under the same ownership, or ownership by a partnership or corporation of which an individual is a principal or officer, or ownership by persons of first degree of consanguinity, any reasonable improvement may be required, but not more than would be required for a subdivision. (Ord. 1638 § 2 (part), 1994)

28.32.035 Street, drainage improvement and survey monumentation requirements. The subdivider shall grant right-of-way as required in accordance with Title 27 of the Clark County Code to mitigate the impact of the proposed subdivision on surrounding parcels. The subdivider shall provide all improvements as required in Section 28.32.160, Improvements and standards for a parcel map, of this title and in accordance with Title 27 of the Clark County Code, and all survey monumentation as required in Section 28.32.180, Survey review, monumentation and bonding, of this title and in accordance with Title 27 of the Clark County Code. (Ord. 2098 § 15 (part), 1998; Ord. 1638 § 2 (part), 1994)

28.32.040 Processing. (a) Distribution. Within five days of filing of a complete application, the zoning administrator or designee shall forward at least one copy of the map, stamped with the filing date, assigned number and any accompanying data to the public works department, county surveyor, health district, sanitation district, water purveyor, fire alarm office, the Nevada division of water resources and/or such other departments as is deemed advisable.

(b) Agency Recommendations. Each of the public agencies and departments shall, within twenty days after the map has been transmitted, forward its recommendations to the zoning administrator.

(c) Notification. After receiving all agency and department recommendations, the current planning division shall notify the preparer of the map and the subdivider of any requirements for changes, corrections or additional information. Such additional information shall include, but not

be limited to, an ownership guarantee, no more than two weeks old, from a title company which lists the following:

- (1) The name of each owner of record of the land to be divided; and
- (2) The name of each holder of record of a security interest in the land to be divided

if the security interest was created by a mortgage or a deed of trust.

All requirements must be met prior to review of the parcel map by the zoning administrator. Should the requirements not be satisfied within one year from the date of filing the parcel map application, the application will expire. The zoning administrator may grant an extension of time not to exceed one additional year from the filing date upon the written request of the property owner or the authorized representative of the property owner. Such extension may require the reevaluation of improvement requirements and/or the recalculation of bond amounts as provided in Sections 28.32.160 through 28.32.170 and will require the payment of fees as required by Chapter 28.36 of this title. (Ord. 1854 § 5, 1996; Ord. 1696 § 6, 1995; Ord. 1638 § 2 (part), 1994)

28.32.045 Hearings and decisions. (a) Approval by the Zoning Administrator. As an administrative function, within forty-five days after the filing of the complete parcel map application, unless such time is extended by mutual agreement with the subdivider, the zoning administrator or designee shall certify final approval of the parcel map when all the requirements of this title have been satisfied or may conditionally approve or disapprove such map. Upon the certification of final approval of the parcel map by the zoning administrator, notification of final approval shall be made to the preparer of the map and the subdivider, or his designated representative and any other departments and agencies as deemed advisable.

(b) Appeal to the Board of County Commissioners. The decision of the zoning administrator may be appealed by the applicant to the board of county commissioners within thirty days of the date of said decision by filing written notice of appeal with the current planning division. The notice of appeal shall describe the reason for the appeal and explain why the zoning administrator's decision is invalid or inappropriate. The board of county commissioners shall act on the appeal within forty-five days of filing, and such action shall be final. (Ord. 1638 § 2 (part), 1994)

28.32.050 Time limit for recording. Any parcel map shall be recorded by the preparer of the map within one year of the date the parcel map is approved by the zoning administrator, or upon appeal, by the board of county commissioners. (Ord. 1638 § 2 (part), 1994)

28.32.055 Certificate of land division — Submittal requirements for a certificate of land division. A property owner or his authorized agent shall submit an application on the forms provided by the current planning division, along with the documents and fees required below to the current planning division:

(a) Original mylar (twenty-four inches by thirty-two inches minimum), rolled, and four blue-line copies of the original mylar, folded to the approximate dimensions of eight and one-half inches by twelve inches, containing the following:

- (1) North arrow,
 - (2) Scale of map,
 - (3) Legal description and nominal dimensions of the land proposed to be divided,
 - (4) Proposed lot lines and the nominal dimensions of all lots,
 - (5) Acreage of lots,
 - (6) Assessor's parcel numbers of all abutting parcels,
 - (7) Name, location, right-of-way width of all streets abutting the proposed parcel
- map and those streets providing legal access to each proposed lot,
- (8) Memorandum of oaths pursuant to NRS 625.320 if applicable,
 - (9) The following certificates:

(A) Owner's certificate, including dedication of public right-of-way and easements, and acknowledgments which essentially states:

I/we, _____, do hereby certify that I/we am/are the owner(s) of the parcel of land

which is shown upon the attached map. I/we hereby consent to the preparation and recordation of the plat and do hereby offer to dedicate to Clark County all streets, drainage easements and other rights-of-way as indicated and outlined hereon for the use of the public.

(Name) Date
Owner

(Name) Date
Owner

(B) Beneficiaries' certificate, if applicable (may be a separate document), and acknowledgments which essentially states:

I/we, _____, to hereby consent to the preparation and recordation of this map and dedication of right-of-way offered in accordance with the owners' certificate.

(Name) Date

(C) Certificate of professional land surveyor preparing the map which states:

This document was prepared from existing information located in Section _____, Township _____, Range _____, MDM as recorded in Book/File _____, Page _____ or Document _____ and the undersigned assumes no responsibility for the existence of monuments or correctness of other information shown on or copied from any such prior documents.

(Name) Date
(Registration Number and Seal)

or, if a survey is performed, essentially states:

I, _____, a Professional Land Surveyor registered in the State of Nevada, certify that this certificate of land division represents the results of a survey conducted under my direct supervision at the instance of _____, that the lands surveyed lie within Section _____, Township _____, Range _____, MDM, that the survey was completed on _____, that the monuments are of the character shown and occupy the positions indicated, that this plat complies with applicable statutes and local ordinances in effect on the date of final approval of the certificate of land division.

(D) County surveyor's certificate which essentially states:

Approved by the Clark County Surveyor on the _____ day of _____, 199__.

(Name)

(E) Certificate accepting right-of-way and easements which essentially states:

This is to certify that, _____, as designated by the Board of County Commissioners, approved and accepted on behalf of the public, any parcels of land offered for

dedication for public use in conformity with the terms of the offer of dedication shown hereon.

APPROVED: _____
Name Date
for the Director of Public Works

(F) Zoning administrator's certificate which essentially states:

This is to certify that the Zoning Administrator, as designated by the Board of County Commissioners, approved this map on behalf of Clark County on the _____ day of _____, 199__.

(Name)
for the Zoning Administrator

PURSUANT TO TITLE 28, SECTION 28.32.065, CLARK COUNTY CODE, THIS MAP MUST BE RECORDED BY _____, 199__.

(10) Any easements of record to include patent reservations, and any easements granted or dedications made, indicating location, width, purpose and recording information,

(11) If a community well is the proposed source of water, the location and dimensions of the well site and the community well permit number,

(12) Any other data necessary for the interpretation of the various items and locations of the points, lines and area shown as determined by the zoning administrator, director of public works or the county surveyor;

(b) One copy of a title report which is not more than six months old at the time of submittal covering the property proposed to be subdivided. An ownership guarantee, no more than two weeks old, from a title company which lists the following shall be required prior to releasing the map to record;

(1) The name of each owner of record of the land to be divided, and

(2) The name of each holder of record of a security interest in the land to be divided if the security interest was created by a mortgage or deed of trust;

(c) Copies of all documents of record which contain a grant of easement, including government patents;

(d) A statement declaring the proposed source of water supply;

(e) A statement declaring the proposed source of sewage disposal;

(f) Documents necessary to demonstrate legal access to the parcel proposed to be subdivided;

(g) Three copies of completed street name form if new street names are required;

(h) One copy of the county surveyor's check print pursuant to Section 28.32.180;

(i) Two copies of the most recent assessor's map indicating the parcel proposed to be subdivided;

(j) Nonrefundable filing fee as required by Chapter 28.36 of this title. (Ord. 1854 § 6, 1996; Ord. 1696 § 7, 1995; Ord. 1638 § 2 (part), 1994)

28.32.060 Street and drainage improvement requirements. The subdivider shall grant rights-of-way and provide drainage improvements as required by the department of public works to mitigate the impact of the proposed subdivision on surrounding parcels. No street improvements are required, unless required by Chapter 28.24 of this title. (Ord. 1638 § 2 (part), 1994)

28.32.065 Processing, hearings and decisions and time limit for recording. Certificates of land division shall be processed in the same manner as parcel maps, pursuant to Sections 28.32.040, 28.32.045 and 28.32.050. (Ord. 1638 § 2 (part), 1994)

28.32.070 Amendments to minor subdivisions — Applicability. An amended minor subdivision shall

be required to amend or to correct an error or omission if the amendment or correction changes or purports to change the physical location of any survey monument, property line or boundary line. An amended minor subdivision may be requested by (a) the county surveyor; or (b) the planning commission. If the correction or amendment does not change or purport to change the physical location of any survey monument, property line or boundary line, a certificate of amendment may be requested and must be filed and recorded pursuant to NRS 278.473. (Ord. 1638 § 2 (part), 1994)

28.32.075 Requirements for an amended parcel map. The processing requirements and fees for an amended parcel map shall be the same as those for a parcel map pursuant to Sections 28.32.015 through 28.32.050, inclusive, provided that the amended parcel map:

- (a) Is identical in size and scale to the document being amended;
- (b) Has the words "Amended Plat of Parcel Map" prominently displayed along with the recording information of the document being amended. (Ord. 1638 § 2 (part), 1994)

28.32.090 Requirements for an amended certificate of land division. The processing requirements and fees for an amended certificate of land division shall be the same as those for a certificate of land division pursuant to Sections 28.32.055 through 28.32.065, inclusive, provided that the amended certificate of land division:

- (a) Is identical in size and scale to the document being amended; and
- (b) Has the words "Amended Plat of Certificate of Land Division" prominently displayed along with the recording information of the document being amended.

If the document being amended is eight and one-half inches by fourteen inches in size, the original of the amended certificate of land division should be submitted on paper rather than mylar. (Ord. 1696 § 8, 1995; Ord. 1638 § 2 (part), 1994)

28.32.100 Reversions of minor subdivisions — Applicability. A reversion of a minor subdivision shall be required to be filed by a property owner desiring to revert any recorded minor subdivision or part thereof to acreage. Where reversion of a portion of a subdivision is proposed, that portion can only be reverted to a platted line or another line of record. No new property lines or additional lots may be created within the minor subdivision being reverted. (Ord. 1638 § 2 (part), 1994)

28.32.105 Requirements for reversion of a parcel map. (a) Any revision of a parcel map shall:

- (1) Be identical in size and scale to the document being reverted;
- (2) Have the words "Reversionary Parcel Map" prominently displayed along with the recording information of the document being reverted.

(b) A submittal for a reversion of a parcel map shall consist of the following:

- (1) Original mylar (twenty-four inches by thirty-two inches minimum), rolled, and six blue-line copies of the original mylar, folded to the approximate dimensions of eight and one-half inches by twelve inches, containing the following:

- (A) North arrow,
- (B) Scale of map,
- (C) Boundaries and dimensions of the property proposed to be reverted. The dimensions must be the same survey dimensions as the recorded map being reverted,
- (D) Square footage or acreage of the recorded parcel being reverted,
- (E) Assessor's parcel numbers of all abutting parcels,
- (F) Name, location, right-of-way width of all streets abutting the proposed parcel map and those streets providing legal access to each proposed lot,
- (G) Memorandum of oaths pursuant to NRS 625.320 if applicable,
- (H) The following certificates:
 - (i) Owners' certificate which essentially states:

I/we _____ do hereby certify that I/we am/are the owners of the parcel of land which is shown upon the attached map. I/we hereby consent to the preparation and recordation of the map.

Name Date
Owner

Name Date
Owner

(ii) Beneficiaries' certificate, if applicable (may be a separate document) and acknowledgements which essentially states:

I/we, _____, do hereby consent to the preparation and recordation of this map in accordance with the owners' certificate.

Name Date

(iii) Certificate of professional land surveyor preparing the map which essentially states:

I, _____, a Professional Land Surveyor registered in the State of Nevada do hereby certify that this reversionary parcel map has been prepared from information on the recorded map recorded in File _____, Page _____, which is being reverted. I assume no responsibility for the existence of the monuments or for correctness of other information shown on or copied from the document.

Name Date
Registration No. and Seal

(iv) County surveyor's certificate which essentially states:

I, _____, Clark County Surveyor, do hereby certify that on this ____ day of _____, 199__ I have examined this reversionary map and that it is technically correct.

(Name)

(v) Zoning administrator's certificate which essentially states:

Approved by the Clark County Current Planning Division of the Department of Comprehensive Planning on the ____ day of _____, 199__.

Name Date
for the Zoning Administrator

PURSUANT TO TITLE 28, SECTION 28.23.110, CLARK COUNTY CODE, THIS MAP MUST BE RECORDED BY _____, 199__.

(1) Any easements of record to include patent reservations, and any easements granted or dedications made, indicating location, width, purpose and recording information;

(2) One copy of a title report which is no more than six months old at the time of submittal covering the property proposed to be subdivided. An ownership guarantee, no more than two weeks old, from a title company which lists the following shall be required prior to approving the map:

- (A) The name of each owner of record of the land to be divided, and
- (B) The name of each holder of record of a security interest in the land to be divided if the security interest was created by a mortgage or deed of trust;
- (3) A copy of all documents of record which contain a grant of easement, including government patents;
- (4) Nonrefundable filing fee as required by Chapter 28.36 of this title;
- (5) One copy of the county surveyor's check print pursuant to Section 28.32.180. (Ord. 1854 § 7, 1996; Ord. 1696 § 9, 1995; Ord. 1638 § 2 (part), 1994)

28.32.110 Processing, hearings and decisions and time limit for recording a reversion of a parcel map. A reversion of a parcel map shall be processed in the same manner as a parcel map pursuant to Sections 28.32.040, 28.32.045 and 28.23.050, except that:

- (a) The reversionary map will be required to be forwarded only to the department of public works, county surveyor, health district, and the appropriate water and sewer purveyors; and
- (b) The zoning administrator must act on the request for reversion within fifteen days of filing a complete submittal with the current planning division. (Ord. 1696 § 10, 1995; Ord. 1638 § 2 (part), 1994)

28.32.125 Requirements for reversion of a certificate of land division. (a) Any reversion of a certificate of land division shall:

- (1) Be identical in size and scale to the document being reverted;
- (2) Have the words "Reversionary Certificate of Land Division" prominently displayed along with the recording information of the document being reverted.
- (b) A submittal for a reversion of a certificate of land division shall consist of the following:
 - (1) Original mylar, rolled, and six blue-line copies of the original mylar, folded to the approximate dimensions of eight and one-half inches by twelve inches, containing the following:
 - (A) North arrow,
 - (B) Scale of map,
 - (C) Boundaries and dimensions of the property proposed to be reverted. The dimensions must be the same survey dimensions as the recorded map being reverted,
 - (D) Acreage of the recorded parcel being reverted,
 - (E) Assessor's parcel numbers of all abutting parcels,
 - (F) Name, location, right-of-way width of all streets abutting the proposed parcel map and those streets providing legal access to each proposed lot,
 - (G) The following certificates:
 - (i) Owner's certificate which essentially states:

I/we _____ do hereby certify that I/we am/are the owners of the parcel of land which is shown upon the attached reversionary certificate of land division. I/we hereby consent to the preparation and recordation of the certificate of land division.

Name Date
Owner

Name Date
Owner

(ii) Beneficiaries' certificate, if applicable (may be a separate document) and acknowledgments which essentially states:

I/we, _____, do hereby consent to the preparation and recordation of this reversionary certificate of land division in accordance with the owners' certificate.

Name

Date

(iii) Certificate of professional land surveyor preparing the map which essentially states:

This document was prepared from existing information located in Section _____, Township _____, Range _____, MDM as recorded in Book/File _____, Page _____, or Document _____ and the undersigned assumes no responsibility for the existence of monuments or correctness of other information shown on or copied from any such prior documents.

(Name)

Date

(Registration Number and Seal)

(iv) County Surveyor's certificate which essentially states:

Approved by the Clark County Surveyor on the ____ day of _____, 199__.

(Name)

(v) Zoning administrator's certificate which essentially states:

Approved by the Clark County Current Planning Division of the Department of Comprehensive Planning on the ____ day of _____, 199__.

Name

for the Zoning Administrator

PURSUANT TO TITLE 28, CHAPTER 28.32.140, CLARK COUNTY CODE, THIS MAP MUST BE RECORDED BY _____, 199__.

(H) Any easements of record to include patent reservations, and any easements granted or dedications made, indicating location, width, purpose and recording information;

(2) One copy of a title report which is no more than six months old at the time of submittal covering the property proposed to be subdivided. An ownership guarantee, no more than two weeks old, from a title company which lists the following shall be required prior to releasing the map to record;

(A) The name of each owner of record of the land to be divided, and

(B) The name of each holder of record of a security interest in the land to be divided if the security interest was created by a mortgage or deed of trust;

(3) A copy of all documents of record which contain a grant of easement, including government patents;

(4) Nonrefundable filing fee as required by Chapter 28.36 of this title;

(5) One copy of the county surveyor's check print pursuant to Section 28.32.180.

(c) If the document being reverted is eight and one-half inches by fourteen inches in size, the original of the reversionary certificate of land division should be submitted on paper rather than mylar. (Ord. 1854 § 8, 1996: Ord. 1696 § 11, 1995: Ord. 1638 § 2 (part), 1994)

28.32.140 Processing, hearings and decisions and time limit for recording a reversion of a certificate of land division. A reversion of a certificate of land division shall be processed in the same manner as a parcel map, pursuant to Sections 28.32.040, 28.32.045 and 28.32.050, except that:

(a) The reversionary map will be required to be forwarded only to the department of public works, county surveyor, health district, and any appropriate water and sewer purveyors; and

(b) The zoning administrator must act on the request for reversion within fifteen days of filing a complete submittal with the current planning division. (Ord. 1696 § 12, 1995; Ord. 1638 § 2 (part), 1994)

28.32.160 Improvement standards — Improvements and standards for a parcel map. The subdivider shall provide all improvements, including private streets, as required by this title in accordance with Chapter 27.10 of Title 27 of the Clark County Code. Engineering plans, drawing profiles, cross-sections and all other details necessary for the improvements prepared by a civil engineer, registered in the state of Nevada, shall be submitted to the county engineer for review and approval. All such improvements shall be subject to inspection by the department of public works prior to acceptance. The subdivider shall assure the construction of the required improvements, including private streets, through an agreement with the county to the effect that the divider shall provide all improvements, subject to delivery to the director of public works of a one hundred percent performance bond, or a cash deposit or a cash in lieu of bond agreement equal to the amount estimated by the department of public works to be the total cost of construction.

Installation of full off-site improvements is the obligation of the owner of the property being subdivided. In the case where less than full off-sites are required at the time of subdividing as specified below, the department of public works shall require an off-site improvement agreement with a restrictive covenant running with the land to be signed by the owner of the property being subdivided. Such restrictive covenant shall require the construction of full off-site improvements in the future when requested by the director of public works. This requirement may be satisfied by participation in a special improvement district that causes the installation of the required improvements.

(a) At the time of subdividing, prior to acceptance and approval of the parcel map, the department of public works shall require the following as minimum improvements if the smallest resulting parcel is less than five acres:

(1) Full off-site improvements shall be required when a parcel map is located:

(A) Across the street or immediately adjacent to existing full off-site improvements. In this case, the subdivider shall provide matching off-site improvements;

(B) Within a nominal six hundred sixty feet (based on one-sixty-fourth of a section) from existing full off-site improvements, in any direction from the parcel map, provided the parcel map has a frontage of a nominal three hundred feet, which shall include frontage on private streets.

Full off-site improvements shall consist of fire hydrants, sidewalk, curb and gutter, paving of half-street, street lights, street name signs, traffic signs, pavement markings and other applicable traffic control devices. In areas where building lots are one-half acre or larger, the director of public works may waive the requirements for sidewalks and street lights. Fire hydrants may only be waived by the Clark County fire department. The full off-site improvements on private streets shall include paving, street name signs, traffic control devices, curbs and gutters.

(2) Paving shall be required when any parcel is within a nominal six hundred sixty feet (based on one-sixty-fourth of a section) of a paved road or a road for which paving is committed as described in this section, or when the parcel is within the PM-10 nonattainment area as shown on the adopted map regardless of the distance from a paved road or a road for which paving is committed. The road providing the access to the parcel as well as dedicated and private streets within and adjoining the parcel shall be paved.

(3) Gravel shall be required when the parcel is more than a nominal six hundred sixty feet (based on one-sixty-fourth of a section) from a paved road, or a road for which paving is committed as described in this section, when the parcel is outside the PM-10 nonattainment area. The road providing the access to the parcel as well as dedicated and private streets within or adjoining the parcel shall, as a minimum, be graveled. If the smallest resulting parcel is two acres or greater, only the dedicated road or roads providing the access to the parcels must be graveled.

All graveled rights-of-way accepted for dedication will not be accepted for maintenance and repair. The owner(s) of record, their heirs, assigns or successors of the divided parcel remain liable and are

required to maintain such roads until maintenance is accepted by the county.

(b) If the smallest resulting parcel is five gross acres or greater, the off-site improvements required by this title shall temporarily be deferred, subject to the subdivider signing an off-site improvement agreement with a restrictive covenant running with the land. (Ord. 2098 § 15 (part), 1998; Ord. 1966 § 2, 1997; Ord. 1638 § 2 (part), 1994)

28.32.165 Bonds and cash deposits. All bonds and cash deposits shall comply with the requirements of Title 27, Chapter 27.90 of the Clark County Code. The bond amount for the street and drainage improvements will be calculated from improvement plans provided by the subdivider, and shall be valid for six months. If the bond is not posted within the six-month period commencing when the owner/engineer is notified, the bond must be recalculated. All required bonded improvements shall be completed within nine months of the date the building permit for the second principal structure is obtained, or within two years of posting the bond, whichever is sooner. For purposes of this section, all acreages are considered nominal gross and distances are considered nominal sectional subdivisions as measured along existing or proposed roadway alignments. (Ord. 2098 § 15 (part), 1998; Ord. 1638 § 2 (part), 1994)

28.32.170 Reimbursement. (a) Eligibility. A subdivider required to construct improvements on any public right-of-way as a condition to a parcel map may be reimbursed for:

(1) Fifty percent of the cost of the common improvements when an adjacent property owner divides the adjacent property; and

(2) One hundred percent of the cost for improvements constructed as access to the parcel map which are not adjacent to the parcel map, when properties fronting the access improvements are divided.

For the purposes of this section, "adjacent" is defined as directly across and fronting on the improved right-of-way.

(b) Conditions.

(1) Improvements must be constructed by the subdivider within the allotted time, as listed in Section 28.32.160 (Improvements and standards for a parcel map).

(2) A document indicating intent to execute a reimbursement contract shall be recorded with the parcel map. It shall set forth the bonded amount, conditions for reimbursement, assessor's tax parcel numbers of the improving parcel or parcels and assessor's tax parcel numbers of all parcels from which reimbursement may be forthcoming.

(3) A contract for reimbursement between the subdivider and Clark County must be executed within thirty days of acceptance of the improvements by the county. The contract shall indicate the actual cost of improvements, conditions for reimbursement and all parcel numbers, exclusive of those which may have paid prior to the contract as in subsection (b)(2) of this section.

(4) No reimbursement shall be forthcoming in the following instances:

(A) For portions of improvements consisting of full off-site improvements as adjacent property owners will also require full off-site improvements to the centerline of the common street; or

(B) When full off-site improvements are required of any subsequent divider fronting the improvements; or

(C) For portions of improvements from subsequent dividers fronting the access road on adjacent property if the subsequent divider is required to upgrade or further improve the right-of-way.

(5) Reimbursement will occur only after owners of property fronting the improvements divide their property and only after moneys to be reimbursed have been collected.

(6) Should the divider elect to construct improvements only on his side of the centerline, no reimbursement shall be forthcoming for the improvements. This condition shall be waived if right-of-way (including government easements) is not available on the opposite side of the centerline.

(7) Private streets will not be eligible for the reimbursement procedure.

(8) The contract for reimbursement shall expire ten years from the date of

recordation of parcel map and no reimbursement shall be forthcoming for division of parcels fronting the covered improvements occurring after the expiration date of the agreement.

(c) Calculation of Reimbursable Amounts.

(1) Reimbursements shall be based upon the actual cost of improvements at the time of construction adjusted to the time of reimbursement.

(2) Reimbursement from properties dividing between the time of recording the intent to execute a reimbursement contract and the recording of the actual contract shall be calculated as above, based on the amount of bond. Overages occurring from this method of calculation shall be refunded. No provisions for additional funds are provided if actual construction costs exceed the bonded amount.

(3) Reimbursement shall include interest not to exceed ten percent simple interest per year. Actual interest shall be computed based upon the difference between the Engineering News Record's Construction Cost Index at the time of bonding or construction, whichever is applicable, and the Construction Cost Index at the time of reimbursement. The most current base index shall be included in the agreement for reimbursement.

(4) Reimbursement due from any one parcel shall be based upon the relationship which that parcel's frontage upon the improvement bears to the total frontage along the improvement (including both sides of the right-of-way).

(d) Payment of Reimbursement. All reimbursements shall be made at the time of collecting the reimbursement from the subdivider or upon acceptance of street improvements, whichever occurs last. Reimbursement shall be paid to the property owner(s) of record of the improving parcel(s) at the address as shown on the latest tax assessment roll. The amount of reimbursement to each current owner shall be directly proportionate to the percentage of acreage within his or her ownership of the area contained in the original map.

(e) Any and all reimbursement payments which have been returned to the department of public works and unclaimed for a period of six months shall be deemed forfeited and shall be deposited in the Clark County road improvement fund. (Ord. 1696 § 13, 1995: Ord. 1638 § 2 (part), 1994)

28.32.180 Survey review, monumentation and bonding. Prior to filing a map with the current planning division, the map shall be submitted to the county surveyor for review, along with a nonrefundable fee of thirty dollars. The county surveyor or his designee shall review the survey and provide a check print indicating any required corrections or changes. Final surveying monumentation requirements and bond amounts will be established by the county surveyor and the Clark County improvement standards and shall be posted in accordance with Chapter 27.90, of the Clark County Code. (Ord. 2098 § 15 (part), 1998: Ord. 1638 § 2 (part), 1994)

underground installations

Chapter 28.42

UNDERGROUND INSTALLATIONS

Sections:

28.42.010	Purpose.
28.42.020	Definitions.
28.42.030	Exceptions.
28.42.040	Plans and approval.
28.42.050	Necessity and requirements for conduit, stub down and pull boxes.
28.42.060	Decisions of director of public works and director of zoning and comprehensive planning.
28.42.065	Appeal to the planning commission.
28.42.070	Appeal to the board of county commissioners.

28.42.010 Purpose. In order to promote the health, safety, convenience and general welfare of the inhabitants of all new subdivisions, commercial developments, industrial developments and/or residential construction and improve the aesthetic appearance of the community or area, it is the declared purpose of this chapter to require that utility lines including, but not limited to, street lights, electrical and communication distribution lines, including television service facilities, wires or cables installed within and for the purpose of serving new subdivisions and other new property developments in areas designated by the division of public works of Clark County as an area scheduled for future conversion from overhead utility lines to underground utility lines shall be placed underground except as hereinafter provided. (Ord. 263 § 1, 1967)

28.42.020 Definitions. Whenever in this chapter the following words or phrases are used, they shall have the respective meanings assigned to them in the following definitions:

- (a) "County" means Clark County, state of Nevada.
- (b) "Commission" means the public service commission, state of Nevada.
- (c) "Board" means the board of county commissioners of Clark County, state of Nevada.
- (d) "Person" means and includes individuals, firms, corporations, partnerships, and their agents and employees.
- (e) "Poles and overhead wires and associated overhead structures" shall include, but not be limited to, poles, towers, supports, wires, conductors, guys, subs, platforms, crossarms, braces, transformers, insulators, cutouts, switches, communication circuits, appliances, attachments and appurtenances located above ground upon, along, across or over the public streets, alleys and ways of the county and used or useful in supplying electric, communication or similar or associated service by means of electrical materials or devices. It shall also include suppliers of gas, water or any other services. (Ord. 263 § 2, 1967)

28.42.030 Exceptions. (a) County equipment installed under the supervision of and to the satisfaction of the director of public works of Clark County, such as street light poles, etc., but not restricted thereto. All conductors to such structures shall be underground in accordance with this ordinance.

(b) New high voltage transmission lines transmitting electricity over fifteen thousand volts which may be carried on poles upon approval of the planning commission and board of county commissioners as per Section 29.66.020. Metal poles shall be used at major angle points for the purpose of eliminating the necessity for guy wires. All tangent structures shall be of an approved type and finish as required by the director of public works of Clark County. The poles shall be located on routes approved by the planning commission and board of county commissioners.

(c) Radio antenna and associated equipment and supporting structures used for furnishing communications services, but not including a communications distribution system on poles.

(d) House service switch boxes and exposed conduit at buildings may be above ground. The transformers will be pad-mounted or of the submersible type installed below grade back of the walk. All

communications enclosed terminal blocks will be located adjacent to the transformers, but may be spaced otherwise if approved and authorized by the county's public works division. Gas and electric meters may be above ground.

(e) Subdivisions relative to which the final map has been recorded prior to the effective date of the ordinance codified in this chapter, but on which construction work is not completed. (Ord. 523 § 1, 1977; Ord. 263 § 3, 1967)

28.42.040 Plans and approval. (a) The subdivider or resubdivider is responsible for complying with the requirements of this chapter, and shall make the necessary arrangements with the utility companies involved for the design plans and for the installation of said facilities.

(b) The subdivider or resubdivider shall provide a statement on the tentative subdivision map indicating the terminal points of the distribution systems proposed to be used. Also, after approval thereof, to provide the utility companies with an approved copy of the tentative map.

(c) An overall underground distribution system plan shall be submitted for approval with the final subdivision map to show the proposed installation. The plan will show the location of all underground services with locations to be marked at the walk or the curb and the meters to be so located as to have access from the street side of the buildings. The underground services shall be shown to be covered with a safety guard.

(d) An "as-built" plan shall be furnished to the division of public works of Clark County, as to the utilities involved, which will show the underground distribution systems as actually installed, prior to occupancy of structure and/or release of construction bonds.

(e) It shall be the responsibility of the subdivider to provide underground utility easements along the front, rear and side lots as may be required. (Ord. 263 § 4, 1967)

28.42.050 Necessity and requirements for conduit, stub down and pull boxes. In order to decrease the obstructions of streets and ways and to increase the safety and convenience of the public in their use, and because of the additional economic burden which otherwise would be imposed upon persons required to convert utility lines from overhead to underground in existing buildings, structures or dwellings which are now being erected, constructed, replaced, relocated or enlarged, the provisions in this section are declared to be for the welfare and safety of the inhabitants of the county. Any persons obtaining a permit to erect, construct, place or replace or relocate a building, structure or dwelling or to enlarge or make additions thereto in excess of six hundred fifty square feet may be required to provide, in addition to the usual overhead utility lines and structures, a conduit stub down or pull box, or both, in compliance with the existing regulation and directions of the division of public works of Clark County in any area designated by that division as an area scheduled for future conversion from overhead utility lines to underground utility lines. (Ord. 263 § 5, 1967)

28.42.060 Decisions of director of public works and director of zoning and comprehensive planning. The director of public works with concurrence of the director of zoning and comprehensive planning of the county may waive the requirements of this chapter on such terms as they may deem appropriate, if topographical, soil, or any other conditions make such underground installations unreasonable or impractical; also they may waive the requirements of stub downs or pull boxes, and without discrimination, permit and authorize any person or utility company to erect, construct, install, maintain, use or operate poles and overhead wires and associated overhead structures, notwithstanding any other provision of this title; provided, however, that any and all such poles shall have an approved finish. Application for such special permission shall be filed with the county director of public works on a form provided by the division of public works of the county to be subsequently reviewed by the director of zoning and comprehensive planning. (Ord. 523 § 2, 1977; Ord. 263 § 6, 1967)

28.42.065 Appeal to the planning commission. The order of the director of public works and the director of zoning and comprehensive planning may be appealed to the planning commission by filing a written notice of appeal within fifteen days after the date of making the order, exclusive of holidays; the notice shall sufficiently describe the order appealed from and state wherein or the reasons why the

order was improper, erroneous, or invalid. (Ord. 523 § 3, 1977)

28.42.070 Appeal to the board of county commissioners. The order of the planning commission may be appealed to the board of county commissioners by filing a written notice of appeal within fifteen days after the date of making the order, exclusive of holidays; the notice shall sufficiently describe the order appealed from and state wherein or the reasons why the order was improper, erroneous, or invalid. The decision of the board of county commissioners shall be final and binding. (Ord. 523 § 4, 1977; Ord. 263 § 7, 1967)

Title 29

ZONING*

NOTE: Chapter Not Locked In Under Development Agreement

Chapters:

- 29.01 Title, Purpose and Effect
- 29.02 Definitions
- 29.03 Administration
- 29.04 Amendment Procedures
- 29.05 Conditional Use Permits, Variances and Other Development Review Procedures
- ~~29.06 Zoning Certificates, Building Permits and Street and Right-of-Way Provisions~~
- 29.07 Application and Administrative Fees
- ~~29.08 Nonconforming Uses and Structures~~
- 29.09 Enforcement and Penalties
- 29.10 The Plan and Planning Districts
- 29.11 Zoning Districts and Maps
- 29.12 Specific Requirements Related to Uses
- 29.13 Rural Residential Districts
- 29.14 Single-Family Residential Districts
- 29.15 Multiple-Family Residential Districts
- 29.16 General Commercial Districts
- 29.17 Manufacturing and Industrial Districts
- 29.18 Special Districts
- 29.19 Overlay Districts
- 29.20 Requirements of General Applicability
- 29.21 Off-Street Parking and Loading
- 29.22 Landscaping and Screening
- 29.23 Signs
- 29.24 Communications Towers and Antennas
- Appendix A
- Appendix B
- Appendix C
- Appendix D

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

Title, Purpose and Effect

Chapter 29.01- TITLE, PURPOSE AND EFFECT

Sections:

- 29.01.010 Title.
- 29.01.020 Authority.
- 29.01.030 Purpose.
- 29.01.040 Minimum requirements.
- 29.01.050 Not a consent, license, or permit.
- 29.01.060 Private agreements.
- 29.01.070 General prohibition.
- 29.01.080 Unlawful uses and structures not validated.
- 29.01.090 Legal effect.
- 29.01.100 Severability.

29.01.010 Title.

This title shall be known as and may be cited as the “zoning ordinance of Clark County, Nevada.” (Ord. 2068 § 2 (part), 1998)

29.01.020 Authority.

This title is adopted pursuant to Chapter 278 of the Nevada Revised Statutes and all acts amended and supplementary thereto. (Ord. 2068 § 2 (part), 1998)

29.01.030 Purpose.

- a. This title is adopted for the purpose of promoting the health, safety, morals and 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. This title is designed to:
 - 1. Preserve the quality of air and water resources;
 - 2. Promote the conservation of open space and the protection of other natural and scenic resources from unreasonable impairment;
 - 3. Provide for recreational needs;
 - 4. Protect life and property in areas subject to floods, landslides and other natural disasters;
 - 5. Conform to the adopted population plan;
 - 6. Develop a timely, orderly and efficient arrangement of transportation and public facilities and services;
 - 7. Ensure that the development on land is commensurate with the character and the physical limitations of the land;
 - 8. 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; and

9. Promote health and the general welfare.

- b. 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. 2068 § 2 (part), 1998)

29.01.040 Minimum Requirements.

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 and 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. 2068 § 2 (part), 1998)

29.01.050 Not a Consent, License, or Permit.

The provisions of this title shall not be interpreted to be, or to grant, a consent, license, or permit to use any property or to establish, locate, construct, or maintain any structure or use, or to carry on any trade, industry, occupation, or activity. (Ord. 2068 § 2 (part), 1998)

29.01.060 Private Agreements.

This title is not intended to abrogate, annul, or otherwise interfere with any platted building line, easement, covenant or other private agreement or legal relationship; provided, however, that where the regulations of this title are more restrictive or impose higher standards or requirements than such platted building lines, easements, covenants, or other private agreements or legal relationships, the regulations of this title shall govern. (Ord. 2068 § 2 (part), 1998)

29.01.070 General Prohibition.

No structure, no use of any structure or land, and no lot of record, now or hereafter existing, shall be established, enlarged, extended, altered, moved, divided or maintained in any manner after the effective date of the ordinance codified in this title, except as authorized by the provisions of this title and except in compliance with the regulations of this title. Without limiting the foregoing, any such activity that would cause any existing structure not to comply with this title or that would create any parcel of land that could not be developed in compliance with this title shall be prohibited and no parcel of land created as a result of any such activity shall be used or developed for any purpose. (Ord. 2068 § 2 (part), 1998)

29.01.080 Unlawful Uses and Structures not Validated.

These provisions shall not be interpreted to validate or make lawful any unlawful use or structure existing upon the effective date of the ordinance codified in this title. Any such unlawful use or structure shall remain unlawful to the extent that the use or structure is in conflict with the provisions of this title. (Ord. 2068 § 2 (part), 1998)

29.01.090 Legal Effect.

This title, the zoning ordinance 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 ordinance, 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. 2068 § 2 (part), 1998)

29.01.100 Severability.

Should any section, subsection, paragraph, clause, word, or provision of these regulations be declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the regulations as a whole or any part thereof other than the part so declared to be unconstitutional or invalid. (Ord. 2068 § 2 (part), 1998)

Definitions

Chapter 29.02 - DEFINITIONS

Sections:

- 29.02.010 Purpose.
- 29.02.020 Rules of construction.
- 29.02.030 Definitions.

29.02.010 Purpose.

For the purpose of this title, certain words and terms are defined as follows in this chapter. (Ord. 2068 § 2 (part), 1998)

29.02.020 Rules of Construction.

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 Nevada Revised Statutes, 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. Terms not defined within the Clark County development code or the Clark County building code shall have the meaning customarily assigned to them. The zoning administrator shall have the authority to interpret words in accordance with established practice. (Ord. 2068 § 2 (part), 1998)

29.02.030 Definitions.

- Abandoned.** "Abandoned" means to cease or suspend from developing or maintaining a building or use for a stated period of time.
- Abandoned sign.** "Abandoned sign" see "sign."
- Abutting.** "Abutting" means having a common border with, or being separated from such a common border by a public or private street, alley, or easement (see "contiguous").
- Access.** "Access" means a way or means of approach to provide vehicular or pedestrian physical entrance to a property.
- Accessory building.** "Accessory building" see "building."
- Accessory use.** "Accessory use" see "use."
- Acre.** "Acre" includes the following meanings:
1. "Gross acre" or "gross acreage," when specified, means an area of forty-three thousand, five hundred sixty square feet, and includes the total area within the property lines of a lot or parcel of land before public streets, flood control channels or basins, or other areas to be dedicated or reserved for a public use are deducted from such lot or parcel, including property previously dedicated.
 2. "Net acre" or "net acreage" means an area of forty thousand square feet, and excludes public streets, flood control channels or basins, or other areas to be dedicated or reserved for a public use, including property previously dedicated, either abutting on, running through or within a building site. All references to acre

within this title, unless otherwise specified as gross acre, shall be considered to be a net acre for interpreting building site areas.

Action. “Action” means the decision made by the reviewing authority on a land use application; including the determination made and any conditions of approval. For the purposes of NRS 278.0235 only, final action occurs on the date the board of county commissioners grants or denies an application before it and notice of final action occurs at the meeting at which final action is taken.

Administrative deviation. “Administrative deviation” means an application filed with the department of comprehensive planning, current planning division, to vary from certain restrictions imposed by this title as permitted by the various sections subject to the appropriate conditions listed.

Adult uses. For the purpose of regulating adult uses as provided in Part B of Chapter 29.17, Section 29.17.100 (Requirements related to adult uses), the following definitions shall apply:

1. “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.
2. “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.
3. “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.
4. “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.
5. “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.

6. "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.
7. "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.
8. "Specified sexual activities" is defined as:
 - A. Human genitals in a state of sexual stimulation or arousal;
 - B. Acts of human masturbation, sexual intercourse or sodomy;
 - C. Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.
9. "Specified anatomical areas" is defined as:
 - A. Less than completely and opaquely covered:
 - i. Human genitals, pubic region,
 - ii. Buttock, and
 - iii. Female breast below a point immediately above the top of the areola; and
 - B. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.
10. Zoning Districts. Zoned for residential use are O-S, 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.
11. "Motion picture," as used in Part B of Chapter 29.17, Section 29.17.100 (Requirements related to adult uses), includes television viewing regardless of whether picture presentation originated with closed circuit, live broadcast or cassette or other recording.
12. "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 (9) of this section.

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 lettering for the purpose of making anything known.

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.

Airport.

“Airport” means any landing area, runway or other facility designed, public or private, used or intended to be used either publicly or by any person or persons for the landing and taking off of fixed wing aircraft, including all necessary taxiways, aircraft storage and tie-down areas, hangars and other necessary buildings, including incidental commercial uses, and open spaces.

Airport definitions.

The following definitions apply to the requirements listed in Chapter 29.20, Part B of this title, unless the context otherwise requires:

1. “Airport elevations” mean the highest point of an airport’s usable landing area measured in feet above mean sea level.
2. “Hazard to air navigation” means an obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.
3. 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.
4. “Obstruction” means any structure, growth or other object, including a mobile object, which exceeds a limiting height set forth in Chapter 29.20, Part B of this title.
5. “Public use airport” means any of the following airports in Clark County, Nevada: McCarran International Airport, Overton Municipal Airport (Perkins Field), Searchlight Airport, Jean Airport, North Las Vegas Airport, Boulder City Airport, Echo Bay Airport, Henderson Executive Airport, Sky Ranch Estates, and Kidwell Airport.
6. “Runway” means a defined area on an airport prepared for landing and takeoff of aircraft along its length.
7. “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.
8. “Structure” means an object, including a mobile object, constructed or installed by man, including but not limited to buildings, towers, cranes, smokestacks, earth formation, signs and overhead transmission lines.
9. “Tree” means any object of natural growth.

**Airport Environs
Overlay District.**

“Airport environs overlay district” means the area contiguous to McCarran International Airport and Nellis Air Force Base, as shown on the maps adopted, which are impacted by the operation of aircraft from those facilities including noise impacts, the handling and transport of live ordnance, and accident potential as delineated within Section 29.19.130 of this title, but does not include the property owned by the respective operators of the airports and utilized for airport functions.

Alteration.	“Alteration” means any change, addition, or modification in construction or occupancy of an existing structure.
Amenity.	“Amenity” means a natural, constructed, or created feature that enhances the aesthetic quality, visual appeal, or attractiveness of a particular property, place, or area, including but not limited to open space.
Amusement arcade.	“Amusement arcade” means, for the purposes of this subsection, any establishment other than a hotel-casino which maintains five or more coin-operated amusement machines, excluding coin-operated gaming devices.
Amusement park.	“Amusement park” means a facility composed of one or more buildings or structures operated for profit on a permanent basis which is designed to provide amusement, pleasure, or relaxation which may promote some theme, motif, or concept and may provide lifts, tramways, monorails, elevators, escalators, roller coasters, or other conveyances or rides for the entertainment or amusement of the public.
Amusement system	“Amusement system” means any ride, device, building or structure which is used primarily for human entertainment, and enjoyment which is either moving or stationary. The final determinations to whether a ride, device, or structure shall be classified under this definition shall be made by the building official. For the purposes of this chapter, slot machines, electronic gaming device, pinball games, or electronic arcade games, and non-motorized playground equipment are not amusement systems.
Ancillary use.	“Ancillary use” see “accessory use” under the definition of “use”.
Animal, exotic.	“Animal, Exotic” see “exotic animal.”
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 boarded for remuneration may be permitted only when incidental to the principal use.
Animated sign.	“Animated sign” see “sign.”
Antenna.	“Antenna” means any system of wires, poles, rods, reflecting discs, or similar devices used for the transmission or reception of electromagnetic waves external to or attached to the exterior of any building or ground mounted. An antenna for only signal reception may be attached to an existing building; provided, that the height does not exceed eight feet for a building up to thirty-five feet in height or twelve feet for a building over thirty-five feet in height.
Antique store.	“Antique store” means any building used for the sale of any old and authentic object of personal property which has a unique appeal and enhanced value mainly because of its age which, because of public demand, has attained value in a recognized commercial market which is in excess of its original value.
Appliance repair.	“Appliance repair” means the reconditioning of inoperable household appliances, including refrigerators, washing machines, dishwashers, or similar appliances (see “electronic repair”).

Apartment.	<p>“Apartment” includes the following:</p> <ol style="list-style-type: none"> 1. “Apartment hotel” means any building which contains dwelling units and also satisfies the definition of a hotel, as defined in this title; 2. “Apartment house” means a multiple-family dwelling or dwelling group as defined under “dwelling”; 3. “Manager’s apartment” means a dwelling incidental to a commercial or industrial use for the use of the owner or manager of the commercial or industrial complex. 4. “Studio apartment” means a room and bath with or without cooking facilities, in a multiple dwelling.
Aquaculture.	<p>“Aquaculture” means land devoted to the hatching, raising, and breeding of fish or other aquatic plants or animals for commercial purposes or personal use.</p>
Arcade.	<p>“Arcade” see “amusement arcade.”</p>
Architectural intrusion.	<p>“Architectural intrusion” means any part of a building or structure, such as eaves, cornices, canopies, sills, belt courses, stairs, balconies, 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.</p>
Arterial street.	<p>“Arterial street” see “street.”</p>
Asphalt batch plant.	<p>“Asphalt batch plant” see “batch plant.”</p>
Astrologer.	<p>“Astrologer” see “psychic arts.”</p>
Attention gaining devices.	<p>“Attention gaining devices” see “sign.”</p>
Attic.	<p>“Attic” means the nonhabitable space between the ceiling of the highest story in a building and the roof of the building and where no floor is installed.</p>
Atrium.	<p>“Atrium” means an open or enclosed patio around which a building is constructed, or a many-storied court within a building, which is not designed for use as leasable space or public use and which may not be converted to leasable space or public use unless approved in accordance with this title.</p>
Auction.	<p>“Auction” means an establishment wherein merchandise is sold more than twice in any calendar month for the highest price in a competitive bidding process.</p>
Automobile.	<p>“Automobile” means a motor vehicle designed for passenger or light cargo transportation, including sedans, pick-up trucks, vans, motorcycles, and sport utility vehicles, but not including vehicles over ten thousand pounds gross unloaded weight.</p>
Automobile detailing.	<p>“Automobile detailing” means any building or premises used for hand washing, cleaning, polishing, and minor paint touch up and/or enhancement of the exterior and/or interior of automobiles.</p>

- Automobile dismantling yard.** “Automobile dismantling yard” means any premises used for the dismantling or wrecking of motor vehicles and trailers required to be registered under the motor vehicle laws of the state of Nevada, including premises used in the storing, keeping, buying, selling, or dealing in dismantled wrecked, inoperative or disabled vehicles or integral parts of component materials thereof, and the storage, sale or dumping of dismantled, partially dismantled or wrecked inoperative vehicles and trailers or parts thereof. Automobile dismantling shall not include the incidental storage of inoperative or disabled vehicles in connection with the legal operation of an automobile repair garage or automobile body and fender repair shop while waiting for repair.
- Automobile maintenance.** “Automobile maintenance” means any commercial establishment designed or used for the maintenance of automobiles only. Maintenance shall be limited to tune-ups, oil changes, lubrication, brake repair (but not as a principal use), the sale and repair of tires (but not as a principal use), or other similar routine maintenance functions. Maintenance shall not include any mechanical repair, including transmission repair, paint, upholstery, or body work permitted within an automobile repair garage or automobile paint/body shop.
- Automobile paint/body shop.** “Automobile paint/body shop” means a facility for collision repair services including body, frame or fender straightening or repair and painting of vehicles in an appropriate paint booth.
- Automobile parts store.** “Automobile parts store” means an establishment where accessory automotive parts are sold at retail to the general public and where such parts may be installed, providing such installation conforms to the definition of “automobile maintenance” above.
- Automobile rental.** “Automobile rental” means a facility where the rental or short-term lease of automobiles is conducted.
- Automobile repair shop.** “Automobile repair shop” means a location designed or used for the repair of automobiles, including mechanical repair, automobile maintenance, and upholstery, but not paint nor body work.
- Automobile sales lot.** “Automobile sales lot” means an open area used for display, sales and/or long-term lease of new or used automobiles, but not commercial vehicles, and where no repair, repainting or remodeling is done.
- Aviary.** “Aviary” means a house, large cage or enclosure for keeping and rearing of four or more birds in confinement, but not chickens, turkeys or similar domesticated birds normally raised for consumption.
- Avigation easement.** “Avigation easement” means a signed, acknowledged recognition of the right of overflight from any public use airport, including the right to make the noise necessary to operate the aircraft operating from such an airport.
- Awning.** “Awning” means a roof-like cover that projects from the wall of a building for the purpose of shielding a doorway or window from the elements.
- Awning sign.** “Awning sign” see “sign.”
- Bakery.** “Bakery” see “food processing.”

- Balcony.** “Balcony” means an open landing accessible from and equal to the height of the floor of a second story. A balcony over a covered patio shall be considered as an addition to a dwelling and shall therefore be required to meet the same setback requirements as an addition to a dwelling.
- Balloon sign.** “Balloon sign” see “sign, temporary, special attraction/promotional.”
- Banner.** “Banner” see “sign, temporary.”
- Banquet facility.** “Banquet facility” means an establishment which is rented by individuals or groups to accommodate private functions, including but not limited to banquets, weddings, anniversaries, and other similar celebrations. Such a use may or may not include: (1) kitchen facilities for the preparation or catering of food; (2) the sale of alcoholic beverages for on-premises consumption, only during scheduled events and not open to the general public, and (3) outdoor gardens or reception facilities.
- Barn.** “Barn” means an enclosed building for the housing of domestic farm animals.
- Basement.** “Basement” means a story partly or completely underground. A basement shall be counted as a story for the purpose of height measurement if more than fifty percent of the story's wall surface is above grade.
- Batch plant.** “Batch plant” means a manufacturing facility for the production of concrete or asphalt, but not finished precast products.
- 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.
- 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 ninety square feet of floor area.
- Beltway.** “Beltway” see “freeway.”
- Berm.** “Berm” means soil artificially built up or placed so as to form a visual barrier or buffer.
- Beverage plant.** “Beverage plant” means a facility in which nonalcoholic beverages for human consumption are bottled and distributed to retailers or wholesalers for resale on or off the premises, including the mechanized assembly line production of such goods. The term does not include a brewery or any other facility for the bottling of alcoholic beverages.
- Billboard.** “Billboard” see “sign, off-premises.”
- Block.** “Block” means a parcel or parcels of land bounded by streets or by streets and a natural or artificial barrier.
- Block wall.** “Block wall” see “wall, perimeter.”

Board of County Commissioners.	“Board of County Commissioners” means the governing board of Clark County, Nevada.
Boarding stables, commercial.	“Boarding stables, commercial” see “horse stables.”
Boarding stables, residential.	“Boarding Stables, Residential” see “horse stables.”
Boarding stall.	“Boarding stall” means a pen, building or structure for the enclosure or confinement of boarded horses.
Boat sales.	“Boat sales” see “marine sales.”
Bottling plant.	“Bottling plant” see “beverage plant.”
Breezeway.	“Breezeway” means any roof connecting two buildings where the design and construction of the roof is in keeping with the design and construction of the main building (see “accessory building”).
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.
Building.	<p>“Building” means any structure having a single or common roof supported by columns or walls.</p> <ol style="list-style-type: none"> 1. “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. 2. “Building area” means that portion of a building site exclusive of the required setback areas in which a structure or building improvements may be erected including the actual building, pool, and other construction as shown on a site development plan. 3. “Building, detached” means one building on one building lot surrounded by yards or open space; or buildings in a building group that are physically detached one from the other. 4. “Building elevation” means the view of any building or other structure from any one of four sides showing features such as construction materials, design, height, dimensions, windows, doors, other architectural features, and the relationship of grade to floor level. 5. “Building height” means the vertical distance from the grade to the highest point of the building (see grade).

6. "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.
7. "Building mass" means the height, width, and depth of a building.
8. "Building separation" means the distance from one building to another measured from the closest point of each building, exclusive of architectural intrusions.
9. "Building setback" means the required minimum horizontal distance between the building line and the related front, side, or rear property line, or the street or future width line required to remain open and unobstructed from the ground to the sky, exclusive of architectural intrusions, as provided in this title.
10. "Building site" means the ground area of a building or buildings, together with all open spaces which are required.
11. "Existing building" means any building erected in conformance with a legal permit issued therefor.
12. "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.
13. "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.

Building material.

"Building material" means a facility for the sale of home, lawn and garden supplies and tools and construction materials such as brick, lumber, hardware and other similar materials when within an enclosed building (see "hardware store" or "lumberyard").

Building official.

"Building official" means the director of the department of building as specified in Chapter 2.02 of this code.

Bus depot.

"Bus depot" see "passenger terminal."

Cabana.

"Cabana" means any habitable addition to a manufactured or mobile home. A manufactured home from which the kitchen has been removed, when modified in compliance with the requirements of the Manufactured Housing Division of the state of Nevada, is a cabana.

Campground.

"Campground" means an area or tract of land on which accommodations for temporary occupancy are located or may be placed, including cabins, tents, and major recreational equipment, and which is primarily used for recreational purposes and retains an open air or natural character, but which is not a recreational vehicle park.

Camping trailer.

"Camping trailer" means a recreational vehicle consisting of a folded unit of canvas, or other material, mounted on wheels which opens over the top of the trailer base.

- Car wash.** “Car wash” means a building or area that provides facilities for washing, cleaning, waxing and/or detailing of motor vehicles, either by mechanical means or by hand either as a service provided by others or self-service. The provision of nonmechanical facilities within residential complexes for the use of the residents of the complex only shall not be considered to be a car wash.
- Carport.** “Carport” means an accessory use consisting of a covered parking space, 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.
- 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 permitted by NRS 463.161.
- Catering service.** “Catering service” means a service that provides for the preparation, storage, and delivery of food and food utensils for off-premises consumption.
- Cellar** “Cellar” see “basement.”
- Cellular tower.** “Cellular tower” see “communication tower.”
- 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.
- Child care.** “Child care” see “day care,” “family home” or “child care institution.”
- Child care institution.** “Child care institution” means a facility where care is provided during the day and night and where developmental guidance is provided to children who do not routinely return to the homes of their parents or guardians.
- Church or house of worship.** “Church” or “house of worship” means a building or portion of a building that people regularly attend to participate in or hold religious services, meetings, and other activities including a place of residence on the premises for the religious leader and family assigned to the location, or a community of religious persons living apart from the general community.
- 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.
- 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 adult uses or a group organized solely or primarily to render a service customarily carried on as a commercial enterprise.
- Cluster development.** “Cluster development” means a development design technique that concentrates buildings in specific areas on a site to allow the remaining land to be used for recreation, common open space, and the preservation of environmentally sensitive areas.

Co-generation plant.	“Co-generation plant” see “electric generating station.”
Cold storage.	“Cold storage” means a facility for the protective storage of items, such as food or furs, in a refrigerated place.
Collectible/ memorabilia store.	“Collectible/memorabilia store” means any building used for sale of any article of personal property which because of public demand has attained value in a recognized commercial market which is in excess of its original value.
Collector street.	“Collector street” see “street.”
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, motels, 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.
Commercial boarding stable.	“Commercial boarding stable” see “horse stables.”
Commercial nude establishment.	“Commercial nude establishment” see “adult use.”
Commercial storage unit.	“Commercial storage unit” see “mini-warehouse.”
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 automobile at a residence.
Commercial use.	“Commercial use” means an occupation, employment, or enterprise that is carried on for profit by the owner, lessee, or licensee.
Commission.	“Commission” means the county planning commission.
Communication antenna.	“Communication antenna” means a structure intended for use in the wireless transmission or relaying of any portion of the electromagnetic spectrum, including television, radio, telephonic, or any other type of communicative transmission which is to be affixed to another building or structure, including the equipment necessary for its use, but not including structures for signal reception only.
Communication provider.	“Communication provider” means any person which provides a communicative service via transmission lines within easements established for such a purpose, or by electronic transmission via wireless service, such as radio, television, microwave, or any other means of communicative transmission.
Communication tower.	“Communication tower” means a freestanding structure designed to accommodate one or more communication antennas. Communication towers shall be considered to mean the tower plus the antenna(s) to be affixed to the tower.

Community center.	“Community center” means a facility associated with a park, recreational vehicle park, mobile home park, planned residential development, or multifamily development which provides for community activities and services for residents of the community or development and their guests.
Community district.	“Community district” means a district which differs from other community districts in the level of intensity of development, character, and the availability of urban services within the district.
Compact lot.	“Compact lot” see “lot.”
Concrete batch plant.	“Concrete batch plant” see “batch plant.”
Conditional use.	“Conditional use” means a use that, owing to some special characteristic attendant to its operation or installation, is permitted only in a district subject to approval by the commission or the board of county commissioners, and may be subject to special requirements, different from those usual requirements for the district in which the conditional use may be located, in order to ensure such use conforms to the standards listed in Section 29.05.050 of this title.
Condominium.	<p>“Condominium” means an estate in real property consisting of an undivided interest in common in portions of a parcel of real property together with:</p> <ol style="list-style-type: none"> 1. 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 2. A separate interest in air space only, without any building or structure, to be used for a manufactured or mobile home.
Condominium hotel.	“Condominium hotel” means an establishment meeting the criteria for a “hotel” as set forth in 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 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.
Condominium motel.	“Condominium motel” means an establishment meeting the criteria for a motel as set forth in 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 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.
Construction sign.	“Construction sign” see “sign.”
Construction yard.	“Construction yard” see “contractor’s storage yard.”
Contiguous.	“Contiguous” means any parcel which abuts, shares any common property corner or is separated only by a dedicated public right-of-way having a width of one hundred feet or less except as specified in Section 29.19.050(B) (see “abutting”).

- Contractor's storage yard.** "Contractor's storage yard" means a facility for the storage and maintenance of a construction contractor's supplies and operational equipment, including electrical, plumbing, air conditioning, masonry and similar uses. Offices are considered an accessory use.
- Convalescent home.** "Convalescent home" see "rest home."
- 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 and which has at least one restroom available for public use during all hours the store is open for business. A retail business licensed as a drugstore or pharmacy shall not be considered to be a convenience store.
- Copy center.** "Copy center" means a facility for the custom reproduction of written or graphic materials on a custom order basis for individuals or businesses. Typical processes include, but are not limited to, photocopying, blueprint, and facsimile sending and receiving, but not including off-set printing.
- Corner lot.** "Corner lot" see "lot."
- Corral.** "Corral" means a pen, building or structure for the enclosure or confinement of animals.
- County.** "County" means that portion of Clark County, Nevada outside the incorporated cities, both within and without the unincorporated towns.
- County commission.** "County commission" see "Board of County Commissioners."
- 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.
- Coverage.** "Coverage" see "lot coverage."
- Covered patio.** "Covered patio" see "patio cover."
- Cul-de-sac.** "Cul-de-sac" means the turnaround at the end of a dead-end street, including those designed with a radius, hammerhead, or any other approved design.
- Cul-de-sac lot.** "Cul-de-sac lot" see "lot."
- Curve lot.** "Curve lot" see "lot."
- Custodial institution.** "Custodial institution" means a group facility used for the housing of persons on probation or parole.
- 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.
- Day care.** "Day care" means any facility where intermittent care, protection, and supervision is provided, for a fee, at least twice a week to more than six children or adults at one time, providing the use does not meet the definition of "family" or "rest home" as contained herein.

Decorative lighting.	“Decorative lighting” means superfluous light, not used as part of an advertising display, intended to increase the attractiveness of a building, structure, or other incidental use (see “sign, animated”).
Decorative fence.	“Decorative fence” see “fence.”
Decorative wall.	“Decorative wall” see “wall, perimeter.”
Deed.	“Deed” means a legal document conveying ownership of real property.
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.
Design.	“Design” means the design elements of a development site, including the planning and engineering of the following: street alignments, grades, widths; drainage and sanitary facilities and utilities, including alignment and grades thereof; location and size of all easements and rights-of-way; lot size and configuration; traffic access; grading; building location, appearance and configuration; landscaping and open space; buffering; and other such specific physical requirements.
Design review.	“Design review” means an application filed with the department of comprehensive planning, current planning division, to review a proposed development to be built in conformance with the district and other requirements of this title in accordance with the standards shown in Section 29.05.530 of this title.
Development.	“Development” means the division of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure or site improvement; any mining, excavation, landfill, or land disturbance; and any use or extension of the use of land.
Development standards.	“Development standards” means the requirements and standards for commercial and residential development, including, but not limited to, densities; building height, bulk and setback requirements by land use type; signage; landscaping; parking; open space.
District.	“District,” except in reference to community districts, means a section of the county for which the regulations governing the area, height, or use of the land and buildings are uniform and includes the districts listed in Section 29.11.020.
Dog pound.	“Dog pound” see “kennel.”
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, motels, lodging houses, 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.
Drainage study.	“Drainage study” means a study that provides information on the impact of a proposed development on drainage patterns on the site of the development and for adjacent and downstream properties.

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.
Drugstore.	“Drugstore” means the business of apothecary, druggist, or pharmacy where drugs or medicines are compounded or dispensed by state-licensed pharmacists and which may include grill and fountain services and retail sales of sundries such as stationery, magazines, cosmetic, and health items.
Dry cleaner.	“Dry cleaner” means a facility where fabrics are cleaned with substantially nonaqueous organic solvents and where 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.
Dry cleaning plant.	“Dry cleaning plant” means an industrial facility where fabrics are cleaned with substantially nonaqueous organic solvents or by conventional washing and also where fabric may be dyed.
Dump.	“Dump” see “sanitary landfill.”
Duplex.	“Duplex” see “dwelling, two family.”
Dwelling.	<p>“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 dwellings in the zoning districts set forth in this title.</p> <ol style="list-style-type: none"> 1. “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. 2. “One-family dwelling,” also known as a single-family dwelling or residence, means any detached building containing only one dwelling unit. 3. “Two-family dwelling” means any building containing only two dwelling units. 4. “Multiple-family dwelling” means a building containing three or more dwelling units. 5. “Group dwelling” means one or more buildings containing dwelling units arranged around two or more sides of a court. 6. “Permanent dwelling” means a dwelling unit constructed on the site from raw materials and attached to a permanent foundation in accordance with the Uniform Building Code, or a factory-built home, but not including manufactured or mobile homes.
Easement.	Easement” means the grant to a person, government entity, or public utility a right of use of a property given by the property owner, or a prescriptive right as determined by a court of law.

Egress.	“Egress” means an exit.
Electric generating station.	“Electric generating station” means a facility that generates electricity from mechanical power produced by waste heat, solar, gas, coal, hydraulic power sources, or nuclear fission.
Electrical substation.	“Electrical substation” means a subsidiary station in which electric current is transformed for distribution to individual customers.
Electronic repair.	“Electronic repair” means the repair of electronic equipment such as televisions, radios, computers or similar devices (see “appliance repair”).
Electronic message unit.	“Electronic message unit” see “sign.”
Elevation.	“Elevation” means a vertical distance above or below a fixed reference level (or see “building, elevation”).
Escort bureau.	“Escort bureau” means a person who, for a fee, commission, profit, payment, or other monetary consideration, furnishes, refers or offers to furnish or refer escorts, or provides or offers to introduce patrons to escorts in accordance with the restrictions listed in Chapter 8.32 of the Clark County Code.
Existing building.	“Existing building” see “building.”
Exotic animal.	“Exotic animal” means any animal not permitted in this title as either a “household pet,” a farm animal specifically permitted in the R-A residential agricultural district, or an animal normally raised for human consumption which is no longer exotic as determined by the United States Department of Agriculture.
Expressway.	“Expressway” see “freeway.”
Extension of time.	“Extension of time” means an application filed with the department of comprehensive planning, current planning division, to extend the time on any land use application, either for commencement, review, or completion as the circumstances warrant as permitted by Chapters 29.04 and 29.05 of this title.
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 offsite 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.
Family.	“Family” includes the following if living together as a single housekeeping unit within a dwelling unit: <ol style="list-style-type: none"> 1. An individual living alone; 2. Two or more persons related by blood or marriage; 3. One or more handicapped persons together with caretakers or house parents; or,

4. A group, of which not more than six individuals shall be unrelated to any other individual in the group.

Family home. “Family home” means any facility where care, protection, and supervision are provided without the presence of parents to not more than six children at one time. A family home is a permitted accessory use within any dwelling.

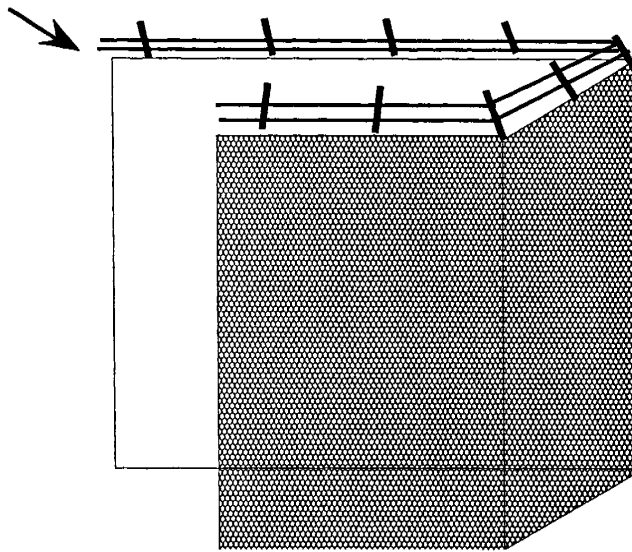
Farming, small livestock. “Small livestock farming” means the raising or keeping of animals normally raised for human consumption, including fowl, rabbits or similar animals; goats, sheep or similar livestock, but not hogs; provided however, that “small livestock farming” as used in this title shall not include animal hospitals, commercial kennels, hog raising or the breeding for commercial purposes of horses, cattle or similar livestock as determined by the planning commission.

Feed store. “Feed store” means a retail sales facility where grain and other foodstuffs for animals and livestock is sold, and including other implements and goods related to agricultural processes, but not including farm machinery.

Fence. “Fence” means any artificially constructed barrier of any material or combination of materials erected within a required setback to enclose or screen areas of land. Fences not constructed within required setbacks shall be considered accessory structures and shall meet the restrictions for such structures within the respective districts. The restrictions applicable to walls apply to fences; however, a fence shall not be substituted for a wall when required by the provisions of this title.

1. “Agricultural fence” means a wire fence constructed to enclose agricultural uses and/or animal stock permitted in the R-U, R-A, and R-E districts within community districts five and six. An agricultural fence is not regulated by the provisions of this title.
2. “Decorative fence” means a fence constructed of decorative wrought iron or similar material in combination with decorative walls and/or columns with not less than seventy-five percent of the vertical surface of the fence open.
3. “Screen fence” means a fence constructed of material designed to block the view of motorists and pedestrians into the interior of a lot to the extent that the activities conducted on the lot are indiscernible.
4. “Security fence” means a fence not to exceed ten feet in height designed to provide a higher level of security for certain uses. Security wire, including barbed wire, razor wire or similar wire, may be permitted on security fences only, and such 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, as shown on the following illustration:

WIRE IS SLANTED INWARD.
IT IS WELL INSIDE THE
PROPERTY LINE.



- Fence height.** “Fence height” means the distance from the finished grade to the top-of-curb grade for fences, walls and hedges along a street, the actual height of which shall be within eight inches of the prescribed or limited height of the wall. 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.
- Firearms.** “Firearms” means any pistol, rifle, shotgun, or other similar weapon permitted to be sold under state and federal law.
- Flag.** “Flag” means any fabric, banner or bunting containing distinctive colors, patterns, or symbols, used as a symbol of a government or political subdivision.
- Flea market.** “Flea market” see “swap meet.”
- Floor area.** “Floor area” means the total area enclosed within the several floors of a building as measured from the exterior faces of the walls, excluding any space where the floor to ceiling height is less than six feet. Floor area requirements shall be construed to be based on the gross floor area unless specified as leasable floor area.
1. “Floor area ratio” means the ratio of floor area to lot size, determined by dividing the gross floor area of all buildings on a lot by the net area of that lot.
 2. “Gross floor area” means the total area enclosed.
 3. “Leasable floor area” means usable space and areas customarily incidental to the principal use, including but not limited to waiting rooms, conference rooms and lunchrooms. Areas excludable from leasable floor space are limited to public hallways, atriums, public restrooms, elevators, stairways, and areas customarily used or occupied by building utility or maintenance equipment.
- Floor plan.** “Floor plan” means a scaled plan showing the enclosed rooms within a building and the use for which they are to be utilized.

- Food processing.** “Food processing” means a facility in which food for human consumption is produced in its final form, such as candy, baked goods, dairy products and/or ice cream, and the food is distributed to retailers or wholesalers for resale on or off the premises. The term does not include beverage processing which uses any mechanized assembly line production, nor a restaurant preparing food for consumption by patrons on the premises or for takeout or delivery.
- Fraternal organization.** “Fraternal organization” see “club, private.”
- Freestanding sign.** “Freestanding sign” see “sign.”
- Freeway.** “Freeway” means a limited access interregional arterial route designed exclusively for unrestricted movement, having no private access, and intersecting only with selected arterial highways or major streets by means of interchanges engineered for free-flowing movement. The term shall include any unbuilt freeway for which the right-of-way has been acquired for construction purposes or where temporary frontage roads providing access to intersecting streets from within such rights-of-way are provided.
- Freight terminal.** “Freight terminal” means an area and building(s) where cargo is stored and where railroad cars, aircraft, and/or trucks, including tractors and trailer units, load and unload cargo for transshipment or distribution on a regular basis, and which may include facilities for the temporary storage of loads prior to shipment and facilities for the maintenance of transport vehicles.
- Front lot line.** “Front lot line” see “lot.”
- Front yard.** “Front yard” see “yard.”
- 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.
- 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 ensure the future acquisition of these limits as public rights-of-way.
- Gaming.** “Gaming” means and includes all games of chance or devices and any slot or video poker 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 or video poker machines when such machines are operated incidental or accessory to the conduct of a business permitted under the provisions of this title.
- Gambling establishment.** “Gambling establishment” means any place where gaming is operated and maintained.
- Garage.** “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 or their guests or patrons, or as a principal use as permitted within this title.
- Garage sale.** “Garage sale” means the selling of used articles on the property of the owner of the articles which does not occur more often than six days or portion thereof each calendar half year. Garage sales are a use incidental to a dwelling.

Government Building.	“Government building” see “building, public.”
Grade.	<p>“Grade” includes the following meanings:</p> <ol style="list-style-type: none"> 1. For buildings adjoining one street only, the elevation of the side walls at the center of that wall adjoining the street; 2. For buildings adjoining more than one street, the average of the elevations of the side wall at the centers of all walls adjoining streets; 3. 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; 4. The finished grade for the purpose of determining the height of fences, walls, and/or hedges 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, wall or hedge shall be allowed at more than nine feet of overall height as a result of such grade difference, except for security fences, where an overall height of thirteen feet will be permitted if due to grade difference.
Grading.	“Grading” means any excavation, filling, or combination thereof.
Grand opening.	“Grand opening” means a one-time promotional activity used by newly established businesses, within two months after occupancy, to inform the public of their location and service available to the community, any outdoor activity of which is permitted only with a temporary commercial permit and subject to the restrictions listed for such a permit.
Grocery store.	“Grocery store” means a business located in a building or in a portion of a building which is segregated physically or spatially from the rest of the building or other retail sales departments, which sells food at retail and has over six thousand square feet of floor space, exclusive of warehouse and office areas, devoted to the display of such food.
Gross acre.	“Gross acre” see “acre.”
Gross acreage.	“Gross acreage” see “acre.”
Gross floor area.	“Gross floor area” see “floor area.”
Groundcover.	“Groundcover” means plants grown for their low spreading capabilities for the protection of soils, to prevent growth of weeds and for aesthetic purposes; or a decorative rock or bark covering designed to enhance the appearance of landscaping.
Group dwelling.	“Group dwelling” see “dwelling.”
Guest house or cottage.	“Guest house or cottage” means a segregated portion of a dwelling or a separate dwelling structure located on a lot with a dwelling and used for the housing of guests or servants of the occupant of the premises; 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.

Guest ranch.	“Guest ranch” means a facility where transient guests are boarded in an agricultural setting, and where such guests are instructed in agricultural and/or animal husbandry practices.
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.
Habitable.	“Habitable” means a building suitable for human occupancy as determined by the building official.
Handicap.	<p>“Handicap” means, with respect to a person, but such term does not include current illegal use of or addiction to a controlled substance:</p> <ol style="list-style-type: none"> 1. A physical or mental impairment that substantially limits one or more of such person's major life activities; 2. A record of having such an impairment; or 3. Being regarded as having such an impairment.
Handicraft.	“Handicraft” means the production of personal or household items from raw materials, such as cloth, lace, wool, wood, glass, metal, leather, and similar materials, but not food items, which are either made to order or which involve considerable handwork. The term does not include cabinet making, cabinet assembly or the use of mechanized assembly line production.
Hardware store.	“Hardware store” means a facility for the retail sale of home, lawn and garden supplies and tools and construction materials such as brick, lumber, hardware and other similar materials when within an enclosed building, but excluding the sale of power vehicles using motors of one horsepower or greater (see “building materials” or “lumberyard”).
Harmonious relationship.	“Harmonious relationship” means the design, arrangement, and location of buildings or other created or natural elements of the urban environment that are sufficiently consistent in design, scale, height, color, character, and siting with other buildings or created or natural elements in the area so as to avoid abrupt or severe differences or incompatibilities.
Hazard to air navigation.	“Hazard to air navigation” see “airport definitions.”
Hazardous material or waste.	“Hazardous material or waste” means products or waste products which have the potential to be dangerous, extremely obnoxious, or cause substantial environmental impacts on or beyond the boundaries of the property on which the product is used or stored.
Heavy machinery and equipment.	“Heavy machinery and equipment” means a facility for the display, sale, and rental of tools, heavy machinery, dump trucks or commercial and heavy equipment such as those used in building construction, farming, restaurant or manufacturing (see “equipment rental”).
Height.	“Height” see “building,” or with respect to airport elevations, see “airport definitions.”

- 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.
- High rise.** “High rise” means a building or structure which exceeds nine stories or one hundred feet in height when approved by the management of McCarran International Airport after consultation with the Federal Aviation Administration.
- Hog ranch.** “Hog ranch” means any premises where three or more hogs/pigs are kept.
- 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.
- Horse stable.** “Horse stable” means a location where horses are kept, including the following:
1. “Commercial boarding stables” means the keeping or housing and/or riding and training of horses only, 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.
 2. “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.
 3. “Residential boarding stables” means the keeping or housing and/or riding and training of horses only, 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.
 4. “Riding/rental stables” means the keeping or housing and/or riding and training of horses, which exceed a total number often animals per acre, for the purpose of monetary gain, including the rental of animals and instruction in the art of horseback riding, 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.
- Horticulture.** “Horticulture” means the cultivation of fruits, vegetables, flowers, and plants for the personal consumption or pleasure of the residents of a dwelling.
- Hospice.** “Hospice” means a facility for the treatment and care of the terminally ill.
- Hospital.** “Hospital” means any building or portion thereof used for the accommodation and medical and/or psychological care of persons who are sick, injured or infirm. This

includes sanitariums, institutions for the cure of chronic drug addicts and mental patients, rest homes, hospices, homes for the aged and alcoholic sanitariums.

Hotel.

“Hotel” means any building or group of buildings in which there are five 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.

Hotel, resort.

“Resort hotel” means a building or complex of buildings or other structures kept, used, maintained, advertised and held out to the public to be a hotel or motel wherein food is served, in which three hundred or more rooms are used for sleeping accommodations, and which has a minimum of the following amenities, all of which are directly connected to the complex or building and the proposed or existing gaming operation and operated in such a manner as to form a part of the same operation and complex:

1. One main bar with more than thirty permanent seats wherein alcoholic liquors are dispensed by the drink to customers at such bar;
2. One service bar wherein alcoholic liquors are prepared for service only at tables and not direct to customers at such bar;
3. One facility with at least twenty-five seats wherein live entertainment is provided by at least one professional entertainer (musician or variety artist) for at least six hours per day, six days per week;
4. One restaurant open for service to the public twenty-four hours per day, seven days per week, which is used, kept, maintained, advertised or held out to the public to be a place where meals are served and which has a seating capacity of more than sixty persons at one time at tables;
5. Room service to all rooms, including, without limitation, service of meals; and,
6. A recreational facility which includes at least one of the following:
 - A. Four regulation tennis courts with locker rooms and attendant facilities;
 - B. One swimming pool that is swimmable and adequate in relationship to the size of the resort hotel as approved by the board;
 - C. One regular golf course consisting of at least nine holes comprising at least fifty acres, or
 - D. One gymnasium with dimensions of at least forty feet in width, sixty feet in length, and twenty feet in height and equipped with exercise equipment.
7. When determining whether a particular applicant complies with the resort hotel definition, the board may consider:
 - A. The physical layout of building and facilities;
 - B. The unity of title and ownership of the buildings or complex; and

C. The operation and management relationship of gaming to hotel administration.

Hotel rural, resort hotel.

“Hotel rural, resort hotel” means a building or complex of buildings or other structures located in an unincorporated town having a population of not less than three hundred nor more than two thousand five hundred people and which has fewer than three unrestricted gaming licenses.

1. The operator of a rural resort provides a minimum of:
 - A. More than two hundred rooms available for sleeping accommodations;
 - B. One restaurant open for service to the public twenty-four hours per day, seven days per week, which is used, kept, maintained, advertised or held out to the public to be a place where meals are served and which has a seating capacity of more than sixty persons at one time;
 - C. At least one main bar with permanent seating capacity for more than thirty patrons that serves alcoholic beverages sold by the drink for consumption on the premises;
 - D. Slot machines and live games.
2. The operator of a rural resort may be granted a license for one hundred slot machines and two live games. For each additional block of twenty-five motel or hotel rooms above the minimum set forth above, the license may be increased to include an additional live game and twenty-five slot machines.
3. The population of the unincorporated town is determined by the number certified by the Governor of the state of Nevada on or before January 1st of each year for the apportionment of taxes as provided in NRS 360.285. If the population changes such that a rural resort may no longer be licensed in a particular unincorporated town, any existing rural resort shall be nonconforming but may be enlarged to conform to the requirements of a resort hotel.
4. The board of county commissioners retains jurisdiction to determine whether the physical layout of building and facilities, the unity of ownership of buildings and the operational relationship between gaming to hotel management meet the rural resort definition.

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 their young less than three months old. The maximum number of such animals shall not exceed three except when a greater number is permitted by the provisions of Chapter 10.08 of the Clark County Code related to “pet fancier,” or as permitted below. Any domesticated farm animal listed as permitted under the R-A, residential agricultural district which are normally raised for consumption shall not be considered to be a household pet, including pigs, unless the pigs are pot-bellied pigs. In addition to the restrictions listed above, pot-bellied pigs shall only be maintained under the following conditions:

1. The pot-bellied pigs must be registered with a nationally recognized registry for pot-bellied pigs;

2. The pot-bellied pigs shall be maintained only in conjunction with one-family detached dwelling units;
3. The pot-bellied pigs shall be spayed or neutered unless maintained on a lot forty thousand square feet or greater and are being kept for breeding purposes;
4. The maximum height of any pot-bellied pig shall be twenty-eight inches measured from the shoulder;
5. The maximum weight of any pot-bellied pig shall not exceed two hundred pounds; and
6. The maximum number of pot-bellied pigs maintained on any lot shall not exceed the following:
 - A. One pot-bellied pig for any lot less than thirteen thousand, two hundred square feet in area,
 - B. Two pot-bellied pigs for any lot less than twenty thousand square feet but greater than or equal to thirteen thousand, two hundred square feet in area,
 - C. Three pot-bellied pigs for any lot less than forty thousand square feet but greater than or equal to twenty thousand square feet in area,
 - D. Six pot-bellied pigs for any lot forty thousand square feet or greater in area.

Hypnotist.	“Hypnotist” see “psychic arts.”
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 or add value to the final product.
Ingress.	“Ingress” means access or entry.
Intensity.	“Intensity” means the floor area ratio for nonresidential development.
Interim compliance.	“Interim compliance” means an application filed with the department of comprehensive planning, current planning division, to extend the time permitted to complete construction on an approved district boundary amendment to match the time period for which a tentative map has been approved.
Interior lot.	“Interior lot” see “lot.”
Irrigation system.	“Irrigation system” means the combination of elements such as automatic controllers, meters, pressure vacuum breakers, pipes, valves, emitters, bubblers, spray heads, tubing and other materials designed for the purpose of transporting water to landscaping.
Jail.	“Jail” see “prison.”
Jewelry store.	“Jewelry store” means an establishment which primarily sells new and used jewelry, or reconstitutes precious metals into jewelry forms which are sold at retail on the premises.
Junkyard.	“Junkyard” see “salvage yard” or “automobile dismantling yard.”

- Kennel.** “Kennel” means any lot, building, structure or premises on which four or more dogs, cats, pot-bellied pigs, or similar household pets more than three months old are kept for an indefinite period of time except as permitted under the definition of “household pet” within this chapter, but this term shall not include any animal permitted under the provisions of Chapter 10.08 of the Clark County Code relating to “pet fanciers.”
- Kiosk.** “Kiosk” means a freestanding structure upon which temporary information and/or posters, notices, and announcements are posted, or a freestanding building with one or more open sides from which commercial activities are conducted.
- 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.
- Knuckle.** “Knuckle” means the turning radius on the outside of two intersecting streets.
- Knuckle lot.** “Knuckle lot” see “lot.”
- Land sales presentation.** “Land sales presentation” means any offer to sell or the sale of any land to a person who has previously been the object of a solicitation to attend such presentation.
- Land sales presentation unit broker office.** “Land sales presentation unit broker office” means any building or room where any person who engages in the business of making solicitations to prospective customers to attend land sales presentations, or any person who engages in the business of selling land who employs other persons to make solicitations to prospective customers to attend land sales presentations, (but not including a person employed by such person) makes such presentations.
- Land use application.** “Land use application” means any application, administrative or otherwise, filed with the department of comprehensive planning, current planning division, for design review, major project review, variance, use permit, zone change, or other application required by the Clark County Code to approve the use of land, the design of proposed improvements to the land, the naming or vacation of streets and easements, the exception to requirements of the requirements of this title, or for extensions of time for the same. The term does not include applications or procedures for the subdivision of land.
- Land use guide.** “Land use guide” see “master plan.”
- Landfill.** “Landfill” see “sanitary landfill.”
- Landscape area.** “Landscape area” means an open area unoccupied except for landscaping, which shall consist of ground cover and live planted material served with an irrigation system, and bounded on no more than one side by any building. Sidewalks and driveways sufficient to provide access to buildings and utility equipment are permitted within a landscape area.
- Landscaping.** “Landscaping” means the combination of natural elements such as trees, shrubs, groundcovers, vines, and other living organic and inorganic material which are installed for purposes of creating an attractive and pleasing environment; screening unsightly views; reducing environmental heat; filtering particulate matter from the air; and boosting oxygen levels.

Laundromat.	“Laundromat” means a facility where patrons wash, dry, or dry clean clothing or other fabrics in machines operated by the patron.
Leasing floor area.	“Leasable floor area” see “floor area.”
Legal hardship.	“Legal hardship” means a condition of a property 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 by this title would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships, upon, the owner of such property.
Legal nonconforming building or structure.	“Legal 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 district in which it is located.
Legal nonconforming lot.	“Legal nonconforming lot” means a lot which was lawful in terms of the area, width, and/or depth prior to the adoption or amendment of this title; but that fails by reason of such adoption or amendment to conform to the present requirements of the zoning district in which it is located, provided that the lot has been in separate ownership from adjacent lots since May 4, 1970.
Legal nonconforming use.	“Legal 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 district in which it is located.
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 whose performance is not audible from the exterior of the building, are exempt from the use permit requirement under Section 29.12.020. Live entertainment conducted in the C-3 district, and adult entertainment in the M-1 district, when conducted in accordance with Section 29.17.100 are also exempt from the use permit requirement under Section 29.12.020.
Livery stable.	“Livery stable” see “riding/rental stable.”
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.
Loading space.	“Loading space” means an off-street space or berth a minimum ten-foot by twenty-five-foot with a minimum fourteen-foot height clearance 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.
Local street.	“Local street” see “street.”
Lodge.	“Lodge” see “club, private.”

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.

Loft. “Loft” means a room other than a hallway above the first floor which is open to the first floor. For purposes of this title, a loft constitutes a story.

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 other legally approved right-of-way. 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 street.

1. “Compact lot” means a lot designed for a one-family dwelling unit having a lot area and lot width not less than half that otherwise required by the district.
2. “Corner lot” means a lot abutting two intersecting streets, where the interior angle of intersection does not exceed one hundred thirty-five degrees.
3. “Cul-de-sac lot” means only the portion of a lot affected by the bulb of the cul-de-sac when the lot has frontage on a cul-de-sac. “Affected,” for the purpose of this subsection, shall mean any portion of the lot within or behind the minimum setback as drawn from the radius of the cul-de-sac.
4. “Curve lot” means only the portion of a lot affected by the curvature of the street when the lot has frontage on a curve. “Affected,” for the purpose of this subsection, shall mean any portion of the lot within or behind the minimum setback as drawn from the radius of the curve.
5. “Flag lot” means a lot having access to a public or private street by a narrow, private right-of-way or portion of a lot.
6. “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. Dwellings must be oriented toward the front when located on a corner lot unless the planning commission, through approval of a design review, determines an alternate design will accomplish the purposes of this title.
7. “Interior lot” means a lot other than a corner lot.
8. “Knuckle lot” means only the portion of a lot affected by the bulb of the knuckle when the lot has frontage on a knuckle. “Affected,” for the purpose of this subsection, shall mean any portion of the lot within or behind the minimum setback as drawn from the radius of the knuckle.
9. “Lot area” means the total horizontal area within the lot.

10. "Lot coverage" means the total area of the lot covered by the roof of any enclosed or unenclosed building, including eaves and overhangs.
11. "Lot depth" means the horizontal distance between the front and the rear lot lines measured in the mean direction of the side lot lines. 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.
12. "Lot width" 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. 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 cull-de-sacs and knuckles, where the eighty percent requirement shall not apply.
13. "Minimum area" means the smallest lot area permissible in a particular zoning district on which a use or structure may be located.
14. "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.
15. "Side lot line" means any lot boundary, not a front lot line or a rear lot line.
16. "Substandard lot" means a parcel of land that has less than the minimum area or minimum dimensions required in the zoning district in which the lot is located.
17. "Through lot" means a residential lot, other than a corner lot, abutting more than one street, and having vehicular access to more than one street. The establishment of a through lot is discouraged, and shall require the approval of a design review as required by Chapter 29.05 (Part F) of this title.
18. "Zero lot line lot," also known as a patio home, means a lot designed for a one-family dwelling unit or a one-family attached dwelling unit with one side yard reduced or eliminated.

Lounge.

"Lounge" means a room or designated and separate area adjacent to and operated in conjunction with a hotel, restaurant, casino or tavern wherein the patrons of said businesses meet in an informal setting at tables, booths or easy chairs for conversation or entertainment, and into which room or area minors are not permitted entry.

Lumberyard.

"Lumberyard" means a facility for the sale of home, lawn and garden supplies and construction materials such as brick, lumber and other similar materials, either within or without a building (see "building materials and hardware store").

Main building.

"Main building" see "building."

Maintain. “Maintain” means the upkeep of buildings, structures, amenities, parking facilities, landscaping, or lots, including the repair, painting, trimming, pruning, watering, and other on-going activities required to prevent deterioration of the improvement.

Manager’s apartment. “Manager's apartment” see “apartment.”

Manufactured home or 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 paragraph 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.

Manufacturing, intense. “Intense manufacturing” means the compounding, assembling, processing, treatment or storage of the following materials; acid, ammonia, animal by-products, asphalt, blast furnace, 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 benefaction, ore reduction, ore smelting or refining, potash, pyroxylin, rubber, 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, but not including processes incidental to residential, commercial, special, or industrial uses.

Manufacturing, light. “Light manufacturing” means:

1. The compounding, assembling, processing, or treatment of raw materials, including bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, glass, hair, horn, leather, paper, plastics, precious or semi-precious stones, rubber (but not tire rebuilding, recapping, or retreading), seeds, shell, straw, textiles, tobacco, wood, wool, yarn and paint in order to produce a new product with added value, but not including processes incidental to residential, commercial, special, or industrial uses, and;
2. The assembly of machines (other than aircraft or motor vehicles), musical instruments, toys, novelties, or appliances from prepared component parts in order to produce a new product with added value, but not including processes incidental to residential, commercial, special, or industrial uses.

Manufacturing, low. “Low manufacturing” means the compounding, assembling, processing, treatment or storage of acetylene or similar gases, emery cloth, excelsior fiber, lampblack, malt, matches, oxygen in compressed form, pickles, pottery, shoe polish, shoddy, soap,

starch, sandpaper, sauerkraut, salt, yeast; and also the assembly of aircraft or motor vehicles from prepared component parts, but not including processes incidental to residential, commercial, special, or industrial uses.

- Manufacturing, medium.** “Medium manufacturing” means the compounding, assembling, processing, treatment or storage of the following materials; 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, or varnish, but not including processes incidental to residential, commercial, special, or industrial uses.
- Marine sales.** “Marine sales” means the use of any building or lot for the display and sale of new or used boats, jet skis, or other marine vessels and trailers and including articles incidental to marine activities.
- Marquee.** “Marquee” means a permanent roofed structure attached to and supported by the building and projecting beyond the face of the building.
- Marquee sign.** “Marquee sign” see “sign.”
- 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 Clark County Code 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 (with no limit on the square footage of public floor area used for massage activities in such resort hotel).
- Massage establishment.** “Massage establishment” means any place where any massage, as defined herein and in Clark County Code Section 7.08.020, is given or offered.
- Massage technician.** “Massage technician” means any person, whether male or female, who performs massage, as defined herein, and meets all of the requirements of Chapter 7.08 (Business License).
- Master plan.** “Master plan” means the comprehensive plan adopted by the board of county commissioners in 1983 and all amendments thereto including, but not limited to, all adopted land use and development guides and 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 more recent plans.
- Memorabilia store.** “Memorabilia store” see “collectable/memorabilia store.”
- Micro-brewery.** “Micro-brewery” see “brew pub.”

Mini-warehouse.	“Mini-warehouse” means storage units held out for rent or sale to the public for the storage of articles where all stored items are located within an enclosed building, there is no on-site sale of the stored items, separate businesses in the units are not established, and automobile repair or the sale of automobiles, recreational vehicles or other like vehicles is not permitted.
Minimum area.	“Minimum area” see “lot.”
Miscellaneous sign.	“Miscellaneous sign” see “sign.”
Mobile business.	“Mobile business” means any licensed business in a commercial or industrial location only which dispatches its service on an out call basis to locations other than the location of the business.
Mobile sign.	“Mobile sign” see “sign, mobile.”
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 mobile home sales lots on which unoccupied mobile homes are parked for inspection or sales, nor recreational vehicle parks as defined by this chapter.
Monastery.	“Monastery” see “church.”
Monorail	“Monorail” means a non-technology specific system used to transport passengers, including any system on a fixed land route installed and operated on an exclusive fixed guide way or rail, including a monorail as defined in Chapter 705 of the Nevada Revised Statutes. The term does not include amusement systems or people movers. The developer of a monorail shall be treated the same as a public utility for the sole purpose of determining the initiation of an application pursuant to Section 29.05.030 of this title
Monument sign.	“Monument sign” see “sign.”
Mortuary.	“Mortuary” means a facility in which dead bodies are prepared for burial or cremation and where funeral services may be conducted.
Motel.	“Motel” means a building or group of two or more detached or semi-detached buildings containing four or more individual dwelling or sleeping units, each with a separate exterior entrance, with or without cooking facilities, designed for or used temporarily by automobile tourists or transients for rent on a day-to-day basis. Each rentable room shall constitute one unit.
Motor vehicle pawnshop.	“Motor vehicle pawnshop” see “pawnshop.”
Motorized home.	“Motorized home” means a type of recreational vehicle where a portable home is designed and constructed as an integral part of a self-propelled vehicle.
Multifamily dwelling.	“Multifamily dwelling” see “dwelling, multiple family.”
Multiple-family dwelling.	“Multiple-family dwelling” see “dwelling.”
Museum.	“Museum” means a facility or area for the acquisition, preservation, study, and

	exhibition of works of artistic, historic or scientific value.
Nameplate.	“Nameplate” see “sign.”
Net acreage.	“Net acreage” see “acre.”
Noise attenuation wall.	“Noise attenuating wall” see “wall, perimeter.”
Nonconforming building or Structure.	“Nonconforming building or structure” see “legal nonconforming building or structure.”
Nonconforming lot.	“Nonconforming lot” see “legal nonconforming lot.”
Nonconforming use.	“Nonconforming use” see “legal nonconforming use.”
Nonprofit organization.	<p>“Nonprofit organization” means an organization which:</p> <ol style="list-style-type: none"> 1. Is exempt from federal income tax pursuant to Section 502 of the United States Internal Revenue Code; 2. Devoted its net earnings exclusively to religious, charitable, scientific, literary, educational or fraternal purposes; and 3. Has received from the Secretary of State its certificate of nonprofit corporation, association or society.
Nude establishment, commercial.	“Nude establishment, commercial” see “adult use.”
Nunnery.	“Nunnery” see “church.”
Nursing home.	“Nursing home” see “rest home.”
Obstruction.	“Obstruction” see “airport definitions.”
Odor easement.	“Odor easement” means an agreement between a property owner and his/her heirs in interest, or any subsequent property owner, and the Clark County Sanitation District, wherein the property owner agrees to indemnify the county against losses resulting from the operation of the Clark County Sanitation District’s facilities or similar facilities operated by any other local jurisdiction.
Office.	“Office” means a building, or portion of a building, wherein services are performed involving predominantly administrative, professional or clerical operations, including administrative governmental functions.
Off-premises sign.	“Off-premises sign” see “sign.”
Off-site improvement.	“Off-site improvement” means, in connection with a development proposal, improvements that are required to be made to property which is or will be dedicated or reserved for public use including, but not limited to; street pavement, sidewalk, curb and gutter, street lights, traffic lights, street name signs, traffic signs, pavement markings, and other standard off-site improvements; road widening and upgrading; storm water or drainage facilities; traffic circulation improvements and traffic control devices.

- Off-site parking.** “Off-site parking” means parking provided for a specific use but located on a lot or site other than the one on which the specific use is located.
- On-premises production.** “On-premises production” means the processing of raw materials to create goods with added value when conducted within an enclosed building and items produced are sold at retail on the premises and where not more than two persons shall be engaged in such production. The restriction on the number of persons engaged in production shall not apply to restaurants.
- On-premises sign.** “On-premises sign” see “sign.”
- One-family dwelling.** “One-family dwelling” see “dwelling.”
- 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.
1. “Usable open space” means land area meeting the qualifications and definitions of either usable common open space or usable private open space.
 2. “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.
 3. “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.
- 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 or any other residential, commercial, or industrial facility.
- Outdoor dining or drinking.** “Outdoor dining or drinking” means a restaurant or drinking establishment with all or a part of the seating for patrons outside the area enclosed within the establishment. The area utilized for outside dining or drinking shall be included within the area of the establishment for parking requirement purposes.
- Outside storage.** “Outside storage” means the keeping, in an unenclosed area, of any goods, material, merchandise, or vehicles in the same place for more than twenty-four hours, but shall not apply to lots where aircraft, automobiles, boats, Christmas trees, plant nurseries, manufactured homes, monument sales, moving trucks, recreational vehicles, rental vehicles, or similar outdoor activities are displayed for sale as permitted within the various districts.
- Overlay district.** “Overlay district” means a zoning district that is imposed on one or more underlying base zoning districts and which provides additional requirements and limitations beyond those required by the underlying zoning district.

Owner.	“Owner” means an individual, firm, association, syndicate, partnership, or corporation having sufficient proprietary interest to seek development of land. With reference to the restrictions imposed by the regulations of this title, it also includes agent, occupant, and/or employee.
Parcel.	“Parcel” see “lot.”
Park.	“Park” see “public facility.”
Parking garage.	“Parking garage” see “garage.”
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.
Parking space.	“Parking space” means space within a building, lot or parking lot, but not on a street, 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, but a parking space designated for recreational vehicle parking shall be not less than ten feet wide by twenty-two feet long. 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 and 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.
Passenger terminal.	“Passenger terminal” means an area and building(s) where facilities for the staging and transportation of passengers is conducted, including bus and rail depots, and air terminals.
Patio cover.	“Patio cover” means an attached or detached accessory structure which is not enclosed and provides sheltered outdoor space, except that a patio cover may be partially enclosed providing that the wall area is not less than fifty percent open.
Patio home.	“Patio home” see “lot, zero lot line.”
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.
Pennant.	“Pennant” see “sign, special attraction/promotional.”
People mover	“People mover” means a non-technology specific system use to transport passengers, including any system on a fixed land route installed and operated on an exclusive fixed guideway or rail, when the system is designed to transport passengers between two end points with no intermediate stops and connects adjacent projects which have at least one common owner or operator. The term does not include amusement systems nor monorails. For the purpose of this subsection, stops on a property under the same ownership shall not be considered a stop.
Permanent dwelling.	“Permanent dwelling” see “dwelling.”

Permitted use.	“Permitted use” see “use.”
Person.	“Person” means an individual, firm, partnership, corporation, company, association, joint stock association, governmental entity, or similar organization, and includes a trustee, a receiver, an assignee, or a similar representative of any of them.
Pet shop.	“Pet shop” means a retail establishment offering small animals, fish, or birds for sale and where all such creatures are housed within the building.
Pick-up coach and camper.	“Pick-up coach and camper” means a structure designed primarily for mounting on a pick-up track chassis with sufficient equipment to render it suitable for use as a temporary dwelling for travel, recreation and vacation uses.
Planned development unit.	“Planned development unit” 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.
Planning Commission.	“Planning Commission” see “commission.”
Plant nursery.	“Plant nursery” means an establishment for the growth, display and/or sale of plants, shrubs, trees, and materials used in indoor or outdoor planting, conducted within or without an enclosed building.
Plot plan.	“Plot plan” see “site plan.”
Political sign.	“Political sign” see “sign.”
Porch.	“Porch” means an entrance to a building at approximately the level of the first floor. Covered porches, including columns, shall be considered an architectural intrusion.
Portable sign.	“Portable sign” see “sign, mobile.”
Pre-existing use.	“Pre-existing use” see “nonconforming uses.”
Principal building.	“Principal building” see “building, main.”
Principal use.	“Principal use” see “use.”
Print shop.	“Print shop” means a facility for the custom reproduction of written or graphic materials on a custom order basis for individuals or businesses. Typical processes include, but are not limited to, photocopying, blueprint, and facsimile sending and receiving, and including off-set printing.
Prison.	“Prison” means a building or structure and related facilities used for the housing or detention of persons who have been charged with or have been convicted of felonies or misdemeanors.
Private club.	“Private club” see “club, private.”
Private recreational facility.	“Private recreational facility” means a facility or area for sport, entertainment, games of skill, or recreation to the general public for a fee. Examples include, but are not limited to, roller and ice skating rinks, game courts, swimming pools, theme parks, golf courses, driving ranges, miniature golf, interactive entertainment, and go-cart tracks, but

does not include adult uses, bowling alleys, theaters, physical fitness centers and gyms, or video game arcades.

- Private street.** “Private street” see “street.”
- 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.
- Prohibited use.** “Prohibited use” see “use.”
- Property.** “Property” means a lot, parcel, or tract of land together with the building and structures located thereon.
- Psychic arts.** “Psychic arts” means any person who practices, teaches, or professes to practice the business of astrology, hypnotism, or the psychic arts and sciences for a fee, gift, donation, or otherwise. Psychic arts and sciences may include, but are not limited to, palmistry, phrenology, life reading, fortune telling, cartomancy, clairvoyance, clairaudience, crystal gazing, mediumship, prophecy, augury, divination, magic or necromancy.
- Public areas.** “Public areas” means parks, playgrounds, trails, paths, and other recreational areas and open spaces; scenic and historic sites; schools and other publicly operated buildings; and other places where the public is directly or indirectly invited to visit or permitted to congregate.
- Public building.** “Public building” see “building.”
- Public facility.** “Public facility” means any public school, government building or facility, park, airport, playground, fairground, swimming pool, reservoir, flood control basin, golf course, athletic field, street, traffic signal, street light, or similar facility or structure, or land approved for such, owned, leased, operated and/or controlled by a local, state, or federal governmental entity.
- Public hearing.** “Public hearing” means a meeting, announced and advertised in advance and open to the public, in which members of the public have an opportunity to participate.
- Public notice.** “Public notice” means the advertisement of a public hearing as required, either in a paper of general circulation, through the mail, and/or the posting of a sign on property, each designed to indicate the time, date, place, and nature of a public hearing.
- Public right-of-way.** “Public right-of-way” see “right-of-way.”
- Public use airport.** “Public use airport” see “airport definitions.”
- Public utility.** “Public utility” shall have the meaning ascribed under Section 704.020 of the Nevada Revised Statutes.
- Radio tower.** “Radio tower” see “communication tower.”

- Railroad terminal or yard.** “Railroad terminal or yard” see “passenger terminal” or “freight terminal.”
- Ramada.** “Ramada” means any freestanding roof or shade structure installed or erected above an occupied mobile home or any portion thereof.
- 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 or a land sales presentation unit broker office, notwithstanding the fact that a licensed real estate broker manages or is employed by the same.
- Real property** “Real property” means:
1. All houses, buildings, fences, ditches, structures, erections, railroads, toll roads and bridges, or other improvement built or erected upon any land, whether such land is private property or property of the state or of the United States, or of any municipal or other corporation, or of any county, city or town in this state;
 2. Any mobile home or factory-built housing which meets the requirements of NRS 361.244;
 3. The ownership of, or claim to, or possession of, or right of possession to any lands within this state;
 4. The claim by or the possession of any person to any land.
- Rear lot line.** “Rear lot line” see “lot.”
- Rear yard.** “Rear yard” see “yard.”
- Reconsideration.** “Reconsideration” means a formal request by a member of the board of county commissioners who voted on the prevailing side of a land use application action to bring the action back before the board of county commissioners to reexamine the action.
- Recording studio.** “Recording studio” means a facility used to electronically copy sound to any electronic device, including but not limited to record, tape, and/or compact disk, when acoustically designed to prevent the emanation of noise from the interior of the facility. The term does not include a broadcast facility.
- Recreational vehicle.** “Recreational vehicle” means any building, structure, or vehicle designed and/or used for living or sleeping and/or recreational 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, boats, travel trailers and camping trailers not meeting the specifications required for a manufactured home or mobile home.
- 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.

Recreational vehicle site or recreational vehicle 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.
Recyclable material.	“Recyclable material” means those materials in or out of the solid waste stream that still have useful physical, chemical or biological properties after serving their original purpose and that can therefore be reused for the same or other purposes, including bottles, cans, paper, plastics, rags and similar materials, but not petroleum products, hazardous materials, the containers for such materials, appliances, scrap metal, cars, refuse, garbage for use as food for animals, and/or restaurant grease.
Recyclable collection.	“Recyclable collection” means a site where recyclable materials may be taken by persons and deposited into designated containers, but where no processing activities are conducted except for the manual crushing of cans.
Recycling center.	“Recycling center” means a building in which recyclable material only is collected, processed, and/or baled in preparation for shipment to others who will use those materials to manufacture new products.
Refuse.	“Refuse” means discarded or abandoned materials that have no useful physical, chemical, or biological properties after serving their original purpose and which cannot, therefore, be reused or recycled for the same or other purpose.
Remuneration	“Remuneration” means compensation, money, rent, or other bargained for consideration given in return for occupancy, possession or use of real property.
Residential boarding stable.	“Residential boarding stable” see “horse stables.”
Residential development.	“Residential development” means one or more existing habitable dwellings, including the lot upon which the dwelling is located.
Residential use.	“Residential use” means an existing habitable 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 nonresidential use on the property as a principal use.
Resolution of intent.	“Resolution of intent” means the approval by the board of county commissioners of any reclassification which is conditional upon completion of the project, together with compliance with the action taken.
Resort hotel.	“Resort hotel” see “hotel, resort.”
Rest home.	“Rest home” means any building used or maintained to provide continuous 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.
Restaurant.	“Restaurant” means an establishment that sells prepared food and beverages from a permanent building, whether for on or off-premises consumption.
Retail sales.	“Retail sales” see “sales, retail.”

Retaining wall.	“Retaining wall” see “walls, perimeter.”
Revolving sign.	“Revolving sign” see “sign.”
Riding academies.	“Riding academies” see “horse stables.”
Riding stables.	“Riding stables” see “horse stables.”
Right-of-way.	“Right-of-way” means a strip of land acquired by reservation, dedication, prescription or condemnation and intended to be occupied by a street, trail, water line, sanitary sewer and/or other public utilities or facilities.
Road.	“Road” see “street.”
Roof.	“Roof” means the materials and structural support for those materials which cover the top of building.
Roof sign.	“Roof sign” see “sign.”
Runway.	“Runway” see “airport definitions.”
Runway protection zone.	“Runway protection zone” see “airport definitions.”
Rural resort hotel.	“Rural resort hotel” see “hotel, rural resort.”
Sales, retail.	“Retail sales” means the sale of general merchandise to the general public for direct use or consumption, but not including the sale to another business for resale purposes. The retail sale of any product may be conducted in any district where retail sales are permitted unless the sale of the product or type of store is listed under a less restrictive district, or unless listed as permitted subject to a conditional use permit in said district, in a less restrictive district, or in any district.
Sales, secondhand.	<p>“Secondhand sales” means the sale of goods previously owned and/or used by other than a licensed pawnbroker, but does not include:</p> <ol style="list-style-type: none"> 1. The buying or selling by a licensed business of articles which were acquired as a trade-in or a credit upon the purchase of a new article of the same general kind through an arms length transaction; 2. The buying, selling, or trading of coins, gold, or silver which are not a part of any jewelry; or 3. The selling of used articles in garage sales or other similar sales on the property of the owner of the articles which do not occur more often than six days or portion thereof each calendar half year.
Sales, wholesale.	“Wholesale sales” means the sale of products to anyone other than the end user of the products, for resale.
Salvage yard.	“Salvage yard” means a facility or area for storing, keeping, selling, dismantling, shredding, compressing, or salvaging scrap or discarded material or equipment which is not considered as another use under this title. Scrap or discarded material includes, but is not limited to, metal, paper, rags, tires, bottles, motor vehicle parts, machinery, structural steel, equipment and appliances. The term includes facilities for separating

trash and debris from recoverable resources, such as paper products, glass, metal cans, and other products which can be returned to a condition in which they may again be used for production.

Sanitarium. “Sanitarium” means a building or institution for the recuperation and treatment of persons with physical or mental disorders.

Sanitary landfill. “Sanitary landfill” means a disposal site employing an engineering method of disposing of solid wastes in a manner that minimizes environmental hazards by spreading, compacting to the smallest volume, and applying cover material over all exposed waste at the end of each operating day and which may, as an incidental use, operate a salvage yard.

School. “School” means any institution of learning which offers instruction in the several branches of learning to more than five students at the same time, either as a public, vocational, or avocational institution.

Scrap processing yard. “Scrap processing yard” see “salvage yard.”

Screen fence. “Screen fence” see “fence.”

Secondhand sales. “Secondhand sales” see “sales, secondhand.”

Security fence. “Security fence” see “fence.”

Senior housing. “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.

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.

Separation. “Separation” see “building.”

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.

- Service station.** “Service station” means any commercial building or structure, premises or other place used to supply motor fuels (including alternative fuels such as natural gas or hydrogen), lubricants, tires, batteries and other small accessories to motor vehicles; and where repair work is not done. Automobile maintenance is permitted in conjunction with a service station.
- Setback.** “Setback” see “building.”
- Sex novelty shop.** “Sex novelty shop” see “adult use.”
- 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.
- Side lot line.** “Side lot line” see “lot.”
- Side street.** “Side street” see “street.”
- Side yard.** “Side yard” see “yard.”
- Sight zone.** “Sight zone” means the area adjacent to intersections of streets and driveways required to be open and unobstructed so as to ensure pedestrians and motorists have an unimpeded view of oncoming traffic.
- Sign.** “Sign” means any writing, printing, painting, display, emblem, drawing or other attention-gaining 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, or attract attention to a place, or lettering for the purpose of making anything known, including all temporary banners, portable or mobile signs, and all attention-gaining devices related to commercial activity including the following:
1. “Abandoned sign” means a sign remaining in place or not maintained for a period of ninety days or more which no longer advertises or identifies an ongoing business, product, service, idea, or commercial activity.
 2. “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 (see “decorative lighting”).
 3. “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 the attention of passersby.
 4. “Awning sign” means any sign painted, stamped, perforated, stitched or otherwise applied on the valance of an awning. An awning sign shall conform to the requirements for freestanding on-premises sign displays except that it may be attached to a building or structure.

5. "Electronic message unit" means a sign or portion thereof which can be electronically changed or rearranged without altering the face or the surface of the sign. Electronic message units are animated signs and shall require a minimum display time of two and one half seconds for each message. A continuous traveling message and/or the flashing of messages is prohibited.
6. "Freestanding sign" means any sign which is supported by one or more columns, uprights or braces in or upon the ground and unattached to any other building or structure.
7. "Marquee sign" means a sign attached to the face of a marquee which does not project below the marquee and which does not have more than fifty percent of the sign projecting above the top of the marquee, where the sign shall not under any conditions exceed the height of the wall to which the marquee is attached, and where there is no visible external bracing to the wall or top of the marquee.
8. "Miscellaneous sign" means instructional and directional signs incidental to established uses, including nameplates, trespassing, dumping prohibition, entrance and exit signs.
9. "Mobile sign" means a portable sign which is placed upon, affixed to or hung from a portable, natural or contrived appliance, structure, trailer, flatbed, vehicle or thing, susceptible or capable of being used for advertising.
10. "Monument sign" means a freestanding sign where the width of the base of the sign is not less than the width at the top of the sign and which is not more than seventy square feet in area nor higher than seven feet.
11. "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.
12. "Off-premises sign" 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.
13. "On-premises sign" 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.
14. "Revolving sign" means a sign which revolves three hundred sixty degrees but does not exceed eight revolutions per minute.
15. "Roof sign" means a sign erected upon or above a roof, or which projects beyond the end of the top of a wall to which a wall sign is attached. Roof signs are not permitted.
16. "Sign area" means the entire area within a continuous perimeter, enclosing the extreme limits of sign display, including any frame or border.
17. "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 are limited to the following four types of messages described in this section and all other are expressly prohibited:

- A. 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;
- B. 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;
- C. 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, including the signs required to be posted for any future resort hotel as required by NRS 463;
- D. 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 and includes but is not limited to the following types of signs:
 - i. "Balloon sign" means any sign of lightweight fabric or similar material that is filled with hot air for buoyancy.
 - ii. "Banner" means any sign of lightweight fabric or similar material that is mounted to a pole or a building at one or more edges. National flags, state, or municipal flags, or the official flag of any institution or business shall not be considered banners.
 - iii. "Pennant" means any lightweight plastic, fabric or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in a series, designed to move in the wind.

18. "Wall sign" means a sign which is painted onto or in any other 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 two feet from the building or structure wall and which does not project beyond the end, bottom, or top of the wall to which the wall sign is attached.

Similar use.

"Similar use" means a use that has the same characteristics as the specifically cited uses in terms of the following; trip generation and type of traffic, parking and circulation, utility demands, environmental impacts, physical space needs, and clientele.

Single-family dwelling.

"Single-family dwelling" see "dwelling, one family."

Site plan.	“Site plan” means a scaled plan showing a development on a lot or lots and the relationship of buildings to streets, property lines, parking, driveways, loading spaces, landscaping, trash enclosures and/or other features of the development as determined by the zoning administrator.
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 for the personal consumption of a property owner as permitted by this title.
Special attraction /promotion sign.	“Special attraction/promotion sign” see “sign.”
Specified anatomical areas.	“Specified anatomical areas” see “adult use.”
Specified sexual activities.	“Specified sexual activities” see “adult use.”
Sporting goods sales.	“Sporting goods sales” means the sale or rental of clothing or equipment designed for outdoor activities and recreational purposes, but not to include firearms.
Sporting goods sales, with firearms.	“Sporting goods sales, with firearms” means the sale or rental of clothing or equipment designed for outdoor activities and recreational purposes, including firearms.
Spot zoning.	“Spot zoning” means the reclassification of an isolated parcel of land which is detrimental or incompatible with the uses of the surrounding area, particularly when such an act favors a particular owner.
Stable, private.	“Stable, private” see “horse stables.”
Stacking lane.	“Stacking lane” means an area for temporary queuing of motor vehicles.
Standard conditions.	“Standard conditions” means the conditions which have been approved by the planning commission or board of county commissioner in conjunction with the land use application process and which are designed to be imposed as a matter of course, where applicable, on the approval of land use applications.
Story.	“Story” means a space within a building included between the surface of any floor and the surface of the ceiling above.
Street.	<p>“Street” means a public or private thoroughfare used or intended to be used for passage or travel by automobiles, trucks, bicycles and/or pedestrians, whether designated a street, road, avenue or otherwise, and including all the improvements within the right-of-way or easement; or a thoroughfare which has been made public by right of use and which affords the principal means of access to abutting property.</p> <ol style="list-style-type: none"> 1. “Arterial street” means a street having a width of one hundred feet or more, and in addition used primarily on section lines and as intercity or interarea means of access. 2. “Collector street” means a street, having a width of not less than eighty feet, of secondary importance, and in addition used primarily on quarter section lines.

3. "Local street" means a street, having a width of not less than forty-eight feet of minor importance and intended wholly or principally for local traffic from abutting property and for use within low or medium density residential use districts.
4. "Private street" means a street designated for use by specified property owners and not dedicated for public use, nor intended for access by the general public.
5. "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.

Street name change. "Street name change" means an application filed with the department of comprehensive planning, current planning division, to change the legally established name of an existing street alignment.

Street naming. "Street naming" means an application filed with the department of comprehensive planning, current planning division, to establish a street name on a previously unnamed street alignment.

Structure. "Structure" means, except when the definition of structure listed under "airport definitions" applies, any building, fence, tower, edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner which requires location on the ground or is attached to something having a location on the ground which extends more than eighteen inches above grade, but not air conditioning units, propane tanks or utility equipment incidental to a permitted use, providing such equipment is screened when required.

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.

Subdivision. "Subdivision" means:

1. The division of any land or portion thereof, shown on the last preceding tax roll as a unit or contiguous units, which is divided for the purpose of sale or lease, either immediately or in the future into lots and/or parcels of land as set forth by the laws of the state of Nevada, and provided that the lots created are not reduced below the minimum sizes required by this title or any other applicable regulations or ordinance. Subdivisions include final maps, amended maps and minor subdivisions; or

2. A political or organizational unit being a part of the whole.

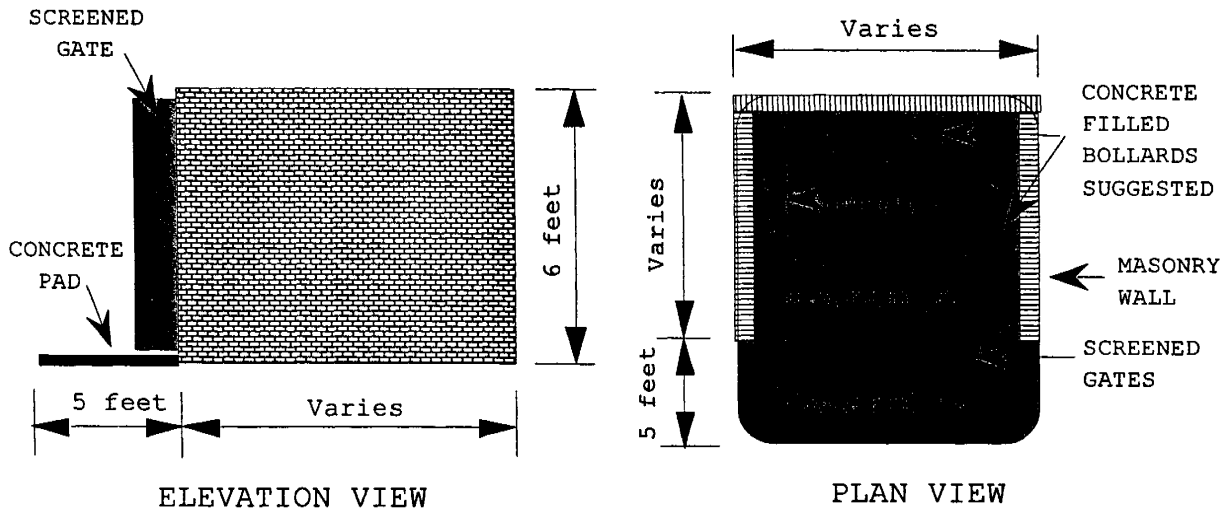
Substandard lot. "Substandard lot" see "lot."

Swap meet. "Swap meet," also known as a flea market, means a building or open area in which stalls or sales areas are set aside, rented or otherwise provided for use by individuals, tenants or businesses engaged in retail trade. The sale of merchandise may include secondhand items, specialty items, hand crafted items and home grown products.

Swimming pool. "Swimming pool" means a permanently or temporarily installed body of water in excess of eighteen inches in depth, including all equipment necessary for its operation and use, used for swimming or recreational bathing including spas and above ground pools.

Target range.	“Target range” means a private recreational facility designed for the sport of shooting at targets to test accuracy in rifle, pistol or archery practice.
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.
Television tower.	“Television tower” see “communication tower.”
Temporary commercial permit	“Temporary commercial permit” means an application filed with the department of comprehensive planning, current planning division, to conduct a temporary outdoor commercial or promotional activity as provided by the provisions of Section 29.20.070 (Temporary outdoor commercial and promotional activities) of this title.
Temporary construction storage.	“Temporary construction storage” means an off-site facility for the storage of construction materials for a specific development to be removed when the development is completed.
Temporary sign.	“Temporary sign” see “sign.”
Temporary use.	“Temporary use” means a use established for a specified period of time with the intent to discontinue the use at the end of the designated time period.
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.
Through lot.	“Through lot” see “lot.”
Theme park.	“Theme park” see “amusement park.”
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.
Time-share interval.	“Time-share interval” means a time-share estate or a time-share use.
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.
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.

Townhouse.	“Townhouse” means an arrangement of single-family dwellings separate 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.
Toxic substances.	“Toxic substances” see “hazardous materials or waste.”
Tract.	<p>“Tract” means:</p> <ol style="list-style-type: none"> 1. A subdivision; 2. A large unsubdivided parcel; 3. A survey system not based on the public land survey.
Traffic study.	“Traffic study” means a study that assesses the impacts of a proposed development on the existing and future multimodal transportation network. The study must recommend mitigation measures for the anticipated impacts and must analyze the adequacy of the development's planned access points.
Trailer court, park or lot.	“Trailer court, park or lot” see “mobile home park.”
Trailer.	“Trailer” means a cargo carrying container designed to be pulled by motor vehicles.
Trailer rental.	“Trailer rental” means the display and offering for rent of trailers designed to be towed by automobiles.
Trailer, travel/recreational.	“Travel/recreational trailer” 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
Transient.	“Transient” means a person who utilizes accommodations for a price or as a benefit of employment, with or without meals, for a period of less than thirty (30) consecutive calendar days.
Transient commercial use of residential development	“Transient commercial use of residential development” means the commercial use, by any person, of any residential development, for bed and breakfast, hostel, hotel, inn, lodging, motel, resort or other transient lodging uses where the term of occupancy, possession or tenancy of the property by the person entitled to such occupancy, possession or tenancy is for less than thirty (30) consecutive calendar days.
Transportation terminal.	“Transportation terminal” see “passenger terminal.”
Trash enclosure.	“Trash enclosure” means a refuse collection facility six feet high (plus or minus eight inches), constructed of masonry, cement or concrete block and with 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 as shown in the following illustration of a typical enclosure:



- Tree.** “Tree” see “airport definitions.”
- Truck repair.** “Truck repair” means the repair and maintenance of commercial vehicles over ten thousand pounds gross unloaded weight.
- Truck terminal.** “Truck terminal” see “freight terminal.”
- Two-family dwelling.** “Two-family dwelling” see “dwelling.”
- Turf.** “Turf” means any grassy area maintained by frequent mowing, fertilization and watering, commonly used for lawns and playing fields.
- Underground construction.** “Underground construction” means any construction entirely below grade which if constructed above grade would be classified as a building or structure.
- 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, including the following:
1. “Accessory use” means a use customarily incidental 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.
 2. “Permitted use” means any use allowed in a zoning district providing that:
 - A. 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.
 - B. 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 29.08.
 - C. 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 zoning administrator as provided in Part B, Chapter 29.04.

3. "Principal use" means the primary use of land or structures, as distinguished from a secondary or accessory use.
4. "Prohibited use" means a use that is not permitted by any means in a particular zoning district. Such uses 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.
5. "Uses permitted subject to a conditional use permit" means a use considered to be a special exception within a district where such a use cannot be permitted as a right, and further provided such use is in the best interest of the general public and would not be incompatible with or detrimental to the surrounding area as determined in accordance with the standard listed under Section 29.05.050 of this title.

Usable common open space. "Usable common open space" see "open space."

Usable open space. "Usable open space" see "open space."

Usable private open space. "Usable private open space" see "open space."

Utility equipment. "Utility equipment" means a structure placed by a public utility, public entity, or person within a required yard for the purpose of providing utility service to the immediate neighborhood or the specific site upon which the equipment is located. The term shall include, but is not limited to, street lights, parking lot lights, mailboxes, roadway improvements and related structures.

Vacation and abandonment. "Vacation and abandonment" means the relinquishment of any interest on the part of the county for any dedicated public road or public easement as provided in Part E of Chapter 29.06 of this title.

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.

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.

Variance. "Variance" means an application requesting a dispensation on individual parcels of property as a method of alleviating unnecessary hardship by allowing a reasonable use of the building, structure or property, which, because of unusual or unique circumstances, is denied by the terms of this title.

Vehicle, junked. "Junked vehicle" means any motor vehicle whose condition is wrecked, dismantled, partially dismantled, inoperative, abandoned or discarded. A motor vehicle is presumed to be abandoned or discarded if it has remained in one place for a period of at least several days and it does not have lawfully affixed thereto an unexpired license plate and is not subject to a current registration. The storage of junked vehicles is permitted only in conjunction with an automobile dismantling yard.

- Veterinary service.** “Veterinary service” means an establishment, not including outside pens, where animals and pets are admitted for examination, medical treatment, overnight care, and/or observation.
- Waiver of condition.** “Waiver of condition” means an application filed with the department of comprehensive planning, current planning division, to modify a condition imposed by the board of county commissioners on an approved land use application. The waiver of a condition imposed by the planning commission and not appealed to the board of county commissioners within the time permitted under the various chapters of this title can only be accomplished by submitting a new land use application for the planning commission's consideration.
- Waiver of Title 28.** “Waiver of Title 28” means an application filed with the department of comprehensive planning, current planning division, to modify the restrictions imposed by the requirements of Title 28 of the Clark County Code as required by the conditional approval of a land use application in accordance with the provisions of Chapter 28.40 of said Title 28.
- Wall height.** “Wall height” see “fence height.”
- Walls, perimeter.** “Perimeter wall” means an opaque structure constructed with masonry, brick, concrete, stucco, or other similar material and constructed within a required setback for the purpose of providing security and/or buffering for the property owner. Walls not constructed within required setbacks shall be considered accessory structures and shall meet the restrictions for such structures within the respective districts. The following describes types of perimeter walls:
1. “Block wall” means a perimeter wall enclosing property which need not be a decorative wall, and may also be in the form of rock features, waterfalls and other decorative forms providing the height of the wall complies with relevant restrictions;
 2. “Decorative wall” or “decorative masonry fence or wall” means a wall having an appearance enhanced by either texture or design finished with stucco, pilasters, tile, 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 cinder block or concrete walls with a flat finish. Further, a 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 shall have a harmonious relationship with existing adjoining walls;
 3. “Noise attenuating wall” means a wall constructed between adjacent uses designed to mitigate the impact of noise generated by one use on an adjacent use. When constructed in accordance with the Nevada Department of Transportation's standards along freeways, the height of the wall shall be unrestricted;
 4. “Retaining wall” means a wall when the grade on one side of the wall is greater than the grade on the opposite side when engineered so that the wall is designed to support the weight of the soil on the high side of the wall. Paving or a similar treatment of a slope to prevent erosion is not a retaining wall;

5. "Zone boundary wall" means a wall at the property line providing a buffer between an adjacent zoning district containing a use incompatible with the use on the property required to provide the wall.

- Wall sign.** "Wall sign" see "sign."
- Warehouse.** "Warehouse" means an enclosed structure for the storage of goods for distribution or transfer to another location.
- Wedding chapel.** "Wedding chapel" means a facility which is made available to be rented principally for wedding ceremonies. Such facilities are permitted only as an incidental use to a permitted hotel, resort hotel, inn or motel in the H-I district, subject to the restrictions listed in the district, and may include a chapel, dressing rooms, offices, reception facilities, and gardens.
- Wetland.** "Wetland" means an area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support vegetation adapted for life in saturated soil conditions.
- Wholesale sales.** "Wholesale sales" see "sales, wholesale."
- Window sign.** "Window sign" see "sign, wall."
- Xeriscape.** "Xeriscape" means the use of sound horticultural and creative landscaping practices to achieve water conservation, including proper planning and design, soil improvements; and the use of limited turf areas, mulches, low water demand plants, efficient irrigation, and appropriate maintenance.
- Yard.** "Yard" means an open space on a lot, other than a court, unoccupied and unobstructed from the ground upward, extending across 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, architectural intrusions, and additional side yard setbacks as provided in Table 29.18-1.
1. "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, or the front of a covered porch, or other similar projections, whichever is nearest the front lot line.
 2. "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.
 3. "Side yard" means an open space between the main building and the side lot line and extending from the rear of the front yard to the front of the rear yard.

Yard sale. "Yard sale" see "garage sale."

Zero lot line lot. "Zero lot line lot" see "lot."

Zone boundary

- amendment.** "Zone boundary amendment," also referred to as a "zone change," means an application filed with the department of comprehensive planning, current planning division, to amend the official zoning map of Clark County by reclassifying property from one district to another.
- Zone boundary wall.** "Zone boundary wall" see "wall, perimeter."
- Zoning administrator.** "Zoning administrator" refers to the director of the department of comprehensive planning or his/her designee.
- Zoning district.** "Zoning district" see "district."

(Ord. 2202 § 1, 1998, Ord. 2171 § 2, 1998, Ord. 2170 § 1, 1998, Ord. 2156 § 1, 1998, Ord. 2119 § 4, 1998, Ord. 2068 § 2 (part), 1998)

Administration

Chapter 29.03 - ADMINISTRATION

Sections:

- 29.03.010 Summary of authority.
- 29.03.020 Zoning administrator.
- 29.03.030 Building official.
- 29.03.040 Code enforcement manager.
- 29.03.050 County planning commission.
- 29.03.060 Board of county commissioners.

29.03.010 Summary of Authority.

The county officials and bodies listed below, without limitation upon such authority as each may possess by law, have responsibility for implementing and administering this title in the manner described in Sections 29.03.020 through 29.03.060:

1. Zoning administrator;
2. Building official;
3. Code enforcement manager;
4. County planning commission; and
5. Board of county commissioners. (Ord. 2068 § 2 (part), 1998)

29.03.020 Zoning Administrator.

The responsibilities of the zoning administrator or his or her designee are to:

1. Administer this zoning ordinance, including the maintenance of all records and rendering interpretations of the provisions of this title;
2. Grant or deny administrative deviations for dwelling unit and lot area, lot dimensions, yards, and screening, buffering, and landscaping;
3. Grant or deny temporary outdoor commercial and promotional activities;
4. Grant or deny certain home occupation applications;
5. Hear, review, and decide temporary sign violations and adult use applications;
6. Interpret adopted land use guides to determine whether amendment petitions are conforming or nonconforming to the county master plan; and
7. Enforce the Clark County zoning ordinance, Title 29. (Ord. 2068 § 2 (part), 1998)

29.03.030 Building Official.

The responsibilities of the building official or his or her designee are to:

1. Issue building permits;

2. Issue certificates of use or occupancy; and
3. Enforce the Clark County zoning ordinance, Title 29. (Ord. 2202 § 3, 1998, Ord. 2068 § 2 (part), 1998)

29.03.040 Code Enforcement Manager.

The responsibility of the code enforcement manager or his or her designee is to enforce the Clark County zoning ordinance, Title 29. (Ord. 2068 § 2 (part), 1998)

29.03.050 County Planning Commission.

The responsibilities of the planning commission are to:

1. Prepare and recommend adoption of the county master plan and the county land use guides, and any amendments thereto;
2. Hear and make recommendations to the board of county commissioners regarding street vacations and abandonments, street name changes and numbering systems, and zone boundary amendments which are not in compliance with the master plan;
3. Grant or deny variances from the strict application of the provisions of this title;
4. Grant or deny conditional use permits;
5. Grant or deny deviations from the standards for driveway aisle widths through design review applications; and
6. Hear, review and decide design review applications and site plans in accordance with this title. (Ord. 2068 § 2 (part), 1998)

29.03.060 Board of County Commissioners.

The board of county commissioners:

1. Initiate and adopt a county master plan or any amendments thereto;
2. Approve or deny street vacations and abandonments, and street name changes and numbering systems;
3. Approve or deny text amendments and zone change amendments;
4. Approve or deny development plans in conjunction with the establishment of the P-C overlay district and deny certain minor and major variations from approved development plans;
5. Hear, review and decide certain design review applications;
6. Hear appeals from the county planning commission regarding design review applications, conditional use permits, variance applications and street name applications; and
7. Take such other actions not delegated to other bodies that may be desirable and necessary to implement the provisions of this title. (Ord. 2068 § 2 (part), 1998)

Amendment Procedures

Chapter 29.04 - AMENDMENT PROCEDURES

Sections:

- 29.04.010 Authority.
- 29.04.015 Master plan for land use.
- 29.04.020 Parties entitled to initiate amendments.
- 29.04.030 Petitions.
- 29.04.040 Fees.
- 29.04.050 Procedure.
- 29.04.060 Additional property included.
- 29.04.070 Standards for amendments.
- 29.04.080 Resolution of intent to reclassify.
- 29.04.090 Re-petition.
- 29.04.100 Expiration of a petition not acted on.
- 29.04.110 Effect of issuance.
- 29.04.120 Submittal requirements for amendment petitions.

29.04.010 Authority.

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. 2068 § 2 (part), 1998)

29.04.015 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 petitions, 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 petition submission purposes.

- 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:
 - 1. East Las Vegas (Whitney) - The plans and policy statements on pages 43 through 53 of the East Las Vegas (Whitney) land use and development guide adopted by the board of county commissioners on April 16, 1991;
 - 2. Enterprise - 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 and pages 17 through 23 and map number 4 of the Southern Highlands land use plan update adopted by the board of county commissioners on March 4, 1998;
 - 3. Laughlin - 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;
 - 4. Lone Mountain - The plans and policy statements on pages 1 through 5 of the Lone Mountain land use plan update adopted by the board of county commissioners on July 15, 1997;
 - 5. Northeast Clark County - 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;

6. Northwest Clark County - The plans and policy statements on pages 59 through 77 of the Northwest Clark County land use and development guide adopted by the board of county commissioners on October 15, 1996 as amended on June 17, 1997 and July 22, 1998;
7. South County - The plans and policy statement on pages 42 through 57 of the South County land use and development guide adopted on December 6, 1994;
8. Summerlin - The plans and policy statements on pages 9 through 11 of the Summerlin's southern comprehensive planned community land use and development guide adopted June 21, 1995;
9. Spring Valley - The plans and policy statements on pages 12 through 26 of the Spring Valley land use plan adopted by the board of county commissioners on August 19, 1997, as amended on December 16, 1997;
10. Sunrise Manor - The plans and policy statements on pages 59 through 65 of the Sunrise Manor land use and development guide adopted by the board of county commissioners on May 21, 1991;
11. Winchester/Paradise - The plans and policy statements on pages 49 through 83 of the Winchester and land use and development guide as amended and adopted by the board of county commissioners on February 6, 1996 and as amended on March 17, 1998; and
12. Community districts - 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;(Ord. 2186 § 1, 1998, Ord. 2102 § 1, 1998, Ord. 2068 § 2 (part), 1998)

29.04.020 Parties Entitled to Initiate Amendments.

a. Zoning Text Amendments.

Petitions to amend or supplement 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. Zone Change Amendments.

Petitions to amend the zoning district boundaries or zoning district reclassifications may be initiated by:

1. The planning commission;
2. The board of county commissioners, including petitions to correct zoning map errors detrimentally relied upon by an owner, or his agent, of property located in an area affected by Part C of Chapter 29.19 of this title;

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 petition and does not object to the same. (Ord. 2068 § 2 (part), 1998)

29.04.030 Petitions.

A petition to amend a zoning district boundary or change a zoning district classification shall be filed with the current planning division upon forms so provided. The petition shall be duly signed and acknowledged by the party authorized to initiate the petition. All parcels of land included within a single petition must be contiguous. All petitions shall be accompanied by the data and information required by Section 29.04.120 of this chapter. (Ord. 2068 § 2 (part), 1998)

29.04.040 Fees.

Petitions to amend a zoning district boundary or change a zoning district classification shall be accompanied by a fee made payable to the county, as required by Chapter 29.07 (Application and Administrative Fees), to partially defray the cost of making maps, sending out notices, and other administrative expenses involved the petition. (Ord. 2068 § 2 (part), 1998)

29.04.050 Procedure.

a. Zoning Text Amendments.

Public Hearing Before the Board of County Commissioners.

Petitions to amend or supplement the zoning regulations, the classification of uses and the property development standards initiated under Section 29.04.020 above shall be considered at a public hearing following notice pursuant to state law. (NRS 244.117—119).

b. Zone Change Amendments.

Upon the filing of a complete and verified petition for an amendment to a zoning district boundary or a zoning district reclassification, the petition shall be scheduled for a public hearing in accordance with the following procedures.

1. Conforming Amendments.

A. Public Hearing before the Board of County Commissioners.

A petition requesting a zoning classification or district within the range of land uses and residential densities indicated for the subject parcel on the master plan for land use, shall be heard by the board of county commissioners during at least one public hearing at which parties of interest shall have an opportunity to be heard

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 of Section 29.18.080 of Chapter 29.18 (Special Districts), unless the petition involves property that is otherwise exempt from these requirements. 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 conformance with NRS 463, and a majority vote of a least three quarters of the members is required to approve a petition described herein.

B. Notice.

i. Persons Entitled to Notice.

Unless the application is to expand the gaming enterprise district, 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 all properties within five hundred feet of the exterior boundary of the lot or parcel of land described in the petition, or the owners of the nearest thirty parcels, 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 area specified above; and
- c. Any advisory board which has been established for the affected area by the board of county commissioners.

ii. Persons Entitled to Notice Where Request is to Expand the Gaming Enterprise District.

- 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 petition; and
- c. Any advisory board which has been established for the affected area by the board of county commissioners.

iii. Posting of Notice.

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 sign shall remain on the property until final action is complete.

C. Decision by the Board of 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 petition 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 or supplement to a zoning district boundary or a zoning district reclassification then, and in such event, the board of county commissioners may indicate its approval by the adoption of an ordinance amending the official zoning map or by the adoption of a resolution of intent to reclassify the property.

D. Finality of the Board's Decision.

- i. The decision of the board of county commissioners on the petition shall become final and effective five judicial days after its pronouncement. No permits shall be issued concerning the property in question until the decision becomes final.
- ii. If the application is to expand the gaming enterprise district outside of 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, then a decision either approving or denying the petition shall become final ten judicial days after its pronouncement, providing that the petition is not requested to be reconsidered, or that no evidence is provided to the current planning division that the petition has been appealed to the review panel of the gaming policy committee.

E. Reconsideration.

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 its zoning capacity within thirty days of the close of the five-judicial-day period unless extended for good cause.

F. Rehearing.

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. A re-notification fee, as required by Chapter 29.07 (Application and Administrative Fees), shall be paid not less than fifteen days before the date for which the public hearing is scheduled. The re-notification fee must be paid prior to the county's issuance of any notice. No permits for the property in question shall be issued until five judicial days after the board of county commissioners reaches a final decision.

2. Nonconforming Amendments.

A. Public Hearing before the Planning Commission.

A petition requesting 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, shall be first heard by the planning commission during at least one public hearing at which parties of interest and citizens shall have an opportunity to be heard.

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 of Section 29.18.080

of Chapter 29.18 (Special Districts), unless the petition involves property that is otherwise exempt from these requirements. The petitioner shall also have the burden of proof as established in subsection (b)(2)(B) of this section. A court reporter certified in accordance with Chapter 656 of the Nevada Revised Statutes shall report the meeting. The planning commission shall consider whether the proposed establishment is conformance with NRS 463, and a majority vote of a least three quarters of the members is required to approve a petition described herein.

B. Burden of Proof.

The petitioner 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.

C. Notice.

i. Persons Entitled to Notice.

Unless the application is to expand the gaming enterprise district, 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 all properties within five hundred feet of the exterior boundary of the lot or parcel of land described in the petition, or the owners of the nearest thirty parcels, 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 area specified above; and
- c. Any advisory board which has been established for the affected area by the board of county of commissioners.

ii. Persons Entitled to Notice Where Request is to Expand the Gaming Enterprise District.

- 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 petition; and
- c. Any advisory board which has been established for the affected area by the board of county commissioners.

iii. Posting of Notice.

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 sign shall remain on the property until final action is complete.

D. Action of the Planning Commission.

The planning commission, within forty days of the conclusion of the hearing, shall forward its recommendation to the board of county commissioners. 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.

E. Public Hearing before Board of County Commissioners.

The board of county commissioners shall hold at least one public hearing on the 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.

F. Decision by the Board.

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 petition 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 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.

G. Finality of the Board's Decision.

- i. The decision of the board of county commissioners on the petition shall become final and effective five judicial days after its pronouncement. No permits shall be issued concerning the property in question until the decision becomes final.
- ii. If the application is to expand the gaming enterprise district outside of 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, then a decision either approving or denying the petition shall become final ten judicial days after its pronouncement, providing that the petition is not requested to be reconsidered, or that no evidence is provided to the current planning division that the petition has been appealed to the review panel of the gaming policy committee.

H. Reconsideration.

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 its zoning capacity within thirty days of the close of the five-judicial-day period unless extended for good cause.

I. Rehearing.

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. A re-notification fee, as required by Chapter 29.07 (Application and Administrative Fees), shall be paid not less than fifteen days before the date for which the public hearing is scheduled. The re-notification fee must be paid prior to the county's issuance of any notice. No permits for the property in question shall be issued until five judicial days after the board of county commissioners reaches a final decision. (Ord. 2202 § 4, 1998, Ord. 2068 § 2 (part), 1998)

29.04.060 Additional Property Included.

When the board of county commissioners deems it necessary or expedient, the board may consider other property for change or amendment in addition to the property described in a petition 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. 2068 § 2 (part), 1998)

29.04.070 Standards for Amendments.

Petitions to amend the zoning regulations of this title may 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;
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 petition 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 country. (Ord. 2068 § 2 (part), 1998)

29.04.080 Resolution of Intent to Reclassify.

a. Scope.

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 petitioner or his successor in interest, shall make the resolution a binding commitment on the part of the board of county commissioners. The board of county commissioners may, through a conditional use permit, variance permit, design review, or other procedure, modify plans and conditions required under a resolution of intent. A resolution of intent is entered into for the benefit of the public and not for the benefit of any private individual or entity.

b. Substantial Completion.

Upon substantial completion of all conditions contained in the resolution by the petitioner, 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:

1. Recordation of a subdivision map creating lots which do not conform to the regulations of the underlying zoning district, but if the recorded subdivision map does not include all the property contained within the approved petition, the board of county commissioners may adopt an ordinance to amend the official zoning map to include only the property included within the recorded subdivision with the remainder of the property to remain under resolution; or
2. 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 petition 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.
3. 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.

c. Continued Duty to Comply.

The adoption of an ordinance finalizing the zoning based upon substantial completion shall not relieve the petitioner 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 petitioner 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.

d. Interim Compliance.

1. To amend the time limit of the resolution of intent, a subdivider shall demonstrate that there is an approved tentative subdivision which indicates an intent to satisfy the terms, stipulations and limitations 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.
2. Demonstration of interim compliance shall be requested by the submittal of a certification of interim compliance petition. Submittal of the petition shall be made to the current planning division, on forms so provided, along with a nonrefundable compliance review fee as required by Chapter 29.07 (Application and Administrative Fees). The certification of interim compliance petition shall list 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.

e. Extensions of Time.

Extensions of time for any resolution of intent to reclassify may be granted by the board of county commissioners if the board, after considering any extenuating circumstances which justify the granting of additional time, deems an extension appropriate. An extension of time must be requested by the property owner of record prior to the expiration date of the original approval, and filed with the current planning division on forms so provided. A fee made payable to the county, as required by Chapter 29.07 (Application and Administrative Fees), shall accompany the petition to cover the cost of administrative expenses. The board of county commissioners may grant an extension of time for the same time, a new time limit, or may remove the time limit, making the resolution of intent contingent upon the conditions stated therein. (Ord. 2068 § 2 (part), 1998)

29.04.090 Re-petition.

Except for government entities, no person, including the original petitioner, shall re-petition for the same reclassification or a reclassification to a less restrictive zoning district within the same category of districts for the same property within the time periods listed below.

1. Conforming Amendments.

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 29.04.015 above:

- A. The first re-petition is not restricted and may be filed at any time after final denial of the initial request by the board of county commissioners. The petitioner shall indicate the changes made in the re-petition to address concerns raised during consideration of the original petition.

- B. The second re-petition 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 petition.
- C. The third and all subsequent re-petitions 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 petition.

2. Nonconforming Amendments.

- A. 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 29.04.015 above; re-petition 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 petition.
- B. A petition 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 repetitions unless for good cause shown the board of county commissioners or planning commission allows the withdrawal to be without prejudice.
- C. The time periods which bar re-petitions 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 petition is withdrawn. (Ord. 2068 § 2 (part), 1998)

29.04.100 Expiration of a Petition not Acted on.

When a petition for a zoning district boundary change is not acted upon by the board of county commissioners due to the failure of the petitioner to be represented at a scheduled public hearing on such petition, or the petitioner requests to consents to withhold action on the petition; and the petition remains in an inactive status for more than one hundred eighty days without a request by the petitioner for rehearing, then such petition shall expire and be treated as withdrawn. (Ord. 2068 § 2 (part), 1998)

29.04.110 Effect of Issuance.

The approval of a petition shall not authorize the establishment or extension of any use nor the development, construction, reconstruction, alteration, or moving of any building or structure, but shall merely authorize the preparation, filing, and processing of applications for any permit or approval that may be required by the Clark County Code. (Ord. 2068 § 2 (part), 1998)

29.04.120 Submittal Requirements for Amendment Petitions.

a. General Requirements.

All petitions to amend a zoning district boundary or change a zoning district classification 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 official assessor's plat map to scale indicating the subject parcels;
 4. One copy of the legal description of the proposed boundary of each zone classification requested; and
 5. If the application is to expand the gaming enterprise district outside the Las Vegas Boulevard gaming corridor or the Rural Clark County gaming zone as described in Chapter 463 of the Nevada Revised Statutes, and otherwise specifically exempted by the provisions of NRS 463, four copies of a map showing the location of residential developments, structures for religious services, and public or private schools within two thousand five hundred feet of the property upon which the establishment is to be located.

b. Additional Requirements for Nonconforming Amendments.

1. General.

If a zone change petition 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 petition must be accompanied by additional information regarding utilities and public services.

2. Exemption.

Petitions in the areas where the most recently adopted master plan for land use is the 1974 general plan map, described in Section 29.04.015, are exempt from this requirement.

3. Number and Scope.

Four 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:

A. Water Supply Report.

The petitioner 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 petitioner 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.

B. Wastewater Treatment Report.

The petitioner 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 petitioner 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.

C. Traffic Report.

The petitioner 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 petitioner 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.

D. Drainage Report.

The petitioner shall submit preliminary drainage information defining how the petitioner will drain and flood-protect the proposed land use and proposed mitigation measures considered by the petitioner 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.

E. Right-of-Way Report.

The petitioner shall submit preliminary information delineating public and private right-of-way dedication measures considered by the petitioner 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 the Clark County 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.

F. Geotechnical Report.

The petitioner shall submit preliminary information delineating proposed mitigation measures considered by the petitioner to be adequate to alleviate adverse subsurface soil and groundwater conditions that will impact the proposed land use.

G. Fire Protection Report.

The petitioner shall submit data indicating that there is an adequate supply of water for fire protection as required by Section 903.2 of the latest adopted Uniform Fire Code and that the existing water delivery facilities are sufficient to provide adequate fire protection for the proposed development. The petitioner 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 fire fighting services are not adequate to accommodate the proposed land use, the petitioner 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.

H. Police Service Report.

The petitioner 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 petitioner 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 petitioner and should also address the effect of any officially adopted plans and/or schedules for publicly provided improvements.

I. Educational Services Report.

The petitioner 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.

J. Additional Reports.

The planning commission 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. 2202 § 5, 1998, Ord. 2068 § 2 (part), 1998)

Conditional Use Permits, Variances and Other...

Chapter 29.05 - CONDITIONAL USE PERMITS, VARIANCES AND OTHER DEVELOPMENT REVIEW PROCEDURES

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PART A CONDITIONAL USE PERMITS

29.05.010 Purpose.

Conditional uses are those uses that, because of their potential adverse impact upon neighboring land and the county as a whole, require a greater degree of consideration to determine their appropriateness for a given location and the public need for such uses. In order to accomplish the general purpose of this title, these special uses shall not be permitted by right but, shall be considered on a case by case basis subject to the regulations of this part and the conditions imposed in a conditional use permit. (Ord. 2068 § 2 (part), 1998)

29.05.020 Authority.

The planning commission has the authority to grant conditional use permits for the types of uses, buildings or structures as specified in Section 29.12.020 of Chapter 29.12 (Specific Requirements Related to Uses) and in the zoning districts for which such permits are required by the provisions of this title or other title of the Clark County Code. (Ord. 2068 § 2 (part), 1998)

29.05.030 Parties Entitled to Seek Conditional Use Permits.

An application for a conditional use permit may be initiated by:

1. A property owner or the authorized agent of a property owner;
2. A person having a leasehold of at least five years, or other substantial interest in the property, in which case the application may be submitted only for the duration of the leasehold;
3. In the case of property owned by a governmental entity or public utility, 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. Government entities or public utilities. (Ord. 2068 § 2 (part), 1998)

29.05.040 Procedure.

a. Application.

Applications for a conditional use permit shall be filed with the current planning division on forms so provided. The application shall be duly signed and acknowledged by a party authorized to initiate the application. All parcels of land included within a single application must be contiguous. Every application shall be accompanied by the data and information required by Section 29.05.140 of this part.

b. Fees.

An application for a conditional use permit shall be accompanied by a fee, made payable to the county, as required by Chapter 29.07 (Application and Administration Fees) to partially defray the cost of making maps, sending out notices, and other administrative expenses involved in the permit procedure.

c. Hearings and Process.

Upon receipt of a properly completed application, the planning commission shall schedule a public hearing, unless the application is to expand the gaming enterprise district, then the application shall be scheduled for a public hearing by the board of county commissioners in accordance with the procedures set forth in subsection (c)(2) of this section.

1. Hearings before the Planning Commission.

A. Notice.

- i. 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 hearing to:

- ii. The owners of real property, as shown upon the latest assessment rolls of the county, within 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;
- iii. 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
- iv. Any advisory board which has been established for the affected area by the board of county commissioners.

B. Action.

At the conclusion of the public hearing, the planning commission shall take such action as it deems warranted. The decision of the planning commission in granting or denying the conditional use permit shall become final five judicial days after its pronouncement, unless appealed to the board of county commissioners.

C. Appeal.

An appeal of the planning commission's decision shall be filed in writing by an interested party and delivered to the current planning division within five judicial days of the planning commission's action. A planning commissioner who voted on the application is not an interested party for the purposes of an appeal. In the event of an appeal, copies of the plans together with the planning commission's findings shall be forwarded to the board of county commissioners. The board shall consider the matter within forty days of the filing of the appeal, unless extended for good cause, and may restrict debate to issues raised in the appeal. Once an appeal has been filed and accepted, it may not be withdrawn and the application must be considered by the board of county commissioners. No building permit in such instance shall be issued, unless the plans filed with the application, as required in this part, have first been acted upon by the planning commission and approved by the board of county commissioners.

2. Hearings Before the Board of County Commissions (Gaming Enterprise District).

A. Notice.

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 hearing to:

- i. The owners of real property, as shown upon the latest assessment rolls of the county, within two thousand five hundred feet of the exterior boundary of the property upon which the establishment is proposed;
- ii. Tenants of mobile home parks when the park is within a minimum distance of two thousand five hundred feet of the exterior boundary of the lot or parcel of land described in the application; and
- iii. Any advisory board which has been established for the affected area by the board of county commissioners;

- iv. In addition, at least ten days prior to the hearing, the 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.

B. Action.

At the conclusion of the public hearing for expanding the gaming enterprise district, the board of county commissioner shall take such action as it deems warranted, considering whether the proposed establishment is in conformance with NRS 463. A court reporter in accordance with Chapter 656 of the Nevada Revised Statutes shall report the meeting. A majority vote of three quarters of the board's members shall be required to approve this application. The decision of the board of county commissioners in granting or denying the conditional use permit to expand the gaming enterprise district, shall become final ten judicial days after its pronouncement, unless a notice of appeal is filed with the current planning division, or unless the action is to be reconsidered in accordance with subsection (f) of this section.

C. Appeal.

An appeal of the board of county commissioners' decision in granting or denying the conditional use permit to expand the gaming enterprise district, shall be filed in writing by an interested party and delivered to the current planning division within ten days of the board of county commissioners' action.

D. Records.

From the time a conditional use permit application is filed, 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 therein.

E. Finality of the Board's Decision.

The decision of the board of county commissioners on the application shall become final and effective five judicial days after its pronouncement, unless the petition is to expand the gaming enterprise district. If the application is to expand the gaming enterprise district outside of 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, then a decision either granting or denying the conditional use permit shall become final ten judicial days after its pronouncement, 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.

F. Reconsideration.

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 its zoning capacity within thirty days of the close of the five-judicial-day period, unless extended for good cause.

G. Rehearing.

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. A re-notification fee, as required by Chapter 29.07 (Application and Administrative Fees), shall be paid not less than fifteen days before the date for which the public hearing is scheduled. The re-notification fee must be paid prior to the county's issuance of any notice. No permits for the property in question shall be issued until five judicial days after the board of county commissioners reaches a final decision. (Ord. 2202 § 6, 1998, Ord. 2068 § 2 (part), 1998)

29.05.050 Standards for Conditional Use Permits.

- a. No conditional use permit shall be approved unless the applicant establishes that the proposed conditional use is appropriate for its proposed location by a showing that:
 1. The proposed use shall be in harmony with the general purpose, goals, objectives and standards of the comprehensive plan and of this title;
 2. 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; and
 3. The proposed use in the proposed area will be adequately served by and will not impose an undue burden on any public improvements, facilities or services.
- b. The denial of a conditional use permit shall constitute a finding by the planning commission or the board of county commissioners that the proposed use is inconsistent with the standards enumerated in this section. (Ord. 2068 § 2 (part), 1998)

29.05.060 Conditions on Conditional Use Permits.

The planning commission or the board of county commissioners in granting the conditional use permit may establish 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 these provisions and provide adequately for the maintenance of the character and integrity of the zoning district in which the use is located. The commission or the board may also require guarantees to ensure that the conditions designated in connection with the conditional use permit shall be complied with. (Ord. 2068 § 2 (part), 1998)

29.05.070 Plans, Conditions, Restrictions and Rules Made Part.

All approved plans, conditions, restrictions and rules shall be made a part of the conditional use permit. Acceptance of a conditional use permit shall constitute certification on the part of the applicant that the proposed use shall conform to all conditions, restrictions, rules and regulations made applicable to it by the conditional use permit. The violation of any approved plans, conditions, restrictions and rules made a part of the conditional use permit shall be sufficient to cause the conditional use permit to become invalid and shall also constitute a violation of this title. (Ord. 2068 § 2 (part), 1998)

29.05.080 Effect of Issuance.

The approval of a conditional use permit shall not authorize the establishment or extension of any use nor the development, construction, reconstruction, alteration, or moving of any building or structure, but shall merely authorize the preparation, filing, and processing of applications for any permit or approval that may be required by the Clark County Code. (Ord. 2068 § 2 (part), 1998)

29.05.090 Limitations on the Conditional Use Permit.

Each conditional use permit authorized under the provisions of this part which is not actually established or actual vertical construction commenced on the buildings or structures involved within the time limit established by the conditional use permit shall be deemed 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 part has been discontinued for a period of one year, it shall be unlawful to again use such land or building or premises for such discontinued use unless a subsequent conditional use is authorized and issued therefor. (Ord. 2068 § 2 (part), 1998)

29.05.100 Extensions of Time.

Extensions of time for any conditional use permit may be granted by the planning commission, if requested prior to the expiration of the original approval. Applications for extensions of time shall be filed with the current planning division on forms so provided, along with a fee, as required Chapter 29.07 (Application and Administration Fees), made payable to the county to cover the cost of administrative expenses. In granting an extension of time, the planning commission may establish conditions, requirements or safeguards pursuant to Section 29.05.060 above. The planning commission's 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 conditional use permits. (Ord. 2068 § 2 (part), 1998)

29.05.110 Expiration of Application not Acted Upon.

Where an application for a conditional use permit has not been acted upon due to the failure of the applicant to be represented at the scheduled public hearing, or the applicant requests or consents to withhold action on the application; and the application remains inactive for more than one hundred eighty days without a request by the applicant for a rehearing, then such application shall expire and shall be treated as withdrawn. (Ord. 2068 § 2 (part), 1998)

29.05.120 Re-application.

Except for government entities, no person, including the original applicant, shall reapply for a conditional use permit for the same land, building, or structure within six months of the previous application's final denial by the planning commission or the board of county commissioners. If a second application is denied, no person, including the original applicant, shall reapply again for a conditional use for the same land, building or structure within one year of the final denial of the second application. An application that is withdrawn fifteen days or less prior to consideration at its scheduled public hearing shall be considered to be the equivalent of a final denial for the purposes of the time periods herein unless, for good cause shown, the planning commission or the board of county commissioners allows the withdrawal to be without prejudice. The six-month or one-year time periods which bar re-applications 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. 2068 § 2 (part), 1998)

29.05.130 Concurrent Applications with Zone Change Petitions.

A conditional use permit application which is part of a zone change petition and filed concurrently shall be considered part of the zone change petition and treated as provided in Chapter 29.04 (Amendment Procedures). (Ord. 2068 § 2 (part), 1998)

29.05.140 Submission Requirements for Conditional Use Permits.

Applications for a conditional use permit shall be accompanied by the following data and information:

1. Plans drawn to a scale not smaller than one inch equals sixty feet or one-eighth inch equals one foot, and 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, and
 - 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 official assessor's plat map to scale indicating the subject parcels;
4. Two copies 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 exempt by the provisions of Section 29.18.080 of Chapter 29.18 (Special Districts), four copies of a map showing the location of residential developments, structures for religious services, and private and public schools within two thousand five hundred feet of the property upon which the establishment is to be located; and
6. Additional Requirements. In addition to the submittal requirements listed above, the following shall be submitted at least ten judicial days prior to the scheduled hearing before the board of county commissioners when the action of the planning commission on a use permit for a communication tower or antenna has been appealed:
 - A. A report and locator map drawn to a standard scale as required in subsection (1) of this section showing potential sites for the proposed facility, including but not limited to, potential collocation sites, potential locations on existing non-residential buildings, and justification for why alternative sites were not selected,
 - B. A written justification for the proposed location of the facility which details technical information related to the desirability of the proposed location over other locations within the same search ring and service area,

7. Such other and further information or documentation as the zoning administrator may deem necessary or appropriate for a full and proper consideration and deposition of the particular application. (Ord. 2068 § 2 (part), 1998)

PART B VARIANCES

29.05.150 Purpose.

The variance procedure is intended to provide a narrowly circumscribed means by which relief may be granted from unforeseen particular applications of this title, that create practical difficulties or particular hardships. (Ord. 2068 § 2 (part), 1998)

29.05.160 Authority.

Except for the use and noise attenuation regulations of Part C of Chapter 29.19 (A-E Airport Environs Overlay District) and the requirements of the expansion of the gaming enterprise district as contained in Section 29.18.080 of Chapter 29.18 (Special Districts), the planning commission shall have the power to grant variances to the height, yard area and use regulations of this title, 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 the regulation of this title would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships, upon, the owner of such property. (Ord. 2068 § 2 (part), 1998)

29.05.170 Parties Entitled to Seek Variance Permits.

An application for a variance may be initiated by:

1. A property owner or the authorized agent of a property owner;
2. A person having a leasehold of at least five years 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;
3. In the case of property owned by a governmental entity or public utility, 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. Government entities or public utilities. (Ord. 2068 § 2 (part), 1998)

29.05.180 Procedure.

a. Application.

An application for a variance shall be filed with the current planning division on forms so provided. The application shall be duly signed and acknowledged by a party authorized to initiate the application. All parcels of land included within a single application must be contiguous. An application shall be accompanied by the data and information required by Section 29.05.280 of this part.

b. Fees.

An application for a variance shall be accompanied by a fee made payable to the county, as required by Chapter 29.07 (Application and Administration Fees), to partially defray the cost of making maps, sending out notices, and other administrative expenses involved in the permit procedure.

c. Hearing and Process.

1. Notice.

Upon receipt of a properly completed application, the planning commission shall schedule a public hearing thereon. 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 hearing to:

- A. Each owner of property, as shown upon the latest assessment rolls of the county, 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;
- B. 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
- C. Any advisory board which has been established for the affected area by the board of county commissioners.

2. Action of the Planning Commission.

If at the conclusion of the public hearing, the planning commission finds that the conditions designated in Section 29.05.180 of this part, exist and that material detriment or injury to the neighborhood will not result from the issuance of a variance, it may approve or conditionally approve the same. The action of the planning commission in granting or denying the variance shall become final five judicial days after its pronouncement, unless appealed to the board of county commissioners.

3. Appeal.

An appeal of the planning commission decision shall be filed in writing by an interested party and delivered to the current planning division within five judicial days of the planning commission's action. A planning commissioner who voted on the application shall not be considered an interested party for the purposes of an appeal. In the event of an appeal, copies of the plans together with the planning commission's findings shall be forwarded to the board of county commissioners. The board shall consider the matter within forty days of the filing of the appeal, unless extended for good cause, and may restrict debate to issues raised in the appeal. Once an appeal has been accepted, it may not be withdrawn. No building permit in such instance shall be issued, unless the plans filed with application, as required in this part, have first been acted upon by the planning commission and approved by the board of county commissioners.

d. Records.

From the time a variance application is filed, 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 therein.

e. Finality of the Board's Decision.

The decision of the board of county commissioners on the application shall become final and effective five judicial days after its pronouncement. No permits shall be issued concerning the property in question until the decision becomes final.

f. Reconsideration.

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 its zoning capacity within thirty days of the close of the five-judicial-day period, unless extended for good cause.

g. Rehearing.

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. A re-notification fee, as required by Chapter 29.07 (Application and Administrative Fees), shall be paid not less than fifteen days before the date for which the public hearing is scheduled. The re-notification fee must be paid prior to the county's issuance of any notice. No permits for the property in question shall be issued until five judicial days after the board of county commissioners reaches a final decision. (Ord. 2068 § 2 (part), 1998)

29.05.190 Standards for Variances.

No variance shall be granted unless the planning commission determines that the proposed variance is appropriate for its proposed location by a finding that:

1. There are special circumstances or conditions peculiar to the property or building 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 by this title would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships, upon, the owner of such property.
2. The granting of the application is necessary for the preservation and enjoyment of substantial property rights commonly enjoyed by owners or occupants of other lots subject to the same provision.
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 shall be in harmony with the general purpose, goals, objectives and standards of the comprehensive plan and of this title.

5. The proposed use in the proposed area will be adequately served by and will not create an undue burden on any public improvements, facilities or services. (Ord. 2068 § 2 (part), 1998)

29.05.200 Conditions on Variances.

The planning commission in granting the variance may establish 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 these provisions and provide adequately for the maintenance of the character and integrity of the zoning district in which the use is located. The commission may also require guarantees to ensure that the conditions designated in connection with the variance shall be complied with. (Ord. 2068 § 2 (part), 1998)

29.05.210 Plans, Conditions, Restrictions and Rules Made Part.

All approved plans, conditions, restrictions and rules shall be made a part of the variance. Acceptance of a variance shall constitute certification on the part of the applicant that the proposed use shall conform to all conditions, restrictions, rules and regulations made applicable to it by the variance permit. The violation of any approved plans, conditions, restrictions and rules made a part of the variance permit shall be sufficient to cause the variance permit to become invalid and shall also constitute a violation of this title. (Ord. 2068 § 2 (part), 1998)

29.05.220 Effect of Issuance.

The approval of a variance shall not authorize the establishment or extension of any use nor the development, construction, reconstruction, alteration, or moving of any building or structure, but shall merely authorize the preparation, filing, and processing of applications for any permit or approval that may be required the Clark County Code. (Ord. 2068 § 2 (part), 1998)

29.05.230 Limitations on the Variance.

Each variance authorized under the provisions of this part which is not actually established or actual vertical construction commenced on the buildings or structures involved within the time limit established by variance shall be deemed 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 variance; provided further, when any use of land, building, structure or premises established under the provisions of this part has been discontinued for a period of one year, it shall be unlawful to again use such land or building or premises for such discontinued use unless a subsequent variance is authorized and issued therefor. (Ord. 2202 § 7, 1998, Ord. 2068 § 2 (part), 1998)

29.05.240 Extensions of Time.

Extensions of time for any variance may be granted by the planning commission, if requested prior to the expiration of the original approval. Applications for extensions of time shall be filed with the current planning division on forms so provided, along with a fee made payable to the county, as required by Chapter 29.07 (Application and Administration Fees), to cover the cost of administrative expenses. In granting an extension of time, the planning commission may establish conditions, requirements or safeguards pursuant to Section 29.05.200 above. The planning commission's 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 variance permits. (Ord. 2068 § 2 (part), 1998)

29.05.250 Expiration of Application not Acted Upon.

Where an application for a variance has not been acted upon due to the failure of the applicant to be represented at the scheduled public hearing, or the applicant requests or consents to withhold action on the application; and the application remains inactive for more than one hundred eighty days without a request by the applicant for a rehearing, then such application shall expire and shall be treated as withdrawn. (Ord. 2068 § 2 (part), 1998)

29.05.260 Re-application.

Except for government entities, no person, including the original applicant, shall reapply for a variance for the same land, building, or structure within six months of the previous application's final denial by the planning commission or the board of county commissioner. If a second application is denied, no person, including the original applicant, shall reapply again for a variance for the same land, building or structure within one-year of the final denial of the second application. An application that is withdrawn fifteen days or less prior to consideration at its scheduled public hearing shall be considered to be the equivalent of a final denial for the purposes of the time periods herein unless, for good cause shown, the planning commission or board of county commissioners allows the withdrawal to be without prejudice. The six-month or one-year time periods which bar re-applications 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. 2068 § 2 (part), 1998)

29.05.270 Concurrent Applications with Zone Change Petitions.

A variance application which is part of a zone change petition and filed concurrently shall be considered part of the zone change petition and treated as provided in Chapter 29.04 (Amendment Procedures). (Ord. 2068 § 2 (part), 1998)

29.05.280 Submission Requirements for Variances.

Applications for a variance 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, and
 - 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 official assessor's plat map to scale indicating the subject parcels;
4. Two copies of the legal description of the property included in request; and

5. A written statement explaining that the strict application of this title would create peculiar and exceptional practical difficulties, or exceptional and undue hardships and giving adequate evidence in such form as the planning commission may require;
6. Such other and further information or documentation as the current planning division may deem necessary or appropriate for a full and proper consideration and deposition of the particular application. (Ord. 2068 § 2 (part), 1998)

PART C ADMINISTRATIVE DEVIATIONS

29.05.290 Authority.

The zoning administrator or his/her designee is authorized to approve or conditionally approve certain administrative deviations. (Ord. 2068 § 2 (part), 1998)

29.05.300 Administrative Deviations Authorized.

Subject to the provision of this part, the zoning administrator may approve or conditionally approve administrative deviations to:

1. Reduce the dimension of any lot width or lot depth but, not more than ten percent;
2. Reduce the minimum lot area proportionate to a reduction of lot width or depth when permitted by subsection (1) of this section;
3. Reduce the special setbacks required by Section 29.06.070(b) (Special provisions for setback lines) for building and structures within a future right-of-way when determined by the director of public works not to be required provided, the deviation is also co-approved by the director of public works or his/her designee;
4. Reduce the setback required for structures other than buildings by Section 29.06.070(b)(3) (Special provisions for setback lines) from a township line or range line provided the deviation is also co-approved by the director of public works;
5. Allow a fence, wall or hedge to a height of not more than eight feet in any side or rear yard;
6. Allow a fences and lighting over eight feet in height to enclose tennis courts and other recreation areas in any side or rear yard when composed of metal supports and wire mesh capable of admitting at least ninety percent of light as measured on a reputable light meter and further providing that all lighting is designed and/or shielded to direct light away from adjacent residential development; and (See Section 29.22.010(6)).
7. Allow fences or walls over 8 feet in height when the Planning Commission and/or the Board of County Commissioners determine in a previous hearing that such a fence or wall is necessary to provide a buffer between incompatible uses. (Ord. 2156 § 2, 1998, Ord. 2068 § 2 (part), 1998)

29.05.310 Parties Entitled to Seek Administrative Deviations.

An application for an administrative deviation may be initiated by:

1. A property owner or the authorized agent of a property owner;

2. 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
3. Government entities and public utilities. (Ord. 2068 § 2 (part), 1998)

29.05.320 Procedure.

a. Application.

An application for an administrative deviation shall be filed with the current planning division on forms so provided. The application shall be duly signed and acknowledged by a party authorized to initiate the application. All parcels of land included within a single application must be contiguous. An application shall be accompanied by the data and information required by Section 29.05.370.

b. Fees.

An application for an administrative deviation shall be accompanied by a fee made payable to the county, as required by Chapter 29.07 (Application and Administrative Fees), to partially defray the cost of administrative expenses involved in the permit procedure.

c. Action by the Zoning Administrator.

Within fifteen days of receipt of a properly completed application, the zoning administrator shall, by written order, either approve or conditionally approve the application if he or she finds that no material detriment or injury to the neighborhood will result from the issuance of the administrative deviation. Where an application requires the co-approval of the director of public works, no administrative deviation will be granted unless both the director of public works and the zoning administrator are in agreement. The zoning administrator's decision shall be final unless appealed within five judicial days of the date the notice of decision is mailed.

d. Appeal.

An appeal of the zoning administrator's decision shall be filed in writing and delivered to the current planning division by an interested party within five judicial days of the date notice of the decision is mailed. Any appeal submitted by the applicant shall take the form of an application for a variance, pursuant to Part B of this chapter. (Ord. 2068 § 2 (part), 1998)

29.05.330 Conditions on Administrative Deviations.

The zoning administrator in granting an administrative deviation may establish conditions, requirements, or safeguards that the zoning administrator may consider necessary to prevent damages or prejudice to adjacent properties or detriment to the county. The zoning administrator may also require guarantees to ensure that the conditions designated in connection with the administrative deviation shall be complied with. (Ord. 2068 § 2 (part), 1998)

29.05.340 Plans, Conditions, Restrictions and Rules Made Part.

All approved plans, conditions, restrictions and rules shall be made a part of the administrative deviation. Acceptance of an administrative deviation permit shall constitute certification on that part of the applicant that the proposed use shall conform to all conditions, restrictions, rules and regulations made applicable to it by the administrative deviation permit. The violation of any approved plans,

conditions, restrictions and rules made a part of the administrative deviation permit shall be sufficient to cause the administrative deviation to become invalid and shall also constitute a violation of this title. (Ord. 2068 § 2 (part), 1998)

29.05.350 Effect of Issuance.

The approval of an administrative deviation shall not authorize the establishment or extension of any use nor the development, construction, reconstruction, alteration, or moving of any building or structure, but shall merely authorize the preparation, filing, and processing of applications for any permit or approval that may be required by the Clark County Code. (Ord. 2068 § 2 (part), 1998)

29.05.360 Limitations on Administrative Deviations.

Each administrative deviation authorized under the provisions of this part which is not actually established or actual construction commenced on the buildings or structures involved within the time limit established by the administrative deviation permit shall be deemed 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. (Ord. 2068 § 2 (part), 1998)

29.05.370 Submission Requirements for Administrative Deviations.

Applications for an administrative deviation shall be accompanied by the following data and information. The zoning administrator shall have the authority to waive any of the following submission requirements that he or she determines not applicable to a particular application.

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 current planning division, drawn to a standard scale not smaller than one inch equals sixty feet or one-eighth inch equals one foot;
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; and
4. Two copies of the legal description of the property included in request;
5. If the deviation is to allow a fence, wall or hedge to a height of eight feet a notarized letter of approval from any private property owner of any developed property adjacent to such fence, wall or hedge shall be submitted, unless the fence wall or hedge is required as a condition of approval of any land use application by the Planning Commission and/or Board of County Commissioners. (Ord. 2156 § 3, 1998, Ord. 2068 § 2 (part), 1998)

PART D RURAL MIXED RESIDENTIAL DEVELOPMENTS

29.05.380 Purpose.

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 and permanent dwellings with harmonious architectural elements within community district 5 as established by Section 29.10.050 of Part B of this chapter. (Ord. 2068 § 2 (part), 1998)

29.05.390 Procedure.

A rural mixed residential development may be established within any residential zoning district within community district 5. Applications to establish a rural mixed residential development shall be administered through the conditional use permit process pursuant to Part A of this chapter. In addition to the submission requirements set forth in Section 29.05.130, 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. 2068 § 2 (part), 1998)

29.05.400 Uses Allowed.

In a rural mixed residential development the following uses may be permitted subject to securing a conditional use permit pursuant to Part A of this chapter:

1. One single-family dwelling located on a single lot or parcel, meeting all required yard areas. Such single-family dwelling may be either a manufactured housing unit or a permanent dwelling and must be permanently attached to a foundation constructed to meet the standards and guidelines of the Clark County building department; and
2. Any use permitted in the underlying zoning district. (Ord. 2068 § 2 (part), 1998)

29.05.410 Uses Prohibited.

All other uses are expressly prohibited. (Ord. 2068 § 2 (part), 1998)

29.05.420 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 Part A or Part B of this chapter:

1. A rural mixed residential development shall be minimum of five gross acres in area.
2. 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.
3. The property development standards of the underlying zoning district shall apply except that rear yards may be reduced a maximum of 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.
4. 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:

A. For Unit Design:

- i. Minimum horizontal dimensions;

- ii. 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; and
- iii. Restriction of roof materials to shingles, shakes, tile, built-up rock roofs and other materials substantially similar in appearance.

B. For Site Design:

- i. The relationship of the unit to the land;
- ii. Setbacks;
- iii. Landscaping;
- iv. Parking and related circulation elements. (Ord. 2068 § 2 (part), 1998)

PART E PLANNED DEVELOPMENT UNIT

29.05.430 Purpose.

The purpose of this part, Planned Development Unit, is to provide for a more flexible method of development whereby land may be designed and developed as a comprehensive 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 each planned development will meet the broader objectives of the county 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 part are intended to produce developments which meet standards for 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. 2068 § 2 (part), 1998)

29.05.440 Authority.

The planning commission shall have the authority to grant a conditional use permit for a planned development unit in an appropriate zone if such development meets the requirements as set forth in this part and, may impose such additional conditions not specified herein which may be deemed necessary for public health, safety, convenience and general welfare, and to ensure compatibility with surrounding properties. (Ord. 2068 § 2 (part), 1998)

29.05.450 Conditional Use Permit.

The right to construct a planned development unit shall be subject to securing a conditional use permit as provided in Part A of this Chapter 29.05 and shall be subdivided as provided in Title 28 (Subdivisions) of the Clark County Code. (Ord. 2068 § 2 (part), 1998)

29.05.460 Applications.

Applications for a conditional use permit for a planned development unit shall be filed with the current planning division on forms so provided and shall be accompanied by the plans and information required by Section 29.05.500 of this part. (Ord. 2068 § 2 (part), 1998)

29.05.470 Fees.

An application for a conditional use permit for a planned development unit shall be accompanied by a fee made payable to the county, as required by Chapter 29.07 (Application and Administrative Fees), to partially defray the cost of the permit procedure. (Ord. 2068 § 2 (part), 1998)

29.05.480 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.

1. Permitted Uses.

- A. Permanent dwellings;
- B. Parks, recreational facilities, schools;
- C. Manufactured homes, provided they are used as single-family residences and each unit is located on a separate lot or parcel of land; and
- D. Community centers.

2. Accessory Uses.

- A. 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.
- B. Accessory parking, open and service areas for parks, recreational facilities, and schools, when approved as part of the conditional use permit.
- C. Home occupations subject to the provisions of Chapter 29.20, Section 29.20.090.

3. Temporary Uses.

Temporary sales facilities and models subject to the conditions listed in the respective zoning district in which the project is located.

4. Uses Prohibited.

All other uses are expressly prohibited. (Ord. 2068 § 2 (part), 1998)

29.05.490 Property Development Standards.

Property development standards less restrictive than those set forth in the residential zoning districts 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 county's general plan.

1. Density Bonus.

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;
- C. R-D district, not more than three and one-half units per gross acre;
- D. R-1, R-1a, and R-T 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; and
- H. R-5 and H-1 districts, not more than fifty units per gross acre.

2. Open Space.

- A. The following amount of open space, including usable common open space and usable private open space, (of which not less than thirty percent shall be usable common open space), shall be provided for each dwelling:
 - i. R-U district, two thousand square feet;
 - ii. R-E district, two thousand square feet;
 - iii. R-D district, one thousand six hundred square feet;
 - iv. R-1, R-1a, and R-T districts, one thousand two hundred square feet;
 - v. R-2 district, eight hundred square feet;
 - vi. R-3 district, four hundred square feet; and
 - vii. R-4, R-5 and H-1 districts, three hundred square feet.

- B. 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.

3. Minimum Area and Unit Requirements.

The minimum area for any residential planned development unit shall be five gross acres. The minimum number of dwelling units within any residential planned development unit shall be twenty, except in the R-U district the minimum number of dwelling units shall be five.

4. Yard Regulations.

No part of any building or structure, other than a wall or fence along a property line, 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. Any such wall constructed along a street frontage shall be at least seventy-five percent open, except where platted lot lines extend to the street, then solid walls may enclose such lots.

5. 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.

6. Building Spacing.

Due to the nature of planned development units, it is impractical to define an exact pattern for the arrangement of structures and dwellings; however, it is the intent of this part to provide a functional and non-monotonous orientation of units with open space, 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. Therefore, the following minimum open spaces shall be provided between buildings:

- A. 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;
- B. Buildings front to rear, front to side, rear to rear, or rear to side, an average of not less than twenty-five feet separation;
- C. Mobile homes when fronting on a private street shall have a minimum setback of ten feet;
- D. Mobile homes shall have a minimum rear setback of twenty feet; and
- E. In no case shall less than ten feet between buildings be permitted.

7. Parking Requirements.

Parking requirements for planned development units approved under this part may be found in Section 29.21.030 of Chapter 29.21 (Off-Street Parking and Loading). (Ord. 2068 § 2 (part), 1998)

29.05.500 Submission Requirements for Planned Development Units.

Applications for a conditional use permit for a planned development shall be accompanied by the following plans and information:

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 manufactured 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; and
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 ownership within the development and shall include the right of individual owners to require the proper maintenance of such common areas. (Ord. 2068 § 2 (part), 1998)

PART F DESIGN REVIEW

29.05.510 Purpose.

The purpose of this part, Design Review, (previously referred to as architectural supervision), is to provide a mechanism to ensure 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, hindering the orderly and harmonious development of the county, limiting the opportunity to attain the optimum use and value of land and improvements, impairing the desirability of living conditions in the same area or adjacent areas, or otherwise adversely affecting the general prosperity and welfare and to further the purposes of the master plan. (Ord. 2068 § 2 (part), 1998)

29.05.520 Design Review Required.

- 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 board of county commissioners, the planning commission, or zoning administrator determines that design review is necessary in a particular instance in order to promote the purposes of this title; 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 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. 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. 2068 § 2 (part), 1998)

29.05.530 Substantial Conformance.

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.
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. (Ord. 2068 § 2 (part), 1998)

29.05.540 Procedure.

a. Applications.

An application for design review shall be filed with the current planning division upon forms so provided and shall be accompanied by the data and information required by Section 29.05.580. Design review applications will be presented to the planning commission for review and approval, except in the following circumstances:

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. Fees.

An application for design review shall be accompanied by a fee, as required by Chapter 29.07 (Application and Administrative Fees), made payable to the county, to partially defray the cost of the administrative expenses involved in the review procedure.

c. Review.

The planning commission or the board of county commissioners, as the case may be, shall consider the submitted data and information with the purpose to ensure that the design and layout of buildings, structures and other improvements be adequate to accomplish the purpose and intent of this part. 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 part, 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 good design and further the purposes of the master plan.

d. Decision.

The planning commission or the board of county commissioners, as the case may be, shall act upon all such plans, indicating approval or disapproval, within forty days after their receipt unless extended for good cause. The reviewing body may act upon such plans with or without a public hearing.

1. Finality of the Commission's Decision.

The decision of the planning commission shall be final unless appealed in writing by an interested party. Such appeal shall be delivered to the current planning division offices within five judicial days of the planning commission's action.

2. Appeal.

In the event of an appeal of the planning commission decision, the application for design review shall be forwarded to the board of county commissioners for consideration. The board of county commissioners shall consider the application, including copies of the plans and submittals, along with planning commission's findings within forty days of the close of the appeal period, unless extended for good cause.

3. Finality of the Board's Decision.

The decision of the board of county commissioners shall become final and effective five judicial days after its pronouncement. No permits shall be issued concerning the property in question until the decision becomes final.

4. Reconsideration.

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 its zoning capacity, within thirty days of the close of the five-judicial-day period.

5. Rehearing.

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 re-notification fee, as required by Chapter 29.07 (Application and Administrative Fees), shall be due not less than fifteen days in advance of the meeting for which the public hearing is scheduled.

e. Building Permit.

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 reconsideration period has expired. 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 29.05.580 as a new application for design review. (Ord. 2068 § 2 (part), 1998)

29.05.550 Extensions of Time.

a. Administrative Extensions.

Extensions of time to any design review not approved pursuant to 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, and further provided that a building permit application to construct the improvement has been filed with the building department. An application for extension of time shall be filed with the current planning division on forms so provided, and accompanied by a fee made payable to the county, as required by Chapter 29.07 (Application and Administrative Fees), to cover the costs related to the extension of time application.

b. Extensions Where Public Hearing is Not Required.

Extensions of time to any design review not approved pursuant to a public hearing may be granted by the planning commission or the board of county commissioners, subject to the conditions of the original approval if requested prior to the expiration of the original approval. An application for extension of time shall be filed the current planning division on forms so provided, and accompanied by a fee made payable to the county, as required by Chapter 29.07 (Application and Administrative Fees), to cover the costs related to the extension of time application.

c. Extensions Where Public Hearing is Required.

Extensions of time to any design review approved pursuant to a public hearing may be granted by the planning commission or the board of county commissioners subject to a public hearing if requested prior to the expiration of the original approval. Applications for extensions of time shall be filed the current planning division on forms so provided. An application for an extension of time shall be accompanied by a fee made payable to the county, as required by Chapter 29.07 (Application and Administrative Fees), to cover the costs related to the extension of time application.

d. Appeals.

A 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. (Ord. 2216 § 1, 1998; Ord. 2068 § 2 (part), 1998)

29.05.560 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. In considering a site plan, the planning commission shall endeavor to assure safety and convenience of traffic movement both within the area covered and in relation to access streets, the orderly groupings of buildings for harmonious and beneficial relations among the buildings and uses in the area covered and harmonious relation such area and contiguous land and buildings and adjacent neighborhoods or districts.
- d. 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. 2068 § 2 (part), 1998)

29.05.570 Concurrent Applications with Zone Change Petitions.

An application for design review which is part of a zone change petition and filed concurrently shall be considered part of the zone change petition and treated as provided in Chapter 29.04 (Amendment Procedures). (Ord. 2068 § 2 (part), 1998)

29.05.580 Submittal Requirements.

The following data and information shall be required with each application for design review.\

1. 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:
 - A. 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;

- B. 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;
 - C. 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; and
 - D. One copy of a landscape plan indicating the size, type and location of existing and proposed plant materials and non-living groundcover.
2. Two copies of the most recent recorded deed or other legal description of property.
 3. Two copies of the most recent assessor's map to scale indicating the subject parcels.
 4. Color and material samples, if required by the current planning division. (Ord. 2068 § 2 (part), 1998)

PART G ADMINISTRATIVE DESIGN REVIEW

29.05.590 Purpose and Intent.

The purpose of this part, Administrative Design Review, is to provide a mechanism to ensure the design and layout of buildings, structures and other improvements permitted to be established herein shall be adequate to prevent them, or the uses for which they are intended, from hindering the orderly and harmonious development of the county, limiting the opportunity to attain the optimum use and value of land and improvements, impairing the desirability of living conditions in the same area or adjacent areas, or otherwise adversely affecting the general prosperity or welfare and furthering the purposes of the master plan. (Ord. 2068 § 2 (part), 1998)

29.05.600 Administrative Design Review Required.

An administrative design review shall be required when specified elsewhere in this title. When required, an administrative design review shall be in place of a design review as would have been otherwise required by Part F, Design Review, of this title. (Ord. 2202 § 8, 1998, Ord. 2068 § 2 (part), 1998)

29.05.610 Procedure.

a. Applications.

An application for administrative design review shall be filed in the office of the current planning division of the department of comprehensive planning upon forms furnished for the purpose and shall be accompanied by the data and information required by Section 29.05.640. All administrative design review applications will be presented to the zoning administrator or his/her designee for review and approval.

b. Fees.

The applicant shall, at the time of filing for an administrative design review, pay a filing fee as specified in Chapter 29.07 of this title.

c. Review.

The zoning administrator or his/her designee 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 zoning administrator or his/her designee may require minor deviations in the plans of such proposed buildings, structures and other improvements which are necessary to accomplish the purposes of this chapter, and may refuse to approve any such plans until satisfied that such purposes will be accomplished thereby. As a prerequisite to approval of an application for administrative design review, the zoning administrator or his/her designee may impose conditions including, but not limited to, the review of flood control provisions to ensure that drainage is not adversely affected or that buildings or other structures are not constructed within areas prone to flooding, setbacks from streets and/or future streets, the provision of legal access to a site, and changes in traffic circulation which could adversely affect required driveways and parking.

d. Decision.

The zoning administrator or his/her designee shall act upon all such plans within ten judicial days after the filing period during which the application is submitted has ended 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 zoning administrator or his/her designee may act upon such plans without a hearing providing all design standards or requirements of this title are met.

1. Finality of the Zoning Administrator's Decision.

The decision of the zoning administrator or his/her designee shall be final unless appealed in writing by an interested party. Such appeal shall be delivered to the current planning division offices within five judicial days of the date the notice of approval or disapproval is mailed as shown on the registered mail receipt evidencing service of the notice by U.S. mail.

2. Appeal.

In the event of an appeal of the zoning administrator or his/her designee decision, the application for administrative 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 zoning administrator or his/her designee shall be considered by the board of county commissioners within forty days of the close of the appeal period.

3. Finality of the Board's Decision.

The decision of the board of county commissioners shall become final and effective five judicial days after its pronouncement. No permits shall be issued concerning the property in question until the decision becomes final.

4. Reconsideration.

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, 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.

5. Rehearing.

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 re-notification fee as required by Chapter 29.07 of this title shall be paid not less than fifteen days in advance of the meeting for which the public hearing is scheduled.

e. Building Permit.

No building permit shall be issued for which administrative design review is required until the administrative design review has first been reviewed, approved and the appeal period and/or reconsideration period has passed. Upon approval of the administrative 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 met. Every drawing, plan or sketch filed under the provisions of this section shall become a part of the records of the current planning division. 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 29.05.640 as a new application for administrative design review. (Ord. 2068 § 2 (part), 1998)

29.05.620 Extensions of Time.

a. Administrative Extensions of Time.

Unless otherwise required as a condition of approval of the original application an extension of time to any administrative design review 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.

b. Appeals.

The decision of the zoning administrator may be appealed to the board of county commissioners in the same manner as prescribed for appeals actions on initial applications for administrative design review. A fee for such an application shall be paid as required by Chapter 29.07 of this title. (Ord. 2068 § 2 (part), 1998)

29.05.630 Administrative Design Review Standards.

The color, architectural style and building materials or finishes of buildings and structures shall be compatible with that of existing surrounding development and shall comply with the design standards enumerated under this title. (Ord. 2068 § 2 (part), 1998)

29.05.640 Submittal Requirements.

The following data and information shall be required with each application for administrative design review.

1. 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:

- A. 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/or such other information as may be necessary to achieve the purpose and intent of Title 29;
 - B. If applicable, 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;
 - C. 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;
2. Two copies of the most recent recorded deed or other legal description of property;
 3. Two copies of the most recent assessor's map indicating the subject parcels; and
 4. Color and material samples, if required by the current planning division. (Ord. 2068 § 2 (part), 1998)

Application and Administrative Fees

Chapter 29.07 - APPLICATION AND ADMINISTRATIVE FEES

Sections:

- 29.07.010 Authority.
- 29.07.020 Application fees.
- 29.07.030 Notice fees.
- 29.07.040 Supplemental fees.
- 29.07.050 Miscellaneous application fees.
- 29.07.060 Sign fees.
- 29.07.070 Administrative fees.

29.07.010 Authority.

The department of comprehensive planning is authorized to collect fees as listed in this chapter for the implementation and enforcement of this title, related Titles 26 (Land Development Regulations) and 28 (Subdivision), and any adopted land use guide referenced by this title. The fees required herein shall be due and payable at the time of filing of any application with the current planning division. The fees shall be nonrefundable, except that when an application is withdrawn prior to notices being mailed, or before distribution of application information is made to applicable government entities, an applicant may request a refund of the applicable fees. The board of county commissioners shall consider the circumstances of the withdrawal, and may order the fee to be refunded if circumstances warrant the withdrawal. The fees, except for the fees required by Section 29.07.070 below, shall not be required when the applicant is a government agency or a nonprofit organization. An applicant or petitioner claiming an exception to the required fee as set forth herein, shall be required to demonstrate not-for-profit status. (Ord. 2068 § 2 (part), 1998)

29.07.020 Application Fees.

The following fees shall be required for the following petitions and applications.

1. Zone Boundary Amendment.

- A. When a zone change petition includes a request for a zoning classification or district which is within the range of land uses and residential densities indicated for the subject parcel on the adopted land use guide: four hundred dollars.
- B. When a zone change petition 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 adopted land use guide, a higher fee shall be paid to partially defray the costs of the added administrative expenses involved. Such a petition shall require a fee of five hundred dollars plus fifty dollars per gross acre if the land area included within the petition is greater than two and one-half acres, or five thousand five hundred dollars, whichever is less.
- C. When a zone change petition includes a request for a 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, which is subject to review by the Gaming Policy Committee, a higher fee shall be paid to partially defray the costs of added administrative expenses involved. Such a petition shall require a fee of five hundred dollars plus fifty dollars per gross acre if the land area included within the petition is greater than two and one-half acres.

D. For any extension of time, three hundred dollars, plus the notice fee(s) required in Section 29.07.030 below if applicable.

E. For interim compliance: one hundred fifty dollars.

2. Conditional Use Permits.

Two hundred dollars.

3. Variances.

A. When the variance application submitted requests relief from no more than two sections or subsections of the Clark County Code: two hundred dollars.

B. When the variance application submitted requests relief from more than two sections or subsections of the Clark County Code: three hundred dollars.

4. Design Review.

Two hundred dollars.

5. Administrative Design Review.

Two hundred fifty dollars unless the property is owned, leased, or controlled by the board of county commissioners or by a government entity upon which any member of the board of county commissioners sits, in which cases the fee is waived.

6. Vacation and Abandonment.

A. When any application for a vacation and abandonment contains a request to vacate no more than four right-of-way or easement alignments and the property upon which the easements and/or right-of-way located is not greater than five acres: two hundred dollars.

B. When any application for a vacation and abandonment contains a request to vacate more than four right-of-way or easement alignments and the property upon which the easements and/or right-of-way located is greater than five acres: three hundred dollars.

7. Street Name or Numbering System Change.

Two hundred dollars.

8. Street Name Application for a Previously Unnamed Street.

There shall be no fee unless, the request is not in conformance with the address policy as provided in Part D of Chapter 29.06 (Street Names and Numbering Changes), then: two hundred dollars.

9. Administrative Deviations.

Fifty dollars.

10. Annexation Requests.

Two hundred dollars.

11. Temporary Outdoor Commercial and Promotional Activities Permits.

Fifty dollars. (Ord. 2068 § 2 (part), 1998)

29.07.030 Notice Fees.

Whenever an application, including an extension of time and a waiver of conditions, is required by this title, or by Chapter 278 of the Nevada Revised Statutes, to provide a public hearing and/or to post signs on property to notify nearby residents and property owners of the pending hearing, additional fees for each application shall be required as follows:

1. When the tenants of mobile home parks, and/or property owners of any parcel, within a three hundred foot radius of the property are required to be notified, an additional fee of seventy-five dollars shall be required to cover the cost of preparing and mailing notices;
2. When the tenants of mobile home parks, and/or property owners of any parcel, within a five hundred foot radius of the property are required to be notified, an additional fee of one hundred dollars shall be required to cover the cost of preparing and mailing notices;
3. When the tenants of mobile home parks, and/or property owners of any parcel, within a two thousand five hundred foot radius of the property are required to be notified, an additional fee of one thousand dollars shall be required to cover the cost of preparing and mailing notices, plus an additional fee of one dollar per notice required to be sent in excess of one thousand notices. Notice fees in excess of one thousand dollars, if required, shall be paid not less than fifteen days prior to the meeting. Failure to pay the additional notice fees as required shall result in the item not being scheduled for a public hearing; and
4. When a sign is required to be posted on the property, an additional fee of one hundred twenty-five dollars shall be required to cover the cost of preparing and posting the sign; and
5. When the application includes more than one parcel as shown on the Clark County Assessor's records or common area in a planned development unit, an additional fee of twenty-five dollars for each additional parcel shall be required to cover the cost of preparing and mailing notices. (Ord. 2202 § 9, 1998, Ord. 2156 § 4, 1998, Ord. 2068 § 2 (part), 1998)

29.07.040 Supplemental Fees.

a. Supplemental Fees.

In addition to the fees enumerated above, a supplemental fee to offset the increased cost of processing large developments shall be required for any zone boundary amendment, use permit, variance, or design review as follows:

1. For any project over twenty thousand square feet of commercial or industrial building area, an additional fee of two dollars per one thousand square feet of building area;
2. For any hotel or motel over twenty rooms, an additional fee of two dollars per room; and
3. For recreational vehicle parks or mobile home parks over twenty spaces, an additional fee of two dollars per space.

b. Multiple Fees.

Where more than one of the supplemental fees is applicable to a project, only one shall be required, which shall be the fee requiring the greatest sum. The maximum fee collected for any application, including the fees required under Sections 29.07.020 and 29.07.030 above, shall not exceed five thousand five hundred dollars, unless the petition is an application to expand the gaming enterprise district or for the establishment of a resort hotel. The supplemental fee shall only apply to the proposed development or addition to the development, but not any existing part of the development. When an application for a zone boundary amendment, use permit, variance, or design review is submitted for a large development with another application for which supplemental fees are required, and the applications are to be considered together at the same hearing, the supplemental fees shall only be required for one of the applications. The supplemental fee shall not be required if the project has previously been approved by the planning commission or board of county commissioners, and the application is to modify plans for the project, providing that the requested modification does not exceed ten percent of the square footage, number of units, or spaces for the project. If the modification of plans exceeds the ten percent limit, the supplemental fee shall only apply to the increase proposed by the revised plans. (Ord. 2068 § 2 (part), 1998)

29.07.050 Miscellaneous Application Fees.

a. Fees Relating to Reconsideration of Additional Condition.

When a condition of the board of county commissioner's approval for any application is requested to be reconsidered a filing fee of two hundred dollars shall be required. If the original hearing for the application was noticed as a public hearing, the request for reconsideration for the condition shall also be noticed as a public hearing and shall require the applicable notice fee required in Section 29.07.030 above.

b. Reconsideration.

Any application which has been approved to be reconsidered by the board of county commissioners at the request of the applicant in accordance with the established procedure for reconsideration shall pay a processing fee of one hundred dollars in addition to the notice fees required by Section 29.07.030 above, if applicable. The fee shall be due and payable not less than fifteen days in advance of the meeting at which the matter has been rescheduled to be heard.

c. Extension of Time Fees.

An application for an extension of time for any application other than a zone boundary amendment shall require a fee of one hundred fifty dollars, plus the notice fee(s) required in Section 29.07.030 above, if applicable.

d. Reactivating Fees.

In the event that an application is not acted upon at its initial scheduled meeting as a result of either the applicant's request that the matter be held in abeyance or the failure of the applicant to be represented at the meeting, and if the application is not requested to be brought before the planning commission or board of county commissioners within the forty-day period after its originally scheduled date, or if the second hearing date is not announced at the originally scheduled meeting, then an additional fee of one hundred dollars shall be paid to cover the cost of administrative expenses in addition to the notice fees required under Section 29.07.030 above. Any additional fee required by this Section 29.07.040, shall be due and payable not less than fifteen days in advance of the meeting at which the matter has been rescheduled to be heard. (Ord. 2068 § 2 (part), 1998)

29.07.060 Sign fees.

Fees for signs shall be required as follows:

1. Off-Premises Signs.

Five hundred dollars.

2. Temporary Signs.

A. Five dollars per weekend directional sign;

B. Twenty-five dollars per on-premises sign;

C. One hundred dollars per off-premises for sale sign; and

D. One hundred dollars per off-premises for sale sign extension of time.

3. The fees listed above shall be twice the amount normally required if work for which a permit is required by this code has been commenced without first obtaining the permit, or if the sign constructed exceeds the scope of a valid permit.

4. The fees listed above shall be waived for a temporary sign when the beneficial user of the sign is a government agency or nonprofit organization. (Ord. 2068 § 2 (part), 1998)

29.07.070 Administrative Fees.

Administrative fees related to the administration and implementation of the requirements of this Title 29, related Titles 26 (Land Development Regulations) and 28 (Subdivisions), and adopted land use guides are required as follows:

1. Zoning Confirmation Letter.

The fee for a zoning confirmation letter shall cover the cost of the research and writing necessary to determine the current district in which the subject property is located and provide written notification thereof. Any request to provide written information relative to past land use applications, including but not limited to expired or superseded zone boundary amendments, use permits, and/or variances unrelated to the current district classification or uses currently permitted on the subject property shall require additional fees as required for computer research and reports listed under subsection 3 below.

A. For delivery of the letter within ten working days of receipt of the request, forty-five dollars, plus five dollars per acre for each net acre over ten acres, to be rounded to the nearest acre, but not to exceed five thousand dollars;

B. For delivery of the letter within three working days of receipt of the request, seventy-five dollars, plus five dollars per acre for each net acre over ten acres, to be rounded to the nearest acre but not to exceed five thousand dollars;

C. For delivery of the letter within two working days of receipt of the request, one hundred fifty dollars, plus ten dollars per acre for each net acre over ten acres, to be rounded to the nearest acre but not to exceed five thousand dollars; and

2. Copies of Printed Ordinances, Guides and Manuals.

- A. Land use guides: ten dollars, plus two dollars if mailed;
- B. Title 29 (Zoning): seventeen dollars, plus three dollars if mailed;
- C. Title 28 (Subdivisions): seven dollars and fifty cents, plus one dollar and fifty cents if mailed;
- D. Title 27 (Development Improvement Standards): seven dollars, plus one dollar and fifty cents if mailed;
- E. Title 26 (Land Development Regulations): four dollars, plus one dollar and fifty cents if mailed;
- F. Development code: forty-five dollars, plus ten dollars if mailed;
- G. Landscape design manual: three dollars, plus one dollar and fifty cents if mailed; and
- H. Street naming and address policy: four dollars, plus one dollar and fifty cents if mailed.

3. Copies, Minutes and Record Research.

- A. Miscellaneous copies: twenty cents per page, with a minimum of one dollar;
- B. Verbatim transcript of planning commission meetings: fifteen dollars per hour with a minimum fee of fifteen dollars;
- C. Computer research and reports: thirty dollars per hour with a minimum fee of thirty dollars, except when the research is required to be performed by an employee working overtime when the fee shall be forty-five dollars, with a minimum fee of forty-five dollars;
- D. When a court reporter is required to report the results of a hearing as required by Chapter 463 of the Nevada Revised Statutes, the applicant shall arrange for and pay the full cost of the reporter. The applicant shall ensure a copy of the transcript is delivered to the current planning division within ten judicial days of the hearing. Failure to have a court reporter present at the public hearing shall require holding the public hearing in abeyance until such time as a court reporter can be present; and
- E. Audio recordings of all or any part of a planning commission meeting: ten dollars for each tape, plus three dollars if mailed.

4. Subscription Services for Ordinance and Agendas.

- A. Mailing costs for agendas: sixty dollars for six months;
- B. Mailing costs for agenda front sheets: two dollars and fifty cents per month;
- C. Subscription cost for agenda action sheets: two dollars and fifty cents per month; and
- D. Subscription cost for development code updates: thirty dollars for twelve months.

5. Maps.

- A. Color maps produced by the geographic information system:

- i. For maps not larger than eleven inches by seventeen inches: ten dollars;
 - ii. For maps not larger than twenty-four inches by thirty-six inches: twenty dollars; and
 - iii. For maps up to thirty-six inches by fifty inches: thirty dollars.
- B.** Black and white maps produced by the geographic information system:
 - i. For maps not larger than twenty-four inches by thirty-six inches: five dollars; and
 - ii. For maps up to thirty-six inches by fifty inches: ten dollars.
- C.** Black and white maps produced by copy or blueprint:
 - i. For maps not larger than twenty-four inches by thirty-six inches: four dollars; and
 - ii. For maps up to thirty-six inches by fifty inches: five dollars.
- D.** For the map of the 1974 master plan: eight dollars. (Ord. 2202 § 10, 1998, Ord. 2068 § 2 (part), 1998)

Enforcement and Penalties

Chapter 29.09 - ENFORCEMENT AND PENALTIES

Sections:

- 29.09.010 Responsible administrative official.
- 29.09.020 Penalties.
- 29.09.030 Abatement proceedings.
- 29.09.040 Grounds for revocation of certain permits.
- 29.09.050 Cumulative remedies.

29.09.010 Responsible Administrative Official.

The following administrative officials shall have the authority and responsibility of enforcing the provisions of this title.

1. Building Official's Duty.

It shall be the duty of the building official of Clark County or his designee, to enforce the provisions of this title pertaining to the use of land, erection, construction, reconstruction, moving, conversion, alteration or addition to any building or structure.

2. License Enforcement.

It shall be the duty of the Clark County clerk and all other officials charged with the issuance of licenses to enforce the provisions of this title pertaining to the use of land or buildings for which any such license is required by any other ordinance of the county.

3. Health Department's Duty.

It shall be the duty of the health department of Clark County to enforce the provisions of this title pertaining to the maintenance and use of property, structures and buildings so far as matters of health are concerned.

4. Sheriff's Duty.

It shall be the duty of the sheriff of Clark County and all officers of the county otherwise charged with the enforcement of the law to enforce this title and all the provisions of the same.

5. District Attorney's Duty.

It shall be the duty of the district attorney of Clark County to prosecute any criminal or civil action necessary to enforce the provisions of this title under such statutes and ordinances as are applicable.

6. Code Enforcement Manager's Duty.

It shall be the duty of the code enforcement manager of Clark County or his designee, concurrent with the authority of the building official to enforce the provisions of this title pertaining to the use of land, location, use or addition to any building or structure. (Ord. 2068 § 2 (part), 1998)

29.09.020 Penalties.

For the purpose of this title, any act that is prohibited, made or declared to be unlawful, an offense, or a misdemeanor, shall constitute a violation of this title. Additionally, whenever the doing of any act is required or the failure to do any an act is declared to be unlawful or a misdemeanor, the failure to do any such act shall constitute a violation of this title. Any person, firm or corporation, whether as principal, agent, employee or otherwise, violating any provisions of this title is guilty of a misdemeanor and upon conviction thereof is punishable by a fine of not more than one thousand dollars or by imprisonment in the Clark County jail for a term not exceeding six months or by both such fine and imprisonment. Any person, firm or corporation is guilty of a separate offense for each and every day during any portion of which any violation of this title is committed, continued or permitted by such person, firm or corporation, and is punishable as herein provided. (Ord. 2068 § 2 (part), 1998)

29.09.030 Abatement Proceedings.

Any building or structure set up, erected, built, moved or maintained and/or any use of property contrary to the provisions of this title and/or any condition attached to the granting of any land use application is unlawful and a public nuisance and the district attorney shall, upon order of the board of county commissioners, immediately commence action or actions, proceeding or proceedings for the abatement, removal and enjoinder thereof in the manner provided by law and shall take such other steps and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate and remove such building, structure or use and restrain and enjoin any person, firm or corporation from setting up, erecting, building, moving or maintaining any such building or structure or using any property contrary to the provisions of this title. (Ord. 2202 § 11, 1998, Ord. 2068 § 2 (part), 1998)

29.09.040 Grounds for Revocation of Certain Permits.

Failure to abide by and faithfully comply with any and all conditions that may be attached to the granting of any conditional use permit or variance permit pursuant to the provisions of this title shall constitute grounds for the revocation of the conditional use permit or the variance permit by the board of county commissioners. (Ord. 2068 § 2 (part), 1998)

29.09.050 Cumulative Remedies.

All remedies provided herein shall be cumulative and not exclusive. (Ord. 2068 § 2 (part), 1998)

The Plan and Planning Districts

Chapter 29.10 - THE PLAN AND PLANNING DISTRICTS

Sections:

PART A Master Plan Changes

- 29.10.010 Master plan changes.
- 29.10.020 Procedure.

PART B Community Districts

- 29.10.040 Community districts.
- 29.10.050 Establishment community of districts.
- 29.10.060 Special development standards.

PART A MASTER PLAN CHANGES

29.10.010 Master Plan Changes.

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. 2068 § 2 (part), 1998)

29.10.020 Procedure.

a. Adoption.

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.

b. Hearing 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.

c. Hearing by Board of 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.

d. Changes Initiated by Board of County Commissioners.

When the board of 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 board of county commissioners 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 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. 2068 § 2 (part), 1998)

PART B COMMUNITY DISTRICTS

29.10.040 Community Districts.

This part, Community Districts, 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. 2068 § 2 (part), 1998)

29.10.050 Establishment Community of Districts.

The following community districts are established:

1. Community district 1 shall include the property shown as a regional economic base and employment center as designated on the latest map adopted by the board of county commissioners shown under Section 29.04.015 of this title or within any adopted land use guide.
2. Community district 2 shall include the property shown as the urban growth area as designated on the latest map adopted by the board of county commissioners shown under Section 29.68.015 of this title or within any adopted land use guide.
3. Community district 3 shall include the property shown as the future development/rural open space as designated on the latest map adopted by the board of county commissioners shown under Section 29.68.015 of this title or within any adopted land use guide.
4. Community district 4 shall include the property shown as growth centers if shown on the latest map adopted by the board of county commissioners shown under Section 29.68.015 of this title or within any adopted land use guide.
5. 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).
6. Community district 6 shall include the property shown as an open space and conservation district as designated on the latest map adopted by the board of county commissioners shown under Section 29.68.015 of this title or within any adopted land use guide. (Ord. 2068 § 2 (part), 1998)

29.10.060 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. 2068 § 2 (part), 1998)

Zoning Districts and Maps

Chapter 29.11 - ZONING DISTRICTS AND MAPS

Sections:

- 29.11.010 Establishment of zoning districts.
- 29.11.020 Interpretation of district sequence.
- 29.11.030 Application of district regulations.
- 29.11.040 The official zoning map.
- 29.11.050 Custody of the official zoning map.
- 29.11.060 Amendments to the official zoning map.
- 29.11.070 Replacement of the official zoning map.
- 29.11.080 Rules for interpretation of district boundaries.

29.11.010 Establishment of Zoning 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 the following:

1. Residential Districts.

- 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

2. Commercial Districts.

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

3. Manufacturing Districts.

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

4. Special Districts.

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

5. Overlay Districts.

- P-C, planned community overlay district
- A-E, airport environs overlay district
- Off-premises advertising overlay zone

(Ord. 2068 § 2 (part), 1998)

29.11.020 Interpretation of District Sequence.

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

1. Category I: O-S, R-U, R-A, R-E, R-D, R-1, R-T, R-1a, R-2, R-3, T-C, R-4, R-5;
2. Category II: C-P, C-1, C-C, C-2, C-3;
3. Category III: M-D, M-1, M-2, M-3;
4. Category IV: P-F, H-2, R-V-P, H-1. (Ord. 2068 § 2 (part), 1998)

29.11.030 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, except as otherwise provided.

1. 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.
2. No building or other structure shall hereafter be erected or altered:
 - A. To exceed the height or bulk;
 - B. To accommodate or house a greater number of families;
 - C. To occupy a greater percentage of lot area; and
 - D. 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.

3. 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.
4. No yard or lot existing at the time of passage of the ordinance codified in 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 the ordinance codified in this title shall meet at least the minimum requirements established by this title. (Ord. 2068 § 2 (part), 1998)

29.11.040 The Official Zoning Map.

The county is divided into zones, or districts, as shown on the official zoning map which may be in the form as described in Section 29.11.050 below, and which, together with all explanatory matter thereof, is adopted by reference and declared to be a part of this title. The official zoning map shall be identified by the following words:

“THIS IS THE OFFICIAL ZONING MAP REFERRED TO IN SECTION 29.11.040 OF THE CLARK COUNTY CODE OF THE COUNTY OF CLARK, STATE OF NEVADA.” (Ord. 2068 § 2 (part), 1998)

29.11.050 Custody of the Official Zoning Map.

Regardless of the existence of purported copies, which may from time to time be made or published, the official zoning map shall be under the custody of the county clerk, and stored and maintained in an electronic database reflecting ordinances adopted to reclassify property within the offices of the current planning division of the department of comprehensive planning. This official zoning map so stored shall be the final authority as to the current zoning status of land and water area, buildings, and other structures in the county. (Ord. 2202 § 12, 1998, Ord. 2068 § 2 (part), 1998)

29.11.060 Amendments to the Official Zoning 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. 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 ordinance to amend the district boundary has been adopted by 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 has been adopted. Amendments to the map may follow the parcel lines identified on the Clark County assessor's parcel map(s) submitted with the reclassification request is the submitted legal description does not exactly match the parcel boundaries, unless the reclassification request includes more than one district within the parcel or unless the request is for only a portion of the parcel. (Ord. 2068 § 2 (part), 1998)

29.11.070 Replacement of the 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 29.11.070 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. 2068 § 2 (part), 1998)

29.11.080 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:

1. Boundaries indicated as approximately following the centerlines of streets, highways or alleys shall be construed to follow such centerlines;
2. Boundaries indicated as approximately following platted lot lines, section lines, quarter section lines or city limits shall be construed as following such lines;
3. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks;
4. 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 constructed to follow such centerlines;
5. Boundaries indicated as parallel to or extensions of features indicated in subsections (1) through (4) of this section shall be so construed. Distances not specifically indicated on the official zoning map shall be determined by the scale of the map; and
6. 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 (1) through (5) of this section, the zoning administrator shall interpret the district boundaries. (Ord. 2068 § 2 (part), 1998)

Specific Requirements Related to Uses

Chapter 29.12 - SPECIFIC REQUIREMENTS RELATED TO USES

Sections:**PART A Uses**

- 29.12.010 Permitted uses.
- 29.12.020 Conditional uses.
- 29.12.030 Prohibited uses.

PART B Administrative Interpretations

- 29.12.040 Authority.
- 29.12.050 Interpretation procedure.
- 29.12.060 Notice and records of interpretations.
- 29.12.070 Conditional use permits.

PART A USES

29.12.010 Permitted Uses.

The following regulations shall apply to the uses listed as permitted in the zoning districts set forth in Chapters 29.13 through 29.19.

1. Uses Listed as Permitted.

- A. 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 land and ordinance.
- B. Any use already established within an area prior to the present district regulations which is not a permitted use within such district or is a 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 29.08 (Nonconforming Uses and Structures).

2. Uses Not Listed as Permitted.

When a use is not specifically listed as permitted, it shall be assumed that such uses shall be expressly prohibited unless a determination is set forth in writing by the zoning administrator as provided in Part B of this chapter. (Ord. 2068 § 2 (part), 1998)

29.12.020 Conditional Uses.**a. Authority.**

The planning commission or the board of county commissioners shall have the authority to issue 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.

b. Scope.

The uses listed in subsection (c) of this section, and all matters directly related thereto, are hereby declared to be special uses. This declaration is based on the fact that the uses listed below possess characteristics of unique and special forms as to make it impractical for their being included automatically in any class of use as set forth in the various zoning districts established in this title.

c. Specified Conditional Uses.

The following uses, subject to the limitations herein and to the issuance of a conditional use permit as provided in Part A of Chapter 29.05 (Conditional Use Permits, Variances, and Other Development Review Procedures) may be permitted in the various zoning districts established in this title:

1. Airports, including commercial or public, and landing fields for private use;
2. 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:
 - A. Used as part of and auxiliary to the lawful use of the premises,
 - B. Designed and constructed in accordance with all building codes,
 - C. The structure is designed and maintained to prohibit habitation,
 - D. Meets the standards of the Federal Aviation Administration and the department of aviation and not to interfere with safe aviation operation and communication;
3. Churches, museums and libraries upon condition that the location, building appearance, building height, and plot plans be approved;
4. Cemeteries, columbiums, crematories, mortuaries, and mausoleums upon condition that the area of any cemetery not be less than forty acres;
5. Communication towers and antennas, other than amateur licensed, except as provided within Chapter 29.24 (Communication Towers and Antennas) and subject to conformance with said Chapter 29.24;
6. Convention and exposition halls;
7. Cooperative apartments in multiple-family districts, 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;
8. Custodial institutions;
9. Day care and child care institutions 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 demonstrates the use is compatible with neighboring uses. Nothing in this section shall apply to that certain child care facility defined as a family care home by Chapter 6.16 of the Clark County Code;

10. Exotic animals, the keeping of; provided, that the application for such permit shall demonstrate that all federal, state, and county animal control regulations have been complied with;
11. Government offices and facilities in residential districts when located on parcels of less than five gross acres;
12. Gravel pits, and/or concrete/asphaltic batch plants only in conjunction with the gravel pit, only in conjunction with a major project as defined by Title 26 of the Clark County Code, providing the gravel is excess gravel generated in the course of grading for the major project and is only used on-site, 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 as shown on the map adopted by the board of county commissioners on June 4, 1997, incorporated by reference. The provisions of Chapter 29.22 (Landscaping and Screening) 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;
13. Gravel pits, temporary construction storage, and/or concrete/asphaltic batch plants only in conjunction with a specified temporary construction project on a site other than the construction site, providing that paved access is provided if the property is located within the PM10 nonattainment area as shown on the map adopted by the board of county commissioners on June 4, 1997, incorporated by reference, and that the property is adequately buffered from existing residential uses as determined by the planning commission or board of county commissioners. Off-site sales of gravel shall only be permitted if the applicant demonstrates that such sale would decrease the overall impact of truck traffic on developed areas of the community. The provisions of Chapter 29.22 (Landscaping and Screening) 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. Any extension of time shall be treated as a public hearing;
14. 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 29.22 (Landscaping and Screening) 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 public project, whichever comes first.
15. Heliports, upon condition that each proponent for a heliport must provide to the planning commission or 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;

16. Hospitals, clinics, rest homes and sanitariums upon the following conditions:
 - A. All buildings are located at least fifty feet from any property line common to other property not devoted to a similar purpose,
 - B. Building coverage not to exceed forty percent of the building site area,
 - C. Location of the site, building plans and plot plan, and
 - D. 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;
17. Live entertainment which is incidental to 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;
18. Monorails, including associated passenger terminals, power propulsion systems, parking lots, maintenance facilities, and other accessory land and buildings. In addition, incidental commercial uses may be permitted in conjunction with the system providing such use is specified in the use permit application and complies with the following:
 - E. Ground level equipment, power propulsion systems, and maintenance facilities shall be screened from streets and residential development with a decorative block wall and/or landscaping sufficient to screen the facility as determined by the planning commission or board of county commissioners. The height of such a wall may not exceed 10 feet, providing that a notarized letter of approval is obtained from the owner of an adjacent developed property if the fence exceeds six feet in height;
 - F. Any yard, setback, building separation, or location required anywhere in this title may be reduced or eliminated;
 - G. Buildings and structures are permitted at heights greater than otherwise permitted by this code providing the height of such structures is specified in the use permit application;
 - H. Building and structures shall be designed to be architecturally compatible with existing building and structures in the vicinity of the system as determined by the planning commission or board of county commissioners;
 - I. Signs upon the rail or guide way are not permitted except for signs permitted under section 29.23.010 (Signs exempt for regulation). Signs on building and passenger cars are permitted subject to the requirements of Chapter 29.23 (Signs) and/or Chapter 14.10 (Signs on motor vehicles in the public right-of-way) of the Clark County Code; for the purpose of Chapter 14.10 a passenger car shall be considered to be a motor vehicle;
 - J. Any use permit for a private monorail shall only be approved by the board of county commissioners after receipt of the recommendation of the planning commission and

concurrent with the approval of a franchise agreement as provided under Chapter 5.04 of the Clark County Code;

- K. The granting of an application for a use permit contemplated by Section 29.12.020 (c)(18) of the Clark county Code does not give the applicant the right to use the property of any other person without the property owner's express written consent and may not serve as the basis to compel Clark County to use its power of eminent domain to acquire the property of non-consenting owners.
19. Public utility buildings, structures, overhead power lines greater than thirty-five kv, but not including general offices for such utilities nor communication towers and antennas regulated in subsection (c)(8) of this section subject to the following restrictions pursuant to plans approved by the planning commission or board of county commissioners:
- A. For all public utility buildings and structures which do not have permanent staff assigned to the facility, the improvement standards required by Chapters 29.21 and 29.22 (Parking; Landscaping and Screening) of this title may be waived providing dust control measures are applied if required by the Clark County air pollution control division, except that screening and landscaping shall be required if the facility or area of leasehold on a lot exceeds one acre in size,
 - B. Any such public utility facility may provide a security fence or wall subject to the design standards listed under Section 29.22.010(8) (Security fencing) of this title, except that an electric substation may provide a decorative wall up to fifteen feet in height if the planning commission or board of county commissioners determine it is necessary to provide an adequate buffer from adjacent uses,
 - C. Any yard, setback, separation or location required anywhere in this title may be reduced or eliminated,
 - D. Buildings and structures are permitted at heights greater than otherwise permitted by this code;
20. Recreational establishments involving large assemblages of people or automobiles, provided also that incidental commercial uses may be permitted in conjunction with the establishment, including but not limited to, shops, snack bars, lounges, and restaurants providing such use is specified in the use permit approval, including:
- A. Amusement parks,
 - B. Auctions,
 - C. Circuses,
 - D. Fairgrounds,
 - E. Golf courses,
 - F. Race tracks,

- G. 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,
 - H. 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, and
 - I. Swap meets;
 - J. People movers;
21. Schools (including private vocational and avocation 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;
22. Senior Housing.
- A. 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:
 - i. The R-3 multiple-family residential district, but not more than twenty-two units per gross acre,
 - ii. The R-4 multiple-family residential district, but not more than thirty-nine per gross acre;
 - B. 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;
 - C. Road Requirements.
 - i. 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,
 - ii. 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;
23. Watchman's trailer in conjunction with a commercial or industrial use; (Ord. 2170 § 2, 1998 Ord. 2156 § 5, 1998, Ord. 2068 § 2 (part), 1998)

29.12.030 Prohibited Uses.

- a. 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. Notwithstanding the prohibition of uses and temporary structures within the various districts, any temporary facility required to be established by a federal, state, or local governmental entity in order to test for or remediate an environmental hazard may be permitted within any district subject to the approval of the Zoning Administrator when such facility is necessary to protect the health and safety of the public, including the protection of air, water, or other resources.
- b. Transient commercial use of residential development for remuneration prohibited.
 1. Transient commercial use of residential development for remuneration is prohibited in the residential zoning districts set forth in Chapters 29.13 through 29.15 or in any special district of this Code, except as otherwise expressly permitted.
 2. The provisions of Section 29.12.030(B)(1) do not supersede private covenants, deed restrictions, declarations of restrictions and equitable servitudes which impose conditions more restrictive than those imposed by Section 29.12.030(B)(1), or which impose restrictions not covered or addressed by Section 29.12.030(B)(1).
 3. The right to maintain a legal nonconforming transient commercial use of residential development for remuneration shall terminate within three (3) years after such use becomes non-conforming, subject to the following provisions:
 - A. Such a use shall not be classified as a legal nonconforming use, and shall thereafter conform to the regulations specified in Section 29.12.030(B)(1), if the use is maintained or has been maintained in violation of, or contrary to private covenants, deed restrictions, declarations of restrictions, equitable servitudes, or the express terms of a deed of trust, loan or other purchase agreement or security instrument applicable to the residential developed property upon which the use is maintained.
 - B. If any such nonconforming use ceases for any reason for a period of thirty days or more, any subsequent use shall no longer be classified as a legal nonconforming use and shall thereafter conform to the regulations specified in Section 29.12.030(B)(1).
 - C. Nonconforming uses and structures established pursuant to this Section are subject to the regulations concerning nonconforming uses and structures set forth in Chapter 29.08 (Nonconforming uses and structures) of this Code.
- c. Liability and Enforcement. The penalties for non-compliance with and enforcement of this section shall be in accordance with Chapter 29.09 (Enforcement and penalties) of this title. (Ord. 2202 § 13, 1998, Ord. 2171 § 3, 1998, Ord. 2068 § 2 (part), 1998)

PART B ADMINISTRATIVE INTERPRETATIONS

29.12.040 Authority.

The zoning administrator or his/her designee is authorized to determine when a use, not specifically listed in the list of permitted or conditional uses in a particular zoning district, is similar to those uses specifically listed, and therefore may be supplemented to the use list for the given zoning district. (Ord. 2068 § 2 (part), 1998)

29.12.050 Interpretation Procedure.

The zoning administrator, after first having determined a use similar to a use in a particular zoning district may classify or reclassify such a use provided, such reclassification does not violate the intent of this title. No action shall be taken on the part of the zoning administrator, pursuant to this part, until ten days after the publication of a notice, in a newspaper of general circulation in the county, setting forth briefly the action contemplated and the time and place where objections to such action may be registered. A decision of the zoning administrator shall be final unless appealed in writing by an interested party to the board of county commissioners. (Ord. 2068 § 2 (part), 1998)

29.12.060 Notice and Records of Interpretations.

A use classified or reclassified according to the provisions of this part, shall be entered on a list to be known as the supplementary land use classification, with the date upon which such opinion is reached by the zoning administrator, the zoning 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 board of county commissioners shall be furnished a copy of such list, and notice of each supplementary land use classification made by the zoning administrator shall be submitted to the board of county commissioners prior to the next regular meeting of the board following the date of such opinion. Such classification of a use shall have the same force and effect as if the use was classified in this title. (Ord. 2068 § 2 (part), 1998)

29.12.070 Conditional Use Permits.

Uses which in the opinion of the zoning administrator are similar to those uses listed as conditional uses in a particular zoning district shall require the securing of a conditional use permit pursuant to Part A of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures). (Ord. 2068 § 2 (part), 1998)

Residential Districts

Chapter 29.13 - RURAL RESIDENTIAL DISTRICTS

Sections:**PART A General Requirements**

- 29.13.010 General purpose statement.
- 29.13.020 General cross-reference guide.
- 29.13.030 General use limitations.
- 29.13.040 Special property development standards for boarding stables.
- 29.13.050 Temporary uses generally allowed.
- 29.13.060 Prohibited uses.

PART B The Districts**Article I. R-U Rural Open Land District**

- 29.13.070 R-U rural open land district.
- 29.13.080 Purpose.
- 29.13.090 Permitted uses.
- 29.13.100 Accessory uses.
- 29.13.110 Conditional uses.
- 29.13.120 Development standards related to bulk, yard and space regulations.

Article II R-A Residential Agricultural District

- 29.13.130 R-A residential agricultural district.
- 29.13.140 Purpose.
- 29.13.150 Permitted uses.
- 29.13.160 Accessory uses.
- 29.13.170 Conditional uses.
- 29.13.180 Development standards related to bulk, yard and space regulations.

Article III R-E Rural Estates Residential District

- 29.13.190 R-E rural estates residential district.
- 29.13.200 Purpose.
- 29.13.210 Permitted uses.
- 29.13.220 Accessory uses.
- 29.13.230 Conditional uses.
- 29.13.240 Development standards related to bulk, yard and space regulations.

PART C Bulk Matrix

- 29.13.250 Table 29.13-1—Property development standards matrix.

PART A GENERAL REQUIREMENTS

29.13.010 General Purpose Statement.

The rural residential districts set forth herein, when taken together, are intended to permit a broad range of rural residential development necessary to serve the citizens of Clark County. (Ord. 2068 § 2 (part), 1998)

29.13.020 General Cross-reference Guide.

a. Accessory and Temporary Uses.

Accessory and temporary uses are permitted in the rural residential district. In addition to the specific requirements for accessory and temporary uses set forth herein, general requirements relating to accessory and temporary uses in the rural residential districts are set forth in Chapter 29.20 (Requirements of General Applicability).

b. Property Development Standards.

In addition to the specific property development standards set forth herein, uses established in the rural residential districts shall be subject to the general property development standards set forth in Chapter 29.20 (Requirements of General Applicability).

c. Parking and Loading.

The parking and loading requirements applicable in all rural residential districts are set forth in Chapter 29.21 (Off-Street Parking and Loading).

d. Signs.

Sign regulations applicable in all rural residential districts are set forth in Chapter 29.23 (Signs).

e. Design Review.

Requirements relating to design review for the rural residential districts are set forth in Part F of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures).

f. Performance Standards.

In addition to the specific performance standards set forth herein, uses established in the rural residential districts shall be subject to the general performance standards set forth in Chapter 29.20 (Requirements of General Applicability).

g. Landscaping, Screening and Fences.

In addition to the specific landscaping, screening, and fencing requirements set forth herein, general requirements relating to landscaping, screening, and fences in the rural residential districts are set forth in Chapter 29.22 (Landscaping and Screening).

h. Nonconforming Lots.

Requirements relating to nonconforming lots in the rural residential districts are set forth in Chapter 29.08 (Nonconforming Uses and Structures).

i. Planned Development Unit.

Requirements relating to planned unit developments in the rural residential districts are set forth in Part E of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures). (Ord. 2068 § 2 (part), 1998)

29.13.030 General Use Limitations.

- a. Except where a manufactured home is specifically permitted, single-family dwellings shall be of a permanent character in a permanent location with each building on its own lot or parcel of land including all required yard areas.
- b. Fences and walls may be permitted without a principal use in conjunction with a subdivided lot when constructed in accordance with the requirements of Chapter 29.22 (Landscaping and Screening).
- c. Where a building permit for a model home has been issued for a proposed final map consistent with Section 29.13.050 below, or for a previous phase of an approved final map, block walls may be permitted on the proposed lots within the proposed final map. (Ord. 2068 § 2 (part), 1998)

29.13.040 Special Property Development Standards for Boarding Stables.

a. Minimum Area.

- 3. For a residential boarding stable, there shall be a minimum lot area of eighty thousand square feet;
- 4. For a commercial boarding stable, there shall be a minimum lot area of one hundred sixty thousand square feet.

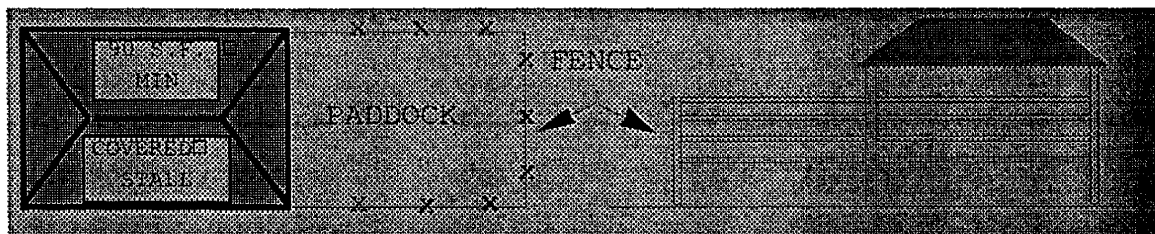
b. Pastures, Arenas or Turnouts.

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

c. Boarding Stalls and Attached Paddocks.

Boarding stalls and attached paddocks shall:

- 1. Be considered structures and shall be provided for each horse occupying the premises;
- 2. 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; and
- 3. Contain at least one hundred twenty square feet for each stall or corral, 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.



d. Manure Storage.

Manure storage shall adhere to the following:

1. Manure storage open air, shall not exceed a height of three feet and a ten-foot radius.
2. Storage of manure may be within fly-proof solid waste disposal containers.
3. Open storage must be located in the rear yard, set back a minimum of forty feet from all property lines.
4. 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.
5. The housing of horses shall conform to all regulations of local and state health authorities.
6. Corrals and stalls shall be cleaned regularly.

e. Performance Standards.

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.

f. Fencing.

Notwithstanding the restrictions on the height of fences within required front yards, a perimeter fence or wall, not less than five feet in height, shall be required along and adjacent to any side, front, or rear 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. When within any required front yard, no more than fifty percent of the vertical surface of the fence or wall above two feet may be solid nor shall the height of the wall exceed five feet.

g. Landscaping.

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

h. Outdoor Lighting.

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.

i. Toilet Facilities.

Toilet facilities shall be provided for in accordance with local health and building code requirements for normal operations.

j. Public Address Systems.

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:

Sound Pressure Levels.

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 one 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. 2202 § 14, 1998 Ord. 2068 § 2 (part), 1998)

29.13.050 Temporary Uses Generally Allowed.

The following temporary uses may be established in each of the residential districts listed below where a final map has been submitted 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 temporary uses must provide paved access to the structures, and adequate access controls as required by Section 29.21.060 of Chapter 29.21 (Off-Street Parking and Loading). The final map must be recorded within one year from the date permits are issued for the uses.

1. **Sales Office.** When 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, however, paved parking and driveways for handicapped access are required by the Uniform Building Code.
2. **Model Homes.** Not more than six model homes upon property covered by the proposed final map subject to the following conditions:
 - A. The final map may not be revised after the permits for the models or units have been issued except with county approval;
 - B. The models or lots within the proposed subdivision may not be sold separately 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. 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; and
 - F. An off-site bond for improvements as required by the final map technical review must be posted prior to issuance of a building permit.
3. A manufactured home, mobile home, or a recreational vehicle may be temporarily established for residential purposes during the construction of a single-family dwelling subject to the following conditions:
 - A. A building permit for the single-family dwelling must be issued prior to the establishment of or issuance of an installation permit for the temporary dwelling;
 - B. The temporary dwelling must be set back a minimum of five feet from any front, side, side corner, or rear property line; and
 - C. The maximum length of time the temporary dwelling may be permitted shall not exceed twenty-four months from the date of building permit issued for the single-family dwelling or thirty days after the final inspection has been approved, whichever comes first.
4. Garage sales, limited to six days each calendar half year. (Ord. 2068 § 2 (part), 1998)

29.13.060 Prohibited Uses.

Uses not specifically listed as permitted or conditionally allowed in the rural residential districts below shall be expressly prohibited. (Ord. 2068 § 2 (part), 1998)

PART B THE DISTRICTS

Article I R-U Rural Open Land District

29.13.070 R-U Rural Open Land District.

The following requirements shall apply specifically to the R-U rural open land district. (Ord. 2068 § 2 (part), 1998)

29.13.080 Purpose.

The R-U rural open land district is established for the vast areas of rural land and to provide for a very low density residential use. (Ord. 2068 § 2 (part), 1998)

29.13.090 Permitted Uses.

The following uses, subject to the design standards contained herein and the conditions set forth in Part A above, are permitted in the R-U rural open land district.

Permitted Uses Generally.

Permanent single-family dwellings. (A single-family dwelling may be a manufactured home provided it is located not less than one hundred feet from any other zoning district boundary and further provided the lot contains a minimum of two acres). (Ord. 2068 § 2 (part), 1998)

29.13.100 Accessory Uses.**a. Accessory Uses Generally.**

Accessory uses, buildings, and structures customarily incidental to any permitted or allowed use when located in same lot or premises and subject to the design standards for the accessory use as set forth herein.

b. Noncommercial Accessory Uses.

The following accessory uses may be specifically permitted in conjunction with a residential dwelling for the use and enjoyment of the family residing on the lot or parcel, provided the use is 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 and breeding of domestic animals, including cows, horses, sheep, goats or similar animals. Hogs or pigs shall be allowed in community district 5 only, otherwise they are prohibited;
3. One cow or one horse or two sheep or two goats will be allowed for each ten thousand square feet of lot area and if permitted, one hog or pig per acre, but the total number of any 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;

4. Poultry farming, provided a maximum of one hundred chickens or one hundred rabbits or similar animals will be allowed on a lot or parcel of land, and further provided that all killing or dressing is done for the owner's consumption;
 5. Chinchilla farm, provided a maximum of one hundred pairs of chinchillas will be allowed on a lot or parcel of land, and further provided that no pelting is done on the premises;
 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, and
 - 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; and further providing that the lot has a minimum of twenty thousand square feet.
- c. Commercial Accessory Uses.**
1. Home occupations subject to the provisions of Section 29.20.090 (Home occupations); and
 2. Boarding stables, residential, subject to the requirements set forth in Section 29.13.040 above.
- d. Uses Specifically Allowed in Community District 5.**
1. Lots or parcels of at least two acres: any of the uses permitted in subsection (b) 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. Lots or parcels containing more than five acres:
 - A. The commercial raising, including hatching, fattening, marketing, and sale 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.
 3. Lots or parcels containing more than forty acres:
 - A. Horse ranch,
 - B. Guest ranches,
 - C. Riding/rental stable, and

D. Housing for employees. (Ord. 2068 § 2 (part), 1998)

29.13.110 Conditional Uses.

The following uses, subject to the design standards contained herein and to the issuance of a conditional use permit as provided in Part A of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures) may be permitted in the R-U rural open land district.

1. Conditional Uses Generally.

- A.** Any use listed in Section 29.12.020 (Conditional Uses) of this title as allowed in any district subject to securing a conditional use permit;
- 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 PM-10 nonattainment area as shown on the map adopted by the board of county commissioners on June 4, 1997 incorporated by reference shall:
 - i.** Pave all haul roads providing access to the site included in the use permit,
 - ii.** 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,
 - iii.** 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,
 - iv.** Where rock crushers, stone mills, quarries or gravel pits are located outside of the PM-10 nonattainment area 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,
 - v.** The provisions of Chapter 29.22 (Landscaping and Screening), 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,
 - vi.** 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, provided:
 - i.** Access to the site is paved if the property is located within the PM10 nonattainment area described in subsection (1)(c) of this section,
 - ii.** A one thousand foot setback to the batch plant from an existing occupied residential dwelling on any other property,

- iii. The provisions of Chapter 29.22 (Landscaping and Screening), 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,
- iv. 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 locations, provided:

- i. 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 (1)(C) of this section,
- ii. A one thousand foot setback to the excavation, tailing or equipment from an existing occupied residential dwelling on any other property,
- iii. 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,
- iv. 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,
- v. Where mining facilities are located outside of the PM-10 nonattainment area 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,
- vi. The provisions of Chapter 29.229 (Landscaping and Screening), 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,
- vii. 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 also to the provisions of Part E of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures);

H. Petroleum pumping; and

- I. Boarding stables, commercial subject to the requirements listed in Section 29.12.040 above. For 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.

2. Conditional Uses Specifically Allowed in Community District 5.

The following uses are specifically allowed in community district 5; 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:

- A. A manufactured home or homes for housing employees provided they are located not less than two hundred feet from any other building, structure or manufactured home being used as a primary residence. The number of manufactured homes permitted as employee housing shall not exceed the number of acres included in the property at which the employees are employed;
- B. Dairy farm;
- C. Hog farm or ranch;
- D. Livestock feed yard; and
- E. Livestock sales yard. (Ord. 2068 § 2 (part), 1998)

29.13.120 Development Standards Related to Bulk, Yard and Space Regulations.

The development standards related to density, area, yards, height, and coverage for the R-U rural open land are as set forth in Table 29.13-1. (Ord. 2068 § 2 (part), 1998)

Article II R-A Residential Agricultural District

29.13.130 R-A Residential Agricultural District.

The following requirements shall apply only specifically to the R-A residential agricultural district. (Ord. 2068 § 2 (part), 1998)

29.13.140 Purpose.

The R-A 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. 2068 § 2 (part), 1998)

29.13.150 Permitted Uses.

The following uses, subject to the design standards contained herein and the conditions set forth in Part A above, are permitted in the R-A residential agricultural district:

1. Permanent single-family dwellings. (In community district 5 the single-family dwelling may be a manufactured home provided it is attached to a permanent foundation and is located not less than fifty feet from any other building, structure or manufactured home being used for residential purposes);
2. Lots or parcels containing more than two acres: any of the uses permitted in Section 29.13.170 below may be raised for commercial purposes and sold from the premises; provided, that no advertising signs or structures shall be allowed on the premises;
3. Lots or parcels containing more than five acres:

- A. The commercial raising, including hatching, fattening, marketing, and sale 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. Aquaculture;
4. Lots or parcels containing more than forty acres:
- A. Horse ranch,
 - B. Guest ranches,
 - C. Riding/rental stable, and
 - D. Housing for employees. (Ord. 2068 § 2 (part), 1998)

29.13.160 Accessory Uses.

a. Accessory Uses Generally.

Accessory uses, buildings and structures customarily incidental to any permitted or allowed use when located on same lot or premises and subject to the design standards for the accessory use as set forth herein.

b. Noncommercial Accessory Uses.

The following accessory uses may be specifically permitted in conjunction with a residential dwelling for the use and enjoyment of the family residing on the lot or parcel, provided the use is not for the 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 and breeding of domestic animals, including cows, horses, sheep, goats or similar animals, except no hogs or pigs shall be allowed;
- 3. 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;
- 4. Poultry farming, provided a maximum of two hundred chickens or two hundred rabbits or similar animals will be allowed on a lot or parcel of land, and further provided that all killing or dressing is done for the owner's consumption;
- 5. Chinchilla farm, provided a maximum of one hundred pairs of chinchillas will be allowed on a lot or parcel of land, and further provided that no pelting is done on the premises;
- 6. Aviaries;

7. Apiaries; upon the following conditions:

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,

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

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.

c. **Commercial Accessory Uses.**

1. Home occupations, subject to the provisions of Section 29.20.090 (Home Occupations); and
2. Boarding stables, residential, subject to the requirements set forth in Section 29.13.040 above. (Ord. 2068 § 2 (part), 1998)

29.13.170 Conditional Uses.

The following uses, subject to the design standards herein and to the issuance of a conditional use permit as provided in Part A of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures) may be permitted in the R-A residential agricultural district:

1. Any use listed in Section 29.12.020 (Conditional uses) as allowed in any district subject to securing conditional use permit;
2. Lots or parcels containing not less than forty acres in area and provided that the operation will not be detrimental to any existing or future residential and commercial developments in the area:
 - A. Dairy farm,
 - B. Hog farm or ranch,
 - C. Livestock feed yard,
 - D. Livestock sales yard, or
 - E. A manufactured home or homes for housing employees provided they are located not less than fifty feet from any other building, structure or manufactured home being used for residential purposes; and
3. Boarding stables, commercial, subject to the requirements set forth in Section 29.13.040 above. 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 caretakers quarters and not as a rental unit. (Ord. 2068 § 2 (part), 1998)

29.13.180 Development Standards Related to Bulk, Yard and Space Regulations.

The development standards related to density, area, yards, height, and coverage for the R-A residential agricultural district are set forth in Table 29.13-1. (Ord. 2068 § 2 (part), 1998)

Article III R-E Rural Estates Residential District

29.13.190 R-E Rural Estates Residential District.

The following requirements shall apply specifically to the R-E rural estate residential districts. (Ord. 2068 § 2 (part), 1998)

29.13.200 Purpose.

The R-E 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. 2068 § 2 (part), 1998)

29.13.210 Permitted Uses.

The following uses, subject to the design standards contained herein and the conditions set forth in Part A above, are permitted in the R-E rural estates residential district:

1. Permanent single-family dwellings. (Ord. 2068 § 2 (part), 1998)

29.13.220 Accessory Uses.

a. Accessory Uses Generally.

Accessory uses, buildings and structures customarily incidental to any permitted or allowed use when located on same lot or premises and subject to the design standards for the accessory use as set forth herein.

b. Noncommercial Accessory Uses.

The following accessory uses may be specifically permitted in conjunction with a residential dwelling for the use and enjoyment of the family residing on the lot or parcel, provided the use is 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 and breeding of domestic animals, including cows, horses, sheep, goats or similar animals, except no hogs or pigs shall be allowed;
3. 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;
4. Poultry farming, provided a maximum of twenty chickens or twenty rabbits or similar animals will be allowed on a lot or parcel of land, and further provided that all killing or dressing is done for the owner's consumption;

5. Chinchilla farm, provided a maximum of ten pairs of chinchillas will be allowed on a lot or parcel of land, and further provided that no pelting is done on the premises;
 6. Aviaries;
 7. Apiaries, upon the following conditions:
 - i. 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,
 - ii. Occupied hives shall have a minimum separation of fifty feet to any common property line of another property,
 - iii. Occupied hives shall have a minimum separation of one hundred fifty feet to any street or highway; and
 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.
- c. Commercial Accessory Uses.**
1. Home occupations, subject to Section 29.20.090 (Home occupations); and
 2. Boarding stables, residential, subject to the requirements set forth in Section 29.13.040 above. (Ord. 2068 § 2 (part), 1998)

29.13.230 Conditional Uses.

The following uses, subject to the design standards herein and to the issuance of a conditional use permit as provided in Part A of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures) may be permitted in the R-E rural estates residential district.

1. Any use listed in Section 29.12.020 (conditional uses) as allowed in any district subject to securing a conditional use permit;
2. Planned development units, subject also to the provisions of Part E of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures);
3. Riding/rental stables with a minimum land area of ten acres;
4. Boarding stables, commercial, subject to the requirements set forth in Section 29.13.040 above. 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. 2202 § 15, 1998, Ord. 2068 § 2 (part), 1998)

29.13.240 Development Standards Related to Bulk, Yard and Space Regulations.

The development standards related to density, area, yards, height, and coverage for the R-E rural estates residential district are set forth in Table 29.13-1. (Ord. 2068 § 2 (part), 1998)

PART C BULK MATRIX

29.13.250 Table 29.13-1 – Property Development Standards Matrix.

Table 29.13-1 Property Development Standards Matrix.⁴

Property Development Standards	R-U	R-A	R-E
Dwelling Unit Density	.5 du/gross acre	1 du/gross acre	2 du/gross acre
Lot			
Area	80,000 square feet	40,000 square feet	20,000 square feet
Width	200 feet	100 feet	100 feet
Depth	250 feet	160 feet	140 feet
Coverage (including accessory buildings and eaves)	10%	10%	50%
Yards			
Front			
Principal structure	50 feet	50 feet	40 feet ⁵
Side			
Principal structure	15 feet each side	15 feet each side	10 feet each side
Accessory structure ²	15 feet	15 feet	15 feet
Side Corner			
Principal corner	25 feet	25 feet	15 feet ¹
Accessory structure ²	25 feet	25 feet	10 feet ¹
Rear			
Principal structure	50 feet	50 feet	30 feet ³
Accessory structure ¹	15 feet	15 feet	5 feet
Height			
Principal structure	2 stories/35 feet	2 stories/ 345 feet	2 stories/35 feet
Accessory structure ²	25 feet	35 feet	25 feet
Building Separation	20 feet	20 feet	10 feet

Notes:

1. The side corner requirement applies, providing there are no openings designed for vehicular ingress and egress in the wall facing the street. Should the building or structure be designed with an opening for vehicular ingress and egress, the side corner setback requirement shall be twenty feet.
2. Except for fences and walls, all accessory structures shall be substantially within the rear yard, and no portion of the accessory building shall be within one foot of any utility easement.
3. In the R-E district, 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.
4. In no case shall a building or structure other than a permitted fence, wall, or other structure permitted by Section 29.20.050(B) and (C)(Permitted intrusions into required yards, permitted accessory structures, roadway improvements and utility equipment in required yards) be constructed to within ten feet of any street.

5. Barns, corrals and pens for animals must be setback one hundred feet from the front property line.
(Ord. 2202 § 16, 1998, Ord. 2068 § 2 (part), 1998)

Single Family Residential Districts

Chapter 29.14 - SINGLE-FAMILY RESIDENTIAL DISTRICTS

Sections:**PART A General Requirements**

- 29.14.010 General purpose statement.
- 29.14.020 General cross-reference guide.
- 29.14.030 General use limitations.
- 29.14.040 Temporary uses generally allowed.
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PART B The Districts**Article I R-D Suburban Estates Residential District**

- 29.14.060 R-D suburban estates residential district.
- 29.14.070 Purpose.
- 29.14.080 Permitted uses.
- 29.14.090 Accessory uses.
- 29.14.100 Conditional uses.
- 29.14.110 Development standards related to bulk, yard and space regulations.

Article II R-1 Single-Family Residential District

- 29.14.120 R-1 single-family residential district.
- 29.14.130 Purpose.
- 29.14.140 Permitted uses.
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Article III R-1A Single-Family Residential District

- 29.14.180 R-1A single-family residential district.
- 29.14.190 Purpose.
- 29.14.200 Permitted uses.
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Article IV R-T Mobile Home Residential District

- 29.14.240 R-T mobile home residential district.
- 29.14.250 Purpose.
- 29.14.260 Permitted uses.
- 29.14.270 Accessory uses.
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- 29.14.300 Special property development standards related to manufactured homes.

- Article V R-2 Medium Density Residential District**
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 29.14.320 Purpose.
 29.14.330 Permitted uses.
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 29.14.360 Development standards related to bulk, yard and space regulations.

PART C Bulk Matrix

- 29.14.370 Table 29.14-1—Property development standards matrix.

PART A GENERAL REQUIREMENTS

29.14.010 General Purpose Statement.

The single-family districts set forth herein, when taken together, are intended to permit a broad range of single-family development necessary to serve the citizens of Clark County. (Ord. 2068 § 2 (part), 1998)

29.14.020 General Cross-Reference Guide.

a. Accessory and Temporary Uses.

Accessory and temporary uses are permitted in the single-family districts. In addition to the specific requirements for accessory and temporary uses set forth herein, general requirements relating to accessory and temporary uses in the single-family districts are set forth in Chapter 29.20 (Requirements of General Applicability).

b. Property Development Standards.

In addition to the specific property development standards set forth herein, uses established in the single-family districts shall be subject to the general property development standards set forth in Chapter 29.20 (Requirements of General Applicability).

c. Parking and Loading.

The parking and loading requirements applicable in all single-family districts are set forth in Chapter 29.21 (Off-Street Parking and Loading).

d. Signs.

Sign regulations applicable in all single-family districts are set forth in Chapter 29.23 (Signs).

e. Design Review.

Requirements relating to design review for the single-family districts are set forth in Part F of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures).

f. Performance Standards.

Requirements relating to performance standards in the single-family districts are set forth in Chapter 29.20 (Requirements of General Applicability).

g. Landscaping, Screening Fences.

In addition to the specific landscaping, screening, and fencing requirements set forth herein, general requirements relating to landscaping, screening, and fences in the single-family residential districts are set forth in Chapter 29.22 (Landscaping and Screening).

h. Nonconforming Lots.

Requirements relating to nonconforming lots in the single-family districts are set forth in Chapter 29.08 (Nonconforming Uses and Structures).

i. Planned Developments Unit.

Requirements relating to planned unit developments in the single-family districts are set forth in Part E of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures). (Ord. 2068 § 2 (part), 1998)

29.14.030 General Use Limitations.

- a. Single-family dwellings shall be of a permanent character in a permanent location with each building on its own lot or parcel of land including all required yard areas.
- b. Fences and walls may be permitted without a principal use in conjunction with a subdivided lot when constructed in accordance with the requirements of Chapter 29.22 (Landscaping and Screening).
- c. Where a building permit for a model home has been issued for a proposed final map consistent with Section 29.14.040 below, or for a previous phase of an approved final map, block walls may be permitted on the proposed lots within the proposed final map. (Ord. 2068 § 2 (part), 1998)

29.14.040 Temporary Uses Generally Allowed.

The following temporary uses may be established in each of the residential districts listed below a final map has been submitted 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 temporary uses must provide paved access to the structures, and adequate access controls as required by Section 29.21.060 of Chapter 29.21 (Off-Street Parking and Loading). The final map must record within one year from the date permits are issued for the uses:

1. 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. Model Homes. Not more than six model homes upon property covered by the proposed final map subject to the following conditions:
 - A. The final map may not be revised after the permits for the models or units have been issued except with county approval;

- B. The models or lots within the proposed subdivision may not be sold separately 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. 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; and
 - F. An off-site bond for improvements as required by the final map technical review must be posted prior to issuance of a building permit.
3. A manufactured home, mobile home, or a recreational vehicle may be temporarily established for residential purposes during the construction of a single-family dwelling subject to the following conditions:
- A. A building permit for the single-family dwelling must be issued prior to the establishment of or issuance of an installation permit for the temporary dwelling.
 - B. The temporary dwelling must be set back a minimum of five feet from any front, side, side corner, or rear property line.
 - C. The maximum length of time the temporary dwelling may be permitted shall not exceed twenty-four months from the date of building permit issued for the single-family dwelling or thirty days after the final inspection has been approved, whichever comes first.
4. Garage sales, limited to six days each calendar half year. (Ord. 2068 § 2 (part), 1998)

29.14.050 Prohibited Uses.

Uses not specifically listed as permitted or conditionally allowed in the single-family districts below shall be expressly prohibited. (Ord. 2202 § 17, 1998, Ord. 2068 § 2 (part), 1998)

PART B THE DISTRICTS

Article I R-D Suburban Estates Residential District

29.14.060 R-D Suburban Estates Residential District.

The following requirements shall apply to the R-D suburban estates residential district. (Ord. 2068 § 2 (part), 1998)

29.14.070 Purpose.

The R-D 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. 2068 § 2 (part), 1998)

29.14.080 Permitted Uses.

The following uses, subject to the design standards contained herein and the conditions set forth in Part A above, are permitted in the R-D suburban estates residential district:

1. Permanent single-family dwellings. (Ord. 2068 § 2 (part), 1998)

29.14.090 Accessory Uses.

a. Accessory Uses Generally.

The following uses, buildings and structures customarily incidental to any permitted or allowed use when located on the same lot or premises and subject to the design standards for the accessory use as set forth herein.

b. Noncommercial Accessory Uses.

The following accessory uses may be specifically permitted in conjunction with a residential dwelling for the use and enjoyment of the family residing on the lot or parcel, provided the use is not for commercial purposes:

1. Flower gardening;
2. Private nursery;
3. Greenhouses and orchards; and
4. Aviaries for the keeping of not more than ten pigeons, doves, or similar small fowl (but not chickens, turkeys or similar fowl intended for consumption) and their young under the age of six weeks.

c. Commercial Accessory Uses.

Home occupations, subject to Section 29.20.090 (Home occupations). (Ord. 2068 § 2 (part), 1998)

29.14.100 Conditional Uses.

The following uses, subject to the design standards herein and to the issuance of a conditional use permit as provided in Part A of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures) may be permitted in the R-D suburban estates residential district:

1. Any use in Section 29.12.020 (Conditional uses) of this title as allowed in any district and securing a conditional use permit; and
2. Planned development units, subject also to the provisions of Part E of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures). (Ord. 2068 § 2 (part), 1998)

29.14.110 Development Standards Related to Bulk, Yard and Space Regulations.

The development standards related to density, area, yards, height, and coverage for the R-D suburban estates residential district are set forth in Table 29.14-1. (Ord. 2068 § 2 (part), 1998)

Article II R-1 Single-Family Residential District

29.14.120 R-1 Single-Family Residential District.

The following requirements shall apply to the R-1 single-family district. (Ord. 2068 § 2 (part), 1998)

29.14.130 Purpose.

The R-1 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. 2068 § 2 (part), 1998)

29.14.140 Permitted Uses.

The following uses, subject to the design standards contained herein and the conditions set forth in Part A above, are permitted in R-1 single-family residential district:

1. Permanent single-family dwellings. (Ord. 2068 § 2 (part), 1998)

29.14.150 Accessory Uses.

- a. Accessory uses, buildings and structures customarily incidental to any permitted or allowed use when located on the same lot or premises and subject to the design standards for the accessory use as set forth herein; and
- b. Home occupations subject to Section 29.20.090 (Home occupations). (Ord. 2068 § 2 (part), 1998)

29.14.160 Conditional Uses.

The following uses, subject to the design standards herein and to the issuance of a conditional use permit as provided in Part A of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures) may be permitted in the R-1 single-family residential district:

1. Any use listed in Section 29.12.020 (Conditional uses) of this title, as allowed in any district subject to securing a conditional use permit;
2. Planned development units, subject also to the provisions of Part E of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures);
3. Single-family residences with one side yard reduced or eliminated; provided, that:
 - A. The remaining side yard is at least ten feet in width,
 - B. 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
 - C. The applicant can demonstrate that such design is not out of character with the neighborhood. (Ord. 2068 § 2 (part), 1998)

29.14.170 Development Standards Related to Bulk, Yard and Space Regulations.

The development standards related to density, area, yards, height, and coverage for the R-1 single-family residential district are set forth in Table 29.14-1. (Ord. 2068 § 2 (part), 1998)

Article III R-1A Single-Family Residential District

29.14.180 R-1A Single-Family Residential District.

The following requirements shall apply specifically to the R1-A single-family residential district. (Ord. 2068 § 2 (part), 1998)

29.14.190 Purpose.

The R-1A 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. 2068 § 2 (part), 1998)

29.14.200 Permitted Uses.

The following uses, subject to the design standards contained herein and the conditions set forth in Part A above, are permitted in R-1A single-family residential district.

1. Permanent single-family dwellings. (Ord. 2068 § 2 (part), 1998)

29.14.210 Accessory Uses.

- a. Accessory uses, buildings and structures customarily incidental to any permitted or allowed use when located on the same lot or premises and subject to the design standards for the accessory use as set forth herein; and
- b. Home occupations subject to Section 29.20.090 (Home occupations). (Ord. 2068 § 2 (part), 1998)

29.14.220 Conditional Uses.

The following uses, subject to the design standards herein and to the issuance of a conditional use permit as provided in Part A of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures) may be permitted in the R-1A single-family residential district.

1. Any use in Section 29.12.020 (Conditional uses) of this title as allowed in any district and securing a conditional use permit;
2. Planned development units, subject also to the provisions of Part E of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures); and
3. Single-family residences with one side yard reduced or eliminated, provided that:
 - A. The remaining side yard is at least ten feet in width,
 - B. 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
 - C. The applicant can demonstrate that such design is not out of character with the neighborhood. (Ord. 2068 § 2 (part), 1998)

29.14.230 Development Standards Related to Bulk, Yard and Space Regulations.

The development standards related to density, area, yards, height, and coverage for the R-1A single-family residential district are set forth in Table 29.14-1. (Ord. 2068 § 2 (part), 1998)

Article IV R-T Mobile Home Residential District

29.14.240 R-T Mobile Home Residential District.

The following requirements shall apply to the R-T mobile home residential district. (Ord. 2068 § 2 (part), 1998)

29.14.250 Purpose.

The R-T mobile home residential district is established to provide for residential areas which would be compatible for the development of a mobile home and manufactured home residential use, and to prohibit the development of incompatible uses that are detrimental to the residential environment. (Ord. 2068 § 2 (part), 1998)

29.14.260 Permitted Uses.

The following uses, subject to the design standards contained herein and the conditions set forth in Part A above, are permitted in the R-T mobile home residential district:

1. Permanent single-family dwellings; and
2. Mobile homes and manufactured homes, when used as a single-family residence and located on its own lot or parcel of land including all required yard areas. (Ord. 2068 § 2 (part), 1998)

29.14.270 Accessory Uses.

- a. Accessory uses, buildings, and structures customarily incidental to any permitted or allowed use when located on the same lot or premises, and subject to the design standards for the accessory use as set forth herein; and
- b. Home occupations subject to Section 29.20.090 (Home occupations). (Ord. 2068 § 2 (part), 1998)

29.14.280 Conditional Uses.

The following uses, subject to the design standards herein and the issuance of a conditional use permit as provided in Part A of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures) may be permitted in the R-T mobile home residential district:

1. Any use listed in Section 29.12.020 (Conditional uses) of this title, or allowed in any district subject to securing a conditional use permit; and
2. Planned development units, subject also to the provisions of Part E of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures). (Ord. 2068 § 2 (part), 1998)

29.14.290 Development Standards Related to Bulk, Yard and Space Regulations.

The development standards related to density, area, yards, height, and coverage for the R-T mobile home residential district are set forth in Table 29.14-1. (Ord. 2068 § 2 (part), 1998)

29.14.300 Special Property Development Standards Related to Manufactured Homes.

Cabanas, ramadas and other structures may be added to a manufactured home; provided, that said cabanas, ramadas and other structures comply with the development standards set forth in Table 29.14-1. (Ord. 2068 § 2 (part), 1998)

Article V R-2 Medium Density Residential District

29.14.310 R-2 Medium Density Residential District.

The following requirements shall apply specifically to the R-2 medium density residential district. (Ord. 2068 § 2 (part), 1998)

29.14.320 Purpose.

The R-2 medium density residential 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. 2068 § 2 (part), 1998)

29.14.330 Permitted Uses.

The following uses, subject to the design standards contained herein and the conditions set forth in Part A above, are permitted in the R-2 medium density residential district:

1. Permanent single-family dwellings. (Ord. 2068 § 2 (part), 1998)

29.14.340 Accessory Uses.

- a. Accessory uses buildings and structures customarily incidental to any permitted or allowed use when located on the same lot or premises and subject to the design standards for the accessory use as set forth herein; and
- b. Home occupations subject to Section 29.20.090 (Home occupations). (Ord. 2068 § 2 (part), 1998)

29.14.350 Conditional Uses.

The following uses, subject to the design standards herein and to the issuance of a conditional use permit as provided in Part A of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures) may be permitted in the R-2 medium density residential district:

1. Any use listed in Section 29.12.020 (Conditional uses) of this title as allowed in any district subject to a conditional use permit;
2. Planned development units, subject also to the provisions of Part E of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures);
3. Single-family dwellings on individual compact lots having a lot area and lot width not less than half that otherwise required by Table 29.14-1;
4. Single-family residences on zero lot line lots; provided, that:
 - A. The remaining side yard is at least ten feet in width,

- B. 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
 - C. The applicant can demonstrate that such design is not out of character with the neighborhood; and
5. 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. 2068 § 2 (part), 1998)

29.14.360 Development Standards Related to Bulk, Yard and Space Regulations.

The development standards related to density, area, yards, height, and coverage for the R-2 medium density residential district are set forth in Table 29.14-1. (Ord. 2068 § 2 (part), 1998)

Part C Bulk Matrix

29.14.370 Table 29.14-1 – Property development standards matrix.

Table 29.14-1 Property Development Standards Matrix⁵

Property Development Standards	R-D	R-1	R-1A	R-T	R-2
Dwelling Unit Density	3 du/gross acre	4 du/gross acre	5 du/gross acre	5 du/gross acre	8 du/gross acre
Lot					
Area	10,000 square feet	7,000 square feet	6,000 square feet	6,500 square feet	7,000 square feet
Width					
Interior/corner	85 feet/85 feet	70 feet/75 feet	60 feet/70 feet	65 feet/75 feet	70 feet/75 feet
Lots on:					
Knuckles/cul-de-sac	85 feet	39 feet	39 feet	39 feet	39 feet
Curve	85 feet	56 feet	56 feet	52 feet	56 feet
Depth					
Facing on local/frontage streets	110 feet	100 feet	100 feet	100 feet	100 feet
Facing on local/frontage streets and fronting on turnaround section of a knuckle/cul-de-sac	110 feet	90 feet	90 feet	90 feet	90 feet
Facing on collector streets	110 feet	115 feet	115 feet	115 feet	100 feet
Facing on major streets/highways	110 feet	125 feet	125 feet	125 feet	100 feet
Backing on freeways, major highways, railroad's ROW, or commercial or industrial districts	110 feet	125 feet	125 feet	125 feet	100 feet
Coverage (including accessory buildings and eaves)	50 percent	50 percent	50 percent	50 percent ²	50 percent
Yards					
Front					
Principal structure	30 feet	20 feet	20 feet	25 feet ⁶	20 feet
Side⁴					
Principal structure	10 feet each side	5 feet each side ¹	5 feet each side ¹	5 feet each side	5 feet each side ¹
Accessory structure ⁷	5 feet	5 feet	5 feet	5 feet	5 feet
Corner Side					
Principal structure	15 feet	15 feet	15 feet	15 feet	15 feet
Accessory structure ⁷	15 feet	15 feet	15 feet	15 feet	15 feet
Rear³					
Principal structure	25 feet	25 feet ⁴	25 feet ⁵	25 feet ⁶	20 feet
Accessory structure ⁷	5 feet	5 feet	5 feet	5 feet	5 feet
Height					
Principal structure	2 stories/35 feet	2 stories/35 feet	2 stories/35 feet	2 stories/35 feet	2 stories/35 feet
Accessory structure	14 feet	14 feet	14 feet	14 feet	14 feet
Building Separation	10 feet	10 feet	10 feet	10 feet	10 feet

Notes:

1. Pursuant to Section 29.14.160(3), 29.14.220(3), and 29.14.350(4), one side yard may be eliminated.
2. Excludes covered parking.
3. Covered patios in conjunction with and attached to a single-family dwelling may be erected in the required rear yard area provided that no portion of the roof is closer than ten feet, or fifteen feet in the R-D district, to the rear property line. The 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.
4. 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 may not exceed three hundred fifty square feet and that no portion of any addition is closer than ten feet to the rear property line.
5. 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.
6. Mobile homes may encroach five feet into the required setback.
7. Except for fences and walls, all accessory structures shall be substantially within the rear yard, and no portion of the accessory building shall be within one foot of any utility easement.
8. In no case shall a building or structure other than a permitted fence, wall, or other structure permitted by Section 29.20.050(b) and (c) (permitted intrusions into required yards, permitted accessory structures, roadway improvements and utility equipment in required yards) be constructed to within ten feet of any street.

(Ord. 2202 § 18, 1998, Ord. 2068 § 2 (part), 1998)

multiple family residential districts

Chapter 29.15 - MULTIPLE-FAMILY RESIDENTIAL DISTRICTS

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PART B The Districts**Article I R-3 Multiple-Family Residential District**

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Article III R-5 Apartment Residential District

- 29.15.200 R-5 apartment residential district.
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- 29.15.240 Conditional uses.
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PART C Bulk Matrix

- 29.15.270 Table 29.15-1—Property development standards matrix.

PART A GENERAL REQUIREMENTS

29.15.010 General Purpose Statement.

The multiple-family districts set forth herein, when taken together, are intended to permit a broad range of multiple-family development necessary to serve the citizens of Clark County. (Ord. 2068 § 2 (part), 1998)

29.15.020 General Cross-reference Guide.

a. Accessory and Temporary Uses.

Accessory and temporary uses are permitted in the multiple-family districts. In addition to the specific requirements for accessory and temporary uses set forth herein, general requirements relating to accessory and temporary uses in the multiple-family districts are set forth in Chapter 29.20 (Requirements of General Applicability).

b. Property Development Standards.

In addition to the specific property development standards set forth herein, uses established in the multiple-family districts shall be subject to the general property development standards set forth in Chapter 29.20 (Requirements of General Applicability).

c. Parking and Loading.

The parking and loading requirements applicable in all multiple-family districts are set forth in Chapter 29.21 (Off-Street Parking and Loading).

d. Signs.

Sign regulations applicable in all multiple-family districts are set forth in Chapter 29.23 (Signs).

e. Design Review.

Requirements relating to design review for the multiple-family districts are set forth in Part F of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures).

f. Performance Standards.

Requirements relating to performance standards in the multiple-family districts are set forth in Chapter 29.20 (Requirements of General Applicability).

g. Landscaping, Screening, and Fences.

Requirements relating to landscaping, screening, buffering, and fencing in the multiple-family districts are set forth in Chapter 29.22 (Landscaping and Screening).

h. Nonconforming Lots.

Requirements relating to nonconforming lots in the multiple-family districts are set forth in Chapter 29.08 (Nonconforming Uses and Structures).

i. Planned Developments Unit.

Requirements relating to planned unit developments in the multiple-family districts are set forth in Part E of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures). (Ord. 2068 § 2 (part), 1998)

29.15.030 General Use Limitations.

- a. Residential buildings shall be of a permanent character in a permanent location with each building on its own lot or parcel of land including all required yard areas.
- b. Fences and walls may be permitted without a principal use in conjunction with a subdivided lot in accordance with the requirements of Chapter 29.22 (Landscaping and Screening).
- c. Where a building permit for a model home has been issued for a proposed final map consistent with Section 29.15.040 below, or for a previous phase of an approved final map, block walls may be permitted on the proposed lots within the proposed final map. (Ord. 2068 § 2 (part), 1998)

29.15.040 Permitted Temporary Uses.

The following temporary uses may be established where a final map has been submitted 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 29.21.060 of Chapter 29.21 (Off-Street Parking and Loading). The final map must record within one year from the date permits are issued for the uses.

1. 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. Model Home Units.

Not more than six model homes or eight condominium units in the R-3 district or eight model home units in the R-4 and R-5 districts, upon property covered by the proposed final map subject to the following conditions:

- A. The final map may not be revised after the permits for the models or units have been issued except with county approval,
- B. The model units 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. 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; and

- F. An off-site bond for improvements as required by the final map technical review must be posted prior to issuance of a building permit;
3. In the R-3 district, a manufactured home, mobile home, or a recreational vehicle may be temporarily established for residential purposes during the construction of a single-family dwelling subject to the following conditions:
 - A. A building permit for the single-family dwelling must be issued prior to the establishment of or issuance of an installation permit for the temporary dwelling,
 - B. The temporary dwelling must be set back a minimum of five feet from any front, side, side corner, or rear property line, and
 - C. The maximum length of time the temporary dwelling may be permitted shall not exceed twenty-four months from the date of building permit issued for the single-family dwelling or thirty days after the final inspection has been approved, whichever comes first.
 4. Garage sales, limited to six days each calendar half year. (Ord. 2068 § 2 (part), 1998)

29.15.050 Prohibited Uses.

Uses not specifically listed as permitted or conditionally allowed in the multiple-family districts below shall be expressly prohibited. (Ord. 2068 § 2 (part), 1998)

PART B THE DISTRICTS

Article I R-3 Multiple-Family Residential District

29.15.060 R-3 Multiple-Family Residential District.

The following requirements shall apply specifically to the R-3 multiple-family residential district. (Ord. 2068 § 2 (part), 1998)

29.15.070 Purpose.

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. 2068 § 2 (part), 1998)

29.15.080 Permitted Uses.

The following uses, subject to the design standards contained herein and the conditions set forth in Part A above, are permitted in the R-3 multiple-family residential district:

1. One permanent single-family dwelling residence;
2. One permanent two-family dwelling residence;
3. One permanent three-family dwelling residence;
4. One permanent four-family dwelling residence;
5. Permanent multiple-family dwellings; and

6. Permanent multiple-family dwelling groups; and
7. Planned development units, subject either to the provisions of this chapter or to the provisions of Part E of chapter 29.05 (Conditional use permits, variances, and other development review procedures). (Ord. 2202 § 19, 1998, Ord. 2068 § 2 (part), 1998)

29.15.090 Accessory Uses.

- a. Accessory uses, buildings, and structures customarily incidental to any permitted or allowed use when located on the same lot or premises and subject to the design standards for the accessory use as set forth herein;
- b. Home occupations subject to Section 29.20.090 (Home occupations); and
- c. Vending machines and laundromats for the sole use and convenience of residents of the development provided that the development plan be approved by the planning commission or board of county commissioners. (Ord. 2068 § 2 (part), 1998)

29.15.100 Conditional Uses.

The following uses, subject to the design standards herein and to the issuance of a conditional use permit as provided in Part A of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures) may be permitted in the R-3 multiple-family residential district:

1. Any use listed in Section 29.12.020 (Conditional uses) of this title, as allowed in any district subject to securing a conditional use permit;
2. Single-family dwellings on individual compact lots having a lot area and lot width not less than half that otherwise required by Table 29.15-1;
3. Single-family residences on zero lot line lots; provided, that:
 - A. The remaining side yard is at least ten feet in width,
 - B. 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
 - C. The applicant can demonstrate that such design is not out of character with the neighborhood;
4. Senior housing. (Ord. 2202 § 20, 1998, Ord. 2068 § 2 (part), 1998)

29.15.110 Development Standards Related to Bulk, Yard and Space Regulations.

The development standards related to density, area, yards, height, and coverage for the R-3 multiple-family residential district are set forth in Table 29.15-1. (Ord. 2068 § 2 (part), 1998)

29.15.120 Special Provisions for Multiple-family Dwelling Groups.

In addition to the foregoing conditions, the following special provisions shall apply to multiple-family dwelling groups, unless the dwelling group conforms to the design standards set forth in Part E, Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures).

1. Yards.

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

2. Arrangement.

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. Minimum Courtyard.

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. Minimum Open Area.

The minimum open courtyard unobstructed except by architectural intrusions permitted by subsection (2) of this section shall be as follows:

One-story dwelling groups	Not less than 2,000 square feet with an average width of not less than 30 feet;
Two-story dwelling groups	Not less than 2,000 square feet with an average width of not less than 40 feet.

5. Distances Between Buildings.

No building or structure may be within ten feet of any other building or structure.

6. Open Space.

There shall be provided four hundred square feet of open space 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. 2068 § 2 (part), 1998)

Article II R-4 Multiple-Family Residential District

29.15.130 R-4 Multiple-family Residential District (High Density).

The following requirements shall apply specifically to the R-4 multiple-family residential district (high density). (Ord. 2068 § 2 (part), 1998)

29.15.140 Purpose.

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. 2068 § 2 (part), 1998)

29.15.150 Permitted Uses.

The following uses, subject to the design standards contained herein and the conditions set forth in Part A above, are permitted in the R-4 multiple-family residential district (high density):

1. One permanent three-family dwelling residence;
2. One permanent four-family dwelling residence;
3. Permanent multiple-family dwellings; and
4. Permanent multiple-family dwelling groups. (Ord. 2068 § 2 (part), 1998)

29.15.160 Accessory Uses.

- a. Accessory uses, buildings, and structures customarily incidental to any permitted or allowed use when located on the same lot or premises and subject to the design standards for the accessory use as set forth herein;
- b. Home occupations subject to Section 29.20.090 (Home occupations). (Ord. 2068 § 2 (part), 1998)

29.15.170 Conditional Uses.

The following uses, subject to the design standards herein and the issuance of a conditional use permit as provided in Part A of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures) may be permitted in the R-4 multiple-family residential district:

1. Any use listed in Section 29.12.020 (Conditional uses) of this title, as allowed in only district subject to securing a conditional use permit;
2. Planned development units, subject also to the provisions of Part E of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures);
3. 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); and
4. Senior housing. (Ord. 2068 § 2 (part), 1998)

29.15.180 Development Standards Related to Bulk, Yard and Space Regulations.

The development standards related to density, area, yards, height, and coverage for the R-4 multiple-family residential district are set forth in Table 29.15-1. (Ord. 2068 § 2 (part), 1998)

29.15.190 Special Provisions for Multiple-family Dwelling Groups.

In addition to the foregoing, the following special provisions shall apply to multiple-family dwelling groups in the R-4 multiple-family residential district:

1. Yards.

Groups of multiple-family dwellings shall be considered as one building for the purpose of front, side and rear yard requirements.

2. Arrangement.

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.

3. Rear Yard Reduction.

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; or
- C. That the reduced rear yard is not adjacent to a different zoning district.

4. Minimum Courtyard.

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. Minimum Open Area.

The minimum open courtyard unobstructed except by architectural intrusions permitted by subsection (2) of this section, shall be as follows:

One-story dwelling groups	Not less than 1,000 square feet with an average width of not less than 30 feet;
Two-story dwelling groups	Not less than 1,500 square feet with an average width of not less than 30 feet.

6. Distance Between Buildings.

No building or structure may be within ten feet of any other building or structure.

7. Open Space.

There shall be provided three hundred square feet of open space 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. 2068 § 2 (part), 1998)

Article III R-5 Apartment Residential District

29.15.200 R-5 Apartment Residential District.

The following requirements shall apply specifically to the R-5 apartment residential district. (Ord. 2068 § 2 (part), 1998)

29.15.210 Purpose.

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. 2068 § 2 (part), 1998)

29.15.220 Permitted Uses.

The following uses, subject to the design standards contained herein and the conditions set forth in Part A above, are permitted in the R-5 apartment residential district:

1. Permanent multiple-family dwellings;
2. Permanent multiple-family dwelling groups;
3. Permanent apartment hotels;
4. Lodging houses and boarding houses, but not dormitories (rooms may have a common kitchen); and
5. Clubs, lodges, fraternities and societies of a private and nonprofit nature. (Ord. 2068 § 2 (part), 1998)

29.15.230 Accessory Uses.

- a. Accessory uses, buildings, and structures customarily incidental to any permitted or allowed use when located on the same lot or premises and subject to the design standards for the accessory use as set forth herein;
- b. Vending machines and laundromats for the sole use and convenience of residents of the development provided that the development plan be approved by the planning commission or board of county commissioners; and
- c. Home occupations subject to Section 29.20.020 (Home occupations). (Ord. 2068 § 2 (part), 1998)

29.15.240 Conditional Uses.

The following uses, subject to the design standards herein and to the issuance of a conditional use permit as provided in Part A of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures) may be permitted in the R-5 apartment residential district:

1. Any use listed in Section 29.12.020 (Conditional uses) of this title, as allowed in any district subject to securing a conditional use permit;
2. Planned development units, subject also to the provisions of Part E of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures);
3. Commercial businesses limited to the following type and subject to the conditions set forth below in subsection (3)(B) of this section:
 - A. Uses.
 - i. Barbershop;
 - ii. Beauty shop or parlor;

iii. Food and miscellaneous household product sales; and

iv. Dry cleaning and laundry collection office.

B. Conditions.

i. The uses are clearly incidental to an apartment complex containing not less than one hundred units and for the convenience of the occupants thereof;

ii. 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;

iii. 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 are not outside advertising signs; and

iv. 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. 2068 § 2 (part), 1998)

29.15.250 Development Standards Related to Bulk, Yard and Space Regulations.

The development standards related to density, area, yards, height, and coverage for the R-5 apartment residential district are set forth in Table 29.15-1. (Ord. 2068 § 2 (part), 1998)

29.15.260 Special Provisions for Multiple-family Dwelling Groups.

The following special provisions shall apply to multiple-family dwelling groups in the R-5 apartment residential district. All of the foregoing conditions shall apply, except as provided otherwise in this title:

1. Yards.

Groups of multiple-family dwellings shall be considered as one building for the purpose of front, side and rear yard requirements.

2. Arrangement.

All multiple-family dwelling units shall face upon a public street, a courtyard, or a landscaped area one half the requirement listed under subsection (5) of this section.

3. Rear Yard Reduction.

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; and

C. That the reduced rear yard is not adjacent to a different zoning district.

4. Minimum Courtyard.

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. Minimum Open Area.

The minimum unobstructed open courtyard shall be as follows:

One-story dwelling groups	Not less than 1,000 sq. ft. with a minimum width of 30 ft.
Two-story dwelling groups	Not less than 1,500 sq. ft. with a minimum width of 30 ft.
Three-story dwelling groups	Not less than 2,000 sq. ft. with a minimum width of 40 ft.
Four-story dwelling groups	Not less than 2,500 sq. ft. with a minimum width of 50 ft.

6. Spacing Between Buildings.

No building or structure may be within ten feet of any other building or structure.

7. Open Space.

There shall be provided 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. 2068 § 2 (part), 1998)

PART C BULK MATRIX

29.15.270 Table 29.15-1 -- Property development standards matrix.

Table 29.15-1 Property Development Standards Matrix⁷

Property Development Standards	R-3	R-4	R-5
Dwelling Unit Density	18 du/gross acre	25 du/gross acre	50 du/gross acre
Lot			
Area	7,000 square feet	7,000 square feet	7,000 square feet
Width			
Interior	70 feet	70 feet	70 feet
Corner	75 feet	75 feet	75 feet
Lots on:			
Knuckles or cul-de-sac	39 feet	39 feet	70 feet
Curve	56 feet	56 feet	70 feet
Depth			
Facing on local/frontage streets	100 feet	100 feet	100 feet
Facing on local/frontage streets when fronting on turnaround section of a knuckle/cul-de-sac	90 feet	90 feet	90 feet
Facing on collector streets	115 feet	115 feet	115 feet
Facing on major streets/highways	125 feet	125 feet	125 feet
Backing on freeways, major highways, railroad's ROW, or commercial or industrial districts	125 feet	125 feet	125 feet
Coverage (including accessory buildings and eaves)	50 percent	50 percent ²	50 percent ²
Yards			
Front			
Principal structure	20 feet	20 feet	20 feet
Side			
Principal structure	5 feet on each side ¹	5 feet on each side	5 feet on each side
Accessory structure ⁶	5 feet	5 feet	5 feet
Side Corner			
Principal structure	15 feet	15 feet	15 feet
Accessory structure ⁶	15 feet	15 feet	15 feet
Rear			
Principal structure	20 feet ²	20 feet ^{2,4}	20 feet ^{2,4}
Accessory structure ⁶	5 feet	5 feet	5 feet
Height			
Principal structure	2 stories/35 feet	2 stories/35 feet	4 stories/50 feet
Accessory structure	14 feet	14 feet	14 feet
Building Separation	10 feet	10 feet	10 feet

Notes:

1. Pursuant to Section 29.15.110, one side yard may be eliminated.
2. Excludes covered parking.
3. Rear yard may be reduced to five feet provided the complex conforms to the requirement of Section 29.15.190 or Section 20.15.260 above.
4. In the R-4 and R-5 districts 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 5 feet to any property line.
5. In the R-3 district covered patios in conjunction with and attached to a single-family dwelling 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 Table 29.15-1. 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.
6. Except for fences and walls, all accessory structures shall be substantially within the rear yard, and no accessory building shall be within one foot of any utility easement.
7. In no case shall a building or structure other than a permitted fence, wall, or other structure permitted by Section 29.20.050(b) and (c) (permitted intrusions into required yards, permitted accessory structures, roadway improvements and utility equipment in required yards) be constructed to within ten feet of any street.

(Ord. 2068 § 2 (part) 1998)

commercial districts

Chapter 29.16 - GENERAL COMMERCIAL DISTRICTS

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PART D Bulk Matrix

- 29.16.370 Table 29.16-1—Bulk, yard and space regulations.

PART A GENERAL REQUIREMENTS

29.16.010 General Purpose Statement.

The commercial districts set forth herein, when taken together, are intended to permit a broad range of commercial development necessary to serve the citizens of Clark County. (Ord. 2068 § 2 (part), 1998)

29.16.020 General Cross-reference Guide.

a. Accessory and Temporary Uses.

Accessory and temporary uses are permitted in the commercial districts. In addition to the specific requirements for accessory and temporary uses set forth herein, general requirements relating to accessory and temporary uses in the commercial districts are set forth in Chapter 29.20 (Requirements of General Applicability).

b. Property Development Standards.

In addition to the specific property development standards set forth herein, uses established in the commercial districts shall be subject to the general property development standards set forth in Chapter 29.20 (Requirements of General Applicability).

c. Parking and Loading.

The parking and loading requirements applicable in all commercial districts are set forth in Chapter 29.21 (Off-Street Parking and Loading).

d. Signs.

Sign regulations applicable in all commercial districts are set forth in Chapter 29.23 (Signs).

e. Design Review.

Requirements relating to design review for the commercial districts are set forth in Part F of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures).

f. Performance Standards.

In addition to the specific performance standards set forth herein, uses established in the commercial districts shall be subject to the general performance standards set forth in Chapter 29.20 (Requirements of General Applicability).

g. Landscaping, Screening, and Fences.

In addition to the specific landscaping, screening, and fencing requirements set forth herein, general requirements relating to landscaping, screening, and fences in the commercial districts are set forth in Chapter 29.22 (Landscaping and Screening).

h. Nonconforming Lots.

Requirements relating to nonconforming lots in the commercial districts are set forth in Chapter 29.08 (Nonconforming Uses and Structures).

i. Planned Developments Unit.

Requirements relating to planned unit developments in the commercial districts are set forth in Part E of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures). (Ord. 2068 § 2 (part), 1998)

29.16.030 General Use Limitations.

The stores, shops or businesses established in the commercial districts below shall be retail establishments only and shall be permitted only under the following conditions:

1. The businesses shall be conducted wholly within an enclosed building except as otherwise permitted herein.
2. No merchandise shall be displayed, nor shall any business be conducted between the street line and any building line, unless permitted by this Chapter 29.16 or by the provisions of Section 29.20.070 (Temporary outdoor commercial and promotional activities).
3. 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 no more than two persons shall be engaged in such production. The restriction on the number of persons engaged in production shall not apply to restaurants.
4. All exterior walls of a building hereafter erected, extended or structurally altered, which face a street or a residential use, shall be designed, treated and finished in a uniform and satisfactory manner approved by the planning commission. (Ord. 2068 § 2 (part), 1998)

29.16.040 Prohibited Uses.

Uses not specifically listed as permitted or conditional in the commercial districts below shall be expressly prohibited. (Ord. 2068 § 2 (part), 1998)

PART B GENERAL COMMERCIAL DISTRICTS

Article I C-P Office and Professional Districts

29.16.050 C-P Office and Professional Districts.

The following requirements shall apply specifically to the C-P office and professional district. (Ord. 2068 § 2 (part), 1998)

29.16.060 Purpose.

The C-P office and professional district is established to provide for the development of office and professional uses and to provide a buffer through the establishment of low intensity uses between the more intensive commercial districts and the residential districts. (Ord. 2068 § 2 (part), 1998)

29.16.070 Permitted Uses.

The following uses, subject to the design standards contained herein and the conditions set forth in Part A above, are permitted in the C-P office and professional district:

1. Art gallery or artists' studios;
2. Interior decorating;
3. Mortgage company;
4. Offices, business and professional;
5. Offices, educational;
6. Photographic studio; and
7. Security sales, stock brokerages, and similar uses. (Ord. 2068 § 2 (part), 1998)

29.16.080 Accessory Uses.

- a. Accessory uses, buildings, and structures customarily incidental to any permitted or allowed use when located on the same or premises and subject to the design standards for the accessory use as set forth herein;
- b. Pharmacy, accessory to and on the same premises as medical or dental offices or clinics; and
- c. Managers apartments. (Ord. 2068 § 2 (part), 1998)

29.16.090 Conditional Uses.

The following uses, subject to the design standards herein and the issuance of a conditional use permit as provided in Part A of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures) may be permitted in the C-P office and professional district:

1. Any use listed in Section 29.12.020 (Conditional uses) of this title, as allowed in any district subject to securing a conditional use permit;

2. Any use listed as permitted uses in the C-1 local business district, except automobile maintenance, shopping centers, hardware stores, off-premises advertising, and uses involving the sale of food for on- or off-premises consumption; and
3. Massage when a principal use. (Ord. 2068 § 2 (part), 1998)

29.16.100 Bulk, Yard and Space Regulations.

The building site area, building coverage, yard, and height regulations for the C-P office and professional district are provided in Table 29.16-1. (Ord. 2068 § 2 (part), 1998)

Article II C-1 Local Business District

29.16.110 C-1 local business district.

The following requirements shall apply specifically to the C-1 local business district. (Ord. 2068 § 2 (part), 1998)

29.16.120 Purpose.

The C-1 local business district is established to provide for the development of retail business uses of low to medium intensity. (Ord. 2068 § 2 (part), 1998)

29.16.130 Permitted Uses.

The following uses, subject to the design standards contained herein and the conditions of Part A above, are permitted in the C-1 local business district:

1. Antique shop;
2. Art galleries and artists' studios;
3. Automobile accessory store;
4. Automobile maintenance;
5. Bank;
6. Barbershop;
7. Beauty shops;
8. Beer and wine sales (no on-premises consumption);
9. Collectible/memorabilia stores;
10. Christmas tree sales (outside sales permitted);
11. Dressmaking shop;
12. Dry cleaning and laundry collection (office only);
13. Eating and drinking places (no alcoholic beverages);

14. Electronic equipment sales and services;
15. Grocery store;
16. Hardware store;
17. Library, public or rental;
18. News dealers and stands;
19. Office, business and professional;
20. Parking lot and garages;
21. Pet store;
22. Pharmacy;
23. Photographer or photographic supplies, studio;
24. Postal services;
25. Restaurant (no alcoholic consumption);
26. Sales, retail;
27. Shoe repair shop;
28. Sporting goods store without firearms;
29. Tailors; and
30. Travel agencies (not including vacation plan or vacation certificate sales or solicitations). (Ord. 2068 § 2 (part), 1998)

29.16.140 Accessory Uses.

- a. Accessory uses, buildings, and structures customarily incidental to any permitted or allowed use when located on the same lot or premises, subject to the design standards for the accessory use as set forth herein; and
- b. Manager's apartments. (Ord. 2068 § 2 (part), 1998)

29.16.150 Conditional Uses.

The following uses, subject to the design standards herein and the issuance of a conditional use permit as provided in Part A of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures) may be permitted in the C-1 local business district:

1. Any use listed in Section 29.12.020 (Conditional uses) of this title, as allowed in any district subject to securing a conditional use permit;

2. Any use listed as a permitted use in the C-2 general commercial district, excluding the sale of alcoholic beverages for on-premises consumption;
3. Any use listed as a conditional use in the C-P office and professional district unless otherwise listed as a permitted use herein, and subject to the design standards for that use in the C-P district;
4. Convenience stores or service stations, subject to the following design standards:
 - 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, and
 - C. All buildings and canopies shall be either:
 - i. Set back a minimum of two hundred feet from a residential use, or
 - ii. Visually and acoustically buffered from a residential use in a manner acceptable to the planning commission or board of county commissioners;
5. Mini-warehouses; and
6. Outside eating areas in conjunction with restaurants. (Ord. 2068 § 2 (part), 1998)

29.16.160 Bulk, Yard and Space Regulations.

The building site area, yard, height and building coverage regulations for the C-1 local business district shall be as provided in Table 29.16-1. (Ord. 2068 § 2 (part), 1998)

Article III C-2 General Commercial District

29.16.170 C-2 General Commercial District.

The following requirements shall apply specifically to the C-2 general commercial district. (Ord. 2068 § 2 (part), 1998)

29.16.180 Purpose.

The C-2 general commercial district is to provide for the establishment of a wide variety of commercial uses. (Ord. 2068 § 2 (part), 1998)

29.16.190 Permitted Uses.

The following uses, subject to the design standards contained herein and the conditions of Part A above, are permitted in the C-2 general commercial district:

1. Any use listed as a permitted use in the C-1 local business district, and the C-P office and professional district, subject to the design standards for the use listed in the particular districts;
2. Automobile rental; provided, that no more than five vehicles are stored at a site when operated at a shopping center;

3. Automobile sales (outside sales permitted);
4. Banquet facilities;
5. Bars and brew pubs;
6. Bicycle repair shops;
7. Building material sales;
8. Bookstores;
9. Catering establishments;
10. Convenience stores or service stations, subject to the following design standards:
 - 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, and
 - C. All buildings and canopies shall be either:
 - i. Set back a minimum of two hundred feet from a residential use, or
 - ii. Visually and acoustically buffered from a residential use in a manner acceptable to the planning commission or board of county commissioners;
11. Copy centers;
12. Costume rental;
13. Diaper services;
14. Dry cleaners;
15. Education and scientific research;
16. Electronic repair;
17. Equipment rentals;
18. Gunsmith;
19. Health club;
20. Hospital and medical supplies;
21. House cleaning and repair;\
22. Laundromats;
23. Liquor sales;

24. Locksmiths;
25. Manufactured home sales (outside sales permitted);
26. Medical and dental labs;
27. Movie theaters (and drive-in);
28. Parking lots and garages;
29. Plant nurseries (outside sales permitted);
30. Recording studios;
31. Restaurants;
32. Sales, secondhand;
33. Sales, retail when not involving any kind of manufacture, processing or treatment of products, but excluding wholesale storage, warehouses and trailer courts;
34. Security services;
35. Sign painting store;
36. Sporting goods, with firearms;
37. Supper clubs (restaurant/lounge);
38. Taxidermist;
39. Upholstery;
40. Video stores;
41. Veterinary services;
42. Watch and clock repair; and
43. Water sales. (Ord. 2068 § 2 (part), 1998)

29.16.200 Accessory Uses.

- a. Accessory uses, buildings, and structures customarily incidental to any permitted or allowed use when located on the same lot or premises, subject to the design standards for the accessory use as set forth herein; and
- b. Manager's apartment. (Ord. 2068 § 2 (part), 1998)

29.16.210 Conditional Uses.

The following uses, subject to the design standards herein and the issuance of a conditional use permit as provided in Part A of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures) may be permitted in the C-2 general commercial district:

1. Any use listed in Section 29.12.020 (Conditional uses) of this title, as allowed in any district subject to securing a conditional use permit;
2. Any use listed as a conditional use within the C-P and C-1 districts unless otherwise listed as a permitted use herein, and subject to the design standards for that use in the C-P and C-1 districts;
3. Bathhouse (without massage);
4. Car wash;
5. Hotels and motels, subject to maintaining the minimum setbacks for property lines consistent with the yard requirements for the R-3 multiple-family district. (Where the requirements of this Chapter 29.16 or other chapters of this title differ, the greater requirement shall apply);
6. Mail order puzzle contests;
7. Outside eating areas in conjunction with restaurants;
8. Print shops;
9. Psychic arts;
10. Retail sale of vehicle tires as a principal use; and
11. Suntanning centers. (Ord. 2068 § 2 (part), 1998)

29.16.220 Bulk, Yard and Space Regulations.

The building site area, building coverage, yard, and height regulations for the C-2 general commercial district are provided in Table 29.16-1. (Ord. 2068 § 2 (part), 1998)

Article IV C-3 General Commercial District

29.16.230 C-3 General Commercial District.

The following requirements shall apply specifically to the C-3 general commercial district. (Ord. 2068 § 2 (part), 1998)

29.16.240 Purpose.

The C-3 general commercial district is to provide for the establishment of a wide variety of commercial use, including auto related businesses, ranging in size and intensity. (Ord. 2068 § 2 (part), 1998)

29.16.250 Permitted Uses.

The following uses, subject to the design standards contained herein and the conditions of Part A above, are permitted in the C-3 general commercial district:

1. Aircraft sales (outside sales permitted);
2. Any use listed as a permitted use 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 the design standards for the use listed in the particular district;

3. Appliance repair;
4. Automobile repair shops (temporary storage of vehicles permitted);
5. Automobile, truck, or trailer rental (outside display and storage permitted);
6. Automobile and/or trailer storage area;
7. Hotels and motels, subject to maintaining the minimum setbacks for property lines consistent with the yard requirements for the R-3 multiple-family district. (Where the requirements of this Chapter 29.16 or other chapters of this title differ, the greater requirement shall apply);
8. Lumberyards (outside sales permitted);
9. Marine sales (outside sales permitted);
10. Mobile home dealers (outside sales permitted);
11. Monument sales (outside sales permitted);
12. Mini-warehouses;
13. Pest extermination and control service; and
14. Recreation vehicle sales, rental, and storage (outside sales/storage permitted). (Ord. 2068 § 2 (part), 1998)

29.16.260 Accessory Uses.

- a. Accessory uses, buildings, and structures customarily incidental to any permitted or allowed use when located on the same lot or premises, subject to the design standards for the accessory use as set forth herein; and
- b. Manager's apartments. (Ord. 2068 § 2 (part), 1998)

29.16.270 Conditional Uses.

The following uses, subject to the design standards herein and the issuance of a conditional use permit as provided in Part A of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures) may be permitted in the C-3 general commercial district:

1. Any use listed in Section 29.12.020 (Conditional uses) of this title, as allowed in any district subject to securing a conditional use permit;
2. Any use listed as a conditional use in the C-P, C-1, C-2 and C-C districts unless otherwise provided for as a permitted use, and subject to the design standards for the use listed in the particular district; and
3. Pawnshops and motor vehicle pawnshops; provided, that the proposed location is at least one thousand five hundred feet from any H-1 district. (Ord. 2068 § 2 (part), 1998)

29.16.280 Bulk, Yard and Space Regulations.

The building site area, building coverage, yard, and height regulations for the C-3 general commercial district are provided in Table 29.16-1. (Ord. 2068 § 2 (part), 1998)

PART C C-C SHOPPING CENTER DISTRICT

29.16.290 Purpose.

In order to preserve residential values and promote the general welfare of the surrounding residential districts, the shopping center district is created. The shopping center district is defined as a concentrated grouping of retail stores ordinarily planned and designed as a unit and built accordingly on a site. They are planned to be located away from the general business district to serve the needs of suburban and fringe growth.

Developments in the shopping center district will enhance traffic safety through provisions for proper traffic routing and car parking; provide freedom from the traffic congestion on public streets through the provision of adequate off-street parking; off-street loading and adequate ingress and egress; and protect the residential character of neighborhoods through provisions of adequate and suitably treated business-area open spaces at boundaries adjacent to residential uses.

The C-C shopping center district is specifically intended:

1. To encourage the construction and continued use of land for neighborhood commercial and service purposes;
2. 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; and
3. 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. 2068 § 2 (part), 1998)

29.16.300 Nonconforming Uses Prohibition.

It is the intent of this chapter to establish 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. 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 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. 2068 § 2 (part), 1998)

29.16.310 General Conditions for Establishment.

A 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:

1. 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.

2. 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.
3. 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.
4. 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 be completed within a period of two years. Failure to carry out construction as scheduled shall void the plan as approved, unless an extension of time is approved by the planning commission.
5. 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 planning commission, upon which plan the 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:
6. Such plans shall include advertising signs or structures when upon buildings or premises to which the signs apply (as regulated by Chapter 29.23, Signs).
7. 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.
8. The board of county commissioners shall approve the preliminary and final plans before the area included is changed into a C-C classification. (Ord. 2068 § 2 (part), 1998)

29.16.320 Permitted Uses.

The uses permitted in the C-C shopping center district shall be those uses listed as permitted uses in the C-2 general commercial district, subject to the design standards contained therein. (Ord. 2068 § 2 (part), 1998)

29.16.330 Accessory Uses.

The accessory uses permitted in the C-C shopping center district shall be those accessory uses listed as permitted or allowed in the C-2 general commercial district, subject to the design standards contained therein. (Ord. 2068 § 2 (part), 1998)

29.16.340 Conditional Uses.

The following uses, subject to the design standards herein and to the issuance of a conditional use permit as provided in Part A of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures) may be permitted in the C-C shopping center district:

1. Any use listed as a conditional use in the C-P, C-1 and C-2 districts unless otherwise provided/or permitted use herein, and subject to the design standards for the use listed in the particular district. (Ord. 2068 § 2 (part), 1998)

29.16.350 Bulk, Yard and Space Regulations.

The building site area, building coverage, yard, and height regulations for the C-C shopping center district are provided in Table 29.16-1. (Ord. 2068 § 2 (part), 1998)

29.16.360 Divided District.

A single C-C shopping center district shall not be considered to lie on two sides of a public street or alley. Any area designated as being zoned C-C shopping center 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. 2068 § 2 (part), 1998)

PART D BULK MATRIX

29.16.370 Table 29.16-1—Bulk, Yard and Space Regulations.

Table 29.16-1 Bulk, Yard and Space Regulations⁵

Property Development Standards	C-P	C-1	C-2	C-3	C-C
Coverage (includes all buildings and structures)	60 percent	60 percent	60 percent	60 percent	25 percent or less of net area of district
Yards					
Front	15 feet ⁶	10 feet ⁶	10 feet ⁶	10 feet ⁶	20 feet ⁴
Side	None, except where adjacent to a residential use then 10 feet	None, except where adjacent to a residential use then 10 feet	None, except where adjacent to a residential use then 10 feet	None, except where adjacent to a residential use then 10 feet	10 feet when adjoining a C district ² 20 feet when adjoining a residential use ³
Side Corner	20 feet	20 feet	20 feet	20 feet	20 feet ⁴
Rear	None, except where abutting a residential use then 10 feet	None, except where abutting a residential use then 10 feet	None, except where abutting a residential use then 10 feet	None, except where abutting a residential use then 10 feet	10 feet when adjoining a C district ² 20 feet when adjoining a residential use ³
Height	2 stories/35 feet	2 stories/35 feet	4 stories/50 feet ¹	4 stories/50 feet	3 stories/45 feet

Notes:

1. Buildings may be built to a height of nine stories or one hundred feet when approved as part of a conditional use permit pursuant to Part A of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures).
2. 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 necessary.
3. Not less than ten feet of the twenty-foot setback shall be sodded, planted and/or shrubbed in such a way as to form a permanent screen.
4. Setback includes buildings and parking lots.
5. In no case shall a building or structure other than a permitted fence, wall, or other structure permitted by Section 29.20.050(b) and (c) (permitted intrusions into required yards, permitted accessory structures, roadway improvements and utility equipment in required yards) be constructed to within ten feet of any street.
6. No structure over two feet in height is permitted within any required front yard other than a other structure permitted by section 29.20.050 (b) and (c) (Permitted intrusions into required yards, Permitted accessory structures, roadway improvements and utility equipment in required yards).

(Ord. 2216 § 2, 1998; Ord. 2068 § 2 (part), 1998)

manufacturing districts

Chapter 29.17 - MANUFACTURING AND INDUSTRIAL DISTRICTS

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PART A GENERAL REQUIREMENTS

29.17.010 General Purpose Statement.

The manufacturing and industrial districts set forth herein, when taken together, are intended to permit a broad range of industrial development necessary to serve the citizens of Clark County. (Ord. 2068 § 2 (part), 1998)

29.17.020 General Cross-reference Guide.

a. Accessory and Temporary Uses.

Accessory and temporary uses are permitted in the manufacturing and industrial districts. In addition to the specific requirements for accessory and temporary uses set forth herein, general requirements relating to accessory and temporary uses in the rural residential districts are set forth in Chapter 29.20 (Requirements of General Applicability).

b. Property Development Standards.

In addition to the specific property development standards set forth herein, uses established in the manufacturing and industrial districts shall be subject to the general property development standards set forth in Chapter 29.20 (Requirements of General Applicability).

c. Parking and Loading.

The parking and loading requirements applicable in all manufacturing and industrial districts are set forth in Chapter 29.21 (Off-Street Parking and Loading).

d. Signs.

Sign regulations applicable in all manufacturing and industrial districts are set forth in Chapter 29.23 (Signs).

e. Design Review.

Requirements relating to design review for the manufacturing and industrial districts are set forth in Part F of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures).

f. Performance Standards.

In addition to the specific performance standards set forth herein, uses established in the manufacturing and industrial districts shall be subject to the general performance standards set forth in Chapter 29.20 (Requirements of General Applicability).

g. Landscaping, Screening, and Fences.

In addition to the specific landscaping, screening, and fencing requirements set forth herein, general requirements relating to landscaping, screening, and fences in the manufacturing and industrial districts are set forth in Chapter 29.22 (Landscaping and Screening).

h. Nonconforming Lots.

Requirements relating to nonconforming lots in the manufacturing and industrial districts are set forth in Chapter 29.08 (Nonconforming Uses and Structures).

i. Planned Developments Unit.

Requirements relating to planned unit developments in the manufacturing and industrial districts are set forth in Part E of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures). (Ord. 2068 § 2 (part), 1998)

PART B GENERAL MANUFACTURING AND INDUSTRIAL DISTRICTS

Article I M-1 Light Manufacturing District

29.17.030 M-1 Light Manufacturing District.

The following requirements shall apply specifically to the M-1 light manufacturing district. (Ord. 2068 § 2 (part), 1998)

29.17.040 Purpose.

The M-1 manufacturing district is established to provide area suitable for the development of light manufacturing establishments and to prohibit the development of incompatible uses. (Ord. 2068 § 2 (part), 1998)

29.17.050 Additional Requirements.

All uses permitted or allowed in the M-1 light manufacturing district shall be subject to the issuance of a permit from the county health department approving the water and sewage for every building or structure. (Ord. 2068 § 2 (part), 1998)

29.17.060 Permitted Uses.

The following uses, subject to the design standards contained herein, are permitted in the M-1 light manufacturing district:

1. The following 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:
 - A. Animal hospital;
 - B. Adult uses providing that such a use:
 - i. Is subject to the requirements of Section 29.17.100 below; and

- ii. Shall only be established with an existing building;
- C. Any use listed as a permitted use in the C-P office and professional district, C-1 local business district, C-C shopping center district, and C-2 general commercial district, C-3 general commercial district, and the M-D designed manufacturing district, subject to the design standards set forth therein, except for:
 - i. Taverns or brew pubs within one thousand five hundred feet of any residential use, and
 - ii. Buildings higher than four stories or fifty feet, if located in accordance with the yard requirements as specified herein;
 - D. Automobile, truck, airplane, motorcycle, bicycle or farm machinery repair or sale lots; including body and fender works; and used parts storage;
 - E. Blacksmith shop;
 - F. Boat building or repair;
 - G. Electric or neon signs or billboard manufacture;
 - H. Feed stores;
 - I. Heavy machinery and equipment sales;
 - J. Hotels and motels, subject to the yard requirements for the R-3 multiple-family district;
 - K. Kennels;
 - L. Manufacturing, light;
 - M. Oil and water well surveying and servicing business;
 - N. Restaurant/lounge; and
 - O. Tire rebuilding, recapping or retreading.
- 2. The following uses, provided they are conducted within a building or an area 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:
 - A. Asphaltic oil storage;
 - B. Building materials storage or sales yard;
 - C. Contractor storage yards;
 - D. Feed yards;
 - E. Feed, cereal or flour mill;
 - F. Freight terminals;
 - G. Lumberyard, when fenced on its street frontage;

H. Outside storage space for contractor's equipment, transit and transportation equipment and other outside storage; and

I. Recyclable collection. (Ord. 2068 § 2 (part), 1998)

29.17.070 Accessory Uses.

a. Accessory uses, buildings and structures customarily incidental to any permitted or allowed uses when located on the same lot or premises and subject to the design standards for the principal use as set forth herein; and

b. Manager's apartments. (Ord. 2068 § 2 (part), 1998)

29.17.080 Conditional Uses.

The following uses, subject to the design standards herein and to the issuance of a conditional use permit as provided in Part A of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures) may be permitted in the M-1 light manufacturing district:

1. Any use listed in Section 29.12.020 (Conditional uses) of this title as allowed in any district subject to securing a conditional use permit;
2. Any use listed as a conditional use in a more restrictive commercial or manufacturing district, unless otherwise provided for as a permitted use and subject to the design standards for the use listed in the particular district;
3. Precast concrete manufacture;
4. Tattoo/permanent make-up establishments;
5. Pharmaceutical manufacture;
6. Pawnshops and motor vehicle pawnshops; provided, that the proposed location is at least one thousand five hundred feet from any H-1 district; and
7. Taverns and brew pubs within one thousand five hundred feet of any residential use. (Ord. 2068 § 2 (part), 1998)

29.17.090 Bulk, Yard and Space Regulations.

The yard, height and building coverage regulations for the M-1 light manufacturing district shall be as provided in Table 29.17-1. (Ord. 2068 § 2 (part), 1998)

29.17.100 Requirements Related to Adult Uses.

a. Intent.

The purpose of these requirements is to regulate adult 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 ensure 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 non-First Amendment expressions.

b. Separations.

1. No adult use shall be allowed within a five-hundred-foot radius of another existing adult use.
2. No adult use shall be located within a five-hundred-foot radius of any residential use.
3. No adult use shall be located within a five-hundred-foot radius of any public library or place of worship.
4. No adult use shall be located within a one-thousand-five-hundred-foot radius of a preexisting public school.
5. The above distance design standards shall be determined by measurement from each and every customer entrance of the adult use to the nearest property boundary of a residential use or to the nearest corner of the listed building or use. The measurement is to be conducted in a radius fashion, five hundred or one thousand five hundred feet in all directions from the adult use. Where another existing adult use, 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.

c. Signs.

All adult uses shall comply with the sign provisions of Chapter 29.20. 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 Chapter 29.02.

d. 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.

e. 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.

1. An application for zoning approval may be submitted to the zoning administrator by:
 - A. A property owner or the authorized agent of a property owner; or

- B. 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.
2. 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:
 - A. 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;
 - B. 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; and
 - C. Rendered elevation in duplicate, to indicate the architectural appearance of proposed buildings including any proposed signs.
 3. 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. 2068 § 2 (part), 1998)

Article II M-2 Industrial District

29.17.110 M-2 Industrial (without dwelling) District.

The following requirements shall apply to the M-2 industrial (without dwelling) district. (Ord. 2068 § 2 (part), 1998)

29.17.120 Purpose.

The M-2 industrial (without dwelling) district is established to provide areas suitable for the development of industrial establishments and to prohibit the development of incompatible uses. (Ord. 2202 § 21, 1998, Ord. 2068 § 2 (part), 1998)

29.17.130 Permitted Uses.

The following uses, subject to the design standards contained herein, are permitted in the M-2 industrial district:

1. Manufacturing, light, 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. (Ord. 2068 § 2 (part), 1998)

29.17.140 Accessory Uses.

Accessory uses, buildings and structures customarily incidental to any permitted or allowed uses when located on the same lot or premises and subject to the design standards for the principal use as set forth herein. (Ord. 2068 § 2 (part), 1998)

29.17.150 Conditional Uses.

The following uses, subject to the design standards contained herein and to the issuance of a conditional use permit as provided in Part A of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures) may be permitted in the M-2 industrial district:

- a. The following 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. Aircraft and motor vehicle assembly;
 2. Animal hospital;
 3. Any uses listed in Section 29.12.020 (Conditional uses) of this title as allowed in any district subject to securing a conditional use permit;
 4. Automobile, truck, airplane, motorcycle or farm machinery repair or sale; body and fender works; dismantling and used parts storage;
 5. Bakery;
 6. Blacksmith shop;
 7. Boat building or repair;
 8. Boiler works;
 9. Bottling plant;
 10. Brewery;
 11. Bookbinding;
 12. Cabinet shop or furniture manufacture;
 13. Car wash;
 14. Ceramics manufacture;
 15. Cleaning and dyeing plant;
 16. Cosmetic manufacture or packaging;
 17. Electric plating;
 18. Electric or neon signs or billboard manufacture;
 19. Feed and fuel yard;

20. Feed, cereal or flour mill;
 21. Flower or seed processing and sale;
 22. Food products manufacture or processing, not otherwise listed;
 23. Fountain equipment and supply;
 24. Grease or oil compounding;
 25. Heating and air conditioning sales, supply and repair;
 26. Ice and cold storage plant;
 27. Kennels;
 28. Laboratories, experimental (no commercial production of chemicals);
 29. Machine shop;
 30. Manufacturing, low;
 31. Motion picture production;
 32. Oil and water well surveying and servicing business;
 33. Printing, lithographing and publishing;
 34. Rubber fabrication;
 35. Sheet metal shop;
 36. Taxidermist;
 37. Textile manufacturing;
 38. Tire rebuilding, recapping or retreading;
 39. Upholstery shop;
 40. Union hall; and
 41. Warehousing.
- b. 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, on its street frontage:
1. Batch plant;
 2. Building materials storage or sales yard;
 3. Feed yard;

4. Firewood sales yard;
 5. Freight yard;
 6. Lumberyard;
 7. Outside storage space for contractor's equipment, transit and transportation equipment (except freight classification yard) and other outside storage;
 8. Recyclable center;
 9. Salvage yard and baling;
 10. Storage or service yard.
- c. The following uses, provided they are conducted within a building or on an area 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, on its street frontage, and they are located not less than six hundred feet from any zone district boundary:
1. Automobile dismantling yard, subject to the requirements of Chapter 7.52 of the Clark County Code; and
 2. Manufacturing, medium.
- d. The following uses, provided they shall be located not less than one thousand feet from any existing dwelling, school, hospital, sanitarium, park, community center and two hundred feet from any other zoning district boundary and from any other use except accessory uses incidental to and located upon the same piece of property as the use and, further provided, they are conducted within a building or an area 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, on its street frontage.
1. Animal by-products plant;
 2. Blast furnace;
 3. Manufacturing, intense; and
 4. Sanitary landfill or refuse transfer station. (Ord. 2068 § 2 (part), 1998)

29.17.160 Bulk, Yard and Space Regulations.

The yard, height and building coverage regulations for the M-2 industrial district shall be as provided in Table 29.17-1. (Ord. 2068 § 2 (part), 1998)

Article III M-3 Heavy Industrial District

29.17.170 M-3 Heavy Industrial District.

The following requirements shall apply to the M-3 heavy industrial district. (Ord. 2068 § 2 (part), 1998)

29.17.180 Purpose.

The M-3 heavy industrial district is established to provide areas suitable for the development of heavy industrial establishments and to prohibit the development of incompatible uses. Except as otherwise provided herein, it is the intent of this district and not to designate any area as an M-3 zone in which there is any residential or other nonconforming use. (Ord. 2068 § 2 (part), 1998)

29.17.190 Additional Requirements.

All uses permitted or allowed in the M-3 heavy industrial district shall be subject to the issuance of a permit from any appropriate governmental 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. (Ord. 2202 § 22, 1998, Ord. 2068 § 2 (part), 1998)

29.17.200 Permitted Uses.

Reserved. (Ord. 2068 § 2 (part), 1998)

29.17.210 Accessory Uses.

Accessory buildings, structures and uses incidental to any permitted or allowed uses when located on the same lot or premises subject to the design standards for the principal use as set forth herein, and including 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. (Ord. 2068 § 2 (part), 1998)

29.17.220 Conditional Uses.

The following uses, subject to the design standards contained herein and to the issuance of a conditional use permit as provided in Part A of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures) may be permitted in the M-3 heavy industrial district.

1. Any use permitted or allowed in the M-2 district, except for any residential purposes;
2. Any use listed in Section 29.12.020 (Conditional uses) of this title as allowed in any district subject to securing a conditional use permit; and
3. Electric-generating stations (notwithstanding the provisions of Section 29.12.020). (Ord. 2068 § 2 (part), 1998)

29.17.230 Specifically Prohibited uses.

Residential dwellings or uses. (Ord. 2068 § 2 (part), 1998)

29.17.240 Bulk, Yard and Space Regulations.

The building site area, yard, height and building coverage regulations for the M-3 heavy industrial district shall be as provided in Table 29.17-1. (Ord. 2068 § 2 (part), 1998)

PART C M-D DESIGNED MANUFACTURING DISTRICT

29.17.250 Purpose.

- a. The M-D designed manufacturing district is intended to permit and encourage commercial and industrial development that will be designed and located so to assure an orderly grouping of buildings and uses which will be a harmonious, efficient, convenient and appropriate part of the physical development of the county; and also, contribute to a sound economic base, preserve the land values, secure the character of the resort and recreational districts and otherwise further the goals of the master plan.
- b. The M-D designed manufacturing district is further intended to:
 1. Encourage the construction of buildings and the continued use of land for commercial and industrial development;
 2. 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; and
 3. 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. (Ord. 2068 § 2 (part), 1998)

29.17.260 Site Plans.

- a. In approving a site plan, the planning commission may act on a submitted site plan 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.
- b. 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. (Ord. 2068 § 2 (part), 1998)

29.17.270 Permitted Uses.

The following uses, subject to the limitation contained herein, are permitted in the M-D designed manufacturing district:

a. Permitted Uses Generally.

1. Any use listed as a permitted use in the C-P office and professional district, C-1 local business district, and the C-2 general commercial district, except for:
 - A. Taverns and brew pubs within one thousand five hundred feet of any residential use,
 - B. Buildings higher than four stories or fifty feet,
 - C. Hotels and motels, and
 - D. Convenience stores and service stations;

2. Bottling plant (no brewery larger than a brew pub);
3. Bookbinding;
4. Cabinet shop or furniture manufacture;
5. Car wash;
6. Ceramics manufacture using previously pulverized clay and kilns fired only by gas or electricity;
7. Construction contractor's office and shop;
8. Cosmetic manufacture or packaging;
9. Dry cleaning plants and laundries;
10. Electric plating;
11. Electric or neon signs or billboard manufacture (with no outside storage);
12. Flower and seed processing and sales;
13. Food products manufacture or processing, not otherwise listed in a less restrictive district;
14. Ice and cold storage;
15. Laboratories, experimental (no commercial production of chemicals);
16. Manufacturing, light;
17. Motion picture production;
18. Printing, lithographing and publishing;
19. Recording studios;
20. Restaurants/lounges;
21. Rubber fabrication;
22. Sheet metal shop;
23. Textile manufactures;
24. Upholstery shop;
25. Union hall;
26. Warehouses, including mini-warehouses; and
27. Wholesale sales.

- b. The following uses shall be permitted when not located within six hundred feet of any residential use:
 1. Boat, automobile, aircraft, manufactured home and recreational vehicles sales, assembly and building;
 2. Machine shop;
 3. Pest extermination and control service;
 4. Recycling center;
 5. Tire sales and installation. (Ord. 2068 § 2 (part), 1998)

29.17.280 Accessory Uses.

- a. Accessory buildings, structures and uses incidental to any permitted or allowed uses when located on the same lot or premises and subject to the design standards for the principal use as set forth herein; and
- b. Manager's apartment. (Ord. 2068 § 2 (part), 1998)

29.17.290 Conditional Uses.

The following uses, subject to the design standards contained herein and to the issuance of a conditional use permit as provided in Part A of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures) may be permitted in the M-D designed manufacturing district:

1. Animal hospitals, animal kennels, stables or animal impound facilities;
2. Any use listed in Section 29.12.020 (Conditional uses) of this title as allowed in any district subject to securing a conditional use permit;
3. Accessory structures and uses customarily incidental to any of the conditional uses set forth herein when located on the same lot or parcel of land;
4. Hotels and motels subject to maintaining minimum setbacks from property lines consistent with the yard requirements for the R-3 multiple-family district. (Where the requirements of this chapter or other chapters of this title differ, the greater requirement shall apply);
5. Convenience stores and service stations, subject to the following design standards:
 - 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 a residential use, or (2) visually and acoustically buffered from adjacent properties in a manner acceptable to the planning commission or board of county commissioners;

6. Outside storage other than that permitted under Section 29.17.300 below, only when accessory to a use permitted under Section 29.17.260 conducted within an enclosed building, subject to the following restrictions:
 - A. The outside storage area is enclosed by a solid decorative wall, with the wall conforming to building setback requirements,
 - B. No material stored shall be stacked or stored so as to be visible from any street,
 - C. 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, and
 - D. The current planning division shall not accept any application for a variance from the requirements listed under this subsection;
7. Structures over two stories and/or thirty-five feet in height, but not more than four stories or fifty feet in height, when located within six hundred feet of any residential use; and
8. Taverns and brew pubs within one thousand five hundred feet of any residential use. (Ord. 2068 § 2 (part), 1998)

29.17.300 Outdoor Uses and Activity Limited.

Except as provided in Section 29.17.290 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, processing, assembly or storage of materials, completed products, vehicles or equipment is permitted except as follows:

1. The parking of automobiles used for transportation of employees or customers;
2. The display of automobiles for sale, lease or rent;
3. The use of a site for plant nurseries;
4. The use of a site for manufactured home sales;
5. The use of a site for a limited staging area in conjunction with a principal use provided:
 - A. Such staging area shall be used in the course of off-street loading and unloading and shipping trailers,
 - B. Such staging area shall not be used for storage,
 - C. Such staging area shall be fully screened from view from a public or private street and enclosed by a block wall, and
 - D. 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;
6. The temporary storage of shipping trailer enroute to their final destination in conjunction with a permitted primary use provided:

- A. Sufficient space shall be provided on the private property for the storage and parking of the shipping trailers,
 - B. The storage area shall be fully enclosed by a block wall,
 - C. Where the wall is approximately parallel to and visible from a public or private street, the wall shall be a decorative wall, and
 - D. The parking or storage of shipping trailers within a public or private street right-of-way is prohibited;
7. The parking and/or temporary storage of delivery trucks and vehicles in conjunction with a permitted primary use provided:
- A. Sufficient space shall be provided on the private property for the storage and parking of the delivery vehicles,
 - B. The parking/storage area shall be fully screened from view from a public or private street by a block wall,
 - C. Where the wall is approximately parallel to and visible from a public or private street, the wall shall be a decorative wall, and
 - D. Overnight parking or storage of delivery vehicles in a public or private street right-of-way is prohibited. (Ord. 2068 § 2 (part), 1998)

29.17.310 Bulk, Yard and Space Regulations.

The yard, height and building coverage regulations for the M-D design manufacturing district shall be as provided in Table 29.17-1. (Ord. 2068 § 2 (part), 1998)

PART D BULK MATRIX

29.17.320 Table 29.17-1 — Bulk, Yard and Space Regulations.

Table 29.17-1 Bulk, Yard and Space Regulations

Property Development Standards	M-1	M-2	M-3	M-D
Building Coverage				
Lot coverage (includes all buildings and structures)	80 percent	80 percent	80 percent	45 percent
Single story (includes principal and accessory)				45 percent
Multistory (includes principal and accessory)				55 percent
Yards				
Front	20 feet ⁴	20 feet ⁴	20 feet ⁴	15 feet ⁵
Side	None, except where adjacent to a residential use then 20 feet	20 feet ³	20 feet ³	None, except where adjacent to a residential use then 20 feet
Side corner	20 feet ⁴	20 feet ⁴	20 feet ⁴	15 feet ⁵
Rear	None, except where adjacent to a residential use or street then 20 feet	None, except where adjacent to a residential use or street then 20 feet ³	None, except where adjacent to a residential use or street then 20 feet ³	None, except where adjacent to a residential use then 20 feet, or 15 feet from any street
Height	4 stories/45 feet	6 stories/75 feet	6 stories/75 feet	4 stories/50 feet ¹
Lot Width				100 feet ²

Notes:

1. Buildings and structures within six hundred feet of a residential use are limited to two stories/thirty-five feet. Subject to securing a conditional use permit, the height may be increased to four stories or fifty feet.
2. When measured at a distance of twenty-five feet from the street or future width line.
3. Refer to the district for certain additional setback requirements for specific uses.
4. Not including permitted fences and wall when setback for required landscaping.
5. Entire setback to street must be landscaped.

(Ord. 2202 § 24, 1998, Ord. 2068 § 2 (part), 1998)

special districts

Chapter 29.18 - SPECIAL DISTRICTS

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PART A GENERAL REQUIREMENTS

29.18.010 General Purpose Statement.

The special districts set forth herein, when taken together, are intended to permit a broad range of development necessary to serve the citizens of Clark County. (Ord. 2068 § 2 (part), 1998)

29.18.020 General Cross-reference Guide.

a. Accessory and Temporary Uses.

Accessory and temporary uses are permitted in the special districts. In addition to the specific requirements for accessory and temporary uses set forth herein, general requirements relating to accessory and temporary uses in the special districts are set forth in Chapter 29.20 (Requirements of General Applicability).

b. Property Development Standards.

In addition to the specific property development standards set forth herein, uses established in the special districts shall be subject to the general property development standards set forth in Chapter 29.20 (Requirements of General Applicability).

c. Parking and Loading.

The parking and loading requirements applicable in all special districts are set forth in Chapter 29.21 (Off-Street Parking and Loading).

d. Signs.

In addition to the specific sign regulations set forth herein, sign regulations applicable in all special districts are set forth in Chapter 29.23 (Signs).

e. Design Review.

Requirements relating to design review for the special districts are set forth in Part F of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures).

f. Performance Standards.

In addition to the specific performance standards set forth herein, uses established in the special districts shall be subject to the general performance standards set forth in Chapter 29.20 (Requirements of General Applicability).

g. Landscaping, Screening and Fences.

In addition to the specific landscaping, screening, and fencing requirements set forth herein, general requirements relating to landscaping, screening, and fences in the special districts are set forth in Chapter 29.22 (Landscaping and Screening).

h. Nonconforming Lots.

Requirements relating to nonconforming lots in the special districts are set forth in Chapter 29.08 (Nonconforming Uses and Structures).

i. Planned Developments Unit.

Requirements relating to planned unit developments in the special districts are set forth in Part E of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures). (Ord. 2068 § 2 (part), 1998)

29.18.030 General Use Limitations.

- a. The stores, shops or businesses established in the special districts when permitted below shall be retail establishments only and shall be permitted only under the following conditions:
 1. The businesses shall be conducted wholly within an enclosed building except as otherwise permitted herein.

2. No merchandise shall be displayed nor shall any business be conducted between the street line and any building line, unless permitted by this Chapter 29.16 or by the provisions of Section 29.20.070 (Temporary outdoor commercial and promotional activities).
 3. 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 no more than two persons shall be engaged in such production. The restriction on the number of persons engaged in production shall not apply to restaurants.
 4. All exterior walls of a building hereafter erected, extended or structurally altered, which face a street or a residential use, shall be designed, treated and finished in a uniform and satisfactory manner approved by the planning commission.
- b. In the H-1 limited resort district, buildings or portions thereof designed, intended, or used for residential or dwelling purposes shall comply with the provisions and property development standards of the R-4 multiple-family residential district.
 - c. In the H-2 general highway frontage district, buildings or portions thereof designed, intended, or used for residential or dwelling purposes and permitted pursuant to Section 29.18.170, shall comply with the provisions and property development standards of the R-U rural open land district.
 - d. In the H-2 general highway frontage district, buildings or portions thereof designed, intended, or used for residential or dwelling purposes and allowed pursuant to Section 29.18.190, shall comply to the provisions and property development standards of the R-2 medium density residential district.
 - e. In the T-C mobile home park district, buildings or portions thereof, other than manufactured homes, designed, intended, or used for residential or dwellings purposes shall comply with the provisions and property development standards of the R-1 single-family residential district. (Ord. 2068 § 2 (part), 1998)

29.18.040 Prohibited Uses.

Uses not specifically listed as permitted or conditionally allowed in the special districts below shall be expressly prohibited. (Ord. 2068 § 2 (part), 1998)

PART B THE DISTRICTS

Article I H-1 Limited Resort and Apartment District

29.18.050 H-1 Limited Resort and Apartment District.

The following requirements shall apply specifically to the H-1 limited resort and apartment district. (Ord. 2068 § 2 (part), 1998)

29.18.060 Purpose.

The H-1 limited resort and apartment district is established to provide for the development of gaming enterprises and to prohibit the development of incompatible uses that are detrimental to gaming enterprises. (Ord. 2068 § 2 (part), 1998)

29.18.070 Designation as Gaming Enterprise District.

The H-1 limited resort and apartment district, in accordance with the provisions of Chapter 463 of the Nevada Revised Statutes, is designated as a gaming enterprise district where identified on Attachment "A" of the gaming enterprise map dated July 16, 1997, adopted by reference. All property zoned H-1 or approved under resolution of intent procedures to an H-1 district prior to July 16, 1997, is declared to be located within the gaming enterprise district. After July 16, 1997, property approved under resolution of intent procedures to an H-1 district shall not be designated as a gaming enterprise district unless a conditional use permit for a resort hotel and casino is also approved and remains in effect in accordance with Part A of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures). (Ord. 2068 § 2 (part), 1998)

29.18.080 Conditions for Enlargement or Establishment.

An H-1 limited resort and apartment district may be enlarged or established upon a tract of land in accordance with the following requirements:

1. Petitions.

Any petition for an H-1 limited resort and apartment district shall be accompanied by a petition for a zone change amendment as specified in Chapter 29.04 (Amendment Procedures). A petition to enlarge or establish the gaming enterprise district shall, in addition to the petition for a zone change amendment, be accompanied by an application for a conditional use permit for a resort hotel and casino pursuant to Part A of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures).

2. Support Material.

The proponents shall also concurrently prepare and submit written documentation demonstrating that:

- A. The roads, water, sanitation, utilities and related services to the location are adequate;
- B. 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;
- C. The proposed establishment will enhance, expand and stabilize employment and the local economy;
- D. The proposed establishment will be located in an area planned or zoned for that purpose pursuant to NRS 278.010 to 278.630, inclusive;
- E. The proposed establishment will not be detrimental to the health, safety or general welfare of the community or be incompatible with the surrounding area;
- F. 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; and

G. After July 16, 1997, for the expansion of the gaming enterprise district outside the boundaries of either the Las Vegas Boulevard Gaming Corridor or the Rural Clark County gaming zone as defined by Chapter 463 of the Nevada Revised Statutes, the following additional requirements shall be met, unless the property is specifically exempt from these requirements by the provisions of NRS 463.

- i. The proposed establishment shall be located a minimum of five hundred feet from the property line of a residential development, or from a recorded residential subdivision upon which one or more residential dwelling units have been issued a certificate of occupancy;
- ii. The proposed establishment shall be located a minimum of one thousand five hundred feet from the property upon which any structure used primarily for religious services, or public or private school is located; and
- iii. The proposed establishment shall not adversely affect any residential development, or any structure used primarily for religious services, or public or private school within two thousand five hundred feet of the property upon which the establishment is located.

3. Public Hearing.

Upon receipt of the documentation required above, the board of county commissioners shall hold a public hearing in accordance with the procedures established in Chapter 29.04 (Amendment Procedures).

4. Decision.

Following the public hearing, the board shall either grant or deny the petition. The board may grant a petition only if it is determined that the proponents have brought forth adequate evidence to demonstrate that the petition meets the requirements of subsection (2) of this section.

5. Successive Applications.

The board shall not consider another petition for reclassification to the H-1 district 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. 2068 § 2 (part), 1998)

29.18.090 Permitted Uses.

The following uses, subject to the design standards contained herein and the conditions set forth in Part A above, are permitted in the H-1 limited resort and apartment district:

1. Hotels, inns, and motels subject to design review approval pursuant to Part F of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures);
2. Where a subdivision designed or intended for single-family dwellings was recorded prior to May of 1974, dwellings and accessory uses typically associated with single-family residential dwellings may be expanded and modified in accordance with the provisions and development standards in the R-D suburban estates district so long as the dwelling or accessory use is located on a parcel of land that contained a residential structure that was legally nonconforming on March 1, 1998. (Ord. 2074 § 1, 1998; Ord. 2068 § 2 (part), 1998)

29.18.100 Accessory Uses.

The following accessory uses, subject to the design standards contained herein and the conditions set forth in Part A above, are permitted in the H-1 limited resort and apartment district:

1. Accessory uses, buildings, and structures customarily incidental to any permitted or allowed use when located on the same lot or premises and subject to the design standards for the accessory use as set forth herein;
2. In any hotel, resort hotel, inn, motel or rural resort hotel 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; and
3. In any hotel, resort hotel, inn, or motel containing at least fifty guest rooms, there may be conducted businesses incidental thereto and for the convenience of the occupants and guests thereof, including live entertainment, restaurants and bars provided:
 - A. Such incidental businesses shall be accessed only from inside the building in which the same are located,
 - B. The floor area used for such incidental business purposes shall not exceed twenty-five percent of the ground floor area of such building,
 - C. 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, and
 - D. Resort hotels may also establish outside dining and drinking areas provided said use is set back at least two hundred feet from any residential use. (Ord. 2202 § 25, 1998, Ord. 2068 § 2 (part), 1998)

29.18.110 Conditional Uses.

The following uses, subject to the design standards contained herein and to the issuance of a conditional use permit as provided in Part A of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures) may be permitted in the H-1 limited resort and apartment district:

1. Any use listed in Section 29.12.020 (Conditional uses) of this title, as permitted in any district subject to, securing a conditional use permit;
2. Bars, taverns, brew pubs, etc.;
3. Car rental agencies (five vehicle maximum);
4. Check-cashing services;
5. Gambling casinos and establishments;
6. High-rise structures more than nine stories or one hundred feet in height where additionally approved by the management of McCarran International Airport after consultation with the Federal Aviation Administration;

7. Multiple dwellings, dwelling groups, apartment houses and time-sharing apartments, subject to the provisions and property development standards of the R-4 multiple-family residential 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);
8. Office and office buildings;
9. Outdoor dining and drinking establishments in conjunction with and accessed only through a restaurant, provided that either: (1) such establishments are set back two hundred feet from any residential use or (2) the planning commission or board of county commissioners determine that adequate visual and acoustical buffering will be provided between the establishment and adjacent property;
10. Outdoor dining and drinking establishments in conjunction with and accessed only through a resort hotel where such establishments are set back less than two hundred feet from any residential use if the planning commission or the board of county commissioners determines that adequate visual and acoustical buffering will be provided between the establishment and adjacent property;
11. Planned development units, subject to the measurements of Part E of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures);
12. Public and quasi-public and institutional buildings and uses;
13. Resort hotels;
14. Restaurants;
15. Retail sales consistent with the uses permitted in the C-2 general commercial district;
16. Rural resort hotels;
17. Service stations;
18. Upon the premises of a hotel, resort hotel, inn or motel containing at least one hundred fifty guest rooms, a condominium hotel or motel maintained as a freestanding structure; and
19. Vacation certificate and vacation plan sales and solicitation. (Ord. 2068 § 2 (part), 1998)

29.18.120 Development Standards Related to Bulk, Yard and Space Regulations.

The development standards related to density, area, yards, height, and coverage for the H- 1 limited resort and apartment district are set forth in Table 29.18-1. (Ord. 2068 § 2 (part), 1998)

29.18.130 Special Provisions for Hotels, Resort Hotels, Inns, Motels, and Gambling Casinos and Establishments.

In addition to the foregoing provisions, the following special provisions shall apply to any hotel, resort hotel, inn, motel, and gambling casino and establishment permitted above.

1. Applicability.

Hotels, resort hotels, inns, motels, and gambling casinos and establishments permitted 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 conditional use permit pursuant to Part A of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures), and complete compliance with the approved plan and with all the conditions imposed by the planning commission or board of county commissioners.

2. Burden of Proof.

The applicant for such a conditional use permit bears the burden of demonstrating to the planning commission or board of county commissioners that:

- A. The combination of services and facilities in the proximate area are sufficient to meet the intent of development standards;
- B. 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
- C. The application otherwise conforms with Part A of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures).

3. Authority.

A conditional use permit granted under this part shall be considered a special exception. An applicant who is denied a conditional use permit for a use listed in Section 29.18.110 may reapply without regard to the time restriction of Section 29.05.120 of Part A of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures).

4. Compliance Conditions.

The following are exceptions to the relaxed standards, which must be complied with:

- A. Sight zone requirements shall be maintained as required by Section 29.20.050(e) of Chapter 29.20 (Requirements of General Applicability);
- B. Airport environs requirements shall be maintained as required by Part C of Chapter 29.19 (Airport Environs Overlay District);
- C. No building shall be constructed within ten feet of any street unless the provisions of Section 29.20.050(c) of Chapter 29.20 (Requirements of General Applicability) are applicable;
- D. Parking shall not be reduced by more than thirty percent of the parking spaces required;
- E. Parking temporarily reduced for construction purposes shall not be reduced by more than fifty percent;
- F. The requirements for building permits shall be met as listed under Part B of Chapter 29.06 (Zoning Certificates, Building Permits and Street and Right-of-Way Provisions);

- G. The sign requirements contained in 29.23.010 (Signs exempt from regulation), 29.23.020 (Signs prohibited) and 29.23.030 (1) and 29.23.030 (3) (Requirements of general applicability). (Ord. 2216 § 4, 1998, Ord. 2202 § 26, 1998, Ord. 2068 § 2 (part), 1998)

Article II H-2 General Highway Frontage District

29.18.140 H-2 General Highway Frontage District.

The following requirements shall apply specifically to the H-2 general highway frontage district. (Ord. 2068 § 2 (part), 1998)

29.18.150 Purpose.

The H-2 general highway frontage district is established to provide for the establishment of a variety of residential, office, and commercial uses. (Ord. 2068 § 2 (part), 1998)

29.18.160 Future Applications for H-2 Zoning Prohibited.

Petitions for a zone change to H-2 general highway frontage district, or petitions for the expansion of an H-2 district pursuant to Part A of Chapter 29.04 (Amendment Procedures) shall not be accepted by the zoning administrator after September 30, 1990. (Ord. 2068 § 2 (part), 1998)

29.18.170 Permitted Uses.

The following uses, subject to the design standards contained herein and the conditions set forth in Part A above, are permitted in H-2 general highway frontage district:

1. Plant nurseries (with outside sales); and
2. Uses permitted pursuant to Section 29.13.090 of the R-U rural open land district. The uses shall be subject to the provisions and property development standards for the R-U rural open land district. (Ord. 2068 § 2 (part), 1998)

29.18.180 Accessory Uses.

Accessory uses, buildings, and structures customarily incidental to any permitted or allowed use when located on the same lot or premises and subject to the design standards for the accessory use as set forth herein. (Ord. 2068 § 2 (part), 1998)

29.18.190 Conditional Uses.

The following uses, subject to the design standards contained herein and to the issuance of a conditional use permit as provided in Part A of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures) may be permitted in the H-2 general highway frontage district:

1. Each conditional use approved shall have access to and frontage on a highway with a right-of-way width or future right-of-way width of one hundred fifty feet.
 - A. Convenience stores or services stations, subject to the following requirements:
 - i. All buildings and canopies shall be set back not less than thirty feet from the right-of-way line of any section line street,

- ii. 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, and
- iii. All buildings and canopies shall be either:
 - a. Set back a minimum of two hundred feet from a residential use; or
 - b. Visually and acoustically buffered from a residential use in a manner acceptable to the planning commission or board of county commissioners;

B. Motels;

C. Offices and office buildings;

D. Off-set printing establishments;

E. Retail business establishments;

F. Restaurants and eating places (no on-premises consumption of alcoholic beverages);

G. Service stations (allows routine auto maintenance only, no auto repair);

H. Time-share program projects within existing motels, provided that such motels contain at least twenty rooms;

I. Upholstery shops.

- 2. Each conditional use listed below need not have access to and frontage on a highway with a right-of-way width or future right-of-way width of one hundred fifty feet.
 - A. Any use listed in Section 29.12.020 (Conditional uses) of this title as permitted in any district subject to securing a conditional use permit;
 - B. In areas where public water and sewer lines exist, uses permitted pursuant to Section 29.14.330 and 29.14.350 of the R-2 medium density residential district. The uses shall be subject to the provisions and property development standards of the R-2 medium density residential district. (Ord. 2068 § 2 (part), 1998)

29.18.200 Development Standards Related to Bulk, Yard and Space Regulations.

The development standards related to density, area, yards, height, and coverage for the H-2 general highway frontage district are set forth in Table 29.18-1. (Ord. 2068 § 2 (part), 1998)

Article III O-S Open Spaces District

29.18.210 O-S Open Spaces District.

The following requirements shall apply specifically to the O-S open spaces district. (Ord. 2068 § 2 (part), 1998)

29.18.220 Purpose.

The O-S 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 public health, safety and welfare by limiting development in areas where police and fire protection, protection against flooding by storm water or other services cannot be provided without excessive cost to the community. (Ord. 2068 § 2 (part), 1998)

29.18.230 Permitted Uses.

The following uses, subject to the design standards contained herein and the conditions set forth in Part A above, are permitted in the O-S open spaces district.

The following uses shall be require design review approval pursuant to Part F of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures):

1. Flood control channels, spreading grounds and settling basins;
2. Scenic drives and access roads;
3. Recreation areas, parks, playgrounds, wildlife preserves and such buildings and structures as are related thereto; and
4. Agricultural and cattle grazing uses provided that no dwellings, either temporary or permanent, are permitted in relation thereto. (Ord. 2068 § 2 (part), 1998)

29.18.240 Accessory Uses.

- a. Accessory uses, buildings, and structures customarily incidental to any permitted or allowed use when located on the same lot or premises and subject to the design standards for the accessory use as set forth herein;
- b. Home occupations subject to the provisions of Section 29.20.090 (Home occupations). (Ord. 2068 § 2 (part), 1998)

29.18.250 Conditional Uses.

The following uses, subject to the design standards contained herein and to the issuance of a conditional use permit as provided in Part A of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures) may be permitted in the O-S open spaces district:

1. Any use listed in Section 29.12.020 (Conditional uses) of this title, as allowed in any district subject to securing a conditional use permit;
2. Permanent single-family dwellings; and
3. A single caretaker's building. (Ord. 2068 § 2 (part), 1998)

29.18.260 Development Standards Related to Bulk, Yard and Space Regulations.

The development standards related to density, area, yards, height, and coverage for the O-S open spaces district are set forth in Table 29.18-1. (Ord. 2068 § 2 (part), 1998)

29.18.270 Special Development Standards Related to Rear Yards.

Accessory buildings may be erected in a rear yard; provided, that the building complies with all of the standards set forth in Table 29.18-1. (Ord. 2068 § 2 (part), 1998)

Article IV. P-F Public Facility District

29.18.280 P-F Public Facility District.

The following requirements shall apply specifically to the P-F public facility district. (Ord. 2068 § 2 (part), 1998)

29.18.290 Purpose.

The P-F 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. 2068 § 2 (part), 1998)

29.18.300 Permitted Uses.

The following uses, subject to the design standards contained herein and the conditions set forth in Part A above, are permitted in the P-F public facility district.

1. Public facilities not restricted by the terms of Section 29.18.320 below or other uses requiring a conditional use permit under the terms of Section 29.12.020 (Conditional uses). (Ord. 2068 § 2 (part), 1998)

29.18.310 Accessory Uses.

Accessory uses, buildings and structures customarily incidental to any permitted or allowed use when located on the same lot or premises and subject to the design standards for the principal use as set forth herein. (Ord. 2068 § 2 (part), 1998)

29.18.320 Conditional Uses.

The following uses, subject to the design standards contained herein and to the issuance of a conditional use permit as provided in Part A of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures) may be permitted in the P-F public facilities district:

1. Airports and heliports, including accessory commercial uses;
2. Aircraft maintenance and sale and/or storage of aircraft-related products, including fuels;
3. Any use listed in Section 29.12.020 (Conditional uses) of this title as permitted in any district subject to securing a conditional use permit;
4. Car rental agencies;
5. Retail sales;
6. Sale of airline and tour tickets; and
7. Slot and pinball machines. (Ord. 2068 § 2 (part), 1998)

29.18.330 Property Development Standards.

The development standards related to density, area, yards, height, and coverage for the P-F public facility district shall be specified in the conditional use permit, when required, otherwise there are none. (Ord. 2068 § 2 (part), 1998)

Article V T-C Mobile Home Park District

29.18.340 T-C Mobile Home Park District.

The following requirements shall apply specifically to the T-C mobile home park district. (Ord. 2068 § 2 (part), 1998)

29.18.350 Purpose.

The T-C mobile home park district is established to provide for the location and development of sites suitable for mobile home parks and limited single-family development. (Ord. 2068 § 2 (part), 1998)

29.18.360 Permitted Uses.

The following uses, subject to the design standards contained herein and the conditions set forth in Part A above, are permitted in the T-C mobile home park district.

1. Mobile home parks; and
2. Permanent single-family dwellings, when located on separate parcels of land and subject to the development standards of the R-1 single-family residential district. (Ord. 2068 § 2 (part), 1998)

29.18.370 Accessory Uses.

- a. Accessory uses, buildings, and structures customarily incidental to any permitted or allowed use when located on the same lot or premises and subject to the design standards for the accessory use as set forth herein;
- b. Vending machines and laundromats for the sole use and convenience of residents of the park, provided that the development plan be approved by the planning commission or board of county commissioners;
- c. 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;
- d. Manager's office or residence; and
- e. Home occupations subject to the provisions of Section 29.20.090 (Home occupations). (Ord. 2068 § 2 (part), 1998)

29.18.380 Conditional Uses.

The following uses, subject to the design standards contained herein and to the issuance of a conditional use permit as provided in Part A of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures) may be permitted in the T-C mobile home park district:

1. Any use listed in Section 29.12.020 (Conditional uses) of this title, as allowed in any district subject to securing a conditional use permit. (Ord. 2068 § 2 (part), 1998)

29.18.390 Specifically Prohibited Uses.

The following uses are expressly prohibited even if intended to be accessory to a permitted use:

1. The sale of manufactured homes. This prohibition shall not apply to the resale in place of a manufactured home previously located and occupied within a mobile home park, by the owner thereof or his agent.
2. The placement of a manufactured home within a mobile home park for the purpose of display as a sales model. This prohibition shall not apply to the placement or display of sales models or the sale of manufactured 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. The five year period 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.
3. The placement of a business license, or any form of business office, for manufactured home sales within a mobile home park except as provided in subsection (2) of this section; and
4. 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. 2068 § 2 (part), 1998)

29.18.400 Development Standards Related to Bulk, Yard and Space Regulations.

The development standards related to density, area, yards, height, and coverage for manufactured homes in the T-C mobile home park district are set forth in Table 29.18-2. (Ord. 2068 § 2 (part), 1998)

29.18.410 Special Development Standards Related to 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 manufactured home or other structure. Other structures shall include, but are not limited to cabanas, carports, garages, and sheds; and
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, and
 - 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 manufactured home it is designed to cover providing it complies with the administrative building code of Clark County, and
- C. 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 manufactured homes and/or other structures. (Ord. 2068 § 2 (part), 1998)

29.18.420 Special Development Standards Related to Driveways, Fences, Toilet Facilities, Cabana Additions and Garbage and Trash Collection.

a. Driveways.

Every manufactured home space shall have access to and abut upon a private driveway (interior private street), and have a clear and unobstructed access to a public thoroughfare.

- 1. Parking which blocks vehicular movement on driveways or interior private streets is prohibited.
- 2. No driveway shall be less than thirty-two feet in width.
- 3. Collector driveways (interior private streets) and entrances shall not be less than forty feet in width.

b. Fences.

A masonry wall or fence of at least six-foot shall be constructed:

- 1. Along all property lines adjacent to a different zoning district;
- 2. Between adjoining mobile home parks; and
- 3. Along abutting right-of-way or future width line along a street with a ten-foot setback for required landscaping and irrigation.

c. Toilet Facilities.

Every mobile home park shall provide at least one centrally located toilet and lavatory for each gender properly installed, maintained in good working order, and accessible at all times for the use of the occupants of the mobile home park.

d. Cabana Addition.

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. No cabana shall be constructed, placed or maintained on more than one side of a manufactured or mobile home. As used in this subsection "side" shall include each end. An addition other than a cabana may be added to more than one side of a manufactured or mobile home.

e. Garbage and Trash Collection.

In every mobile home park not having individual garbage and trash collection services for each manufactured home space, an adequate number of garbage and trash collection containers shall be provided. The containers shall be enclosed as required under Section 29.22.030 of Chapter 29.22 (Landscaping and Screening). Every manufactured home space shall be located within two hundred feet of a trash collection container. (Ord. 2068 § 2 (part), 1998)

29.18.430 Development Standards Related to 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 all electric, gas, and communication distribution lines, including television service facilities, wires, cables, pipe and service extensions, shall be installed underground. In addition, the following requirements shall also apply to mobile home parks:

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 utilities 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 (Improvement Standards) of the Clark County Code. The improvements 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. In addition, the following requirements shall apply to mobile home parks:

1. Lighting.

Interior street and sidewalk lights shall be installed in accordance with published standards of the building department and shall be powered by the park.

2. Plans.

Plans and construction of all off-site improvements and utility installations shall be inspected and approved by the department of public works.

3. Performance Bond.

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. 2068 § 2 (part), 1998)

29.18.440 Operation and Supervision.

a. Person in Charge.

Every mobile home park shall be required to have a designated operator for the park.

b. Posting of Information.

The mobile home park operator 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.

c. Location of Posting.

The schedule shall be posted at the park office where the park map is posted.

d. Duty to Enforce.

The park operator shall have the responsibility to enforce within the park the provisions governing the operation and supervision of mobile home parks.

e. Supervision.

In order to ensure a safe, wholesome and aesthetically appealing environment is maintained within a mobile home park the following shall be provided and maintained:

1. The operator of every mobile home park shall display:

A. The county business license;

B. The health district permit;

- C. A scale drawing of the park as pursuant to subsection (e)(3)(J) of this section, in a conspicuous protected location visible to residents, visitors and emergency service personnel as they enter the park; and
 - D. 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.
2. The operator of the mobile home park shall provide for:
- A. 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;
 - B. The maintenance and repairs of all structures and their sites and manufactured home lots; and
 - C. Required maintenance shall include 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.
3. The operator of any mobile home park shall:
- A. Maintain the park and manufactured home spaces in a clean, orderly and sanitary condition at all times;
 - B. 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;
 - C. Require that manufactured 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;
 - D. See that all required electric lights are kept lighted from dusk until dawn;
 - E. Ensure that adequate facilities and methods are provided and used for the collection, storage, handling and disposal of trash, garbage and refuse;
 - F. On January 15th and July 15th of each year, provide to the Clark County current planning division a current list of park tenant addresses;
 - G. Not permit any domestic animal to be at large in the park;
 - H. Report promptly to the proper authorities any violation of the law;
 - I. Ensure that tenants have secured all necessary permits and inspections for any construction work;
 - J. Display a permanent map of the park which shall:
 - i. Be of a scale of at least one inch equals fifty feet and of sufficient size so that letters and numbers are easily read,
 - ii. Be sufficiently illuminated so as to be visible and readable at night,

- iii. Provide names and layouts of streets and manufactured home lots and the assigned number of all lots as marked, and
- iv. Have minimum dimensions of twenty inches by thirty inches;
- K. Post a copy of the T-C mobile home park district requirements in a conspicuous location within the mobile home park; and
- L. Ensure that every manufactured home lot line is adequately and clearly marked by the placing of permanent markers at each space or lot corner or by the installation of fencing along the lot line.
 - i. The assigned lot number shall be placed on the manufactured home consistent with the address requirements required under Part D of Chapter 29.06 (Street Names and Numbering Changes); and
 - ii. Lot markers on a vacant manufactured 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 29.18.360. (Ord. 2068 § 2 (part), 1998)

Article VI R-V-P Recreational Vehicle Park District

29.18.450 R-V-P Recreational Vehicle Park District.

The following requirements shall apply specifically to the R-V-P recreational vehicle park district. (Ord. 2068 § 2 (part), 1998)

29.18.460 Purpose.

The R-V-P 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. 2068 § 2 (part), 1998)

29.18.470 Permitted Uses.

The following uses, subject to the design standards contained herein and the conditions set forth in Part above, are permitted in the R-V-P recreational vehicle park district:

- 1. A recreational vehicle park, upon the condition that the development plan, including advertising signs or structures, be approved by the county planning commission or board of county commissioners. (Ord. 2068 § 2 (part), 1998)

29.18.480 Accessory Uses.

- a. Accessory uses, buildings, and structures customarily incidental to any permitted or allowed use when located on the same lot or premises and subject to the design standards for the accessory use as set forth herein;
- b. Coin-operated laundry facilities;
- c. Management headquarters;

- d. Recreational facilities;
- e. Toilets and showers; and
- f. Vending machines. (Ord. 2068 § 2 (part), 1998)

29.18.490 Conditional Uses.

The following uses, subject to the design standards contained herein and to the issuance of a conditional use permit as provided in Part A of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures) may be permitted in the R-V-P recreational vehicle park district:

- 1. Any use listed in Section 29.12.020 (Conditional uses) of this title, as allowed in any district subject to securing a conditional use permit. (Ord. 2068 § 2 (part), 1998)

29.18.500 Specifically Prohibited Activities.

The following restrictions apply to all recreational vehicle parks or recreational vehicles, as appropriate:

1. Enclosures Prohibited.

- A. 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.
- B. Any permitted accessory structure, awning, shade or other attachment shall comply with the minimum setbacks set forth in Table 29.18-1 below.

2. 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.

3. 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.

4. Recreational Vehicles on Private Property Outside of Recreational Vehicle Parks Prohibited.

- A. 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 department;

- B. 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; and
- C. This forgoing provision 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. (Ord. 2068 § 2 (part), 1998)

29.18.510 Property Development Standards.

The development standards related to density, area, space dimensions, and separations for the R-V-P recreational vehicle park district are set forth in Table 29.18-2. (Ord. 2068 § 2 (part), 1998)

29.18.520 Special Development Standards Related to Surfacing, Driveways, Fences and Private Areas.

a. 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.

b. Driveways (Internal Streets).

Every recreational vehicle park shall comply with the following.

1. 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.

c. Off-Street Parking.

There shall be provided a paved, centrally located parking area for additional occupant vehicle parking, boat parking and visitor parking.

d. Fencing, Screening and Landscaping.

Every recreational vehicle park shall provide the following:

1. 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;
2. 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;

3. Additionally, landscaping shall be provided at office and recreational building areas and at each recreational vehicle site; and
4. Landscaping plans for all required areas shall be presented to the county planning commission for approval.

e. Private Areas.

Each recreational vehicle site shall have a minimum of sixty square feet for private areas, and the areas shall be landscaped. (Ord. 2068 § 2 (part), 1998)

29.18.530 Special Development Standards Related to Accessory Facilities.

All recreational vehicle parks shall comply with the following requirements for accessory facilities:

1. Service Buildings.

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 gender:

No. of Recreational Vehicle Sites	Toilets	Showers	Lavatories
Less than 50	2	2	2
51 through 100	4	4	4
For each 50 additional sites or fraction thereof	1	1	1

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. 2216 § 5, 1998, Ord. 2202 § 27, 1998, Ord. 2068 § 2 (part), 1998)

29.18.540 Supervision.

Every recreational vehicle park shall comply with the following standards for supervision:

1. 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.

2. 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.

3. Duties of Operator.

It shall be the duty of the owner, operator or person-in-charge of any recreational vehicle park:

- A. 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:
 - i. The names and home addresses of all persons staying in the recreational vehicle park,
 - ii. The date of their arrival,
 - iii. Date of their departure,
 - iv. The number of and state in which the drivers' licenses of such persons were issued,
 - v. The license number of all recreational vehicles in the park,
 - vi. The name of the state and county if appropriate in which they are registered,
 - vii. The make and model of vehicle, and
 - viii. The recreational vehicle site on which each is located;
- B. To maintain the park in a clean, orderly, litter-free and sanitary condition at all times;
- C. To allow no more than one recreational vehicle and one tow vehicle on any one recreational vehicle site at any one time;
- D. To require that all such recreational vehicles and automobiles are located on their respective recreational vehicle sites as required by the terms of R-V-P district regulations;
- E. 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;
- F. To see that all required lights are kept lighted;
- G. 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;
- H. To maintain or be in charge of the continuing maintenance of all landscaped areas;

- I. To allow domestic animals to be kept in the park only as provided by the R-V-P district regulations and in compliance with all other Clark County ordinances;
- J. To report promptly to the proper authorities any violations of the law;
- K. 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;
- L. To post in a waterproof holder in a conspicuous place in each recreational vehicle site a copy of this section;
- M. To see that no inoperable vehicles, machinery, equipment or parts thereof are kept or stored; and
- N. 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. 2068 § 2 (part), 1998)

29.18.550 Provision of Utilities and Fire Protection.

Every recreational vehicle park shall provide utilities and fire protection in conformity with the following:

1. 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:

A. Electrical Work.

All electrical work shall conform to the current adopted county electrical code.

B 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.

C. Plumbing Work.

All plumbing work, water and sewer connections shall conform to the current adopted county plumbing code.

D. 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.

2 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. 2068 § 2 (part), 1998)

PART C BULK MATRIX

29.18.560 Table 29.18-1 – Property Development Standards Matrix.

Table 29.18-1 Property Development Standards Matrix⁷

Property Development Standards	H-1	H-2	O-S
Dwelling Unit Density	none ¹	none ^{2,3}	2 du/gross acre
Lot			
Area	none ¹	^{2,3}	5 acres
Width	none ¹	^{2,3}	300 feet
Depth	none ¹	^{2,3}	300 feet
Coverage (including accessory buildings and eaves)	60 percent	^{2,3}	5 percent
Yards			
Front			
Principal structure	10 feet ^{1,8}	10 feet ^{2,3}	50 feet
Side			
Principal structure	10 percent of lot width, but not less than 5 feet or more than 50 feet—1 foot additional setback for each story over 40 feet ^{1,6}	10 percent of lot width, but not less than 5 feet or more than 20 feet ^{2,3}	25 feet each side
Accessory structure	Same as principal structure ^{1,6}	Same as principal structure ^{2,3}	25 feet
Side Corner			
Principal structure	10 percent of lot width, but not less than 20 feet or more than 50 feet	20 feet ^{2,3}	50 feet
Accessory structure	Same as principal structure ¹	Same as principal structure ^{2,3}	50 feet
Rear			
Principal structure	None, except where adjacent to a residential use then 20 feet ^{1,6}	None, except where adjacent to a residential use then 20 feet ^{2,3}	75 feet
Accessory structure	Same as principal structure ^{1,6}	Same as principal structure ^{2,3}	25 feet
Where abutting a residential use	20 feet	20 feet	N/A
Height			
Principal structure	9 stories/100 feet ^{4,5}	4 stories/50 feet ^{2,3}	2 stories/35 feet
Accessory structure	9 stories/100 feet ^{4,5}	4 stories/50 feet ^{2,3}	35 feet
Building Separation	1	^{2,3}	20 feet

Notes:

1. For buildings or portions thereof designed, intended, or used for residential or dwelling purposes refer to the provisions and property development standards of the R-4 multiple-family residential district.
2. For buildings or portions thereof designed, intended, or used for residential or dwelling purposes and permitted pursuant to Section 29.18.170, refer to the provisions and property development standards of the R-U rural open land district.
3. For buildings or portions thereof designed, intended, or used for residential or dwelling purposes and permitted pursuant to Section 29.18.190, refer to the provisions and property development standards of the R-2 medium density residential district.
4. Additional height can be granted for gambling casinos and establishments pursuant to Part A of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures).
5. See Chapter 29.23 (Signs) for height limitations regarding signs.
6. The additional foot of side yard setback may be applied at the level of the additional story and does not need to be applied at the ground level.
7. In no case shall a building or structure other than a permitted fence, wall, or other structure permitted by Section 29.20.050(b) and (c) (permitted intrusions into required yards, permitted accessory structures, roadway improvements and utility equipment in required yards) be constructed to within ten feet of any street.
8. Theten foot front setback shall not apply where a special setback is applicable under Section 29.06.060 (Setback lines established for special streets).

(Ord. 2216 § 6, 1998, Ord. 2068 § 2 (part), 1998)

29.18.570 Table 29.18-2 — Property development standards matrix.

Table 29.18-2 Property Development Standards Matrix⁶

Property Development Standards	T-C ⁴	R-V-P
Dwelling Unit Density	N/A	20 du/acre
Minimum Area	10 acres	10 acres
Lot		
Area	1,500 square feet	N/A
Width	25 feet	N/A
Depth	60 feet	N/A
Coverage (includes sheds, cabanas, and other accessory buildings and eaves)	75 percent	N/A
Yards		
Front	N/A	N/A
Side	N/A	N/A
Corner Side	N/A	N/A
Rear	N/A	N/A
When abutting residential lot	N/A	N/A
Height	2 stories/35 feet	N/A
Separations		
Mobile home and/or other structures ^{2,3}	10 feet	N/A
Mobile home and other structure and any public street ^{2,3}	15 feet	N/A
Mobile home and other structure, lot line, property line, and/or driveway (interior private street) ^{2,3}	5 feet	N/A
Between recreational vehicles	N/A	10 feet
Recreational vehicle and lot line of recreational vehicle space and/or driveway	N/A	5 feet
Recreational vehicle site and any public street	N/A	25 feet
Space Dimensions		
Drive-through spaces for RV's		
Minimum width	N/A	25 feet
Minimum depth	N/A	60 feet
Back-in spaces for RV's		
Minimum width	N/A	35 feet
Minimum depth	N/A	45 feet
Drive-through spaces for campers		
Minimum width	N/A	20 feet
Minimum depth	N/A	40 feet
Back in spaces for campers		
Minimum width	N/A	20 feet
Minimum depth	N/A	30 feet

Notes:

1. Requirement excludes covered parking.
2. The separation requirements shall be required for manufactured homes and other structures, not including sheds and other structures which are accessory to an individual manufactured home.
3. No provision of this section shall be held to prohibit the construction of an otherwise legal fence or windbreak along any lot line.
4. Any attachment to the recreational vehicle shall be considered a part of such vehicle when determining the clearance between recreational vehicles.
5. In the T-C mobile home park district, permanent single-family dwellings shall be constructed to the R-1 single-family residential district.
6. In no case shall a building or structure other than a permitted fence, wall, or other structure permitted by Section 29.20.050(b) and (c) (permitted intrusions into required yards, permitted accessory structures, roadway improvements and utility equipment in required yards) be constructed to within ten feet of any street.

(Ord. 2068 § 2 (part), 1998)

Overlay Districts

Chapter 29.19 - OVERLAY DISTRICTS

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Part A P-C PLANNED COMMUNITY OVERLAY DISTRICT

29.19.010 P-C Planned Community Overlay District.

The following requirements shall apply specifically to property located within or proposed to be located within the P-C planned community overlay district. (Ord. 2068 § 2 (part), 1998)

29.19.020 Purpose.

The P-C planned community overlay district is designed and intended to enable and encourage the development of large tracts of land, under unified ownership or control, as individual integrated communities so to achieve development patterns which will maintain and enhance the physical, social and economic values of a designated area. To achieve this intent, there may be provided within such areas a combination of residential, commercial, resort, industrial, public and semipublic areas, designed and

arranged in accordance with land planning principles and development techniques; and in such a manner as to be properly 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 size of the tracts of land involved and the length of time required to develop the land, the P-C planned community overlay district is designed to allow the land developer flexibility to respond to market 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 P-C planned community overlay district is also intended to provide 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 P-C 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 input to these proposals.

The flexibility permitted in the P-C planned community overlay district is intended for the initial development of the land. For that reason, the provisions of this part, 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. (Ord. 2068 § 2 (part), 1998)

29.19.030 Applicability.

The intent of the P-C planned community overlay districts is to provide the necessary flexibility required for the initial development of a large tracts of land, particularly for a planned community; therefore, the provisions of this part do not apply to development other than initial development of the land as defined in Section 26.02.045 of the Clark County Code. (Ord. 2068 § 2 (part), 1998)

29.19.040 Administration.

Due to the size of development projects in the P-C planned community overlay districts 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 29.04.080(b) of Chapter 29.04 (Amendment Procedures), of the initial development of the land for any portion of the P-C planned community overlay districts, 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. 2068 § 2 (part), 1998)

29.19.050 Conditions for Establishment of a P-C Planned Community Overlay District.

A P-C overlay district may be established upon a tract of land in accordance with the requirements as listed below.

1. 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.

2. 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 a 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.
3. 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 29.04.080(b) of Chapter 29.04 (Amendment Procedures), 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 planned community 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 29.19.050. 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 planned community overlay district. 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.
4. 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 planned 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.
5. The P-C planned community 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 a P-C planned community overlay district shall be subject to the approval of the development agreement. (Ord. 2068 § 2 (part), 1998)

29.19.060 Procedure for Establishment of a P-C Planned Community Overlay District.

An application for the P-C planned community overlay district designation shall be processed as a zone change in accordance with the provisions of Chapter 29.04 (Amendment Procedures), except as otherwise provided below:

1. Application Prerequisites.

An application for the P-C planned community 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 of the Clark County Code prior to submission of an application for the P-C planned community overlay district designation. The application shall be processed in accordance with Chapter 26.30 of the Clark County Code and Chapter 29.04 (Amendment Procedures), except as provided below.

2. Applications in Community District 3.

A request for the P-C planned community 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.

3. Submittal Requirements.

In place of the submittal requirements listed in Section 29.04.120 of Chapter 29.04 (Amendment Procedures), the following shall be filed in the office of the current planning division along with a completed zone change petition form and required fees.

A. Four copies of one of the following:

- i. The approved specific plan and development schedule;
- ii. The approved land use and development guide; or
- iii. A development plan as described in Section 29.19.070(a) below.

B. Two copies of the most recent assessor's map indicating the subject parcels.

4. Application Approval.

The approval of an application for the P-C planned community 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:

- A. The specific plan and development schedule or the land use and development guide for the project as approved by the board of county commissioners;**
- B. The development plan, if submitted and approved with the P-C planned community overlay district application; and**
- C. All conditions agreed to by the applicant and made part of the board of county commissioner's approval which are not included in the documentation described in subsection (4)(A) of this section.**

5. Designation.

Because of the variety of zoning districts permitted in a planned community and the amount of flexibility permitted in the P-C planned community 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:

- A. In reports and public hearing notices for the development plan and any associated zone change;**
- B. In reports and public notices for the subdivision maps for the final development of the land;**

- C. In reports and public notices for any design reviews for the final development of the land; and
- D. After the development is substantially complete. (Ord. 2068 § 2 (part), 1998)

29.19.070 Development Within the P-C Planned Community 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 29.19.080 below, except as follows:

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. 2068 § 2 (part), 1998)

29.19.080 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 29.19.060 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 29.04 (Amendment Procedures) except as otherwise provided below:

1. Submittal Requirements.

In place of the submittal requirements listed in Section 29.04.120 of Chapter 29.04 (Amendment Procedures), the following shall be filed in the office of the current planning division along with a completed zone change petition form and fees as required by Chapter 29.07 (Application and Administrative Fees):

A. Development Plan.

A development plan shall consist of a map or maps drawn to a suitable scale, showing at the least the following:

- i. The boundary of the planned community or planning area;

- ii. The topographic character of the land;
- iii. The location of any faults and geologically unstable areas which preclude any development of the land;
- iv. Existing and proposed drainage accommodations;
- v. Any major regrading intended;
- vi. Accommodations for all major utility facilities;
- vii. The location of all existing streets and the location of all proposed arterial and collector streets;
- viii. Existing physical or cultural features which are intended to be preserved;
- ix. 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.; and
- x. The overall density proposed.

B. Zoning Map.

A black and white zoning map, or set of maps, drawn to scale on paper no larger than eight 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.

C. Development Schedule.

A proposed development schedule per Section 26.30.070 of the Clark County Code consistent with the scope of the development plan.

D. 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.

E. Legal Description.

One copy of the legal description of the boundary of the area covered by the development plan.

F. Deed.

Two copies of the most recent recorded deed to the property.

G. Assessor's Map.

Two copies of the most recent assessor's map indicating the subject parcels.

2. 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 29.04 (Amendment Procedures). 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 29.19.060(2) are met.

3. 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 29.04.070 of Chapter 29.04 (Amendment Procedures). 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 districts. (Ord. 2068 § 2 (part), 1998)

29.19.090 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 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.

1. 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 Part F of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures), except as otherwise provided below.

A. Reductions in Zoning.

A proposed change shall be considered a minor change if the change is:

- i. To a more restrictive zoning district within the same category of districts, as described in Chapter 29.02 (Definitions);
- ii. From a commercial district to a residential district with a density of ten units per acre or less;
- iii. From a manufacturing or industrial district to a commercial district other than C-3 district;
or
- iv. From a special district to a residential district with a density of six units per acre or less.

B. Increases in Zoning.

A proposed change shall be considered a minor change if the following criteria are met.

- i. The location of the proposed change is more than three hundred feet from the boundary of the P-C overlay district;
- ii. The change does not change the acreage of the subject zoning districts as approved on the original development plan by more than ten percent;
- iii. 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
- iv. The location of the proposed change is at least one thousand feet from any lot under different ownership.

2. 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.

3. 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 Part F of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures), 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. 2068 § 2 (part), 1998)

29.19.100 Review for Conformance with Approved Development Plan.

All development must conform with the approved development plan.

1. 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.

2. All Other Development.

For all development other than a single-family residential subdivision, a separate design review, in accordance with the provisions of Part F of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures), shall be required. Such design review shall be presented to the county planning commission for final action unless appealed. (Ord. 2068 § 2 (part), 1998)

29.19.110 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 29.05.050 of Part A of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures), 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. 2068 § 2 (part), 1998)

PART B PUBLIC USE AIRPORT HEIGHT ZONING RESTRICTIONS

29.19.120 Public Use Airport Height Zoning Restrictions.

The following requirements shall apply specifically to property located or proposed to be located within the public use airport height zoning restrictions. (Ord. 2068 § 2 (part), 1998)

29.19.130 Airport Zones.

In order to carry out the provisions of this part, there are created and established certain districts 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 29.19.160 of this title 29 or Section 20.12.030 of the Clark County Code. An area located in more than one of the airport districts is considered to be only in the district with the more restrictive height design standards. (Ord. 2119 § 5, 1998, Ord. 2068 § 2 (part), 1998)

29.19.140 Airport Zone Height Limitations.

Except as otherwise provided in this part, no structure shall be erected, altered or maintained in any airport district that would violate the height limitations depicted in the maps adopted herewith. However, nothing in this part 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 part. Any building or

structure constructed within the districts shall be situated or marked as approved by the Federal Aviation Administration (FAA) and the Clark County department of aviation so that it does not constitute a hazard as defined in Chapter 29.02 (Definitions). All construction within the various height districts shall be subject to the property owner's signing an aviation easement. (Ord. 2068 § 2 (part), 1998)

29.19.150 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. At 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 part;
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 subdivision (1) or (2) of this subsection after their height has been adjusted upward for the appropriate traverse way as follows:

For interstate highways	17 ft.
For any other public roadways	15 ft.
For any private road	10 ft. or the height of the highest mobile object that would normally traverse the road, whichever is greater
For any railroad	23 ft.
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; and
5. 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; and
4. Any construction or alteration for which notice is required by any other FAA regulation. (Ord. 2068 § 2 (part), 1998)

29.19.160 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:

1. 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;
2. 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;
3. 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; and
4. 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. 2068 § 2 (part), 1998)

29.19.170 Use Restrictions.

Notwithstanding any other provisions of this part, no use may be made of land or water within any zone established under this part in such a manner as to:

1. Create electrical interference with navigation signals or radio communication between the airport and aircraft;
2. Make it difficult for pilots to distinguish between airport lights and others;
3. Result in glare in the eyes of pilots using the airport;
4. Impair visibility in the vicinity of the airport;
5. Create bird strike hazards; or
6. Otherwise in any way endanger or interfere with the landing, takeoff or maneuvering of aircraft intending to use the airport. (Ord. 2068 § 2 (part), 1998)

29.19.180 Nonconforming Uses.

a. Regulations Not Retroactive.

The regulations prescribed by this part shall not be construed to require the removal, lowering, alteration or other change of any structure not conforming to the regulations of this part, or otherwise interfere with the continuance of a nonconforming use. Nothing contained in this part 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 part, and 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. 2068 § 2 (part), 1998)

29.19.190 Variances.

a. Future Uses.

1. Application.

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 on forms so provided and consistent with Part B of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures) for a variance from these regulations.

2. Standards.

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.

3. Additional Conditions.

Any such variance allowed may be subject to any reasonable conditions that the planning commission or board of county commissioners may deem necessary to effectuate the purposes of this title, 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.

4. Procedure.

Variances pursuant to this part shall be considered under the procedures set forth in Part B of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures), with the exception that the applicant shall notify the FAA regional office of the application prior to the 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 title 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 29.08 (Nonconforming Uses and Structures), has been abandoned, torn down more than fifty percent, 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. 2068 § 2 (part), 1998)

PART C AIRPORT ENVIRONS OVERLAY DISTRICT

29.19.200 Purpose.

The A-E airport environs overlay district is 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 A-E airport environs overlay district shall be supplementary to the regulations of the underlying district and the regulations of the A-E airport environs overlay district shall supersede if there is a conflict. (Ord. 2119 § 6 (part), 1998, Ord. 2068 § 2 (part), 1998)

29.19.210 Subdistricts.

a. There are seven subdistricts of the A-E airport environs overlay district as follows:

Sub-district Designation	
Runway protection zone	A-ERPZ
Accident potential zone I (APZ I)	A-EI
Accident potential zone II (APZ II)	A-EII
Accident potential zone III (APZ III)	A-EIII
Accident potential zone IV (APZ IV)	A-EIV
65—70 Ldn	A-E65
70—75 Ldn	A-E70
75—80 Ldn	A-E75
80 + Ldn	A-E80
Live ordnance zone 1	LOZ1
Live ordnance zone 2	LOZ2
Live ordnance zone 3	LOZ3

- b. The area encompassed by the twelve subdistricts constitutes the A-E 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 May 2, 1990, 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 May 20, 1998, copies of which may be obtained in the current planning division, also incorporated herein.
- c. The types of uses permitted and mitigation measures required differ for each subdistrict of the A-E airport environs overlay district as shown in Table 29.20-A-E. Where a proposed use is impacted by two or more subdistricts of the A-E airport environs overlay district, the use shall conform to the requirements of all applicable subdistricts, except that where subdistrict regulations impose conflicting requirements, the use shall conform to the most restrictive of the requirements.
- d. The A-E airport environs overlay district noise attenuation construction requirements and land use restrictions delineated in Table 29.20-A-E shall be imposed in addition to and shall overlay all other districts that are encompassed or circumscribed by the A-E airport environs overlay district. The symbol for the applicable airport environs overlay district subdistrict 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 subdistricts that cross them as shown on the airport environs overlay district maps described in this part. Where a building is or would be impacted by one or more subdistricts, the entire building shall be considered to be within the most restrictive subdistrict.
- f. Every five years from July 1, 1998, the Clark County Department of Aviation shall review the McCarran Maps and shall report to the Board of County Commissioners on whether any update of the McCarran Maps are required to reflect the noise contours in the environs of McCarran International Airport based on the Department of Aviation's reasonable estimate of anticipated aircraft noise exposure. If updates to the McCarran Maps are required, the Department of Aviation shall prepare and present such updated maps to the Board of County Commissioners for consideration.
- g. Every five years from July 1, 1998, the Department of Comprehensive Planning shall contact appropriate United States Air Force personnel to determine whether the Nellis Maps reasonably reflect anticipated aircraft noise exposure, accident potential and live ordnance operations in the environs of Nellis Air Force Base and shall report to the Board of County Commissioners on whether any update of the Nellis Air Force Base Environs Overlay District Maps are required to reflect the noise contours, accident potential, and live ordnance operations in the environs of Nellis Air Force Base based on a reasonable estimate of anticipated airport operations. If any updates to the Nellis Maps are required, the Department of Comprehensive Planning shall prepare and present such updated maps to the Board of County Commissioners for consideration.(Ord. 2119 § 6 (part), 1998, Ord. 2068 § 2 (part), 1998)

29.19.220 Permitted Uses.

In an A-E airport environs overlay district, uses permitted in the underlying district and indicated by a YES in the applicable subdistrict column of Table 29.20-A-E, Land Use Compatibility in the Airport Environs Overlay District, may be permitted. (Ord. 2068 § 2 (part), 1998)

29.19.230 Uses Permitted Subject to Noise Attenuated Construction.

In an A-E airport environs overlay district, uses permitted in the underlying district and indicated by a 25, 30, 35, (25), (30), or (35) key in the applicable subdistrict column of Table 29.20-A-E, Land Use Compatibility in the Airport Environs Overlay District, may be permitted subject to compliance with noise

attenuation construction standards. Noise attenuated construction indicated by Table 29.20-A-E shall be in accordance with the noise attenuation construction standards in Chapter 22.22 of the Clark County Code. (Ord. 2119 § 6 (part), 1998, Ord. 2068 § 2 (part), 1998)

29.19.240 Conditional Uses.

The following additional uses may be permitted subject to securing a conditional use permit in each case as provided for in Part A of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures).

1. All uses permitted in the underlying district but indicated by a (YES) in the applicable subdistrict column of Table 29.19-A-E, Land Use Compatibility in the Airport Environs Overlay District; and
2. All uses permitted subject to a conditional use permit in the underlying district and indicated by a YES in the applicable subdistrict column of Table 29.19-A-E, Land Use Compatibility in the Airport Environs Overlay District. (Ord. 2068 § 2 (part), 1998)

29.19.250 Prohibited Uses.

Except as provided in section 29.19.260, all uses indicated by a NO, (NO), or [NO] in the applicable subdistrict column of Table 29.19-A-E, Land Use Compatibility in the Airport Environs Overlay District. All other uses are not expressly permitted in Table 29.19-A-E expressly prohibited. (Ord. 2119 § 6 (part), 1998, Ord. 2068 § 2 (part), 1998)

29.19.260 Exceptions.

- a. A request for a zoning reclassification, conditional use permit, variance or any other deviation from the use or noise attenuation regulations of this part 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 part.
- b. Residential dwellings, and buildings and structures, established prior to the effective date of the establishment of the Airport Environs Overlay District shall be allowed without regard to the additional standards of this overlay district, except that noise attenuated construction required by Table 29.19-A-E shall be required for construction of any new habitable building, but shall not apply to any addition, remodel, or improvement to a habitable building.
- c. Notwithstanding the A-E Airport Environs Overlay District adopted and set forth in this Part C, except for the use restrictions within the A-EIII, A-EIV, LOZ1, LOZ2, or LOZ3 Subdistricts 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 Part C shall be allowed, and buildings and structures for such a use shall also be allowed without regard to the additional standards of this Part C, provided that all conditions imposed on such aforementioned approval shall be met. However, the Board of County Commissioners may authorize a modification to the conditions for 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 this Part C, if any extension of time to commence construction is granted to the aforementioned approval. The recordation of a final map for a subdivision, the approval of a tentative map, or the issuance of a building permit for any building or structure, in an A-ERPZ, A-EIII, A-EIV, LOZ1, LOZ2, or LOZ3 Subdistrict shall conclusively establish that such use, building, or structure is permitted upon the subject property pursuant to this Part C.(Ord. 2119 § 6 (part), 1998, Ord. 2068 § 2 (part), 1998)

29.19.270 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 29.19-A-E shall be developed in accordance with the noise attenuation construction standards in Chapter 22.22 of the Clark County Code. (Ord. 2068 § 2 (part), 1998)

29.19.280 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 subdistricts of the A-E airport environs overlay district.

TABLE A C E LAND USE COMPATIBILITY IN THE AIRPORT ENVIRONS OVERLAY DISTRICT
(SLUCM=STANDARD LAND USE CLASSIFICATION MANUAL-SEE EQUIVALENCY TABLE IN APPENDIX B)

CODE #S	SLUCM MAJOR GROUPS	SLUCM MINOR GROUPS	SUBDISTRICTS									
			RISK ZONES AND NOISE ZONES									
			(A-ERPZ)	(A-EI)	APZ-1 (A-EII)	65-70 (A-E65)	70-75 (A-E70)	75-80 (A-E75)	80+ (A-E80)	(LOZ1)	(LOZ2) & (A-EIII)	(LOZ3) & (A-EIV)
2700	Manufacturing	Printing	NO	(YES)	(YES)	YES	YES	(30)	(35)	NO	NO	(YES)
2800	Manufacturing	Chemicals and allied products	NO	NO	NO	YES	YES	(30)	(35)	NO	NO	NO
2900	Manufacturing	Petroleum refining & related industries	NO	NO	NO	YES	YES	(30)	(35)	NO	NO	NO
3100	Manufacturing	Rubber & misc. plastics	NO	NO	NO	YES	YES	(30)	(35)	NO	NO	NO
3200	Manufacturing	Stone/Clay & glass products	NO	(YES)	(YES)	YES	YES	(30)	(35)	NO	{(YES)}	(YES)
3300	Manufacturing	Primary metal industries	NO	(YES)	(YES)	YES	YES	(30)	(35)	NO	NO	(YES)
3400	Manufacturing	Fabricated metal products	NO	(YES)	(YES)	YES	YES	(30)	(35)	NO	{(YES)}	(YES)
3500	Manufacturing	Instruments and optical goods	NO	NO	NO	25	30	NO	NO	NO	NO	NO
3900	Manufacturing	Misc. manufacturing	NO	(YES)	(YES)	YES	YES	(30)	(35)	NO	{(YES)}	(YES)*
4100	Trans. & utils.	Railroad & rapid rail & street railway	NO	[YES]	YES	YES	YES	YES	YES	NO	NO	(YES)
4200	Trans. & utils.	Motor vehicle transportation	NO	[YES]	YES	YES	YES	(30)	(35)	NO	NO	(YES)
4300	Trans. & utils.	Aircraft transportation	NO	[YES]	YES	YES	YES	(30)	(35)	NO	NO	NO
4500	Trans. & utils.	Highway & street R.O.W.	[YES]	[YES]	YES	YES	YES	YES	YES	{YES}	{YES}	YES
4600	Trans. & utils.	Auto parking	[YES]	[YES]	YES	YES	YES	YES	YES	{YES}	{YES}	YES
4700	Trans. & utils.	Communications	[YES]	[YES]	YES	YES	(25)	(30)	(35)	{YES}	{YES}	YES
4800	Trans. & utils.	Utilities	[YES]	[YES]	YES	YES	YES	YES	YES	{YES}	{YES}	YES
4900	Trans. & utils.	Other trans. Comm. and utilities	[YES]	[YES]	YES	YES	YES	YES	YES	NO	NO	NO
5100	Trade	Wholesale trade	NO	YES	YES	YES	YES	(30)	(35)	NO	NO	(YES)
5200	Trade	Building materials and hardware	NO	YES	YES	YES	YES	(30)	(35)	NO	NO	(YES)
5300	Trade	General merchandise (retail)	NO	YES	YES	YES	(25)	(30)	(35)	NO	{YES}	(YES)*
5400	Trade	Food/Cretail	NO	NO	YES	YES	25	30	35	NO	NO	NO
5500	Trade	Automotive/aircraft accessories	NO	NO	YES	YES	25	30	35	NO	NO	NO

TABLE A C E LAND USE COMPATIBILITY IN THE AIRPORT ENVIRONS OVERLAY DISTRICT
(SLUCM=STANDARD LAND USE CLASSIFICATION MANUAL-SEE EQUIVALENCY TABLE IN APPENDIX B)

CODE #S	SLUCM MAJOR GROUPS	SLUCM MINOR GROUPS	SUBDISTRICTS										
			RISK ZONES AND NOISE ZONES										
			(A-ERPZ)	(A-EI)	APZ-1	65-70	70-75	75-80	80+	(LOZ1)	(LOZ2) & (A-EIID)&(A-EIV)	(LOZ3)	
5600	Trade	Apparel and accessories (retail)	NO	NO	YES	YES	25	30	35	NO	NO	NO	NO
5700	Trade	Furniture and home furnishings (retail)	NO	NO	YES	YES	25	30	35	NO	NO	NO	NO
5800	Trade	Eating and drinking places	NO	NO	NO	YES	25	30	35	NO	NO	NO	NO
5900	Trade	Other retail trade	NO	NO	YES	YES	25	30	35	NO	NO	NO	NO
6100	Services	Finance/insurance & real estate	NO	NO	(YES)	YES	25	30	35	NO	NO	NO	NO
6200	Services	Personal services	NO	NO	(YES)	YES	25	30	35	NO	NO	NO	NO
6240	Services	Cemeteries	[YES]	[YES]	[YES]	YES	(25)	(30)	(35)	[YES]	[YES]	[YES]	[YES]
6300	Services	Business services	NO	NO	(YES)	YES	25	30	35	NO	NO	NO	NO
6370	Services	Warehousing and storage services	NO	YES	YES	YES	YES	(30)	(35)	NO	{YES}	(YES)	(YES)
6380	Services	Explosives storage	NO	NO	NO	YES	(25)	(30)	(35)	NO	NO	NO	NO
6400	Services	Repair services	NO	(YES)	(YES)	YES	(25)	(30)	(35)	NO	NO	(YES)*	(YES)*
6510	Services	Medical & other health services	NO	NO	NO	25	30	NO	NO	NO	NO	NO	NO
6520	Services	Legal services	NO	NO	(YES)	YES	25	30	35	NO	NO	NO	NO
6590	Services	Other professional services	NO	NO	(YES)	YES	25	30	35	NO	NO	NO	NO
6600	Services	Contract construction services	NO	(YES)	(YES)	YES	(25)	(30)	(35)	NO	NO	NO	NO
6700	Services	Government services	NO	NO	(YES)	YES	25	30	35	NO	NO	NO	NO
6800	Services	Educational services	NO	NO	NO	25	30	NO	NO	NO	NO	NO	NO
6910	Services	Religious activities	NO	NO	NO	25	30	NO	NO	NO	NO	NO	NO
6990	Services	Other misc. services	NO	NO	(YES)	YES	25	30	35	NO	NO	NO	NO
7110	Recreation	Cultural activities	NO	NO	NO	25	30	NO	NO	NO	NO	NO	NO
7120	Recreation	Nature exhibitions	NO	(YES)	(YES)	YES	NO	NO	NO	NO	{(YES)}	(YES)	(YES)

TABLE A C E LAND USE COMPATIBILITY IN THE AIRPORT ENVIRONS OVERLAY DISTRICT
(SLUCM=STANDARD LAND USE CLASSIFICATION MANUAL-SEE EQUIVALENCY TABLE IN APPENDIX B)

CODE #S	SLUCM MAJOR GROUPS	SLUCM MINOR GROUPS	SUBDISTRICTS RISK ZONES AND NOISE ZONES											
			(A-ERPZ)	(A-EI)	APZ-1	APZ-2	65-70	70-75	75-80	80+	(LOZ1)	(LOZ2)	(LOZ3) &(A-EIII)&(A-EIV)	
7211	Recreation	Outdoor entertainment assembly	NO	NO	NO	YES	NO	NO	NO	NO	NO	NO	NO	NO
7212	Recreation	Indoor entertainment assembly	NO	NO	NO	25	30	NO	NO	NO	NO	NO	NO	NO
7221	Recreation	Outdoor sports assembly	NO	NO	NO	YES	YES	NO	NO	NO	NO	NO	NO	NO
72211	Recreation	Outdoor motor vehicle race tracks & related uses	NO	(YES)	(YES)	YES	(25)*	(30)*	(35)*	NO	NO	NO	(YES)	(YES)
72212	Recreation	Recreational vehicle accommodations and campgrounds in conjunction with and on the same property as an outdoor motor vehicle racetrack having 50,000 or more seats and used in connection with events thereon	NO	NO	NO	YES	YES	NO	NO	NO	NO	NO	NO	(YES)
7222	Recreation	Indoor sports assembly	NO	NO	NO	YES	25	30	35	NO	NO	NO	NO	NO
7230	Recreation	Misc. public assembly	NO	NO	NO	(25)	(30)	NO	NO	NO	NO	NO	NO	NO
7310	Recreation	Fairgrounds and amusement parks	NO	NO	NO	YES	YES	NO	NO	NO	NO	NO	NO	NO
7395	Recreation	Outdoor amusements	NO	(YES)	(YES)	YES	YES	NO	NO	NO	NO	NO	NO	NO
7396	Recreation	Indoor amusements	NO	(YES)	(YES)	YES	25	30	35	NO	NO	NO	NO	NO
7411	Recreation	Outdoor sports activities	NO	(YES)	(YES)	YES	YES	NO	NO	NO	NO	NO	NO	NO
7413	Recreation	Indoor sports activities	NO	(YES)	(YES)	YES	25	30	35	NO	NO	NO	NO	NO
7420	Recreation	Outdoor playgrounds and athletic areas	NO	(YES)	(YES)	YES	YES	NO	NO	NO	NO	NO	NO	NO
7425	Recreation	Indoor playgrounds and athletic areas	NO	(YES)	(YES)	YES	25	30	35	NO	NO	NO	NO	NO

TABLE AC E LAND USE COMPATIBILITY IN THE AIRPORT ENVIRONS OVERLAY DISTRICT
(SLUCM=STANDARD LAND USE CLASSIFICATION MANUAL-SEE EQUIVALENCY TABLE IN APPENDIX B)

CODE #S	SLUCM MAJOR GROUPS	SLUCM MINOR GROUPS	SUBDISTRICTS RISK ZONES AND NOISE ZONES									
			(A-ERPZ)	(A-EI)	APZ-2	65-70	70-75	75-80	80+	(LOZ1)	(LOZ2)	(LOZ3) & (A-EII)&(A-EIV)
7430	Recreation	Golf courses, driving ranges, riding stables & water rec.	[YES]	(YES)	(YES)	YES	(25)	(30)	(35)	(YES)*	{(YES)}*	{(YES)*}
7490	Recreation	Other recreation	NO	(YES)	YES	YES	(25)	(30)	(35)	NO	NO	(YES)
7500	Recreation	Resorts & group camps	NO	NO	YES	YES	(25)	(30)	(35)	NO	NO	NO
7600	Recreation	Parks NO	NO	(YES)	YES	NO	(25)	(30)	(35)	NO	(YES)	(YES)
8150	Resources	Dairy farming	NO	YES	YES	(25)	(30)	(35)	(35)	NO	{(YES)}	(YES)
8160	Resources	Livestock farms and ranches {2}	NO	YES	YES	(25)	(30)	(35)	(35)	NO	NO	NO
8190	Resources	Other agriculture {1}	YES	YES	YES	(25)	(30)	(35)	(35)	NO	NO	YES
8200	Resources	Agricultural related activities {2}	NO	YES	YES	(25)	(30)	(35)	(35)	NO	NO	NO
8300	Resources	Forestry activities & related services	NO	YES	YES	(25)	(30)	(35)	(35)	NO	{(YES)}	(YES)
8400	Resources	Fishing activities & related services {3}	NO	YES	YES	YES	YES	YES	YES	NO	{(YES)}	(YES)
8500	Resources	Mining activities and related services	NO	YES	YES	YES	YES	YES	YES	NO	{(YES)}	(YES)
9100	Undeveloped	Undeveloped and unused land	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
9300	Undeveloped	Water areas {3}	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
9910	Undeveloped	Open space	YES	YES	YES	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 are allowed without restrictions.
- NO - Land use and related structures are not compatible and are not allowed.
- (NO) - Where the provisions of Section 29.19.260 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 in accordance with the noise attenuation construction standards in Chapter 22.22 of the Clark County Code.
- [NO] - Where the provisions of Section 29.19.260 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 in accordance with the noise attenuation construction standards in Chapter 22.22 of the Clark County Code.
- 25 - A minimum exterior to interior noise level reduction of 25 decibels incorporated into building construction in accordance with the noise attenuation construction standards in Chapter 22.22 of the Clark County Code.
- 30 - A minimum exterior to interior noise level reduction of 30 decibels incorporated into building construction in accordance with the noise attenuation construction standards in Chapter 22.22 of the Clark County Code.
- 35 - A minimum exterior to interior noise level reduction of 35 decibels incorporated into building construction in accordance with the noise attenuation construction standards in Chapter 22.22 of the Clark County Code.
- (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 in accordance with the noise attenuation construction standards in Chapter 22.22 of the Clark County Code.
- (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 in accordance with the noise attenuation construction standards in Chapter 22.22 of the Clark County Code.
- (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 in accordance with the noise attenuation construction standards in Chapter 22.22 of the Clark County Code.
- (YES) - 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, low intensity office uses only (limited scale of concentration of such uses). Meeting places, auditoriums, areas of public assembly, etc. not allowed in runway protection zones or live ordnance zones.
- {YES} - No buildings, or structures suitable for habitation or occupancy, permitted.
- [YES] - No buildings or structures, including above ground transmission lines, permitted.
- 3900* - No motion picture production.
- 5200* - Wholesale sales only. No retail sale of products permitted.
- *6400 - Aircraft, automobile, boat, truck, and heavy machinery repair only.
- 7430* - Golf courses and riding stables not permitted.
- 8190{1}- Includes livestock grazing but excludes feedlots and intensive animal husbandry.
- 8160 & 8200{2} Includes feedlots and intensive animal husbandry.
- 8400 & 9300{3} Includes hunting and fishing.
- 72211* - 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.
- LE - Less than or equal to. . .

(Ord. 2119 § 6 (part), 1998, Ord. 2068 § 2 (part), 1998)

Requirements of General Applicability

Chapter 29.20 - REQUIREMENTS OF GENERAL APPLICABILITY

- 29.20.010 Purpose.
- 29.20.020 Dwelling unit density.
- 29.20.030 Lot area.
- 29.20.040 Lot dimensions.
- 29.20.050 Yards.
- 29.20.060 Accessory uses, buildings and structures.
- 29.20.070 Temporary outdoor commercial and promotional activities.
- 29.20.080 Animals within community district 5.
- 29.20.090 Home occupations.
- 29.20.100 Performance standards.

29.20.010 Purpose.

The regulations set forth in this Chapter 29.20 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 zoning administrator to ascertain all pertinent facts concerning the use or standard, render an opinion as to the ambiguity and set forth findings and reasons therefore. Such opinion and findings shall be referred to the board of county commissioners prior to the next regular meeting of the board following the date of such opinion. (Ord. 2068 § 2 (part), 1998)

29.20.020 Dwelling Unit Density.

- a. 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.
- b. 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. (Ord. 2068 § 2 (part), 1998)

29.20.030 Lot Area.

a. Lot Area Generally.

1. 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 as required by this title.
2. 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.
3. 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.
4. 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.

5. 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 as provided in Section 29.05.300 of Part C of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures), a proportionate lot area reduction commensurate with the percentage of lot dimension deviation shall be allowed.

b. Lots of Record.

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, and 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; and
3. Subject to a recorded contract of sale in full force and effect prior to 1962.

c. Dedicated Street Widths and Off-Sites.

No building permit shall be issued for:

1. 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;
2. 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 unless waived under Title 28 (Subdivisions); and
3. 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. (Ord. 2068 § 2 (part), 1998)

29.20.040 Lot Dimensions.

Lot Dimensions Generally.

- a. Every lot shall have a minimum width and depth not less than that prescribed in the district under consideration.
- b. Each dimension shall be considered the minimum requirement only.
- c. One or both shall be increased to attain the required minimum lot area.
- d. No lot or parcel of land, the title of which was recorded, shall be reduced in any manner below the minimum lot dimensions as required by this title.

- e. 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. (Ord. 2068 § 2 (part), 1998)

29.20.050 Yards.

a. Yards Generally.

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 architectural intrusions, and additional side yard setbacks as provided in Table 29.18-1.

1. Front Yards.

Each lot shall have a front yard which shall extend across the full width of the lot and lying along the front property line. 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. For certain front yards a landscape buffer may be required pursuant to Section 29.22.020 of Chapter 29.22 (Landscaping and Screening).

2. Front Yard Calculation.

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 front property line, from the nearest point on the front property line to the nearest corner or face of the building on the lot.

A. Cul-de-Sac.

Where a residential lot is facing on a cul-de-sac, the front yard may be reduced ten feet, however, 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 from a public or private street.

B. 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.

C. Modification of Front Yards for Partially Built-Up Blocks.

- i. 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.
- ii. Existing front yards of more than fifty feet shall be counted as fifty feet in calculating the average.

3. 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 but need not be measured from the ground upward if additional side yard is required for stories over forty feet as provided in Table 29.18-1.

4. Rear Yards.

Every lot shall have a rear yard. 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.

b. Permitted Intrusions into Required Yards.

The following may project into required yards:

1. Architectural Features and Structures.

Architectural features and structures, 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.

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 forty-two 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.

c. Permitted Accessory Structures, Roadway Improvements and Utility Equipment in Required Yards.

Fences, mailboxes, light poles, required roadway improvements and utility equipment, power poles, 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 street lights, street furniture, traffic control signs and devices and pedestrian overpasses are required by Clark County and provided in accordance with county standards; and
4. Street lights may exceed the maximum height permitted in a particular district provided they are required by and in conformance with Clark County standards.

d. 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.

e. Sight Zones.

1. Corner and Reverse Corner Lots.

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 twenty-four inches in height, measured from the top of the adjacent curb, or where no curb exists, a height of twenty-seven 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 standards are shown in Appendix D.

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.

f. Special Conditions Relating to Right-of-Way Lines.

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 improved 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.
3. Notwithstanding any other provision of this title relating to setbacks, no building or structure other than an architectural intrusion permitted by subsection (b) of this section or accessory structures, roadway improvements or equipment permitted by subsection (c) of this section, or fences or walls permitted by Section 29.22.010 of Chapter 29.22 (Landscaping and Screening), shall be constructed or maintained within ten feet of any street or future right-of-way line in any zoning district.

g. 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. (Ord. 2068 § 2 (part), 1998)

29.20.060 Accessory Uses, Building and Structures.

a. Accessory Buildings.

1. 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.
2. 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.
3. 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.
4. 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.

b. Radio Transmission and Receiving Mast Towers.

One radio transmission and receiving mast tower is permitted as an accessory use in an R-U, R-A, R-E, R-D, R-1, 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:

1. The overall height does not exceed sixty feet except where less height is established in Part B of Chapter 29.19 (Public Use Airport Height Overlay District), 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;
3. The structure shall not be within one foot of any utility easement; and

4. The tower shall be designed and operated so as to comply with the regulation promulgated by the FCC.

c. Swimming Pools.

Swimming pools may be constructed as an accessory use for a residence provided that:

1. 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.
2. 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.

d. 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 pursuant to Part F of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures). This subsection does not apply to equipment primarily designed for solar heating or cooling. (Ord. 2068 § 2 (part), 1998)

29.20.070 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) districts may establish and maintain outdoor commercial or promotional activity on a temporary basis subject to the following conditions:

1. Outside activity shall be limited to not more than three days in any calendar month;
2. Outside activity, and any display associated with that activity, shall be set back from all property lines not less than ten feet;
3. 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;
4. Any business wishing to establish outside activity shall provide a written notice five judicial days in advance of the activity to the zoning administrator, 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 29.07 (Application and Administrative Fees). The zoning administrator shall approve or deny the activity within two judicial days after receiving the written notice; and
5. This section is expressly designed to accommodate special events such as grand openings, sidewalk sales, and other one-time promotional events. (Ord. 2068 § 2 (part), 1998)

29.20.080 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:

1. On lots of ten thousand square feet gross area or larger, one farm animal together with its young under the age of one year.
2. 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.
3. For the purpose of this section, a “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 Section 29.05.320(d) of Part C of Chapter 29.05 (Conditional Use Permits, Variances and other Development Review Procedures). (Ord. 2068 § 2 (part), 1998)

29.20.090 Home Occupations.

a. General Requirements.

Home occupations may be established under this title provided they meet the following requirements.

1. Home occupations may be allowed in all residential developments;
2. The owner of the home occupation obtains and maintains a business license from the Clark County business license department;
3. 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; and
4. 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. Applications for Home Occupations.

An application for a home occupation detailing the proposed use and showing the use is consistent with the requirements of subsections (a), (c) and (d) of this section, shall be filed with the business license department prior to the establishment of the business at the residence.

c. Permitted Home Occupation Uses.

The following is a list of uses permitted as home occupations under the restrictions as set forth above:

1. 800 numbers and 900 numbers;
2. Appraisal and related services;

3. Architectural, professional and related services;
4. Artist;
5. Bookkeeping, accounting services;
6. Ceramics, kiln with a one hundred ten ampere service only;
7. Computer-based businesses;
8. Computer graphics services;
9. Consulting services;
10. Court reporting;
11. Engineering, professional and related services;
12. Entertainer, outcall only, no escort services;
13. Flower arrangement, excluding fresh flowers;
14. Handicraft, including gift basket assembly;
15. Health fitness training services;
16. Information services;
17. Insurance adjustment services and Insurance sales;
18. Interior design services;
19. Janitorial services;
20. Jewelry making, excluding the smelting and casting of metal;
21. Maintenance businesses, except licensed contractors;
22. Party planning services;
23. Photography and related services, excluding the processing of film;
24. Real estate services;
25. Sales representative;
26. Secretarial services;
27. Service businesses except repair businesses;
28. Swimming pool cleaning;
29. Tailoring, sewing services;

30. Tax preparation services;
31. Teaching, tutoring, subject to a maximum of four students at one time;
32. Telephone services, does not include escort services nor telemarketing services; and
33. Writers.

d. Prohibited Home Occupation Uses.

Home occupations shall not involve the following:

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;
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 onsite 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; and
15. Ambulance services, barbershops, beauty parlors, contractor's offices, hospitals, medical clinics, and surgery centers are not permitted home occupations. (Ord. 2068 § 2 (part), 1998)

29.20.100 Performance Standards.

a. Noise.

1. The maximum sound pressure level radiated by any use or 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 0.0002 Dyne per Cm ²	Sound Pressure Level in Decibels Cycles per Section
65	20—300
45	301—2,400
35	above 2,400

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 shall be reduced by five hundred from the figure given in the above tables for each octave-band range.

2. 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.
3. 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.

b. 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. 2068 § 2 (part), 1998)

parking

Chapter 29.21 - OFF-STREET PARKING AND LOADING

Sections:

- 29.21.010 General off-street parking requirements.
- 29.21.020 Schedule for minimum off-street parking space requirements.
- 29.21.030 Schedule for minimum off-street parking spaces requirements for planned development units.
- 29.21.040 Parking lot regulations.
- 29.21.050 Parking for handicapped persons.
- 29.21.060 Motor vehicle access.
- 29.21.070 Off-street loading space requirements.

29.21.010 General Off-Street Parking Requirements.

- a. 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 spaces with adequate provisions for ingress or egress by standard-size automobiles as hereinafter provided.
- b. Each such parking space shall be a permanently maintained off-street 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.
- c. 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 design review pursuant to Part F of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures).
- d. When determination of the number of required parking spaces results in the requirement of a fractional space, any fraction shall require one additional parking space. (Ord. 2068 § 2 (part), 1998)

29.21.020 Schedule for Minimum Off-Street Parking Space Requirements.

For definition aspects of the uses and terms provided herein, refer to Chapter 29.02 (Definitions).

Schedule of Uses	Required Minimum Off-Street Parking Spaces
Parking Spaces for Single- and Two-Family Dwellings	
Single and two-family residences.	2 spaces per dwelling.
Parking Spaces for Multiple-Family Dwellings	
Studio apartment or one bedroom dwelling unit.	1 and 1/4 spaces per D/U.
Two bedroom dwelling units.	1 and 3/4 spaces per D/U.
Dwelling units having in excess of two bedrooms.	2 spaces per D/U.
Visitor parking.	1 space for each 5 D/Us.
Senior housing developments, inclusive of parking spaces for residents, visitors, and recreation vehicles and boats.	1 and 1/4 spaces per D/U Each dwelling unit shall have 1 covered or enclosed parking space.
Parking Spaces Required for the T-C Mobile Home Park District*	
Any structure or space designed or intended for a residential or dwelling purpose.	2 spaces.
Visitor parking.	1 space for every 5 manufactured home spaces.
Recreational vehicle or boat storage.	1 space for every 6 manufactured home spaces*.
Parking Spaces Required for the R-V-P Recreational Vehicle Park District	
Recreational vehicle parks.	1 space for every 5 recreational vehicle spaces.
Parking Spaces for Other Dwellings	
Manager's apartments.	1 space.
Parking Spaces for Building or Uses Other than Dwellings	
Adult motion picture theaters, adult mini-motion picture theaters, and adult picture arcade theaters.	1 space for every 90 sq. ft. of gross floor area used for service to the public, but not less than 15 spaces.
Adult bookstores and sex novelty shops.	1 space for every 300 sq. ft. of gross floor area used for service to the public.
Adult entertainment cabarets.	1 space for every 100 sq. ft. of gross floor area used for service to the public, but not less than 15 spaces.
Automobile repair garages.	5.5 spaces per 1,000 sq. ft. of office and repair area, however in no event shall there be less than 5 spaces provided.
Automobile dismantling yards.	1 space per 7,000 sq. ft. up to the first 42,000 sq. ft., plus 1 space for every 20,000 sq. ft. in excess of 42,000 sq. ft., but no less than 3 spaces. (Refer to Chapter 7.52 of the Clark County Code.)
Churches.	1 space for each 100 sq. ft. of floor area, excluding vestibules, restrooms, closets, and related areas.**
Child care center/institutions.	2 spaces, plus 1 space per employee working on the highest employment shift.
Golf courses and driving ranges, including miniature golf.	2 spaces per hole, plus 2 spaces per practice tee.
Grocery stores, food markets, and convenience markets.	5.5 spaces for every 1,000 sq. ft. of gross floor area up to the first 4,000 sq. ft., plus 6.7 spaces for every 1,000 sq. ft. in excess of 4,000 sq. ft.

Off-Street Parking (Continued)	
Horse riding and boarding facilities.	1 space per 3 horse boarding stalls or corrals plus 1 ten-foot by twenty-five foot space for maintenance vehicles and horse trailer vehicles per 5 horse boarding stalls which may be provided in tandem.***
Hospitals, including sanitariums, asylums, convalescent homes, homes for the aged or infirmed, and all other similar institutions.	1 space for every 5 patient beds, plus 1 parking space for each staff and visiting doctor, plus 1 parking space for every 2 employees including nurses.
Hotels and motels, including resort hotels.	1 space per guestroom for the first 500 guestrooms, plus 1 space per 2 guestrooms in excess of 500 guestrooms, plus 1 space per 4 guestrooms in excess of 1,000 guestrooms provided.
Hotels and motels — Off-street parking spaces shall also be provided and maintained for all areas open to the public. These areas shall include, but shall not be limited to, casinos, showrooms, 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 guest of the hotel only and not open to the general public). Areas open to the public do not include lobbies within hotels and motels where there are not any shops, restaurants or other similar areas established.	20 spaces for every 1,000 sq. ft. up to the first 40,000 sq. ft., plus 10 spaces shall be provided for each additional 1,000 sq. ft. of floor area up to 100,000 sq. ft., plus 5 spaces for every 1,000 sq. ft. over 100,000 sq. ft. of space used, plus 1 space for every 300 sq. ft. of floor area used for administrative offices, plus Convention facilities, dressing rooms, employee lounges and locker rooms, kitchen areas, stage and backstage areas, and all similar areas not excluded shall provide 1 space for every 1,000 sq. ft. of floor area.
Lodging facilities including clubhouses, lodging houses, boardinghouses and rooming houses, fraternities and sororities, and other similar places offering overnight accommodations.	1 space per guestroom maintained therein.
Medical and dental clinics.	3 spaces for every doctor or dentist having offices in the clinic.
Mini-warehouse.	5 spaces.****
Mortuaries.	30 spaces.
Office buildings, including commercial, governmental, and professional buildings.	1 space for every 300 sq. ft. of leasable floor space in the building.
Public assembly buildings, including theaters, schools, colleges, and university auditoriums, gymnasiums, stadiums, lodges, private clubs, exhibition, assembly, and convention halls, skating rinks.	1 space for every 90 sq. ft. of gross floor area and all types of area used or intended to be used for service to the public.
Restaurants and establishments serving meals, lunches or drinks, including bars, nightclubs, and taverns, to patrons either in their cars or in the building.	1 space for every 100 sq. ft. of floor space in the building or 1 space for every 4 seats provided for patron's use or 10 spaces, whichever is greater.
Retail establishments, including personal service shops, equipment repair shops, amusement arcades, laundromats, retail shops and businesses, banks, or similar financial institutions.	3 and 3/10 spaces for each 1,000 sq. ft. of retail building floor area.
School, including academies, colleges, universities, elementary schools, junior high schools, vocational schools and all institutions of learning.	1 space for every 2 employees, including administrators, teachers, and building maintenance personnel, plus 1 space for every 10 students of driving age.
Shopping centers.	5 1/2 spaces for every 1,000 sq. ft. of gross leasable area for the first 100,000 sq. ft., plus 4 spaces for every 1,000 sq. ft. in excess of 100,000 sq. ft.
Terminal facilities, including railroad, airports, passenger freight stations, bus depots, truck terminals and other similar personnel or material terminal facilities.	Off-street parking shall be provided as required by the county planning commission and the board of county commissioners.
Theme parks.	1 space for every 500 sq. ft. of area within enclosed buildings, plus 1 space for every 3 persons that outdoor facilities are designed to accommodate when used to the maximum capacity.

Uses not Enumerated Above	
For all industrial and storage uses not listed above	1 space for every two employees working on the highest employment shift, or 1 space for every 1,000 sq. ft. of gross floor area, whichever is greater.

Notes:

*** Paving of the parking spaces for the storage of recreational vehicles is not required if:**

1. The spaces are provided in an area with restricted access;
2. The area is not subject to other vehicular traffic;
3. The area is covered with gravel; and
4. A dust suppressant is applied annually.

**** Collective Parking Allowed.**

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 and an executed or certified copy of the consent is filed with the application for a building permit.

***** Paving Exception.**

Required parking areas need not be paved, except for required handicapped spaces and access aisles, but shall be dust treated if required by the Clark County air pollution control division.

******Mini-warehouse.**

Spaces shall be located in close proximity to the leasing office and provided with 30 foot drive aisles or spaces shall be provided at a rate of 1 per 1,000 square feet.

(Ord. 2202 § 29, 1998, Ord. 2068 § 2 (part), 1998)

29.21.030 Schedule for Minimum Off-street Parking Spaces Requirements for Planned Development Units.

a. 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:
 - A. Two parking spaces per dwelling unit, one of which must be covered or enclosed;
 - B. One visitor parking space per every five dwelling units;
 - C. One storage parking space for recreational vehicles and boats per every six dwelling units; and
 - D. 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; and
- D. One visitor parking space per every five dwelling units.

b. 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; and
3. That within manufactured 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. 2068 § 2 (part), 1998)

29.21.040 Parking Lot Regulations.

a. Required Surfacing.

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 spaces 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.

b. Approval and Plans.

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.

c. Lighting.

Any lights used to illuminate the lot shall be arranged so as to reflect away from the adjoining premises. (Ord. 2068 § 2 (part), 1998)

29.21.050 Parking for Handicapped Persons.

a. Required Designated Handicapped Spaces.

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 marked parking spaces for the exclusive use of handicapped persons as provided in NRS 484.408. Parking spaces so reserved and designated for handicapped parking shall be located closest to the nearest handicapped accessible

entrance on a handicapped accessible route, unless otherwise required by the provisions of the Clark County Code, the Nevada Revised Statutes, or federal law to be located elsewhere.

b. Schedule for Designated Handicapped Spaces.

Of the total number of parking spaces provided 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	1 space*
26 through 50	2 spaces
51 through 75	3 spaces
76 through 100	4 spaces
101 through 150	5 spaces
151 through 200	6 spaces
201 through 300	7 spaces
301 through 400	8 spaces
401 through 500	9 spaces
501 through 1,000	Two percent of the total number of spaces in the off-street parking facility
Over 1,000	20 spaces

* (Exception: no space need be designated for the handicapped in off-street parking facilities with twelve or fewer spaces for residential uses, including manufactured home estates and residential condominiums, hotels and motels).

c. Handicapped Accessible Parking Space Dimensions.

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. 2068 § 2 (part), 1998)

29.21.060 Motor Vehicle Access.

a. Compliance with Standards.

Service stations, roadside stand, public parking lots, drive-in establishments and all other businesses requiring motor vehicle access shall meet the requirement as provided in this chapter.

b. Access.

Access to the station or other structure or parking lot or drive-in establishment shall be controlled as follows:

1. 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.
2. 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. 2216 § 7, 1998, Ord. 2068 § 2 (part), 1998)

29.21.070 Off-Street Loading Space Requirements.

a. Off-Street Loading Spaces Required.

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.

b. Loading Space Dimensions.

A loading space shall be a minimum ten-foot by twenty-five-foot loading space, with a minimum fourteen-foot height clearance.

c. Schedule for Off-Street Loading Spaces.

Unless otherwise adequately provided for, one loading space shall be provided for every fifteen thousand square feet or fraction thereof in excess of two thousand square feet of building floor use for the abovementioned 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. (Ord. 2068 § 2 (part), 1998)

screening, buffering and landscaping requirements

Chapter 29.22 - LANDSCAPING AND SCREENING

Sections:

- 29.22.010 Screening, buffering and landscaping requirements.
- 29.22.020 Landscaping.
- 29.22.030 Trash enclosures.

29.22.010 Screening, Buffering and Landscaping Requirements.

Fences, walls and hedges shall be erected or installed on any lot subject to the following provisions:

1. Visibility Sight Zones.

All fences, walls, hedges and landscape materials shall meet the visibility requirement at the intersection of public and private streets, and at the intersection of any section of any street and a private drive as required by Section 29.20.050(e), of Chapter 29.20 (Requirements of General Applicability).

2. Front Yards.

Except as provided in subsection (4) of this section, 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. Rear and Side Yards.

Fences, walls and hedges not greater than six feet in height shall be permitted within all rear and side yards unless otherwise permitted at a greater height by the provisions of this title.

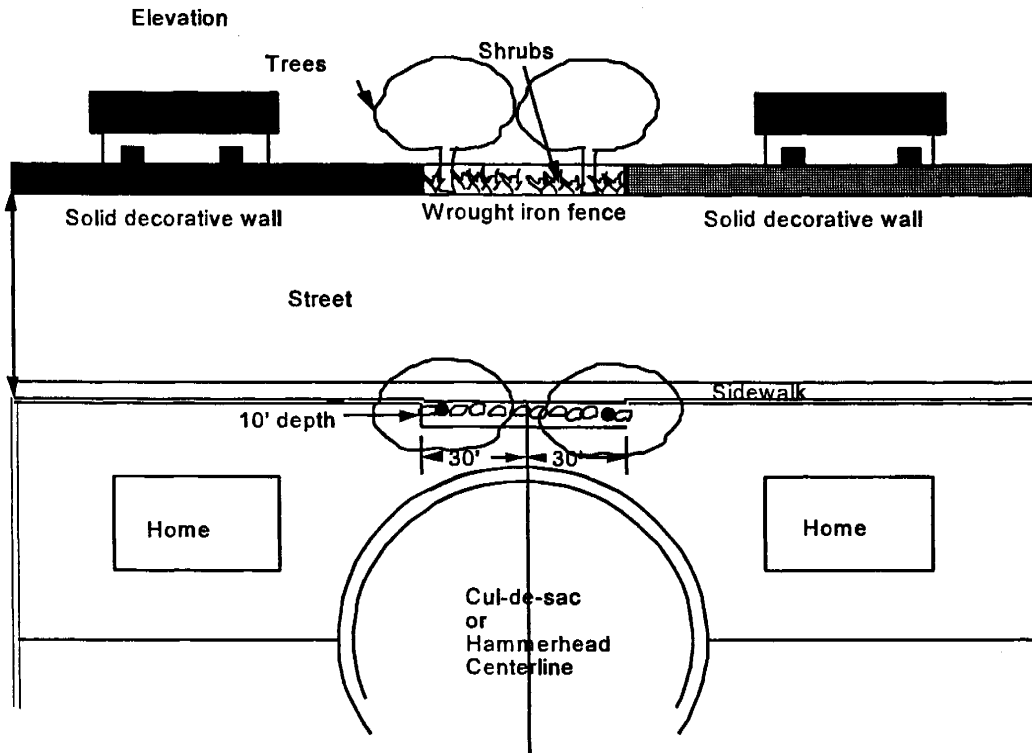
4. Decorative Walls.

- A. 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 Section 29.22.020 below. The maximum height permitted for such a wall is six feet.
- B. Decorative walls or fences located along the periphery boundary of a planned development unit and decorative masonry fences or walls specified in Section 29.05.490(4) of Part E of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures) shall be at least seventy-five percent open along street frontages, except where the platted lots extends to the street, then solid walls may enclose such lots.
- C. 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. Alternatives to Solid Block Wall.

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:

- 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:
- i. 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) 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.

- ii. 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.

6. Fences and Lighting for Recreation Areas.

Fences and lighting over eight feet in height for tennis courts or other recreation areas may be permitted, subject to the following review procedures, in a rear or side yard when composed of metal supports and wire mesh capable of admitting at least ninety percent of light as measured on a reputable light meter.

A. Review Procedure by the Zoning Administrator.

The zoning administrator may authorize such fences and structures. Applications for such fence and structures shall be filed pursuant to Part C of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures) along with a nonrefundable reviewing fee as required by Chapter 29.07 (Application and Administrative Fees). The application shall be accompanied by a notarized letter of approval from the adjacent property owners.

B. Review Procedure by the Planning Commission.

Should an applicant not be able to obtain the notarized letter of approval from all adjacent property owners, he may apply for review and approval of such fences and structures through the variance procedure pursuant to Part B of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures).

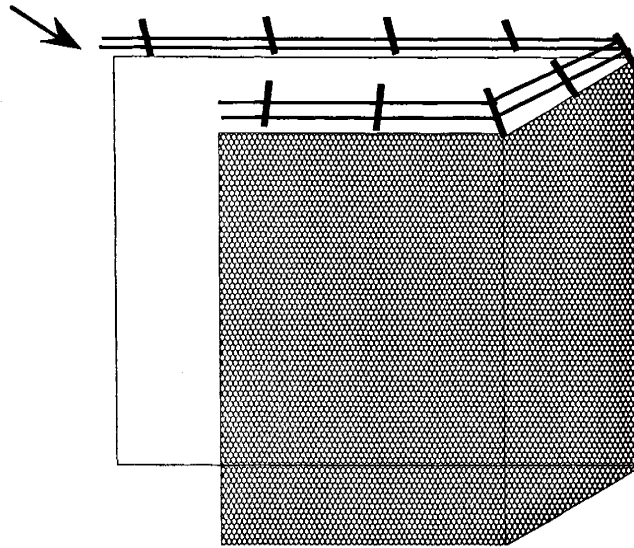
7. Wall Required for Certain Zone Boundary Lines.

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 use and in all nonresidential districts when adjacent to any residential use. On an application filed pursuant to Section 29.04.020 of Chapter 29.04 (Amendment Procedures), 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 pursuant to Part F of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures). Such applications may be approved only after a public hearing.

8. Security Fencing.

Security fencing not to exceed ten feet in height may be permitted only in the C-3, M-D, M-1, M-2 or M-3 districts 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.

WIRE IS SLANTED INWARD.
IT IS WELL INSIDE THE
PROPERTY LINE.



9. Height Deviations.

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 filed in writing pursuant to Part C of Chapter 29.05 (Conditional Use Permits, Variances and Other Developmental Review Procedures) and accompanied by a plot plan showing wall location and all adjacent streets, along with a nonrefundable reviewing fee as required by Chapter 29.07 (Application and Administrative Fees). 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.

10. Finished Grade.

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, M-3 or P-F districts where an overall height of thirteen feet will be permitted if due to grade difference.

11. Dangerous Conditions.

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 inundation, erosion, excavation or grade differential, are considered to be dangerous by the director of the building department.

12. Noise Attenuating Wall.

Notwithstanding any height design standards to the contrary, 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. (Ord. 2068 § 2 (part), 1998)

29.22.020 Landscaping.

Landscaping shall be erected or installed on any lot subject to the following provisions:

1. Landscaping Required for Single-Family Residences.

For single-family residences, the required front yard, exclusive of driveways and sidewalks, shall be landscaped with appropriate materials and shall be maintained.

2. Landscape Buffers.

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 follows:

- 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; and
- C. Light poles and utility equipment as permitted in Section 29.20.050(c) of Chapter 29.20 (Requirements of General Applicability).

3. Use of Decorative Wall or Decorative Masonry Fence.

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; and
- 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.

4. Irrigation.

Required landscaping shall be irrigated, contain live plant materials and be maintained in a living, growing condition.

5. Turf Landscaping.

- A. The use of turf is not permitted in landscape areas along a public street frontage except in conjunction single family residential uses. An exception is permitted in the P-F public facility district and in multifamily zoning districts where the turf area has a minimum width of at least ten feet.
- B. Turf areas in nonresidential uses, except the P-F district, shall not exceed thirty percent of the net lot area, exclusive of public rights-of-way.
- C. To provide for the efficient use of water and to minimize the runoff of water onto adjacent non-permeable surfaces, the minimum width of any turf area, except in single-family residential uses, shall be ten feet.

6. Design Requirements.

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 Clark County clerk. Copies are also for sale in the offices of the current planning division. Single-family residential development need not comply with this requirement; however, in the interest of water conservation, compliance is strongly encouraged.

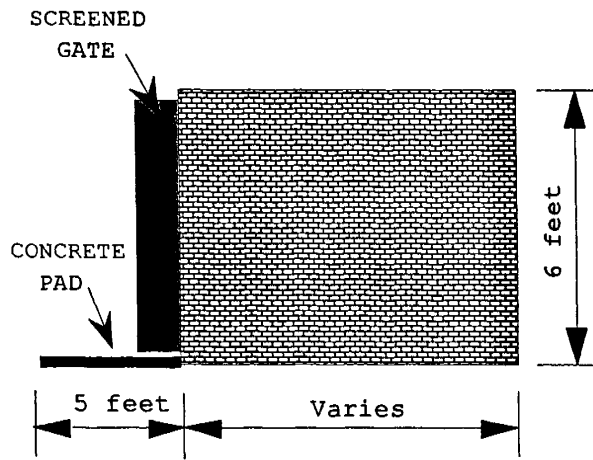
7. Certificate of Compliance.

A certificate of compliance stating that landscape materials have been installed according to subsection (5) of this section 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. (Ord. 2068 § 2 (part), 1998)

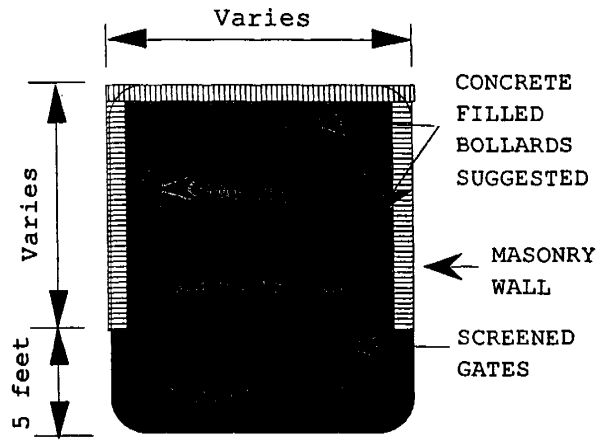
29.22.030 Trash Enclosures.

Trash enclosures shall be provided for other than single family residential developments 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 and two-family residential developments. Trash enclosures shall be at least fifty feet away from any single-family or two-family residential use. (Ord. 2202 § 30, 1998, Ord. 2068 § 2 (part), 1998)



ELEVATION VIEW



PLAN VIEW

signs

Chapter 29.23 - SIGNS

Sections:

- 29.23.010 Signs exempt from regulation.
- 29.23.020 Signs prohibited.
- 29.23.030 Requirements of general applicability.
- 29.23.040 On-premises advertising.
- 29.23.050 Off-premises advertising (billboards).
- 29.23.060 Temporary signs.
- 29.23.070 Miscellaneous signs.

29.23.010 Signs Exempt from Regulation.

The following signs, advertising displays, and structures 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 semipublic nature;
4. Permanent lettering attached to a motor vehicle or a temporary construction trailer when indicating its primary purpose;
5. Signs, advertising displays, and structures located within the limits of any incorporated city;
6. Signs, advertising displays, and structures 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; and
7. Off-premises signs within any public facility district. (Ord. 2068 § 2 (part), 1998)

29.23.020 Signs Prohibited.

The following signs, advertising displays and structures shall be prohibited by this chapter:

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. Signs, advertising displays, and structures containing statements, words or suggestions or picture of an obscene, indecent or immoral character;
4. Misleading, erroneous or false information and advertising;
5. Signs, advertising displays, and structures that emit any sound as a part of the advertising message; and

6. Portable or mobile signs which are placed upon, affixed to or hung from a portable, natural or contrived appliance, structure, trailer, flatbed, vehicle or thing, susceptible or capable of being used for advertising, except as provided in Section 29.23.060 below. (Ord. 2068 § 2 (part), 1998)

29.23.030 Requirements of General Applicability.

All signs, advertising displays, and structures regulated by this chapter, shall adhere to the following provisions:

1. General Provisions.

A. Establishment.

No signs, advertising displays, or structures shall be established or maintained unless the name of the manufacturer of same is displayed thereon.

B. Abandoned Displays.

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.

C. Maintenance.

All signs, advertising displays, and structures as regulated by this chapter 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.

D. FAA Limitations.

Unless permitted pursuant to Section 29.18.130 (Special provisions for hotels, resort hotels, inns, motels, and gambling casinos and establishments), no signs, advertising displays, or structures as regulated by this chapter shall exceed those design standards specified in Part B of Chapter 29.19 (Public Use Airport Height Overlay District), nor any recommendation of the director of aviation in regard to obstructions of visibility by height, area or lighting thereof.

E. Setback Measurements.

All sign, advertising display, 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.

F. Compatibility.

No signs, advertising displays, or structures 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 non-compatibility may be appealed to the planning commission by submission of a design review application pursuant to Part F of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures).

2. Special Provisions.

A. 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.

B. 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.

C. Revolving Signs.

A sign that revolves shall not exceed eight revolutions per minute and shall be permitted only in the C-C, H, and M districts, and only as on-premises signs.

D. Animated Signs.

Animated signs shall be permitted only in a H-1 limited resort and apartment district or an M district, and only as on-premises signs. (Time and temperature displays are not animated signs for the purposes of this subsection.)

E. Signs Under Canopies and Marquees.

Signs under canopies and marquees shall be permitted if not more than sixteen square feet in area.

F. Roof signs.

Signs shall not be placed upon the roof of a building or structure, nor shall any sign extend above the top of any wall, except that a mansard roof may be treated as a wall for sign purposes when such roof is more nearly vertical than horizontal subject to the provisions of Section 29.23.030 (b) above. 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, shall not be construed to be a roof sign.

3. Location Provisions.

No sign, advertising display or structure shall be placed in any of the following locations:

- A.** Within the right-of-way of any highway, road or other public easement, or within a future right-of-way;
- B.** Within any stream or drainage channel;
- C.** 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;
- D.** 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. (Ord. 2216 § 8, 1998, Ord. 2068 § 2 (part), 1998)

29.23.040 On-premises Advertising.

On-premises signs, advertising displays, and structures may be allowed subject to the provisions of Section 29.23.030 above, and as provided herein:

1. Size.

- A.** 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

- B.** If a building fronts on more than one street, then only one of the street frontages shall be used 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.
- C.** 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.

2. 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 subsection. Alternatively, in any M or H district, 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 freestanding sign.

3. Setback.

No display, sign or structure shall be located within ten feet of the future right-of-way width or as provided in Part C of Chapter 29.06 (Zoning Certificates, Building Permits and Street and Right-of-Way Provisions) 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 district, the sign shall be set back at least five feet from the side property line.

4. Height.

- A.** 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.
- B.** The maximum overall height for any sign shall not exceed the building height for the district in which the sign is erected, except as provided below.

- C. For a resort hotel in an H-1 limited resort and apartment district, the maximum height shall be the maximum height allowed for the building.
- D. For all other non-resort hotel uses in the H-1 limited resort and apartment district, the maximum height shall be the greater of:
 - i. Fifty feet; or
 - ii. The height of the tallest building on the subject property provided that a conditional use permit is obtained pursuant to Part A of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures), and further provided that the design and height of the sign conforms to the character of the project and the immediate area.

5. 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 the pedestrian or vehicular traffic.

6. C-Districts Special Provisions.

- A. Wall or marquee signs are permitted in commercial districts in addition to that permitted under Subsection A above when attached to and parallel to the frontage walls with each individual business advertising are limited to the building frontage of the particular business; and:
 - i. Are not to exceed four feet in height in a C district with a net area of less than five acres;
 - ii. Are not to exceed six feet in height in a C district with a net area of five or more acres; and
 - iii. 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.
- B. For the purposes of this subsection, “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.

7. R-Districts Special Provisions.

Identification signs for boarding stables, horse riding stables, and academies shall adhere to the following requirements:

- A. The identification sign shall state 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.
- B. The advertising of rates, services or riding events, etc., shall not be permitted.
- C. Such sign may be illuminated but the source of illumination shall not be visible, and no flashing or intermittent illumination shall be employed.

8. 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:

- A. Such display shall be set back from any public right-of-way in accordance with the normal front setback for an on-premises sign;
- B. One such display shall be permitted within each one hundred feet of frontage along any public right-of-way; and
- C. Any sign associated with such display shall not extend more than two feet above or beyond the vehicle being displayed. (Ord. 2202 § 31, 1998, Ord. 2068 § 2 (part), 1998)

29.23.050 Off-premises Advertising (billboards).

a. Purpose.

The purpose of these off-premises advertising regulations is 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.

b. Scope.

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, and shall be subject to the provisions of Section 29.23.030 and as provided herein.

c. Permitted Locations.

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 underlying zoning districts only in the following described off-premises advertising overlay zones.

- 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.
2. Along the following routes within the National Highway System 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 200 feet of Warm Springs road, and Tropicana Avenue from Decatur Boulevard to Swenson Street.
- A. 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; and
 - B. 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.
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:
- A. Township 23 South, Range 61 East: SW1/4, NW1/4, Section 20 and N1/2, Section 30; and Township 24 South, Range 60 East: N1/2, SE1/4 Section 1, S1/2, S1/2 Section 2, and Sections 15 and 16; and
 - B. 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.
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.
- A. 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.
 - B. 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, and Township 29 South, Range 63 East: Sections 2, 11, 14, 23, 24, 25 and 36.

d. Conditional Use Permit.

1. A conditional use permit in accordance with the provisions of Part A of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures) shall be required for any off-premises advertising sign proposed to be located where the leading edge of the sign is greater than one hundred feet but less than three hundred feet of a residential use, or within three hundred feet of a P-F zoning district where a school, library or park is located or as required in Subsection (h) of this section.
2. The applicant must demonstrate that the proposed off-premises sign, its design and its location are compatible with any 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 29.05.050 of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures).

e. Size, Height, and 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. Signs are not permitted within the airspace of, or attached to any bridge, trestle or abutment over any street, right-of-way, or freeway. Maximum size, height and setbacks shall be as follows:

1. Size.

A six hundred seventy-two square feet maximum, except in P-F zone, where the size is unrestricted. Exception: 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.

Allowable building height or fifty feet, whichever is less. Exception: 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.

3. Setbacks.

Same as building setbacks.

f. Separations.

Required separations shall be as provided below. (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).

Required Separation	Minimum Distance
From a residential use.	100 feet*
From another off-premises advertising sign, except along a roadway described in Section (C)(2).	300 feet
From another off-premises advertising sign along a roadway described in Section (C)(2).	500 feet
From an on-premises advertising sign on another parcel.	100 feet
From any point of intersection of roadways.	50 feet*

g. Flagging Prohibited.

No portion of an off-premises advertising sign or sign structure shall be erected above, over or through a building or structure, nor shall any building or structure be constructed or placed beneath any part of an off-premises sign.

h. 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 Part A of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures). The applicant shall have the burden of proving the proposed structure is compatible with the surrounding area.

i. Sign Permits.

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 on forms so provided. The permit application shall, at a minimum, be accompanied by following items:

1. Detailed drawings showing the dimensions, design, structure and location of each particular sign.
2. Evidence of the property owner's approval of the sign installation is required.
3. 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 a roadway as described in subsection (C)(2) of this section.

j. Sign Permit Fee.

An application for a sign permit shall be accompanied by a fee, as required by Chapter 29.07 (Application and Administrative Fees), made payable to the county to partially defray the cost of the permit procedure.

k. Approval of Sign Permit.

The current planning division shall approve and issue a sign permit upon compliance with Clark County Code, the payment of all required fees and the 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.

l. Requirements Waived.

1. Off-premises advertising structures do not require the signing of an aviation easement.
2. Off-premises advertising structures proposed to be located in a P-F zoning district are exempt from the requirements for design review listed in Part F of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures).
3. All other off-premises advertising structures are exempt from the requirements for design review listed in Part F of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures), unless they are proposed to be located within the areas described below where there is the potential for conflicts with aircraft departures.

A. 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

B. Township 22 South, Range 61 East:

NW1/4 of Section 4
NE1/4 of Section 5

4. 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. 2202 § 32, 1998, Ord. 2068 § 2 (part), 1998)

29.23.060 Temporary Signs.

For sale/rent/lease signs, political signs, construction signs, and special attraction/promotional signs may be allowed in any zoning district provided in this title subject to the provisions of Section 29.23.030 above and as provided herein.

1. Exemptions.

The following temporary signs, displays or attention gaining devices are exempt from the provisions of this Section 29.23.060:

- 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 further, 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.

2. On/Off-Premises Restrictions.

A. For Sale/Rent/Lease Signs.

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 subsection, 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 premise sign permitted under this section and is expressly prohibited.)

B. Political Signs.

There are on/off-premises restrictions for political signs. Political signs are allowed in any zoning district.

C. Construction Signs.

Construction signs are allowed only on the lot or parcel of land on which the construction project is located.

D. Special Attraction/Promotional Signs.

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.

3. Time Limits.

A. For Sale/Rent/Lease Signs.

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, building, or unit is sold, rented or leased or within two years, whichever occurs first. At the end of the two-year time limit, if all of the lots, buildings, or units have not been sold, the owner of the sign may apply for an extension of time for an additional two years, or until the last lot, building, or unit is sold, whichever occurs first. A permit for a competing sign, which if constructed would preclude the renewal of the permit for an existing sign, shall not be issued until the code enforcement manager has verified that the

existing sign has been removed. 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.

B. Political Signs.

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. Construction Signs.

Construction signs can be installed as soon as the project has received land use approval (approval of a zoning amendment, 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.

D. Special Attraction/Promotional Signs.

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.

4. Sign Permits.

Sign permits shall be required for for sale/rent/lease signs, construction signs, and special attraction/promotional signs. (Political signs and on-premises signs sixteen square feet or less shall not require a sign permit.) 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 on forms so provided. The permit application shall, at a minimum, be accompanied by the following material:

- A.** 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.
- B.** 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).
- C.** 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.

5. Sign Permit Fee.

An application for a sign permit shall be accompanied by a fee made payable to the county, as required by Chapter 29.07 (Application and Administrative Fees), to partially defray the cost of the permit procedure.

6. Approval of Sign Permits.

The Clark County building department shall approve and issue a sign permit upon compliance with Clark County Code and the 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.

7. 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 Part F of Chapter 29.05 (Conditional Use Permits, Variances and Other Development Review Procedures). Further, because of the temporary nature of the structures, temporary signs need not conform to the restrictions under Part C of Chapter 29.06 (Zoning Certificates, Building Permits and Street and Right-of-Way Provisions), except that special attraction/promotional signs must conform to subsection (a) of this section.

8. Design and Location Standards.

The standards sign area and number of signs indicated herein are permitted in addition to the sign area and number of signs permitted under other sections of this title.

A. The following standards shall apply to all signs, displays and attention gaining devices permitted under this section, except political signs and permitted off-premises for sale signs.

Maximum area*	Single-Family Residential Zoning Districts	Multifamily Residential, C-P, T-C and P-F	All Other Zoning Districts
If net area of lot 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 acre
Maximum overall height.	22 feet	22 feet	30 feet
Minimum separation from freestanding sign.	25 feet	50 feet	50 feet
Minimum setback from right-of-way line.	10 feet	10 feet	10 feet
Maximum number of signs			
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 1 acre or portion thereof, whichever is greater) if and only if, the sign, display or attention-gaining device is displayed for no longer than seven 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.

B. The following standards shall apply to off-premises for-sale signs:

	Weekend Directional Signs¹	All Other Off-Premises For Sale Signs¹
Maximum area.	4 square feet	40 square feet, except up to four 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 exceed 20 percent of the sign area may be added to each sign face.
Maximum overall height.	4 feet	25 feet, except that an embellishment not exceeding 28 feet may be added.
Minimum separation from a freestanding sign.	none	(1) 200 feet from any temporary off-premises sign or 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.
Minimum setback from right-of-way line.	10 feet	10 feet
Maximum number of signs.	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.

Any off-premises for sale sign, including weekend directional signs, adjacent to a road or highway included in the National Highway System, including I-15, I-515, US Highway 93, US 95, I-215, Rainbow Boulevard from the intersection of Sahara Avenue south to Tropicana Avenue, and Tropicana Avenue from the intersection of Rainbow Boulevard east to I-515 (US 95) shall submit evidence of approval by the Nevada Department of Transportation prior to the issuance of any permit.

C. The following standards shall apply to political signs:

	Residential Subdivisions	All Other Areas
Maximum area.	16 square feet for each, 80 square feet total	128 square feet
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
Maximum number of signs.	None	None

9. Violations.

Whenever a temporary sign is found to be in violation of the provisions of this title, the Clark County Code or of any other ordinance or law, the county shall order that such sign be brought in compliance with the provisions of the this title, the Clark County Code or of any other ordinance or law. The order may require the alteration, repair, reconstruction, demolition, relocation or removal as may be appropriate. Any work required to be done shall, unless a different time is specified, be completed within ten days of the date of such order.

10. Removal of Temporary Signs.

Clark County is authorized to remove temporary signs or other advertising displays in the following manner:

- A.** Any temporary sign or advertising display unlawfully located in the public right-of-way, or on private or public property without the owner's consent, 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 (12) of this section.
- B.** Any temporary sign or other advertising display placed on the property with the owner's consent, but not in conformance with the provisions of this chapter may also be removed by Clark County, or its agents, 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. Such notice shall be valid for a period of one year from the date of the notice. If a sign advertising the same product is placed on the same property within one year of the date of the notice, it is subject to immediate removal by virtue of the prior notice. The written notice must advise the property owner or beneficial user that they may request a hearing pursuant to subsection (11) 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 (11) of this section.
- C.** 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.

11. Hearings on Violation and Impoundment.

- A.** Any owner or beneficial user who has received a notice that a temporary sign is in violation of this section may within the time set forth in subsection (9) of this section request a hearing before the zoning administrator or designee.
- B.** Any owner or beneficial user maintaining a temporary sign which has been impounded pursuant to subsection (10)(A) of this section may at any time within thirty days of the impoundment request a hearing before the zoning administrator or designee.
- C.** 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.
- D.** 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.
- E.** 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.
- F.** A written decision shall be rendered within five working days after the close of the hearing.

- G. 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.
- H. 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.

12. Return or Destruction of Impounded Temporary Signs.

- A. 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 five 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.
- B. 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. (Ord. 2068 § 2 (part), 1998)

29.23.070 Miscellaneous Signs.

Miscellaneous signs may be permitted as provided by this title and subject to the provisions of Section 29.23.030, and as further provided herein:

1. 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.

2. 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.

3. Entrance or Exit Signs.

- A. 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 district.
- B. The maximum height shall not exceed five feet from the horizontal grade to the bottom of the sign.
- C. 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.

- D. The maximum size shall not exceed the following:**
- i. C districts: two feet in height and four feet in length;**
 - ii. H-2 and M districts: three feet in height and five feet in length;**
 - iii. H-1 district: four feet in height and eight feet in length. (Ord. 2068 § 2 (part), 1998)**

Communication Towers and Antennas

Chapter 29.24 - COMMUNICATIONS TOWERS AND ANTENNAS

Sections:

- 29.24.010 Purpose.
- 29.24.020 Conditional use permit required.
- 29.24.030 Standards for communication towers and antennas.
- Appendix A
- Appendix B
- Appendix C
- Appendix D

29.24.010 Purpose.

The regulations set forth in this chapter modify or further restrict, where applicable, the restrictions and design standards for communication towers and antennas. (Ord. 2068 § 2 (part), 1998)

29.24.020 Conditional Use Permit Required.

Communication towers and antennas, other than amateur licensed, shall only be approved with a conditional use permit except as provided within Section 29.24.030(e). (Ord. 2068 § 2 (part), 1998)

29.24.030 Standards for Communication Towers and Antennas.

- a. Communication towers and antennas may only be permitted subject to the following conditions:
 - 1. The frequencies used by the communication provider shall be in conformance with Federal Communication Commission standards as certified by a competent professional;
 - 2. The antenna planned for the proposed tower cannot be accommodated on an existing or approved tower or building within the area in which the antenna must be located based on the communications grid established or to be established by the communication provider. Reasons which may support a finding that a proposed tower cannot be accommodated on an existing tower or building include:
 - A. The unwillingness of the owner of an existing tower or building to agree to collocation or to provide adequate space on the property for the equipment necessary to support additional communication antenna(s),
 - B. The lack of structural capacity for the antenna on the existing tower or building,
 - C. The new antenna would interfere with existing or other planned equipment on the existing tower or building,
 - D. The available heights on the existing tower or building are not compatible with the proposed communication grid, or
 - E. Other unforeseen reasons which make it commercially impracticable or technically unfeasible to locate on an existing tower or building;
 - 3. The proposed facility meets the design standards set forth in subsection (b) of this section.

b. Design Standards for Communication Towers and Antennas.

Communication towers and antennas may be permitted subject to the following design standards unless a listed requirement prevents the communication provider from establishing a communication system as required by federal law in which case such condition may be deemed waived:

1. For all communication towers and antennas which do not have permanent staff assigned to the facility, the improvement standards required by Chapters 29.21 and 29.22 (Parking; Landscaping and Screening) of this title may be waived providing dust control measures are applied if required by the Clark County air pollution control division, except that screening and landscaping shall be required if the facility or area of leasehold on a lot exceeds one acre in size;
2. Any communication tower or antenna may provide a security fence or wall subject to the design standards listed under Section 29.22.010(8) (Security Fencing) of this title;
3. The height of communication towers and antennas may exceed the height permitted within the district in which it is located, but shall not exceed that necessary for efficient operation as certified by a competent professional, except that an additional twenty feet of height may be added to any communication tower providing the facility is to be used by more than one communication provider or antenna array;
4. Any proposed communication tower shall be designed to accommodate more than one antenna array unless the height of the tower exceeds eighty feet, in which case the tower shall accommodate not less than three antenna arrays;
5. Any proposed communication tower shall be designed to be architecturally compatible with the surrounding buildings and land uses in the zoning district or otherwise integrated, through location and design, to blend in with the existing characteristics of the site to the extent practical;
6. Any proposed communication tower shall be painted with a color generally matching the surroundings or background that minimizes its visibility, unless a different color is required by the Federal Communication Commission or Federal Aviation Administration;
7. No signals, lights or signs shall be permitted on towers or antennas unless required by the Federal Communication Commission or Federal Aviation Administration; however, this shall not be construed to prevent the mounting of an antenna on a legally permitted signal, light, or sign;
8. Ground level equipment, buildings and the tower or antenna base shall be screened so as not to be visible from streets and residential development;
9. Any proposed communication tower shall be setback a minimum distance of forty feet from any street;
10. Any proposed communication tower shall be setback a minimum distance of:
 - A. Except as provided in subsection (b)(10)(C) of this section, not less than three hundred percent of the height of the tower from a residential development not located on property the tower is located upon providing the lot is at least a two and one half acre site,

- B. Except as provided in subsection (b)(10)(C) of this section, not less than two hundred percent of the height of the tower from a residential development not located on property the tower is located upon, providing the lot is less than a two and one half acre site, or
- C. Notwithstanding subsections (b)(10)(A) and (B) of this section, the tower need not be setback more than seventy-five percent of the width of the lot. For the purpose of this subsection, the width of the lot shall be the distance from the property line that abuts or is closest to a residential development, to the property line on the opposite side of the lot;

- 11. A communication tower must be separated by at least a distance of six hundred feet from another communication tower except as otherwise provided in Table 29.24 below; and
- 12. The waiver of any of the above requirements may be considered as a part of the use permit application.

c. Waiver of District Regulations.

- 1. The building official and/or the zoning administrator, or their designees, may waive any required yard, separation, or height requirement within the district subject to the restrictions listed in subsection (e) of this section;
- 2. The planning commission or board of county commissioners may waive any of the above requirements or other design standard as it deems necessary to achieve the intent and purposes of this title.

d. Denial of Use Permit for Communication Tower or Antenna.

If a use permit application for a communication tower or antenna is denied by the board of county commissioners, the denial shall be supported by substantial evidence contained in a written record of the proceeding at which the application was denied. Evidence that the use permit application is in conflict with the standards enumerated in Section 29.66.025 (General standards) shall be sufficient cause for denial.

e. Exception to a Conditional Use Permit.

Communication towers and/or antennas may be permitted without the approval of a conditional use permit if the tower and/or antenna will be located in a place specified in Table 29.24-1 below and meets all the standards specified therein. If the building official or his/her designee, in consultation with the zoning administrator or his/her designee, determines any facility proposed to be constructed under authority of this subsection does not conform to the requirements listed under subsections (a) and (b) of this section, a use permit shall be required to establish the facility.

f. Abandoned or Unused Towers.

- 1. All abandoned or unused towers and associated facilities shall be removed within twelve months of the cessation of operations at the site. In the event that a tower is not removed within twelve months of the cessation of operations at a site, the tower and associated facilities may be removed by the county and the costs of removal assessed against the property after notice and opportunity to be heard is provided as specified herein.

2. When a tower has been abandoned or unused for a period of twelve months or longer, the board of county commissioners, or its designee, may cause to be served, on a property owner upon whose land the abandoned or unused tower is located, a notice that the tower and associated facilities are subject to removal and that the associated costs of removal may be assessed against the property. The owner served with such notice shall have thirty days from the date of service to respond in writing to request a hearing to show cause why the abandoned tower and associated facilities should not be removed from the property at the property owner's expense. If such property owner fails to request a hearing within the prescribed period, the property owner shall be deemed to have waived his right to a hearing, and the board of county commissioners, or its designee, may immediately cause the removal of the abandoned or unused tower and associated facilities and may assess the costs for the removal against the property upon which the abandoned tower and associated facilities are located.

Table 29.24-1 Communication Towers and/or Antennas — Permitted Locations and Restrictions	Review by Building Official Required	Administrative Design Review Required in Accordance With Chapter 29.05, Part G
Antennas, including those for signal reception only, when located on existing structures on public property only if approved by the governing body controlling the property through a lease agreement.	yes	no
Antennas when located on any existing structure if not within a residential development, if designed to be compatible with the architecture of the structure, and if not more than eight feet higher than the existing structure for a structure 35 feet in height or less, or 12 feet for a structure greater than 35 feet in height.	yes	no
Antennas collocated with an existing or reconstructed tower when only 20 feet of height is added to the existing tower for the collocated antenna(s), and provided that if reconstructed the existing tower is removed not less than 60 days after the reconstructed tower becomes operational.	yes	no
Towers and/or antennas within community district 6 if located within a 600 foot lateral radius of three existing towers.	yes	no
Antennas located on any public utility structure within a residential development if not higher than the existing structure.	no	yes
Towers located on any public property when conforming to the restrictions listed in Sections 29.24.030(a) and (b).	no	yes
Towers located within any commercial or industrial district, except the C-P, office and professional district, or property designated commercial or industrial within an adopted land use guide when conforming to the restrictions listed in Sections 29.24.030(a) and (b) and when not higher than 60 feet for a single antenna or 80 feet for more than one antenna.	no	yes
Towers located within a public utility substation when conforming to the restrictions listed in Sections 29.24.030(a) and (b) above except that the tower shall be setback not less than 10 feet from a street, 20 feet from a residential development, and shall not be higher than 20 feet above the highest structure within the substation.	no	yes

(Ord. 2068 § 2 (part), 1998)

Clark County Global Use Matrix

P = Permitted Use
 C = Conditional Use
 A = Accessory Uses
 H = Home Occupation

NOTE: Always check Title 29 text for details of restrictions, requirements, and design standards for listed uses.

Uses	Residential										Commercial						Manufacturing/ Industrial						Special Uses					
	R-U	R-A	R-E	R-D	R-1	R-1H	R-T	R-2	R-3	R-4	R-5	C-1	C-2	C-3	C-C	M-1	M-2	M-3	M-D	H-1	H-2	O-S	P-F	J-C	R-V	P-P		
Automobile/ Trailer Storage																												
Aviaries	A	A	A																									
Bakery																												
Bakery (Retail only)											C	P	P	P	P													
Bank											C	P	P	P	P													
Banquet Facilities											C	P	P	P	P													
Barber Shops											C	P	P	P	P													
Bars											P	P	P	P	P/C													
Batch Plant	C																											
Batch Plant (temporary)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Bath House																												
Beauty Shops											C	P	P	P	P													
Beer Sales											P	P	P	P	P													
Bicycle Repair Shops											C	P	P	P	P													
Blacksmith Shops																P	C	C										
Blast Furnace																												
Boarding House																												
Boarding Stables, Commercial	C	C	C							P																		
Boarding Stables, Residential	A	A	A																									
Boat Building/ Repair																P	C	C	P									
Boiler Works																												
Bookbinding																												
Bookkeeping, Accounting Services	H	H	H	H	H	H	H	H	H	H	P	P	P	P	P													
Bookstores											C	P	P	P	P													
Bottling Plants																P	C	C	P									
Brew Pubs																P	C		P/C									
Brewery																												
Building Material Sales											C	P	P	P	P													
Building Materials Storage and Sales Yard																P	C	C										
Car Rental Agencies											C	P	P	P	P													
Car Wash																												
Catering Establishments											C	P	P	P	P													
Cemeteries	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	

APPENDIX A

Clark County Global Use Matrix

P = Permitted Use **A = Accessory Uses** **NOTE: Always check Title 29 text for details of restrictions, requirements, and design standards for listed uses.**
C = Conditional Use **H = Home Occupation**

Uses	Residential													Commercial				Manufacturing/Industrial				Special Uses					
	R-U	R-A	R-E	R-D	R-J	R-1a	R-T	R-2	R-3	R-4	R-5	C-P	C-1	C-2	C-3	C-C	M-1	M-2	M-3	M-D	H-1	H-2	O-S	P-F	T-C	R-V-P	
Ceramics Kiln (120 volt service only)	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	P	P	P	P	H	H	H	H	H	H	H
Ceramics Manufacturing																	P	P	P	P							
Check Cashing Services																											
Chicken/Rabbit Farm	A	A	A																								
Child Care Institutions	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Chinchilla Farm	A	A	A																								
Christmas Tree Sales																											
Churches	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Circuses	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Cleaning/ Dyeing Plants																											
Clinics	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Clubs																											
Collectible Shop																											
Colleges	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Columbariums	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Commercial Animal agriculture	P	P																									
Communication Towers/Antennas	P/C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P	P
Computer Based Businesses	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	P	P	P	P	P	P	P	P	P	P	P
Computer Graphics Services	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	P	P	P	P	P	P	P	P	P	P	P
Consulting Service	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	P	P	P	P	P	P	P	P	P	P	P
Contractor Storage Yards																											
Construction Contractors' Office/ Shop																											
Convenience Stores																											
Convention Facilities	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Cooperative Apartments	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Copy Center																											
Cosmetic Manufacturing																											
Costume Rental																											
Court Reporting	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	P	P	P	P	P	P	P	P	P	P	P
Crematories	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Custodial Institutions	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Dairy Farm	C	C																									
Day Care	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C

Clark County Global Use Matrix

P = Permitted Use
 C = Conditional Use
 A = Accessory Uses
 H = Home Occupation

NOTE: Always check Title 29 text for details of restrictions, requirements, and design standards for listed uses.

Uses	Residential													Commercial					Manufacturing/ Industrial					Special Uses					
	R-U	R-A	R-E	R-D	R-I	R-Ja	R-J	R-2	R-3	R-4	R-5	C-P	C-1	C-2	C-3	C-C	M-1	M-2	M-3	M-D	H-1	H-2	O-S	P-F	T-C	R-V	P		
Diaper Services																													
Dressmaking Shops																													
Dry Cleaner																													
Dry Cleaning Office																													
Dry Cleaning Plant																													
Dwellings																													
Four-Family Dwellings																													
Manufactured Home																													
Multiple-Family Dwellings																													
Multiple-Family Dwelling Groups																													
S.F. Zero Lot Line Dwellings																													
S.F. Zero Lot Line Dwellings on Compact Lots																													
Single Family Dwellings																													
Three-Family Dwellings																													
Two-Family Dwellings																													
Eating and Drinking Places (non-alcoholic)																													
Education/ Scientific Research																													
Educational Offices																													
Electric Generating Stations																													
Electric Plating																													
Electronic Equipment Sales and Services																													
Employee Housing																													
Engineering (professional and related services)																													
Entertainer (outcall only, no escort services)																													
Equipment Rentals																													
Exotic Animals																													
Fairgrounds																													
Farming																													
Feed Stores																													
Feed Yards																													
Feed, Cereal/ Flour Mill																													

APPENDIX A

Clark County Global Use Matrix

P = Permitted Use
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NOTE: Always check Title 29 text for details of restrictions, requirements, and design standards for listed uses.

Uses	Residential													Commercial					Manufacturing/ Industrial					Special Uses				
	R-U	R-A	R-F	R-D	R-1	R-1a	R-T	R-2	R-3	R-4	R-5	C-1	C-2	C-3	C-C	M-1	M-2	M-3	M-D	H-1	H-2	O-S	P-F	T-C	RA-V	P		
Firewood Sales Yard																												
Garden	A	A	A	A	H	H	H	H	H	H																		
Flower Arrangement (excluding fresh flowers)																												
Flower Seed Processing																												
Food and Misc. Household Product Sales																												
Food Product Manufacturing																												
Fountain Equipment/ Supply																												
Fraternities																												
Freight Terminals																												
Fuel Yard																												
Furniture Manufacturing																												
Gambling Casinos																												
Gaming (incidental gaming machines only)																												
Government Facilities	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Gravel Pits	C																											
Gravel Pits (temporary)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Grease/Oil Compounding																												
Greenhouse and Orchard	A	A	A	A																								
Grocery Store																												
Group Foster Home																												
Guest Cottages	A	A	A																									
Guest Ranches	P	P																										
Gunsmith																												
Handicraft (including gift basket assembly)	H	H	H	H	H	H	H	H	H	H	H	C	P	P	P	P	P	P	P	P	H	H	H	H	H	H	H	
Hardware Stores																												
Health Clubs																												
Health Fitness Training Services	H	H	H	H	H	H	H	H	H	H	H	C	P	P	P	P	P	P	P	P	H	H	H	H	H	H	H	
Heating/ Air Conditioning Sales/ Supply/ Repair																												
Heavy Machinery/ Equipment Sales	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Heliports																												

Clark County Global Use Matrix

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Uses	Residential													Commercial					Manufacturing/Industrial					Special Uses				
	R-U	R-A	R-E	R-D	R-1	R-1a	R-T	R-2	R-3	R-4	R-5	C-P	C-1	C-2	C-3	C-C	ME	M-2	M-3	M-D	M-L	H-1	H-2	O-S	P-F	T-C	R-V-P	
High Rise Structures	C	C																				C						
Hog Farm/ Ranch	P	P																										
Horse Ranch	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Hospitals																												
Hotels	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H
House Cleaning/ Repairs																												
Ice and Cold Storage Plant																												
Information Services	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H
Inns																												
Insurance Adjustment Services	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H
Insurance Sales	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H
Interior Decorating	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H
Janitorial Services	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H
Jewelry Making (excluding the smelting and casting of metal)	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H
Kennels																												
Laboratories, Medical & Dental																												
Laboratories, Experimental																												
Libraries	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Liquor Sales																												
Lithography																												
Live Entertainment	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Livestock Feed Yard	C	C																										
Livestock Sales Yard	C	C																										
Locksmiths																												
Lodges																												
Lodging House																												
Lumber Yards																												
Machine Shops																												
Mail Order Puzzle Contests																												
Maintenance Business	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H
Managers Apartment																												
Manufactured Home Assembly/Repair																												

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Uses	Residential												Commercial					Manufacturing/ Industrial					Special Uses							
	R-U	R-A	R-E	R-D	R-I	R-I	R-I	R-1	R-1	R-1	R-2	R-3	R-4	R-5	C-P	C-1	C-2	C-3	C-C	M-1	M-2	M-3	M-D	H-1	H-2	O-S	P-F	T-C	R-V-P	
Parks	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Party Planning Services	H	H	H	H	H	H	H	H	H	H	H	H	H	H	P	P	P	P	P	P	P	P	P	P	H	H	H	H	H	
Pawn Shops																														
Pest Extermination/ Control Service																														
Pet Store															C	P	P	P	P	P	P	P	P	C	C	C	C	C	C	
Petroleum Pumping	C																													
Pharmacy															A	P	P	P	P	P	P	P	P	C	C	C	C	C	C	
Pharmaceutical Manufacture																														
Photographic Studio															P	P	P	P	P	P	P	P	P	C	C	C	C	C	C	
Photographic Supplies															C	P	P	P	P	P	P	P	P	C	C	C	C	C	C	
Photography and Related Services	H	H	H	H	H	H	H	H	H	H	H	H	H	H	P	P	P	P	P	P	P	P	P	H/C	H/C	H	H	H	H	
Picnic and Camping Facilities	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Planned Unit Developments	C	C	C	C	C	C	C	C	C	C	C	C	C	C																
Plant Nurseries																														
Playgrounds	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	C	C	C	C	C	C	C
Postal Services																														
Power Transmission Lines >35KV	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Precast Concrete Manufacturing																														
Print Shops																														
Psychic Arts																														
Public Utility Buildings and Structures	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Public/ Quasi-public/ Institutional Buildings and Uses	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Publishing																														
Quarries	C																													
Race Tracks	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Railroad/Bus/Truck/ Air Terminals	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Real Estate Services	H	H	H	H	H	H	H	H	H	H	H	H	H	H	P	P	P	P	P	P	P	P	P	H	H	H	H	H	H	
Recreational facilities - private	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Recreational Facilities (resident or guest)	A	A	A	A	A	A	A	A	A	A	A	A	A	A																
Recreational Vehicle Assembly/Repair																														
Recreational Vehicle Park																														

APPENDIX A

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NOTE: Always check Title 29 text for details of restrictions, requirements, and design standards for listed uses.

Uses	Residential															Commercial					Manufacturing/Industrial					Special Uses				
	R-U	R-A	R-E	R-D	R-J	R-J	R-J	R-T	R-2	R-3	R-4	R-5	C-P	C-1	C-2	C-3	C-C	M-1	M-2	M-3	M-D	H-1	H-2	O-S	P-F	T-C	R-V	P		
Stock Brokerages																														
Stone Mills	C																													
Storage or Service Yards																														
Suntanning Centers																														
Supper Clubs,																														
Swap Meets	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		
Swimming Pool Cleaning	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H		
Tailoring, Sewing Services	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H		
Tailors																														
Taverns																														
Tattoo/Permanent Make-up Establishments																														
Tax Preparation Services	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H		
Taxidermist																														
Teaching, Tutoring (subject to a maximum of four students at one time)	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H		
Telephone Services (not including escort services nor telemarketing services)	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H	H		
Textile Manufacturing																														
Timeshare (Hotels, Motels, Resorts)																														
Timeshare Apartments																														
Tire Rebuilding, Recapping, Retreading																														
Tire Sales (as principal use)																														
Travel Agencies																														
Truck/Trailer Rental																														
Union Hall																														
Upholstery Shops																														
Vacation sales																														
Veterinary Services																														
Video Stores																														
Warehousing																														
Watch/ Clock Repair																														
Watchman's Trailer -with Commercial or Industrial Use																														

APPENDIX A

Clark County Global Use Matrix

P = Permitted Use **A = Accessory Uses** **NOTE: Always check Title 29 text for details of restrictions, requirements, and design standards for listed uses.**
C = Conditional Use **H = Home Occupation**

Uses	Residential												Commercial					Manufacturing/ Industrial					Special Uses					
	R-U	R-A	R-E	R-D	R-1	R-1a	R-1b	R-T	R-2	R-3	R-4	R-5	C-P	C-1	C-2	C-3	C-C	M-1	M-2	M-3	M-D	H-1	H-2	O-S	P-F	T-C	R-V-P	
Water Sales														C	P	P	P	P				P	C	C				
Wholesale Sales																		P	C	C	P							
Wildlife Preserves																										P		
Wine Sales														P	P	P	P	P				P	C	C				
Writers	H	H	H	H	H	H	H	H	H	H	H	H	P	P	P	P	P	P				P	H	H	H	H	H	H

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

CODE TITLE 29 LAND USE:	SLUCM MAJOR GROUPS	SLUCM MINOR GROUPS	#S
(Non)commercial farming, agriculture, and horticulture	Resources	Other agriculture(1)	8190
(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
Advertising agencies	Services	Business services	6300
Agriculture	Resources	Other agriculture(1)	8190
Air conditioning sales, supply, and repair	Trade	Building materials and hardware (retail)	5200
Aircraft sales	Trade	Automotive, marine and aircraft accessories	5500
Aircraft assembly	Manufacturing	Fabricated metal products	3400
Aircraft maintenance, sale, and fuel storage	Services	Repair services	6400
Airports (public and private) and landing fields	Transportation and utilities	Aircraft transportation	4300
Airports, including accessory commercial uses	Transportation and utilities	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

TITLE 29 LAND USES => SLUCM CODES (CONTINUED)

CODE TITLE 29 LAND USE:	SLUCM MAJOR GROUPS	SLUCM MINOR GROUPS	#S
Antique shop	Trade	Other retail trade	5900
Apartment hotels	Residential	Residential hotels	1300
Apartment houses	Residential	Multifamily structures	1130
Apiaries	Resources	Other agriculture(1)	8190
Appliance store	Trade	Furniture and home furnishings (retail)	5700
Art galleries	Trade	Other retail trade	5900
Art gallery	Trade	Other retail trade	5900
Art needlework shop	Trade	Apparel and accessories (retail)	5600
Art shop and artists' supplies	Trade	Other retail trade	5900
Artists' studios	Trade	Other retail trade	5900
Artists' supplies	Trade	Other retail trade	5900
Asphaltic oil storage	Manufacturing	Petroleum refining & related industries	2900
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
Automobile accessory store	Trade	Automotive, marine and aircraft accessories	5500
Automobile rental	Services	Business services	6300
Automobile repair shop	Services	Repair services	6400
Automobile sale	Services	Business services	6300
Automobile service station	Trade	Automotive, marine and aircraft accessories	5500
Automobile and/or trailer spaces area	Transportation and utilities	Auto parking	4600

TITLE 29 LAND USES => SLUCM CODES (CONTINUED)

CODE TITLE 29 LAND USE:	SLUCM MAJOR GROUPS	SLUCM MINOR GROUPS	#S
Automobile wrecking and/or bailing	Manufacturing	Fabricated metal products	3400
Aviaries	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
Bank	Services	Finance, insurance & real estate	6100
Bar	Trade	Eating and drinking places	5800
Barbershop	Services	Personal services	6200
Batch plant	Manufacturing	Stone, clay & glass products	3200
Bathhouse	Recreation	Indoor playgrounds and athletic areas	7425
Beauty parlor or shop	Services	Personal services	6200
Bedding and pillow manufacturing-cleaning or removing	Manufacturing	Apparel and finished products	2300
Beer 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
Blast furnace	Manufacturing	Primary metal industries	3300
Blueprinting	Services	Business services	6300
Boarding houses	Residential	Group quarters	1200
Boat building or repair	Manufacturing	Fabricate metal products	3400

TITLE 29 LAND USES => SLUCM CODES (CONTINUED)

CODE TITLE 29 LAND USE:	SLUCM MAJOR GROUPS	SLUCM MINOR GROUPS	#S
Boiler works	Transportation and utilities	Utilities	4800
Book binding	Manufacturing	Printing, publishing	2700
Bookstore	Trade	Other retail trade	5900
Bottling plant (no brewery)	Manufacturing	Food & kindred products	2100
Bowling alley	Recreation	Indoor sports activities	7413
Brew pub	Trade	Eating and drinking places	5800
Brewery	Manufacturing	Food & kindred products	2100
Building material	Trade	Building materials and hardware (retail)	5200
Butcher shops	Trade	Food, retail	5400
Cabinet shop	Manufacturing	Furniture & fixtures	2500
Cafe or cafeteria	Trade	Eating and drinking places	5800
Camera store	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
Car rental agencies	Services	Business services	6300
Car wash	Services	Repair services	6400
Carbonated water sales	Trade	Other retail trade	5900
Caretaker's building of a permanent nature	Residential	Single family (LE 2 du/ac)	1115
Carpet manufacturing, cleaning, or renovating	Manufacturing	Apparel and finished products	2300
Catering establishments and/or services	Services	Business services	6300
Cemeteries	Services	Cemeteries	6240

TITLE 29 LAND USES => SLUCM CODES (CONTINUED)

CODE TITLE 29 LAND USE:	SLUCM MAJOR GROUPS	SLUCM MINOR GROUPS	#S
Ceramics manufacture	Manufacturing	Stone-clay & glass products	3200
Check-cashing services	Services	Finance, insurance & real estate	6100
Child care	Services	Educational services	6800
China shop	Trade	Other retail trade	5900
Christmas tree sales	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
Clinics/medical and dental	Services	Medical & other health services	6510
Clothing store	Trade	Apparel and accessories (retail)	5600
Clubs and societies of a nonprofit nature	Services	Other misc services	6990
Collection agency	Services	Business services	6300
Columbariums	Services	Cemeteries	6240
Commercial raising, hatching, fattening of small animals	Resources	Livestock farms and ranches(2)	8160
Communication towers and antennas	Transportation and utilities	Communications	4700
Confectionery	Trade	Food, retail	5400
Consultants	Services	Other professional services	6590
Consumer credit office	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
Copy center	Services	Business services	6300

TITLE 29 LAND USES => SLUCM CODES (CONTINUED)

CODE TITLE 29 LAND USE:	SLUCM MAJOR GROUPS	SLUCM MINOR GROUPS	#S
Cosmetic manufacturing or packaging	Manufacturing	Chemicals and allied products	2800
Costume rental	Trade	Apparel and accessories (retail)	5600
Creamery	Manufacturing	Food & kindred products	2100
Crematories	Services	Cemeteries	6240
Dairy farm	Resources	Dairy farming	3150
Dairy production/packaging or bottling	Manufacturing	Food & kindred products	2100
Data processing center	Services	Business services	6300
Day care	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 store	Trade	Furniture and home furnishings (retail)	5700
Dressmaking shop	Trade	Apparel and accessories (retail)	5600
Drugstore	Trade	Other retail trade	5900
Dry cleaners	Services	Personal services	6200
Dry cleaning collection office	Services	Personal services	6200
Dry goods store	Trade	General merchandise (retail)	5300
Dwelling, 3-family	Residential	Multifamily structures	1130

TITLE 29 LAND USES => SLUCM CODES (CONTINUED)

CODE TITLE 29 LAND USE:	SLUCM MAJOR GROUPS	SLUCM MINOR GROUPS	#S
Dwelling, 4-family	Residential	Multifamily structures	1130
Dwelling, single family	Residential	Single family (> 2 du/ac)	1110
Dwelling, two-family	Residential	Two family	1120
Dwelling, manufactured home	Residential	Single family (> 2 du/ac)	1110
Dwelling groups	Residential	Group quarters	1200
Eating and drinking places	Trade	Eating and drinking places	5800
Education and scientific research	Services	Educational services	6800
Educational services	Services	Educational services	6800
Electric distributing and transmission substations	Transportation and utilities	Utilities	4800
Electric generating stations	Transportation and utilities	Utilities	4800
Electric or neon signs or billboard manufacture	Manufacturing	Misc manufacturing	3900
Electric plating	Manufacturing	Primary metal industries	3300
Electrical repair services	Services	Repair services	6400
Electrical shops	Trade	Other retail trade	5900
Electronic equipment stores	Trade	Other retail trade	5900
Electronic repair services	Services	Repair services	6400
Embroidery store	Services	Apparel and accessories (retail)	5600
Employee housing	Residential	Other residential	1900
Employment agency	Services	Business services	6300
Exotic animals	Resources	Agricultural related activities(2)	8200
Experimental laboratories	Services	Business services	6300
Explosives storage	Services	Explosives storage	6380
Express office	Transportation and utilities	Other trans C comm and utilities	4900

TITLE 29 LAND USES => SLUCM CODES (CONTINUED)

CODE TITLE 29 LAND USE:	SLUCM MAJOR GROUPS	SLUCM MINOR GROUPS	#'S
Fabric store	Trade	Apparel and accessories (retail)	5600
Fairgrounds	Recreation	Fairgrounds and amusement parks	7310
Farm machinery repair or sale	Services	Repair services	6400
Feed 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
Flood control channels/spreading grounds and settling basins	Undeveloped	Open space	9910
Flour mill	Manufacturing	Food & kindred products	2100
Florist shop	Trade	Other retail trade	5900
Flower gardening	Resources	Other agriculture(1)	8190
Flower processing	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
Fraternities	Services	Other misc services	6990
Freight terminal	Transportation and utilities	Motor	4200
Frozen food lockers (not commercial)	Services	Business services	6300
Fuel yard	Manufacturing	Petroleum refining & related industries	2900

TITLE 29 LAND USES = > SLUCM CODES (CONTINUED)

CODE TITLE 29 LAND USE:	SLUCM MAJOR GROUPS	SLUCM MINOR GROUPS	#'S
Fur sales and storage	Trade	Apparel and accessories (retail)	5600
Furniture manufacture	Manufacturing	Furniture & fixtures	2500
Furniture store	Trade	Furniture and home furnishings (retail)	5700
Gambling casinos and establishments	Recreation	Indoor sports assembly	7222
Garage	Transportation and utilities	Auto parking	4600
Garden supplies	Trade	Other retail trade	5900
Gift shop	Trade	Other retail trade	5900
Glass shop	Trade	Furniture and home furnishings (retail)	5700
Gravel pits	Resources	Mining activities and related services	8500
Grazing of cattle/sheep or horses	Resources	Livestock farms and ranches(2)	8160
Grease or oil compounding	Manufacturing	Petroleum refining & related industries	2900
Greenhouse	Resources	Other agriculture(1)	8190
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
Hardware store	Trade	Building materials and hardware (retail)	5200
Health and allied services	Services	Medical & other health services	6510
Health club	Recreation	Indoor playgrounds and athletic areas	7425
Heating sales, supply, and repair	Trade	Building materials and hardware (retail)	5200

TITLE 29 LAND USES => SLUCM CODES (CONTINUED)

CODE TITLE 29 LAND USE:	SLUCM MAJOR GROUPS	SLUCM MINOR GROUPS	#S
Heliports	Transportation and utilities	Aircraft transportation	4300
Hobby store	Trade	General merchandise (retail)	5300
Hog farm or ranch	Resources	Livestock farms and ranches(2)	8160
Home occupations	Residential	Accessory use to residential (P 2 du/ac)	1110
Horse ranch	Resources	Livestock farms and ranches(2)	8160
Horticulture	Resources	Other agriculture(1)	8190
Hospital supplies	Trade	Other retail trade	5900
Hospitals	Services	Medical & other health services	6510
Hotels	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
Ice and cold storage	Services	Warehousing and storage services	6370
Inns	Residential	Hotels and motels & tourist courts	1510
Interior decorating studio	Trade	Furniture and home furnishings (retail)	5700
Jewelry store	Trade	Other retail trade	5900
Kennels	Resources	Agricultural related activities(2)	8200
Laundromat	Services	Personal services	6200
Laundry collection office	Services	Personal services	6200
Lawn service	Trade	Building materials and hardware (retail)	5200
Libraries	Recreation	Cultural activities	7110

TITLE 29 LAND USES => SLUCM CODES (CONTINUED)

CODE TITLE 29 LAND USE:	SLUCM MAJOR GROUPS	SLUCM MINOR GROUPS	#'S
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
Liquor store (package)	Trade	Other retail trade	5900
Lithography	Manufacturing	Printing, publishing	2700
Live entertainment	Undetermined	An undetermined use	0
Livestock farming	Resources	Other agriculture(1)	8190
Livestock feed yard	Resources	Livestock farms and ranches(2)	8160
Livestock sales yard	Resources	Livestock farms and ranches(2)	8160
Locksmith	Services	Repair services	6400
Lodges	Services	Other misc services	6990
Lodging houses	Residential	Group quarters	1200
Lounge	Trade	Eating and drinking places	5800
Luggage sales	Trade	Other retail trade	5900
Lumberyards	Trade	Building materials and hardware (retail)	5200
Machine shop	Manufacturing	Fabricated metal products	3400
Mail order house	Trade	General merchandise (retail)	5300
Manufacturing, compounding, assembling acetylene, acid, ammonia, bond, cellophane	Manufacturing	Chemicals and allied products	2800
Manufacturing, compounding, assembling alcohol/cans/candles	Manufacturing	Misc manufacturing	3900
Marine sales	Trade	Automotive, marine and aircraft accessories	5500
Mausoleums	Services	Cemeteries	6240

TITLE 29 LAND USES => SLUCM CODES (CONTINUED)

CODE TITLE 29 LAND USE:	SLUCM MAJOR GROUPS	SLUCM MINOR GROUPS	#S
Medical and dental labs	Services	Medical & other health services	6510
Medical supplies	Trade	Other retail trade	5900
Messenger office	Services	Business services	6300
Mini-warehouse	Services	Warehousing and storage services	6370
Mines or mining	Resources	Mining activities and related services	8500
Mobile home dealers	Trade	Automotive, marine and aircraft accessories	5500
Mobile home parks	Residential	Permanent mobile home parks, courts	1410
Mobile homes-single family	Residential	Single family (LE 2 du/ac)	1115
Monument sales	Trade	Other retail trade	5900
Mortuaries	Services	Cemeteries	6240
Motels	Residential	Hotels and motels & tourist courts	1510
Motion picture production	Manufacturing	Misc manufacturing	3900
Motor vehicle assembly	Manufacturing	Fabricated metal products	3400
Motor vehicle sales	Services	Business services	6300
Movie theater	Recreation	Indoor entertainment assembly	7212
Movie theater, drive-in	Recreation	Outdoor entertainment assembly	7211
Multiple dwellings	Residential	Multifamily structures	1130
Multiple family dwelling groups	Residential	Multifamily structures	1130

TITLE 29 LAND USES => SLUCM CODES (CONTINUED)

CODE TITLE 29 LAND USE:	SLUCM MAJOR GROUPS	SLUCM MINOR GROUPS	#S
Multiple family dwellings	Residential	Multifamily structures	1130
Museums	Recreation	Cultural activities	7110
Music store	Trade	Other retail trade	5900
News dealer and stands	Trade	Other retail trade	5900
Notions/variety store	Trade	General merchandise (retail)	5300
Notions store	Trade	General merchandise (retail)	5300
Nurseries	Trade	Building materials and hardware (retail)	5200
Off-premises advertising	Transportation and utilities	Communications	4700
Off-premises signs	Transportation and utilities	Communications	4700
Office supply store	Trade	Other retail trade	5900
Office/business or professional	Services	Other professional services	6590
Oil and water well surveying and servicing businesses	Services	Contract construction services	6600
Oil burner shop	Trade	Building materials and hardware (retail)	5200
Oil wells	Resources	Mining activities and related services	8500
On premise signs	Transportation and utilities	Communications	4700
Orchards	Resources	Other agriculture(1)	8190
Outside dining	Trade	Eating and drinking places	5800
Paint store	Trade	Building materials and hardware (retail)	5200
Parking lot (commercial)	Transportation and utilities	Auto parking	4600
Parking lot	Transportation and utilities	Auto parking	4600

TITLE 29 LAND USES => SLUCM CODES (CONTINUED)

CODE TITLE 29 LAND USE:	SLUCM MAJOR GROUPS	SLUCM MINOR GROUPS	#'S
Passenger terminals	Transportation and utilities	Other trans & comm and utilities	4900
Pest extermination and control service	Services	Business services	6300
Pet shop	Trade	Other retail trade	5900
Petroleum pumping	Resources	Mining activities and related services	8500
Pharmacies only	Trade	Other retail trade	5900
Pharmacy/when operated in conjunction with office or clinic	Services	Medical & other health services	6510
Photographic studio	Services	Personal services	6200
Photographic supplies	Trade	Other retail trade	5900
Planned development units	Residential	Other residential	1900
Plant nursery	Trade	Building materials and hardware (retail)	5200
Plumbing shop and yard	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
Power transmission lines	Transportation and utilities	Utilities	4800
Precast concrete fence manufacture (no cinder block)	Manufacturing	Stone, clay & glass products	3200
Pressing and alteration	Services	Personal services	6200
Printing	Manufacturing	Printing, publishing	2700
Public and quasi-public and institutional buildings or uses	Services	Government services	6700
Public garages	Transportation and utilities	Auto parking	4600
Publishing	Manufacturing	Printing, publishing	2700
Race tracks	Recreation	Outdoor sports assembly	7221

TITLE 29 LAND USES => SLUCM CODES (CONTINUED)

CODE TITLE 29 LAND USE:	SLUCM MAJOR GROUPS	SLUCM MINOR GROUPS	#S
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	7600
Recreational centers	Recreation	Indoor amusements	7396
Recreational vehicle park	Residential	Transient mobile home parks/courts	1420
Recreational vehicle sales	Services	Business services	6300
Resort hotels	Residential	Hotels and motels & tourist courts	1510
Restaurant	Trade	Eating and drinking places	5800
Rest homes	Services	Medical & other health services	6510
Retail business establishments	Trade	Other retail trade	5900
Retail sale of vehicle tires as a principal use	Trade	Automotive, marine and aircraft accessories	5500
Retail sales	Trade	Other retail trade	5900
Riding/rental stables	Recreation	Golf courses, riding stables & water rec	7430
Rubber fabrication	Manufacturing	Rubber & misc plastics	3100
Salvage yard and bailing	Manufacturing	Misc manufacturing	3900
Sanitariums	Services	Medical & other health services	6510
Scenic drives and access roads	Transportation and utilities	Highway & street row	4500
Schools	Services	Educational services	6800
Secondhand store	Trade	Other retail trade	5900
Seed processing	Resources	Agricultural related activities(2)	8200
Service establishments	Services	Business services	6300

TITLE 29 LAND USES => SLUCM CODES (CONTINUED)

CODE TITLE 29 LAND USE:	SLUCM MAJOR GROUPS	SLUCM MINOR GROUPS	#S
Service station	Trade	Automotive, marine and aircraft accessories	5500
Sheet metal shop	Manufacturing	Fabricated metal products	3400
Shoe manufacture	Manufacturing	Apparel and finished products	2300
Shoe repair	Services	Personal services	6200
Shoe store	Trade	Apparel and accessories (retail)	5600
Sign painting store	Services	Business services	6300
Silver shop	Trade	Other retail trade	5900
Slot and pinball machines	Recreation	Indoor amusements	7396
Sporting goods, with firearms	Trade	Other retail trade	5900
Sporting goods, without firearms	Trade	Other retail trade	5900
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
Taxicab office	Transportation and utilities	Motor vehicle transportation	4200
Taxidermist	Services	Personal services	6200
Telegraph office	Transportation and utilities	Communications	4700
Telephone exchange	Transportation and utilities	Communications	4700
Textile manufacture	Manufacturing	Apparel and finished products	2300

TITLE 29 LAND USES => SLUCM CODES (CONTINUED)

CODE TITLE 29 LAND USE:	SLUCM MAJOR GROUPS	SLUCM MINOR GROUPS	#S
Time sharing apartments	Residential	Multifamily structures	1130
Time-share program projects within existing motels	Residential	Hotels and motels & tourist courts	1510
Tire rebuilding recapping or retreading	Manufacturing	Rubber & misc plastic	3100
Tobacco store	Trade	Other retail trade	5900
Toy store	Trade	General merchandise (retail)	5300
Trade schools	Services	Educational services	6800
Trailer rental	Services	Business services	6300
Travel agencies (not including vacation plan sales)	Services	Business services	6300
Travel agency	Services	Business services	6300
Truck repair or sale	Services	Repair services	6400
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
Vacation certificate and vacation plan sales and solicitation	Services	Business services	6300
Veterinary services	Resources	Agricultural related activities(2)	8200
Wallpaper store	Trade	Building materials and hardware (retail)	5200
Warehouse	Services	Warehousing and storage services	6370
Waste paper and rag collection and bailing	Manufacturing	Paper & allied products	2600
Watch and clock repair shop	Services	Repair services	6400
Wine sales (not for on-premises consumption)	Trade	Other retail trade	5900
zzz use not currently listed in Title 29	Undetermined	An undetermined use	0

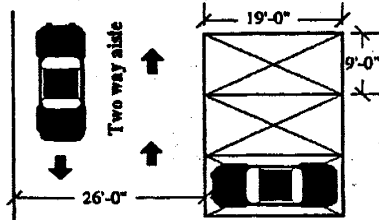
KEY CONDITIONS

- (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

Off-Street Parking Dimensions

Comprehensive Planning
 Current Planning Division
 Adopted on 12/4/91 by the Board of County Commissioners

90° Angle Parking

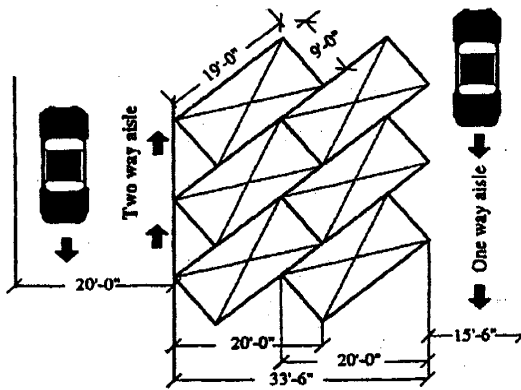


Driveways

26' Preferred
 22' Minimum

(24' Min. within Residential PUD)
 (One way drive with no parking 12' min.)
 (Two way drive with no parking 20' min.)

45° Angle Parking



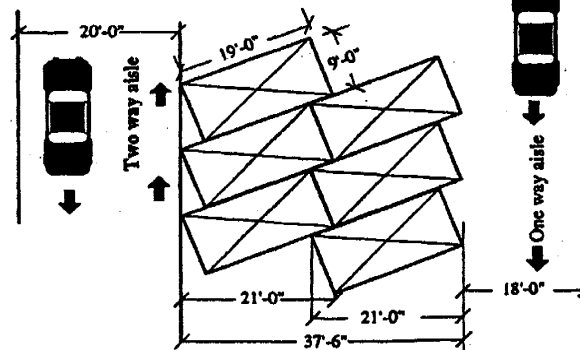
Drive Aisles

Two way aisle	One way aisle
20' Preferred	15'6" Preferred
18' minimum	13'6" minimum

One foot overhang permitted into landscaping or a five foot minimum (onsite) sidewalk.

A one foot intrusion into the front one-third and rear one-third of the space is permitted for structural supports or landscape curbs.

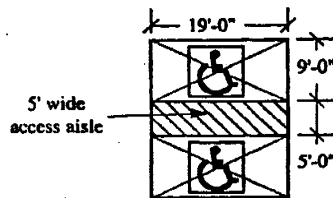
60° Angle Parking



Drive Aisles

Two way aisle	One way aisle
20' Preferred	18' Preferred
18' minimum	17'4" minimum

Handicap parking



All handicapped parking shall be located closest to the nearest handicapped accessible entrance on a handicapped accessible route. Entire aisle must be level with space.

Not to scale
 January 24, 1996 revision

ENDIX D - SIGHT ZONE REQUIREMENTS

