

NEVADA STATE JOURNAL

PROOF OF PUBLICATION

STATE OF NEVADA }
COUNTY OF WASHOE } ss.

DOROTHY YOCOM

being first duly sworn, deposes and says: That she is the legal clerk of THE NEVADA STATE JOURNAL, a daily newspaper published at Reno, in Washoe County, in the State of Nevada.

That the notice..... COUNTY ORDINANCE

.....
of which a copy is hereto attached, was first published in said newspaper in its issue dated the 11th day of July, 1968 and July 18

.....
the full period of 2 days, the last publication thereof being in the issue dated the 18th day of July, 1968

Signed Dorothy Yocom

Subscribed and sworn to before me this

18th day of July, 1968

Richard J. Taylor
Notary Public.

NOTICE OF COUNTY ORDINANCE
An Ordinance amending the Land Use Plan, a part of the Master Plan of Washoe County, by amending County Ordinance No. 57, "An Ordinance amending, repealing in part and re-establishing a land use plan within the unincorporated area of Washoe County, regulating and restricting the use of land: The location, use, bulk, height, and number of stories of structures; the density of population; the proportion of land to be covered by structures; establishing setback lines; providing for adjustment, enforcement and amendment of said Land Use Plan and its ordinances; prescribing penalties for the violation thereof and other matters relating thereto" was adopted on July 3, 1968 by Commissioners: McKisick, McKenzie, Sauer, Cunningham, and Streeter, all voting aye.
Typewritten copies of the above Ordinance are available for inspection by all interested persons at the office of the County Clerk.
M. K. BROWN, County Clerk
July 11-18
34700-Notice

RICHARD J. TAYLOR
Notary Public - State of Nevada
Washoe County
My Commission Expires Jan. 22, 1971

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SUMMARY: An Ordinance amending the Land Use Plan, a part of the Master Plan of Washoe County.

BILL NO. 212

ORDINANCE NO. 57 (as amended)

AN ORDINANCE AMENDING, REPEALING IN PART AND RE-ESTABLISHING A LAND USE PLAN WITHIN THE UNINCORPORATED AREA OF WASHOE COUNTY, REGULATING AND RESTRICTING THE USE OF LAND: THE LOCATION, USE, BULK, HEIGHT, AND NUMBER OF STORIES OF STRUCTURES; THE DENSITY OF POPULATION; THE PROPORTION OF LAND TO BE COVERED BY STRUCTURES; ESTABLISHING SETBACK LINES; PROVIDING FOR ADJUSTMENT, ENFORCEMENT AND AMENDMENT OF SAID LAND USE PLAN AND ITS ORDINANCES; PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF AND OTHER MATTERS RELATING THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY DO ORDAIN:

ARTICLE 1 PURPOSE

- A. To promote the public health, safety, morals, convenience, general welfare; to lessen traffic congestion in the streets; to provide light and air for all buildings; to avoid undesirable concentrations of population; to prevent overcrowding of land and to facilitate adequate provision of transportation, water, sewage, schools, parks and other public requirements and to provide the economic and social advantages gained from a comprehensively planned use of land resources, there is hereby established a Land Use Plan for the County of Washoe.
- B. In interpretation and application, the provision of this ordinance shall be held to be minimum provisions only for the promotion of the health, safety, morals, convenience, property and general welfare of the public. It is not intended that this ordinance repeal or in any way interfere with existing law or ordinances, regulations or permits other than those relating to land use and the construction and use of structures.
- C. When this ordinance imposes a greater restriction upon the use of land, or upon height, bulk, location or use of buildings than is required by existing provisions of law or by private covenant or other restriction, the provisions of this ordinance shall prevail; private covenants or deed restrictions which impose more restrictive conditions than herein contained are not superseded by this ordinance.

ARTICLE 2 AUTHORITY

- A. This ordinance, to be known as the Land Use Ordinance of the County of Washoe, and the Land Use Plan of said County hereby made a part, are adopted as constituting a part of the Master Plan of the County of Washoe pursuant to the provisions of Chapter 278, Nevada Revised Statutes.

ARTICLE 3 DEFINITIONS

A. Certain words and phrases are defined and certain provisions shall be construed as herein set out unless it shall be apparent from the context that they have a different meaning. All words used in the present tense include the singular; all words in the singular include the plural; the word "building" includes the word "structure", the word "shall" is mandatory; the word "person" includes a "firm", "association", "corporation", "partnership", and "natural person"; the word "used" includes the words "arranged", "designed" or "intended to be used", the word "construct" includes the words "erect", "re-construct", "alter", "move in" and "move upon".

1. The following definitions shall apply:

Administrator: The Planning Director or other agent of the Planning Commission acting in a capacity as Zoning Administrator.

Alley: A public throughfare or way less than 30 feet wide, or a secondary means of access to abutting property.

Apartment House: Same as multiple dwelling.

Attic Story: Is any story situated wholly or partly in the roof, so designated, arranged, or built as to be used for business, storage, or habitation.

Auto Service Station: An area used exclusively for retail sales of fuels or oils, having storage tanks and pumps located thereon and including minor automotive repairs and washing, but not including body repairs or battery rebuilding.

Basement: Is that portion of a building between floor and ceiling, which is partly below and partly above grade (as defined in this Article,) but so located that the vertical distance from grade to the floor below is less than the vertical distance from grade to ceiling.

Billboard: An outdoor advertisement making a material or service known, such advertisement being remote from point of sale of such material or service.

Boarding (or rooming) House: A building or portion thereof (not a motel) where, for compensation, meals and/or lodging are provided for more than three guests.

Building: Any structure having a permanent foundation, a roof supported by columns or walls and used for the enclosure of persons, animals or chattels, but not including a trailer (mobile home), or tent.

Building, main: A building devoted to the principal use of the lot on which it is situated.

Building, accessory: A detached subordinate building, the use of which is incidental to that of the main building, or a potential main building.

Building, Accessory, Attached: An accessory building attached to the main building by a breezeway and/or common wall and which is designed and constructed in harmony with said main building. To be considered attached by a breezeway, the accessory building shall not be located more than 20 feet from the main building and the roof of the breezeway shall cover an area not less than 10 feet wide. The breezeway shall have a roof and be attached to and be a part of the accessory and main building.

Building Height: The vertical distance from the "Grade" to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitch or hip roof. Maximum heights are stated under the individual districts.

Building, setback: Distance between the property line and the nearest portion of a structure on the property.

Cellar: That portion of a building between floor and ceiling which is wholly or partly below grade (as defined in this Article) and so located that the vertical distance from grade to the floor below is equal to or greater than the vertical distance from grade to ceiling.

Child Care Facility: Any place, home, institution or establishment in which more than three children are received, cared for, or maintained for any period of time with or without compensation.

County: The unincorporated area of Washoe County, Nevada.

Club: A non-profit association of persons organized solely or primarily to render a service which is usually a commercial enterprise.

Dwelling:

- (a) Any building or portion thereof, used exclusively for residential purposes but shall not include hotels, clubs, boarding or rooming houses, fraternity or sorority houses, institutions or mobile homes.
- (b) Single Family - a building containing one kitchen, designed and/or used to house not more than one family, including necessary employees of such family.

- (c) Two-family - a building containing not more than two kitchens, designed and/or used to house not more than two families, living independently of each other, including necessary employees of each such family.
- (d) Multiple - a building designed and/or used to house three or more families, living independently of each other, including necessary employees of each such family.
- (e) Living unit - a building or portion thereof containing one kitchen designed and/or used to house not more than one family, including necessary employees of such family.

Family: One person living alone, or two or more persons related by blood, marriage, or legal adoption, or a group not exceeding four persons living as a single housekeeping unit.

Gaming: Any legally constituted gambling enterprise authorized under the Nevada State Law, other than slot machines when such machines are operated incidental to the conduct of a licensed retail business.

Garage:

- (a) Private - a space intended for or used by the private automobiles of families resident upon the lot.
- (b) Public - a building for the repair or storage or hire of motor vehicles.

Grade: (Adjacent Ground Elevation) is the lowest point of elevation of the finished surface of the ground between the exterior wall of a building and a point five feet (5') distant from said wall, or the lowest point of elevation of the finished surface of the ground between the exterior wall of a building and the property line if it is less than five feet (5') distant from said wall. In case walls are parallel to and within five feet (5') of a public sidewalk, alley or other public way, the grade shall be the elevation of the sidewalk, alley or public way.

Guest Building: A structure occupying an accessory position on a lot, which contains no cooking facilities, and is used exclusively for housing members of a single family or their non-paying guests. No reduction of side yards shall be allowed for this use regardless of other provisions of this ordinance.

Heliport: An area used by helicopter or by other steep gradient aircraft which area includes passenger and cargo facilities.

ties, maintenance and overhaul, fueling service, storage space, tie-down space, hangers and other accessory buildings and open spaces.

Helistops: An area on a roof or on the ground used by helicopters or steep gradient aircraft for the purpose of picking up or discharging passengers or cargo, but not including fueling service, maintenance or overhaul.

Hospital: A building used for accommodation of sick, injured or infirm persons, including clinics, sanitarium, convalescent and rest homes.

Hotel: A building occupied as a temporary residence of individuals, lodged with or without meals and where there are generally no provisions for cooking in any individual unit.

Junk Yard: Any space used for storage, abandonment or sale of junk, scrap material or similar waste, including the dismantling, demolition or abandonment of automobiles, other vehicles, machinery or parts.

Kitchen: A room used for cooking or the preparation of food.

Loading Space: An off-street space or berth on the same lot with a building or contiguous to a group of buildings for the temporary parking of vehicles while handling merchandise or materials.

Lot: A distinct part or parcel of land divided with the intent to transfer ownership or for building purposes and which abuts upon a permanent means of access.

- (a) Front line - narrowest lot dimension fronting on a street.
- (b) Width - distance between the side lot lines measured at right angles to the lot depth at a point midway between the front and rear line.
- (c) Depth - distance between the front and rear lot lines measured in the mean direction of the side lines.

Motel: Two or more accommodations for sleeping within a building used mainly by transients with an individual, private on-site parking area for each unit.

Parcel of land: Any unit or contiguous units of land in the possession of or recorded as the property of one person.

Parking Space: A permanently maintained space on a lot or parcel, suitable for the parking of one automobile; not less than 20 feet long by 8 feet wide and including

necessary maneuvering space.

Required Area: The net minimum area, exclusive of roadway easements, of a lot or parcel necessary to permit its use under the provisions of this ordinance and shall mean for the purpose of this ordinance.

- (a) Any lot shown as part of a subdivision recorded as a final plat in the manner provided by law, or
- (b) Any parcel of land separated as a lot prior to the adoption and effective date of the original Washoe County Land Use Ordinance, or the adoption of additional zoning districts.
- (c) Any lot or parcel of land which has a net minimum area not less than that required in the respective Land Use District.

Required Width: Shall mean:

- (a) The average width of a lot which is shown as part of a subdivision recorded as a final map; or
- (b) An average width of:
 - (1) One hundred and fifty feet in Land Use Zones A-2, A-4, E-5, and ME.
 - (2) One hundred and twenty feet in Land Use Zone A-1, and E-4.
 - (3) One hundred feet in Land Use Zones A-3, E-2, and E-3.
 - (4) Eighty feet in Land Use Zones E-1, and R-1b.
 - (5) Seventy feet in Land Use Zone R-1a.
 - (6) Fifty feet in any other Land Use Zone set forth in this ordinance.
- (c) The average width of a parcel of land which is not part of a recorded subdivision, provided that the person having right of possession of said parcel neither owns nor has right of possession of any contiguous parcel of property, and further provided that the deed or contract of sale, by which such property was defined, is dated prior to the effective date of the original Washoe County Land Use Ordinance.

Room: An unsubdivided portion of the interior of a dwelling, excluding bathrooms, kitchens, closets, hallways and porches.

School: An institution of learning which offers instruction in the several branches of learning required to be taught in the public schools of the State of Nevada.

Sign: Any advertisement making a material or service known, and located at the place of sale.

Story: Is that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a basement, cellar or unused underfloor space is more than six feet (6') above grade as defined herein for more than 50 per cent of the total perimeter or is more than twelve feet (12') above grade as defined herein at any point, such basement, cellar or unused underfloor space shall be considered as a story.

Street: A public throughfare 30 feet or more in width which affords a primary means of access to abutting property.

Structure: Any construction except a tent, trailer (mobile home) or vehicle.

Trailer Coach (mobile home): Any mobile home facility on wheels, so designed and contrived as to permit occupancy thereof for living or sleeping purposes.

Trailer Camp (park): Any lot or parcel used for parking of two or more trailers used for housekeeping, sleeping or living purposes as more particularly described in Washoe County Ordinance No. 35.

Yards: An open space on the same lot or parcel used with the building, extending from the building to the nearest lot line, to be unoccupied and unobstructed except as provided in Article 5.

- (a) Front - a yard lying between the main building and the front line and extending across the full width of the lot or parcel.
- (b) Side - a yard lying between the side lot line and the main building and extending from the front yard line to the rear yard line.
- (c) Rear - a yard between the main building and the rear line and extending across the full width of the lot or parcel.

ARTICLE 4 ESTABLISHMENT OF DISTRICTS

A. Districts: In order to classify, regulate, restrict, and

segregate the use of land; the location, use, bulk, height of structures; and to carry out the purposes of this ordinance, 22 Land Use Districts are hereby established as follows:

<u>AGRICULTURAL DISTRICTS</u>	<u>RESIDENTIAL DISTRICTS</u>	<u>NON-RESIDENTIAL DISTRICTS</u>
A-1 First Agricultural	E-1 First Estates	C-1 Limited commercial
A-2 Second Agricultural	E-2 Second Estates	
	E-3 Third Estates	
	E-4 Fourth Estates	
	E-5 Fifth Estates	
A-3 Suburban Farm Zone	R-1a Single Family	
A-4 Farm & Forestry	R-1b Single Family	C-2 General Commercial
		M-1 Industrial
	R-2 Two Family	M-E Industrial Estates
	R-2a Limited Multiple Town House	M-W Warehouse
		M-S Space Industrial
	R-3 Multiple	M-3 Open Use
	TR - Trailer	

B. Adoption of Districts: The several districts and boundaries thereof are hereby established and adopted as shown on those maps entitled "Land Use Plan Districts Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14, a part of the Master Plan of Washoe County, Nevada" which maps are on file in the office of the Regional Planning Commission and are hereby adopted by reference, incorporated herein and made a part hereof as if set forth in full together with all notations, references, date and other information thereon, and all subsequent changes and amendments thereto.

C. Determination of Districts: It is hereby declared that in the creation of this ordinance and inclusion of the Land Use Plan, the Board of County Commissioners has given due and careful consideration to the suitability of each District for the regulations applied thereto, and the location and extent of each District and the comprehensive grouping and

arrangement of the various uses and densities of population in accordance with a well considered plan for the development of the County of Washoe and its desirable relationship to adjoining jurisdiction.

- D. Interpretation of District Boundaries: Where uncertainty exists as to the boundaries of Land Use Districts, as shown, the following shall apply:
1. Boundaries are intended to parallel street lines or to follow lot or property lines as they exist at the time of passage of this ordinance or amendments hereto, unless specifically shown otherwise. Where a zone boundary line divides a lot in single ownership the regulations of the least restrictive portion of such lot shall prevail for an extension of not more than fifty feet into the most restrictive portion.
 2. In the event of further uncertainty, the Planning Commission shall interpret intent as to the boundary location.
- E. Vacated Rights of Way: In the event a dedicated street or alley is hereafter abandoned, the regulations applicable to abutting properties shall apply to that portion of such right of way vacated.
- F. Annotating District Boundary Changes: When a change to the Land Use Plan shall be approved by the Board of County Commissioners, each change shall incorporate a map clearly delineating the area or areas affected thereby and the land use classification to which such area or areas are thereby changed. Each map shall be certified by the Clerk of the Board of County Commissioners and delivered to the Regional Planning Commission who shall attach a true copy thereof to the appropriate district map which is a part of the Master Plan of Washoe County.

ARTICLE 5 GENERAL PROVISIONS

A. Accessory Buildings:

1. It shall be unlawful to construct, erect or locate in any residence, district, private garages or other accessory buildings without a permissive main building except: a temporary building may be constructed and occupied as a legal use pending the construction of a permanent use, providing such temporary building does not exceed 15 feet in height, be not larger than 450 square feet in floor area, and be at least 75 feet from the front lot line and not closer than 20 feet to the designated site of the final permanent structure. Further provided that no permit shall be issued for such temporary structure unless a permit also be issued at the same time for the permanent

building. If it be proposed to convert said temporary structure to a permissive accessory use upon completion of the main structure, said conversion shall occur upon completion of the final structure or be removed at that time or within a period of one year from the date of issuance of the original permit. A mobile home may be occupied as a legal use pending construction of a permanent residence providing no permit shall be issued for such mobile home, unless a permit also be issued at the same time for the permanent residence. Further provided that the permanent residence shall be completed and the mobile home removed within one year from date of building permit.

2. A detached accessory building, not exceeding 15 feet in height, may occupy not more than one-half of the total area of a rear yard providing no such accessory building shall be nearer than 5 feet to the rear and side property line nor closer than is provided herein to main buildings on the same or adjacent lots. In no event shall any detached accessory building occupy a front of any lot, except as provided in sub-section 4 of this section.
3. In case of a corner lot abutting two streets, no accessory building shall be erected so as to encroach upon the front half of such lots.
4. A detached accessory building, for use as a private garage, may be built to the street line on any interior lot where the slope of the front half of the lot is greater than two foot rise (or fall) for every 10 feet above or below the established street grade, provided such structure shall not exceed 8 feet in height.

B. Temporary Real Estate Offices and Signs:

1. Subdivision offices and Sales signs: In any agricultural or residential Land Use District, temporary real estate offices may be permitted within a subdivision, provided that the general real estate business shall not be conducted at such offices. Temporary signs, not to exceed in the aggregate four hundred square feet in size, may be permitted within a subdivision for the purpose of selling lots or houses within such subdivision. Such offices and signs shall be removed at such time as the original sales program has resulted in the sale of 90% of the lots in such subdivision or subdivisions.

C. Business telephone:

1. Business telephone service may be permitted in any agricultural or residential districts provided that the premises so served are not used for business storage, advertising, and provided that no employees outside the

immediate family use such premises.

D. Utility and Public Uses:

1. Utility and public uses, such as, water storage tanks and reservoirs, pumping and booster stations; electrical substations, boosters and conversion plants; television and radio transmitter towers and stations; microwave stations; and other similar public utility uses may be permissible in any agricultural or residential zone subject to the issuance of a Special Use Permit, reviewed by the Board of Adjustment.

E. Building Height:

1. Requirements of this ordinance shall not apply to church spires, belfries, cupolas, domes, chimneys, flues, or flagpoles, or to water towers, radio towers, and the like, except where such may be deemed a hazard.
2. Requirements of this ordinance shall not apply to parapet walls extending 4 feet or less above the limiting height of the building on which they rest, or to bulk heads, elevator towers, one-story penthouses, water tanks or similar structures, provided that the aggregate floor area of such structures is not greater than one-half of the total roof area.
3. Churches, schools and public buildings may exceed maximum height limitations of the respective Land Use District subject to the issuance of a Special Use Permit reviewed by the Board of Adjustment.

F. Area Regulations:

1. No lot or parcel shall be so reduced in areas as to be less in any dimension than is required by the requirements applicable to the Land Use District in which such lot is located.
2. No portion of any lot or parcel of land which is part of the required area for an existing building shall be used as a part of the required area of any other lot or parcel or proposed building. When a portion of any lot or parcel is sold or transferred and the area of that portion or the portion remaining no longer conforms to the required area as defined in the Land Use District in which such lot or parcel is located, the portion sold or transferred and the portion remaining shall be considered as one parcel only in determining the permissible number and location of buildings allowed to be placed on both parcels.

G. Yard Requirements:

1. No required yard or open space around an existing building or any building hereafter erected, shall be considered a yard or open space for any other building on an adjoining lot or parcel.
2. Where yards are required by this ordinance, they shall be open and unobstructed from the ground to the sky, except as provided in this article.
3. Front Yards:
 - (a) On through lots, either end lot line may be considered the front line, in which case the minimum rear yard shall not be less than the required front yard in the district in which such lot is located.
 - (b) There shall be no planting, fences, shrubbery, or other obstruction to vision more than 3 feet higher than curb level within 20 feet of the intersection of any two streets on any corner lot.
 - (c) On a corner lot, yards abutting streets shall be considered as front yards.
 - (d) Cornices, canopies, chimneys, eaves or other similar architectural features may extend into a required front yard not to exceed two (2) feet.
4. Side Yards:
 - (a) Outside stairs or landing places, if unroofed or unenclosed, may extend into a required side yard for a distance of not to exceed 3 feet.
 - (b) Cornices, canopies, chimneys, eaves or other similar architectural features may extend into a required side yard not to exceed two (2) feet.
5. Rear Yards:
 - (a) An outside stair or landing place, if unroofed or unenclosed, may extend into a rear yard for a distance of not to exceed 5 feet.
 - (b) Cornices, canopies, chimneys, eaves or other similar architectural features may extend into a required side yard not to exceed two (2) feet.
6. Walls or fences not over 6 feet in height may be erected on lot lines except in required front yard areas. Walls or fences not over 4 1/2 feet in height may be built anywhere on the lot, except as provided in sub-section 3-b hereof.

7. Any lighting facilities shall be so installed as to reflect away from adjoining properties.

H. Density Zoning:

1. Subject to issuance of a Special Use Permit following review by the Planning Commission and the filing of a tentative and final subdivision plat, variations in lot size and/or yard requirements may be made in A-1, A-2, A-3, A-4, E-1, E-2, E-3, E-4, E-5, R-1b and R-1a zones in subdivisions tentatively approved by the Regional Planning Commission so long as the total number of dwelling units in the proposed development does not exceed the number permitted under existing zoning.
2. The person seeking to use the Density Zoning provisions of this Ordinance shall first submit a tentative subdivision plat showing variations in lot size and/or yard requirements. After tentative plat approval, such person shall apply for a Special Use Permit pursuant to the provisions of this Ordinance based on the tentative plat. In addition to other conditions, the Special Use Permit shall be conditioned upon approval of the final subdivision plat.

I. Access:

1. Access ways for the purposes of this section shall be defined as ways dedicated to public use or secured by easement to the owner of the parcel proposed to be built upon for the full length extending to a suitable dedicated public way. Required width of access ways shall refer to the full dedicated or easement width, without reference to width of developed roadway within such width.
2. In non-subdivided areas where no official approved map is on file in the County Recorder's Office, an applicant for a building permit must demonstrate by title company report or other means acceptable to the Building Official the existence of a required access way before a building permit will be issued.
3. No commercial use will be permitted on any parcel of land not served by an access way at least 50 feet in width.
4. No dwelling construction will be permitted on any parcel of land not served by an access way as the same is set by the County Subdivision ordinances and regulations.
5. Five or more dwelling sites, each of at least a minimum required area, must be served by an access easement of 50 feet, or more, in width, or be served by a dedicated

public way. Not more than four dwelling sites, each of at least a minimum required area, must be served by an access easement of not less than 20 feet in width, subject to the following conditions:

- (a) That two copies of a map showing the proposed layout to scale, together with such supplementary information as may be deemed necessary by the Regional Planning Commission, have been submitted to be approved by the Regional Planning Commission prior to issuance of any building permit for such proposed construction.
- (b) That the gift, sale, trade or barter of any portion of the land on which a dwelling unit or units has been erected under the provisions of this Section resulting in a condition which does not meet the terms of this Section shall be considered a violation of this Ordinance.

AGRICULTURAL AND RESIDENCE DISTRICT PROVISIONS

ARTICLE 6 A-1 FIRST AGRICULTURAL

- A. Uses permitted on a lot or parcel of land having the required area and required width:
 - 1. Single family dwellings of a permanent nature, and accessory buildings and uses thereto.
 - 2. Stables.
 - 3. Farms for the raising or growing and marketing on a commercial scale of poultry, rabbits, livestock, tree and brush crops, nursery stock, field crops, but not including commercial slaughtering.
 - 4. Building for the sale and display of products grown and raised on the premises, provided no such buildings are situated closer than 50 feet to any property classified in a residential district, or closer than 30 feet to any street or highway.
 - 5. Building, corrals, coops, pens, stables or structures used in conjunction with farming, or ranching provided that they be located not closer than 100 feet to any street or highway, or to any public park or school, or to any land classified in a residential district.
 - 6. Overnight trailer campground facilities, including accessory facilities subject to the issuance of a Special Use Permit reviewed by the Board of Adjustment.
 - 7. (a) Educational uses and buildings, churches, temples, or other structures used exclusively for religious worship.

- (b) Tennis, golf course, ski resort, swimming, civic, cultural, country club and other similar recreational uses; including normal accessory uses (provided such accessory uses are incidental to the primary use of the property) on parcels of a minimum of 2 acres, subject to the issuance of a Special Use Permit reviewed by the Planning Commission.
8. One unlighted sign not exceeding 16 square feet in area, provided that such sign is located not closer than 10 feet to any street or highway and further provided that said sign pertains only to the sale, lease or hire of the premises of the products grown on the premises.
9. Dude or guest ranches if situated on a parcel of land having an area of five or more acres, provided that guest rooms or guest cottages do not have kitchen facilities in conjunction therewith.
10. Extraction of sand, gravel, topsoil and like earth products subject to the issuance of a Special Use Permit reviewed by the Board of Adjustment. Requirements for issuance of a Special Use Permit in addition to those specified in Article 36 of this Ordinance shall be as follows:
- (a) The applicant must submit a plan showing, among other things, area of development, stages of development and the condition of the site upon completion of work or exhaustion of sand, gravel, topsoil or like earth products. The plan shall be approved by the Board of Adjustment and the Board of County Commissioners. Compliance with the Plan shall be condition of the Special Use Permit.
- (b) The applicant must furnish a Performance Bond in an amount, as determined by the Washoe County Engineer, sufficient to insure performance of the conditions of the Special Use Permit.
11. Mining, including ore processing operations, subject to the issuance of a Special Use Permit reviewed by the Board of Adjustment.
12. Cemeteries and memorial parks and accessory uses such as mausoleums and crematoriums, subject to the issuance of a Special Use Permit reviewed by the Board of Adjustment. Requirements for consideration and issuance of a Special Use Permit in addition to those specified in Article 36 of this Ordinance shall be as follows:
- (a) The applicant shall submit a complete plan of the entire property showing design of gardens, buildings, streets, landscaping, parking, existing and/or final topography, development stages, adjacent uses, streets,

water courses, necessary screening, etc.

- (b) The applicant must submit a location map showing general uses, zoning and street pattern within one-half mile of subject property.
 - (c) The applicant must submit a financial statement indicating ability to proceed and names of all owners or developers concerned with the application.
 - (d) Applicants must submit a statement completely describing the type and use of the cemetery.
13. Marinas, including those normal accessory uses, provided such accessory uses are incidental to the primary use of the property as a marina, subject to the issuance of a Special Use Permit reviewed by the Board of Adjustment.
- B. Parking: One off-street parking space for each dwelling unit.
 - C. Accessory Buildings: A detached accessory building shall be located not closer than 20 feet to any main building on the same or adjoining lot.
 - D. Height Limitation: Two stories but not to exceed 35 feet.
 - E. Required Area and Width: One acre minimum area; 120 feet average width for each dwelling.
 - F. There may be one or more one-family dwellings on any lot or parcel having an area in excess of one acre, provided there is not less than one acre for each dwelling and that such structures be not less than 40 feet apart.
 - G. Yards: Except as provided in Article 5, yards shall be:
 - (a) Front - equal to the building line setback as set forth in Article 30, but in no event less than 30 feet.
 - (b) Side - ten percent of the average width of the lot or parcel, but in no event less than 12 feet. A lot or parcel having an average width of more than 120 feet frontage may have side yards of 12 feet, provided the total distance between main buildings is not less than 24 feet.
 - (c) Rear - not less than 40 feet.

ARTICLE 7 A-2 SECOND AGRICULTURAL

- A. Uses permitted on a lot or parcel having the required area and required width:

1. All uses permitted in Zone A-1. Uses requiring a Special Use Permit in zone A-1 also require a Special Use Permit in this zone.
- B. Parking: One off-street parking space for each dwelling unit.
- C. Accessory Buildings: A detached accessory building shall be located not closer than 20 feet to any main building on the same or adjoining lot.
- D. Height Limitation: Two stories but not to exceed 35 feet.
- E. Required Area and Width: Two and one-half acres minimum area; 150 feet average width for each dwelling.
- F. There may be one or more one-family dwellings on any lot or parcel having an area in excess of 2½ acres, provided there is not less than 2½ acres for each such dwelling and that such structures be not less than 40 feet apart.
- G. Yards: Except as provided in Article 5, yards shall be:
 - (a) Front - equal to the building line setback as set forth in Article 30, but in no event less than 30 feet.
 - (b) Side - ten percent of the average width of the lot or parcel, but in no event less than 15 feet. A lot or parcel having an average width of more than 150 feet frontage may have side yards of 15 feet, provided the total distance between main buildings is not less than 30 feet.
 - (c) Rear - not less than 40 feet.

ARTICLE 8 A-3 SUBURBAN FARM

- A. Uses permitted on a lot or parcel having the required area and the required width:
 1. All uses permitted in Zone A-1. Uses requiring a Special Use Permit in zone A-1 also require a Special Use Permit in this zone.
- B. Parking: One off-street parking space for each dwelling unit.
- C. Accessory Buildings: A detached accessory building shall be located not closer than 20 feet to any main building on the same or adjoining lot.
- D. Height Limitation: Two stories but not to exceed 35 feet.
- E. Required Area and Width: One-half acre minimum area; 100 feet average width for each dwelling.

- F. There may be one or more one-family dwellings on any lot or parcel having an area in excess of one-half acre, provided there is not less than one-half acre for each such dwelling and that such structures be not less than 40 feet apart.
- G. Yards: Except as provided in Article 5, yards shall be:
- (a) Front - equal to the building line setback as set forth in Article 30, but in no event less than 30 feet.
 - (b) Side - ten percent of the average width of the lot or parcel but in no event less than 10 feet. A lot or parcel having an average width of more than 100 feet frontage may have side yards of 10 feet, provided the total distance between main buildings is not less than 20 feet.
 - (c) Rear - not less than 40 feet.

ARTICLE 9 A-4 FARM AND FORESTRY

- A. Uses permitted on a lot or parcel having the required area and required width:
1. All uses permitted in Zone A-1. Uses requiring a Special Use Permit in Zone A-1 also require a Special Use Permit in this zone.
 2. Sanitaria, hunting and fishing and skiing lodges, golf courses, wild life refuges, game farms and public campgrounds (but not including trailer parks) provided that no enterprise or activity accessory to such uses and customarily carried on as a commercial enterprise or activity be permitted, and further provided that plans be subject to the issuance of a Special Use Permit by the Board of Adjustment.
 3. Highways and public utility maintenance camps.
 4. Sawmills, lumber camps and other enterprises for the production of forest products. Subject to the issuance of a Special Use Permit reviewed by the Planning Commission.
- B. Parking: One off-street parking space for each dwelling unit and adequate off street parking facilities for all other uses enumerated.
- C. Accessory Buildings: A detached accessory building shall be located not closer than 20 feet to any main building on the same or adjoining lot.
- D. Height Limitation: Two stories but not to exceed 35 feet.
- E. Required Area and Width: Five acres minimum area; 150 feet

average width for each dwelling.

- F. There may be one or more one-family dwellings on any lot or parcel having an area in excess of five acres, provided there is not less than five acres for each such dwelling and that such structures be not less than 40 feet apart.
- G. Yards: Except as provided in Article 5, yards shall be:
- (a) Front - equal to the building line setback as set forth in Article 30, but in no event less than 30 feet.
 - (b) Side - ten percent of the average width of the lot or parcel, but in no event less than 15 feet. A lot or parcel having an average width of more than 150 feet frontage may have side yards of 15 feet, provided the total distance between main buildings is not less than 30 feet.
 - (c) Rear - not less than 40 feet.

ARTICLE 10 E-1 FIRST ESTATES

- A. Uses permitted on a lot or parcel having the required area and required width:
1. Single family dwellings of a permanent nature.
 2. One detached guest building as defined in Article 3.
 3. Accessory uses customarily incident to the above uses and located on the same lot or parcel, including a private garage with capacity of not more than four automobiles; private stables, garden houses, playhouses, greenhouses, toolhouses, and hobby shops.
 4. Churches and places of religious worship and instruction; private golf, swimming, tennis and similar clubs, subject to the issuance of a Special Use Permit reviewed by the Board of Adjustment on lots or parcels of land having a minimum area of two acres.
 5. Child care facilities in which not more than three children other than those of the owner are cared for.
 6. Public parks and recreational areas.
 7. Schools (public) and other public institutions (except hospitals).
- B. Parking: One parking space for each dwelling unit; or adequate parking facilities for those uses enumerated in Section A, Subsection 4 of this Article.

- C. Accessory Buildings: A detached accessory building shall be located not closer than 20 feet to any main building on the same or adjoining lot or parcel.
- D. Height Limitation: Two stories, but not to exceed 30 feet.
- E. Required Area and Width: Fifteen thousand square feet minimum area; 80 feet average width for each dwelling.
- F. There may be one or more one-family dwellings on any lot or parcel having an area in excess of 15,000 square feet provided there is not less than 15,000 square feet of lot area for each such dwelling unit and that such structures be not less than 40 feet apart.
- G. Yards: Except as provided in Article 5, yards shall be:
 - (a) Front - equal to the building line setbacks as set forth in Article 30, but in no event less than 30 feet.
 - (b) Side - ten percent of the average width of the lot or parcel but in no event less than eight feet. A lot or parcel having an average width of more than eighty feet frontage may have side yards of eight feet provided the total distance between adjoining main buildings is not less than 16 feet.
 - (c) Rear - not less than 30 feet.

ARTICLE 11 E-2 SECOND ESTATES

- A. Uses permitted on a lot or parcel having the required area and required width:
 - 1. Any use permitted in the E-1 Zone. Uses requiring a Special Use Permit in zone E-1 also require a Special Use Permit in this zone.
- B. Parking: One off-street parking space for each dwelling unit and each guest unit; or adequate parking facilities for those uses requiring a Special Use Permit.
- C. Accessory Building: A detached accessory building shall be located not closer than 20 feet to any main building on the same or adjoining lot.
- D. Height Limitation: Two stories but not to exceed 30 feet.
- E. Required Area and Width: One-half acre minimum area; 100 feet average width for each dwelling unit.
- F. There may be one or more one-family dwellings on any lot or parcel having an area in excess of one-half acre, provided

there is not less than one-half acre for each dwelling unit and that such structures be not less than 40 feet apart.

G. Yards: Except as provided in Article 5, yards shall be:

- (a) Front - equal to the building line setback, as set forth in Article 30, but in no event less than 30 feet.
- (b) Side - ten percent of the average width of the lot or parcel but in no event less than ten feet. A lot or parcel having an average width of more than 100 feet frontage may have side yards of ten feet provided the total distance between adjoining main buildings is not less than 20 feet.
- (c) Rear - not less than 40 feet.

ARTICLE 12 E-3 THIRD ESTATES

A. Uses permitted on a lot or parcel having the required area and the required width:

- 1. Any use permitted in zone E-1. Uses requiring a Special Use Permit in zone E-1 also require a Special Use Permit in this zone.

B. Parking: One off-street parking space for each dwelling unit, and each guest unit; or adequate parking facilities for those uses requiring a Special Use Permit.

C. Accessory Buildings: A detached accessory building shall be located not closer than 20 feet to any main building on the same or adjoining lot or parcel.

D. Height Limitation: Two stories, but not to exceed 30 feet.

E. Required Area and Width: One acre minimum area; 120 feet average width for each dwelling.

F. There may be one or more one-family dwellings on any lot or parcel having an area in excess of one acre, provided there is not less than one acre for each such dwelling and that such structures be not less than 40 feet apart.

G. Yards: Except as provided in Article 5, yards shall be:

- (a) Front - equal to the building line setback as set forth in Article 30, but in no event less than 30 feet.
- (b) Side - ten percent of the average width of the lot or parcel, but in no event less than 12 feet. A

lot or parcel having an average width of more than 120 feet frontage may have side yards of 12 feet, provided the total distance between main buildings is not less than 24 feet.

(c) Rear - not less than 40 feet.

ARTICLE 13 E-4 FOURTH ESTATES

- A. Uses permitted on a lot or parcel having the required area and the required width.
1. Any use permitted in zone E-1. Uses requiring a Special Use Permit in zone E-1 also require a Special Use Permit in this zone.
- B. Parking: One off-street parking space for each dwelling unit, and each guest unit; or adequate parking facilities for those uses requiring a Special Use Permit.
- C. Accessory Buildings: A detached accessory building shall be located not closer than 20 feet to any main building on the same or adjoining lot or parcel.
- D. Height Limitation: Two stories but not to exceed 35 feet.
- E. Required area and width: Two and one-half acres minimum area; 150 feet average width for each dwelling unit.
- F. There may be one or more one-family dwellings on any lot or parcel having an area in excess of $2\frac{1}{2}$ acres, provided there is not less than $2\frac{1}{2}$ acres for each such dwelling and that such structures be not less than 40 feet apart.
- G. Yards: Except as provided in Article 5, yards shall be:
- (a) Front - equal to the building line setback as set forth in Article 30, but in no event less than 30 feet.
- (b) Side - ten percent of the average width of the lot or parcel, but in no event less than 15 feet. A lot or parcel having an average width of more than 150 feet frontage may have side yards of 15 feet, provided the total distance between main buildings is not less than 30 feet.
- (c) Rear - not less than 40 feet.

ARTICLE 14 E-5 FIFTH ESTATES

- A. Uses permitted on a lot or parcel having the required area and the required width.

1. Any use permitted in zone E-1. Uses requiring a Special Use Permit in zone E-1 also require a Special Use Permit in this zone.
- B. Parking: One off-street parking space for each dwelling unit and each guest unit or adequate parking facilities for those uses requiring a Special Use Permit.
- C. Accessory Buildings: A detached accessory building shall be located not closer than 20 feet to any main building on the same or adjoining lot or parcel.
- D. Height Limitation: Two stories but not to exceed 35 feet.
- E. Required area and width: Five acres minimum area; 120 feet average width for each dwelling.
- F. There may be one or more one-family dwellings on any lot or parcel having an area in excess of five acres, provided there is not less than five acres for each such dwelling and that such structures be not less than 40 feet apart.

ARTICLE 15 R-1a SINGLE FAMILY

- A. Uses permitted on a lot or parcel having the required area and required width:
 1. Single family dwellings of a permanent nature.
 2. Public parks and recreational areas.
 3. Churches, public and religious schools and other public institutions, (but not including hospitals) subject to the issuance of a Special Use Permit reviewed by the Board of Adjustment.
 4. Child care facilities in which not more than three children, other than those of the owner are cared for.
 5. Accessory uses customarily incident to the above uses, when located on the same lot or parcel, including a private garage with capacity of not more than three automobiles, garden houses and play houses.
- B. Parking: One off-street parking space for each dwelling unit; or adequate parking facilities for those uses enumerated in Section A, sub-section 3 of this Article.
- C. Accessory Buildings: A detached accessory building shall be located not closer than 15 feet to any main building on an adjoining lot or parcel, and not closer than 10 feet to any building on the same lot or parcel.
- D. Height Limitation: Two stories, but not to exceed 30 feet.

- E. Required Area and Width: Nine thousand square feet minimum area; 70 feet average width for each dwelling.
- F. There may be one or more one-family dwellings on any lot or parcel having an area in excess of 9,000 square feet, provided there is not less than 9,000 square feet for each such dwelling unit and that such structures be not less than 25 feet apart.
- G. Yards: Except as provided in Article 5, yards shall be:
- (a) Front - equal to the building line setback as set forth in Article 30, but in no event less than 20 feet.
 - (b) Side - ten percent of the average width of the lot or parcel but in no event less than five feet. A lot or parcel having an average width of more than 70 feet frontage may have side yards of seven feet provided the total distance between adjoining main buildings is not less than 14 feet.
 - (c) Rear - not less than 20 feet.

ARTICLE 16 R-1b SINGLE FAMILY

- A. Uses permitted on a lot or parcel having the required area and required width:
1. Any use permitted in zone R-1a. Uses requiring a Special Use Permit in zone R-1a also require a Special Use Permit in this zone.
 2. One detached guest building as defined in Article 3.
 3. Accessory uses customarily incident to the above uses and located on the same lot or parcel, including a private garage with capacity of not more than four automobiles; private stables, garden houses, playhouses, greenhouses, toolhouses and hobbyshops.
 4. Churches and places of religious worship and instruction; private golf course, swimming, tennis and similar clubs, subject to the issuance of a Special Use Permit reviewed by the Board of Adjustment on lots or parcels of land having a minimum of two acres.
 5. Child care facilities in which not more than three children other than those of the owner are cared for.
 6. Public parks and recreation areas.
 7. Schools (public) and other public institutions (except hospitals).

- B. Parking: One off-street parking space for each dwelling unit and each guest unit; or adequate parking facilities for those uses enumerated in Section A, sub-section 4 of this Article.
- C. Accessory Buildings: A detached accessory building shall be located not closer than 20 feet to any main building on the same or adjoining lot or parcel.
- D. Height Limitation: Two stories, but not to exceed 30 feet.
- E. Required Area and Width: Twelve thousand square feet minimum area; 80 feet average width for each dwelling.
- F. There may be one or more one-family dwellings on any lot or parcel having an area in excess of 12,000 square feet provided there is not less than 12,000 square feet of lot area for each such dwelling unit and that such structures be not less than 40 feet apart.
- G. Yards: Except as provided in Article 5, yards shall be:
 - (a) Front - equal to the building line setback as set forth in Article 30, but in no event less than 20 feet.
 - (b) Side - ten percent of the average width of the lot or parcel but in no event less than eight feet. A lot or parcel having an average width of more than 80 feet frontage may have side yards of eight feet provided the total distance between adjoining main buildings is not less than 16 feet.
 - (c) Rear - not less than 20 feet.

ARTICLE 17 R-2 LIMITED MULTIPLE

- A. Uses permitted on a lot or parcel having the required area and required width:
 1. All uses permitted in the R-1 District.
 2. Apartments.
 3. Churches, places of religious worship and religious schools.
 4. Accessory uses incident to the above uses and located on the same lot or parcel, including a private garage with a capacity of not more than two automobiles for each dwelling unit.
 5. Trailer parks subject to issuance of a Special Use Permit reviewed by the Board of Adjustment.
- B. Parking: One and one-half off-street parking spaces for each

dwelling unit.

- C. Accessory Buildings: A detached accessory building shall be located not closer than 10 feet to any main building on the same or adjoining lot.
- D. Height Limitation: Two stories, but not to exceed 30 feet.
- E. Required Area and Width: Nine thousand square feet minimum area; 50 feet average width. Minimum lot area per dwelling unit or trailer park unit 3,000 square feet.
- F. There may be one or more dwelling units on a lot or parcel having an area in excess of 9,000 square feet, provided there is not less than 3,000 square feet of lot area for each such dwelling unit.
- G. Yards: Except as provided in Article 5, yards shall be:
 - (a) Front - equal to the building line setback as set forth in Article 30, but in no event less than 15 feet.
 - (b) Side - ten percent of the average width of the lot or parcel but in no event less than five feet. A lot or parcel having an average width of 100 feet frontage or more may have side yards of ten feet.
 - (c) Rear - not less than 20 feet.

ARTICLE 18 R-2a LIMITED MULTIPLE - TOWN HOUSE

- A. Uses permitted on a lot or parcel having the required area and required width:
 - 1. All uses permitted in the R-1 district.
 - 2. Town house development at a maximum overall density of 12 units per acre per project, subject to:
 - (a) Filing of tentative and final subdivision plat.
 - (b) Issuance of Special Use Permit reviewed by the Planning Commission.
- B. Parking: Two off-street parking spaces for each dwelling unit.

- C. Accessory Buildings: Same as R-2 zone.
- D. Height Limitations: Same as R-2 zone.
- E. Required Area:
 1. For overall town house development - 1 acre minimum.
 2. For individual parcels within such town house development that area covered by each individual unit, and may include garage, carport and/or patio.
- F. Yards: Except as provided in Article 5, yards shall be:
 - (a) Front - equal to the building line setback as set forth in Article 30, but in no event less than 15 feet.
 - (b) Side - a. Same as R-2.
b. None between individual town house units.
 - (c) Rear - Same as R-2.

ARTICLE 19 R-3 MULTIPLE

- A. Uses permitted on a lot or parcel having the required area and required width:
 1. All uses permitted in the R-1 and R-2 districts.
 2. R-2a uses subject to the requirements of the R-2a district.
 3. Private clubs and lodges, fraternity and sorority houses, hospitals, institutions and rest homes.
 4. Education and philanthropic institutions.
 5. Garden apartments, bungalows, boarding and rooming houses and other limited multiple uses.
 6. Hotels, motels and trailer parks subject to the following requirements:
 - (a) Not less than 2 acres minimum lot size with a minimum average width of 100 feet.
 - (b) Issuance of a Special Use Permit reviewed by the Board of Adjustment.
 7. The following office uses: Abstractors, Accountants, Dentist, Doctor, Insurance, Optometrist, Real Estate, other similar office uses with no retail activity, display, merchandise or storage.

8. Specific uses, such as: Answering service, art museum, art gallery, art and music schools, asylum, athletic club, blind peoples home, business colleges, charitable institutions, child care facilities, conservatories, interior decorator studio, radio stations (no antennae), savings and loan association, telephone exchange, television station (no antennae).
9. Accessory uses customarily incident to the above.
10. Marinas, including those normal accessory uses, provided such accessory uses are incidental to the primary use of the property as a marina, subject to the issuance of a Special Use Permit reviewed by the Board of Adjustment.
11. Parking lots subject to the issuance of a Special Use Permit reviewed by the Board of Adjustment.

B. Parking:

1. One off-street parking space for each dwelling unit, trailer court unit, motel suite.
2. Hotels shall provide at least one off-street space for each suite plus one space for each 500 square feet of non-residential building space, excluding halls.
3. Places of public assembly, public and semi-public uses, general office and office buildings shall provide one off-street parking space for each two hundred and fifty square feet of gross floor area, excluding hallways, rest-room facilities, entry ways, elevator shafts, and stairwells.
4. Medical or dental clinics or offices shall provide five spaces for each doctor or dentist.
5. Convalescent hospitals or nursing homes shall provide one off-street parking space for each staff doctor, one off-street parking space for each three employees, and one off-street parking space for each ten beds.
6. The Board of Adjustment may make exceptions to any of the above requirements after public hearing if undue hardship is created; or it can be shown that suitable and alternate facilities can be provided within 500 feet of the subject property which will not unduly or adversely affect the uses of nearby properties.

C. Accessory Buildings: A detached accessory building shall be located not closer than 20 feet to any main building on the same or adjoining lot.

D. Height Limitation: None

- E. Required Area and Width: 6,000 square feet minimum area; 50 feet average width. Minimum lot area per dwelling unit, trailer park unit or hotel or motel unit, 2,000 square feet.
- F. Yards: Except as provided in Article 5, yards shall be:
- (a) Front - equal to the building line setback as set forth in Article 30, but in no event less than 15 feet.
 - (b) Side - ten percent of the average width of the lot or parcel but in no event less than five feet. A lot or parcel having an average width of 100 feet frontage or more may have side yards of ten feet.
 - (b) Rear - not less than 20 feet.
- G. Advertising: Advertising signs shall be subject to the issuance of a Special Use Permit, reviewed by the Board of Adjustment.

ARTICLE 20 TR - TRAILER

- A. Uses permitted on a lot or parcel having the required area and required width:
- 1. One single family trailer coach, subject to the provisions of the underlying zone.
 - 2. All uses permitted in the zone underlying the TR overlay indication.
- B. Parking: Same as underlying zone regulations.
- C. Accessory Buildings: Same as underlying zone regulations.
- D. Height: Same as underlying zone regulations.
- E. Required Area and Width: Same as underlying zone regulations.
- F. Yards: Same as underlying zone regulations.

ARTICLE 21 GENERAL NON-RESIDENTIAL DISTRICT PROVISIONS

- A. Residence in Commercial Districts: All uses or buildings permissive in the Residential Districts are also permissive in C-1 and C-2 Districts provided such are established in accordance with yard and parking requirements of the R-3 zone. Yard requirements may be waived for dwelling units erected above the ground floor when said ground floor of a building is designed and used exclusively for commercial purposes.
- B. Off-street Loading: In order to avoid undue interference

with the public use of streets or alleys, there shall be provided and maintained adequate off-street space for standing, loading, or unloading for those uses involving receipt and distribution of vehicles or merchandise and materials. Each such space shall be 10 feet by 45 feet with a 14 foot height clearance. For a building containing less than 3,000 feet of gross floor area, a combined parking and loading area shall be acceptable.

- C. Glare: Except in processes of construction, glare from arc welding, acetylene torch cutting or similar activity shall be performed so as not to be seen from any point outside the property on which said work is being performed.
- D. Side and Rear Yards: When a non-resident lot or parcel is contiguous to the boundary line of a residence or agricultural lot or parcel, any side or rear yard which is so adjacent to said residence or agricultural lot or parcel, shall have a minimum width of 10 feet.
- E.
 1. Smoke: Shall be controlled as to provide proper safeguards for the public health, safety and general welfare and in whatever manner as further provided by other county ordinances.
 2. Odor: The emission of obnoxious odors of any kind shall not be permitted.
 3. Gas: No gas shall be emitted which is deleterious to the public health, safety or general welfare.
- F. Open Storage: Storage of lumber, coal or other combustibles shall not be less than 10 feet from any interior lot line and a suitable roadway from the street to the rear of the property shall be provided, maintained and kept open at all times. No merchandise shall be displayed nor any business conducted between the street line and building line in any district.
- G. Fire Hazards: Storage and handling of inflammable liquids, liquified petroleum and explosives shall comply with all State rules and regulations as well as those of the County. Bulk storage of inflammable liquids, liquid petroleum, gases and explosives above ground shall be unlawful in all districts, except gasoline and lubricating or fuel oil. Storage below ground shall be permissive in M-1 Districts upon Special Use Permit and provided all tanks shall be located not closer to the property line than the greatest depth to the bottom of the tank.

NON-RESIDENTIAL DISTRICT PROVISIONS

ARTICLE 22 C-1 LIMITED COMMERCIAL

A. Uses permitted on a lot or parcel having the required width:

1. Any uses permitted in residential districts, subject to any provisions of Article 21, excepting trailer courts.
2. R-2a uses subject to the requirements of the R-2a district.
3. Stores and shops for the conduct of retail business.
4. Business and professional offices.
5. (a) Specific uses such as:

Retail sale of new appliances, artificial limbs, art supplies, automobiles (including accessory uses such as body & paint shops and outdoor used car sales), automobile parts and accessories, beverages, bicycles and bicycle parts and accessories, bible supplies, books, boots and shoes, bronzes, burglar alarm systems, business machines, cameras and film, candles, candy, carpets and rugs, ceramics, christmas trees, church supplies, clocks, clothing, confections, crockery, curios, dairy products, dental supplies, drugs, dry goods, electrical goods, electronic equipment, filing equipment and supplies, fire protection equipment and supplies, fish food, flowers, food and food products, fruit and vegetables, furniture (new and/or genuine antique), furs, gasoline, groceries, guns, hardware, hats, health food products, hearing aids, herbs, hospital and surgical supplies, ice cream, imported goods, Indian goods, instruments (musical), instruments (professional-scientific), jewelry, liquor, magazines, meats, model construction supplies, motor vehicles, motorcycles, newspapers, notions, nuts (edible), office furniture, paints (no mixing or manufacturing), paintings, pastries, perfume, porcelain, poultry (dressed), produce, radios, riding equipment, safes, seed, sewing machines, shoes, soft drinks, sporting goods, stationery, television sets, tobacco, toys.

(b) The following agency uses:

Advertising, airplane broker (no merchandise on premises), bakery, cleaning & dyeing, collection detective, employment, laundry, messenger service, real estate, travel.

(c) The following shops:

Antiques (genuine), baby apparel, barber and/or beauty, butcher, curio, dressmaking, embroidery furrier, garden, gift, hobby, key, knit, locksmiths, millinery, radio service or repair, retail

shops, shoe repair, tailor, tobacco, watch repair, yarn.

- Billing*
- (d) addressing & mailing service, advertising distribution, airline company office, ambulance service office, amusement devices services, architect and engineering supplies, armored car service office, art store, art studio or school, artist (commercial), assaying, astrology parlor, auto court, automobile parking lot, automobile filling station, bank, bicycle rental, filing service, blood bank, bonding company, brokerage house, business school, cafe or restaurant (no dancing, gaming or entertainment), cafeteria, caterer, chemist (analytical & consulting), clairvoyance (establishment for), clinic, club (super), coin operated dry cleaning establishment, costume rental, credit bureau, decorators studio, delicatessen, delivery service, dental laboratory, department store, dining room (public), dispensary, drive-in lunch stand (car service), drive-in market, dry cleaning establishment (coin operated), electric light and power company office, filling station, finance company, financial institution, fine arts gallery, florist, florist greenhouse and nursery (stock raising only), fortune telling, greenhouse (commercial), gunsmith, hand laundry, hat cleaning and blocking (retail), health center, hotel, ice cream delivery service, ice delivery service, ice cream parlor, interior decorator, labor union office, launderette (coin operated), laundry (garments, hand only), library (circulating, commercial), lunch room, market (stocks and bonds), messenger service, milk bar, motel, motion picture theatre (indoor), music house, music store, music studio or school, news stand, novelty store, nursery (stock raising), optician, paint store (no mixing or manufacturing), palmistry establishment, parking lot (commercial), photographic studio, public stenographer and notary, refreshment stand, resort hotel restaurant, shoe shining stand, soft drink stand, soda fountain, sponging and pressing (no dry cleaning or power driven laundry), stamp dealer, steamship agency office, tailor (no factory), taxi cab stand, tea room, telegraph office, theatre (indoor), tourist court, trading stamp redemption store, variety store, water proofing equipment (retail), weaving (handicraft), X-ray operator, yarn shop.

6. Accessory uses customarily incident to the above uses.

B. Conditions under which above uses may be established:

1. Issuance of a Special Use Permit reviewed by the Board

of Adjustment.

2. No used or second hand goods or merchandise other than genuine antiques be sold or displayed.
3. All goods sold, offered for sale or displayed be kept within a building.
4. No live animals shall be kept or slaughtered on the premises.

C. Uses prohibited:

1. Trailer Courts.

D. Parking: One off-street parking space for:

1. Each 1,000 square feet of gross floor area used for commercial or office purposes.
2. Each motel or hotel unit.
3. Each service or delivery vehicle.

E. Advertising: Advertising signs shall be considered as part of plans submitted for issuance of a Special Use Permit.

F. Height Limitation: Two stories but not to exceed 35 feet.

G. Required Width: Fifty feet average.

H. Yards: Except as provided in Article 5, yards shall be:

- (a) Front - equal to the building line setback as set forth in Article 30, but in no event less than 10 feet.
- (b) Side - none except as provided in Article 21.
- (c) Rear - ten feet except on lots or parcels bounded by an alley.

ARTICLE 23 C-2 GENERAL COMMERCIAL

A. Uses permitted on a lot or parcel having the required width:

1. Any use permitted in the C-1 zone.
2. R-2a uses subject to the requirements of the R-2a district.
3. Stores and shops for the conduct of wholesale business including the sale of used merchandise.
4. Specific uses such as the following:

(a) The following uses within a building:

Accoustical material (retail & wholesale), air conditioning equipment (retail, wholesale & service), airplanes (retail & wholesale), ambulance service garage, amphitheatre, amusement arcade, animal hospital, aquarium, arena (boxing), armored car service garage, army-navy goods store (surplus), artificial flowers (wholesale), asbestos products (retail-wholesale), athletic equipment (wholesale), auction shop, auditorium, automobile accessories and parts, automobile and bus storage garage, automobile court, automobile laundry, automobile repair (no body repair), aviary, awning and canvas shop, ball room, ball bearing (retail and wholesale), bar, barber shop supplies (wholesale), bath house or plunge, bathroom accessories (wholesale), beauty shop supplies (retail, wholesale), beer & ale (wholesale), bicycle repair, bicycle (wholesale), billiard or pool hall, bird hospital, blueprinting, boats (retail, wholesale & repair), book bindery, book publishing, books (sale of used), boots & shoes (wholesale), bottling plant (soft drinks), bowling alley, braces (orthopedic - wholesale), brooder house, building supplies, business machine service, bus line shops, candy (wholesale), canvas shop, car wash, carpet cleaning (soap & water, no mechanical beating), carpet & rug (service & wholesale), chairs (physiotherapy-wholesale), chickens (sale of), chicken hatchery, chocolate and cocoa products (wholesale), cider and vinegar (wholesale, clocks (wholesale), clothing sales (new & used), clothing (cleaning, dyeing, & processing), clothing (wholesale), club (supper & amusement), coffee (wholesale), cocktail lounge, coin machine (service & wholesale), coliseum, compressor air service, confection (wholesale), convention building, convenience ice boxes ("mijit marts"), cosmetics (wholesale), cotton yarn (wholesale), dairy equipment and supplies (wholesale and retail), dancing academy or school, dancing (public ball room), decorator workshop, dental supplies (wholesale), diaper service, display designer, distiller (wholesale), drugs (wholesale), dry cleaning plants (non-inflammable cleaning agents), dry goods (wholesale), dyeing of yarns (accessory to retail shop), electrical appliances (service & wholesale), electrical contractor, electronic equipment (wholesale), elevator (wholesale, retail & service), embalming, enameling and painting shop, engine rebuilding, engine service, engraver, equipment rental, exhibition building, express office, extermination or fumigation service, exterminating insect poison (wholesale & retail), feed sales, filing equipment, and supplies (wholesale), film exchange,

fire protection equipment and supplies (wholesale), floor materials (service & wholesale), food products (broker & distributor), freight office, funeral parlor, fur products (wholesale), furnaces (wholesale), furniture re-upholstering and re-building and/or redecorating, furniture (sale of used), furniture storage & repair, furniture (wholesale), fumigation service, gaming, garage (public), glass (wholesale), glass cutting and staining (with retail sales), groceries (wholesale), guns (service & wholesale), gymnasium, hardware store, hardware (wholesale, hay & grain sales, health food products (wholesale), heating and ventilating equipment and supplies (retail, wholesale & service), hotel equipment and supplies (wholesale), interior decorator workshop, janitor and building cleaning services, juice manufacturing & bottling (incidental to retail sales), laboratory (experimental or scientific), lapidary, lawn & yard service, laundry, laundry equipment and supplies (retail, wholesale, service), leather goods (sale and incidental manufacturing), leather goods (wholesale), limb (artificial, wholesale), linoleum (wholesale), liquor (wholesale), lithographer, loan or pawn shop, lockers (food storage), loft building, machines (rental), machine tools (wholesale, retail), massage parlor, medical appliances (wholesale), mineral water (distillation & bottling), model construction supplies, monuments (sale of), mortuary, motion picture equipment (wholesale), motorcycle repair, motor vehicle (sale & display of used), multi-graphing, musical instrument service, news dealer, newspaper printing office, night club, novelties (wholesale), old gold (second hand dealer), optical glass grinding, optical goods (wholesale), paint shop, paper hanger, pawn broker, pet shop, photo engraver, photo finishing (wholesale), photographic equipment and supplies (wholesale), photostat print shop, picture framing, plastic & plastic products (wholesale & retail), plumbing equipment (wholesale), plumbing shop, pool hall, poster illustration workshop, poultry hatchery, poultry supplies (wholesale), printer and/or publisher, printer equipment & supplies (wholesale), produce (wholesale), publishing company, pumps (wholesale & retail & service), radio (service & wholesale), rags (wholesale), reducing salon, refrigeration equipment (service and wholesale), restaurant equipment & supplies (service & wholesale), riding equipment (wholesale), rubber (wholesale), saddle making & sales, safe (service & wholesale), salvation army (retail & wholesale), sanitarium, scales (commercial, wholesale & retail), school equipment & supplies (wholesale), seafood (wholesale), second hand store (no junk yards), seed company (wholesale), service enterprises of all

kinds, service station equipment (retail & wholesale), sewing machine service, shoe repairing equipment (retail & wholesale), sight-seeing tour (garage & depot), sign painting, signs (bill boards), skating rinks, soda fountain supplies (retail & wholesale), sports arena, sporting goods (wholesale), sterilizing service, stores (wholesale unless otherwise classified), stove and range (service & wholesale), surgical supplies (wholesale & retail), tavern, taxicab garage, taxidermist, terminal (bus or train), theatre, tire shop (automobile), tobacco (wholesale), tombstone (sale of), tools (wholesale), towel & linen service, toys (wholesale), trade school, undertaking parlor (no crematory or interment), upholsterer, used merchandise sales, veterinarian, vocational school, wholesale & retail businesses.

(b) The following uses:

Amusement park, archery range, athletic field, automobile rental, automobile sales (used), bill boards, drive-in theatre, golf (miniature), golf driving range, heliport, helistop, nursery, outdoor theatre, stadium, swimming pool (commercial), tennis court (commercial), trailers (sale & service), trampoline center, used car sales lot.

5. Accessory uses customarily incident to the above uses.

6. Trailer Parks (courts) subject to issuance of a Special Use Permit reviewed by the Board of Adjustment.

B. Parking: One off-street parking space for:

1. Each 1,000 sq. ft. of gross floor area used for commercial or office purposes.

2. Each motel, hotel, or trailer court unit.

3. Each five seats in any theater or sports arena.

4. Each service or delivery vehicle.

C. Height Limitation: None.

D. Required Width: Fifty feet average.

E. Yards: Except as provided in Article 5, yards shall be:

(a) Front - equal to the building line setback as set forth in Article 30.

(b) Side - none, except as provided in Article 21.

- (c) Rear - ten feet, except on lots or parcels bounded by an alley.

ARTICLE 24 M-1 INDUSTRIAL

A. Uses permitted on a lot or parcel having the required width:

1. All uses permitted in any commercial zone, except those uses listed in Section C of this Article.
2. Manufacturing, processing, assembly and fabrication uses.
3. Storage warehouses and storage of the following:

Automobiles, boats, bottles, boxes and crates, building materials, burial vaults, coal, contractors equipment and materials, cotton, equipment, farm products, fertilizer (sacked), fruit, liquor, lumber, metals, paint, petroleum products, pipe, plumbing materials, poles, textiles, tobacco, wine, woolen goods.

4. Manufacturing of the following:

Abrasives, acoustical materials, advertising displays, agricultural implements, air conditioning equipment, airplanes, aluminum products, amusement devices, artificial flowers, artificial limbs, athletic equipment, autos, auto parts, awnings, bags, ball bearings, barber supplies, barrels, bathroom accessories, batteries, beds, beauty shop equipment, belting, beverages (malt & spirit), bleaching compounds, blueing, bolts and nuts, boots and shoes, bottle caps and seals, bottles, boxes and crates, braces (orthopedic), brake lining, brooms, brushes, burlap, burial vaults, business machines, butchers supplies, butter and cheese, button coverings (fabrics), calcimine, candles, candies, cans, canvas goods, caps and hats, carbonic ice, cars (railroad), carpets and rugs, casket making, casein, celluloid and cellulose, ceramic products, chocolate and cocoa, cider and vinegar, clay, cleaning compounds, clothing, coin machines, compressors (air), condensed milk, confections, conveyor, cotton seed oil, cotton wadding, cotton yard, crockery, dairy products, dairy products equipment & supplies, dental supplies, dextrine, disinfectant, dolls, door opening devices, doors, door sash and trim, drawing materials, draperies, drugs, dyes (other than coal tar products), electric signs, electrical appliances, elevators, emery cloth and sandpaper, engines, envelopes, excelsior, farm implements and machinery, felt products, fences, filing equipment and supplies, filters, fire clay products, fireproofing materials, fire protection equipment & supplies, flags and banners, floor materials, floor polish & wax, food products, furnaces, furniture, garment, generator, gloves, graphites, grease, gum, gun cotton, guns, gypsum products,

hair products, hardware, hats, health food products, hearing-aids, heating & ventilating equipment, hoist equipment, horseradish, hoses, hospital equipment and supplies, hotel equipment & supplies, industrial equipment, insulation materials, jewelry, juices, kindling, knitting mills, lath, lawn furniture, lawn mowers, leather (artificial or synthetic), linen goods, lineoleum, loose leaf books, machine tools, matches, mail boxes, milk (condensed), millwork, mining machinery, mirrors, model construction supplies, molasses, motors, motion picture equipment, motorcycles, music instruments, nails, needles & pins, notions, novelties, oil burners, oil cloth, optical goods, paint equipment & supplies, paper, paper products, patent medicine, pencils, perfume, phenol, phonographs, phonograph records, photographic equipment & supplies, pipe fittings, plastic & plastic products, plumbing fixtures, poles, printer equipment & supplies, pumice, pumping plant (oil), pumps, quilts, radios, refrigeration equipment, restaurant equipment & supplies, rivets, roofing materials, rubber cement, rugs, safes, sash & door, sand-paper, scales, scaffold, scientific instruments, school equipment & supplies, screens, screws and bolts, septic tank retail & wholesale, service station equipment, sewing machines, shingle mill shoddy, shoe repairing equipment, shoes, sign repair & service, slip covers custom, soaps, soda ashes, soda compound, soda fountain supplies, soda water, sodium glutamate, soy bean oil, spices, sporting goods, springs, stairs, stamps (rubber or metal), starches, statuary, stencils, stoves & ranges, straw board, surgical supplies, sweeping compounds, syrup & preserves, tacks, televisions, television parts, tents & awnings, terra cotta storage, tiles, tin products, tinfoil, tobacco, tombstones, tools, tortillas, toys, trailers, trucks, trusses, type (printers), vacuum cleaners, venetian blinds, wall boards, wallpaper, washing machines, waterproofing materials, waxes, weatherstripping, window glass, window shades, wood working equipment services, X-ray equipment.

5. Specific uses such as the following:

Absorption plants, agricultural tillage contractor, air express & freight offices or depots, airplane services, animal boarding, animal breeding, animal kennels, animal pounds, animal training, arena (sports), assembly plants, athletic field (commercial), auto body repair, auto assemblies, cleaning baggage, baggage and transfer storage warehouse, bakeries, bottling beverages (malt & spirit), bicycle race tracks, blacksmith shops, boat buildings, bottles (collecting, storage or sorting), bottle washing, breweries, bronze, building materials, burial vaults (storage of), storage yard & sales (new), cabinet shops, canneries, car loading docks, carpet cleaning, cement contractor yards, cemetaries, cesspool cleaning yards, chromium plating, cleaning & dyeing, clock factories,

cloth weaving & spinning, coffee roasting & packaging, cold storage plants, construction equipment & supplies, contractors equipment & supplies, contractors plant, concrete batching or "ready mix" plants, cooperative works, cosmetics plants, cotton spinning & weaving, crane storage yards, crating & hauling depots, creameries, crematories, crop dusting equipment yards, decorator workshop & equipment yards, die casting shops, distillation of liquors, distillers, dog training schools, drilling company equipment yards, dry goods warehousing, egg candling, electric light & power company, yards, electroplating works, freight warehouses, frozen food processing, fruit canneries, fur warehouses, granite grinding (dressing & cutting), hemp storages, house movers (no junk or salvage yards, humane society (pound), ice plants, insulation contractor equipment yards, juice bottling, jute storage & mills, kennels (animal), laundries (steam or wetwash), lumber yards, macaroni factories, machine shops, marble grinding (dressing or cutting), mattress factories, mausoleums, metal ore reductions, milk bottling, motordomes, motion picture studios, motor freight company garages & warehouses, mover garages, mover warehouses, nitrating of cotton or other materials, nuts (processed, bleached, shelled, polished, etc), oil pipeline stations, olives processing, packing houses (vegetable or fruit), paint mixing, paint shops (auto), paving contractor equipment storage & wholesale, plumbing shops (storage yards), poultry and/or rabbit raising, pounds (humane society), power plants (gas or electric), railroad yards, rice cleaning & polishing, riding academy or schools, road building equipment, roofing contractor yards, sail lofts, salvage (rubber products), sand blasting plants, sand distributing plants, seed companies, seed treatments (oil extraction), septic tank services, sewer service equipment yards, sheet metal shops (bulk processing), metal shops (custom work), sheet metal works, shooting galleries, spaghetti factories, spinning mills, spraying equipment yards, steel erector equipment yards, storage warehouses, storage yards, sugar refining, tamale factory, textile storage, tire rebuilding & retreading, tool repair, tractor rentals, tree services, truck depots, truck parking services, vegetable canneries (no pickle making), warehouse storages, watch factories, weaving mills, welding shops, well drilling equipment yards, wineries, wines (distillation), wood storage yards, wood working, wool pulling plants, wool spinning & weaving.

6. Accessory uses customarily incident to the above.

B. Uses requiring a Special Use Permit reviewed by the Board of Adjustment.

1. Acetylene manufacturing and sales, acid manufacturing and sales, ammonia manufacturing and sales, ammunition

manufacturing and sales, aniline dye manufacturing, asbestos and asbestos products manufacturing, asphalt manufacturing, atomic reactor, automobile wrecking yard, blast furnace, boiler manufacturing service and sales, bones, reduction or distillation, bottled gas manufacturing, brick kiln, building materials storage yard and sales (used), bulk station, bunkers, rock and/or sand, butane storage, by-products from fish, meat or animal manufacturing, carbide manufacturing and sales, carbon block manufacturing, carbonic gas manufacturing and sales, carborundum manufacturing and sales, cast iron pipe manufacturing and sale, casting foundry, caustic soda manufacturing and sale, cement manufacturing and sale, cement products manufacturing and sale, chalk manufacturing, charcoal manufacturing, chemicals manufacturing and sale, chlorine manufacturing and sale, coal storage, coal and coke yard, coal tar distillates or products manufacturing and sale, coke oven, concrete plant, copper manufacturing and sales, cordage mill, corrosive products manufacturing, corrugated metal manufacturing and sale, cotton cleaning and reballing, creosote manufacturing and sale, crude oil handling for trans-shipment, distillation of coal and wood, dump (refuse disposal yard), enamel and paint manufacturing, explosive manufacturing and sale, exterminating and insect poison manufacturing, extrusion of metals, fertilizer (manufacturing and wholesale); fireworks manufacturing, fish curing, fish packing, flour and grain storage, flour mill, forge plant, foundry, gasoline anti-knock compound manufacturing, glass manufacturing, glue manufacturing, gravel pit, grease and tallow manufacturing, grist mill, gun powder manufacturing and wholesale, hide and tallow processing, house wrecking yard, incineration of animals, garbage, etc., insecticide manufacturing, iron (decorative custom workshop), iron works (ornamental), japa-ning and shellacking, junk dealers yard, kerosene manufacturing and wholesale, lampblack manufacturing, lacquer manufacturing, lard manufacturing, lead (white) and oil manufacturing and sale, leather goods manufacturing, leather tanning, lime burning manufacturing and wholesale, linseed oil manufacturing, livestock sales and shipping, locomotive manufacturing service and repair, lubrication compounds manufacturing, lye manufacturing, malleable castings manufacturing and sale, meat packer, metal, light fabrication from standard shapes, metal plating (bulk and custom), metal rolling mill, metal working plant (shaping and bending processes), milling company, motorcycle race track, nitric acid or its derivatives manufacturing and sale, non-ferrous metal products manufacturing, offal-incineration, reduction of or dumping, oil refining, oil vegetable processing and manufacturing, oleomargarine manufacturing, ordnance manufacturing and wholesale, ore dump, ore reduction, oxygen manufacturing retail, wholesale and service, packing

house (vegetable or fruit), paint and varnish manufacturing, paving materials manufacturing, petroleum products storage of and wholesale, pickle processing, picric acid or its derivatives manufacturing and wholesale, pipe metal manufacturing, planing mill, potash works, quarry (stone), race-track, rags (processing), rawhides and skin processing, rendering works, rifle range, rock crushing and stripping, rolling mill, rope manufacturing, rubber products manufacturing, rubber products salvage, salt manufacturing, salvage company equipment yard, sand and gravel excavating, sand and gravel processing and storage, sauerkraut manufacturing, sausage manufacturing, saw mill, sawdust processing, scrap iron works, scrap metal processing and storage, sewer pipe manufacturing, shellac manufacturing, slag pile, slaughter house, smelting metal refining, steel fabrication, steel mill, steel tank manufacturing and wholesale, stock yard, sulphuric acid manufacturing and wholesale, tallow rendering, tank manufacturing, wholesale and retail, tannery, tar distillation or manufacturing, tar paper manufacturing, tar products manufacturing and sales, tin refining, tinning plant, tire manufacturing, top soil stripping, turpentine manufacturing, vinegar manufacturing, wire rope manufacturing, wood preserving, wood pulp manufacturing, wool processing, wreckers (contractor yard), yeast preparation, zinc manufacturing refining, zinc products manufacturing.

2. Other uses which are, in the opinion of the Planning Commission, similar to the above or which may be detrimental to the public health, safety and general welfare.

C. Uses specifically prohibited:

1. Any residential use, except in conjunction with a permitted use.
2. Churches, schools, institutions and other public and semi-public uses.
3. Trailer parks or courts.

D. Parking: One off-street parking space for:

1. Each motel or hotel unit.
2. Each service or delivery vehicle.

E. Height Limitation: Sixty-five feet.

F. Required Width: Fifty feet average.

G. Yards: Except as provided in Article 5, yards shall be:

- (a) Front - equal to the building line setback as set forth in Article 30, but in no event less than forty feet (40) from the centerline of the street.
- (b) Side - None, except as provided in Article 21.
- (c) Rear - Ten feet, except on lots or parcels bounded by an alley.

ARTICLE 25 M-E INDUSTRIAL ESTATES

A. Uses permitted on a lot or parcel having the required area and required width.

- 1. Administrative, executive, professional, research and similar office use.
- 2. Manufacturing, processing, assembly and fabricating or storage of products or materials.
- 3. Advertising, distribution, animal hospital (no kennel), bakery, banks, bottling plant, blueprinting, brewery, cafe, cannery, carpet cleaning, dairy products distribution, dry cleaning plant, filling stations, furniture warehouse and repair, garage (no body repair), glass cutting and staining, laboratories, laundry, motorcycle repair, photo finishing (wholesale), printer or publisher, sign painting, tire shop (including repair and recapping), towel and linen service, trade school.
- 4. Sale of new merchandise in connection with all permitted uses, such as: New auto parts and accessories, electrical goods, hardware, instruments (professional and scientific), paint, sporting goods, building supplies.
- 5. Accessory uses customarily incident to the above.
- 6. Other uses which are, in the opinion of the Planning Commission, similar to the above.
- 7. Established agricultural uses.

B. Conditions under which the above uses may be established:

- 1. Issuance of a Special Use Permit, reviewed by the Planning Commission. The Planning Commission may authorize a subcommittee of three (3) members to act for the Commission in the issuance of Special Use Permits under this article. If so authorized, the subcommittee shall be appointed by the chairman of the Planning Commission and the recommendation of the subcommittee shall be deemed the recommendation of the Commission. The subcommittee

must be composed of at least one (1) representative of the County of Washoe.

2. Any outside storage shall be suitably screened from the surrounding area by walls, planting or other barrier to the satisfaction of the Planning Commission.
3. Provisions for landscaping shall be included in the preliminary development plan. These shall include, but are not limited to, screen planting, lawn areas, trees, shrubs, fences and walls. It shall be the responsibility of the owner or developer to carry out this program and to provide such maintenance and care as is required to obtain the effect intended by the original plan; all landscaping shall be planned and maintained to the satisfaction of the Planning Commission.
4. Advertising signs shall be considered as part of the plans submitted for issuance of a Special Use Permit, reviewed by the Planning Commission.

C. Uses specifically prohibited:

1. Any residential use, except incidental to a permitted use.
2. Hotels, motels, trailer courts or other similar uses.
3. Commercial uses other than those listed in Section A, Article 25.
4. Churches, schools, institutions and other similar public and semi-public uses.
5. Uses enumerated in Section B, Article 24.

D. Parking: Appropriately surfaced facilities, subject to review as a part of Special Use Permit, and to include consideration of the following:

1. Number of employees at major shift.
2. Customer requirements.
3. Special equipment and vehicle requirements.
4. Reserve for plant expansion.
5. Access and maneuvering space.

E. Height Limitation: Three stories but not to exceed forty-five feet.

F. Required Area and Width: One acre minimum area; one hundred fifty feet average width.

G. Yards: Except as provided in Article 5, yards shall be:

- (a) Front - equal to the building line setback as set forth in Article 30, but in no event less than 40 feet, with 10 feet adjacent to street landscaped with trees, bushes, shrubs and grass to the satisfaction of the Planning Commission.
- (b) Side - twenty feet.
- (c) Rear - not less than twenty feet.

ARTICLE 26 M-W WAREHOUSE

- A. Uses permitted on a lot or parcel having the required width.
 - 1. Storage warehouses.
- B. Uses prohibited:
 - 1. Outside storage.
 - 2. Any commercial or industrial use.
 - 3. Any residential use except incidental to a permitted use.
- C. Parking: Adequate off-street parking space for employees and service or delivery vehicles.
- D. Height Limitation: Forty feet average.
- E. Required Width: Fifty feet average.
- F. Yards: Except as provided in Article 5, yards shall be:
 - (a) Front - equal to the building line setback as set forth in Article 30.
 - (b) Side - none, except as provided in Article 21.
 - (c) Rear - none, except as provided in Article 21.

ARTICLE 27 M-S SPACE INDUSTRIAL

- A. Uses permitted on a lot or parcel having the required area and required width.
 - 1. Research and development, testing and manufacturing of electro mechanical and electronic systems.
 - 2. Research, development, manufacture and testing, except as provided in Section C of this Article, of aircraft, missiles, propulsion systems, space vehicles, and aerospace systems and components thereof.

3. Research, development, testing and manufacturing of chemicals, propellants, fuels and cryogenic materials.
 4. Airstrips in conjunction with permitted uses.
 5. Offices and laboratories.
 6. Maintenance and service facilities incidental to permitted uses.
 7. Research and development in basic sciences.
 8. Agricultural and mining uses.
 9. Uses enumerated in Article 24, Section A.2 and A.3.
 10. Recreational uses incidental to permitted uses.
 11. Accessory uses customarily incidental to permitted uses.
- B. Uses permitted subject to approval by the State Health Department.
1. Research and development, testing and manufacturing of nuclear reactors, fuels, devices and components.
 2. Development, testing and manufacturing of cryogenic materials, chemicals, propellants and fuels.
- C. Uses permitted not closer than 300 feet to any property line:
1. Testing of aircraft, missiles, propulsion systems, space vehicles, and aerospace systems and components thereof, involving explosion or noxious or corrosive gases.
- D. Uses specifically prohibited:
1. Any residential use except incidental to a permitted use.
 2. Any commercial use except incidental to a permitted use.
 3. Churches, schools, institutions and other similar public uses.
- E. Parking: Adequate off-street parking space for employees and service or delivery vehicles.
- F. Height Limitations: None.
- G. Required Area: Twenty acres minimum area.
- H. Yards: Except as provided in Article 5, yards shall be:
- (a) Front - equal to the building line setback as set

forth in Article 30 and/or as provided in Section C of this Article.

- (b) Side - none, except as provided in Section C of this Article.
- (c) Rear - none, except as provided in Section C of this Article.

ARTICLE 28 M-3 OPEN USE

- A. All of the unincorporated area of Washoe County, not specifically placed on this ordinance or by any amendment thereto, in any other district classification, is hereby classified in this category.
- B. Uses permitted on a lot or parcel having the required width:
 - 1. Except as provided in Section C, Article 28, any use or enterprise, subject to approval by the State Health Department where applicable.
- C. Uses requiring a Special Use Permit:
 - 1. All uses listed under Section B, Article 24.
 - 2. Cemeteries, rifle ranges, airports, race tracks and trailer parks.
- D. Parking: None.
- E. Height Limitations: None.
- F. Required width: Fifty feet average.
- G. Yards: None, except as provided in Article 30.

ARTICLE 29 EFFECTS OF DISTRICTING

- A. Application: The provisions of this ordinance governing the use of land, buildings and structures, the size of yards, height and bulk of buildings, density of population and other provisions are hereby declared to be in effect upon all land within the boundaries of each and every district herein established.
- B. Classification: The following shall prevail:
 - 1. Lesser restrictive uses - the express enumeration in this ordinance or a particular class of building or use in any district shall be determined a prohibition of such building or use in all other districts unless so specified.
 - 2. Uses not specifically included in any land use district

and not specifically excluded therefrom by this ordinance, may be included in that district as determined by the Planning Commission if such uses are similar to and not more obnoxious to the uses specifically included or if such uses are accessory to uses which are specifically included.

3. The Planning Commission may reclassify a use when such reclassification does not violate the intent of this ordinance and provided said Commission publish newspaper notification and hold at least one public hearing thereon.
 4. A list to be known as "Supplementary Land Use Classification" shall be compiled to include all classified or reclassified uses, the use district in which each use is classified and the conditions under which each use may be permitted. The County Commissioners shall be furnished a copy of such list and duly notified of all subsequent additions. Such classification of any use in any Land Use District shall have the same force and effect as if such use were set forth in this ordinance.
- C. Buildings under construction: Any building for which a lawful permit has been issued which is in conflict with this ordinance, or any amendments hereto, and on which substantial work has been performed before the effective date of this ordinance, or any amendments thereto, may be continued and completed in accordance with the plans and specifications upon which basis the permit was issued.
- D. Uses: Any hotel may contain such business uses as are customarily conducted in conjunction and incidental thereto, provided that unless such business uses are otherwise permitted in the Use District in which the hotel is situated, every public entrance to such business shall be from a lobby, hallway or other interior portion of such hotel, and provided further that no show window, sign or other advertising material shall be visible from the outside.
- E. Where a lot is divided into separate ownerships and the area of either portion is such that the number and location of buildings thereon no longer conforms to the low area requirements of the particular district, then in the determination of the permissive number and location of buildings on either portion, both parts shall be considered as one parcel only.

ARTICLE 30 SETBACKS

A. Setbacks:

1. Each lot shall have a front yard of depth not less than the average depth of the front yards immediately adjacent thereto on each side. A vacant lot shall be considered as having a front yard of: Thirty feet in District A-1,

A-2, A-3, A-4, E-1, E-2, E-3, E-4, E-5; twenty feet in R-1a, R-1b; fifteen feet in R-2, R-2a, and R-3; ten feet in C-1; and forty feet in M-3.

2. No building in any Land Use District shall be constructed or altered closer than 50 feet to the centerline of any Major Route; or 40 feet to the centerline of any Secondary Route; or 30 feet to the centerline of any Through Street as such designations are shown and appear on the Master Plan of Streets and Highways adopted by the County of Washoe.
3. Until such time as zoning ordinances specifically altering these requirements are adopted, the following minimum yards shall be required for all construction within the unincorporated area of the county, yards being defined as the distance between the property boundary of access easement line and the building or any portion thereof, including porched and attached structures:
 - (a) Front Yards: Not less than 55' from the center line or 30' from the property line whichever is least.
 - (b) Side Yards: 10% average width - need not be more than 10 feet and not less than 5 feet.
 - (c) Back Yards: 15 feet.

ARTICLE 31 - PERMITS

- A. No building permit shall be issued for the erection or use of any structure or part thereof, for the use of any land which is not in accordance with the provisions of this ordinance, except where Variance has been allowed by the Board of Adjustment or a Special Use Permit issued by the Board of County Commissioners, in which case the Building Inspector may issue a permit, sufficient to allow such work as so authorized by said Variance or Special Use Permit in accordance with whatever conditions as may be attached, providing such permit shall not be issued until all time limits for appeal have been exhausted and no appeal has been filed. Any permit issued contrary to the provisions of this ordinance shall be void.
- B. It shall be the duty of the Building Inspector before issuing a building permit to ascertain the exact location of the property on which the building is to be located. The Building Inspector shall obtain a written statement of the street address of the property or, if no street address exists, a property description in writing before issuing a building permit. It shall then be the duty of the Building Inspector to contact the Director of the Regional Planning Commission or one of his assistants and obtain a ruling as to whether or not the proposed building complies with this ordinance or the terms of a Variance or Special Use Permit if such has been granted.
- C. It shall be the duty of the Sheriff before issuing a business

license to ascertain the exact type of business and the exact location of the property on which the business is proposed to be conducted. The Sheriff shall then contact the Director of the Regional Planning Commission or one of his assistants and obtain a ruling as to whether or not the proposed business complies with this ordinance.

- D. Enforcement: It shall be the duty of all officials charged with the issuance of licenses and permits to enforce the provisions of this ordinance.

ARTICLE 32 ENFORCEMENT PROCEDURE

- A. Any building or structure erected or maintained or any use of property contrary to the provisions of this ordinance shall be and is hereby declared to be unlawful and a public nuisance. The following procedure shall apply to enforce the provisions of this ordinance.
1. Upon notice given to the Building Inspector by the Director of the Regional Planning Commission or his assistants of a violation of this ordinance insofar as it pertains to construction of buildings as set forth under the Washoe County Building Code, the Building Inspector shall deliver to the party or parties in violation of this ordinance an order to comply with the provisions of this ordinance within 10 days of receipt of the order to comply. With regard to all other violations of this ordinance, the Director of the Regional Planning Commission or his assistants shall deliver to the party or parties in violation of this ordinance the aforementioned order to comply. Such order to comply shall be in writing in a form to be prescribed by the Washoe County District Attorney.
 2. Upon failure of the party or parties in violation of this ordinance to comply within 10 days of receipt of said notice and upon receipt by the District Attorney of a written statement signed by the Building Inspector or Director of Regional Planning or one of his assistants setting forth the violation, the background of the violation, the parties involved, the date of delivery of a notice to comply, and the date of inspection in which it was determined that the party had not complied within the time limit allowed for compliance, the party or parties shall be cited by the District Attorney's Office to appear before the Board of County Commissioners to show cause why the Board should not order the District Attorney to proceed with civil and/or criminal action as herein-after provided.
 3. Upon order of the Board of County Commissioners, after hearing as provided above, the District Attorney shall commence action or actions for the abatement, removal

and enjoinder of such violation as a public nuisance and/or criminal action in the manner provided by law.

- B. Remedies: All remedies provided for herein shall be cumulative and not exclusive. The conviction and punishment of any person hereunder shall not relieve such person from the responsibilities of correcting prohibited conditions or removing prohibited buildings, structures or improvements nor prevent the enforced correction or removal thereof.
- C. Penalties: Any person, firm or corporation, whether as principal agent, employee or otherwise, violating any provision of this ordinance or violating or failing to comply with any order or regulation made hereunder, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than five hundred dollars (\$500.00) or by imprisonment in the County Jail of Washoe County for a term not exceeding six months or by both such fine and imprisonment. Such person, firm or corporation shall be deemed guilty of a separate offense for each and every day during which such violation of this ordinance or failure to comply with any order or regulations is committed, continued or otherwise maintained.

ARTICLE 33 FEES

- A. Before accepting any applications hereinafter mentioned, the following fees shall be charged, collected and deposited with the County Treasurer:
1. For a Change of Land Use District, \$75.00.
 2. For a Variance, \$50.00;
For a Special Use Permit, \$25.00.
 3. For an appeal to the Board of County Commissioners, \$25.00.
 4. No fee shall be charged any governmental agency for application for Variance, Special Use Permit or Change of Land Use District.

ARTICLE 34 NONCONFORMANCE

- A. A lawful use of land or buildings not in conformance with the regulations herein prescribed, existing at the time of the adoption of the original Washoe County Land Use Ordinance, this ordinance, or any amendments hereto, may be continued except as follows:
1. The nonconforming use of land or building shall not be extended or expanded in any way. Such use shall not be changed except to bring said use of land or building into conformity with this ordinance or other ordinances of the County.

2. Where automobile parking space in connection with a non-conforming building or use does not meet the requirements of this ordinance said building or use may be altered to provide such additional required automobile parking space.
3. A lawful use of nonconforming land or buildings which is abandoned or discontinued for a period of six (6) consecutive months or more, shall not be resumed.
4. No buildings, except a school or church structure which has been damaged or partially destroyed by natural calamity to an extent greater than 50% of its assessed value, shall be repaired, reconstructed, moved or altered except in conformity with the provision of this ordinance.
5. Nonconforming junk yards, auto wrecking yards and storage yards shall be reverted to conforming status within a period of two (2) years from the effective date of this provision. Enforcement of this provision shall be accomplished as follows:
 - (a) The Administrator shall give written notice to the owner and/or operator of each such nonconforming use that his nonconforming use must be reverted to conforming status within the period of time provided, such time period shall be deemed to run from the date of receipt of such notification.
 - (b) At the expiration of the two (2) year period any such nonconforming use which has not been restored to conforming status shall be subject to the enforcement procedure outlined in Article 32 of this ordinance.
6. Provisions of this article shall apply to uses of property or to buildings which may become nonconforming by reason of amendment or supplement to this ordinance, or the Land Use Plan or the Building Setback Map.

ARTICLE 35 VARIANCES

A. Authority:

1. In granting Variances the Board of Adjustment shall have no power to take action which in effect allows a land use in contravention of the applicable Land Use District or in any other way changes the applicable Land Use District. Any Board action that has in effect changed the Land Use District shall be deemed a violation of their powers and of this ordinance and be of no force and effect.

B. Administrator - Powers and Duties:

1. Investigation: The Administrator shall investigate each application to assure that the proposal in each application is consistent with the intent and purpose of this ordinance.
2. The administrator may grant or deny, at his discretion, modification in lot area, yard and parking requirements, if undue hardship is shown. Such modifications shall be limited to deviations not to exceed 20% of required yard area or 10% of lot area or 10% of off-street parking requirements.
 - (a) All decisions of the Administrator shall be in writing and filed in his office with copies submitted to the Building Department, the Board of Adjustment and the applicant. Such decisions of the Administrator may be granted without public hearing.

C. Procedure:

1. Any person requesting a Variance shall file an application with the Administrator. Such application shall include:
 - (a) Provisions of this ordinance from which the property or building is sought to be excepted.
 - (b) A legal description of the property involved.
 - (c) Ground plans showing the location of all existing and proposed buildings.
 - (d) Elevations of all proposed buildings or alterations in sufficient detail to meet all requirements.
 - (e) Evidence of the ability and intent of the applicant to proceed with actual construction within six (6) months of the filing of the application.
2. All applications shall be verified before a Notary Public by the owner of the land or buildings or his authorized agent.
3. The applicant shall present adequate evidence showing:
 - (a) That there are special circumstances or conditions applying to the property under consideration which make compliance with the provisions of this ordinance difficult and a cause of hardship to, and abridgement of a property right of, the owner of said property.
 - (b) That such circumstances or conditions do not apply generally to other properties in the same Land Use District.

- (c) That the granting of the Variance is necessary to do substantial justice to the applicant or owner of the property.
- (d) That the granting of the Variance will not result in material damage or prejudice to other properties in the vicinity nor be detrimental to the public health safety and general welfare.

D. Hearing:

1. Shall be held within 65 days of the date of filing of the application.
2. Notice by mail of the time, place and purpose shall be given not less than 10 days prior to the date of the hearing to the following:
 - (a) Applicant.
 - (b) Owners of real property within 300 feet of the exterior limits of the property involved, as shown by the latest Assessor's ownership maps. Notice by mail shall be complied with when Administrator mails to the last known address of the real property owners, as shown by the Assessor's records.
 - (c) Building Department, County Engineer, and Health Department.
3. The Board of Adjustment may hear facts from any person appearing and may consider written communications relative to the application.

E. Findings: The Board shall, within 40 days from the date of hearing, return its decision unless for good cause an extension is granted.

F. Conditions: The Board of Adjustment in approving any Variance may require conditions under which the lot or parcel may be used or the building constructed which in the Board's opinion will prevent material damage or prejudice to adjacent properties. Any such conditions as required must be complied with, and violation of the same shall result in revocation of the permission granted by Variance. Further use shall constitute a violation of this ordinance and shall be punishable as herein provided. All Variances shall carry the following conditions:

1. Commencement within six (6) months and completion within one year.
2. Conformance to plans approved as a part of the Variance.

3. Subject to review by the Board of Adjustment in two years.

ARTICLE 36 SPECIAL USE PERMITS

- A. Where the establishment of uses or functions requires issuance of a permit, as provided herein, the following shall apply:

1. Procedure: Any person seeking issuance of a Permit shall file a request with the Administrator and shall appear before the Board of Adjustment or the Planning Commission presenting evidence of all the following:

- (a) That the use is necessary to the public health, convenience, safety and welfare and to the promotion of the general good of the community, and
- (b) That the use of the property for such purposes will not result in material damage or prejudice to other property in the vicinity.

2. Investigation: The Administrator shall investigate each application to assure that the proposal in each application is consistent with the intent and purpose of this ordinance.

3. Hearing: The Board of Adjustment or the Planning Commission may hold a public hearing upon the application; if such hearing is held, notice shall be given as set forth in Article 35 herein.

4. Findings: Within 65 days from date of filing, the Board of Adjustment or the Planning Commission shall submit findings and recommendation to the Board of County Commissioners. The applicant shall be notified of such recommendation not later than 3 days after submission of the report to the Board of County Commissioners. The Board of Adjustment, the Planning Commission, or the Board of County Commissioners in approving the permit, may require certain conditions under which the proposed use may be allowed which will prevent material damage to adjacent properties, and provide suitable safeguards to the public health, safety and general welfare. Such conditions may include time limitations, architectural considerations, access provisions, off-street parking, greenbelt planting requirements or other controls.

- B. Revocation of Special Use Permits:

1. Failure to comply with any conditions imposed in the issuance of special use permits shall result in the institution of revocation procedures.
2. The Board of Adjustment or the Planning Commission shall hold a public hearing upon the revocation of a Special

Use Permit and notice shall be given as prescribed for issuance of a special use permit.

3. The Board of Adjustment or the Planning Commission shall submit findings and recommendations on revocation to the Board of County Commissioners. The person or persons to whom the special use permit has been issued shall be notified of such recommendations not later than three (3) days after submission of the report to the Clerk of the Board of County Commissioners.
4. The Board of County Commissioners upon receipt of recommendations for revocation of a special use permit may revoke such permit for failure to comply with any of the conditions imposed in the issuance of the special use permit.

ARTICLE 37 AMENDMENTS

- A. This ordinance and Land Use maps may be amended, repealed or supplemented by the Board of County Commissioners. Any such amendment shall be considered an amendment to the Master Plan and shall be accomplished in the manner required by Chapter 278 Nevada Revised Statutes.
- B. Procedure:
 1. Amendments may be initiated as follows:
 - (a) By the Planning Commission.
 - (b) By the Board of County Commissioners.
 - (c) By the owner of a lot or parcel within the area sought for amendment, by filing with the Planning Commission a signed and verified application, accompanied by the necessary fee.
 2. Hearing: The Planning Commission shall first hold a public hearing on all proposed amendments. Such hearings shall be held within 110 days following the initiation of such proceedings. Notice of time and place of hearing shall be published in a newspaper of general circulation in Washoe County not less than 10 days prior to the date of such hearing. Such notice shall describe the change proposed, the lot, parcel, or properties proposed for change and other pertinent information in such a manner that the property and change proposed can readily be identified. When the Planning Commission deems it proper, it may consider other property for change in addition to that sought in the application.
 3. Notice: When a Change of Land Use District is applied for by persons other than the Planning Commission or the

Board of County Commissioners, the Planning Commission shall mail to the applicant, to all real property owners within 300 feet of the exterior boundaries of any property proposed for reclassification as shown on the latest Assessor's property maps and to all property owners of land within such area proposed for reclassification, written notice of the time, place and date of such hearing and the general location of the property of the addressee with reference to the property proposed for change, not less than 10 days prior to the public hearing date.

C. Report to Board of County Commissioners: Within 40 days following the public hearing, the Planning Commission shall file a written report with the Board of County Commissioners relative to the proposed change or amendment. Such written report shall recommend one of the following:

- (1) Approval of all or a portion of the proposed change or amendment.
- (2) Disapproval of the proposed change or amendment.
- (3) Adoption by the Board of County Commissioners of a "Resolution of Intent" to reclassify all or a portion of the property included in the proposed change or amendment.
 - (a) Planning Commission recommendation of adoption of such a resolution may contain any conditions, stipulations, or limitations which the Commission feels necessary to protect the public interest.

Failure of the Planning Commission to so report shall be deemed approval. The Planning Commission shall mail to the applicant notice of the recommendation within three days following the filing of the report with the Clerk of the Board of County Commissioners.

ARTICLE 38 APPEALS

A. The decision of the Planning Commission or the Board of Adjustment granting, denying, or recommending a change of land use, variance or special use permit, or recommending revocation of a special use permit, may be appealed in writing to the Board of County Commissioners within ten (10) days after the Board of Adjustment or the Planning Commission has notified the Clerk of the Board of County Commissioners of its decision. If no appeal is taken to the Board of County Commissioners from the decision granting or denying a variance within the time allowed, such decision is final. Decisions of the Planning Commission recommending changes of land use shall be set for public hearing by the Clerk of the Board of County Commissioners. Appeals on such recommendations may also be heard at that time.

- B. Notice of hearing on appeals from decisions granting or denying variances or recommending changes of land use and recommending the issuance or revocation of special use permits, shall be given by the Clerk of the Board of County Commissioners by mailing a notice of hearing to the appellant and to all owners of property within three hundred feet (300') of the subject property as furnished by the Planning Commission or the Board of Adjustment to the Board of County Commissioners at least ten (10) days before the hearing.
- C. Notice of hearings by the Board of County Commissioners on recommendations of the Planning Commission for Change of Land Use or appeals therefrom shall be given by the Clerk of the Board by one publication in a newspaper of general circulation at least 15 days before the date set for the hearing.
- D. The applicant or any real property owner within 300 feet of the exterior boundaries of the property involved who was present at the original hearing or who presented written testimony, if any, before the Planning Commission or Board of Adjustment, as well as the Building Inspector, shall have the right of appeal to the Board of County Commissioners.
- E. Appeals shall be initiated by filing a written notice of appeal with the Clerk of the Board of County Commissioners, paying the fee therefor, stating therein the reasons why decision of the Board of Adjustment or the recommendation of the Planning Commission should be amended, modified or reversed. Such reasons shall be based upon the evidence presented to the Planning Commission or Board of Adjustment at the original hearing. Failure of appellant to present such reasons shall be deemed cause for denial of appeal.
- F. The Board of County Commissioners shall consider such evidence relating to Change of Land Use and may reverse the decision of the Planning Commission by a simple majority vote.
- G. The Board of County Commissioners shall consider such evidence and may reverse the decision of the Planning Commission or the Board of Adjustment relating to Variance or Special Use Permits by a simple majority vote.
- H. The Board of County Commissioners, in adopting a "Resolution of Intent" to reclassifying all or a portion of the property included in the proposed change or amendment may include any conditions, stipulations or limitations which the Board of County Commissioners may feel necessary to require in the public interest as a prerequisite to final action. The fulfillment of all conditions, stipulations and limitations contained in said resolution, on the part of the applicant shall make this resolution a binding commitment on the Board of County Commissioners. Upon completion of compliance action by the applicant, the Board of County Commissioners shall by Ordinance effect such reclassification. The failure of the

applicant to meet any or all conditions, stipulations or limitations contained in said resolution, including the time limit placed in the resolution, shall render said Resolution of Intent to reclassify null and void, unless an extension is granted by the Board of County Commissioners upon recommendation of the Planning Commission.

ARTICLE 39 REPEALING

- A. All ordinances inconsistent herewith to the extent of such inconsistency, and no further, are hereby repealed.
- B. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

ARTICLE 40 CONSTITUTIONALITY AND LEGALITY

If any provision or part of this ordinance shall be declared by a court of competent jurisdiction to be illegal or unconstitutional, it shall in no way effect the remainder of this ordinance or any section thereon, it being intended that the remainder shall remain in full force and effect.

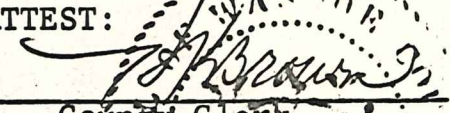
ARTICLE 41 EFFECTIVE DATE

This ordinance shall be in full force and effect from and after its passage, approval, and publication as prescribed by NRS 244.100.

Proposed on the 5th day of June, 1968.
Proposed by Commissioner McKenzie
Passed on the 8th day of July, 1968.

Vote:
 Ayes: Commissioners: McKissick, McKenzie, Sauer, Cunningham and Streeter.
 Nays: Commissioners: None
 Absent: Commissioners: None

Howard A. McKissick Sr.
 Chairman of the Board

ATTEST:

 County Clerk

This Ordinance shall be in force and effect from and after the 18th day of July, 1968.

