



City of Sparks, Nevada

Zoning Code

Chapter 20.01	General	1
Section 20.01.001	Purpose	1
Section 20.01.002	Title	1
Section 20.01.003	Applicability	1
Section 20.01.004	Consistency with Plans	1
Chapter 20.02	Zoning Districts	2
Section 20.02.001	Districts Established	2
Section 20.02.002	Zoning Map	3
Section 20.02.003	Agricultural Districts (A-5, A-40)	4
Section 20.02.004	Residential Single-Family Districts (SF)	6
Section 20.02.005	Residential Multi-Family Districts (MF)	14
Section 20.02.006	Mixed-Use Districts (MU-C, MR, D, RN, DT/VS)	20
Section 20.02.007	Commercial Districts (C)	36
Section 20.02.008	Professional Office District (PO)	37
Section 20.02.009	Industrial District (I)	38
Section 20.02.010	Public Facilities District (PF)	40
Section 20.02.011	Historic Preservation Overlay (H)	41
Section 20.02.012	Planned Development	53
Section 20.02.013	Use Table	60
Chapter 20.03	Use Standards	81
Section 20.03.001	Generally	81
Section 20.03.002	Accessory Structures	81
Section 20.03.003	Accessory Uses	82
Section 20.03.004	Accessory Dwellings	83
Section 20.03.005	Adult Business	85
Section 20.03.006	Animals	88
Section 20.03.007	Animal Services (animal hospital, kennel or veterinary clinic)	89
Section 20.03.008	Assembly uses	89
Section 20.03.009	Auction House	89
Section 20.03.010	Auto and Truck Repair	90

Section 20.03.011	Automated Teller Machine (ATM), Stand Alone _____	90
Section 20.03.012	Bar / Lounge _____	91
Section 20.03.013	Bed & Breakfast _____	91
Section 20.03.014	Caretaker or Guard _____	91
Section 20.03.015	Co-generation facility _____	91
Section 20.03.016	Crematorium _____	92
Section 20.03.017	Day Care / Child Care _____	92
Section 20.03.018	Drive-through facilities _____	93
Section 20.03.019	Fraternal Club / Lodge / Community Facility _____	93
Section 20.03.020	Fuel Distribution or Recycling _____	94
Section 20.03.021	Gas station _____	94
Section 20.03.022	Home occupations _____	94
Section 20.03.023	Life Care or Continuing Care Services (Nursing Homes, Hospices, or Assisted Living) 96	
Section 20.03.024	Live/Work Dwellings _____	98
Section 20.03.025	Machinery and heavy equipment sales and service _____	0
Section 20.03.026	Manufactured Home _____	120
Section 20.03.027	Medical Marijuana Dispensary _____	126
Section 20.03.028	Mini-warehouse _____	128
Section 20.03.029	Mobile vendors _____	129
Section 20.03.030	Model Home Complex _____	130
Section 20.03.031	Outdoor Sales & Display _____	132
Section 20.03.032	Outdoor Storage _____	133
Section 20.03.033	Pawnbroker or autopawn _____	135
Section 20.03.034	Recreational Vehicle Parks _____	135
Section 20.03.035	Recreational Vehicle Storage _____	137
Section 20.03.036	Recycling plant _____	140
Section 20.03.037	Renewable Energy _____	140
Section 20.03.038	Restaurant _____	147
Section 20.03.039	Outdoor Processing _____	147

Section 20.03.040	School (Public or Private)	148
Section 20.03.041	Temporary office trailer	149
Section 20.03.042	Temporary real estate sales office trailer	150
Section 20.03.043	Temporary uses	151
Section 20.03.044	Transfer station	154
Section 20.03.045	Truck stop	155
Section 20.03.046	Urban Agriculture	156
Section 20.03.047	Vehicle or equipment sales and rentals	159
Section 20.03.048	Vehicle towing and storage facility	159
Section 20.03.049	Wireless Communication Tower or Antenna	160
Chapter 20.04	Development Standards	200
Section 20.04.001	Generally	200
Section 20.04.002	Adjacency Standards (Cooperative Planning Area)	200
Section 20.04.003	Fences, Walls and Hedges	206
Section 20.04.004	Building Design	207
Section 20.04.005	Intensity Standards	207
Section 20.04.006	Landscaping & Screening	209
Section 20.04.007	Lighting	218
Section 20.04.008	Patio Covers, Decks, and Building Projections	219
Section 20.04.009	Parking & Loading	221
Section 20.04.010	Signs	232
Section 20.04.011	Slopes, Hilltops & Ridges	265
Section 20.04.012	Truckee River Corridor	270
Section 20.04.013	Utilities	270
Chapter 20.05	Administration	300
Section 20.05.01	Generally	300
Section 20.05.02	Applications	302
Section 20.05.03	Notice	304
Section 20.05.04	Public Hearing	304
Section 20.05.05	Annexation	306

Section 20.05.06	Amendments & Rezoning	309
Section 20.05.07	Administrative Review	312
Section 20.05.08	Conditional Use Permits	315
Section 20.05.09	Development Agreements	320
Section 20.05.10	Minor Deviations	322
Section 20.05.11	Major Deviations	324
Section 20.05.12	Variance	327
Section 20.05.13	Appeals	331
Chapter 20.06	Nonconformities	351
Section 20.06.001	Types of Nonconformities	351
Section 20.06.002	Right to Continue a Nonconformity	351
Section 20.06.003	Nonconforming Use	352
Section 20.06.004	Nonconforming Lots	353
Section 20.06.005	Nonconforming Structure	353
Section 20.06.006	Substandard Development	353
Section 20.06.007	Damage or Destruction	354
Section 20.06.008	Applications in Progress	355
Chapter 20.07	Violations, Enforcement, and Penalties	391
Section 20.07.001	Generally	391
Section 20.07.002	Types of Violations	391
Section 20.07.003	Penalties	391
Chapter 20.08	Definitions and Interpretations	400
Section 20.08.001	Rules of Interpretation	400
Section 20.08.002	Definitions	400
Section 20.08.003	Abbreviations	423
Section 20.08.004	Technical References	423
Section 20.08.005	Zoning District Boundaries	424
Section 20.08.006	Vacated Rights-of-Way	424
Section 20.08.007	Severability	424
Section 20.08.008	Relationship to Other Laws	424

Chapter 20.09	Agencies	450
Section 20.09.001	Zoning Administrator	450
Section 20.09.002	Planning Commission	450
Section 20.09.003	City Council	450
Appendix		451
Appendix A-1	Generally	451
Appendix A-2	Fees	451
Appendix A-3	Digital Applications	451
Appendix A-4	Application Checklists	451
Appendix A-5	Technical Studies	455
Appendix A-6	Landscape and Irrigation Plans	456
Appendix A-7	Preliminary Grading Plan and Slope Analysis	458
Appendix A-8	Supplemental Information for Development on Slopes, Hilltops & Ridges	459
Appendix A-9	Bed and Breakfast Conditional Use Permit	460
Appendix A-10	Time Share	460
Appendix A-11	Wireless Communication	461

[INTENTIONALLY BLANK]

Title 20 Zoning Code

Chapter 20.01 General

Contents

Chapter 20.01 General.....	1
Section 20.01.001 Purpose	1
Section 20.01.002 Title	1
Section 20.01.003 Applicability.....	1
Section 20.01.004 Consistency with Plans.....	1

Chapter 20.01 General

Section 20.01.001 Purpose

This title regulates and restricts the use and improvement of land and controls the location, soundness, and use of structures, to:

- Promote the public health, safety, morals, convenience or general welfare of the community;
- Preserve the quality of the air and water resources;
- Promote the conservation of open space and the protection of other natural and scenic resources from unreasonable impairment;
- Enhance the aesthetics of the community;
- Provide for recreational needs;
- Protect life and property in areas subject to floods, landslides and other natural disasters;
- Conform to the adopted population and master plans;
- Develop a timely, orderly and efficient arrangement of transportation and public facilities and services;
- Take into account the relative suitability of the land for development, and to insure that any development of the land is commensurate with the character and physical limitations of the land;
- Lessen traffic congestion;
- Prevent overcrowding of land and undesirable concentrations of population.

(Ord. 1325 § 2, 1981; Ord. 1074 § 1 (part), 1976. Reference: NRS 278.020, 278.250)¹

Section 20.01.002 Title

This title is known and cited as the "City of Sparks Zoning Code."

(Ord. 1074 § 1 (part), 1976.)

Section 20.01.003 Applicability

This title applies to the erection, construction, reconstruction, alteration, repair or use of any building, structure or land.

(Reference: NRS 278.250)

Section 20.01.004 Consistency with Plans

The City finds that this title is consistent with, and implements, the *Sparks Master Plan Truckee Meadows Regional Plan*.

¹ We can either keep or delete the original annotations. I suggest keeping them for at least the initial, discussion drafts in case we need to trace legislative history.

Title 20 Zoning Code

Chapter 20.02 Zoning Districts

Contents

Chapter 20.02	Zoning Districts.....	2
Section 20.02.001	Districts Established	2
Section 20.02.002	Zoning Map	3
Section 20.02.003	Agricultural Districts (A-5, A-40)	4
Section 20.02.004	Residential Single-Family Districts (SF)	6
Section 20.02.005	Residential Multi-Family Districts (MF).....	15
Section 20.02.006	Mixed-Use Districts (MU-C, MR, D, RN, DT/VS)	22
Section 20.02.007	Commercial Districts (C).....	40
Section 20.02.008	Professional Office District (PO).....	44
Section 20.02.009	Industrial District (I)	48
Section 20.02.010	Public Facilities District (PF)	52
Section 20.02.011	Historic Preservation Overlay (H).....	53
Section 20.02.012	Planned Development.....	65
Section 20.02.013	Use Table.....	72

Chapter 20.02 Zoning Districts

Section 20.02.001 Districts Established

The following zoning districts are established:

Symbol	District	Type <i>(see 20.08 Definitions)</i>	Reference
A-5	Agricultural District	Base	Section 20.02.003
A-40	Agricultural District	Base	Section 20.02.003
SF-40	Single-Family Residential District	Base	Section 20.02.004
SF-20	Single-Family Residential District	Base	Section 20.02.004
SF-15	Single-Family Residential District	Base	Section 20.02.004
SF-12	Single-Family Residential District	Base	Section 20.02.004
SF-9	Single-Family Residential District	Base	Section 20.02.004
SF-7	Single-Family Residential District	Base	Section 20.02.004
SF-6	Single-Family Residential District	Base	Section 20.02.004
MF-12	Multi-Family Residential District	Base	<i>Error! Reference source not found.</i>
MF-16	Multi-Family Residential District	Base	<i>Error! Reference source not found.</i>
MF-25	Multi-Family Residential District	Base	<i>Error! Reference source not found.</i>
MF-40	Multi-Family Residential District	Base	<i>Error! Reference source not found.</i>
MU-C	Mixed-Use Commercial	Composite	Section 20.02.006
MR	Mixed Residential	Composite	Section 20.02.006
D	Downtown	Composite	Section 20.02.006
RN	Residential Neighborhood	Composite	Section 20.02.006
C-1	Neighborhood Commercial District	Base	Section 20.02.007
C-2	General Commercial District	Base	Section 20.02.007
TC	Tourist Commercial District	Base	Section 20.02.007
PO	Professional Office District	Base	Section 20.02.008
I	Industrial District	Base	Section 20.02.009
PF	Public Facilities District	Base	Section 20.02.010
/H	Historic Preservation Overlay District	Overlay	Section 20.02.011
/TR	Mobile Home Overlay District	Overlay	<i>Error! Reference source not found.</i>

Symbol	District	Type <i>(see 20.08 Definitions)</i>	Reference
PD	Planned Development	Base	Section 20.02.012
MUD	Mixed Use District	Base	<i>Section 20.02.006</i>

(Ord. 1487 § 1, 1985; Ord. 1325 § 3, 1981; Ord. 1074 § 1 (part) 1976.) (Ord. 2428, Amended, 07/27/2009; Ord. 2417, Amended, 11/10/2008)

Section 20.02.002 Zoning Map

- A. Generally.** The zoning district boundaries are established and adopted on the map entitled "Zoning Map of Sparks, Nevada." This map is a part of this title together.

(Ord. 1074 § 1 (part), 1976.)

- B. Annotating boundary changes.** When a change to the zoning map is approved by the city council, each such amendment shall be clearly delineated on the map entitled "Zoning Map of Sparks, Nevada."

(Ord. 1074 § 1 (part), 1976.)

Section 20.02.003 Agricultural Districts (A-5, A-40)

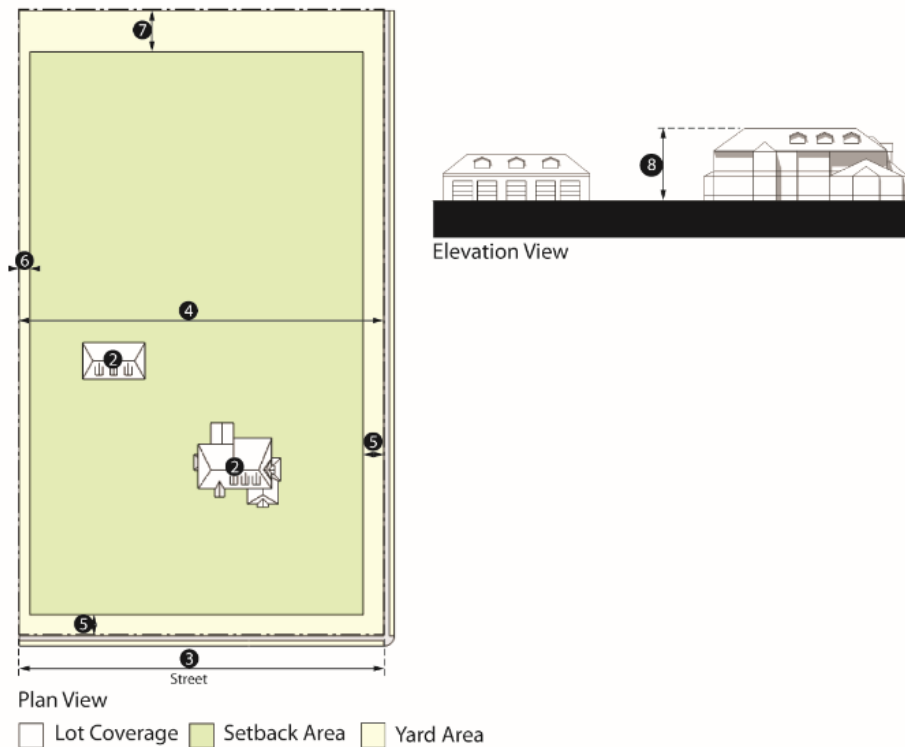


Purpose: This district accommodates existing farming, ranching or grazing activities until infrastructure becomes available for higher intensity urban uses. Conversion to higher intensity uses is guided by the land use designations planned for and identified in the City of Sparks Master Plan.

(Ord. 1716, 1991.)

A. Uses

Refer to Section 20.02.013 (Use Table).

B. Dimensional Standards

		A-40	A-5
Lot Dimensions			
1	Lot size (min)	40 acres	5 acres
2	Lot coverage (max)	2%	10%
3	Lot frontage (min)	500'	150'
4	Lot width (min)	1,000'	150'
Setbacks (principal buildings)			
5	Front / exterior side	30'	20'
6	Side	100'	10'
7	Rear	40'	40'


		A-40	A-5
Height (structures)			
8	Residential	35'	35'
9	Non-residential	35'	35'
10	Non-residential (with SUP)	60'	60'

C. Additional Regulations.

1. Farms, stables and other structures used to house livestock shall be located at least fifty (50) feet from any property line.
2. Fenced pastures, paddocks or other enclosed livestock areas shall be located at least five (5) feet from any property line.

(Ord. 1716, 1991.)

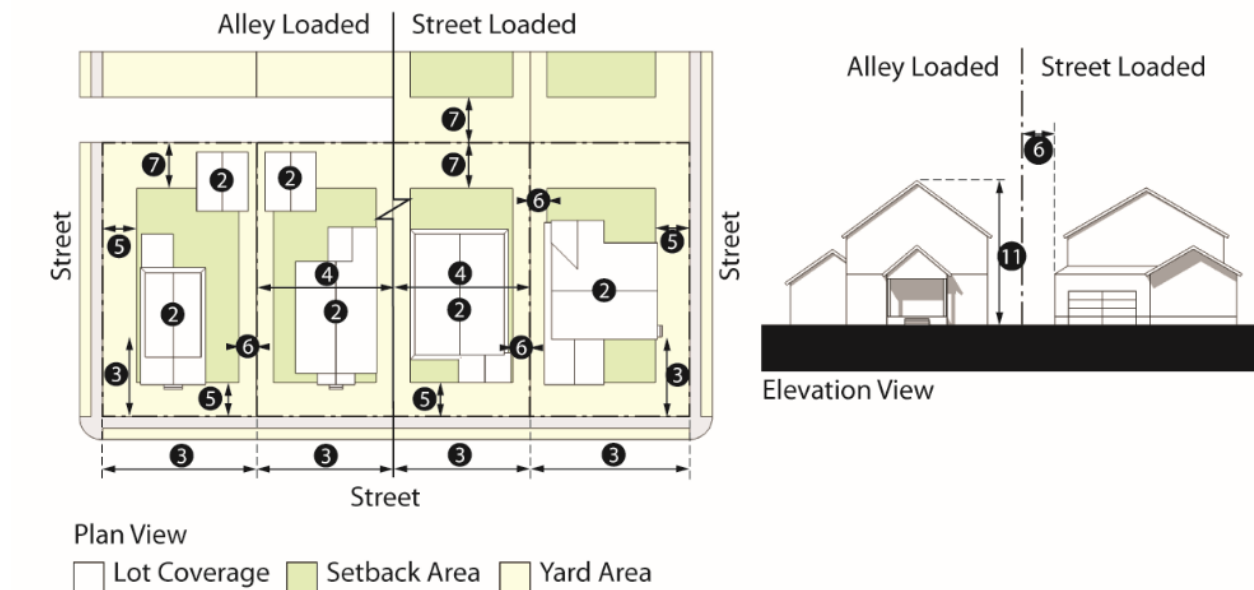
Section 20.02.004 Residential Single-Family Districts (SF)

 **Purpose:** This district establishes uses, densities and intensities that are compatible with neighborhoods that are primarily single-family in character. The districts accommodate a range of development types, from conventional large lot subdivisions to smaller lots with a more urban setting. This section establishes 2 development options: (1) conventional development that incorporates minimum lot size, setback, and coverage standards, and (2) design development that incorporates design and density standards.

A. Uses

Refer to Section 20.02.013 (Use Table).

B. Dimensional Standards



		SF40	SF20	SF15	SF12	SF9	SF7	SF6	Small Lot
Lot (1 and 2 apply only to conventional development)									
1	Lot size (min)	40,000	20,000	15,000	12,000	9,000	7,000	6,000	*
2	Lot coverage (max)	20%	30%	35%	35%	40%	40%	40%	
3	Lot frontage (min)	35'	35'	35'	35'	35'	35'	35'	
4	Lot width (min)	100'	100'	80'	80'	80'	70'	60'	
Setbacks (principal buildings – applies to conventional development)									
5	Front / exterior side, generally - garage / carport	20'	20'	20'	20'	15' 20'	15' 20'	15' 20'	10' 20'
6	Side	10'	10'	10'	10'	5'	5'	5'	5'
7	Rear	40'	30'	30'	20'	20'	20'	20'	10'
Density (maximum - applies to development that incorporates the design standards in subsection C, below)									
8	Residential (dwelling units /acre)	1.1	2.2	3.0	3.6	4.8	6.2	7.3	
Height (structures)									
9	Residential	30'	30'	30'	30'	30'	30'	30'	30'
10	Non-residential	35'	35'	35'	35'	35'	35'	35'	35'
11	*Small lot modifies the minimum lot size; the density of the underlying district does not change. The undeveloped portion of the site area used in the density calculation shall be deed restricted.								

(Ord. 1904, 1996: Ord. 1716, 1991: Ord. 1487 § 17, 1985: Ord. 1138 § 1, 1977: Ord. 1074 § 1 (part), 1976.)

C. Area Regulations

1. No lot or parcel shall be so reduced in area as to be less in any dimension than is required by the requirements applicable to the zoning district in which the 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.
3. When part of any lot or parcel is sold or transferred and the areas of that portion or the portion remaining no longer conform to the required areas as defined in the zoning district in which the lot or parcel is located, the portion sold or transferred and the portion remaining are considered one parcel to determine the permitted number and location of buildings allowed to be replaced on both parcels.

D. Design Standards

Purpose: these design standards maximize flexibility in the design of residential lots and encourage a variety of product types, while protecting of the community and its environmental resources. These standards encourage well-designed developments that: (1) reduce the prominence of garages in the front elevation, (2) promote pedestrian activity, (3) create

functional and visual diversity, (4) provide community open space; and (5) protect significant features of the natural environment.

1. Generally

- a. New subdivisions that comply with these design standards are subject to the **density** standards, and **not** the minimum lot size and coverage requirements of this district (see subsection B above).
- b. The City's review of a single-family residential project will consider the following criteria:
 - (1) Proportional size, mix and arrangement of lots;
 - (2) Placement of dwelling unit on lot;
 - (3) Varied garage placement and orientation;
 - (4) Preservation of views;
 - (5) Provisions of amenities (entrance treatment, landscaping, open space, etc.);
 - (6) Preservation of natural features;
 - (7) Treatment of grading drainage courses, and;
 - (8) Treatment of walls.

2. Site Planning Standards



Purpose: these standards to ensure that the relationship of units to each other and to other on-site uses are functional, attractive and create visual variety along the project's streets. Variation of development patterns within sub-divisions achieves visual diversity and avoids the appearance of monotonous development.

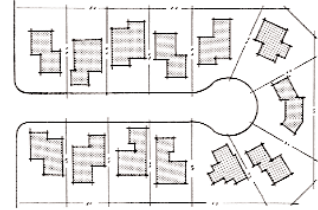
a. Applicability.

- (1) This subsection applies to the internal organization of a new residential development.
- (2) The project shall incorporate at least **2** of the following techniques to achieve street diversity.
- (3) Prior to approval of the tentative map the developer shall verify how the tentative map conforms with the 2 items chosen for Street Image diversity.

b. Orientation

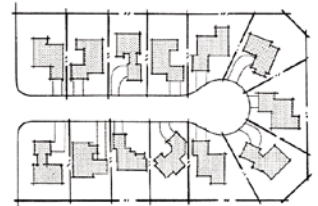
Varied Front Setbacks

Each group of **3 adjacent houses** shall contain at least **1** house whose front setback differs from those of its neighbors by at least **5 feet**. Minimum setback requirements may not be reduced to accommodate this variation.



Varied Garage Placements and Orientation

Where SMC permits, garages can be entered from the front or side of the structure.



Traditional Design with Alley

The use of public alleys in a subdivision will place the garage and vehicular traffic access off the alley and not the front of the home.



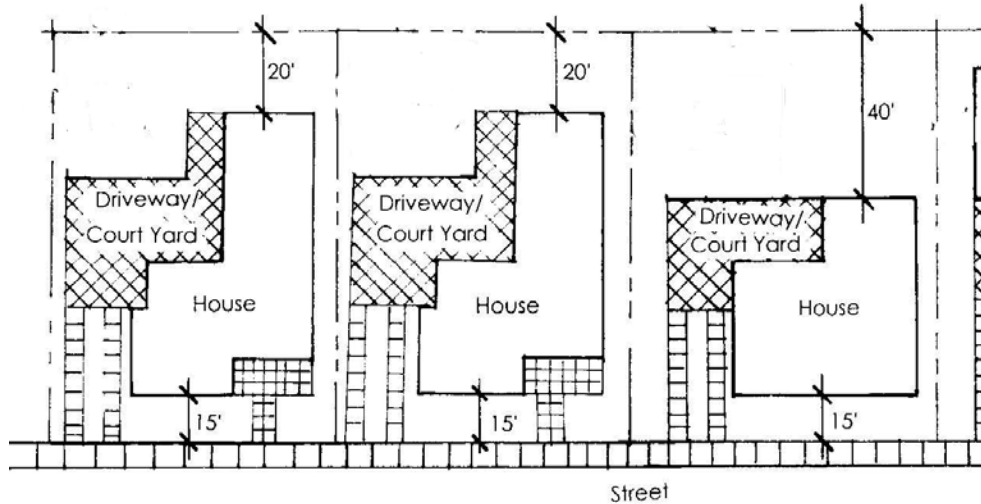
Combined Front and Rear Setbacks

The combined front and rear setback requirements otherwise required for a conventional development are combined. The development may reduce the front and rear setback, but the combined total front and rear setback is equal to the conventional development. This allows a variety of setback combinations. If this option is used, setbacks cannot be reduced below the following minimums:

- Front: 7.5 feet
- Rear: 15 feet

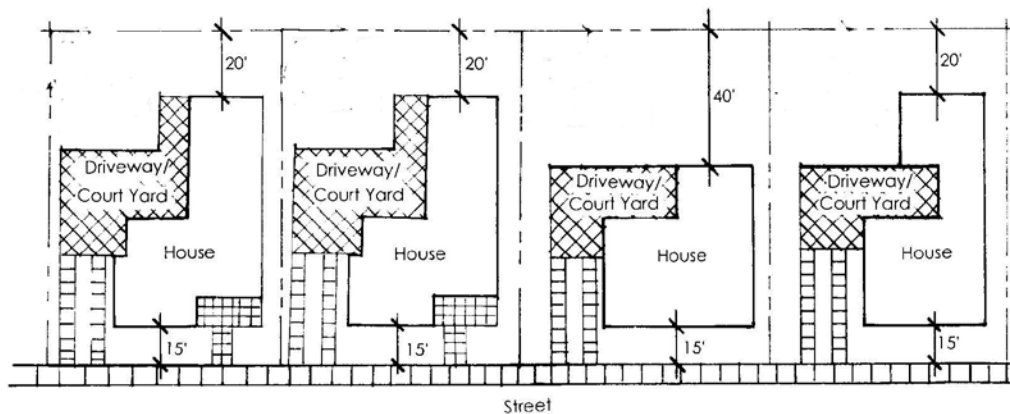
A **20 foot driveway** length is required for a garage to accommodate required off street parking. Therefore, a garage may not utilize the specific flexibility reduction in setbacks as depicted above.

The example below shows this option as applied to the SF6 district. Conventional development in SF-6 requires a 15' front and 20' rear setback, for a total of 35'. This option can use any combination of front or rear setbacks so long as (1) the total setbacks equal 35' and (2) the minimum setbacks above are incorporated.



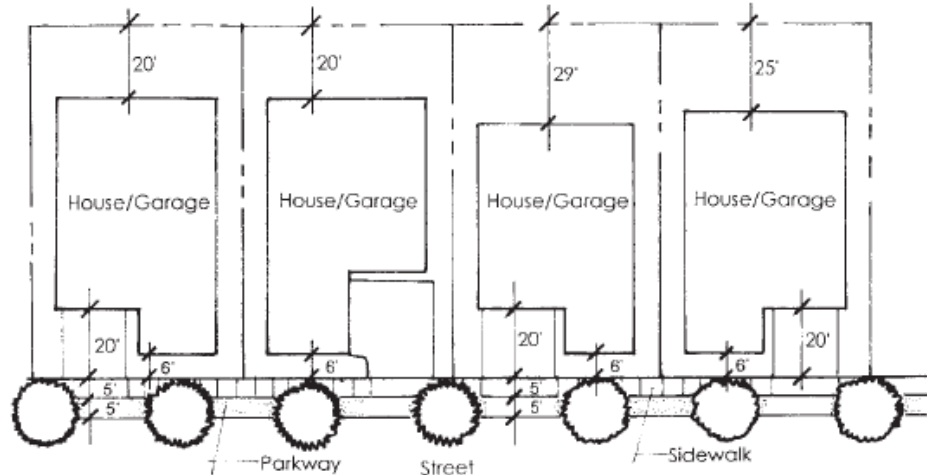
**Rear Yard
Garages**

Garages may be placed in the rear of the lot. A second story living unit over the garage is allowed per SMC to include an office (home occupation permit is required) The square footage of the second story unit shall exceed 35% of the primary structure foot print or 800 square feet whatever is less. The width of the rear garage shall not exceed of 40% of the average lot width.



**Reduced
Front
Setback with
Parkway**

A landscaped parkway (in front of the sidewalk) shall be provided when a six (6) foot front yard setback is maintained from the front property line (back of sidewalk) to the living area of a house. The parkway shall have a minimum width of 5 feet, unless a larger or smaller width is needed to match existing adjacent sidewalks. This option is not available if the resulting parkway would be less than 3 feet wide. A twenty (20) foot driveway length is required for the garage to accommodate off street parking per § 20.04.09 (Parking & Loading). The second story shall be twenty (20) feet from the front property line. The parkway shall include deciduous trees forty (40) feet on center. The size of the trees shall comply with § 20.04.05 (Landscaping & Screening), with sod ground cover and a permanent automatically controlled irrigation system. The reduced front setback with parkway is required to be on at least one side of the street. The parkway shall be maintained by a properties owners association or similar type of organization such as landscaping and lighting district to the approval by the City of Sparks.



3. Architectural Standards

a. Building Design

- (1) There is no specific architectural "style" required for residential structures. Within a development, the architecture shall include building style, form, size, color, materials and roof line that are complementary. Attached or detached garages or carports shall match the main structure in architecture, building material and roof pitch.



Figure 1 EXAMPLE OF ROOF AND WALL ARTICULATION, A MIX OF MATERIALS AND ARCHITECTURAL DETAILS, FOR STANDARD 6(a)(1)

- (2) Any building addition or additional building(s) (over 200 square feet) on a property shall match the main structure in building design, building materials, roof pitch and architectural character.
- (3) At least three (3) distinctive floor plans are required within each subdivision. A subdivision with twenty (20) or less lots may have less than three (3) distinctive floor plans, upon approval of the Administrator.

- (4) The architectural character (i.e., exterior materials, window trims, cornices, arches, etc) of the front elevations shall be utilized on all sides of the home.
- (5) Roofs shall have variations in plane accomplished by use of dormers (pitched, shed-roof or eyebrow), gables, hipped roofs and variations in pitch. Pitched roofs are preferred and when a flat roof is used, it must relate to the architectural style as approved by the Administrator.. All roofs shall be articulated. This may be achieved by changes in plane or by the use of traditional roof forms such as hips, gables, and dormers.
- (6) In order to encourage front porches as a dominant feature for the street facade, and the connectivity of this space into the street neighborhood, front porches shall be allowed to encroach into the front yard setback five (5) feet; however, setbacks shall conform with A.1.
 - (a) The roof of the porch shall be solid.
 - (b) The porch shall be a minimum of thirty-six (36) square feet with a minimum dimension of four (4) feet in width.



Figure 2 EXAMPLE OF DESIGN WITH VARIED HOUSE DESIGNS ON STREET FRONTAGE FOR

b. Building Materials

- (1) Exterior elevation shall demonstrate a logical use of materials and a unified appearance. The design between the home and the garage shall use complementary materials and/or colors. The materials shall be architecturally related. Large expanses of uninterrupted, single exterior materials without window trim, plane or color changes shall not be allowed.



Figure 3 EXAMPLE OF HOUSE WITH BALANCE IN DESIGN BETWEEN HOUSE/PORCH AND GARAGE

- (2) Change of materials or color shall occur at changes in plane or at a logical break on that facade, so as not to give the appearance of "tacked-on" quality. Accent colors can be used for shutters, trim, balcony rail, columns, stucco recesses, or cornice bands and shall relate to the architectural character of the building. Accent materials utilized on the front facade corners shall extend and continue around the corners a minimum 2 feet or a logical break on side facade.
- (3) Building materials and color schemes shall be consistent with the chosen architectural style. For example, with Spanish style homes, the design is consistent with stucco buildings and mission tile roof.
- (4) Exterior color elevations for all sides shall be provided with the proposed materials as part of the initial project submittal. The elevations shall be approved prior to the issuance of a building permit for custom homes, and as part of the tentative map approval for model homes.

c. Garage Frontage and Location

- (1) The intent of the garage standards are to ensure that the garage is not the dominate feature of the street facade.
- (2) **Street Loading Garages** -To prevent the design of street loading garages as a dominant front visual street element of the building facade, houses with street loading garages shall not exceed 50% of the total overall length of the street building facade, and shall incorporate at least a 2 foot offset as part of the front facade.
- (3) **Side Loading Garages** - To prevent the side of the garage towards the street from being a blank wall, houses with side loading garages shall incorporate architectural features, windows, faux windows, or other details on the facade of the garage facing the street.
- (4) **Alley Loading Garages**

- (a) The garage off the alley shall have architectural features that complement the main structure.
 - (b) There shall be provisions to accommodate parking off the alley so as not to block the alley.
- (5) **Driveway Length.** The length of a driveway to the front of a garage door shall be a minimum of twenty (20) feet. The driveway length shall be designed to prevent an automobile parked in the driveway from blocking the sidewalk and to accommodate off street parking per SMC.

Section 20.02.005 Residential Multi-Family Districts (MF)

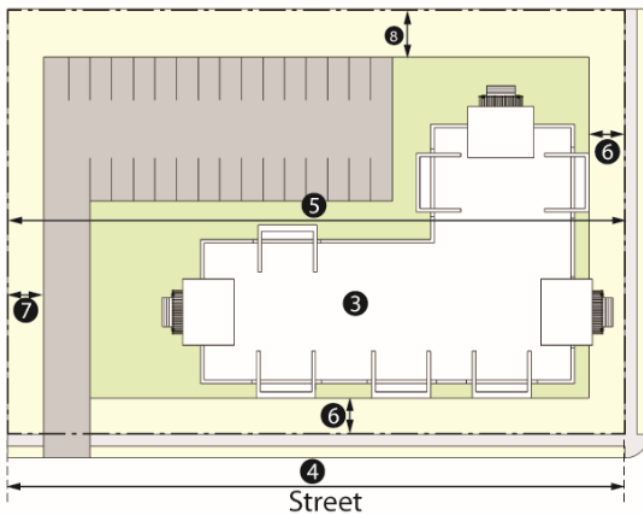


Purpose: The MF districts accommodate a range of housing types, typically near activity centers. These districts allow higher residential densities, and are accompanied by recreational facilities, pocket parks or other amenities. Lower density MF districts (MF2 and MF3) buffer single-family neighborhoods from higher density residential, commercial, or mixed use areas, while the higher density categories (MF4 and MF5) transition from multi-family to commercial. Residences should be sited to provide privacy to occupants while providing connectivity to adjoining commercial or other uses.

A. Uses

Refer to Section 20.02.013 (Use Table).

B. Dimensional Standards



Plan View

□ Lot Coverage ■ Setback Area ■ Yard Area



Elevation View

Chapter 20.02 Zoning Districts | Section 20.02.005 Residential Multi-Family Districts (MF)

		MF2	MF3	MF4	MF5
Yield					
1	Residential (<i>dwelling unit per acre minimum</i>)	12	15	22	34
Site					
2	Site size (<i>min</i>)	6,000	6,000	6,000	6,000
3	Site coverage (<i>max</i>)	50%	50%	50%	50%
4	Site frontage (<i>min</i>)	35'	35'	25'	25'
5	Site width (<i>min</i>)	60'	60'	60'	60'
Setbacks (<i>principal buildings</i>)					
6	Front / exterior side	15'	15'	15'	15'
	- garage / carport	20'	20'	20'	20'
7	Side	7.5	7.5	7.5	7.5
8	Rear	20	10	10	10
Height (<i>structures</i>)					
9	Residential	30	30	N/A	N/A
10	Non-residential	35	35	35	35
11	Non-residential (<i>with SUP</i>)	45	45	45	45

Site is defined as a parcel or combination of parcels or lots which share a common development plan or which are dependent upon one another for access, parking or utilities.

C. Design Standards



Purpose: these design standards maximize flexibility in the design of multi-family residential developments and encourage a variety of product types, while protecting the community and its environmental resources. These standards encourage well-designed developments that: (1) provide high quality front elevations, (2) promote pedestrian activity, (3) create functional and visual diversity, (4) provide community open space; and (5) protect significant features of the natural environment. The intent of these design standards is to allow maximum flexibility in the design of multi-family housing or attached single family (such as condominiums and townhomes) and to encourage a variety of product types, while protecting the aesthetic value of the community, both the built and natural environment.

1. Generally. Development that complies with these design standards are subject to the density standards, and not the minimum lot size, setback, and coverage requirements of this district

2. Duplexes may comply with the design standards of § Section 20.02.004D.2 instead of the setback requirements of the dimensional standards section.

3. Site Planning Standards

a. Site Character

(1) Natural site features shall be preserved and become part of the new project, whenever feasible. The applicant shall replace natural features that are removed with similar feature of same or greater visual or ecological value.

(2) Natural features such as mature trees, creeks, riparian corridors and similar features unique to the site shall be preserved and incorporated into development proposals.

b. Building Orientation

(1) Buildings shall be generally oriented with varying setbacks to provide visual interest and varying shadow patterns.

(2) Buildings shall be oriented in such a way as to create courtyards and open space areas. Clustering of multi-family units shall be consistently planned throughout the development.

(3) To provide indoor privacy between living spaces, there should be distance separations, buffering or changes in the angle of units. Private outdoor space shall be designed with maximum consideration for privacy, such as separations and orientation of the outdoor space. Building orientation shall provide opportunities for public spaces, for recreation and general open space. Public spaces shall be located within central areas accessible to the majority of the surrounding units. The common area shall be useable areas and not steep slopes or riparian areas.

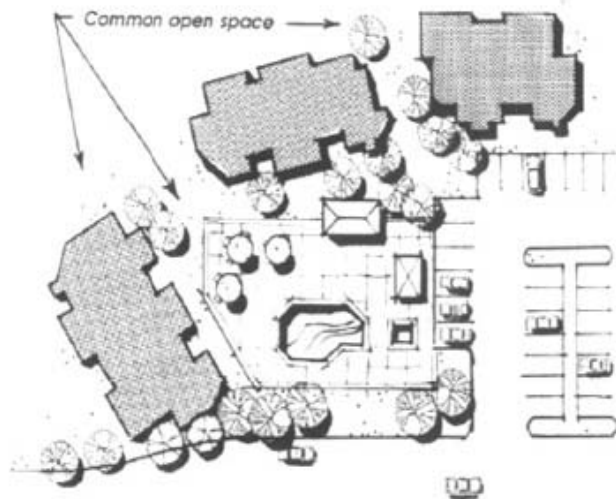


Figure 4 Illustration of apartment complex showing clustering around amenities

4. Parking and Circulation

a. Entry Driveways

- (1)** Monuments, special textured paving, landscaping, and walls shall conform to at least 2 of the following:
 - (a)** Monuments,
 - (b)** Pavers,
 - (c)** Stamped concrete,
 - (d)** Landscaping,
 - (e)** Decorative paving, or
 - (f)** Any similar material approved by the Administrator.
- (2)** Entry drives shall have a sidewalk on both sides.

b. Parking

- (1)** Parking spaces include carports, garages or open parking.
- (2)** Carports and garages shall be designed as an integral part of the architecture of the development. They shall be similar in materials, color and detail to the principal buildings of the development. Carports shall be designed to complement the architecture of the main buildings.



Figure 5 Example of a well designed carport

c. Pedestrian Circulation

- (1) All multi-family/attached single family developments shall incorporate pedestrian connections to adjoining residential, recreational and commercial uses.
- (2) Sidewalks along public streets shall have a minimum width of 6 feet.
- (3) The parking area shall be designed in a manner which links it to the building and sidewalk network as an extension of the pedestrian system. Pedestrian system shall be designed within the development to connect the buildings and open space/recreational facilities. This can be accomplished by using design features such as walkways with enhanced paving, trellis structures and/or landscaping treatment.
- (4) For projects along transit routes, they shall be designed to have a pedestrian entrance oriented towards transit stop(s) for convenient access by transit passenger.

5. Community Amenities

- a. Multi-family/attached single family developments shall have useable community amenities, whether common or private, for recreation and social activities.
- b. Developments with less than 100 units shall choose at least 3 of the following recreational facilities. Developments with at least 100 units shall choose 6 of the following recreational facilities. The table below indicates whether the recreational element is counted toward the minimum number required based on the development category.

Category
swimming pool
tennis courts
horseshoes
spa
exercise equipment
game room
community room
par course
walking trails (minimum 1/4 mile in length)
picnic areas to include tables with

Category
barbeques
volleyball court
basketball
court and lawn areas for field games
Play structure

- c. To ensure that recreational facilities are conveniently located, the facilities shall –
 - (1) Be located within 1,000 feet from any dwelling unit, and
 - (2) Connected to residential buildings by sidewalks, trails, or open space.
- d. All living units shall have a private open space (i.e., decks or patios) and shall be contiguous to the units with a minimum of 25 square feet.

6. Building Architecture

a. Building Design

- (1) There is no specific architectural "style" required for multi-family residential structures. Within a development, the architecture shall include building style, form, size, color, material and roof lines that are complementary.
- (2) In order to avoid boxy and monotonous facades that lack a sense of human scale, buildings shall incorporate articulation with no flat wall planes, exceeding 50 feet vertically or horizontally, unless approved by the Administrator.
- (3) The following standards apply:
 - The architectural character (i.e., exterior materials, window trims, cornices, arches, etc.) of the exterior elevations shall be consistent on all sides of the building(s) that are visible from a public right of way.
 - Roofs shall have variations in plane accomplished by changes in plane or by the use of traditional roof forms such as dormers (pitched, shed-roof or eyebrow), gables, hipped roofs and variations in pitch. When a flat roof is used, it must relate to the architectural style as approved by the Administrator.
 - Stairs shall be compatible with the architecture of the buildings and integrated into the design of the building.
 - Entryways shall face and connect directly to a public sidewalk.
 - Access points to units shall be clustered. Use of distinctive architectural elements and materials shall be used to denote entrances.

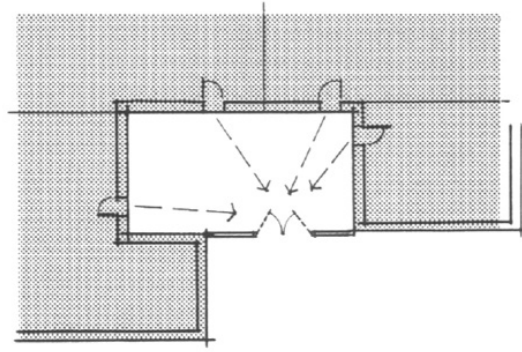


Figure 6 Design projects to facilitate social interaction and effective security



Figure 7 Example of cluster of entrances

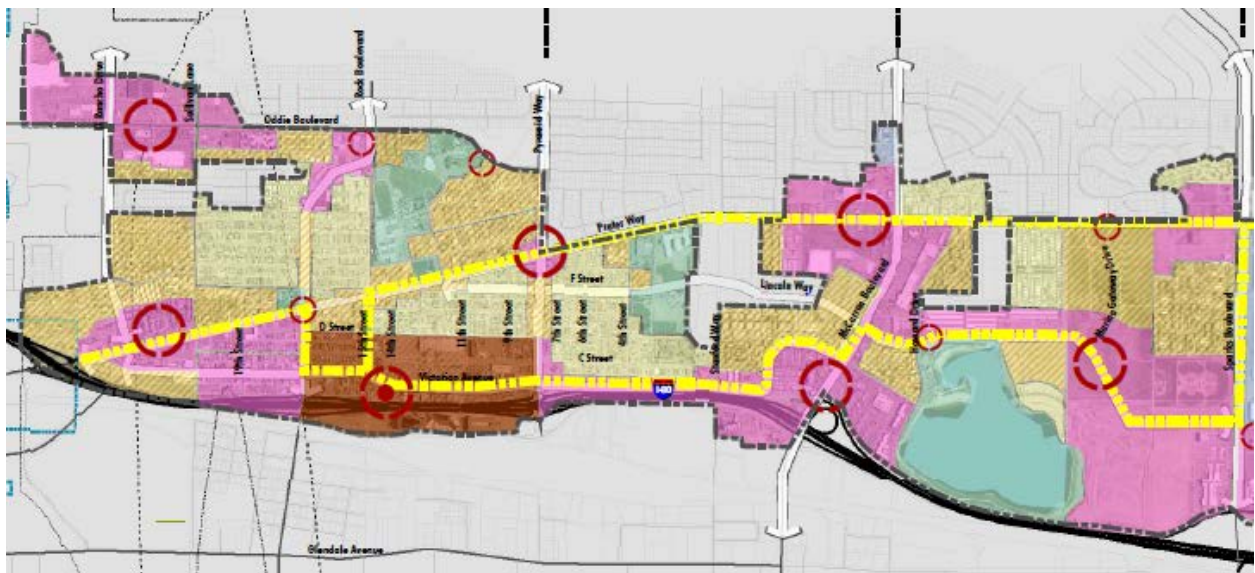
b. Building Materials

- (1)** Exterior elevation shall demonstrate a logical use of materials, unified appearance and complementary materials and colors. The materials shall be architecturally related. Avoid frequent changes in materials. Expanses of uninterrupted single exterior materials without planar or color changes are not allowed.
- (2)** Change of materials or color shall occur at changes in plane or at a logical break point. Accent colors can be used for shutters, trim, balcony rail, stucco recesses, or cornice bands and shall relate to the architectural character of the building.
- (3)** Building materials and color schemes shall be consistent with the chosen architectural style. For example, stucco buildings and mission tile roofs are consistent with Spanish style homes.
- (4)** Materials such as brick and stone shall be left in their natural colors.

Section 20.02.006 Mixed-Use Districts (MU-C, MR, D, RN, DT/VS)



Purpose: these districts provide a mix of uses, including high-density residential. The district allows vertical and/or horizontal mixing of uses on sites. The regulations create mix of uses with an efficient and compact development pattern that encourages shared parking and economical use of land. Higher density and intensity is transitioned away from established neighborhoods. This district includes areas suitable for designation as transit oriented development corridors. (Ord. 1325 § 61 (part), 1981.) (Ord. 2355, Add, 01/22/2007)



These standards support the preferred and anticipated character of each district, as follows:

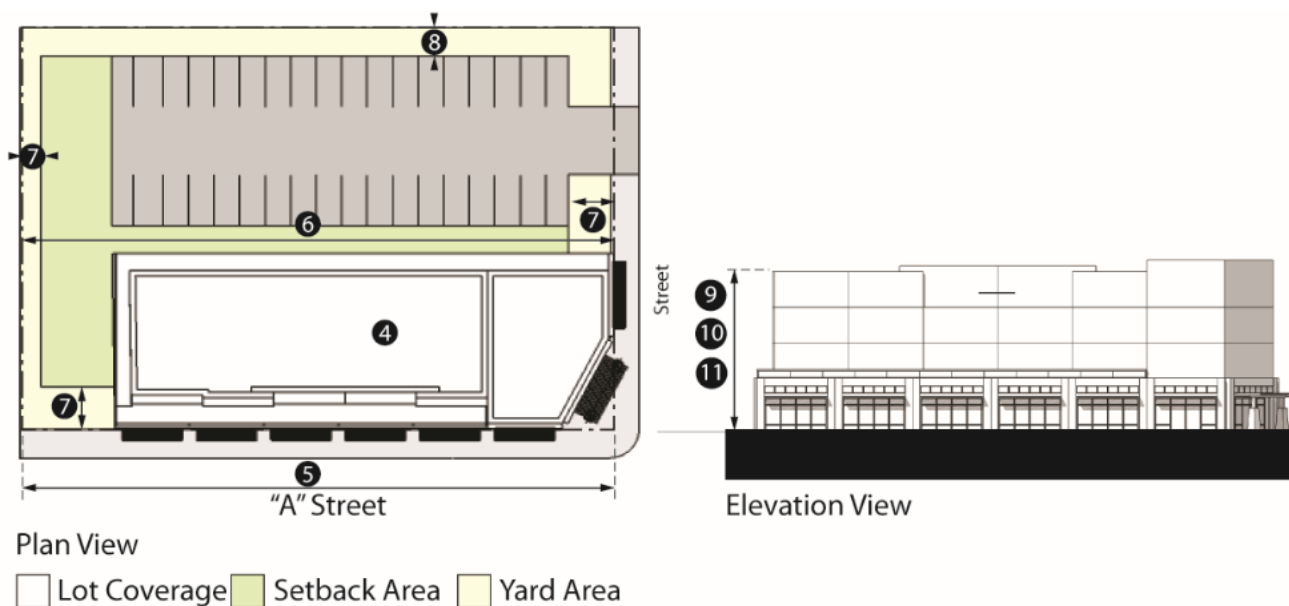
Neighborhood Residential (RN)	<i>This district applies to established neighborhoods that will evolve to include a mix of single and multi-family housing types over time. Each neighborhood typically maintains a consistent architectural style and scale. While these neighborhoods are generally stable, targeted infill and redevelopment activity is expected to occur in some locations over time. Infill, redevelopment, and major renovations/additions should be consistent with the established character and scale of the neighborhood.</i>
Mixed Residential (MR)	<i>This district includes mixed-use development with a residential emphasis where site size, visibility, or access constraints may limit the feasibility of a concentrated activity center (such as in between activity center nodes) or where existing multi-family neighborhoods exist. The regulations encourage a broad mix of housing types and connections to surrounding neighborhoods and activity centers. These areas are oriented and provide direct access to adjacent transit corridors, adjacent neighborhoods, and activity centers</i>
Downtown / Victoria Square (DT/VS)	<i>This district includes a range of retail, employment, casino, civic, and entertainment uses along with a variety of medium to high-density housing types. Retail and commercial uses should be concentrated at the street level within Downtown Sparks Center, along Victorian Avenue, and in other locations where a high level of activity is desirable. Residential and office uses are generally concentrated above retail uses.</i>
Mixed-Use Commercial (MU-C)	<i>This district primarily coincides with designated activity centers and should contain a mix of integrated, pedestrian-friendly uses (such as retail, offices, and residential.) The development and design standards emphasize pedestrian comfort and safety and include direct pedestrian and bicycle linkages to adjacent neighborhoods. Mixed-Use Commercial areas should contain a mix of integrated, pedestrian-friendly uses, such as outdoor restaurants and plazas and walkable retail streets. Properties with an Employment designation shall utilize the MU-C standards.</i>

A. Uses

Refer to Section 20.02.013 (Use Table).

B. Dimensional Standards

1. Generally



		MU-C	MR	DT/VS	RN
Yield					
1	Residential density (<i>min</i>)				
	• Adjacent to BRT	24	24		24
	• within Downtown Sparks Center or adjacent to Victorian Avenue			30	
	• Other	18	18	18	12
2	FAR (<i>minimum – for multiple lots that are part of the same development, calculated based on the entire project</i>)	0.5	0.5	1.0	NA
	FAR (minimum-for projects within 400 feet of designated BRT route)	0.75	0.75	1.5	NA
Lot					
3	Lot size (<i>minimum – the Zoning Administrator may waive if at least 5 lots are created.</i>) <small>Error! Bookmark not defined.</small>	6,000	6,000	6,000	6,000
4	Lot coverage (<i>max</i>)	N/A	N/A	N/A	
	• Adjacent to BRT	N/A	N/A	N/A	70%
	• Other	N/A	N/A	N/A	50%
5	Lot frontage (<i>min</i>)	N/A	N/A	N/A	25'
Setbacks (principal buildings)					
6	Front / exterior side				
	• Minimum (measured from property line)	0	0	0	18
	• Maximum ("A" Streets only)	20	20	20	15
	• Garage / carport (from alley, option 1, exact alignment)				5
	• Garage / carport (from alley, option 2, minimum)				18

		MU-C	MR	DT/VS	RN
	<ul style="list-style-type: none"> Garage / carport (from street, measured from behind front facade) 				10
7	Side				
	- Generally	0	0	0	5
	- attached dwelling units	0	0	0	0
	- corner lot				7.5
	- along street frontage or lot lines shared with RN or SF district	10	10	10	
8	Rear				
	- Generally	0	0	0	10
	- along street frontage or lot lines shared with RN or SF district	10	10	10	
Height (max - structures)(Transitional standards may be applied to surrounding development)					
9	Adjacent to Prater Way, Victorian Avenue or Lincoln Way	150	45	N/A	45
10	Within Downtown Sparks Center or adjacent to Victorian Avenue		45	N/A	
11	Other	90	45	N/A	35
12	Average minimum unit size (SF)	500	500	500	500

- 2. Exceptions.** The following pre-existing situations are exempt from the minimum density/FAR requirements above if they are not consolidated as part of a larger development, subject to the following alternative standards:

Situation	Alternative Standard
Parcels of less than 7,000 sf	2 dwelling units (maximum)
Parcels of up to 20,000 sf adjacent to BRT	0.5 FAR (minimum)

C. Design Standards



Purpose: subsections C through E -

- Protect stable residential neighborhoods in the Mixed Use Districts;
- Enhance the appearance of streets within the Mixed-Use Districts;
- Distinguish the character of service-oriented or utilitarian streets from areas where higher levels of pedestrian activity are desirable;
- Minimize the visual impacts of parking and maintains a pedestrian-friendly environment at the street edge;
- To ensure that infill and redevelopment is compatible with the established character of the historic neighborhoods;
- Reduce infill and redevelopment barriers by allowing for more compact parking configurations that maximizes the efficiency of on-site parking and increases buildable areas;
- Provide a continuous and easily accessible pedestrian circulation network;
- Provide an on-site pedestrian network providing direct access to transit and the corridor-wide pedestrian circulation network;
- Maintain a well-defined pattern of urban blocks that provide frequent pedestrian connections to adjacent neighborhoods and serve as a framework for a varied mix of uses; and
- Ensure that activity centers are integrated with, rather than walled-off from adjacent neighborhoods.

1. Applicability.

- a. An addition or renovation project proposed in a Mixed-Use District where the total square footage of the proposed addition is less than 50% of the total square footage of the existing primary structure is subject to landscaping and parking requirements in Chapter 20.04, and is not eligible for the incentives provided in this Section.
- b. **Publicly-owned lands** within the Downtown Redevelopment Area are governed by the Redevelopment Plan and design guidelines prepared by the Redevelopment Agency rather than this Section.
- c. **Routine Improvements.** These regulations do not apply to –
 - (1) the renovation of an existing single-family home, or
 - (2) the routine maintenance and repair of a structure or other feature on the site, such as roof replacement or general repairs to a parking area or other site feature.

2. Street Classifications. For purposes of applying these standards, the Mixed-Use Districts are divided into “A” Streets and “B” Streets, as follows:

“Primary” Streets This is a street with frontage that is restricted to building types and uses that promote pedestrian activity, and which benefit from pedestrian and/or transit access. Prater Way, Victorian Avenue, and streets that have BRT access are designated as “A” Streets.

“Secondary” Streets A street that is accommodates a variety of building and site design categories, including service, loading, and parking frontages. This may include large floorplate commercial uses or uses with front loaded parking for which there is a current market demand, but that may be redeveloped or augmented in the future as transit service increases and market demand shifts. A “B” designation may be considered an interim designation as part of a phased development plan.

3. Transitional Standards



Purpose: this section provides for a smooth and compatible transition between intensive, mixed use or non-residential development and established residential neighborhoods.

- a. **Applicability.** This section applies to any non-residential or multi-family development in the MU-C, MR, or DT/VS district that adjoins a Single-Family Residential district.
- b. **Standards.** Developments shall include at least 3 of the following transitional standards –
 - (1) Locate smaller-scale residential uses (e.g., townhomes) along the shared boundary of the development and the adjacent Single-Family District to promote a more seamless transition between uses;
 - (2) Cluster taller structures (e.g., five stories or more) away from the primary street frontage and the adjacent neighborhood (e.g., at the center of the site);

- (3) Step down the height of structures as they approach the edges of the Single-Family District;
- (4) Maintain or establish direct vehicular and pedestrian access points to the surrounding neighborhood and adjacent non-residential uses; and
- (5) Ensure that taller structures are compatible with airport flight patterns (applicable within the DT/VS district only).

4. Site Design

- a. The following standards apply to site design within the RN, MU-C, MR, and DT/VS districts:

"Primary Streets" "Secondary Streets" Standard
("M" = mandatory | "O" = Optional)

Block Configuration

M	M	Maximum Block Size (resulting from block consolidation): 2.5 acres
M	M	Maximum Block Length (any block face): 425 feet

Street Frontage

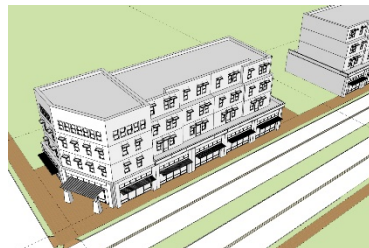
M	O	Minimum Building Frontage
---	---	----------------------------------

This standard ensures that buildings are located near the sidewalk edge to promote an active pedestrian environment and help screen parking areas. Building walls shall occupy the following minimum percent of the lot width at the maximum street setback lines:

This standard ensures that buildings are located near the sidewalk edge to promote an active pedestrian environment and help screen parking areas. Building walls shall occupy the following minimum percent of the lot width at the maximum street setback lines:

MU-C & MR District

Min. Building Frontage: 60%



DT/VC District

Min. Building Frontage: 80%





M	M	Required Sidewalk
---	---	--------------------------

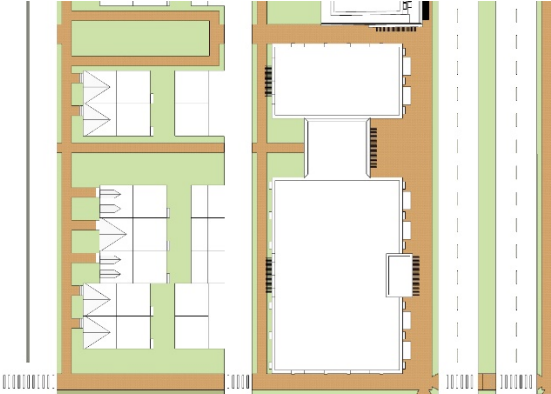
To facilitate pedestrian activity, a sidewalk shall be provided along the street frontage with a minimum width and "clear zone" (area unobstructed by permanent or nonpermanent elements) as follows:

	" Street	" Street
Min. Sidewalk Width:	6'	6'

Sidewalks within the Downtown Center shall have a minimum width of 10'



"Primary " Streets	" Secondary " Streets	Standard ("M" = mandatory "O" = Optional)
M	O	<div><div><div><div><div>Required Street Tree/Furniture Area</div><div>To enhance the appearance of streets and promote a high-quality pedestrian experience, a street tree/furniture area shall be provided between the curb and sidewalk with a minimum width and landscaping/amenities as follows:</div><div><div><div>Min. Street Tree Area Width:</div><div>4'</div></div><div><div>Required Trees</div><div>Deciduous</div></div><div><div>Max. Average Tree Spacing in Tree Area:¹</div><div>25' on center</div></div><div><div>Appropriate Elements for Tree Area:²</div><div><div><div>• Street furniture (benches, seating, etc.)</div><div>• Bicycle racks</div><div>• Street lights</div><div>• Waste receptacles</div><div>• Outdoor dining</div><div>• Utility equipment & vending boxes</div><div>• Other similar items</div></div></div></div></div><div></div></div><div><div><div>¹Specifications ns for tree calipers and species are established in Chapter 20.04.</div><div>²Must not obstruct pedestrian access or motorist visibility.</div></div></div></div></div></div>
M	O	<div><div><div><div><div>Required Pedestrian Connection to Building Entrance</div><div>Primary building entrances shall be connected to the sidewalk to ensure pedestrian access between buildings and transit corridors. Use one of the following options:</div><div></div><div><div><div>Primary entrance on sidewalk</div><div>Primary entry on walkway</div><div>Primary entry on plaza</div></div><div><div><div>The primary building entrance is located at the sidewalk edge and faces the street</div><div>The primary building entry is located on a walkway or breezeway that is directly connected to the sidewalk (does not require walking around the building)</div><div>The primary building entry faces a public plaza that is oriented towards the street</div></div></div></div></div></div></div></div>

"Primary Streets"	"Secondary Streets"	Standard ("M" = mandatory "O" = Optional)
M	M	Required Pedestrian Connections Between Properties <p>To support an interconnected pedestrian system, connections shall be provided to the following types of off-site pedestrian amenities:</p> <ul style="list-style-type: none"> A Sidewalks or walkways near the property line B Adjacent transit stops C Adjacent residential areas D Adjacent parks, open spaces or trail systems E Adjacent civic uses 

Utility & Mechanical Equipment

M	M	<p>Utility and mechanical equipment (including trash carts) shall be located out of view of streets and pedestrian walkways (e.g., facing an adjacent alley) or enclosed within the building.</p> <p>Utility and mechanical equipment shall not be located at street corners or adjacent to transit stops. In the MU-C, MR and DT/DS districts, where utility and mechanical equipment cannot be located out of view of primary streets and pedestrian walkways due to site constraints, existing standards for screening utility and mechanical equipment applicable to the Commercial Districts (20.02.007) apply.</p>
---	---	--

- b. The Administrator may approve alternative streetscape configurations and widths where the above configurations are not feasible. For example, existing development patterns and lot depths along some portions of Prater Way would limit sidewalk widths.

5. Landscaping



Purpose: this subsection emphasizes the use of landscaping at the street edge to –

- *provide visibility and needed shade, and*
- *to enhance the pedestrian environment from a safety and transit supportive perspective,*
- *To promote a more compact, urban pattern of development along the city's major urban corridors; and .*
- *To provide an incentive for infill and redevelopment.*

- a. The minimum portion of the site area to be landscaped is as follows –

Land Use Category	Minimum Landscaped Area	
	"Primary" Streets	"Secondary" Streets
Residential Neighborhood (RN)	10%	20%
Mixed Residential (MR)	10%	15%
Mixed-Use Commercial (MU-C)	10%	15%
Downtown/Victoria Square (DT/VS)	10%	10%

XX Insert graphic illustrating required landscape percentage on a sample site XX

- b. Specifications for landscape materials are as defined in Chapter 20.04, unless otherwise specified below.
- c. The applicant may credit the following areas towards the minimum landscape requirements for “Primary” Streets above:

RN	<ul style="list-style-type: none"> • Required street trees
MU-C, MR, DT/VS	<ul style="list-style-type: none"> • Areas within the Street/Furniture Zone that are occupied by street furniture, and • Areas subject to the Streetscape and the Community Amenities requirements below.

D. Residential Design Standards

- 1. **Building Design.** The following standards apply to residential building design within the MUD district:

Residential development shall incorporate a combination of materials (e.g., horizontal siding, brick, and traditional stucco) and colors tailored to the surrounding ' neighborhood context. For the purposes of evaluating the surrounding neighborhood context, consideration shall be given to predominant characteristics of existing buildings along the immediate block and block face.



Primary building materials include, but are not limited to:

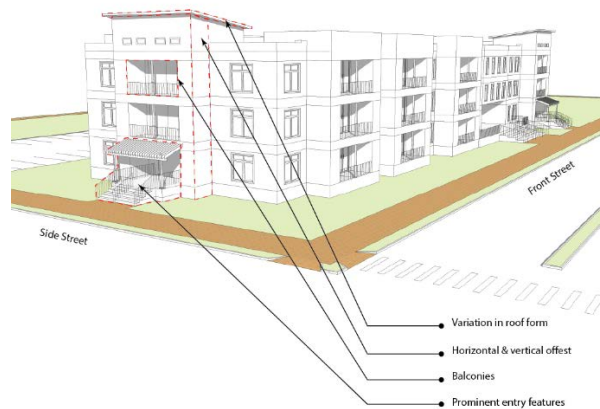
- Brick, stone; or other masonry products;
- Steel;
- Cast stone;
- Split face block;
- Composite siding; or
- Comparable material as approved by the Administrator.

Accent Materials may include:

- Brick, stone, or other masonry products;
- Steel or other metals;
- Cast stone;
- Composite siding;
- Split face block;
- Wood;
- Stucco or EIFS (Exterior Insulation and Finish Systems); or
- Comparable material as approved by the Administrator.

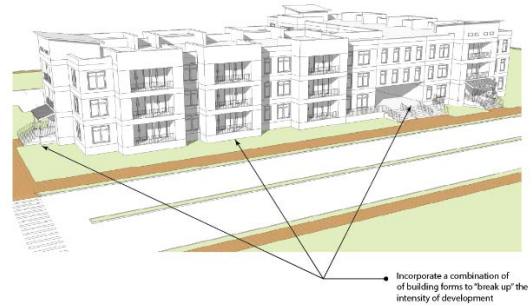
The sides of a building that are visible from a public street shall incorporate **architectural detailing** that is consistent with the front facade. Articulation of building walls shall be accomplished through the use of a **at least 4** of the following architectural features:

- Covered porches or stoops;
- Horizontal or vertical offsets;
- Balconies,
- Prominent entry features;
- Windows;
- Door openings,
- Distinct variations in color;
- Variations in texture and/or materials;
- Variations in building height;
- Variation in roof form;
- Dormers;
- Projected or recessed building walls; or
- Alternative detail as approved by the Administrator.



A variety of **building massing forms** and techniques is allowed in order to provide visual interest along the corridor's residential street frontages and accommodate a range of housing types. One or more of the following techniques shall be incorporated:

- Step back the facades of attached units (town homes, triplexes, etc.) to provide a visual transition along the street frontage and create the appearance of a series of separate homes along the street frontage.
- Design multiple unit buildings so that the massing and use of exterior materials gives each building the appearance of a large single-family home.
- Orient units perpendicular to the front setback towards a central courtyard with an opposing row of units across the courtyard.
- Incorporate a combination of building forms to "break up" the intensity of development and reinforce the pattern of the surrounding neighborhood.
- Incorporate a combination of the above techniques or an alternative technique as approved by the Administrator.



2. Site Design.

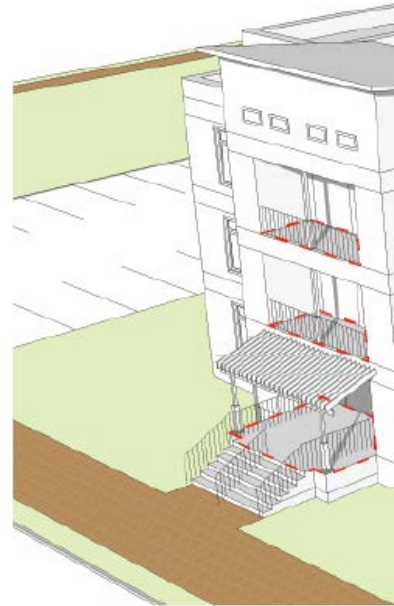
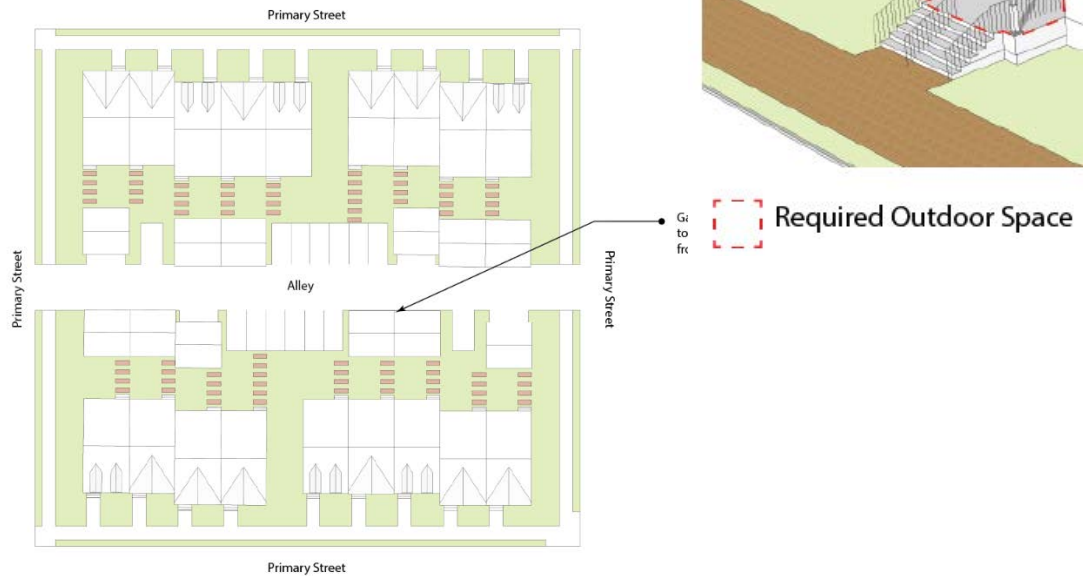
The following standards apply to residential site design within the MUD district:

At least 25 square feet of outdoor space shall be provided per dwelling unit. Outdoor spaces may include a shared patio, balconies, or similar space and may be aggregate to one or more locations.

Garage configurations are as follows:

Front-Loading (Street-Facing) Garages shall be detached from the primary structure and located in the rear yard, or are recessed behind the front facade at least of 10 feet.

On **blocks with alley access**, garages shall be oriented towards and accessed from the alley, not from the primary street. On **blocks without alley access**, garage entries, parking lots, and parking structures shall be internalized in building groupings and behind the primary structure, away from street frontages.



Detached Garages and Carports -

- are limited to **60 feet** or **6 garage bays** in length, whichever is less, unless accompanied by carriage units (as described below), and
- shall incorporate **compatible materials, colors, architectural details, and roof slopes** as the primary structure on the site.

"Carriage units" (accessory dwelling units are allowed above detached garages to increase the variety of housing options available within the corridor).

Tuck-under garages shall provide a landscape strip or island that separates each group of two garage doors or adjoining residence when a driveway is included.



Transitional Standards

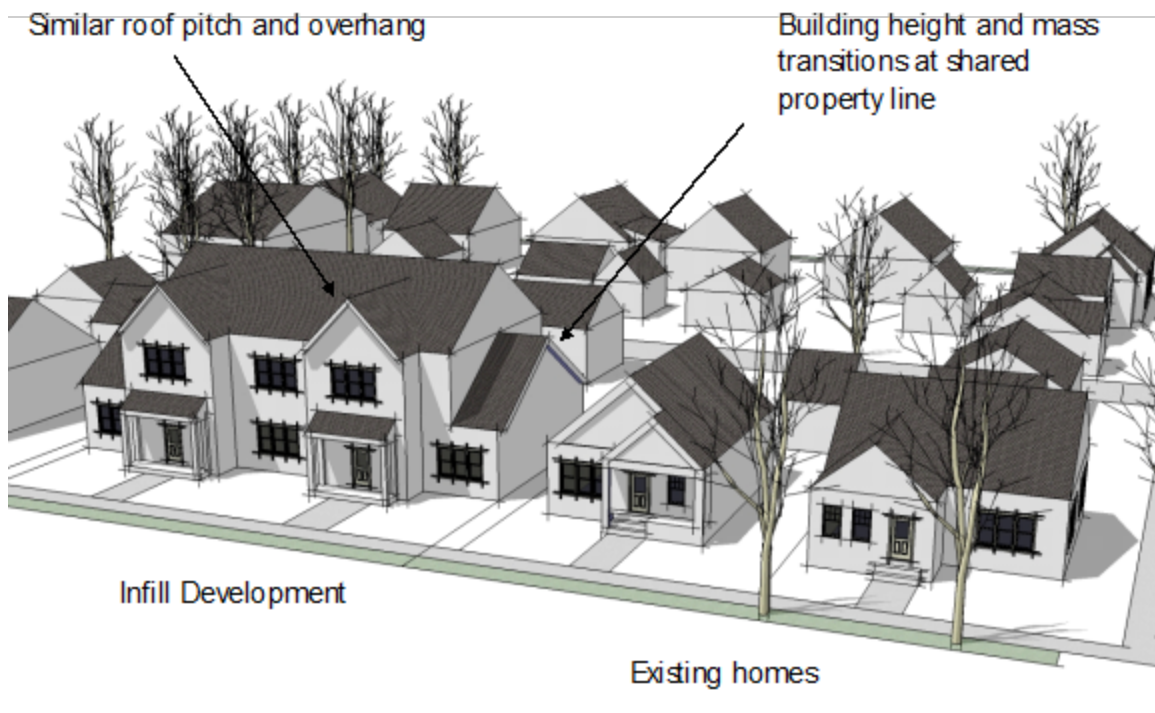
Residential development that is located **adjacent to or within an established single-family residential neighborhood** shall minimize impacts on adjacent homes by:

- Limiting exterior lighting to full-cutoff shielded fixtures and directing lights away from adjacent properties;
- Limiting sources of audible noise (e.g., heating and air conditioning units) from building facades that face lower intensity uses; and
- Locating off-street parking, loading, and service areas away from the shared property and incorporating them into the design of buildings they are intended to serve.
- Placing windows on the new development so as to maintain privacy by avoiding direct lines of sight into adjacent homes; and
- Orienting balconies and other outdoor living spaces away from a shared property line.

Residential **infill** that exceeds the height of adjacent existing homes by **more than one story in height and/or are significantly larger** in terms of their overall mass shall provide a transition using **at least 3** of the following techniques:

- "Stepping down" building height and mass along the shared property line to meet the height of the existing adjacent home. The "stepped down" portion of the building shall be at least 10 feet in depth along at least 50% of the building's length.
- Increasing the side yard setback at least 5 feet beyond that which is required and providing a landscape buffer along a shared lot edge;
- Providing variations in the side building wall and roof form so that new structures have a comparable scale as adjacent homes along a shared side;
- Using a roof pitch and overhang similar to that of the adjacent structures; and
- Using dormers and sloping roofs to accommodate upper stories.
-

Alternative approaches may be approved by the Administrator provided the overall objective of this standard can be satisfied.

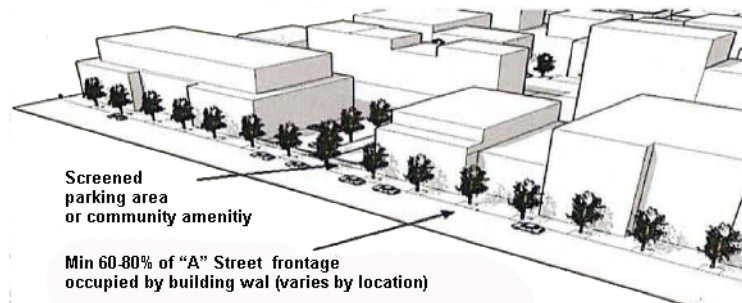


E. Commercial and Mixed Use Building Design Standards

1. **Applicability.** See subsection C.1, above.
2. **Building Design.** The following standards apply to commercial and mixed use building design in the Mixed Use District:

Buildings and their principal entrances shall face streets or interior pedestrian plazas. Along "Secondary" Streets, buildings may align perpendicular to a public street and face a parking area.

Building walls shall occupy the following minimum percent of the lot width at the street: MU-C and MR = 60%, DT/VC = 80%



The perceived mass and scale of commercial and mixed-use buildings shall be reduced by incorporating a series of smaller design elements that are consistent with the development's architectural character. Select a minimum of four design elements from the following menu:

Varied Roof Forms



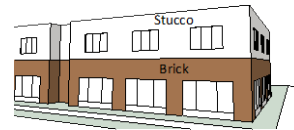
Variations in roof form and parapet heights

Façade Articulation



Pronounced recesses and projections

Color/Texture Changes



Distinct changes in texture and color of wall surfaces

Arcades



Ground level arcades

Galleries/Balconies



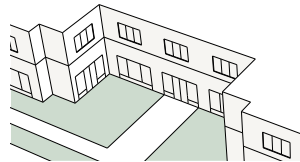
Second floor galleries/balconies

Cornices



Projecting roof cornice

Recessed Entry



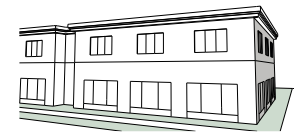
Protected and recessed entries

Vertical Accent



Vertical accents or focal points

Window Treatments



Enhanced window treatments





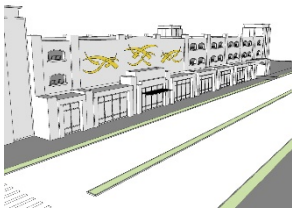
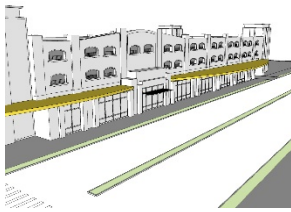
Façade Materials

Building materials used on street-facing façades shall be durable and project an image of permanence to enhance community character. The following materials may be used:

	Use as Primary Material	Use as Accent Material
Masonry, including brick, stone, or cast stone	✓	✓
Split face block	✓	
Composite siting	✓	✓
Steel		✓
Wood		✓
Stucco or EIFS		✓
Other comparable materials approved by the Administrator	✓	✓

Parking Structure Façade Interest

To ensure that parking structures do not have a negative visual impact, they shall be designed to screen views of parked cars on all visible façades. Select at least 3 architectural elements from the following:¹

<p>Window Openings</p>  <p>Windows or window shaped openings</p>	<p>Masonry Columns</p>  <p>Visible masonry columns</p>	<p>Wall Insets or Projections</p>  <p>Insets into or projections from walls</p>
<p>Changes in Color or Texture</p>  <p>Changes in materials, colors or textures</p>	<p>Public Art</p>  <p>Public Art inserted into building plane and compatible with building scale</p>	<p>Other Features</p>  <p>Other features as approved by the Administrator</p>

¹ Parking structures must also meet requirements for ground floor pedestrian interest below

Ground Floor Pedestrian Interest

Required Transparency

The following minimum percentage of the total area of each ground-level building facade shall be comprised of transparent window openings to allow views of interior spaces and merchandise, to enhance the safety of public spaces by providing direct visibility to the street, and to create a more inviting environment for pedestrians:

	Adjacent to BRT	DT/VS District	Other Districts
Min. Ground-Level ¹ Transparency:	45%	45%	35%
Min. Ground-Level ¹ Transparency for large-format retail buildings: ²	15%	15%	10%
Min. Visible Light Transmittance for Window Glazing	0.65	0.65	0.65
Max. Visible Light Reflectance for Window Glazing ³	0.20	0.20	0.20

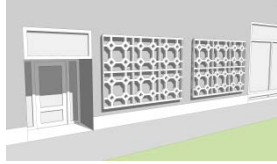


¹Ground-level area includes the area between the first and second floor plates for the full width of the façade elevation. ²Applies only to large-format retail buildings that are incorporated as part of a mixed-use center. ³Black or mirrored glass is prohibited.

Transparency Alternative

Up to 50%¹ of required transparency may be met using a minimum of two of the following alternative options for ground floor pedestrian interest:

Architectural Details



Architectural details and screens to add interest

Integrated Planters



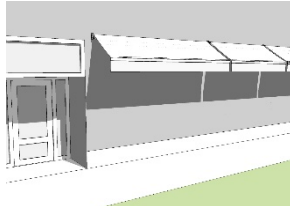
Landscape planter boxes integrated into building design to minimize the appearance of blank walls

Display Cases



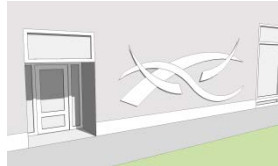
Transparent window boxes and display cases to add interest

Awnings



Awnings to help delineate the ground floor and add interest

Wall Art



Art installations approved by the Administrator to add interest

Other Features



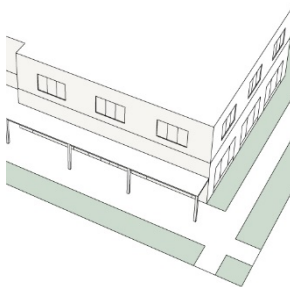
Other features as approved by the Administrator

¹For a parking structure, alternative options for ground floor pedestrian interest may be used to meet 100% of required transparency

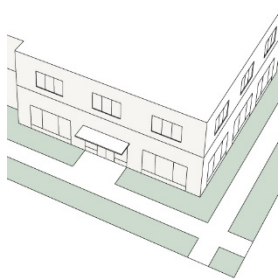
Primary Entrance Requirements

Primary building entrances shall be clearly distinguished through the use of one or more of the following architectural features:

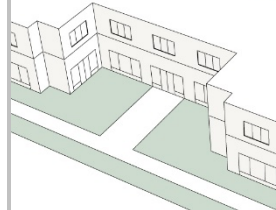
Covered Walkways or Arcades



Awnings or Canopies



Projected or Recessed



3. Site Design

Required Community Amenities

To promote pedestrian use of landscape areas, at least 25% of the minimum landscaping requirement shall be devoted to community amenities. Such amenities shall be adjacent-to or integrated-with transit stops, or located in areas of high pedestrian activity and should include at least three of the following:

Benches or Seating



Seating for pedestrians

Raised Planters



Decorative transit shelters as approved by the RTC and city

Historic Markers



Markers for local, state or national register properties

Public Art



Sculptures, murals, water elements, carvings, frescos, mosaics, and mobiles);

Bike Racks



Facilities for bicycle storage and access

Decorative Paving



Scored or decorative paving such as bricks, slate, or similar materials

Easements may be required from the city to accommodate these amenities.

Parking Location

- All on-site, surface parking (including total spaces after any building addition) shall be located as follows:

Sites $\leq 10,000$ sf: at least 65% of spaces shall be located to the rear of the building. The remainder may be located to the side of the building.

Sites $> 10,000$ sf: the applicant may either –

- (1) Locate at least 50% of all spaces to the rear of the building or interior of the overall site, with the remainder located to the side of buildings, or
- (2) Locate at least 30% of all spaces to the rear of the building or site interior, with at least 60% of the overall site frontage occupied by building.
- (3) Locate at least 30% of all spaces to the rear of the building or site interior, with at least 40% of the overall site frontage occupied by building and no more than 2 rows of parking or 60 feet of lot depth along any frontage occupied by parking areas.

XX Insert graphics XX

- The Zoning Administrator may approve alternative parking configurations for multi-building developments subject to compliance with standards for setbacks, building design, and site design in this section.

Required Screening of Surface Parking

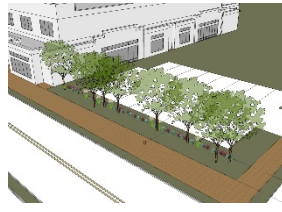
All surface parking lots visible from the public right-of-way shall be screened using one of the following methods,:

Landscaped Fence or Wall



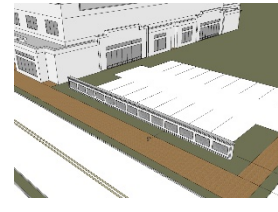
An ornamental fence or wall with landscape plantings in front. Walls and fences shall not exceed 3' in height to maintain visibility into the parking lot.

Extended Landscape Area



A landscape area with a minimum width of xx'

Fence or Wall¹



A 3 foot (in height) ornamental fence or wall without landscaping

¹This option may be used to screen parking only for developments of less than 10,000 square feet, or that include renovation of an existing building

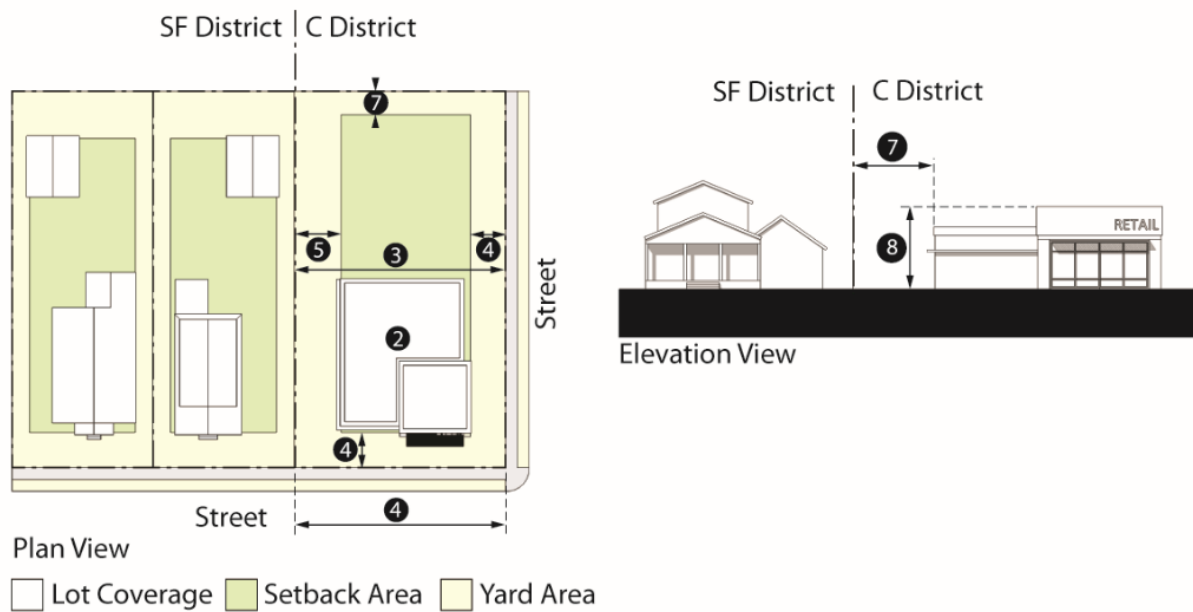
Section 20.02.007 Commercial Districts (C)



Purpose: This district provides a mix of retail and other commercial services in concentrated centers that serve the local community, or tourist oriented uses adjacent to I-80 and the Truckee River. It may also include larger retail centers that serve as a regional draw. Single-use or “strip center” commercial patterns of development are discouraged. Smaller, limited use centers should be integrated into the surrounding neighborhood.

A. Uses

Refer to Section 20.02.013 (Use Table).

B. Dimensional Standards

		C1	C2	TC
Lot				
1	Lot size (<i>min</i>)	6,000	6,000	6,000
2	Lot coverage (<i>max</i>)	50%	50%	N/A
3	Lot width (<i>min</i>)	50	50	50
Setbacks (<i>principal buildings</i>)				
4	Front / exterior side	15'	N/A	N/A
5	Side	N/A	N/A	N/A
6	Rear (<i>structures not abutting an alley</i>)	10'	N/A	N/A
7	Side or Rear (<i>abutting any SF district</i>)	Building height x 1'	Building height x 1'	Building height x 1'
Height (<i>structures</i>)				
8	Height (<i>maximum, feet</i>)	30*	60*	N/A

* = may exceed height with conditional use permit

C. Design Standards

1. Site Planning Standards

- a. Loading areas shall be located in the rear of the building and visually screened with architecturally compatible building materials.
- b. Adjacent residential and non-residential uses shall be as segregated as is necessary to maintain a livable residential environment. This may be achieved with masonry walls, landscaping, berms, building orientation, and fencing.
- c. Adjacent residential and non-residential uses shall provide connectivity such as walkways, common landscape areas, building orientation, and unfenced property lines; when there is mutual benefit.
- d. Window orientation in non-residential buildings shall preclude a direct line of sight into adjacent residential property through the use of screen walls, landscaping and/or window placement.

2. Building Placement

- a. Blank Building Walls (facing public streets) shall not be allowed.



- b. On commercial sites 3 acres and larger, a minimum 15% of the total primary building frontage shall be oriented toward the front with parking located on the side or rear.



- c. Multiple Buildings in a single project must demonstrate a functional relationship. Create opportunities for plazas and pedestrian areas and preventing rows of buildings. Visual links shall be incorporated between buildings. This shall be accomplished through the use of arcades, trellis, colonnade or other open structures.



- d. Buildings along transit routes shall have an entrance oriented toward transit stops for convenient access by transit passengers.
 - e. Open space areas shall be grouped into useable prominent landscape areas, rather than equally distributing them into areas of low impact such as building peripheries, minimal side yard setbacks, behind a structure, or to areas of little impact to the public's view. The intent is to provide useable open space within a complex of buildings or project, and shall not be required with every building or project nor shall every areas of surrounding buildings or project to be useable space.
 - f. Site design shall place buildings so that outdoor seating areas are created. The space between buildings can be used as outdoor seating areas on the site. These spaces shall have clear, useable shapes that are not simply left over areas between buildings. This standard does not require that all spaces between buildings be designed as outdoor seating areas.
3. **Building Design** shall avoid "box like" appearances.
- a. Articulation can be horizontal and vertical on walls.
 - b. There shall be no long expanses of flat wall planes, vertically or horizontally exceeding 50 feet. Acceptable methods of articulation includes:
 - i. the use of cornices
 - ii. staggered parapets
 - iii. horizontal or vertical wall offsets
 - iv. recessed windows


- v. extended windows
 - vi. covered arcades
 - vii. use of color
 - viii. material changes
- c. Exterior walls shall be visually consistent around the entire building. Blank walls are not permitted.
- d. Multiple buildings within a single project must be designed to be compatible with a unified appearance using similar building materials, and having varied texture, color or design.
- e. The following materials are not permitted as a primary building material:
 - i. Corrugated reflective silver metal
 - ii. Corrugated fiberglass or plastic
 - iii. Asphalt shingles
 - iv. Unprotected wood
- f. Columns, projections, and exterior detailing shall be used to architecturally demarcate and enhance buildings.
- g. Ground floors of buildings adjacent to walkways and roadways shall be articulated with the use of smaller, more pedestrian scale features, such as building mass, roof lines, colonnades, and planters.

4. Roofs

- a. The visible roof profile line shall not continuously run more than 150 feet. Methods to change the roof profile include the horizontal and vertical off-sets, jogging and varying parapets, roof over hangs, or similar design elements.
- b. Mansard style roofs, canopies, awnings, cornices and façade design shall be visually consistent around the entire building perimeter.
- c. Roof drains, leaders, and downspouts shall be integrated into the exterior design of the structure.
- d. Corrugated reflective silver metal shall not be used as the primary roofing material.

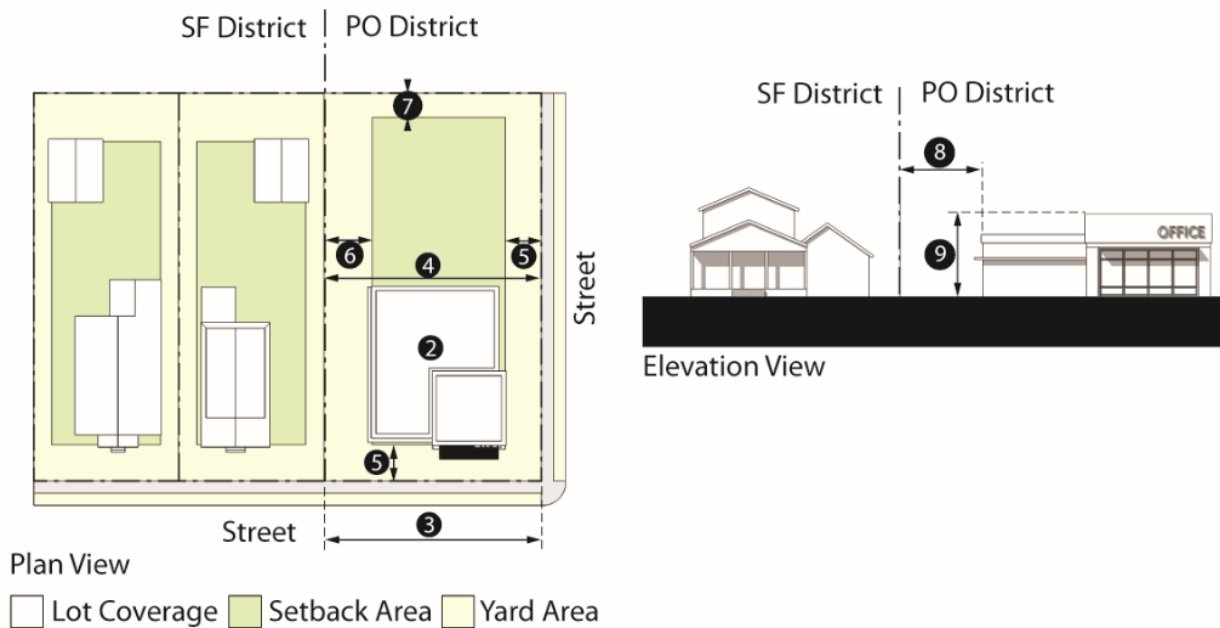
- 5. Building Color** can dramatically affect the appearance of buildings and should be used to affect the scale and proportion of a building by highlighting architectural elements such as doors, windows, fascia, cornices, lintels and sills.
 - a. Large areas (no more than 25% of one exterior side) of intense colors are prohibited.
 - b. Bright or intense colors shall be used for accent only.
 - c. Color shall be utilized on all sides of the building.

Section 20.02.008 Professional Office District (PO)

 *Purpose: This district provides office uses in the urbanized area, particularly in the vicinity of clinics, hospitals, commercial activities and major streets. This also provides a transitional land use between single family and commercial land uses.*

A. Uses

Refer to Section 20.02.013 (Use Table).

B. Dimensional Standards

Lot		
1	Lot size (<i>min</i>) ^{Error! Bookmark not defined.}	6,000
2	Lot coverage (<i>max</i>)	50%
3	Lot frontage (<i>min</i>)	25'
4	Lot width (<i>min</i>)	50
Setbacks (<i>principal buildings</i>)		
5	Front / exterior side	15'
6	Side	5'
7	Rear	10'
8	Side or Rear (<i>abutting any SF district, for structures or portions of structures over 1 story</i>)	Building height x 1'
Height (<i>structures</i>)		
9	Height (<i>maximum, feet</i>)	30'*

*may be exceeded by Conditional Use Permit

C = determined by conditions to conditional use permit

C. Design Standards

6. Site Planning Standards

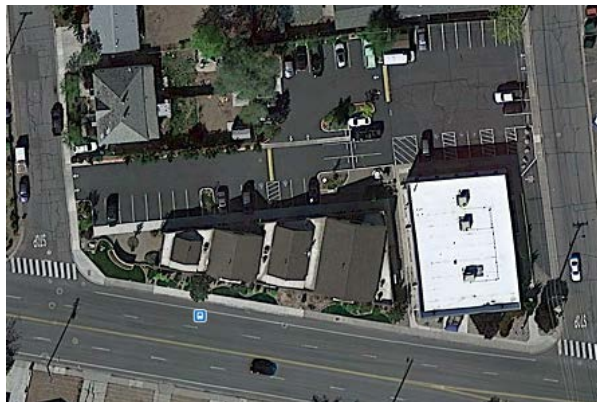
- a. Loading areas shall be located in the rear of the building and visually screened with architecturally compatible building materials.
- b. Adjacent residential and non-residential uses shall be as segregated as is necessary to maintain a livable residential environment. This may be achieved with masonry walls, landscaping, berms, building orientation, and fencing.
- c. Adjacent residential and non-residential uses shall provide connectivity such as walkways, common landscape areas, building orientation, and unfenced property lines; when there is mutual benefit.
- d. Window orientation in non-residential buildings shall preclude a direct line of sight into adjacent residential property through the use of screen walls, landscaping and/or window placement.

7. Building Placement

- a. Blank Building Walls (facing public streets) shall not be allowed.



- b. On office sites 3 acres and larger, a minimum 15% of the total primary building frontage shall be oriented toward the front with parking located on the side or rear.



- c. Multiple Buildings in a single project must demonstrate a functional relationship. Create opportunities for plazas and pedestrian areas and preventing rows of buildings. Visual links shall be incorporated between

buildings. This like shall be accomplished through the use of arcades, trellis, colonnade or other open structures.



- d. Buildings along transit routes shall have an entrance oriented toward transit stops for convenient access by transit passengers.
 - e. Open space areas shall be grouped into useable prominent landscape areas, rather than equally distributing them into areas of low impact such as building peripheries, minimal side yard setbacks, behind a structure, or to areas of little impact to the public's view. The intent is to provide useable open space within a complex of buildings or project, and shall not be required with every building or project nor shall every areas of surrounding buildings or project to be useable space.
 - f. Site design shall place buildings so that outdoor seating areas are created. The space between buildings can be used as outdoor seating areas on the site. These spaces shall have clear, useable shapes that are not simply left over areas between buildings. This standard does not require that all spaces between buildings be designed as outdoor seating areas.
8. **Building Design** shall avoid “box like” appearances.
- a. Articulation can be horizontal and vertical on walls.
 - b. There shall be no long expanses of flat wall planes, vertically or horizontally exceeding 50 feet. Acceptable methods of articulation includes:
 - i. the use of cornices
 - ii. staggered parapets
 - iii. horizontal or vertical wall offsets
 - iv. recessed windows
 - v. extended windows
 - vi. covered arcades
 - vii. use of color
 - viii. material changes

- c. Exterior walls shall be visually consistent around the entire building. Blank walls are not permitted.
- d. Multiple buildings within a single project must be designed to be compatible with a unified appearance using similar building materials, and having varied texture, color or design.
- e. The following materials are not permitted as a primary building material:
 - i. Corrugated reflective silver metal
 - ii. Corrugated fiberglass or plastic
 - iii. Asphalt shingles
 - iv. Unprotected wood
- f. Columns, projections, and exterior detailing shall be used to architecturally demarcate and enhance buildings.
- g. Ground floors of buildings adjacent to walkways and roadways shall be articulated with the use of smaller, more pedestrian scale features, such as building mass, roof lines, colonnades, and planters.

9. Roofs

- e. The visible roof profile line shall not continuously run more than 150 feet. Methods to change the roof profile include the horizontal and vertical off-sets, jogging and varying parapets, roof over hangs, or similar design elements.
- f. Mansard style roofs, canopies, awnings, cornices and façade design shall be visually consistent around the entire building perimeter.
- g. Roof drains, leaders, and downspouts shall be integrated into the exterior design of the structure.
- h. Corrugated reflective silver metal shall not be used as the primary roofing material.

10. Building Color can dramatically affect the appearance of buildings and should be used to affect the scale and proportion of a building by highlighting architectural elements such as doors, windows, fascia, cornices, lintels and sills.

- d. Large areas (no more than 25% of one exterior side) of intense colors are prohibited.
- e. Bright or intense colors shall be used for accent only.
- f. Color shall be utilized on all sides of the building.

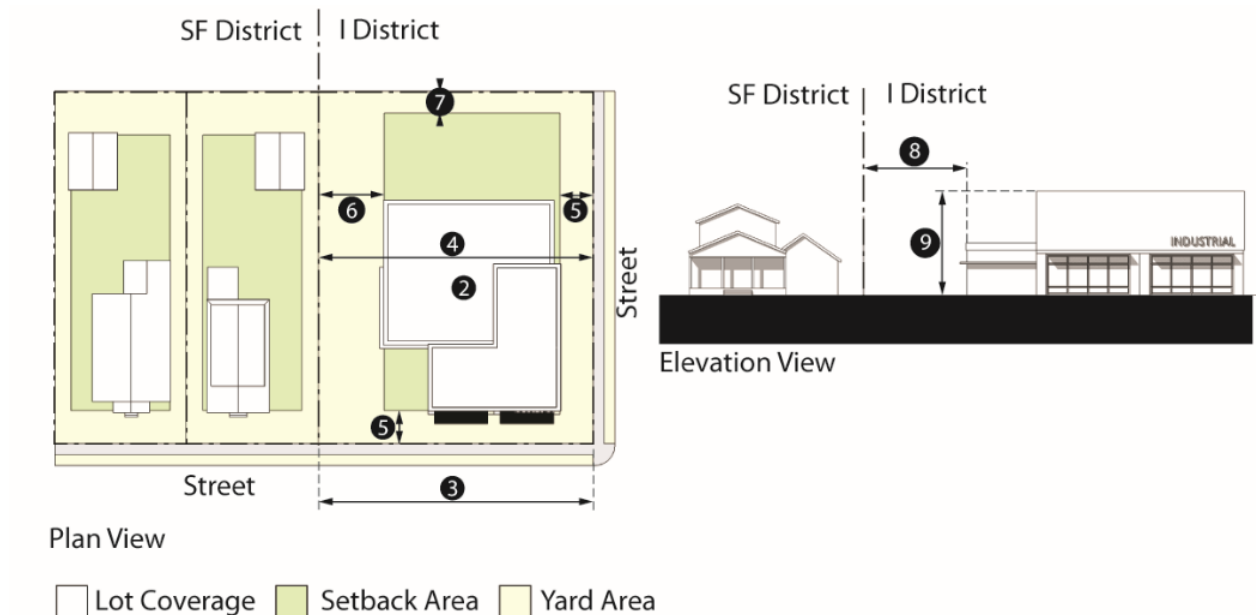
Section 20.02.009 Industrial District (I)



Purpose: This district provides intensive work processes such as manufacturing or basic resource handling. These areas are generally located south of I-80 along between the western and eastern City boundaries. Other potential areas suited are along I-80 and/or rail corridor.

A. Uses

Refer to Section 20.02.013 (Use Table).

B. Dimensional Standards

Site		
1	Site size (minimum, includes site size for industrial condominium)	20,000 sf
2	Site coverage (max)	N/A
3	Site frontage (min)	N/A
4	Site width (min)	100'
Setbacks (principal buildings)		
5	Front / exterior side	15'
6	Side	N/A
7	Rear	N/A
8	Side or Rear (abutting any SF district, for structures or portions of structures over 1 story)	Building height x 1'
Height (structures)		
9	Maximum (feet)	65'* (May Be Exceeded By Conditional Use Permit)

Site is defined as a parcel or combination of parcels or lots which share a common development plan or which are dependent upon one another for access, parking or utilities.

C. Commercial / Mixed Uses and Public/Civic/Institutional Uses

1. A locational restriction includes:
 - a. Are located anywhere in the area bounded by Glendale Avenue on the north, Deming Way on the East, Rock Boulevard on the west, and Greg Street on the South; or
 - b. Are within 600 feet of McCarran Boulevard, Glendale Avenue, or Rock Boulevard; or
 - c. Are within 600 feet of the portion of Greg Street that is east of the City of Sparks boundary at the point where it intersects Greg Street and west of the intersection of Greg Street and McCarran Boulevard; or
 - d. Are within 600 feet to the east of the portion of Sparks Boulevard that is north of the intersection with Interstate 80 and south of the intersection with Prater Way.

Graphic

2. All uses that are locationally restricted (see Use Matrix) within the Commercial / Mixed Use and Public/Civic/Institutional categories shall also be restricted from locating on a property with railway access.

D. Design Standards

1. Site Planning Standards
 - a. Loading areas shall be located in the rear of the building and visually screened with architecturally compatible building materials.
 - b. Adjacent residential and non-residential uses shall be as segregated as is necessary to maintain a livable residential environment. This may be achieved with masonry walls, landscaping, berms, building orientation, and fencing.
 - c. Adjacent residential and non-residential uses shall provide connectivity such as walkways, common landscape areas, building orientation, and unfenced property lines; when there is mutual benefit.
 - d. Window orientation in non-residential buildings shall preclude a direct line of sight into adjacent residential property through the use of screen walls, landscaping and/or window placement.
2. Building Placement
 - a. Blank Building Walls (facing public streets) shall not be allowed.



b. On Industrial sites 3 acres and larger, a minimum 15% of the total primary building frontage shall be oriented toward the front with parking located on the side or rear.

c. Multiple Buildings in a single project must demonstrate a functional relationship. Create opportunities for plazas and pedestrian areas and preventing rows of buildings. Visual links shall be incorporated between buildings. This like shall be accomplished through the use of arcades, trellis, colonnade or other open structures.



d. Buildings along transit routes shall have an entrance oriented toward transit stops for convenient access by transit passengers.

e. Open space areas shall be grouped into useable prominent landscape areas, rather than equally distributing them into areas of low impact such as building peripheries, minimal side yard setbacks, behind a structure, or to areas of little impact to the public's view. The intent is to provide useable open space within a complex of buildings or project, and shall not be required with every building or project nor shall every areas of surrounding buildings or project to be useable space.

f. Site design shall place buildings so that outdoor seating areas are created. The space between buildings can be used as outdoor seating areas on the site. These spaces shall have clear, useable shapes that are not simply left over areas between buildings. This standard does not require that all spaces between buildings be designed as outdoor seating areas.

3. **Building Design** shall avoid "box like" appearances.

a. Articulation can be horizontal and vertical on walls.

- b. There shall be no long expanses of flat wall planes, vertically or horizontally exceeding 50 feet. Acceptable methods of articulation includes:
 - i. the use of cornices
 - ii. staggered parapets
 - iii. horizontal or vertical wall offsets
 - iv. recessed windows
 - v. extended windows
 - vi. covered arcades
 - vii. use of color
 - viii. material changes
- c. Exterior walls shall be visually consistent around the entire building. Blank walls are not permitted.
- d. Multiple buildings within a single project must be designed to be compatible with a unified appearance using similar building materials, and having varied texture, color or design.
- e. The following materials are not permitted as a primary building material:
 - i. Corrugated reflective silver metal
 - ii. Corrugated fiberglass or plastic
 - iii. Asphalt shingles
 - iv. Unprotected wood
- f. Columns, projections, and exterior detailing shall be used to architecturally demarcate and enhance buildings.
- g. Ground floors of buildings adjacent to walkways and roadways shall be articulated with the use of smaller, more pedestrian scale features, such as building mass, roof lines, colonnades, and planters.


4. Roofs

- i. The visible roof profile line shall not continuously run more than 150 feet. Methods to change the roof profile include the horizontal and vertical off-sets, jogging and varying parapets, roof over hangs, or similar design elements.
- j. Mansard style roofs, canopies, awnings, cornices and façade design shall be visually consistent around the entire building perimeter.
- k. Roof drains, leaders, and downspouts shall be integrated into the exterior design of the structure.
- l. Corrugated reflective silver metal shall not be used as the primary roofing material.

5. Building Color can dramatically affect the appearance of buildings and should be used to affect the scale and proportion of a building by highlighting architectural elements such as doors, windows, fascia, cornices, lintels and sills.

- g. Large areas (no more than 25% of one exterior side) of intense colors are prohibited.
- h. Bright or intense colors shall be used for accent only.
- i. Color shall be utilized on all sides of the building.

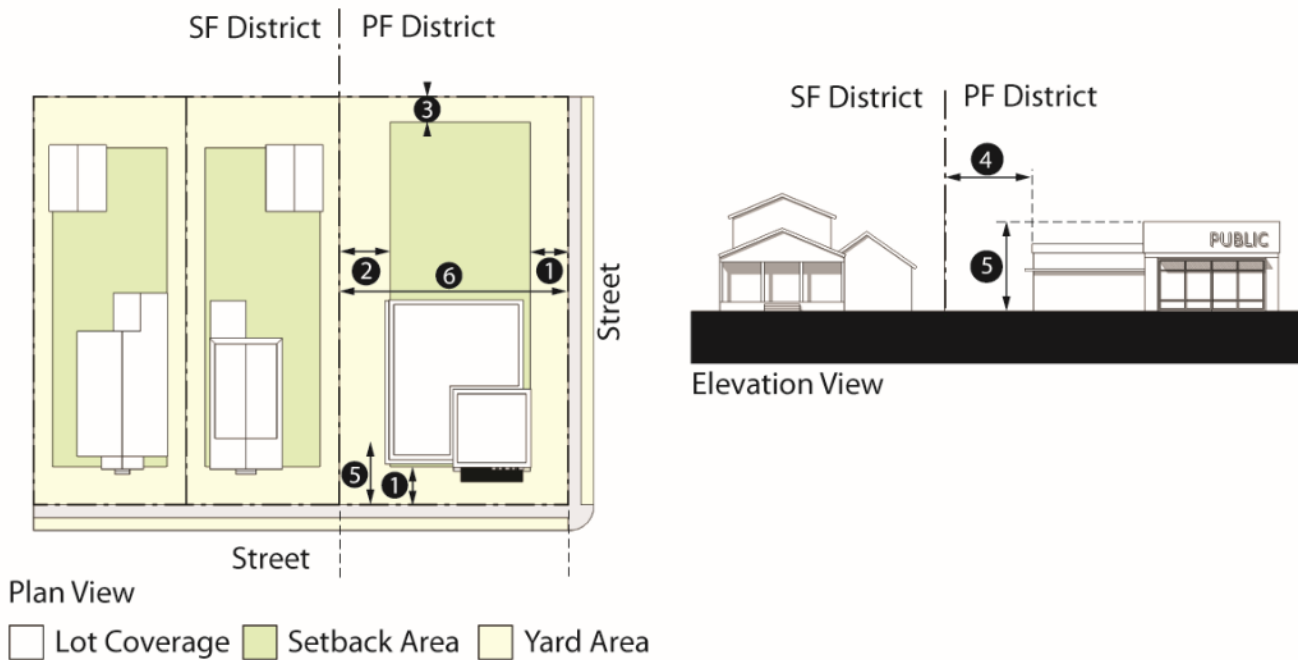
Section 20.02.010 Public Facilities District (PF)

 **Purpose:** This district provides public facilities that are either inappropriate in another location due to site impacts, or that require flexible design and site planning.

A. Uses

Refer to Section 20.02.013 (Use Table).

B. Dimensional Standards



Setbacks (principal buildings)		
1	Front / exterior side	15'
2	Side	5' on one side
3	Rear	10'
4	Side or Rear (abutting any SF district, for structures or portions of structures over 1 story)	Building height x 1'
Height (structures)		
5	Height (maximum, feet)	30'* may be exceeded by Conditional Use Permit

Section 20.02.011 Historic Preservation Overlay (H)



Purpose: The City's policy is to promote the educational, cultural, economic and general welfare of the public through the recognition, enhancement, preservation and protection of sites and districts within the City of historical and cultural significance. It is the intent of this Title to create a flexible, self-perpetuating voluntary historic resources program to preserve and promote the community's functional resources in an economically viable manner.

(Ord. 1074 § 1 (part), 1976.) (Ord. 2382, Amended, 12/10/2007)

A. Criteria for Designating Historic Resources and Historic Districts

The HRC shall compile and maintain, on behalf of the City, a register of historic resources that possess integrity of location, design, setting, materials, workmanship, and in addition to being at least 50 years old, meet one or more of the following criteria:

1. Be associated with events that have made a significant contribution to the broad patterns of our history; or
2. Be associated with the lives of persons significant in our past; or
3. Embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
4. Have yielded, or may be likely to yield, information important in prehistory or history.

(Ord. 1074 § 1 (part), 1976.) (Ord. 2382, Amended, 12/10/2007)

B. Procedures for Nomination and Listing

1. Any person may request the HRC to designate a historic resource.
2. The owner of a property nominated to the Sparks Register of Historic Places must consent to the inclusion of said property on the register prior to the nomination process moving forward as outlined below.
3. Upon receipt of an application for listing on the Sparks Register of Historic Places, HRC staff shall notify the property owner and building division of the pending request. No building or demolition permits shall be issued for any alteration to any improvement, fixture, or façade location on a site subject to a request for listing on the Sparks Register of Historic Places while an application is pending action from the HRC. In no event shall the delay be for more than 120 days.
4. The HRC shall hold a duly noticed public meeting in accordance with the State of Nevada Open Meeting Law. In their review of the request for listing on the Sparks Register of Historic Places, the HRC shall consider the request by the criteria listed in Subsection A, above. For listing, a historic resource needs to successfully demonstrate that it meets at least one of these criteria.

5. Subsequent to the public meeting, the HRC shall approve, approve with conditions, or deny the proposed application for listing on the Sparks Register of Historic Places.
6. No later than 10 working days following the HRC's decision regarding an application to the Sparks Register of Historic Places, the decision shall be filed with the HRC's clerk, and a notice thereof shall be mailed to the applicant.
7. Any resource listed on the Sparks Register of Historic Places shall be identified on the zoning map of the City.
8. Any historic designation conferred upon a resource pursuant to this chapter may be removed subsequent to notice thereof, publication, and a public hearing as provided above.

(Ord. 1074 § 1 (part), 1976.) (Ord. 2382, Amended, 12/10/2007)

C. Historic districts

A Historic District may include any geographically definable area possessing a significant concentration or continuity of sites, buildings, structures, or objects unified by past events, or aesthetically by plan or physical development is eligible for historical district designation. Any historic district within the city's incorporated limits must meet at least one of the criteria listed in SMC 20.95.030.

(Ord. 2382, Add, 12/10/2007)

D. Historic District Overlay

The boundaries of a Historic District may be combined with any zoning district provided for in Title 20 as an overlay to be shown on the zoning map of the City. Development within an historic district overlay shall be subject to historical preservation provisions as set forth in this article, as well as to the regulations of the underlying zone. Where conflict occurs, the regulations set forth in this article shall apply.

(Ord. 2382, Add, 12/10/2007)

E. Historic Markers

Historic Markers displaying pertinent information about the district may be placed at various vehicular and pedestrian gateways into the historic district. All permanent signs displaying historic information shall comply with the requirements of SMC 20.56 of this title. A record of historic districts would be kept at the community development department and at the Nevada State Historic Preservation Office or other agencies as required.

(Ord. 2382, Add, 12/10/2007)

F. Procedures for Establishing Historic Districts

1. Any person may request the HRC to designate a historic district.
2. Upon receipt of a complete nomination submitted to the HRC, HRC staff shall schedule at least one meeting to discuss any proposed Historic District. All meetings shall be noticed to all property owners within the boundaries of the proposed historic district shall be notified and invited to attend and present testimony at any neighborhood meeting.
3. Subsequent to all required neighborhood meetings, the HRC shall hold a noticed public meeting, at which time the HRC shall furnish a recommendation to the Planning Commission and the City Council to approve or deny a proposed Historic District. If the HRC finds that the district should be approved, the recommendation to the Planning Commission and the City Council shall include:
 - a. A map showing the proposed boundaries of the historic district and identifying all structures within the boundaries, contributing or non-contributing;
 - b. An explanation of the significance of the proposed district and description of the historic resources within the proposed boundaries;
 - c. A statement regarding how the proposed district satisfies the criteria set forth in subsection A above.
4. The Planning Commission, upon receipt of the notice from the HRC clerk that the HRC has recommended approval of a historic district, shall initiate a rezone request to add a historic landmark overlay to all the properties within the proposed district within 45 days of receiving the receipt. The Planning Commission shall forward a recommendation to rezone request of all properties within the proposed district, the recommendation to City Council shall contain the report from the HRC approving the proposed Historic District.
5. Upon receiving a recommendation from the Planning Commission, the City Council shall review both the boundaries of the proposed district and the rezone request for all properties within the district. The City Council shall designate an area as a Historic District if it finds that the Historic District:
 - a. Is a geographically definable area possessing a significant concentration or continuity of sites, buildings, structures or objects unified by past events, or aesthetically by plan or physical development;
 - b. The collective historical value of the proposed historic district is greater than that of each individual historic resource contained therein;
 - c. The proposed designation is in conformance with the purpose of the city's historic preservation provisions set forth in this article, the city's master plan, and the criteria established in subsection A above.

6. After City Council action, the Council's decision shall be filed with the City Clerk. A notice thereof shall be mailed to the applicant at the address shown on the application and to the owners of properties located within the proposed historic district.

(Ord. 2382, Add, 12/10/2007)

G. Procedure and Criteria for Rescinding Historic Resources

1. Any person may submit a written request to the HRC to rescind his/her resource from the Sparks Register of Historic Places or from a Historic District. The application shall be made on forms provided by the city and shall be submitted to the planning division.
2. Upon receipt of a complete application the HRC hold a duly noticed public meeting. In their review of the request to remove a resource from the Sparks Register of Historic Places or from a Historic District, the HRC shall consider the following criteria of this section.
 - a. New documentation has been presented disproving the information upon which the resource was placed on the Sparks Register of Historic Places or included within the boundaries of a Historic District;
 - b. Evidence has been presented showing that modifications and alterations to the resource have eliminated the distinctive architectural features that warranted its placement on the Sparks Register of Historic Places or its inclusion within the boundaries of a Historic District.
3. Following the public meeting the HRC shall approve, approve with conditions, or deny the proposed application for rescinding a historic resource from the Sparks Register of Historic Places or from a Historic District.
4. Upon approval of removing a resource from the Sparks Register of Historic Places or from a Historic District the Historic Preservation Overlay shall be removed from the zoning map of the City utilizing the process outlined in subsection F.

(Ord. 2382, Add, 12/10/2007)

H. Certificates of Appropriateness

1. It is unlawful for any person to tear down, demolish, construct, alter, remove or relocate any historic resource or any portion thereof that has been listed on the Sparks Register of Historic Places, or to alter in any manner any feature of such designated resource without first obtaining a certificate of appropriateness in the manner provided in this article. Such a certificate shall be obtained prior to the issuance of a building permit for the purpose of constructing, altering, and moving historic resources. In the event a building permit is not otherwise required, all property owners of historic resources listed on the Sparks Register of Historic Places shall meet with HRC staff to determine if the proposed alterations need a certificate of appropriateness. All repairs, alterations, constructions, restorations of applicable historic resources shall conform to the requirements of any historic design standards adopted by the HRC and City Council as well as to

the Secretary of the Interior's Standards for Rehabilitation. Any permit not issued in conformity with this section shall be invalid.

2. A certificate of appropriateness is not required for routine maintenance (masonry tuckpointing, cleaning and repainting), installation of temporary fixtures (awnings and canopies, light fixtures, steps, and landscape accessories) and maintenance and removal of plantings and non-mature trees that in the opinion of HRC staff does not significantly alter the historical features of any resource listed on the Sparks Register of Historic Places. Any maintenance of trees designated as historic must be approved in advance by the City's Urban Forester or their designee.
3. This section does not prevent the construction, reconstruction, alteration, improvement, restoration, demolition to any resource listed on the Sparks Register of Historic Places if in the opinion of the city's Building Division that such action is required for the public safety due to an unsafe or dangerous condition which cannot be rectified without such action taking place.

(Ord. 2382, Add, 12/10/2007)

I. Submittal Requirements for Major and Minor Certificates Of Appropriateness

1. An application for certificate of appropriateness shall be filed by the owner of a resource listed on the Sparks Register of Historic Places with the Community Development Department on a form provided by the city. The application shall be accompanied by sketches, drawings, photographs, specifications, descriptions and other necessary information regarding the proposed project.
2. Following the Community Development Department's receipt of a complete application, HRC staff shall determine whether a project requires a minor certificate of appropriateness or a major certificate of appropriateness:
 - a. Minor certificate of appropriateness projects shall be subject to HRC staff review and do not require a public meeting. HRC staff may, if necessary confer with the chairman and vice chairman of the HRC prior to determination. Minor project include projects that do not in the opinion of HRC staff significantly alter or change the historic appearance of any resource listed on the Sparks Register of Historic Places involving minor restoration and exterior changes to architectural accents and decorative elements, porches, exterior staircases, exterior doors, windows, skylights, mechanical systems, storm windows and doors, security grilles, and fire escapes.
 - b. Major certificate of appropriateness projects that require a certificate of appropriateness shall be subject to staff determination prior to review by the HRC. Major projects include any which significantly alter or change the historic appearance of any resource listed on the Sparks Register of Historic Places. These alterations include all but are not limited to; new construction, additions, removal, relocation, changes to the site, public right-of-way improvements, new freestanding signs, street furniture, exterior changes of building materials, large porches, changes in shape of roofs, solar collectors, retaining walls, fences and freestanding walls.

3. In reviewing a certificate of appropriateness, HRC staff in the event of a minor certificate of appropriateness review or the HRC in the event of a major certificate of appropriateness review shall take into account the historic and architectural significance of the structure under consideration, the exterior form and appearance of any proposed modification to that structure, as well as the effect of such change upon other structures in the vicinity and shall make findings related to the following standards:
 - a. Every effort shall be made to provide a compatible use for a property that requires minimal alterations of the resource and its environment, or to use a property for its original purpose.
 - b. The distinguishing original qualities or character of a resource and its environment shall not be destroyed. The alteration or removal of any historic material or distinction architectural feature shall be avoided.
 - c. All resources shall be recognized as products of their own time. Alterations that have no historical basis and that seek to create an earlier appearance shall be prohibited.
 - d. Changes that have taken place in the course of time are evidence of the history and development of a resource and its environment. These changes may have acquired significance in their own right. This significance shall be recognized as unique and respected.
 - e. Distinctive stylistic features or examples of skilled craftsmanship that characterize a building, structure or site shall be treated with sensitivity.
 - f. Deteriorated architectural features shall be repaired rather than replaced. In the event that replacement is necessary, the new material shall match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplication of features, substantiated by historic, physical or pictorial evidence, rather than on contextual designs, cost or the availability of different architectural elements from other buildings or structures.
 - g. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods which will damage the historic building materials shall be prohibited.
 - h. Every reasonable effort shall be made to protect and preserve archaeological resources affected by or adjacent to any project.
 - i. Contemporary design or alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and when such design is compatible with the size, scale, color, material and character or the property, neighborhood and environment.
 - j. Other guidelines found within the most current edition of, "The Secretary of the Interior's Standards for Rehabilitation," and other standards, policies and guidelines adopted by the HRC and City Council.

4. No later than ten (10) working days following action by HRC staff or by HRC, notification of the determination shall be filed with the clerk of the HRC and notice thereof shall be mailed to the applicant at the address shown on the application. If the determination was to approve the proposed work, HRC staff shall issue a certificate of appropriateness that outlines the approved work. If the determination was to disapprove the proposed work, the applicant shall be provided with a written statement giving the reasons for disapproval.

(Ord. 2382, Add, 12/10/2007)

J. Appeals of HRC Action

1. Any decision of the HRC may be appealed by the applicant, any aggrieved party, or any member of the HRC to the City Council by following the procedures in subsection 2 of this section within twenty one (21) days of the date of the HRC decision.
2. Any project applicant or any aggrieved party may file an appeal as specified in this section provided that the appellant has filed written notice to the City Clerk to appeal a decision of the HRC within twenty one (21) days of the date of the HRC decision. The appeal letter shall include the appellant's name, mailing address, daytime phone number, and shall be accompanied by the appropriate fee. The letter shall specify the project or decision for which the appeal is being requested. The letter shall indicate which aspects of the decision are being appealed. No other aspect of the appealed decision shall be heard. The letter shall provide the necessary facts or other information which support the appellant's contention that the staff or HRC erred in its consideration or findings supporting its decision.
3. Issues not addressed in the HRC meeting for a project which is being appealed may not be raised as a basis for the appeal unless there is substantial new evidence which has become available accompanied by proof that the evidence was not available at the time of the public meeting. If new information is submitted to the City Council, the application may be referred back to the HRC for further review and action.
4. Upon determination that the appeal request is complete, the City Clerk shall request time on the next available City Council meeting agenda.
5. Any decision or action of HRC staff may be appealed by the applicant, any aggrieved party, to the City Council as set forth in SMC 20.05.14.

(Ord. 2382, Add, 12/10/2007)

K. Avoiding Demolition Through Owner Neglect

Any structure or historic resource listed on the Sparks Register of Historic Places or within an established historic district shall be preserved against decay and deterioration and free from certain structural defects. Such structures shall be preserved and maintained by their owners in conformity with the requirements of this section and any standards adopted by the HRC or City Council.

(Ord. 2382, Add, 12/10/2007)

L. Minimum Maintenance of Historic Properties

1. The degree of maintenance and repair hereby required is that degree sufficient to prevent damage to a building's structural components and/or to its exterior that would cause the collapse of the structure or that would cause the building to become so deteriorated as to prevent its repair and preservation for resources listed on the Sparks Register of Historic Places. Acts which the owner may be required to perform pursuant to this section may include but are not limited to the following: securing the building or structure by boarding up doors and windows; and stabilizing walls, roofs and other parts of the building or structure.
2. All owners of structures designated as historic properties shall maintain their structures in conformity with the following minimum standards:
 - a. All structures shall be maintained in good general repair.
 - b. Structural Elements.
 - (1) All foundations shall support the structures and all points that provide for the structural integrity of the building shall be free of holes, wide cracks and buckling.
 - (2) Exterior walls, trim and roofs shall be free of holes, wide cracks and loose, warped, protruding or rotting boards or any other condition which might admit moisture or other elements.
 - (3) Masonry joints shall be maintained.
 - (4) Exterior surfaces exposed to the weather shall be repaired and painted to protect them from further deterioration.
 - c. Windows, exterior doors, bullheads, walls, and wood siding shall be watertight.
 - d. Flashing, Gutters and Ventilation.
 - (1) Exterior flashing, including those at chimneys, doors and windows, shall be maintained in good repair.
 - (2) Down spouts and gutters shall be maintained so that rain runoff is directed away from the structure.
 - (3) Foundation and attic vents shall be maintained to ventilate the crawl and attic spaces.
 - e. Outside stairways, porches and appurtenances to stairways and porches shall be maintained in good repair.
 - f. Unoccupied buildings shall be secured from intrusion and all utilities shall be properly maintained.
 - g. Existing structures shall be protected during construction or renovation in a manner that assures no damage by weather to interior spaces or structural components.

- h.** Any maintenance of trees designated as historic must be approved in advance by the City's Urban Forester or their designee.

(Ord. 2382, Add, 12/10/2007)

M. Emergency Demolition Permit

1. A request for a demolition permit involving a resource listed on the Sparks Register of Historic Places that has been subject to a catastrophic event, as defined in this article, shall be submitted in writing to the Community Development Department and shall include the property owner's authorization for submittal. In a situation where a resource must be demolished, the reuse of façade materials from the demolished resource is encouraged in the new structure as an effort to maintain the character of the original resource and the site's designation on the City register of historic places.
2. On a case-by-case evaluation and upon consultation with the chairman and vice chairman of the HRC, HRC staff and the city Building Official, without a public meeting, may issue a permit for a complete or partial demolition of a historic resource that is listed on the Sparks Register of Historic Places, if it is determined that the catastrophic event has rendered said resource immediately hazardous and dangerous and/or detrimental to the public health and/or safety as defined in the latest adopted Building Code. Prior to approval for demolition, it shall be determined that the structure cannot be stabilized and secured for additional analysis.
3. In determining the appropriateness of demolishing a resource under this emergency provision, HRC staff and the city Building Official shall give consideration to demolishing only those portions of a resource that are immediately hazardous, thereby allowing for the preservation/reconstruction of non-hazardous portions. HRC staff shall also consider whether the damage to the resource is so substantial that it alters the historic character of the resource.

(Ord. 2382, Add, 12/10/2007)

N. Non-emergency Demolition Permit

1. When HRC staff receives a request for non-emergency demolition of a resource listed on the Sparks Register of Historic Places, HRC staff shall perform a preliminary assessment to determine if the resource is significant. HRC staff may employ a registered historian to help make this determination. If the site is determined not to be significant, the demolition permit will be considered at HRC staff level after appropriate review has been noticed and issued and photo documentation to the city's satisfaction has been performed. If the historic resource is determined to be significant or if HRC staff's decision to approve the demolition permit is appealed, an application for a non-emergency demolition permit shall be submitted in writing to the community development department using forms provided by the city. In a situation where a resource must be demolished, the reuse of façade materials from the demolished resource is encouraged in the new structure as an effort to maintain the character of the original resource and the site's designation on the City register of historic places.

2. The HRC shall hold a duly noticed public meeting prior to the demolition of a significant historic resource. The applicant shall provide, at a minimum, the following items to the satisfaction of HRC staff:
 - a. Advertisement of the resource's availability for sale in at least one (1) local newspaper and for a minimum period of two (2) weeks;
 - b. Research into the feasibility of relocating a significant resource within the community including a licensed contractor's bid for the cost of moving the resource. For structures, the research shall include the cost of improving the structure to meet relevant building code standards;
3. The HRC may approve a demolition request upon making findings a, b, and c, and either d or e:
 - a. That the Sparks Register of Historic Places is not diminished by the demolition of the subject resource, and that there remains in the community a like resource, (i.e., use, site, architectural style, or example of an architect's work).
 - b. That all feasible physical alternatives to demolition have been evaluated, and that the applicant has shown that there is no alternative left to pursue, other than demolition;
 - c. That the continued existence of the historical resource is detrimental to the public health, safety and welfare;
 - d. If the property is approved for demolition, the Nevada Historical Society, Sparks Heritage Museum and/or other appropriate historic agency has access to the building to retrieve any historic material, and to provide photo documentation of the resources conducted according to Historic American Building Survey (HABS) specifications;
 - e. The applicant shall have, or will have a plot plan or development plan approved by the city prior to issuance of a demolition permit.
4. No later than ten (10) working days following the HRC action, the decision of the HRC shall be filed with the clerk of the HRC and a notice thereof shall be mailed to the applicant at the address shown on the application.

(Ord. 2382, Add, 12/10/2007)

O. HRC Recommendation on Conditional use permits, Site Plan Reviews, Variances and Rezoning Requests

All conditional use permits, site plan reviews, variances, and rezoning requests for historic resources listed on the Sparks Register of Historic Places shall obtain a recommendation of approval from the HRC prior to filing an application and being reviewed by Planning Commission or City Council. HRC shall review each request with the criteria in subsection A.

(Ord. 2382, Add, 12/10/2007)

P. Definitions

Whenever the following terms are used in this article, they shall have the meaning ascribed to them in this section.

Alteration	Any exterior change or modification through public or private action of any historical property or resource on the local register or located within a historical district. The term "alteration" shall include any change or modification that affects the exterior visual qualities of the property or resource, and the removal of historical resources from the property or district as well as disturbances to archaeological sites. Alteration does not include routine maintenance or the attachment of temporary fixtures.
Archaeological Site	An area where remains of man or his activities prior to keeping of history are still evident.
Catastrophic Event	An event that is beyond the property owner's ability to control, and renders historical resources hazardous or destroyed beyond repair. The term "catastrophic event" shall not include the results of improper or insufficient owner maintenance or corrections that can be accomplished through reasonable measures.
Certificate of Appropriateness	A certificate issued by the Sparks Historic Resources Commission approving alteration, restoration, construction, removal, or relocation, in whole or in part, of or to a property on the local register as a historic site or to an improvement within a historical district as established by this chapter.
Demolition	Any intentional act that destroys, in whole or in part, a historical resource on the local register or contained within a historical district as established by this chapter.
Façade	The exterior face of a building that is the architectural front.
Fixture	A decorative or functional device that is permanently affixed to a site or the exterior of a structure which contributes to the site or structures ability to meet historical designation criteria. The term "permanently affixed" shall include, but not be limited to, attachment by screws, bolts, pegs, nails or glue, and may include such attachment methods as rope, glass or leather, if such material is integral to the design of the device.
HRC	The Historic Resources Commission consisting of five (5) members appointed by the Mayor and confirmed by a majority vote of the City Council.
Historic Resources	Includes, but is not limited to, any object, building, structure, site, area, place, sign, landscape feature, record or manuscript which is listed on, or is eligible for listing on the Sparks Register of Historic Places.
Historic District	A geographically defined area, possessing a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united by past events or aesthetically by plan of physical development that has been so designated in accordance with this chapter. A district may be comprised of individual elements separated geographically but linked by association or history.
Historic Site	Any parcel or portion of real property that has a significant historical, cultural, or archaeological feature.
Improvement	Any place, building, structure, landscape feature or object, whether permanent or not, which constitutes a physical addition to real property.
National Register of Historic Places	The official national list of cultural resources worthy of preservation. The list is compiled and maintained by the National Parks Service and the United States Department of the Interior.

Nevada State Register of Historic Places	The official state-wide list of Nevada's historical resources. The list is compiled and maintained by the Nevada State Historic Preservation Office.
Owner	The person or corporation appearing on the last equalized assessment roll of the Washoe County Assessor.
Sparks Register of Historic Places	The local list, established by this chapter, of districts, sites, buildings, uses, landscape features, signs, structures and objects of significant local, state or national importance which satisfy the requirements of this chapter.
Survey	The City historic architectural surveys and inventories consisting of historical resources compiled and maintained by the HRC.

(Ord. 1074 § 1 (part) 1976.) (Ord. 2382, Amended, 12/10/2007)

Section 20.02.012 Planned Development



Purpose: This chapter provides for maximum environmental choice for the citizens of the City of Sparks by encouraging flexibility and creativity of design and a greater diversity of building types, open space arrangements and other aspects of land planning while, at the same time, preserving public welfare, health, and the general intent of the Master Plan. An additional purpose of this chapter is to provide a degree of certainty for the duration of build out of a large tract of land, such certainty not otherwise available in other chapters of this title.

↔ NRS 278A (Planned Development).

(Ord. 2129, Add, 02/11/2002)

A. Minimum Site

1. The minimum site area is 5 acres.
2. The City Council may waive this minimum if the proposal furthers the City's adopted redevelopment plan.

B. Requirements for all Planned Development Reviews

1. **Permitted uses.** A planned unit development may include any uses permitted in any zone classification provided that any combination of uses is planned in a manner compatible to each and to the surrounding environment.
2. **Density.** The allowable density for a planned unit development shall be within the range established in the City of Sparks' Adopted Master Plan for Growth Management. Factors to be considered in assigning density are:
 - a. site analysis
 - b. topography
 - c. drainage ways
 - d. views
 - e. soils
 - f. layout of lots
 - g. site sectional studies
3. **Common open space.**
 - a. Subject to the limitations of this section, all developments must provide for a minimum of 20% common open space.

- b. Irrespective of its size, no golf course may contribute more than one quarter of the common open space required by this section.
 - c. The common open space required by this section may be reduced by one quarter if it can be demonstrated to the satisfaction of the administrator and Parks and Recreation Director that the common open space is
 - (1) landscaped, in a manner which exceeds the minimum standards imposed in chapter 20.04; and
 - (2) is interconnected with a trail system; and
 - (3) accessible from other portions of the development, with said accessibility provided for in the development plan.
 - d. For non-residential development the common open space requirement can be met by providing a minimum of 20% of the development as landscaped area, which exceeds the minimum standards imposed in chapter 20.32
- 4. Buffer zones.**
- a. The applicant must demonstrate, to the satisfaction of the administrator, the proposed buffer zones between dissimilar uses within the development is sufficient.
 - b. Special design considerations such as height controls, density controls, architectural modifications, and landscaping buffers shall be incorporated in any portion of the development which adjoins a previously approved entitlement.
- 5. Landscaping on private property.** Because a planned development may allow for increases in density, additional landscaping requirements may be imposed by the administrator. The developer must provide an incentive plan for front yard landscaping and automated irrigation for single-family homes which will be approved as a part of the architectural manual.
- 6.** Existing projects may be considered for planned development if, in the opinion of the administrator, they do not pose any health, safety or welfare problems.
- 7. Dedication.** Any land or interest therein within a planned unit development may be dedicated to the city for public use and maintenance, although the city is under no obligation to accept such dedication. In no event does land dedicated to and accepted by the city constitute common open space for the purposes of this chapter.

(Ord. 2129, Add, 02/11/2002)

C. Tentative Application Process

- 1. Pre-application conference.** Prior to submitting a formal application, applicant will prepare a preliminary development plan for review by the administrator at an informal pre-application conference. Formal application for tentative approval must be made within 6 months following the pre-application conference.

2. **Formal application.** An application for tentative approval of the plan for a planned unit development must be filed with the Administrator by or on behalf of the landowner. The application will be made on a form provided by the Administrator. A preliminary development plan, design regulations and architecture manual must be submitted with the application.
3. **Application fee.** The application shall be accompanied by a fee as established by resolution of the City Council.

(Ord. 2129, Add, 02/11/2002)

D. Procedure of Tentative Approval

1. **Staff review.** The City staff will formally review the application, and development plan. Staff will evaluate the proposal and submit its recommendation for approval or denial to the Sparks Planning Commission.
2. **Public hearing.** A public hearing on the application shall be held by the Sparks Planning Commission. No application in tentative approval will be scheduled for consideration before the Planning Commission or City Council if the application contains errata sheets or is missing any of the contents required by Appendix A-4 Application contents. Public notice of the hearing shall be given in the manner prescribed by in section 20.05.05. The hearing may be continued from time to time or the Planning Commission may refer the matter to the Planning Department for a further report, but the public hearing or hearings shall be concluded within 60 days after the date of the first public hearing unless the landowner consents in writing to an extension of the time within which the hearings shall be concluded.
3. **Recommendation to grant, deny, or condition tentative approval.**
 - a. Following the conclusion of the public hearing, the Planning Commission shall recommend:
 - (1) Granting tentative approval of the plan as submitted;
 - (2) Granting tentative approval of the plan subject to specified conditions not included in the plan as submitted; or
 - (3) Denying tentative approval of the plan.
 - b. If granting tentative approval is recommended, the Planning Commission shall, as part of its action, specify the drawings, specifications and any special financial assurances that shall accompany an application for final approval.
4. **Findings of fact required.** The recommendation must set forth the reasons for granting, with or without conditions, or for denying, and the minutes must set forth with particularity in what respects the plan would or would not be in the public interest, including but not limited to findings on the following:
 - a. In what respects the plan is or is not consistent with the statement of objectives of a planned unit development.

- b.** The extent to which the plan departs from zoning and subdivision regulations, otherwise applicable to the property, including but not limited to density, bulk and use, and the reasons why these departures are or are not deemed to be in the public interest.
 - c.** The ratio of residential to nonresidential use in the planned unit development.
 - d.** The purpose, location and amount of the common open space in the planned unit development, the reliability of the proposals for maintenance and conservation of the common open space, and the adequacy or inadequacy of the amount and purpose of the common open space as related to the proposed density and type of residential development.
 - e.** The physical design of the plan and the manner in which the design does or does not make adequate provision for public services and utilities, provide adequate control over vehicular traffic, and further the amenities of light, air, recreation and visual enjoyment.
 - f.** The relationship, beneficial or adverse, of the proposed planned unit development to the neighborhood in which it is, proposed to be established.
 - g.** In the case of a plan which proposes development over a period of years, the sufficiency of the terms and conditions intended to protect the interests of the public, residents and owners of the planned unit development in the integrity of the plan.
- 5.** Specification of time for filing application for final approval. Unless the time is specified in an agreement entered into pursuant to NRS 278.0201, if a plan is recommended for tentative approval, an application for final approval of the plan, or any portion of the plan, must be filed within one year from the date of City Council tentative approval. In no event shall the first application for final approval be filed later than one year from the date of City Council tentative approval unless an alternative time frame is identified in the phasing of the project (as provided in the application for tentative approval).
- 6.** The Planning Commission shall file a written report of its recommendation with the City Clerk who shall place it on the agenda of the City Council. The City Council shall:
 - a.** Grant tentative approval of the plan as submitted;
 - b.** Grant tentative approval of the plan subject to specified conditions not included in the plan as submitted; or
 - c.** Deny tentative approval of the plan.
- 7.** In its grant or denial of tentative approval, the City Council must conduct a hearing and provide findings of fact as delineated in subsection C.4 above.
- 8.** The effect of tentative approval is to provide the applicant with a clear indication of requirements needed for final approval of the development plan including a schedule for submittal of application for final approval. Tentative approval does not qualify a plat or the planned unit development for recording or authorize development or the issuance of any building permit.

(Ord. 2281, Amended, 06/13/2005; Ord. 2129, Add, 02/11/2002)

E. Final Approval Application

An application for final approval is a necessary precursor to the issuance of a permit under SMC chapter 15 for construction activity. An application for final approval must be accompanied by a final development plan, design regulations and a fee in the amount established by resolution of City Council.

(Ord. 2129, Add, 02/11/2002)

F. Procedure for Final Approval

1. Application for final review by the Sparks Planning Commission and ultimate final approval by the Sparks City Council must be made to the Administrator within the time specified by the minutes granting tentative approval.
2. A public hearing on an application for final approval of the plan, or any part thereof, is not required if the plan, or any part thereof, submitted for final approval is in substantial compliance with the plan which has been given tentative approval. No application in final approval will be scheduled for consideration before the Planning Commission or City Council if the application contains errata sheets or is missing any of the contents required by Appendix A-4 Application contents. The plan submitted for final approval is in substantial compliance with the plan previously given tentative approval if any modification by the landowner of the plan as tentatively approved does not:
 - a. Vary the proposed gross residential density or intensity of use;
 - b. Vary the proposed ratio of residential to nonresidential use;
 - c. Involve a reduction of the area set aside for common open space or the substantial relocation of such area;
 - d. Substantially increase the floor area proposed for nonresidential use; or
 - e. Substantially increase the total ground areas covered by buildings or involve a substantial change in the height of buildings.
3. A public hearing need not be held to consider modifications in the location and design of streets or facilities for water and for disposal of storm water and sanitary sewage.
4. All requirements and regulations pertaining to the application for final approval, substantial compliance with tentatively approved plan, alternative proceedings for final action on plans not in substantial compliance, recourse to courts for failure of city to grant or deny final approval, certification and filing of approved plan upon abandonment or failure to carry out approved plan shall be provided in NRS 278A.530 to 278A.580, inclusive.

(Ord. 2281, Amended, 06/13/2005; Ord. 2129, Add, 02/11/2002)

G. Judicial Review

Any decision of the city under this chapter granting or denying tentative or final approval of the plan or authorizing or refusing to authorize a modification in a plan is a final administrative decision and is subject to judicial review in properly presented cases.

(Ord. 2129, Add, 02/11/2002)

H. Definitions

As used in this chapter, unless the context requires otherwise, the following words shall have the meanings ascribed to them:

Buffer zone	A strip of land established to separate and protect one type of land use from another to screen other properties from objectionable noise, smoke, or visual impact or to provide for future public improvements or additional open space.
Common open space	Open space within a single unified development which is owned, designed, and set aside for all occupants of the development or by occupants of designated portions of the development. Common open space is not dedicated for public use and is owned and maintained by a private organization made up of the residents and owners of the development. Common open space may include lakes and wetlands but does not include that area which is set aside and dedicated as a public park site.
Design regulations	<p>A detailed design text which includes, but is not limited to, the following components:</p> <ul style="list-style-type: none"> • project description, legal description, and preliminary title report. • project goals and policies, specifically related to NRS 278A.020 • master plan, physical concept, and layout • architecture manual - text and graphic displays which include, but not limited to, the following: architectural standards, landscape programs including streetscapes and entry statements, and building locations and orientations • protective covenants, conditions, and restrictions in draft form • A soils/geotechnical investigation report prepared by a qualified Nevada registered engineer or qualified Nevada engineering geologist including conclusions and recommendations regarding ripability, slope grading and stabilizing, foundation design and seismic and other geological hazards, as necessary for the property, subject to approval of scope by the administrator. (In appendix) • circulation and access diagrams • grading and erosion control provisions • storm drainage master plan (In appendix) • provisions for water supply • sewer report (In appendix) • traffic impacts • fire prevention • access to adjacent public lands • Cultural resource/archeological review (In appendix)

Final development plan	<p>A plan which executes the specific development scheme established in the preliminary development plan and design regulations. The final development plan must show the location of all structures and lots in sufficient detail to permit recordation and preparation of construction drawings. The final development plan shall also include:</p> <ul style="list-style-type: none"> • A development plan compliant with tentative approval • Any tentative or final subdivision plat required for land division and dedications • Design regulations compliant with tentative approval • final project governance documents
Landowner	<p>The legal or beneficial owner or owners of all the land proposed to be included in a planned unit development. The holder of an option or contract of purchase, a lessee having a remaining term of not less than 30 years, or another person having an enforceable proprietary interest in the land is a landowner for the purposes of this chapter.</p>
Planned unit development	<p>An area of land controlled by a landowner, which is to be developed as a single entity for one or more planned unit residential developments, one or more public, quasi-public, commercial or industrial areas, or a combination of any or all of these uses.</p>
Planned residential development	<p>An area of land controlled by a landowner, which is to be developed as a single entity for a number of dwelling units, the plan for which does not correspond in lot size, bulk or type of dwelling, density, lot coverage and required open space to the regulations established in any one residential district created, from time to time, under the provisions of any zoning ordinance enacted pursuant to law.</p>
Preliminary development plan	<p>A development suitability analysis and land use concept plan for planned unit or planned residential development which establishes the constraints and opportunities for development of a site, and sets forth in the form of written text, diagrams, and/or maps one or more development alternatives and the planning objectives to guide and control the future development of the site.</p>

(Ord. 2129, Add, 02/11/2002)

Section 20.02.013 Use Table

Purpose: The permitted, special and accessory uses within each zoning district are set out in the Use Table, below. The Use Table provides broad use categories, along with procedures for interpretation and ways to accommodate uses that are not specifically listed.

A. Generally.

1. No uses are allowed in any zoning district except those specifically listed as a permitted or conditional use in the Use Table (Table 20.02.014 – 1, below).
2. All uses are subject to the dimensional standards in each zoning district, any additional regulations established by the zoning district, any regulations applicable to the use (Chapter 20.03), and the development standards (Chapter 20.04).
3. The Use Table establishes the following use categories:

Notation	Category	Description
P	Permitted by right	Permitted if the use meets the standards established in the zoning district. The use requires administrative review (refer to (§ 20.05.11 Building Permits / Certificate of Occupancy),.
C	Conditional Use	Requires approval of a conditional use as provided in § 20.05.09. This may involve additional conditions to mitigate impacts on the surrounding neighborhood, in addition to other applicable requirements of this Title. Conditional uses are subject to any conditions of conditional use permit approval, and to all other applicable requirements of this Title.
*	Use regulations apply	In addition to the zoning district regulations, these uses are subject to additional regulations as provided in Chapter 20.03.
AR	Administrative Review	Administrative review is required for new construction (see Chapter 20.04). All
L	"I" District	Locational standards in the "I" district apply (see Section 20.02.009).

B. Unlisted Uses.

Purpose: The list of permitted uses is both broad and comprehensive. However, it is impossible to contemplate every possible use, or new uses that did not exist when this section was written. To ensure that all unanticipated uses have a path to approval, this subsection establishes procedures to obtain a conditional use permit for the such a use.

Generally. Uses not listed in the use table, are presumed to be prohibited. For uses not considered in the use table a case can be made the use is materially similar to uses permitted in the respective zoning district. The case will be considered by the Planning Commission through the Conditional Use Permit process. Conditional Use Findings will apply in addition to analysis pertaining to the following criteria:

- (1) a nationally accepted land use classification manual, such as the North American Industry Classification Manual("NAICS") or the American Planning Association, Land-

Based Classification Standards LBCS Tables.

- (a) The actual or projected characteristics of the proposed use;
 - (b) The relative number of employees;
 - (c) Hours of operation;
 - (d) Types of vehicles used and a parking analysis;
 - (e) traffic analysisThe likely impact on surrounding properties; and
- (2) The proposed use shall not generate average daily trips exceeding other uses proposed in the zoning district by more than ten percent (10%), as determined by the Institute of Transportation Engineers, *Trip Generation* or local traffic studies.

P = Permitted by right ; C = Conditional Use; * = Use regulations apply; AR = Administrative Review; L = "I" District

Use Category	Use Type	A-40	A-5	SF-40	SF-20	SF-15	SF-12	SF-9	SF-7	SF-6	MF-2	MF-3	MF-4	MF-5	MU-C	MR	DT/VS	RN	C1	C2	TC	PO	I	PF		
Residential																										
Residences	Dwelling, single-family detached	P	P	P	P	P	P	P	P	P	P	P	C	C				P								
	Dwelling, two-family (duplex)										P	P	P	P		P		P								
	Multi-family Building ≤110 units										P	P	P	P	P	P	P	P								
	Multi-family Building > 110 units											C	C	C	P	P	P	P	C	C	C					
	Live/work dwelling													P	P	P	P	C								
														*	*	*	*	*								
	Manufactured home park											C	C	C	C						C	C				
	Home Occupation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
		*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*			
Group Living:	Boarding / rooming house											C	C	C	P	P	P	P								
	Group home	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P							P	
		*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*							
	Life care or continuing care services											C	C	C		P		P	P	P	P				P	
											*	*	*	*	*	*	*	*	*	*	*	*			P	
	Halfway house																				C				P	
Lodging / Short-Term Rental																										
	Bed and breakfast	C	C												P	P	P	C								
		*	*												*	*	*	*								
	Hotel / Motel (< 20 units)														P	C	P			C	P					
	Hotel / Motel (≥ 20 units)														C					C	P					
	Recreational vehicle park																			C	C				C	
																				*	*				*	
	Resort, dude/guest ranch	C	C																							
Commercial / Mixed Use																										
Animal Services*:	Animal services, indoor	C	C												P	P	P	P	P	P	P		P	L*		
		*	*												*	*	*	*	*	*	*	*	*			
	Animal services, overnight (whether	C	C												C					P	P			p*		

Chapter 20.02 Zoning Districts | Section 20.02.013 Use Table

P = Permitted by right ; C = Conditional Use; * = Use regulations apply; AR = Administrative Review; L = "I" District

Use Category	Use Type	A-40	A-5	SF-40	SF-20	SF-15	SF-12	SF-9	SF-7	SF-6	MF-2	MF-3	MF-4	MF-5	MU-C	MR	DT/NS	RN	C1	C2	TC	PO	I	PF
	indoor or outdoor)	*	*												*				*	*				
Financial Services:	Payday loan establishment																			C			P*	
	Automated teller machine, stand alone*														P	P	P	P	P	P	P	P	P*	P
	Title loan														*	*	*	*	*	*	*	*	P*	*
	Financial institutions (including banks)														P	P	P		P	P	P	P	L*	
	Pawnbroker																			C			L*	
Food & Beverage Sales / Service:	Craft Distillery														P	P	P		P	P	P		C	
	Grocer / Food market														P	P	P		P	P	P		C	
	Liquor store														P	P	P		P	P	P		C*	
	Farmers market														P	P	P							
	Food preparation														P				P	P	P	P	P*	
	Mobile vendor (See Chapter 20.03)																							
	Restaurant														P	P	P		P	P	P	P	L*	
	Drive Through														P	P	P		P	P	P		L*	
Office, Business & Professional:	Office													P	P	P	P		P	P	P	P	P	P
	Call Center														P	P	P		P	P	P	C	L	
Personal / Business services:	Bail bond services																			P				
	Copy center														P		P		P	P		P	L	
	Courier and messenger services																		C	P		P	P	
	Funeral & interment services														P				P	P			L	

Chapter 20.02 Zoning Districts | Section 20.02.013 Use Table

P = Permitted by right ; C = Conditional Use; * = Use regulations apply; AR = Administrative Review; L = "I" District

Use Category	Use Type	A-40	A-5	SF-40	SF-20	SF-15	SF-12	SF-9	SF-7	SF-6	MF-2	MF-3	MF-4	MF-5	MU-C	MR	DT/NS	RN	C1	C2	TC	PO	-	PF
	Crematorium																						P*	
	Maintenance & repair services														P				P	P			P	
	Personal services														P	P	P		P	P	P	P	L*	
	Tattoo parlor														P		P			*	*			
	Wedding chapel														P		P			P	P			
Retail sales:	Auction house																						P*	
	Building material sales & services																		P	P			P	
	Convenience store														P	P	P		P	P	P		L*	
	Nonstore retailers																					P		
	Nursery (commercial, retail and wholesale)	C	C																	P				
	Retail, general														P	C	P		P	P	P		L*	
Vehicles / Equipment:	Auto and truck repair (light)																		C*	P*			P*	
	Auto and truck repair (heavy)																							P*
	Car Wash																		C	P	C	C	P*	
	Gas station																		C	P	C	C	P*	
	Manufactured Home Dealers																			C				
	Truck stop																						C*	
	Vehicle Sales																						C	
	Vehicle Rentals																		P	P	P		L	
Public/Civic/Institutional																								
Day Care:	Adult day care												P	P	P	P	P	P	P	P		P		
													*	*	*	*	*	*	*	*		*		
	Child care facility												C	*	P	C	P	C	C	C		C		
													*	C	*	*	*	*	*	*		*		
	Child care, In-home	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P						

Chapter 20.02 Zoning Districts | Section 20.02.013 Use Table

P = Permitted by right ; C = Conditional Use; * = Use regulations apply; AR = Administrative Review; L = "I" District

Use Category	Use Type	A-40	A-5	SF-40	SF-20	SF-15	SF-12	SF-9	SF-7	SF-6	MF-2	MF-3	MF-4	MF-5	MU-C	MR	DT/VS	RN	C1	C2	TC	PO	L	PF
Assembly Uses*:	Cemetery																							C
	Church or worship center	C	C	C	C	C	C	C	C	C	C	C	C	C	P	C	P	C	C	P	P	C	C/L*	P
	Event Center / Banquet Hall														P		P			P	P	C		
	Exhibition, convention, or conference facility																P				P			
	Fraternal club / lodge / community service facility														P		P		p	P		C	L*	
Government / Non-Profit:	Correctional institutions																							P
	Public maintenance facility																						P	P
	Public Safety Facility																		P	P	P	P		P
	Social assistance, welfare, and charitable services														P		P		P	P		P		P
Educational:	College, technical school	C	C												C		C		C	C		P	C/L*	P
	School (public or private)	AR*	AR*												AR*	AR*	AR*	AR*	AR*	AR*		AR*		AR*
	Personal instructional services														P		P		P	P		P	L*	P
Medical:	Hospital														C		C			C		C		P
	Medical office, clinic, or laboratory													C	P	C	P		P	P		P	P	
	Medical office, clinic, or laboratory (more than 50,000 sf gfa)														C	C	C		C	C		C	C	
	Medical marijuana production or cultivation																						P*	
	Medical marijuana dispensary														AR*					AR*			AR/L*	
Arts, Entertainment, & Recreation:	Adult business																						C/L*	
	Bar / Lounge														P	C	P		C	P	P		L*	
	Cultural Institution														P	C	P			P	P			P
	Gaming establishment (non-restricted)														C	C	C				C			

Chapter 20.02 Zoning Districts | Section 20.02.013 Use Table

P = Permitted by right ; C = Conditional Use; * = Use regulations apply; AR = Administrative Review; L = "I" District

Use Category	Use Type	A-40	A-5	SF-40	SF-20	SF-15	SF-12	SF-9	SF-7	SF-6	MF-2	MF-3	MF-4	MF-5	MU-C	MR	DT/NS	RN	C1	C2	TC	PO	-	PF
	Entertainment facility / Theater														P	C	P		C	P	P			P
	Health/fitness club														P	P	P		P	P	P	P	C/L	
	Park / open space	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	Recreational Facility, Minor														C		C		C	C	P	C	C	P
	Recreational Facility, Major	C	C														C			C	C			C
Industrial																								
Manufacturing & Employment:	Contractor shop																						P	
	Data Processing, Hosting, and Related Services (including data centers)																			P			P	
	Industrial Services																						P	
	Media Production																			P		C	P	
	Mining & quarrying	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*
	Outdoor Processing																						C	
	Production, Craftwork														P	P				P			P	
	Production, General																						P	
	Research and development														P	P	P	P	P	P		P	P	
Warehousing, Storage & Distribution:	Building and landscaping materials supplier																						P	
	Building maintenance services																			P			P	
	Freight facilities																						P	
	Fuel Distribution or Recycling																						C*	
	Machinery and heavy equipment sales and service																						P*	
	Mini-warehouse																			C*			P	
	Oil & gas storage																						C	
	Outdoor storage																						AR	

Chapter 20.02 Zoning Districts | Section 20.02.013 Use Table

P = Permitted by right ; C = Conditional Use; * = Use regulations apply; AR = Administrative Review; L = "I" District

Use Category	Use Type	A-40	A-5	SF-40	SF-20	SF-15	SF-12	SF-9	SF-7	SF-6	MF-2	MF-3	MF-4	MF-5	MU-C	MR	DT/VS	RN	C1	C2	TC	PO	I	PF
																							*	
	Storage/Processing of Hazardous Materials																						C*	
	Vehicle towing and storage facility																						P*	
	Wholesale distribution, warehousing and storage																						P	
Infrastructure																								
Transportation / Parking:	Ground passenger transportation (e.g. taxi, charter bus)																						P	
	Bike share kiosk													P	P	P	P	P	P	P	P	P	P	P
	Heliport / miscellaneous air transportation														C		C			C		C	P	P
	Parking facility														C	C	C						P	
	Railroad freight yard or building																						P	
	Transportation passenger terminal														C		C			C	C	C	C	P
Utilities:	Co-generation facility																						P	
	Utility, Major																						C	C
	Utility, Minor	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
	Renewable energy production	C*	C*	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C*	C*
Communications facilities:	Communications facility																		P	P	P	P	P	
	Wireless communication tower or antenna	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*
	Weather or environmental monitoring station	P	P																P	P	P	P	P	
Waste-related:	Hazardous waste disposal																						C	
	Hazardous waste transfer																						C	
	Metal waste salvage yard / junk yard / auto dismantler																						C*	
	Recycling plant																						C*	
	Remediation Services																						C	

Chapter 20.02 Zoning Districts | Section 20.02.013 Use Table

P = Permitted by right ; C = Conditional Use; * = Use regulations apply; AR = Administrative Review; L = "I" District

Use Category	Use Type	A-40	A-5	SF-40	SF-20	SF-15	SF-12	SF-9	SF-7	SF-6	MF-2	MF-3	MF-4	MF-5	MU-C	MR	DT/VS	RN	C1	C2	TC	PO	I	PF
	Transfer Station																						P*	
Agriculture																								
	Farm or ranch	P	P																					
	Urban agriculture	P *	P *	P *	P *	P *	P *	P *	P *	P *	P *	P *	P *	P *	P *	P *	P *	P *	P *	P *	P *	P *	P *	P *

PAGES 68-80 RESERVED

Title 20 Zoning Code

Chapter 20.03 Use Standards

Contents

Chapter 20.03	Use Standards	81
Section 20.03.001	Generally	81
Section 20.03.002	Accessory Structures.....	81
Section 20.03.003	Accessory Uses.....	82
Section 20.03.004	Accessory Dwellings	83
Section 20.03.005	Adult Business	85
Section 20.03.006	Animals.....	88
Section 20.03.007	Animal Services (animal hospital, kennel or veterinary clinic)	89
Section 20.03.008	Assembly uses	89
Section 20.03.009	Auction House.....	89
Section 20.03.010	Auto and Truck Repair	90
Section 20.03.011	Automated Teller Machine (ATM), Stand Alone.....	90
Section 20.03.012	Bar / Lounge	91
Section 20.03.013	Bed & Breakfast	91
Section 20.03.014	Caretaker or Guard	Error! Bookmark not defined.
Section 20.03.015	Co-generation facility	91
Section 20.03.016	Crematorium	91
Section 20.03.017	Day Care / Child Care	92
Section 20.03.018	Drive-through facilities	92
Section 20.03.019	Fraternal Club / Lodge / Community Facility	93
Section 20.03.020	Fuel Distribution or Recycling	93
Section 20.03.021	Gas station	93
Section 20.03.022	Home occupations	94
Section 20.03.023	Life Care or Continuing Care Services (Nursing Homes, Hospices, or Assisted Living)	95
Section 20.03.024	Live/Work Dwellings	97
Section 20.03.025	Machinery and heavy equipment sales and service	98
Section 20.03.026	Manufactured Home.....	120
Section 20.03.027	Medical Marijuana Dispensary	126

Section 20.03.028	Mini-warehouse	128
Section 20.03.029	Mobile vendors	129
Section 20.03.030	Model Home Complex	Error! Bookmark not defined.
Section 20.03.031	Outdoor Sales & Display	130
Section 20.03.032	Outdoor Storage	132
Section 20.03.033	Pawnbroker or autopawn	133
Section 20.03.034	Recreational Vehicle Parks.....	134
Section 20.03.035	Recreational Vehicle Storage	136
Section 20.03.036	Recycling plant	138
Section 20.03.037	Renewable Energy.....	139
Section 20.03.038	Restaurant.....	145
Section 20.03.039	Outdoor Processing.....	146
Section 20.03.040	School (Public or Private)	146
Section 20.03.041	Temporary office trailer	Error! Bookmark not defined.
Section 20.03.042	Temporary real estate sales office trailer	Error! Bookmark not defined.
Section 20.03.043	Temporary uses.....	147
Section 20.03.044	Transfer station.....	153
Section 20.03.045	Truck stop.....	154
Section 20.03.046	Urban Agriculture.....	155
Section 20.03.047	Vehicle or equipment sales and rentals.....	157
Section 20.03.048	Vehicle towing and storage facility.....	158
Section 20.03.049	Wireless Communication Tower or Antenna.....	158

Chapter 20.03 Use Standards

Section 20.03.001 Generally

- A. Certain permitted uses shall meet the criteria indicated in this chapter.
- B. This Chapter applies regardless of the zone district in which the use is located or whether the use is permitted by right or as a special use, unless otherwise indicated in this Chapter. (Ord. 2417, Add, 11/10/2008)
- C. The uses listed in this Chapter are defined in the Use Table (Section 20.02.014), unless otherwise indicated.

Section 20.03.002 Accessory Structures

A. Accessory structures, general

Accessory structures are permitted if -

- 1. they are incidental to and do not alter the character of the premises in respect to uses permitted in the district, and
- 2. there is a permitted main structure on the same lot or parcel.

(Ord. 1074 § 1 (part), 1976.) (Ord. 2404, Amended, 07/28/2008)

B. Location of Accessory Structures

- 1. One-story detached accessory buildings used as tool and storage sheds, playhouses, gazebos, arbors and similar uses that do **not exceed 200 square feet** -
 - a. do not require a building permit, and
 - b. may be located on the side and rear property lines, but may not encroach into the front and side yard setback.
- 2. One-or-more-story detached accessory buildings used as tool and storage sheds, playhouses and similar uses, that **exceed 200 square feet** –
 - a. require a building permit, and
 - b. may not encroach into the front yard setback, and
 - c. shall be at least 5 feet from the side and rear property lines, and
 - d. shall be at least 10 feet from the main structure.

3. Any garage or accessory building which includes the storage of vehicles, boats or similar items, whether attached or detached, shall conform to the setback requirements of the district in which it is located.

(Ord. 1325 § 41, 1981; Ord. 1074 § 1 (part), 1976. (Ord. 2417, Amended, 11/10/2008; Ord. 2404, Amended, 07/28/2008; Ord. 2206, Amended, 01/12/2004; 1945, Amended, 10/27/1997)

C. Detached Accessory Structures

1. **Height** must not exceed the height of the permitted main structure.
2. There shall be no drainage from the roof onto adjacent property.

(Ord. 2404, Add, 07/28/2008)

D. Detached Garages and Carports

1. **Generally.** Detached garages and carports:
 - a. Shall be built after the permitted main structure is built.
 - b. May be constructed on any lot, subject to this Section.
 - c. Shall be located at least 10 feet from the principal building, unless otherwise allowed by the building code.
 - d. Shall not encroach on a drainage or utility easement.
 - e. A detached garage or carport is subject to the same required setback as the main structure.
 - f. In all residential districts, the design and construction of any garage or carport shall be similar to or compatible with the design and construction of the main building.

Height may not exceed the height of the main structure.

Section 20.03.003 Accessory Uses

↔ **Use Category: Accessory**

A. Definitions

This section applies to any accessory use or accessory structure.

B. General Requirements for Accessory Uses

1. The administrator shall determine whether a proposed use is an accessory use or accessory structure.
2. The accessory use or accessory structure shall not occupy more than 10% of the building footprint of the associated principal use.
3. The accessory use shall occupy the same building as the principal use.

(Ord. 2417, Add, 11/10/2008)

C. Industrial districts - accessory uses

In the “I” District, an accessory use may occupy up to 20% of -

1. the gross floor area of the principal structure, or
2. if there is no structure associated with the principal use, up to 20% of the net useable lot area.

(Ord. 2417, Add, 11/10/2008)

Section 20.03.004 Accessory Dwellings

↔ **Use Category: Residential - Residences**

Purpose: Certain accessory structures may be converted to or developed for residential dwelling uses to promote efficient use of land. This Section allows accessory dwelling units (ADUs) with standards to ensure that they do not change the residential character of the principal use. This provides affordable living options in prescribed zoning districts, while protecting their character and maintaining compatibility between uses. Examples of living arrangements for ADUs include seniors occupying a second family living unit or apartment, or families with elderly parents unable to live completely alone.

A. Applicability

This section applies to any Accessory Dwelling Unit (“ADU”).

B. Where Allowed

1. An ADU may be –
 - a. constructed as a new building, or
 - b. adapted from an existing building into an existing accessory structure on the same lot, or
 - c. adapted from part of the main structure.
2. An ADU is not allowed on a nonconforming lot.
3. Only one ADU is allowed on a lot.

C. Standards

1. The ADU shall be located in the established rear yard at least ten 10 feet from the rear lot line.
2. The ADU shall conform to side yard setbacks.
3. Easements shall be dedicated for separate utilities to be provided to each dwelling unit on the lot.
4. The architectural style of the ADU shall conform to the architectural style and materials of the main structure.

5. ADUs shall not exceed a gross floor area one-thousand (1,000) square feet or more than fifty percent (50%) of the main structure's floor area, whichever is less, or have more than two (2) bedrooms.
6. An ADU shall not exceed two (2) stories or the height of the principal dwelling unit.
7. The ADU shall not obtain a separate address.
8. The ADU shall utilize the same water, electric, and gas meters as the principal dwelling unit.

Section 20.03.005 Adult Business

↔ **Use Category: Public/Civic/Institutional** – Arts, Entertainment & Recreation



Purpose and intent -

Purpose: Pursuant to NRS 278.022 et seq., special regulation of adult businesses is necessary to ensure that any possible adverse effects of these businesses will not be experienced by young people nor contribute to the blighting or downgrading of surrounding neighborhoods nor detract from the tourism efforts of the city, its redevelopment agency, and private businesses. With this in mind, the following purposes are furthered by this Section:

- *To prevent exposure of materials subject to regulation by this section to minors;*
- *To prevent location of adult businesses near areas frequented by minors;*
- *To prevent the concentration or clustering of adult businesses in any one area and away from areas frequented by tourists;*
- *To avoid the possible degradation of area property values as a result of their proximity to adult businesses; and*
- *To limit the potential spread of sexually transmitted diseases and the opportunity for the commission of public offenses, including but not limited to, solicitation, prostitution and the trafficking of controlled substances.*

The city council recognizes that adult businesses, because of their potentially objectionable operational characteristics, can have a deleterious effect on the adjacent areas, particularly when several of them are positioned in geographic proximity to each other under certain circumstances. This regulation is designed to minimize those effects.

It is the intent of this ordinance to:

- *act consist with the holdings of federal court cases by assuring adequate locations within the City of Sparks for the conduct of adult businesses and that regulations governing adult businesses are content neutral reasonable time, place and manner regulations furthering the purposes of this section; and*
- *to further the purpose of the zoning regulation as expressed in SMC 20.01.010. Sparks endeavors, through its planning and zoning regulations, to provide for its citizens and tourists an atmosphere that is both safe, healthy and aesthetically pleasing, one that fosters activities appropriate for visitors of all ages on its thoroughfares, and*
- *through its neighborhood planning program, recognize that some residential neighborhoods, because of their proximity to commercial districts, are more susceptible to the effect of intensive or obnoxious activities. This regulation aims to preserve neighborhood integrity while fostering a positive and wholesome image for visitors from out of the area.*

(Ord. 1820, 1994: Ord. 1212 § 1 (part), 1979.)

A. Definitions

1. This section applies to any "adult business" as defined in Chapter 20.08.

- 2. Exception.** An "adult bookstore" which only has a segment or section devoted to the sale, lease or display of material referred to in the definition of "adult book store" (see Chapter 20.08) is not subject to regulation under this Section if all the following criteria are met:
- a.** The segment or section devoted to that material does not exceed seven percent (7%) of display or retail floor space of the business or two hundred (200) square feet, whichever is less; and
 - b.** The material is available only for sale or lease for private use by the purchaser or lessee outside and off the premises of the business; and
 - c.** The segment or section devoted to those materials is segregated by partition, separate internal entrance, or otherwise obscured from casual observance by minors; and
 - d.** The segment or section is clearly signed to prohibit access by minors; and
 - e.** The segment or section is adequately staffed or within view of staff or otherwise controlled to assure monitoring of minors who may seek access to that segment or section.
 - f.** The business in which that a segment or section is located may not advertise itself or hold itself out to the public as being an adult business, whether by store window displays, signs or other means.
 - g.** A business claiming this exception must not be combined with any other business to result in an increase in the floor area devoted to adult material beyond the maximum specified here.

(Ord. 1820, 1994; Ord. 1622 § 2, 1988; Ord. 1212 § 1 (part), 1979.)

B. Location restrictions

- 1.** Adult businesses, as defined in subsection A.1, may be located in the Industrial (I) Zoning District if they comply with the following:
- a.** No adult business may be located on a parcel which abuts a freeway, expressway or major or minor arterial roadway.
 - b.** No adult business may be located within 1,000 feet of any residential property.
 - c.** No adult business may be located within 1,000 feet of any of the following:
 - (1)** Any other adult business;
 - (2)** Gaming establishment;
 - (3)** Public or private university, college, school or pre-school as defined by the Washoe County Social Services Department;

- (4) Day-care center;
- (5) Park or playground;
- (6) Church, synagogue or other house of worship;
- (7) Library;
- (8) Museum;
- (9) Any premises or establishment at which alcoholic beverages are sold or served under a package license, fraternal club license, fraternal club beer license, on-premises license, on-premises beer license, cabaret license, dining room wine and beer license, beer package license, incidental beer and wine package license, or special event alcoholic beverage license; or
- (10) Any teenage dance hall, teenage entertainment location, or teenage nightclub as defined and regulated in Chapter 5.75 of the Sparks Municipal Code.

2. Distances shall be measured from property line to property line.

(Ord. 1820, 1994: Ord. 1212 § 1 (part), 1979.) (Ord. 2452, Amended, 02/28/2011; Ord. 2099, Amended, 04/23/2001)

C. Waiver of location restrictions

The City Council may waive the location restrictions contained in subsection B for any adult business if it makes the following findings:

- 1. The proposed use will not be contrary to the public interest or injurious to nearby properties, and that the spirit and intent of this chapter will be observed;
- 2. The proposed use will not enlarge or encourage the development of a "skid row" area;
- 3. The establishment of an additional regulated use in the area will not be contrary to any program of neighborhood conservation, nor will it interfere with any program of redevelopment;
- 4. All applicable regulations of this code will be observed.

(Ord. 1820, 1994: Ord. 1212 § 1 (part), 1979.)

D. Signs and displays

The following general regulations apply to all adult businesses:

- 1. No product for sale or gift, or picture or other graphic representation of the product, shall be displayed so as to be visible from the street or exterior of the building.
- 2. No advertising sign may be equipped with animated or flashing electric illumination.
- 3. Any sign visible from outside the adult business must not display "specified anatomical areas."

4. The following signs must be posted inside the business:
 - a. No one under the age of twenty-one (21) is allowed in these premises.
 - b. No alcoholic beverage is allowed in these premises.
5. Each sign required under Section 4 must contain no lettering less than one and one-half (1½) inches in height.

(Ord. 1820, 1994.) (Ord. 2099, Amended, 04/23/2001)

Section 20.03.006 Animals

↔ **Use Category: Miscellaneous**



The purpose of this section is to restrict the location of certain types of animals within certain zoning districts of the City of Sparks in order to provide for the reasonable use and enjoyment of adjacent properties. Nothing in this section diminishes or limits the powers and responsibility of Washoe County to enforce the county's animal control provisions within the city limits of the City of Sparks.

(Ord. 2226, Add, 05/24/2004)

A. Definitions

This section applies to any domestic household pet or livestock.

B. Location of Domestic Household Pets

Unless otherwise prohibited by effective ordinance of the County, domestic household pets may be located in any zoning district of the City subject to the following restrictions:

1. Gerbils, hamsters, guinea pigs, mice, rats, squirrels, chipmunks or similar rodent-like mammals must be kept in cages;
2. Domestic rabbits must be kept in hutches, cages or other enclosures to assure they do not escape;
3. No more than one (1) Vietnamese Potbellied Pig may be kept per residence;
4. Domesticated fowl (this does not include poultry for consumption or production of eggs) or birds must be kept in a cage or other enclosure located within the residence.

(Ord. 2226, Add, 05/24/2004)

C. Location of livestock

1. Livestock used for production and commercial purposes may be kept only in the agricultural districts ("A-5" and "A-40").
2. Livestock used for recreational purposes may be kept only in the agricultural ("A-5" and "A-40") and "SF-40" residential district, if:

- a. The minimum size of the lot is 1 acre;
 - b. No more than one head of livestock may be maintained per 20,000 square feet of land area;
 - c. The keeping of poultry and large fowl or birds is limited to 12 per acre of property.
3. Other than as provided above, it is unlawful to keep livestock for any purpose in any other zoning district of the City.

(Ord. 2226, Add, 05/24/2004)

Section 20.03.007 Animal Services (animal hospital, kennel or veterinary clinic)¹

↔ **Use Category: Commercial / Mixed Use**

This section applies to any Animal Service:

- A. Animal boarding or daycare is permitted as part of a veterinary clinic only to the extent that it is part of medical care.
- B. Outdoor animal exercise or containment areas are limited to 20% of the lot and shall be located at least 500 feet from any residential zoning district.

(Ord. 2417, Add, 11/10/2008)

Section 20.03.008 Assembly uses

↔ **Use Category: Public/Civic/Institutional**



Purpose: this section limits risk to persons from hazards associated with chemical spills or other releases associated with industrial accidents.

Within the Industrial (“I”) District, an assembly use (as defined in the Use Table, Section 20.02.014) may not operate in a manner or hold any event that assembles more than twenty-five (25) persons to the facility between 7:00 A.M. and 7:00 P.M., on Monday through Friday.

(Ord. 2417, Add, 11/10/2008)

Section 20.03.009 Auction House

- A. All operations associated with the Auction shall be conducted within the building permitted for the Auction. Outdoor storage is not permitted without an approved Administrative Review.
- B. All Operations associated with the Auction shall be limited to the hours of 7am to 7pm, except when hours of operation are waived by conditional use permit.

¹ This section combines the standards for all animal services, since the Use Matrix combined them into indoor and outdoor/overnight facilities.

- C. All parking shall be provided per Sparks Municipal Code. Outdoor storage of items considered for the auction shall not be stored in the required parking area.

Section 20.03.010 Auto and Truck Repair

↔ **Use Category: Commercial – Vehicles/Equipment**

An auto and truck repair use shall comply with the following standards (a check mark [✓] means that the standard applies to that use):

Standard	Auto and truck repair (light)	Auto and truck repair (heavy)
No outdoor storage shall be permitted on the property. Unless within I district, then outdoor storage may be permitted by Administrative Review.	✓	
All work shall be conducted in enclosed work areas, except that outdoor work areas or storage areas are permitted if: (1) they are for large vehicle tire and repair, and (2) are allowed by administrative review.		✓
Off-street parking shall be provided for all vehicles.	✓	✓
Junk or salvage vehicles shall not be stored on the property, except for disabled or damaged vehicles for which repair service has been arranged.		✓
In the Industrial ("I") District, an off-site vehicle storage lot for disabled or damaged vehicles requires Administrative Review (see Chapter 20.05).	✓	✓

(Ord. 2417, Add, 11/10/2008)

Section 20.03.011 Automated Teller Machine (ATM), Stand Alone

↔ **Use Category: Commercial/Mixed Use – Financial Services**

A stand-alone automated teller machine (ATM) shall comply with the following standards:

- A. One parking space shall be provided per stand-alone ATM, and shall be located within 100 feet of the ATM. When parking is also provided for other uses on the site, the ATM parking space shall be signed as short-term ATM parking.
- B. Stacking lanes for an ATM shall accommodate stacking for at least 80 feet.
- C. Impacts to surrounding residential property such as sound from idling vehicles, headlights, and visibility of the ATM shall be mitigated by the developer with landscaping, fencing, and other methods subject to the approval of the administrator.
- D. The ATM shall be lighted. Illumination shall be from a downcast, shielded light source.

(Ord. 2417, Add, 11/10/2008)

Section 20.03.012 Bar / Lounge

↔ **Use Category:** *Public/Civic/Institutional – Arts, Entertainment & Recreation*

In the Industrial (“I”) District, a bar may operate only between 6:00 A.M. and midnight, except when the limitation on hours is waived by conditional use permit.

(Ord. 2417, Add, 11/10/2008)

Section 20.03.013 Bed & Breakfast

↔ **Use Category:** *Lodging/Short-Term Rental*



The purpose of this chapter is to promote the public health, safety and general welfare of the people of the City of Sparks by controlling the location of, and establishing requirements and standards for bed and breakfast facilities within the City.

(Ord. 1741, 1992.)

(Ord. 1741, 1992.)

- A. Number of rooms.** There shall be no more than 4 guest rooms and 8 guests per building.
- B. Owner-Occupied.** The building or structure must be the primary residence of the owner or manager of the bed and breakfast. The owner/manager must be present on the site during the period when any or all of the rooms are occupied.
- C. Meals.** Meals shall not be served to persons other than the guests and residents of the bed and breakfast.

(Ord. 2417, Add, 11/10/2008)

Section 20.03.014 Co-generation facility

↔ **Use Category:** *Infrastructure -Utilities*

A co-generation facility shall comply with the following standards:

- A.** The co-generation facility shall be located on the same parcel or an abutting parcel to the principal use.
- B.** Mechanical equipment including transformers or similar shall be screened from view using landscaping or solid fencing.
- C.** Electrical interference shall not extend beyond the property line.

(Ord. 2417, Add, 11/10/2008)

Section 20.03.015 Crematorium

↔ **Use Category:** *Commercial & Mixed Use - Personal/Business Services*

Crematoriums must comply with the following regulations:

- A. All equipment shall be located within a completely enclosed building.
- B. There shall be no audible or visible indication of the use from outside of the building. **[REFERENCE THE NRS STANDARDS]**

Section 20.03.016 Day Care / Child Care

↔ **Use Category: Public/Civic/Institutional – Day Care**

A. Generally

The standards below apply each use listed where indicated by a check mark (✓).

Standards	Adult day care	Child Care Facility	Child care, In-home
If the facility serves at least 12 children or adults at any time, facility must be adjacent to, and accessed from, a collector or arterial street.	✓	✓	
The facility must comply on an ongoing basis with all governmental licensing requirements.	✓	✓	✓
The site shall be designed so that all discharging or loading of passengers from a vehicle is accomplished on the site.	✓	✓	
Where the facility abuts a Single-Family ("SF") zoning district:	✓	✓	
The building entrance and access shall be oriented away from residential uses on local streets.			
Outdoor activity is limited to daylight hours.			
Outdoor lighting shall be designed so as to not shine directly onto any abutting residential property.			
The hours of operation shall not extend beyond the hours of 7:00 a.m. to 7:00 p.m., unless a different time period is approved by a conditional use permit.	✓	✓	✓

Section 20.03.017 Drive-through facilities

A drive-through business shall comply with the following standards:

A. Stacking lanes

- Stacking lanes for drive-through food service windows shall accommodate stacking for 160 feet. Stacking measurement shall begin from the food service window.
 - Non-food service windows shall accommodate stacking for at least 80 feet.
- B. Drive-through lanes shall be visually screened and situated so as to not block any other drive aisle or parking space.

1. Screening shall be a minimum of 4 feet in height.
2. Impacts to surrounding residentially zoned property such as noise from a voice box, idling vehicles, head-lights, and visibility of the business operation shall be mitigated.

(Ord. 2417, Add, 11/10/2008)

Section 20.03.018 Fraternal Club / Lodge / Community Facility

↔ **Use Category:** *Public/Civic/Institutional* - Assembly Uses



Purpose: this standard limits risk to persons from hazards associated with chemical spills or other releases associated with industrial accidents.

Within the I District, a Fraternal Club / Lodge / Community Facility shall not operate in a manner or hold any event that assembles more than 25 persons at the facility any time between 7:00 A.M. and 7:00 P.M., on Monday through Friday.

(Ord. 2417, Add, 11/10/2008)

Section 20.03.019 Fuel Distribution or Recycling

↔ **Use Category:** *Industrial* – Warehousing, Storage & Distribution

A. Standards

1. The fuel distribution or recycling use shall be located at least 500 feet from a residential zoning district.
2. All outdoor operations shall be screened as provided in Chapter 20.04.05.

(Ord. 2417, Add, 11/10/2008)

3. An establishment that includes retail sale of fuels shall have at least one (1) primary access to an arterial street.

(Ord. 2417, Add, 11/10/2008)

Section 20.03.020 Gas station

↔ **Use Category:** *Commercial & Mixed Use* – Vehicles/Equipment

A. Standards

1. Junk or salvage vehicles shall not be stored on the property.
2. No outdoor storage is permitted on the property.
3. Except within the I District, auto service stations are limited to up to 16 fuel distribution pumps, where each pump is designed to serve no more than 2 customers at a time.
4. Within the I District, gas stations shall:

- a. be located at a corner of an intersection; and
- b. have at least 1 primary access to an arterial street.
- c. The standards in subsections a or b above may be waived by conditional use permit.

(Ord. 2417, Add, 11/10/2008)

Section 20.03.021 Home occupations

↔ **Use Category: Residential**

A. Applicability

This section applies to any Home Occupation.

B. Standards

1. The home occupation shall be operated entirely within a dwelling unit by a person or persons residing in the dwelling unit as a clearly secondary and incidental use of the dwelling for residential purposes. The home occupation must not change the residential character of the dwelling unit.
2. There shall be no use, including storage, of any accessory building, yard space or activity outside the main building not normally associated with residential use.
3. Not more than 20% of the living area of the residence shall be used for the home occupation.
4. The home occupation may include storage for stock-in-trade, supplies, or goods included in the maximum area allowed in subsection 3 above. Areas used for storage shall not be visible from outside of the dwelling unit.
5. Up to 5 client visits or service deliveries to the home occupation are allowed per day.
6. Not more than 1 vehicle, not exceeding 10,000 pounds GVWR ton in capacity with commercial advertising displayed, shall be kept at the residence.
7. There shall be no indication of the home occupation on the exterior of the premises.
 - * Unless required by federal regulation requires indication on the exterior of the home occupation. Demonstration of this requirement is necessary for the City to permit indication on the exterior of the home occupation.
8. There shall be no manufacturing, processing, or similar activity on the premises which generates noise, odor, dust, vibration, fumes, smoke, electrical interference or other interference with adjacent properties.
9. The home occupation shall not be operated without the permission of the owner of the real property.

10. No employees of the business shall be allowed to report for duty either at or near the residence.

C. Home Occupation Permit

1. **Permit Required.** A home occupation requires a home occupation permit.
2. **Permit Application.** A person desiring to conduct a home occupation shall complete a Home Occupation Permit application. No permit application shall be accepted or reviewed until the applicant has first filed for a city business license under Title 5 of this code.
3. **Permit Application Review Procedure.** The Administrator shall review the completed permit application and conduct a site visit and take one of the following actions:
 - a. Issue a home occupation permit if the information contained on the completed permit application clearly indicates all of the standards will be met; or
 - b. the applicant shall apply for a conditional use permit if the information contained on the completed permit application indicates that one or more of the conditions contained in subsection B of this section may be violated.
4. **Revocation.** The Administrator may revoke the Home Occupation Permit if –
 - a. The applicant provides materially false information in the Home Occupation permit application or, if required, a conditional use permit application, or
 - b. The applicant violates any standard provided in this section, or
 - c. If a conditional use permit was required, the applicant violates any condition of the conditional use permit.

(Ord. 1826, 1994; Ord. 1799, 1993; Ord. 1325 § 40, 1981.) (Ord. 2417, Renumbered, 11/10/2008)

Mining/Quarrying ⇔ **Use Category: Any**

The removal of minerals, earth, and other natural materials may be allowed in any district, by conditional use permit.

No special permit is required to remove earth and other materials necessary and clearly incidental to the construction of a building on the premises from which material is removed.

(Ord. 1074 § 1 (part), 1976.) (Ord. 2417, Renumbered, 11/10/2008)

Section 20.03.022 Life Care or Continuing Care Services (Nursing Homes, Hospices, or Assisted Living)

⇔ **Use Category: Residential – Group Living**

A. Applicability

1. This section applies to any Life Care or Continuing Care Services use .
2. Examples of principal uses or structures that constitute life care or continuing care services include:²

Use	Category and Definition	LBCS Function	NAICS
Congregate housing	Establishments that serve meals and other services in low-income and federally subsidized housing or nonsubsidized housing facilities. Services include housekeeping, laundry, transportation, recreational programs, and other convenience services.	1220	
Assisted living	A residence that primarily serves the elderly and provides rooms, meals and may provide personal care and supervision of self-administered medication. These establishments do not have on-site nursing care facilities. They may provide other services, such as recreational activities, financial services and transportation. (Ord. 1842, 1994.) (Ord. 2417, Renumbered, 11/10/2008)	1230	
Life care or continuing care service	This subcategory comprises church or social welfare organizations running retirement centers. Residents turn over some or all of their assets in exchange for housing, personal care, convenience care, and some health care. Terms used for such establishments are endowment facilities, founders care facilities, etc.	1240	
Community care facilities for the elderly	Establishments primarily engaged in providing a range of residential and personal care services for (1) the elderly who are unable to fully care for themselves and/or (2) the elderly who do not desire to live independently. The care typically includes room, board, supervision, and assistance in daily living, such as housekeeping services. In some instances these establishments provide skilled nursing care for residents in separate on-site facilities.		62331
Continuing Care Retirement communities	These establishments are primarily engaged in providing a range of residential and personal care services with on-site nursing care facilities for (1) the elderly and other persons who are unable to fully care for themselves and/or (2) the elderly and other persons who do not desire to live independently. Individuals live in a variety of residential settings with meals, housekeeping, social, leisure, and other services available to assist residents in daily living. Assisted living facilities with on-site nursing care facilities are included in this industry.		623311
Nursing home	An institution, residence or facility licensed by the State of Nevada that provides accommodation, personal assistance and skilled nursing care to more than 3 residents who are dependent on the services of others by reason of age and physical or mental impairment. The services are provided for an extended period of time to persons who need nursing	1250	623110

² These kinds of establishments are related but somewhat different. For example, some provide on-site nursing care, and others do not. I could collapse and simplify the definitions, but the industry definitions from NAICS are comprehensive and the facility types are distinct.

care.

Homes for the elderly

This U.S. industry comprises establishments primarily engaged in providing residential and personal care services (i.e., without on-site nursing care facilities) for (1) the elderly or other persons who are unable to fully care for themselves and/or (2) the elderly or other persons who do not desire to live independently. The care typically includes room, board, supervision, and assistance in daily living, such as housekeeping services. These establishments may include assisted living facilities without on-site nursing care facilities, homes for the aged without nursing care, homes for the elderly without nursing care, old-age homes without nursing care, old soldiers' homes without nursing care, rest homes without nursing care, retirement homes without nursing care, and senior citizens' homes without nursing care.

623312

B. Standards

1. **Common Areas.** Life care or continuing care services shall include common area of at least 15 square feet per guest room or dwelling unit, unless a different standard is provided by state or federal law or regulation.
2. **Access.** Facilities licensed for more than 10 beds shall have access to a collector or arterial street.³
3. **Density.** The proposed development shall conform to the density standards established below:

Table 20.03-1 Life Care or Continuing Care Services Density

Zoning District	Rooms per acre (maximum)
MF-3	20
MF-4	30
MF-5	50
MR	50
RN	20
C1	20
C2	30
PO	20
PF	50

Section 20.03.023 Live/Work Dwellings

↔ **Use Category: Residential – Residences**

³ Reno uses this standard for nursing home/assisted living facilities.

A. Applicability

1. This section applies to any Live/Work Dwelling .
2. A Live/Work Dwelling may occupy a building originally designed for industrial or commercial occupancy.

B. Standards

1. A Live-Work Dwelling shall include 1 dwelling unit, and any non-residential use except the following (see Use Table):

Adult business	Hospital
Alternative financial services / payday loan establishment	Industrial Services
Animal Services	Liquor store
Assembly Uses	Lodging / Short-Term Rental
Auction house	Manufactured Home Dealers
Auto and truck repair (heavy)	Media Production
Auto and truck repair (light)	Medical marijuana dispensary
Automated teller machine, stand alone	Medical marijuana production or cultivation
Autopawn	Medical office, clinic, or laboratory
Bail bond services	Medical office, clinic, or laboratory (more than 50,000 sf gfa)
Bar / Lounge	Mining & quarrying
Building material sales & services	Mobile vendor
Car Wash	Nursery (commercial, retail and wholesale)
Contractor shop	Outdoor Processing
Crematorium	Park / open space
Cultural Institution	Production, General
Data Processing, Hosting, and Related Services (including data centers)	Recreational Facility, Major
Entertainment facility / Theater	Recreational Facility, Minor
Gaming establishment (non-restricted)	Restaurant
Gas station	Truck stop
Health/fitness club	Vehicle or equipment sales and rentals
	Warehousing, Storage & Distribution

2. The total number of dwelling units on the subject property shall not exceed the maximum number of dwelling units permitted by the zoning district.
3. The conversion to a Live/Work Dwelling of a building or part of a building that was originally designed for non-residential occupancy is not subject to the requirements for off-street parking in Chapter 20.04 and is not subject to the open space requirements for new residential dwelling units contained in the applicable zoning district or districts. If the building is converted from an existing building designed for non-residential occupancy, existing parking spaces or open space shall be retained.

Section 20.03.024 Machinery and heavy equipment sales and service

⇌ **Use Category: Industrial** – Warehousing, Storage & Distribution

A. Applicability

This section applies to any Machinery And Heavy Equipment Sales and Service use.

B. Standards

1. Outdoor display and storage areas for machinery and equipment shall be paved with a non-permeable material such as asphalt or concrete and shall meet the standards of Chapter 20.04.
2. Off-street parking shall be provided for all customer and employee vehicles, and all sales and rental vehicles. Machinery and equipment for sale or rent shall not be parked on the street at any time.
3. In the Industrial ("I") District, an off-site machinery and equipment storage lot is permitted and shall be located within 500 feet of the property line of the principal use.
4. Minor repair to machinery and equipment is permitted. Service work areas shall be indoors.
5. Machinery and equipment wash areas shall be designed with a water collection and recycling system and shall be screened from public view.

(Ord. 2417, Add, 11/10/2008)

Section 20.03.025 Manufactured Home⁴

↔ **Use Category: Residential – Residences**



The purpose of this chapter is to promote the public health, safety and general welfare by establishing minimum standards for all manufactured home and recreational vehicle parks and mobile home subdivisions erected within the city.

(Ord. 1074 § 1 (part), 1976.)

A. Applicability

This section applies to any Manufactured Home Park .

B. Standard Manufactured Home Subdivision

1. All mobile home subdivisions are subject to compliance with Chapter 278 of the Nevada Revised Statutes, the subdivision and other applicable ordinances of Sparks and any regulations of the Nevada State Health Department. Mobile home subdivisions may comply with density zoning provisions of this title.
2. Uses permitted are:
 - a. One manufactured home per lot or cluster site;
 - b. Accessory buildings.

⁴ These are a placeholder. I am still sorting through the statutes, which are horribly confusing.

3. Uses prohibited are: all uses prohibited in underlying zone.⁵
4. Development requirements are:
 - a. Minimum overall area: 2 acres;
 - b. Maximum density: same as underlying zone;
 - c. Maximum building height: same as underlying zone;
 - d. Minimum net site or lot area per manufactured home: same as underlying zone;
 - e. Minimum net mobile home lot width: same as underlying zone;
 - f. Yards: same as underlying zone.
5. Street System. All streets and improvements shall comply with the requirements of the city.
6. General Requirements. All utilities shall be placed underground.
7. Off-street parking shall be as required by SMC.

(Ord. 1074 § 1 (part), 1976.)

C. Mobile home subdivisions using small lots and home owners' association in TR Zones

1. Manufactured home subdivisions require a conditional use permit.
2. Manufactured home subdivisions shall comply with Chapter 278 of the Nevada Revised Statutes, the subdivision and other applicable ordinances and regulations of the city and any regulations of the Nevada State Health Department.
3. Uses permitted are:
 - a. One manufactured home per lot or site;
 - b. Accessory buildings;
 - c. Community recreational buildings and facilities.
4. Use prohibited are as follows: any permanent residential structure.
5. Development requirements are:
 - a. Minimum overall area: 2 acres;
 - b. Maximum building height: same as underlying zone;
 - c. Minimum lot area: 4,500 square feet;

⁵ Mobile/manufactured homes are permanent residential structures!

- d. Minimum lot width: 60 feet;
- e. Minimum setback from bordering public street line: 15 feet;
- f. Minimum setback from internal street: 5 feet;
- g. Minimum setback from exterior boundary of subdivision: same as underlying zone with minimum of 10 feet;
- h. Minimum distance between mobile home sides or side and end: 20 feet; between ends: 10 feet;
- i. Expandable sections of a manufactured home or attached accessory building are considered a part of the manufactured home proper for setback requirements.

6. General Requirements.

- a. All vehicle parking spaces and driveways shall be paved.
- b. Exposed ground surfaces in all other parts of a manufactured home subdivision shall be covered with stone screening or other material or protected with a vegetative growth, either of which is capable of preventing soil erosion and eliminating objectionable dust.
- c. All manufactured home subdivisions shall have at least one recreation area or open space accessible from all lots. The cumulative size of the recreation area shall be at least 2.5% of the gross manufactured home subdivision area. It shall be landscaped as per plans approved as part of conditional use permit.
- d. When included, pedestrian ways shall have a minimum width of 3 feet and shall be appropriately situated.
- e. Fences. Manufactured home subdivisions shall be fenced with a solid view-screening fence up to 6 feet and at least 4 feet in height around the entire boundary of the subdivision.

7. Additional Off-street Parking Requirements. See Section 20.04.09 of this code.

(Ord. 1074 § 1 (part), 1976.)

D. Manufactured home parks

- 1. A conditional use permit is required.
- 2. Manufactured home parks shall comply with any applicable statutes and ordinances and any regulations of the Nevada state and Washoe County health departments.
- 3. Uses permitted shall are:
 - a. One manufactured home per space;

- b.** Two carports, cabana, ramada or patio and one detached storage room per manufactured home;
 - c.** Community recreation buildings and facilities, laundry, car wash, boat or storage facilities serving the manufactured home park only;
 - d.** Management Offices. One single-family dwelling or manufactured home used exclusively for living quarters by the operator or manager of the park.
- 4.** Development requirements are:
 - a.** Minimum overall area: 5 acres;
 - b.** Maximum building height: same as underlying zone;
 - c.** Minimum net space area per manufactured home: 4,500 square feet;
 - d.** Minimum net manufactured home space width: 60 feet;
 - e.** Minimum setback of any building or manufactured home from a bordering public street line: 15 feet;
 - f.** Minimum front setback from internal street: 5 feet;
 - g.** Minimum setback line from the exterior boundary line of the manufactured home park: same as underlying zone with a minimum of 10 feet;
 - h.** Minimum distance between manufactured home sides or side and end: 15 feet; between ends: 10 feet;
 - i.** Expandable sections of a manufactured home or attached accessory building should be considered a part of the manufactured home proper for setback requirements;
 - j.** The occupied area of a manufactured home space shall not exceed 75% of the space area. "Occupied area" means the total lot area covered by a manufactured home and accessory buildings and structures on a manufactured home space.
- 5.** Street system
 - a.** All manufactured home spaces shall be provided with safe and convenient vehicular access from public or private streets. Alignment and gradient of streets shall be properly adapted to topography.
 - b.** Street Surfacing. All streets shall be paved and drained in a manner approved by the city public works department. Streets shall have a designed structural section based on traffic volumes and soil conditions, but in no event shall the asphaltic pavement be less than two

inches in thickness, placed on a base material at least four inches thick and approved by the city public works department.

- c. Access to manufactured home parks shall be designed to minimize congestion and traffic hazards and provide for safe movement of traffic at the entrance or exits to adjoining streets.
- d. All streets shall have a paved section not less than 32 feet in width and a right-of-way of not less than 32 feet.
- e. All streets shall be properly signed and lighted. Lighting system is to be approved by the city public works department and shall provide a minimum level of lighting at least equivalent to that provided by night guard lights spaced at three hundred foot intervals on a street.
- f. Adequate provisions for snow removal and storage areas shall be provided.

6. General Requirements.

- a. a. All vehicle parking spaces and driveways shall be paved.
- b. b. Exposed ground surfaces in all other parts of a manufactured home park shall be covered with stone screening or other material or protected with a vegetative growth, either of which is capable of preventing soil erosion and eliminating objectionable dust.
- c. c. All manufactured home parks shall have at least one recreation area or open space accessible from all spaces, the cumulative size of which recreation area shall be not less than two and one-half percent of the gross manufactured home park area. Parks catering to family use would be expected to provide larger recreation areas and adequate playgrounds. It shall be landscaped as per plans approved as part of conditional use permit.
- d. d. When included, pedestrian ways shall have a minimum width of three feet and shall be appropriately surfaced.
- e. e. Water Supply. An accessible, adequate, safe and potable supply of water for domestic purposes shall be provided to each manufactured home space. Such supply of water shall be in conformance to any applicable statutes and ordinances and any regulations of the Nevada state and Washoe County health departments.
- f. f. Sewage Facilities. An adequate and safe sewer system shall be provided to each manufactured home space. Such sewer system shall be in conformance to any applicable statutes and ordinances and any regulations of the Nevada state and Washoe County health departments.
- g. g. Refuse and Garbage. Storage, collection and disposal of garbage and refuse shall be in conformance to any applicable statutes and ordinances and any regulations of the Nevada state and Washoe County health departments.

- [illegible]

(Ord. 1074 § 1 (part), 1976.)

E. Permits, Licenses and Fees

1. All manufactured home parks shall obtain a permit issued by the city council.
2. Application for the permit shall be submitted to the building official on forms supplied by that office, and shall contain the information required by the building official. All such applications shall be accompanied by a permit fee based on total valuation as specified in Table 3A of the Uniform Building Code. Valuation is determined by multiplying one-half the number of spaces at \$1,500 per space.
3. All manufactured home parks shall obtain those permits and licenses required by other city ordinances or state statutes.

4. Prior to placement of individual manufactured homes in manufactured home subdivisions, application for inspection shall be made to the building official. All such applications shall be accompanied by a fee in the sum of five dollars.
5. Permits shall be posted in a prominent place of the applicable premises.

F. Location Outside Parks

1. Parking any manufactured outside a manufactured home park or a manufactured home subdivision, when the manufactured home is used for dwelling or sleeping purposes, is unlawful except as provided in this Section. This subsection does not apply to manufactured homes parked on the premises of a business open to the public 24 hours per day in the Tourist Commercial ("TC") district.
2. Storage of manufactured homes is permitted only in Industrial ("I") districts.
3. Storage of one occupied trailer on a duly licensed trailer sales lot is permitted to provide a caretaker for the premises but not in substitution of any other buildings required by this code. The trailer must be connected to city sewer and water and all necessary fees must be paid.

G. Revocation of Permit. Permits may be revoked by the city council, following reasonable notice and hearing, for failure to comply with the requirements of this Section.

H. Temporary use, as defined by **Error! Reference source not found.** of a trailer for office or business purposes pending completion of a permanent building when a building permit and construction has been allowed, is allowed upon application to and approval by the city council. The temporary use is subject to connecting to sewer and water and payment of all necessary fees. The application shall include a hold harmless agreement acceptable to the city attorney.

I. Commercial Office Prohibited. It is unlawful for any person to park, occupy or use a manufactured home as a commercial office.

J. Grandfathering. This section applies to those manufactured home subdivisions and manufactured home parks constructed after the effective date of Ordinance 1359. This Section does not apply to existing parks or resales of existing parks, except in the case of remodeling when that portion of the park being remodeled complies with this Section.

(Ord. 1359 § 1, 1982; Ord. 1074 § 1 (part), 1976.)

Section 20.03.026 Medical Marijuana Dispensary

↔ **Use Category:** *Public/Civic/Institutional – Medical*



The Nevada State law governing medical marijuana dispensaries limits the number permitted to operate in the City of Sparks. The City's intent is to maintain sufficient distance between dispensaries

to facilitate access for patients. If the City receives multiple applications for dispensaries, it will take into account the respective locations of the proposed facilities.

A. Applicability

This section applies to any Medical Marijuana Dispensary.

B. Administrative Review is required.

C. Standards

1. In the I (Industrial) zoning district, medical marijuana dispensaries shall only be located in buildings for which public access point to be used in conjunction with the medical marijuana dispensary is readily visible from the arterial upon which it is situated. Some portion of the parcel on which the medical marijuana dispensary is to be located must be within 1,000 feet measured from the center of the following intersections: McCarran Boulevard and Glendale Boulevard; McCarran Boulevard and Greg Street; and Rock Boulevard and Glendale Avenue.
2. The applicant must receive an administrative review approval for this use prior to establishment and issuance of a business license.
3. Medical marijuana dispensaries shall not be located within 1,000 feet of a Nevada licensed substance abuse treatment center measured from the front door of the dispensary to the closest property line.
4. The medical marijuana dispensary must comply with the location criteria listed in Nevada State laws.
5. A medical marijuana dispensary may not apply for major deviation to reduce the minimum separation distances.
6. The maximum size of patient access area of a medical marijuana dispensary shall be 2,500 square feet. Patient access area is defined as the portion of the dispensary building accessible to persons with a medical marijuana card.
7. The medical marijuana dispensary must comply with the operating standards in Nevada State laws and Regulations of the Division.
8. The medical marijuana dispensary shall be located within a building complying with regulations in Nevada State laws and Regulations of the Division.
9. The medical marijuana dispensary shall be located in a permanent building that meets City of Sparks building and fire codes for a commercial building, and shall not be located in a manufactured or mobile home, trailer, cargo container, motor vehicle or similar personal property.
10. The dispensary must provide for secure delivery of medical marijuana and products to the establishment, to the approval of City.

11. Loading and unloading of medical marijuana or items associated with operations shall only occur between the hours of 7:00 A.M. and 6:00 P.M.
12. A medical marijuana dispensary shall not be open to the public before or after the hours of:
 - a. Located in “C2” or Mixed Use zoning – 8:00 am to 9:00 pm
 - b. Located in “I” zoning – 8:00 am to 7:00 pm
13. Drive through windows are not permitted.
14. The medical marijuana dispensary shall have a single secure customer entrance to the approval of City.
15. Medical marijuana remnants, medical marijuana-infused products, bi-products, and other waste material shall be disposed of in a safe, sanitary and secure manner, in a location and manner approved by the Division and subject to City approval.
16. The applicant must provide a written public safety plan, subject to City approval.
17. No medical marijuana shall be smoked, eaten or otherwise consumed on the premises of the medical marijuana dispensary. There shall be no outdoor seating area, vending machines nor loitering on the property.
18. No medical marijuana shall be displayed or kept in a medical dispensary so as to be visible from the outside of the premises.
19. An approved administrative review shall expire in eighteen (18) months from the date of issuance of the registration certificate issued by the Division if it is not fully operational.
20. In the event, a medical marijuana dispensary loses their state of Nevada certification or registration, the administrative review shall become null and void.
21. If a marijuana dispensary is closing, the manager of the establishment must notify the City of Sparks of the closing at least 15 days before the closure.

Section 20.03.027 Mini-warehouse

↔ **Use Category:** *Industrial – Warehousing, Storage & Distribution*

A. Applicability

This section applies to any Mini-Warehouse .

B. Standards

1. No more than one (1) caretaker or guard residence shall be provided. No other residence is allowed.

2. No business shall be conducted from or within a mini-warehouse unit. Retail or auction sale of stored items is prohibited. This prohibition does not apply to auction sale of abandoned items by the owner of the mini-warehouse business, as allowed by Nevada state law.
3. Vehicle repair is prohibited within mini-warehouse units and on the premises.
4. Production, fabrication, or assembly of products is prohibited.
5. Painting, the use of power tools, and the use of welding equipment or similar is prohibited within mini-warehouse unit, except for repair or maintenance to the unit by an employee of the mini-warehouse business.
6. Storage units shall not be used as a musical practice or recording space.

(Ord. 2417, Add, 11/10/2008)

Section 20.03.028 Mobile vendors

↔ **Use Category: Commercial & Mixed Use – Food & Beverage Sales / Service**

A. Applicability

This section applies to any mobile vendor as defined in Chapter 20.8, including:

- Mobile food vendor
- Mobile vending cart
- Mobile vending trailer
- Mobile vending vehicle
- Mobile vendor

B. Standards for Permanent Vendors

Mobile vending is permitted on a permanent basis by complying with the following conditions:

1. Mobile vendors must have a City of Sparks business license.
2. Transaction of business shall only occur on private property, mobile vendors may only transact business with written permission from the property owner to use this site.
3. Mobile vendors shall not transact business on a site for a period longer than 4 hours per day unless otherwise permitted by this Section.
4. Mobile food vendors shall not locate within 300 feet of an establishment selling taxable food (as defined in NRS 372.284 as may be amended) during the establishment's hours of operation. This distance is measured from the closest point of the building of the food establishment to the mobile vendor.
5. Mobile vendors shall designate a legally permitted clean-out location for mobile vending vehicles, trailers or carts prior to issuance of a business license. Clean out shall only occur at the designated location.

6. Any mobile vending vehicle, trailer or cart shall not be stored on residential property.
7. Mobile vendors are not allowed to use residential property for stocking and loading food.
8. Mobile vendors shall not interfere with the circulation or parking of vehicles in the required parking area of any site.
9. Mobile vendors shall not interfere with the safe and convenient passage of pedestrians, obstruct any pedestrian walkway or reduce its clear width to less than 4 feet.
10. Mobile vendors shall provide a venue free from excessive noise. Mobile vendors shall not broadcast any music while stopped or parked.
11. Use of strobe lights or other similar devices aimed at directing attention to the mobile vending business is prohibited.
12. Mobile vendors shall keep setup sites free from trash, garbage or other refuse.
13. Mobile vendors shall provide appropriate trash receptacles for their customers' use. The receptacles shall move from place to place with the vendor and shall be emptied as necessary.

C. Standards for Temporary Vendors

1. Mobile vending may be permitted on a temporary basis by applying for a temporary use permit at least 7 days prior to the proposed mobile vending, accompanied by an inspection fee as established by resolution of the City Council.
2. The Administrator may issue the temporary use permit subject to any conditions necessary to safeguard the public health, safety, and welfare, and may require a bond or other surety to guarantee that those conditions are met and that the site of the mobile vending is left in good condition when the mobile vending is over.

(Ord. No. 2460, § 6, Add, 03/26/2012)

Section 20.03.029 Outdoor Sales & Display⁶

↔ **Use Category: Accessory**



This Section provides for uses involving outdoor sales and display of goods in a manner which is not detrimental to surrounding properties or to the health, safety, welfare and convenience of the public.

(Ord. 1325 § 47 (part), 1981; Ord. 1074 § 1 (part), 1976.)

A. Applicability

1. This section applies to any Outdoor Sales and Display Use.

⁶ I think I should move this to the Temporary Use section, with a cross reference here. Agree?

2. This Section does not apply to:

- a.** The display or sale of goods or merchandise on public property (refer to Chapters 5.59 and 12.26 of this Code), or

(Ord. 2340, Add, 09/25/2006)

- b.** The display of goods in the following businesses, where the display normally and customarily occurs outside of an enclosed structure:

(1) Farmers market

(2) Manufactured home dealers

(3) Vehicle or equipment sales and rentals

B. Outdoor Display

- 1.** Outdoor display of goods is only allowed for sale in connection with a lawfully established commercial use.
- 2.** The space occupied by the display shall not exceed 20% of the gross floor area of the building occupied by the business displaying the goods, except by conditional use permit.
- 3.** This display shall be temporary or seasonal, and its duration not exceed thirty (30) calendar days.
- 4.** The display shall be visually pleasing and maintained in a neat and litter-free condition.
- 5.** The display shall not interfere with the safe and convenient passage of pedestrians or obstruct any pedestrian walkway or reduce its clear width to less than 8 feet.
- 6.** The display shall not interfere with circulation or parking of vehicles in any required parking area.
- 7.** The actual purchase of goods displayed as provided in this section shall take place within the building or other approved enclosure occupied by the business displaying the goods.
- 8.** Outdoor display areas shall not be used for storage;

(Ord. 1515 § 1, 1985; Ord. 1325 § 47 (part), 1981; Ord. 1074 § 1 (part), 1976.)

C. Outdoor Sales (Accessory)

- 1.** Outdoor sale of goods is allowed only in connection with a lawfully established use in a nonresidential district, subject to the standards listed below.
- 2.** A temporary use permit is required to establish the outdoor sale.

3. The space occupied by an outdoor sales area shall not exceed 3% of the gross floor area of the building occupied by the business conducting the sale.
4. The duration of the outdoor sale shall not exceed 72 hours. The sales shall not be conducted by the same business more often than once every 28 calendar days.
5. At the termination of a sale, any space occupied by an outdoor sales area shall be completely cleared of all paraphernalia associated with the sale, and all dirt or litter.
6. The outdoor sale shall not interfere with the sale and convenient passage of pedestrians or obstruct any pedestrian walkway or reduce its clear width to less than 8 feet.
7. The outdoor sale shall not interfere with circulation or parking of vehicles in any required parking area.

D. Outdoor Sales (Not Accessory to a Business)

For the following outdoor sales types, see **Error! Reference source not found.** (Temporary Uses):

1. Outdoor sales, generally
2. Christmas tree sales
3. Garage and yard sales
4. Flea market
5. Pumpkin patch
6. Farmers market

(Ord. 1515 § 2, 1985; Ord. 1325 § 47 (part), 1981; Ord. 1074 § 1 (part), 1976.) (Ord. 2412, Amended, 10/13/2008; 2385, Amended, 01/18/2008, Ordinance No. is 2385, not 2384; Ord. 2384, Amended, 01/14/2008)

Section 20.03.030 Outdoor Storage

↔ **Use Category: Industrial – Warehousing, Storage & Distribution**

A. Applicability

This section applies to any Outdoor Storage Use.

B. Standards

1. The applicant must receive administrative review approval for this use.
2. In the C-2 district and along the Truckee River Trail, the area to be used for outdoor storage shall be screened by a solid (opaque) wooden fence or masonry wall, or quality material of similar opacity; or of open-type construction (such as chain-link) with screening material acceptable to the administrator. The screen fence or wall shall be at least 6 feet in height, in

order to screen the stored materials from view from public streets and, where appropriate, from neighboring property.

3. Stored materials may not be stacked or otherwise arranged above the height of the screen fence. If a vehicle, piece of equipment, or other individual stored item exceeds the height of the fence, it shall be stored at least 15 feet from any public way or residential property.
4. Storage of inoperable vehicles or operable heavy equipment or machinery shall comply with this section. However, parking areas for operable personal vehicles of customers and employees, and display areas for sales or rental of operable vehicles, are not considered outdoor storage.
5. The surface of the area to be used for outdoor storage shall be paved with a non-permeable material such as asphalt or concrete or, in the case of the storage of heavy equipment, covered with a material acceptable to the administrator which will control fugitive dust.
6. Outdoor storage is not allowed on a property that does comply with the minimum requirements of the Section 20.04.05 (Landscaping and Screening). If the property does not comply with Section 20.04.05, a landscaping and irrigation plan must be submitted by the applicant and approved by the administrator prior to the issuance of a building permit for a screen fence for the outdoor storage area. Landscaping and irrigation as approved must be installed.
7. For a property within the flood hazard area, the administrator may approve alternative outdoor storage screening requirements as necessary to comply with floodplain management standards in the S.M.C.

(Ord. 1753, 1992.) (Ord. 2417, Renumbered, 11/10/2008)

Section 20.03.031 Pawnbroker or autopawn

⇔ **Use Category: Commercial & Mixed Use – Financial Services**

A. Applicability

This section applies to any Pawnbroker or Autopawn .

B. Standards

1. No pawnbroker or autopawn shall be situated within one thousand (1,000) feet of any PF zone.
 - a. Public utility structures zoned PF do not apply to this restriction.
2. No pawnbroker or autopawn shall be situated within one thousand (1,000) feet of an existing pawnbroker or autopawn.
3. The above-stated distances shall be measured from parcel boundary to parcel boundary.

(Ord. 1758, 1992.) (Ord. 2417, Renumbered, 11/10/2008)

Section 20.03.032 Recreational Vehicle Parks⁷

↔ **Use Category: *Lodging/Short-Term Rental***

A. Applicability

This section applies to any Recreational Vehicle Park.⁸

B. Standards

1. Use permitted within the recreational vehicle park are:
 - a. Recreational vehicles;
 - b. Cabana, ramada or patio, and one detached storage room per recreational vehicle space;
 - c. Community recreation buildings and facilities, laundry, car and trailer wash, battery charging station, water fill-up, boat or storage facilities serving the recreational vehicle park only;
 - d. Management offices are single-family dwellings or mobile homes used exclusively for living quarters by the operator or manager of the park.
2. **Development** requirements:
 - a. Minimum overall area: 5 acres.
 - b. Maximum building height: same as underlying zone.
 - c. Minimum net space area per recreational vehicle space: 700 square feet.
 - d. Minimum setback of any building or recreational vehicle from a bordering public street line: 15 feet.
 - e. Minimum front setback from internal street: 5 feet.
 - f. Minimum distance between recreational vehicle sides or side and end: 15 feet; between ends: 10 feet.
3. **General Requirements**
 - a. All vehicle parking spaces and driveways shall be paved.

⁷ These are currently part of the same subsection. However, the uses are much different – manufactured homes are permanent residences, while RV parks are separate lodging facilities. Let me know if we need to consolidate these.

⁸ I moved some of the definitions to Chapter 20.08 because they apply to both manufactured homes and RV Parks, or are more broadly applicable.

- b. Exposed ground surfaces in all other parts of a recreational vehicle park shall be paved or covered with stone screening or other material or protected with a vegetative growth, any of which are capable of preventing soil erosion and eliminating objectionable dust.
- c. All recreational vehicle parks shall have at least one recreation area or open space accessible from all spaces, the cumulative size of which recreation area shall not at least 2.5% of the gross recreational vehicle park area. It shall be landscaped as per plans approved as part of conditional use permit.
- d. When included, pedestrian ways shall have a minimum width of 4 feet and shall be appropriately surfaced.
- e. **Service Facilities.** All recreational vehicle parks shall provide sanitary stations for the discharge of vehicle retention tanks.
- f. An accessible, adequate, safe and **potable water supply** for domestic purposes shall be provided within 50 feet of each recreational vehicle space. The water supply shall conform to any applicable statutes and finances and any regulations of the Nevada state and Washoe County health departments.
- g. **Sewage Facilities.** An adequate and safe sewer system shall be provided in each recreational vehicle park. The sewer system shall conform to any applicable statutes and ordinances and any regulations of the Nevada state and Washoe County health departments.
- h. **Fuel Supply and Storage.** Installation of liquefied petroleum gas or fuel oil containers within a recreational vehicle park is permitted.
- i. **Fences.** Recreational vehicle parks shall be fenced with a solid view-screening fence up to 6 feet and at least 4 feet in height around the entire boundary of the park.
- j. **Plan.** A copy of the final approval plan for the recreational vehicle park shall be conspicuously posted on the site and the license holder is responsible for maintenance of the park as per the final approved plan.

C. Duration

1. It is unlawful for any person or corporation operating a recreational vehicle park to allow or permit a recreational vehicle to occupy any recreational vehicle park for a period of more than 25 consecutive days.
2. It is unlawful for any person or corporation operating a recreational vehicle park to allow or permit a recreational vehicle to occupy any recreational vehicle space at the same recreational vehicle park for more than 50 days during any 3 consecutive calendar months.

(Ord. 1074 § 1 (part), 1976.)

D. Location Outside Parks

Parking any recreational vehicle outside a recreational vehicle park, when the recreational vehicle is used for sleeping purposes, is unlawful except as provided in this Section. This subsection does not apply to recreational vehicles parked on the premises of a business open to the public 24 hours per day in the Tourist Commercial ("TC") district.

- E. Commercial Office Prohibited.** It is unlawful for any person to park, occupy or use a recreational vehicle as a commercial office.
- F. Grandfathering.** This section applies to those recreational vehicle parks constructed after the effective date of Ordinance 1359. This Section does not apply to existing parks or resales of existing parks, except in the case of remodeling when that portion of the park being remodeled complies with this Section.

Section 20.03.033 Recreational Vehicle Storage

↔ **Use Category: Accessory**



Purpose: this Section regulates the parking and storage of recreational vehicles, boats and trailers in residentially-zoned areas within the city.

A. Applicability

1. This section applies to any "recreational vehicle storage" use as defined in the Use Table (§ 20.02.014).
2. This chapter does not limit any deed restrictions, condominium regulations, or similar private limitations more restrictive than the regulations in this Section.
3. If any requirement of this conflict with a state or county law concerning the licensing and regulation of recreational vehicles, boats or trailers, the state or county law governs.

B. Definitions

The terms and phrases used in this section have the meanings in Chapter 20.08, except that the phrases below supersede Chapter 20.08:

Front yard An area that includes the driveway, and the area between the driveway and the nearest side lot line, but does not include the area typically used for landscaping between the driveway and the farthest side lot line. If the residence has no driveway, the term "front yard" does not include the entire area between the residence and the street providing principal access.

Side yard The area between the side lot line and the side of the residence closest to the property line and extending the length of the side of the residence.

(Ord. 1519 § 5 (part), 1985.)

C. General Provisions

1. The recreational vehicle, boat or trailer must be currently registered and licensed as required by state and federal law.
2. The total number of vehicles (other than passenger vehicles) parked or stored is limited to 2. However, additional vehicles may be stored in the rear or side yard if they are screened from public view by a 6-foot-high opaque fence or landscaping providing comparable sight obstruction.
3. Only 1 recreational vehicle, boat or trailer may be parked or stored in the front yard.
4. No recreational vehicle, boat or trailer may be parked or stored in front of a residence in an area other than the front yard.
5. A unit may be parked anywhere on the premises during active loading or unloading.
6. Use of electricity or propane fuel is permitted when necessary to prepare a recreational vehicle for use.

(Ord. 1519 § 5 (part), 1985.)

D. Storage

A recreational vehicle, trailer, or boat may be stored in any “SF,” “MF,” “MR” or “RN” district under the following conditions:

1. Storage is permitted inside any enclosed structure, if the structure otherwise conforms to the zoning requirements of the particular zone where located.
2. Outside storage is allowed in the side yard or the rear yard.
3. Outside storage in the front yard, if:
 - a. Space is not available or there is no reasonable access to either the side yard or rear yard. A corner lot is always deemed to have reasonable access to the rear yard. A fence is not deemed to prevent reasonable access;
 - b. Inside storage is not possible;
 - c. The recreational vehicle, boat or trailer is stored entirely on the owner's property in a safe and orderly manner and the vehicles stored on a driveway are not a hazard to people entering the driveway or to persons passing on the sidewalk;
 - d. The recreational vehicle, boat or trailer is stored with the maximum clearance possible between the unit, including the tongue or hitch, and the inside edge of any public sidewalk or street, with a minimum clearance of 1 foot;
 - e. If space allows, the body of the recreational vehicle, boat, or trailer is at least 15 feet from the face of any curb;

- f. Effective June 30, 1986, no recreational vehicle, boat or trailer may be stored in the front yard unless on a driveway or other hard surfaced area, such as asphalt, paving stones or concrete.

(Ord. 1519 § 5 (part), 1985.)

E. Prohibited uses

A recreational vehicle, boat or trailer must not be:

1. Permanently connected to sewer lines, water lines or electricity;
2. Used for storage of goods, materials or equipment other than those items considered to be a part of the unit or essential for its immediate use;
3. Used for dwelling purposes, except as provided in this Section and Section 20.03.032;
4. Parked on a public street, alley or parking lot except as provided in Chapter 10.48 of this code.

(Ord. 1519 § 5 (part), 1985.)

F. Waiver of Requirements

Owners or lessors of a residence on a lot of at least 12,000 square feet subject to the requirements of this Section may apply for a permit waiving the location requirements set forth in this Section in accordance with the following procedure:

1. An application for a permit may be filed with the planning department on a form provided by the department. The application must be accompanied by a \$35 processing fee.
2. A permit waiving one or more requirements may be issued by the director of planning for the period of 1 year if, in the opinion of the director, the proposal will not be detrimental to the enjoyment of property by neighbors and the following conditions are satisfied:
 - a. No more than 2 recreational vehicles may be parked within 20 feet of any property line;
 - b. The owner or lessor of the property may not receive compensation for the storage of any recreational vehicle on the premises.
3. The director of planning may renew a permit for an additional 1 year period without additional fees upon receipt of an application to renew provided all conditions for issuance are met. The director of planning may revoke a permit for violation of a condition of the permit by giving the permittee a 10-day written notice.
4. An applicant or permittee may appeal the director's decision to deny or revoke a permit by filing a written application for appeal to the city council as provided in section 20.05.14 of this title.

(Ord. 1519 § 5 (part), 1985.)

Section 20.03.034 Recycling plant

⇔ **Use Category:** *Infrastructure – Waste-Related*

Outdoor storage for a Recycling Plant requires administrative review.

Section 20.03.035 Renewable Energy

⇔ **Use Category:** *Infrastructure –Utilities & Accessory*



Purpose: this chapter promotes and regulates renewable energy production used for private and utility generation of electricity.

(Ord. 2437, Add, 03/22/2010)

A. Applicability

This section applies to any Renewable Energy Production-Utility or Renewable Energy Production-Private use.

(Ord. 2437, Add, 03/22/2010)

B. Definitions

The terms and phrases used in this section have the meanings assigned below, in addition to Chapter 20.08:

(Ord. 2437, Add, 03/22/2010)

C. Solar energy

1. **Private production.** Any solar system and associated equipment is considered an accessory use and requires issuance of a building permit in order to install the equipment. The private solar system shall comply with the following standards:
 - a. There are no restrictions on roof-mounted or building mounted solar systems.
 - b. For ground mounted systems, the solar structure(s) including any associated components shall comply with the accessory structure side and rear yard setback requirements for structures over 200 square feet at 5 feet from side and rear property line and separation of 10 feet from main permissive structure. Ground mounted solar structures shall not be located in front yard or exterior side yard setbacks. The maximum allowable total height is 12 feet from the ground.
 - c. Any solar system can only be located on a parcel which has a primary structure or it will be interpreted to be a renewable energy production-utility.
 - d. The system shall conform to public utility standards. No solar system shall be operated until a net metering agreement has been made with the electrical utility company(s), and the utility company(s) has approved the proposed method of interconnection. This excludes the

temporary testing period, not to exceed 10 days. Off-grid systems are exempt from this requirement.

2. **Utility Production.** Any utility production using a solar system and associated equipment requires a conditional use permit followed by issuance of a building permit prior to installation of the equipment. The utility production solar system shall comply with the following standards:
 - a. **Height.** The total height of the tallest structure(s) and setbacks shall be established through the conditional use permit process.
 - b. **Fencing.** Security fencing shall be placed around the perimeter of the utility solar production facility and associated equipment. The height and materials of the fence shall be determined with the conditional use permit process.
 - c. **Warning Signs.** Appropriate warning signs shall be placed on tower, electrical equipment and the utility solar production facility entrances.
 - d. **Misdirection of Solar Radiation.** The utility solar production facility shall be designed and operated to prevent the misdirection of concentrated solar radiation onto nearby property, public roads or other areas accessible to the public.
 - e. **Cleaning Chemicals and Solvents.** During the operation of the facility, all chemicals or solvents used to clean photovoltaic panels, mirrors or other equipment shall be approved by the city and environmental agencies.
 - f. **Roads and Parking.** On-site roads for the installation and operation of utility solar production facility shall be minimized and temporary roads shall be regraded and revegetated to natural condition upon completion of construction. All roads, access easements, driveways and parking lots shall be a hard surface to the approval by the administrator.
 - g. **Utility Notification.** The system shall conform to the utility standards. No solar energy system shall be operated until a net metering agreement or power purchase agreement has been made with the electrical utility company(s), and the utility company(s) has approved the proposed method of interconnection. This excludes the temporary testing period, not to exceed 10 days. Off-grid systems are exempt from this requirement.

(Ord. 2437, Add, 03/22/2010)

D. Wind Energy Conversion Systems (WECS)

1. General standards

- a. **Access.** All WECS must comply with the following provisions: 1) The tower shall be designed and installed so that there are no exterior steps, bolts or ladder on the tower readily accessible to the public for a minimum height of 15 feet above the ground. For lattice or

guyed towers, sheets of metal or other barriers shall be fastened to the bottom tower sections such that it cannot readily be climbed; and 2) All ground-mounted electrical and control equipment shall be labeled or secured to prevent unauthorized access.

- b. Rotor safety.** Each WECS shall be equipped with both manual and automatic controls to limit the rotational speed of the blade within the design limits of the rotor. The minimum distance between the ground and any protruding blades on WECS shall be 15 feet as measured at the lowest point of the arc of the blades of horizontal shaft and 10 feet as measured at the lowest point of wind machine with a vertical shaft.
- c. Noise.** All WECS shall comply with the noise requirements in this section. These levels, however, may be exceeded during short-term events such as utility outages and severe wind storms (as defined by manufacture specifications). A manufacturer's sound report stating tested noise levels is required with a building permit application. No WECS at installation shall create noise that exceeds a maximum of 60 dB(A), or in excess of 5 dB(A) above the background noise as depicted in the manufacturer's specifications, whichever is greater, as measured at the property line. This level, however, may be exceeded during short-term events such as utility outages and severe wind storms.
- d. Appearance and Maintenance.** All WECS shall comply with the following requirements.

 - (1) Appearance.** WECS shall, subject to any applicable standards of the FAA, be of non-reflective, non-obtrusive color: galvanized, off-white, light silver, tan, gray, sand or similar are permitted. The painting or coating shall be kept in good repair for the life of the WECS. Monopole design is required, unless the Administrator finds that monopole structures are not reasonably available in the marketplace, a different design is required by a Nevada or federal agency, or the applicant obtains a variance.
 - (2) Maintenance.** WECS shall be maintained in good repair, as recommended by the manufacture's scheduled maintenance or industrial standards, and shall be free from visible rust.
 - (3) Repair and Removal.** The owner shall repair any WECS found to be unsafe by an official of the Building and Safety Department to meet federal, state and local safety standards, or be removed within 6 months. The owner shall remove WECS that are not operated for a continuous period of 6 months. When WECS is removed from the site all associated and ancillary equipment, batteries, devices, structures or supports for that system shall also be removed. For purposes of this section, non-operation includes, but is not limited to, the blades of the WECS remaining stationary so that wind resources are not being converted into electric or mechanical energy, or WECS are no longer connected to the public utility electricity distribution system.

- e. **Lighting.** WECS towers and/or blades shall not be artificially lit unless required, in writing, by the Federal Aviation Administration (FAA) or other applicable authority that regulates air safety.
- f. **Signs.** The only sign allowed on WECS shall be a logo on the generator housing or pole. The logos shall not exceed 8 square inches.
- g. **Utility notification.** The system shall conform to the utility standards. No WECS shall be operated until a net metering agreement or power purchase agreement has been made with the electrical utility company(s), and the utility company(s) has approved the proposed method of interconnection. This excludes the temporary testing period, not to exceed 10 days. Off-grid systems shall be exempt from this requirement.

2. Wind energy conversion systems (WECS), private

The following standards apply to private WECS:

a. Setbacks

- (1) For private WECS, a minimum side and rear setback of 15 feet for WECS up to 40 feet in total height, 25 foot side and rear setback for WECS with total height of 40 to 60 feet and a minimum of 1.1 times the total height side and rear setback for WECS over 60 feet shall be maintained from the project property line.
- (2) Guy wire anchors may not extend closer than 10 feet from the property line.
- (3) Private WECS shall not be located within the front yard setback of any parcel of land nor within the exterior side yard setback facing a street on a corner parcel of land and shall be placed minimum of 10 feet from main structure.

- b. **Height.** For private WECS, the maximum total height shall be highest point of any structure on the site plus 20 feet.
- c. **Electrical wires.** Electrical wires leading from the tower to electrical control facilities shall be located underground.
- d. **Building Mounted.** Attachments of the WECS to a building shall strictly comply with City of Sparks codes and regulations.
- e. **Number per parcel.** A maximum of one WECS per parcel is permitted on parcels less than one half acre in size. Up to 1 WECS per ½ acre is permitted on parcels greater than 1 acre in size for renewable energy production- private.
- f. A WECS is allowed only on a parcel which has a primary structure. Otherwise, it will be considered a renewable energy production-utility.

3. Wind energy conversion systems (WECS), utility

The following are the standards for installation of utility WECS.

- a. A setback of 1.5 times the total height, including the uppermost extension of any blades, shall be maintained from the property line of any residential use properties.
- b. For utility WECS, at least 1.0 times the total height, including the uppermost extension of any blades, shall be maintained from the property line of any non-residential use properties.
- c. Guy wire anchors may not extend closer than 10 feet from the property line.
- d. For utility WECS, the maximum height shall be established as a condition of a conditional use permit.

(Ord. 2437, Add, 03/22/2010)

E. Geothermal resources

1. **Required permits.** All geothermal development shall obtain all necessary permits from the Nevada Department of Minerals, the Nevada Division of Environmental Protection, the Nevada Division of Water Resources, the Washoe County District Health Department and if the geothermal development is located on any federal lands, the U.S. Bureau of Land Management, Bureau of Reclamation or U.S. Forest Service prior to the issuance of any building permits for the project. A city building permit is required.
2. **Geothermal Gradient and Exploration/Development test wells.** The following provisions apply to the location and development of geothermal temperature gradient and exploration/development test wells.
 - a. **Fluid or steam production.** No fluid or steam shall be used for energy production from the geothermal temperature gradient and exploration/development test well(s).
 - b. **Proximity to water wells.** Geothermal temperature gradient and exploration/development test wells shall be situated with a minimum separation of 500 feet from any adjacent private domestic well(s) or state permitted municipal and industrial or quasi-municipal and industrial purpose well(s) unless a monitoring well is required by another permitting agency.
 - c. **Reclamation of site.** Upon abandonment, in accordance with the Nevada Department of Mineral requirements, the temperature gradient and exploration/development well pad site shall be revegetated and returned to approximately its original condition.
 - d. **Conditional use permit.** All geothermal temperature gradient and exploration/development well projects within 500 feet of a residential district require a conditional use permit.
3. **Geothermal direct use wells for private energy production.** This section applies to the location and development of geothermal direct use wells for domestic, residential, utility or industrial space heating and food dehydration application, and all related wellfield gathering systems.

- a. **Proximity to water wells.** Geothermal direct use wells shall be situated with a minimum separation of 500 feet from any adjacent private domestic well(s) or state permitted municipal and industrial or quasi-municipal and industrial purpose well(s) unless a monitoring well is required by another permitting agency.
- b. **Reclamation of site.** Upon abandonment, in accordance with the Nevada Department of Mineral requirements, the geothermal direct use well site shall be revegetated and returned to approximately its original condition.
- c. **Minimum standards**
 - (1) **Visual appearance.** Placement of facilities on peaks, ridgelines, bluffs and other prominent topographic features as viewed from the property line shall be minimized to reduce the impact on the visual character of the surrounding area.
 - (2) **Height.** Maximum height for all facilities associated with the geothermal direct well shall comply with the height standards for the property's zoning district.
 - (3) **Landscaping and screening.** Landscaping and /or opaque screening with a minimum height of 6 feet shall be placed around the immediate perimeter of all geothermal direct use wells and all related heat transfer structures.
 - (4) **Noise.** All geothermal direct use wells and all related heat transfer structures shall not emit noise levels in excess 60 dBA measured at the property line in residential use and 65dBA measured at the property line in non-residential use parcels. Acoustical shielding is required for all wellheads and equipment if needed to comply with this standard.
 - (5) **Air quality.** All geothermal direct use wells and all related heat transfer structures shall not violate federal, state and Washoe County District Health Department air quality standards.
 - (6) Any geothermal system can only be located on a parcel which has a **primary structure**. Otherwise, it is considered a renewable energy production-utility.

4. Geothermal wellfield gathering systems and power generation facilities for utility energy production. The following provisions apply to geothermal wellfield gathering systems and related power generation facilities. This includes the use of fluid or steam for energy production from any geothermal well(s).

- a. Geothermal wellfield gathering systems and related power generation facilities shall be **sited** in areas designated as either industrial or rural reserve on the land use map and zoned either Industrial ("I") or Agricultural ("A-5" or "A-40"). If necessary, an amendment may be required and obtained prior to any permits for the geothermal wellfield gathering system being issued.

- b. **Conditional use permit.** All utility geothermal wellfield gathering systems and power generation facilities require a conditional use permit.
- c. **Proximity to water wells.** Geothermal wellfield gathering systems and power generation facilities shall be situated with a minimum separation of 500 feet from any adjacent private domestic well(s) or state permitted municipal and industrial or quasi-municipal and industrial purpose well(s) unless a monitoring well is required by another permitting agency.
- d. **Reclamation of site.** Upon abandonment, in accordance with the Nevada Department of Mineral requirements, the geothermal wellfield gathering systems and power generation facilities site shall be revegetated and returned to approximately its original condition.
- e. **Visual appearance.** Placement of facilities on peaks, ridgelines, bluffs and other prominent topographic features as viewed from the property line shall be minimized to reduce the impact on the visual character of the surrounding area.
- f. **Height.** Maximum height for all facilities associated with the geothermal direct well shall comply with the height standards for the property's zoning district.
- g. **Landscaping and screening.** Landscaping and /or opaque screening with a minimum height of 6 feet shall be placed around the immediate perimeter of all geothermal direct use wells and all related heat transfer structures.
- h. **Noise.** All geothermal direct use wells and all related heat transfer structures shall not emit noise levels in excess 55dBA measured at the property line in residential use parcels and 65dBA measured at the property line in non-residential use parcels. Acoustical shielding is required for all wellheads and equipment where needed to comply with this standard.

(Ord. 2437, Add, 03/22/2010)

F. Other resources

All renewable energy production systems not identified in this Section require a conditional use permit for utility and private production. For systems combining more than one of the identified renewable resources, the standards for each renewable energy production system standards apply.

(Ord. 2437, Add, 03/22/2010)

Section 20.03.036 Restaurant

↔ **Use Category: Commercial /Mixed Use – Food & Beverage Sales / Service**

A. Applicability

This section applies to any Restaurant.

B. Standards

1. In the Industrial “I” District, a restaurant may only operate between the hours of 6 am and midnight. Longer hours of operation require a conditional use permit.

(Ord. 2417, Add, 11/10/2008)

2. In the Professional Office ("PO") District, a restaurant that is contiguous or within 100 feet of an SF or MF district may operate only between the hours of 6:00 A.M. and 7:00 p.m. This restriction may be waived by conditional use permit.

Section 20.03.037 Outdoor Processing

⇔ **Use Category: Industrial – Manufacturing & Employment** – Production, General,

A. Applicability

1. Outdoor processing includes but is not limited to "Rock and concrete crushing or processing operation" which is a business engaged in the reduction of rocks and concrete demolition debris to smaller sizes useable as gravel, fill for construction, or similar commercial use. It does not include temporary construction-related activities that recycle materials from a site, and processes those materials to be re-used on the site during redevelopment.

B. Standards

1. Outdoor processing operations shall not be located within 500 feet of a residential district.
2. Outdoor crushing or processing establishment shall be conducted only between the hours of 7:00 A.M. and 7:00 P.M., inclusive, and only on weekdays Monday through Friday, inclusive.

(Ord. 2417, Add, 11/10/2008)

Section 20.03.038 School (Public or Private)

⇔ **Use Category: Public/Civic/Institutional** – Educational



Purpose: this section protects the public health, safety and general welfare of City residents, and implements NRS 278.0211 by standardizing the development standards for schools in the region (Sparks, Reno, Washoe County). The objectives of these standards are: 1) well-designed schools; 2) to mitigate the impacts of schools next to residential uses; 3) promote consistency; 4) provide an appropriate number of parking spaces and 5) provide flexibility in landscaping areas.

A. Applicability

This section applies to the new construction of any new School (Public or Private).

B. Standards

1. The City's review of school projects will consider the following criteria during the **Administrative Plan Review** process:
 - a. Building Setbacks;
 - b. Landscaping; and

- c. **Parking;**
- 2. **Site Standards.** The following standards deal with the erection of any new school building, and the addition or alteration of an existing school building.
 - a. **Building Height.** There are no restrictions on the building height of a school.
Purpose: Having no minimum or maximum height requirements provides for the flexibility to build unique facilities consistent with the character of the neighboring community. In the future schools in the urban core may have a smaller footprint and be 2 or more stories in height. Depending on the type of school and the amenities it offers, the height will need to vary.
 - b. **Building setbacks.** One foot distance for every foot in height when adjacent to residential uses. The 1' requirement does apply only to those elevations adjacent to residential uses. Each elevation will determine the amount of setback, *for instance a 25' front facing elevation will require a 25' setback in the front, a 30' side elevation will require a 30' setback on that side, and that same building that has a rear facing elevation adjacent to a use other than residential will have no setback requirement.*
 - c. **Landscaping.** Up to 20% of the site. Landscaping details will be determined based on type of school, community character, and site specifics such as slope and soil quality. These details will be determined during a pre-application meeting with the City and WCSD.
 - d. **Parking.** See Section 20.04.010. This is a minimum standard and also presumes all relevant Americans with Disabilities Act (ADA) and American National Standards Institute (ANSI) requirements will be met.
- C. **Review.** Administrative approval (standard code and administrative review) applies. No Conditional Use Permit (CUP) is required.

Section 20.03.039 Storage/Processing of Hazardous Chemicals

↔ **Use Category: Warehousing, Storage & Distribution**

A. Applicability

1. This section applies to any use which stores or processes chemicals designated by the State of Nevada as Hazardous.

- B. **Standards.** Any applicant with the desire to store or process chemicals designated by the State of Nevada shall obtain a Conditional Use Permit through the City of Sparks prior to initiating this use.

Section 20.03.040 Temporary uses

↔ **Use Category: Miscellaneous**

A. Applicability

1. This section applies to:
 - a. Christmas tree sales,
 - b. Construction Yard
 - c. Farmer's Market,
 - d. Garage and yard sales,
 - e. Outdoor Sales,
 - f. Model Home Complex,
 - g. Temporary Sales Office Trailer, and
 - h. Any Temporary Use not previously listed .
2. For temporary uses requiring a temporary use permit, additional standards may be applied to the permit by the Administrator.

B. Christmas tree sales

1. Outdoor sale of Christmas trees in connection with an established commercial use is permitted subject to the following standards, but a temporary use permit is not required.
 - a. The operation be located in a MUD-DT/VS, MUD-MUC, C1, C2, TC, I or PF zoning district;
 - b. The operation shall not obstruct any pedestrian walkway or interfere with vehicle circulation or parking required for adjacent uses;
 - c. At the termination of the operation, the site shall be cleared of all paraphernalia associated with the sale, as well as any dirt or litter;
 - d. Shall operate between November 1 and December 31.
 - e. The operation not shall create conditions which are detrimental to the public health, safety or welfare.
2. Outdoor sale of Christmas trees not in connection with an established commercial use may be permitted subject to the following conditions:
 - a. A temporary use permit is required to establish the outdoor sales.
 - b. The operator obtain a city business license which will not be issued without written permission of the property owner or his agent;

- c. The operation be located in a MUD/MUC, C1, C2, TC, I or PF zoning district;
- d. The operation shall not obstruct any pedestrian walkway or interfere with vehicle circulation or parking required for adjacent uses;
- e. At the termination of the operation, the site shall be cleared of all paraphernalia associated with the sale, as well as any dirt or litter;
- f. Shall operate between the November 1 and December 31.
- g. The operation not shall create conditions which are detrimental to the public health, safety or welfare.

C. Construction yard

1. **Applicability.** This section applies to any construction yard. A “construction yard” is a temporary area used to store construction materials, supplies, equipment, tools, stock piling and recycling of useable construction materials and other permitted items, including temporary storage containers, construction trailers and temporary office trailers.
2. **Establishment.** Proposed construction yards shall be associated to a specific project with an approved building permit issued for grading, construction, remodel and/or demolition.
3. A temporary use permit is required.
4. **Supervision.** Construction yards shall be supervised by a contractor, who shall enforce compliance with these standards. The contractor is responsible for compliance of the construction yard with all applicable codes. The contractor shall designate to the Administrator a project contact person responsible/authorized to correct problems regarding the project on a 24-hour/7-days a week basis. This shall occur prior to issuance of a grading permit for the project. An informational sign shall be erected at the construction yard site depicting a project contact responsible for compliance with all applicable codes.
5. **Removal.** Construction yards shall be removed prior to a final inspection of the last building in a non-residential project and for the last structure in a residential project or final approval for the project.
6. **Access.** The contractor shall be required to provide curb cuts for all egress / ingress areas onto a paved street.
7. **Surfacing.** To prevent mud / dirt from transferring from trucks, vehicles and equipment onto the paved street, the contractor shall install pavement or a surface treatment at all egress / ingress points from the yard at least 50 feet to the street access to the approval of the administrator.

- 8. Alternative Off-Site Location.** A project site with physical constraints may utilize an alternative off site property for a construction yard subject to administrative review. The contractor shall reclaim the alternative off site property to its original condition prior to final inspection / issuance of a certificate of occupancy for the associated project to the approval of the administrator. Site reclamation may include site clean-up and / or revegetation with temporary irrigation. Bonding may also be required to verify revegetation within three (3) years.
- 9. Hours of Operation.** To prevent impacts to neighboring property, hours of operation are limited to Monday through Friday from the hour of 7am to 7pm, Saturday 9am to 5pm, and no operations are permitted on Sunday.
- 10. Fencing.** The developer shall construct a fence around the construction yard that is higher than six (6) feet and use barbed wire or concertina wire on the top of the fence with the approval of the Administrator.

D. Farmers Market

1. A temporary use permit is required
2. A business license is required.
3. The farmer's market shall not disrupt the flow of traffic or parking on the site.
4. Illumination outside of what is otherwise permitted by this title shall not be permitted.
5. Trash receptacles shall be provided and maintained throughout the duration of the event.

(Ord. 1515 § 2, 1985; Ord. 1325 § 47 (part), 1981; Ord. 1074 § 1 (part), 1976.) (Ord. 2412, Amended, 10/13/2008; 2385, Amended, 01/18/2008, Ordinance No. is 2385, not 2384; Ord. 2384, Amended, 01/14/2008) (Ord. 1487 § 14, 1985; Ord. 1325 § 47 (part), 1981.) (Ord. 2412, Amended, 10/13/2008)

E. Garage or Yard Sales

1. A garage or yard sale on residential property is permitted without a temporary use permit subject to the following conditions:
2. The sale may not exceed 72 hours and may not occur in the same location more than twice in any 6-month period.
3. The sale or advertisement for the sale shall not occupy any public property or right-of-way or obstruct the passage of pedestrians or vehicles on any public sidewalk or street.

F. Outdoor Sales (Not Accessory)

Outdoor sale of goods not in connection with an established business is permitted under the following conditions:

1. A temporary use permit is required to establish such outdoor sales.

2. The outdoor sale is allowed only in a nonresidential district within an established commercial development providing adequate parking and sanitary facilities;
3. The operator shall obtain a city business license, which will not be issued without written permission of the property owner or his agent;
4. The outdoor sale not obstruct any pedestrian walkway or reduce its clear width to less than 8 feet;
5. The outdoor sale shall not interfere with vehicle circulation or parking in any required parking area;
6. The duration of the outdoor sale shall not exceed 72 hours and no further outdoor sales may be conducted at the same site more often than once every 96 hours;
7. At the termination of the outdoor sale the area occupied by the sale shall be completely cleared of all paraphernalia associated with the operation, as well as any dirt or litter;
8. The operation shall not create conditions which are detrimental to the public health, safety or welfare.
9. As a temporary use permit condition, the Administrator may require a bond or other surety to guarantee that those conditions are met and that the site of the outdoor sale is left in good condition when the sale is over or use is terminated.

(Ord. 2417, Add, 11/10/2008)

G. Model Home Complex

1. A Temporary Use Permit is required.
2. Sales office hours of operation shall not exceed 10:00 A.M. to 7:00 P.M. week days, 10:00 A.M. to 6:00 P.M. on Saturdays and Sundays.
3. Temporary sales office and model homes will cease operation with the sale of the final home in the subdivision, at which time the temporary sales office will be vacated and a building permit issued to return the former office to a garage, remove temporary trap fencing and model home signs. The model homes will then be sold as residential units.
4. A paved off-street parking lot shall be provided for the model home complex and accessible parking provided per S.M.C. The off-street parking lot will terminate at the point in time which all the residential lots have been sold and the sales office is closed. The parking lot will be removed and a residential structure constructed, if the parking lot is situated on a residential lot. If not a residential lot, then the lot shall be landscaped as open space or the other intended use as recorded on the final map and/or as indicated on the improvement plans for the development site.

5. The developer shall provide at least 3 paved, off-street parking spaces for each model home 1 of which is van accessible disabled parking to the approval of the administrator prior to final inspection. The parking lot must comply with all requirements of the Section 20.04.09 and be striped parking spaces and signed identifying the van accessible parking space.
6. The model home lots will be completely landscaped as well as the area surrounding the off-street parking lot. The developer shall submit landscaping and irrigation plans for the project, including off-street parking lot area for review and approval by the administrator prior to issuance of building permit for the model home complex and off-street parking. The landscaping and irrigation shall be installed per the approved plans prior to final inspection for occupancy of the model home complex office and off-street parking lot.
7. Signs for the model homes will include small freestanding monument signs at the entrance of the temporary sales office and the entrance of each model home. The monument signs are temporary and will be removed when the conversion of the sales office to a garage is submitted to the City. Sign sizing shall be per S.M.C. and as approved by administrator. The sign locations shall comply with the standards in the Section 20.04.10 (Signs).
8. The developer shall limit all construction and construction-related activities to between the hours of 7:00 A.M. through 7:00 P.M., Monday through Friday and 9:00 A.M. to 5:00 P.M. Saturday. There shall be no construction related activities on Sundays in residential areas. The developer shall install signs at all access points to the project that clearly indicate these limited hours of activity on-site prior to the start of any construction-related activities. The developer shall maintain these signs in good repair for the duration of the construction of the project. Once construction is completed, the developer shall remove these signs.
9. The developer shall designate to the administrator a project contact person responsible/authorized to correct problems regarding the project on a 24-hour/7-days a week basis. The developer shall designate the project contact person to the Administrator prior to issuance of a grading permit for the project.
10. The developer shall apply for and receive approval of a building permit for improving the garage or other room in model home to the Sales Office and apply for and receive a building permit for the conversion of the sales office back into garage or room.
11. If the sales office is not converted back into a garage, there must be parking documented to the approval of the administrator that complies with Section 20.04.09.

H. Temporary Office Trailer

1. A temporary Use Permit is required.
2. The Administrator may approve a temporary office trailer if there is an associated building permit in process at the City for a structure that will replace the temporary office trailer on the

same development site. A temporary office trailer may be permitted for a public utility and transportation project where no building permit is required.

3. The temporary office trailer shall be removed at any time diligent progress to build the associated structure has ceased or prior to final inspection of the associated structure.
4. There shall be skirting around the temporary office trailer.
5. The temporary office trailer shall be located within the project's boundary/property lines and shall comply with the setback regulations for the zoning district to the approval of the administrator. The temporary office trailer shall not be placed in required parking spaces or access lanes.
6. A paved off-street parking lot shall be provided for the temporary office trailer and accessible parking provided per S.M.C. The developer shall provide 1 parking space per 200 square feet of office space to the approval of the administrator prior to final inspection. The parking lot must comply with all requirements of the Section 20.04.009, with striped and signed parking spaces identifying the van accessible parking space.
7. To prevent mud/dirt from transferring from trucks, vehicles and equipment onto paved streets, the contractor shall install pavement or a surface treatment at all egress/ingress points from the trailer at least 50 feet to the street access to the approval of the Administrator.

I. For any use previously listed and/or any other Temporary Use Permit not listed

1. Where required, a temporary use permit application shall be submitted to the administrator at least 7 days prior to the proposed outdoor sale accompanied by an inspection fee as established by resolution of the City Council.
2. The administrator may issue a temporary use permit and require conditions specific to the individual request to ensure that the use complies with this title.

(Ord. 1325 § 47 (part), 1981.) (2008, Amended, 10/12/1998)

Section 20.03.041 Transfer station

⇔ **Use Category: Infrastructure** - Waste-related – Solid waste

A. Standards

1. A transfer station shall be located at least 500 feet from any residential zoning district.
2. The use shall be totally enclosed within a building, except as permitted under Section 20.03.034 (Recycling Plant).

(Ord. 2417, Add, 11/10/2008)

Section 20.03.042 Truck stop

⇔ **Use Category: Commercial/Mixed-Use** - Vehicles/Equipment

A. Standards

1. Minimum parcel size - 10 acres.
2. Minimum percentage of fuel pumps to trucks – 80%.
3. Maximum number of motel/hotel rooms in the Industrial ("I") districts is:

Truck Parking Spaces	Motel / Hotel Rooms Allowed <i>(maximum)</i>
Up to 100	None allowed
101-199	Up to 100
200 or more	Up to 200

4. Other subsidiary business activities may include scales, truck wash, tire repair and sales, barber shop, bar, restaurant, showers, convenience store, truckers lounge, motel/hotel (See subsection 4 above), mini-laundry, chain rental and gasoline and propane dispensing. Subsidiary business uses at truck stops shall comply with the following standards:
 - a. A truck wash shall be designed with a water collection and recycling system;
 - b. Vehicle service areas shall be completely enclosed;
 - c. Service bays shall not open toward public rights-of-way; and
 - d. At least 4 showers shall be provided at truck stops with more than 100 truck parking spaces.
5. Additional location requirements shall include:
 - a. The business area of the truck stop shall not exceed 2,500 feet from the right-of-way limits surrounding an interstate highway intersection, along the arterial to the property boundary of the primary parcel;
 - b. The minimum distance between truck stops shall be 7,000 feet, measured from property line to property line; and
 - c. The minimum distance from a recreational use and/or facility shall be 700 feet, measured from property line to property line.

(Ord. 2417, Add, 11/10/2008)

Section 20.03.043 Urban Agriculture

⇌ **Use Category: Agricultural**



This section:

- *Allows residents access to health, local food,*
- *Accommodates a growing demand nationwide for small scale agricultural activities in residential neighborhoods,*
- *Clarifies that the limited agricultural production is allowed as an accessory use to residential uses, or as a primary use in residential neighborhoods.*
- *Establishes standards to ensure that neighborhood scale agricultural practices are compatible with residential neighborhoods.*

A. Applicability

1. This section applies to any zoning district except A40 and A5 where there is a desire to conduct Urban Agriculture as a **Principal** use and/or as an accessory use.
2. This section does not exempt an Urban Agriculture use from complying with the “Animal” ordinance of this Title.

B. Standards

1. When operating Urban Agriculture as a **Principal Use** the following standards apply:
 - a. Business License is obtained for the use.
 - b. The parcel is 10,000 square feet or less.
 - c. The site has a zoning designation which includes MF, SF, MU-RN, and MU-MR.
 - d. On site sales do not occur.
 - e. All structures are in compliance with the lot and building setback standards for the respective zoning district.
 - f. All chemicals, fuels and farm equipment shall be stored in an enclosed, locked structure.
 - g. The site must be designed and maintained so as to prevent the free flow of storm water, irrigation water, chemicals, dirt or mud across or onto adjacent lots, properties, and or public right of way.
 - h. A residential use may be permitted as accessory to urban agriculture; the residential structure shall comply with the respective zoning districts setbacks for a primary structure.
 - i. The operation of the urban agriculture use shall control fugitive dust generated from the urban agriculture operation.

- j. Freight containers are prohibited.
 - k. Livestock is prohibited except allowed by “Animals” section of this Title.
 - l. Any lighting shall be shielded and directed downward to avoid spilling onto adjacent property.
 - m. The operator of the Urban Agriculture use shall erect an informational sign a minimum of 2 feet by 3 feet in size at the main entrance to the project site with the operator’s contact information.
 - n. Composting for use on site shall:
 - (1) Not emit an excessive odor,
 - (2) Have a minimum 20 foot setback from any property line, and
 - (3) Be limited to 7.5% of the parcel size.
 - o. Mechanized equipment shall not be operated on Sundays or outside the hours of 7am to 7pm Monday through Friday, and 9am to 5pm Saturday.
2. Chickens may be kept in any zoning district as an accessory use if the following standards are complied with:
- a. Roosters are prohibited
 - b. Slaughter of poultry on site is prohibited.
 - c. The keeping of poultry is limited based on parcel size:
 - i. Parcel size between 0 and 2000 square feet may keep up to 2 hens
 - ii. Parcel sizes between 2001 and 6000 square feet may keep up to 4 hens
 - iii. Parcel sizes between 6001 and 10,000 square feet may keep up to 6 hens
 - iv. Parcel sizes greater than 10,000 square feet may keep up to 2 hens for every 2,000 square feet of parcel size.
 - d. Poultry shall be restricted access to the front yard.
 - e. The site shall be free of excessive hen droppings and dead chickens.
 - f. The poultry shall be provided a covered enclosure (coop) and must be kept in the covered enclosure. The enclosure size must accommodate 10 square feet per hen. The coop must be a minimum of 5 feet from any property line and within the rear yard.
 - (1) Coop shall be clean and odor free.
 - (2) Construction of a chicken coop is exempt from the administrative review process.

- [illegible]

Section 20.03.044 Vehicle or equipment sales and rentals

↔ Use Category: Commercial/Mixed-Use - Vehicles/Equipment

A. Applicability

This section applies to any “vehicle or equipment sales and rentals” use.

B. Standards

1. Outdoor display and storage areas for vehicles shall be paved with a non-permeable material such as asphalt or concrete and shall meet the standards of Section 20.04.009 (Parking and Loading).
2. Off-street parking shall be provided for all customer and employee vehicles, and all sales and rental vehicles. Vehicles for sale or rent shall not be parked on the street at any time.
3. In the Industrial ("I") District, an off-site vehicle storage lot is permitted and shall be located within 500 feet of the principal use.
4. Minor vehicle service is permitted. Service work areas shall be indoors.
5. Vehicle wash areas shall be designed with a water collection and recycling system and shall be screened from public view.

(Ord. 2417, Add, 11/10/2008)

Section 20.03.045 Vehicle towing and storage facility

↔ **Use Category: Industrial** – Warehousing, Storage & Distribution

A. Applicability

This section applies to any Vehicle Towing and Storage Facility.

B. Standards

1. Off-street storage areas shall be provided for all vehicles. Vehicles shall not be parked on a public right-of-way, including sidewalks, at any time.
2. Vehicle wrecking, salvage, and sales activities shall not be conducted at a vehicle towing and storage facility without a valid conditional use permit as required under **Error! Reference source not found.** (Metal Waste Salvage Yard / Junk Yard / Auto Dismantler).

(Ord. 2417, Add, 11/10/2008)

Section 20.03.046 Wireless Communication Tower or Antenna

↔ **Use Category: Infrastructure** – Communications facilities



Purpose: this section establishes general guidelines for the siting of wireless communications towers and antennas. The goals of this chapter are to: (1) protect residential areas and land uses from potential adverse impacts of towers and antennas; (2) encourage the location of towers in non-residential areas; (3) minimize the total number of towers throughout the community; (4) strongly encourage the joint use of new and existing tower sites as a primary option rather than construction of additional single-use towers; (5) encourage users of towers and antennas to locate them, to the extent possible, in areas where the adverse impact on the community is minimal; (6) encourage users of towers and antennas to configure them in a way that minimizes the adverse visual impact of the towers and antennas through careful design, siting, landscape screening, and innovative camouflaging techniques; (7) enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively, and efficiently; (8) consider the public health, education and safety of communication towers; and (9) avoid potential damage to adjacent properties from tower failure through engineering and careful siting of tower structures. In furtherance of these goals, the City of Sparks shall give due consideration to the City of Sparks master plan, zoning map, existing land uses, and environmentally sensitive areas in approving sites for the location of towers and antennas.

(1943, Added, 10/13/1997)

A. Applicability

1. This section applies to any “wireless communication tower or antenna.”
2. **New towers and antennas.** All new towers or antennas in the City of Sparks are subject to these regulations.

B. Exemptions

1. **Amateur radio station operators/receive only antennas.** This section does not apply to any tower, or the installation of any antenna, that is under 70 feet in height and owned and operated by a federally-licensed amateur radio station operator or used exclusively for receive only antennas.
2. **Direct home satellite dishes.** Subject to appropriate FCC regulations, this section does not apply to video programming signals from direct broadcast satellites, multichannel multipoint distribution providers and television broadcast stations.
3. **Preexisting towers or antennas.** Preexisting towers and preexisting antennas are not required to meet the requirements of this Section, other than the requirements of subsections C.6, 8 and 14.
4. **AM array.** For purposes of implementing this chapter, an AM array, consisting of one or more tower units and supporting ground system which functions as one AM broadcasting antenna, shall be considered one tower. Measurements for setbacks and separation distances shall be measured from the outer perimeter of the towers included in the AM array. Additional tower units may be added within the perimeter of the AM array by right.

(1943, Added, 10/13/1997)

C. Definitions

The terms and phrases used in this section have the meanings assigned below, in addition to Chapter 20.08:

Affiliate	An entity which owns or controls, is owned or controlled by, or is under common ownership with a franchisee or current or former owner of a communication tower, antenna or backhaul network.
Alternative tower structure	Existing buildings, man-made trees, clock towers, steeples, light poles and similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.
Antenna	Any exterior transmitting or receiving device mounted on a tower, building or structure and used in communications that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals or other communication signals.
Backhaul network	The lines that connect a provider's towers/cell sites to one or more cellular telephone switching offices, and/or long distance providers, or the public switched telephone network.
Collocation	The sharing of structures by 2 or more wireless service providers.
Director	Either the public works director for the City of Sparks or his designated representative and/or the community development director for the City of Sparks or his authorized representative. The public works director and community development director may work jointly or independently depending upon the proposed location of a tower or antenna.
FAA	The Federal Aviation Administration.
FCC	The Federal Communications Commission.
Franchisee	The person, firm or corporation to whom or which a franchise has been granted by the Sparks City Council or the lawful successor, transferee or assignee of said person, firm or corporation. This definition also includes any person, firm or corporation who purchases, leases or otherwise subsequently acquires an existing antenna, tower or interest in such.
Gross revenues	Subject to federal, state, local law and any amendments, any and all

Height	<i>receipts and revenues received directly or indirectly from all sources associated with the installation and operation of the antennas, towers and backhaul networks which are the subject of this chapter. This term does not include any taxes imposed upon business or residential customers or services utilized by any governmental unit, agency or instrumentality and collected by the owner, of the antenna, tower or backhaul network. This term does not include net uncollectible debts. When referring to a tower or other structure, the distance measured from the finished grade of the parcel to the highest point on the tower or other structure, including the base pad and any antenna.</i>
Preexisting towers and preexisting antennas Public way	<i>Any tower or antenna for which a building permit, special use permit or administrative review has been properly issued prior to the effective date of this ordinance, including permitted towers or antennas that have not yet been constructed so long as such approval is current and not expired. The surface of, and the space above and below, any public street, highway, freeway, bridge, land path, alley, court, boulevard, sidewalk, parkway, way, land, drive, circle or other public right-of-way, including, but not limited to, public utility easements, dedicated utility strips or rights-of-way dedicated for compatible uses and any temporary or permanent fixtures or improvements located thereon now or hereafter held by the City within the area serviced by the owner of the antenna/tower/backhaul network.</i>
Tower	<i>Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas for telephone, radio and similar communication purposes, including self-supporting lattice towers, guyed towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures, and the like. The term includes the structure and any structural support.</i>

(1943, Added, 10/13/1997)

D. General Requirements

- 1. Principal or accessory use.** Antennas and towers may be considered either principal or accessory uses. A different existing use of an existing structure on the same lot does not preclude the installation of an antenna or tower on such lot.
- 2. Lot size.** For purposes of determining whether the installation of a tower or antenna complies with the City of Sparks zoning/special use regulations, including but not limited to setback requirements, lot-coverage requirements, and other such requirements, the dimensions of the entire lot shall control, even though the antennas or towers may be located on leased parcels within such lot.
- 3. Inventory of existing sites.** Each applicant for an antenna and/or tower shall provide to the director an inventory of its existing towers, antennas, or sites approved for towers or antennas, that are either within the jurisdiction of the City of Sparks or within one mile of the border thereof, including specific information about the location, height, and design of each tower. The director may share the information with other applicants applying for administrative approvals or conditional use permits under this chapter or other organizations seeking to locate antennas within the jurisdiction of the City of

Sparks. However, the director is not, by sharing the information, in any way representing or warranting that any sites are available or suitable.

- 4. Aesthetics.** Towers and antennas shall meet the following requirements:
 - a.** Towers shall be constructed of steel, or other appropriate materials and either maintain a galvanized steel finish or, subject to any applicable standards of the FAA or aesthetic requirements imposed by the administrator are painted a neutral color so as to reduce visual obtrusiveness.
 - b.** At a tower site, the design of the buildings and related structures shall use materials, colors, textures, screening, and landscaping that will blend them into the natural setting, surrounding buildings and site area.
 - c.** If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive.
- 5. Lighting.** Towers shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the lighting alternatives and design chosen must cause the least disturbance to the surrounding views.
- 6. State or federal requirements.** All towers must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the state or federal government with the authority to regulate towers and antennas. If those standards and regulations are changed, then the owners of the towers and antennas governed by this ordinance shall bring the towers and antennas into compliance with the revised standards and regulations within 6 months of the effective date of the standards and regulations, unless a different compliance schedule is mandated by the controlling state or federal agency. Failure to bring towers and antennas into compliance with the revised standards and regulations is constitute grounds for the removal of the tower or antenna at the owner's expense.
- 7. FCC notification requirements.** Each applicant shall provide to the director within 60 days after the construction of an appropriate antenna/tower, written documentation confirming that the FCC has been notified of the location of the antenna/tower for inclusion in the FCC antenna registration database. A change in ownership or affiliation of the tower or any changes in collocation must be accompanied by verified documentation that the FCC and its antenna registration database have been notified of the change. Failure to timely provide the director with written documentation concerning FCC notification is grounds for removal of the tower or antenna.
- 8. Building codes; safety standards.** To ensure the structural integrity of towers, the owner of a tower shall ensure that it is maintained in compliance with standards contained in applicable state or local building codes and the applicable standards for towers that are published by the Electronic Industries Association, as amended from time to time. If, upon inspection, the City of Sparks concludes that a tower fails to comply with such codes and standards and constitutes a danger to persons or property, then upon notice being provided to the owner of the tower, the owner has 30 days to bring the tower into compliance with those standards. Failure to bring the tower into compliance within 30 days is grounds for the removal of the tower or antenna at the owner's expense.
- 9. Measurement.** For purposes of measurement, tower setbacks and separation distances are calculated and applied to facilities irrespective of municipal and county jurisdictional boundaries.

- 10. Applicability of city zoning ordinances.** Towers and antennas are regulated and permitted pursuant to this chapter and all other applicable zoning ordinances enacted in the City of Sparks.
- 11. Franchises.** Owners and/or operators of towers or antennas shall identify all local backhaul networks to be used by the applicant.
- 12. Signs.** No signs are allowed on an antenna or tower.
- 13. Certification of financial compliance.** The applicant shall provide to the finance director for the City of Sparks all applicable City of Sparks business licensing fees or fees in lieu of a business license in accordance with section 5.20.010 of this code. The director shall, on a quarterly basis, be provided with a list of those businesses that have failed to provide their quarterly payments as required by the Sparks Municipal Code. The failure or refusal to remit appropriate fees to the finance director shall constitute grounds to remove the applicant's tower or antennas.
- 14. Licensed Professional.** A licensed professional engineer certifies the tower can structurally accommodate the number of shared users proposed by the applicant.
 - a. Availability of suitable existing towers, other structures, or alternative technology.** No new tower shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the administrator or planning commission, that there is no existing tower, structure or alternative technology that can accommodate the applicant's proposed antenna or tower. An applicant shall submit information requested by the administrator related to the availability of suitable existing towers, other structures or alternative technology. Evidence submitted to demonstrate that no existing tower, structure or alternative technology can accommodate the applicant's proposed antenna may consist of any of the following:
 - (1)** No existing towers or structures are located within the geographic area meet applicant's engineering requirements.
 - (2)** Existing towers or structures are not of sufficient height to meet applicant's engineering requirements.
 - (3)** Existing towers or structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment.
 - (4)** The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna.
 - (5)** The fees, costs, or contractual provisions required by the owner in order to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable. Costs exceeding new tower development are presumed to be unreasonable.
 - (6)** The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable.
 - (7)** The applicant demonstrates that an alternative technology that does not require the use of towers or structures, such as a cable microcell network using multiple low-powered transmitters/receivers attached to a wireline system, is unsuitable. Costs of alternative technology that exceed new tower or antenna development shall not be presumed to render the technology unsuitable.

(1943, Added, 10/13/1997)

E. Administrative Review

- 1. General.** The following provisions apply to the issuance of administrative review approvals for towers and antennas.

- a. *The director may administratively approve the uses listed in this Section.*
- b. *Each applicant for administrative approval shall file an application with the administrator providing the information set forth in the Appendix to this Title.*
- c. *The administrator shall review the application for administrative approval and determine if the proposed use complies with subsection C and this Title.*
- d. *The administrator shall respond to each such application within 60 days after the filing of the application by either approving or denying the application. If the administrator fails to timely respond within 60 days from deeming the application complete, the application is deemed to be approved.*
- 2. **Administrative review applicability.** *The following uses may be approved by the administrator after conducting an administrative review:*
 - a. *Locating a tower or antenna, including the placement of additional buildings or other supporting equipment used in connection with said tower or antenna, in any I (Industrial), MU-C (Mixed Use – Commercial), DT/VS (Downtown Victorian Square), C1 (Neighborhood Commercial) C2 (General Commercial), TC (Tourist Commercial) or PF (Public Facilities) zoning districts.*
 - b. *Locating antennas on existing structures or towers consistent with the terms of subsections (i) and (ii) below:*
 - (1) **Antennas on existing structures.** *Any antenna is not attached to a tower may be approved by the administrator as an accessory use to any I (Industrial), MU-C (Mixed Use – Commercial), DT/VS (Downtown Victorian Square), C1 (Neighborhood Commercial) C2 (General Commercial), TC (Tourist Commercial) or PF (Public Facilities) zoning districts, if:*
 - (a) *The antenna does not extend more than 30 feet above the highest point of the structure;*
 - (b) *The antenna complies with all applicable FCC and FAA regulations; and*
 - (2) **Antennas on existing towers.** *An antenna which is attached to an existing tower may be approved by the administrator and, to minimize adverse visual impacts associated with the proliferation and clustering of towers, collocation of antennas by more than one carrier on existing towers takes precedence over the construction of new towers. This applies if:*
 - (a) *The tower is modified or reconstructed to accommodate the collocation of an additional antenna is of the same tower type as the existing tower, unless the director allows reconstruction as a monopole.*
 - (b) **Height**
 - I. *An existing tower may be modified or rebuilt to a taller height, not to exceed 30 feet over the tower's existing height, to accommodate the collocation of an additional antenna.*
 - II. *The height change referred to in subsection (i)(a) above may only occur one time per communication tower.*
 - III. *The additional height referred to in subsection (i)(a) above does not require an additional distance separation as set forth in this Title. The tower's pre-modification height is used to calculate the distance separations.*
 - (c) **On-site location**
 - I. *A tower which is being rebuilt to accommodate the collocation of an additional antenna may be moved on-site within 50 feet of its existing location.*
 - II. *After the tower is rebuilt to accommodate collocation, only one tower may remain on the site.*

3. Setbacks and Separation. Locating any new tower in a non-residential zoning district other than industrial or commercial, if:

(1) Setbacks. The following setback requirements apply to all towers.

- (a)** Towers must be set back a distance equal to at least 75% of the height of the tower from any adjoining lot line.
- (b)** Guys and accessory buildings must satisfy the minimum zoning district setback requirements.

(2) The tower meets the following height and usage criteria:

- (a)** for a single user, up to 90 feet in height;
- (b)** for 2 users, up to 120 feet in height; and
- (c)** for 3 or more users, up to 150 feet in height.

(3) Separation. The following separation requirements apply to all towers and antennas.

- (a) Separation from off-site uses/designated areas.** Tower separation is measured from the base of the tower to the lot line of the off-site uses and/or designated areas as specified in Table: Off-site Use/Designated Area Separation Distance, except as otherwise provided Table: Off-site Use/Designated Area Separation Distance.

Table: Off-site Use/Designated Area Separation Distance

Single-family or duplex residential units ¹	200 feet or 300% height of tower whichever is greater
Vacant single-family or duplex residentially zoned land which is either platted or has preliminary subdivision plan approval which is not expired	200 feet or 300% height of tower ² whichever is greater
Vacant unplatted residentially zoned lands ³	100 feet or 100% height of tower whichever is greater
Existing multi-family residential units greater than duplex units	100 feet or 100% height of tower whichever is greater
Non-residentially zoned lands or non-residential uses	None; only setbacks apply

¹ Includes modular homes and mobile homes used for living purposes.

² Separation measured from base of tower to closest building setback line.

³ Includes any unplatted residential use properties without a valid preliminary subdivision plan or valid development plan approval and any multi-family residentially zoned land greater than duplex.

- (b) Separation distances between towers.** Separation distances between towers apply to and are measured between the proposed tower and preexisting towers. The separation distances are measured by drawing or following a straight line between the base of the existing tower and the proposed base, pursuant to a site plan, of the proposed tower. The separation distances (listed in linear feet) are as shown in the Table: Existing Tower by Types.

Table: Existing Towers—Types

	Lattice	Guyed	Monopole 75 Ft in	Monopole Less
--	---------	-------	-------------------	---------------

	<i>Height or Greater</i>			<i>Than 75 Ft in Height</i>
Lattice	5000	5000	1,500	750
Guyed	5000	5000	1,500	750
Monopole 75 Ft in Height or Greater	1,500	1500	1,500	750
Monopole Less Than 75 Ft in Height	750	750	750	750

- b. Security fencing.** Towers shall be enclosed by security fencing at least 6 feet in height and shall also be equipped with an appropriate anti-climbing device.
- c. Landscaping.** The following requirements govern the landscaping surrounding towers. Tower facilities shall be landscaped with a buffer of plant materials that effectively screens the view of the tower compound from property used for residentially zoned properties. The standard buffer shall consist of a landscaped strip at least 4 feet wide outside the perimeter of the compound.
- d. Buildings or other Equipment Storage**
 - (1) Antennas mounted on structures or rooftops.** The equipment cabinet or structure used in association with antennas shall comply with the following:
 - a.** The cabinet or structure may contain up to 500 square feet of gross floor area or up to 10 feet in height. In addition, for buildings and structures which are less than 65 feet in height, the related unmanned equipment structure, shall either be screened from view to the satisfaction of the administrator or shall not be located on the roof-structure.
 - b.** Equipment storage buildings or cabinets shall comply with all applicable building codes.
 - (2) Antennas mounted on utility poles or light poles.** The equipment cabinet or structure used in association with antennas shall be located in accordance with the following:
 - (a)** In a front or side yard provided the cabinet or structure is no greater than 7 feet in height or 150 square feet of gross floor area and the cabinet/structure is located a minimum of 15 feet from all lot lines. The cabinet/structure shall be screened where necessary to the satisfaction of the administrator.
 - (b)** In a rear yard, provided the cabinet or structure is no greater than 10 feet in height or 500 square feet in gross floor area. The cabinet/structure shall be screened by an evergreen hedge with an ultimate height of eight (8) feet and a planted height of at least 36 inches.
 - (c)** In MU-C, DT/VS, C1, C2 or TC zoning districts, the equipment cabinet or structure may be up to 10 feet in height or 500 square feet in gross floor area. The structure or cabinet shall be screened from view of all residential properties which abut or are directly across the street from the structure or cabinet.
 - (3) Antennas located on towers.** The related unmanned equipment structure may contain up to 500 square feet of gross floor area or 10 feet in height, and shall be located in accordance with the minimum yard requirements of the zoning district in which located.
 - (4) Building Design Standards.** The equipment and antennas to be installed on an existing building shall incorporate designs that minimize the visual impacts through careful design, including siting considerations, screening with substantial improvements to the building or innovative camouflaging techniques.

(1943, Added, 10/13/1997)

F. Conditional use permits

1. **General.** *The following provisions govern the issuance of conditional use permits for towers or antennas:*
 - a. *If the tower or antenna cannot comply with the standards listed in the Administrative Section of this Title, an applicant may apply for a conditional use permit which may be considered by the Planning Commission.*
 - b. *Applications for conditional use permits under this Section are subject to the procedures and requirements of Section 20.05.009 except as modified in this section.*
2. **Additional Conditional Use Permit Findings**
 - a. *Factors considered in granting conditional use permits for towers. In addition to any findings for consideration of conditional use permit applications pursuant to section 20.05.009 of this code, the planning commission shall consider the following factors in determining whether to issue a conditional use permit.*
 - (1) *Height of the proposed tower;*
 - (2) *Proximity of the tower to residential structures and residential district boundaries;*
 - (3) *Nature of uses on adjacent and nearby properties;*
 - (4) *Surrounding topography;*
 - (5) *Surrounding tree coverage and foliage;*
 - (6) *Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;*
 - (7) *Proposed ingress and egress; and*
 - (8) *Availability of suitable existing towers, other structures, or alternative technologies not requiring the use of towers or structures, as discussed in subsection b below.*

G. Removal of Abandoned Antennas and Towers

Any antenna or tower that is not operated for a continuous period of 12 months is considered abandoned, and the owner of the antenna or tower shall remove it within 90 days of receipt of notice from the City of Sparks notifying the owner of the abandonment. Failure to timely remove an abandoned antenna or tower is grounds to remove the tower or antenna at the owner's expense. If there are two or more users of a single tower, this provision does not become effective until all users cease using the tower.

(1943, Added, 10/13/1997) (1943, Added, 10/13/1997)

PAGES 173-199 RESERVED

Title 20 Zoning Code

Chapter 20.04 Development Standards

Contents

Chapter 20.04	Development Standards	200
Section 20.04.001	Generally	200
Section 20.04.002	Adjacency Standards (Cooperative Planning Area)	200
Section 20.04.003	Fences, Walls and Hedges	206
Section 20.04.004	Building Design.....	Error! Bookmark not defined.
Section 20.04.005	Intensity Standards	208
Section 20.04.006	Landscaping & Screening	209
Section 20.04.007	Lighting	220
Section 20.04.008	Patio Covers, Decks, and Building Projections	221
Section 20.04.009	Parking & Loading	223
Section 20.04.010	Signs	234
Section 20.04.011	Slopes, Hilltops & Ridges	267
Section 20.04.012	Truckee River Corridor	272
Section 20.04.013	Utilities	272
Table 20.04.007-1	Required Landscaping	211
Table 20.04.011-2	Accessible Parking Spaces	224
Table 20.04.011-3	Parking Ratios	226
Table 20.04.011-4	Individual Parking Space Requirements (feet)	230
Table 20.04.011-5	Compact Cars	230

Chapter 20.04 Development Standards

Section 20.04.001 Generally



Purpose: this Chapter establishes uniform standards for the development and improvement of property throughout the City of Sparks.

A. Applicability

1. This Chapter establishes development and improvement standards for all development in the City of Sparks.
2. This Chapter applies to any application for rezoning, administrative review, conditional use permit, major or minor deviation, variance, or building permit review.

B. Waivers

A standard in this Chapter may be waived if an applicant obtains a variance from the standard or on appeal (↔ see Chapter 20.05, §§ 20.05.12, 20.05.13).

Section 20.04.002 Adjacency Standards (Cooperative Planning Area)



Purpose: this section defines adjacency standards for different types and intensities of development subject to cooperative planning.

(Ord. 2165, Add, 02/10/2003)

A. Applicability

1. This section applies to new development –
 - a. proposed in those areas identified as cooperative planning areas in settlement agreement in the case number CV02-03469, *Washoe County v. Truckee Meadows Regional Planning Governing Board*, and
 - b. as depicted on maps filed with City Clerk and the Community Development department, within 500 feet of the existing built environment or within 500 feet of platted lots.
2. If the Administrator determines that a natural barrier (e.g., ridgeline, river, open space, or natural terrain change) buffers the existing built environment or platted lots from the new development, these standards **do not apply**.
3. Subsections C through G **do not apply** where the property is within an adopted center or corridor plan that includes adjacency standards and was prepared in accordance with the cooperative planning process.

B. Cooperative planning areas include:

1. the expanded city spheres of influence, post May 8, 2002,
2. land within the unincorporated area that was identified by the cities in the Settlement Agreement of October 17, 2002, and
3. lands annexed by a city under the provisions of NRS 268.670 outside the pre-May 9, 2002, spheres of influence, except as prescribed in the settlement agreement in Nevada Supreme Court Case 38749 (also known as the *Verdi* matter).

(Ord. 2165, Add, 02/10/2003)

C. Density. To the extent that land subject to this Section would be buildable under federal, state, or local regulations, the full eligible density may be used on other locations on the site.

(Ord. 2165, Add, 02/10/2003)

D. Lot Adjacency Standards—Large-lot single family residential (SFD)-to-SFD. To provide adequate transition between City of Sparks and unincorporated Washoe County single-family residential parcels designated 1 dwelling unit per 5 acres to 1 dwelling unit per acre, the minimum adjacent lot size is 1 acre.

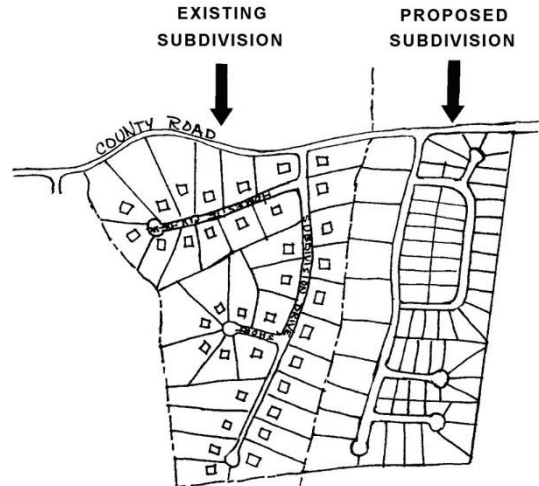
(Ord. 2165, Add, 02/10/2003)

E. Lot Adjacency Standards—Single family residential (SFD)-to-SFD

1. To provide adequate transition between varying sizes of single-family residential parcels designated as 1 unit per acre or greater density, one of the following methods (parcel size matching, buffering, or yard matching) shall be used:

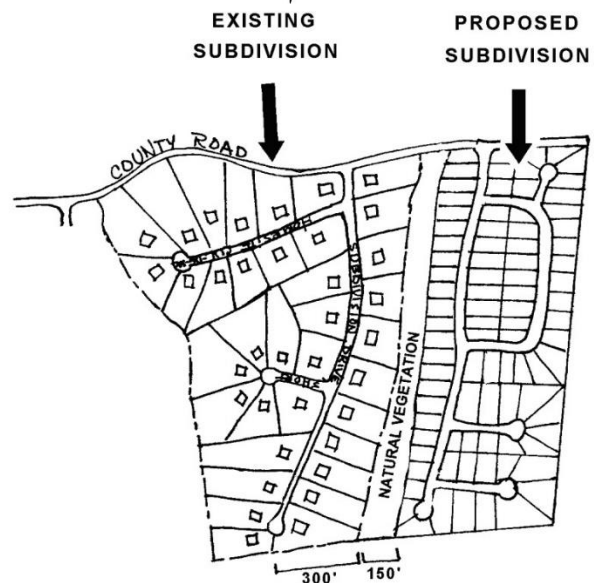
Parcel Size Matching →

The minimum lot sizes identified in the land use designation of the immediately adjacent developed subdivision shall be maintained at the edge of the proposed subdivision.



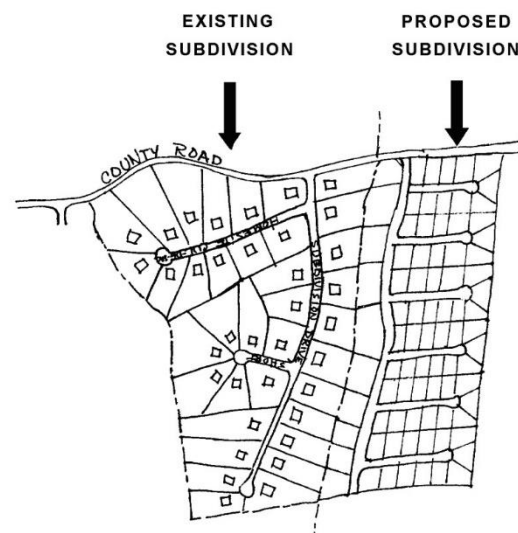
Buffering →

A "buffer zone" shall be established. When the buffer remains natural vegetation, the buffer zone shall be equivalent to one hundred (100) feet or 1/2 of the average minimum lot depth of the adjoining developed property, whichever is greater. The buffer zone may be common open space for the proposed subdivision and may include paths, trails or other subdivision amenities.



Yard Matching →

The rear yard widths of the proposed development shall match the rear yard widths of the existing development as depicted in Figure 20.45.050.3



Source: Washoe County Department of Community Development.

2. Lots proposed within a new subdivision that share a common property line with an established subdivision shall not contain structures that exceed the maximum height of the adjacent equivalent zoning district, see SMC 20.05.05.

(Ord. 2165, Add, 02/10/2003)

F. Lot Adjacency Standards—Multi-family residential (MFD)-to-SFD

To provide adequate transition between multi-family and single-family residential parcels, where the density of the residential parcels is 1 unit per acre or greater the City of Sparks Zoning Code applies.

(Ord. 2165, Add, 02/10/2003)

G. Lot Adjacency Standards—Residential (SFD and MFD)-to-Non-Residential

To provide adequate transition between non-residential parcels and MFD parcels, and between non-residential parcels and SFD parcels where the density of the residential parcels is one unit per acre or greater the City of Sparks Zoning Code applies.

(Ord. 2165, Add, 02/10/2003)

H. Lot Adjacency Standards—Non-Residential-To-Non-Residential.

To provide adequate transition between varying uses on parcels designated non-residential, the following side and rear setbacks are established:

Zoning District	C-1	C-2	TC	I	PF	A-40
Side Setback	15	10	10	10	15	50
Rear Setback	20	10	10	15	20	30

(Ord. 2165, Add, 02/10/2003)

I. Grading

Grading for subdivision improvements, conditional use permits, administrative review or other discretionary or building permits, adjacent to lots up to 5 acres in size, shall:

1. Not result in slopes on fill in excess of, or steeper than, 3 horizontal to 1 vertical (3:1).
2. For a distance of 50 feet from the shared common property line with an existing residence (see Figure 20.04.002-1 Grading, below), fills shall not differ from the natural grade by more than 48 inches and may not exceed a slope of 3 horizontal to 1 vertical (3:1).

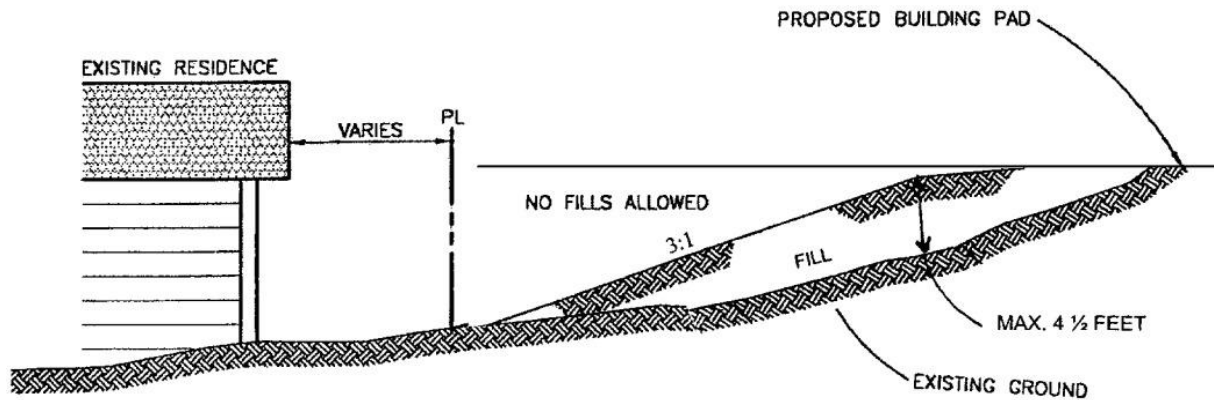


Figure 20.04.002-1 Grading

Source: Washoe County Department of Community Development.

3. Not result in slopes that differ from the natural grade by more than 20 feet within 500 feet of a shared common property line with existing development.
4. Be limited on cut slopes to equal to, or less than, a slope of 3 to 1 (3:1). However, major cut slopes, in excess of 100 lineal feet, are permitted when the cut slopes include stepped-back structural containment in the form of benches and terraces that include landscaping on the terraces. Rockery walls used to create benches are limited to a maximum vertical height of 6 feet. The resulting terraces shall include a minimum horizontal width of 6 feet to provide for the landscaped bench. An exception may be allowed for cuts into stable rock, supported by a geotechnical report.
5. Utilize a gradual transition or "rounding or contouring" of the manufactured slope at the intersection of a manufactured cut or fill slope and a natural slope.
6. Visually integrate all slope faces (cut or fill) into the natural terrain by a gradual transition or "contouring/rounding" of the man-made land forms into the natural terrain.
7. Prohibit the use of riprap and gabions as a mechanical stabilization for cut slopes, except where essential for safe access, for passage within the rights-of way of public roads and for storm drainage control devices.
8. Address compatibility with adjacent lots, demonstrate visual impacts to the community, and propose design criteria, landscaping and buffering to mitigate impacts on adjacent property owners and the community's scenic character, if the applicant proposes cut, fills or slopes in excess of the requirements.
9. Alternative materials and procedures supported by adequate engineering documentation may be approved, provided that they meet the aesthetic intent of these requirements and incorporate mitigation. All mitigation shall be reviewed and approved by the zoning Administrators of affected local governments.

(Ord. 2165, Add, 02/10/2003)

J. Cooperative Planning Area Lighting

Refer to Section 20.04.006.

K. Ridgelines

1. Applications for master plan and zoning map amendments shall identify how the project furthers the goal of preserving the aesthetic appearance of important ridgelines and shall include information related to the following issues:
 - a. Potential developable areas (0-30 percent slope) shall be identified;
 - b. The existing landscape of such slope areas shall be described; and
 - c. Information shall be provided and provisions shall be made to mitigate the visual impact of the project from developed areas, as follows:
 - i. At least 3 sight-line analyses shall be provided from the existing built environment, generally within $\frac{1}{4}$ to $\frac{1}{2}$ mile of the project site. Staff members of the local governments involved in the Cooperative Plan shall jointly select the locations for the sight-line analyses to represent typical views of the project site from nearby neighborhoods;
 - ii. The maximum height, placement, design and coloration of structures shall be identified to minimize visual impacts of areas identified in the sight-line analyses; and
 - iii. Minimum setbacks and height limits for structures on the back sides of slopes shall be identified to minimize visual impacts of areas identified in the sight-line analyses.

(Ord. 2165, Add, 02/10/2003)

(Ord. 2165, Add, 02/10/2003)

Section 20.04.003 Fences, Walls and Hedges

⇌ **Use Category: Accessory**

A. Applicability

This section applies to any fence, wall or hedge.

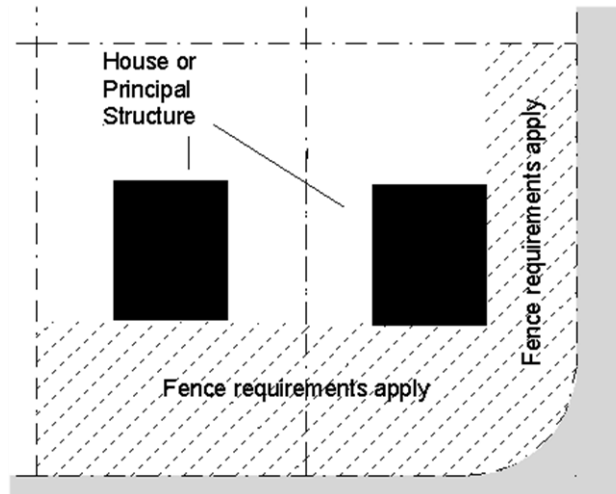
B. Materials and Construction

1. A fence may be constructed of but not limited to: wire, chain links, wood, stone or any standard building materials.
2. Barbed wire, (above ground) is only permitted in the C1, C2, TC, I and PF zoning districts.
 - a. All barbed wire fencing shall be on top of an 8 foot fence.
 - b. Extension arms, when used, shall not extend beyond the property line.
 - c. Barbed wire must not extend beyond the property line.
3. Razor wire fencing is only permitted in the I zoning district.
 - a. All razor wire fencing shall be on top of an 8 foot fence.
 - b. Extension arms, when used, shall not extend beyond the property line.
 - c. Razor wire shall not extend beyond the property line.
4. Electric fencing is only permitted in the I zoning district.
 - a. **Electrification.** The energizer for electric theft deterrent devices shall be powered by a battery not to exceed 12 volts DC.
 - b. **Perimeter fence or wall**
 - i. No electric theft deterrent devices shall be installed or used unless it is completely within a non-electrical fence or wall that is at least 6 feet in height.
 - ii. The electric fence shall not exceed 10 feet in height.
 - c. **Warning signs**
 - i. Electric security fences shall be clearly identified with incidental signs that, at a minimum, read: "Warning-Electric Fence" at intervals of at least 25 feet.
 - ii. At least 1 sign on shall be placed on each side of the fence.

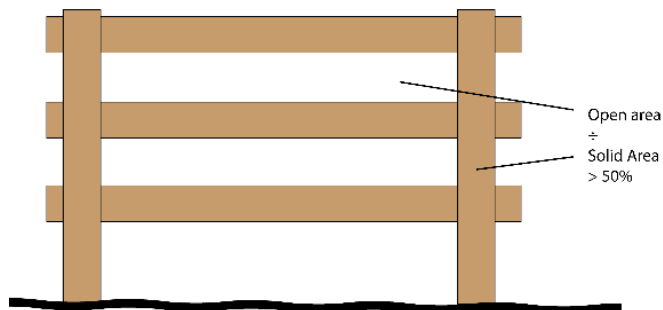
- iii. The minimum size of the sign shall be 12 inches wide by 9 inches tall with a minimum lettering size of 1 inch. The sign shall be located on the perimeter of the fence, and directed to the inside and outside of the secured area.

C. Fences or Walls

1. Fences or walls 6 feet or less in height may be erected in any zoning district except where a site issue may be created and therefore when constructing in required front setback and exterior side yards fences shall comply with the following standards:



- a. No more than 3 feet in height between the front building line and front property lines.



- b. Fencing may be increased to 4 feet in height when the fence is at least 50% open construction.

2. Fences or walls in the I (Industrial) zoning district -

- a. May be erected in the required front setback or exterior side yard and may exceed 6 feet in height.

3. Public Utilities in any zone may be enclosed by a fence with barbed wire as long as the total height does not exceed 9 feet.

Section 20.04.004 Intensity Standards

- A. 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 the work is being performed. For glare standards in the cooperative planning areas see Section 20.04.006.

(Ord. 1074 § 1 (part), 1976.) (Ord. 2163, Amended, 02/10/2003)

- B. Noise.** Noise shall be so muffled so as not to become objectionable due to intermittence, beat, frequency or shrillness.

(Ord. 1074 § 1 (part), 1976.) (Ord. 2417, Amended, 11/10/2008)

C. Smoke, odor and gas

1. See SMC Title 7 (Health and Welfare).
2. The emission of obnoxious odors of any kind shall not be permitted.
3. No gas shall be emitted which is deleterious to the public health, safety or general welfare.

(Ord. 1074 § 1 (part), 1976.)

Section 20.04.005 Landscaping & Screening



Purpose: this chapter promotes the public health, safety and general welfare by establishing regulations for the installation and maintenance of landscaping according to recognized resource-efficient principles, and to provide for the protection of existing vegetation, where appropriate. The regulations -

- *Enhance the aesthetics of the community;*
- *Conserve water and other natural and energy resources by requiring the use of resource-efficient guidelines and principles;*
- *Provide environmental controls such as, but not limited to, the reduction of noise, dust and erosion;*
- *Reduce air pollution by encouraging the use of vegetation for air filtration, absorption of carbon dioxide and production of oxygen;*
- *Assist in ground water recharge;*
- *Reduce visual pollution which might otherwise occur within an urbanized area;*
- *Establish a greater sense of privacy from visual and physical intrusion;*
- *Encourage a balanced landscape approach with a variety of landscape materials; and*
- *Buffer structures and uses from noise or undesirable views.*

(Ord. 1730, 1992: Ord. 1288 § 1 (part), 1980.)

A. Applicability

1. Applicability. The provisions of this Chapter applies to:

- a. All new development projects, including model homes for subdivisions.
- b. An expansion to any existing building on any site, when the site is not in conformance with the. Landscaping is required in accordance with subsection D.2 in an amount which is proportionate to the expansion as demonstrated in the following example:

EXAMPLE:

Existing Building = 10,000 sf

Expansion = 1,000 sf or 10% increase

Zoning = C-2; 15% required

$.10 \times .15 = .015$ or 1.5% of the site is to be landscaped.

- c. If a proposed building expansion exceeds 75% of the present size of the building, the site must be brought into compliance with the current landscape ordinance.

2. Exceptions. This section does not apply to:

- a. Single-family dwelling units, or duplexes on separate lots, except commonly owned areas in Planned Developments.

- b. Building permits for interior remodel except in change of use from residential to non-residential or single-family to multi-family.
- c. Permits such as, but not limited to, reroofing, siding, temporary power, change of electrical service, change of furnace, mobile home set-up, addition of interior plumbing, addition of interior electrical, fencing, on and off-premises signs, and encroachment.
- d. Development projects where the existing vegetation to be retained meets or exceeds the requirements of this section.

(Ord. 1730, 1991.)

B. Landscape and Irrigation Plan

- 1. Except as otherwise provided in this Section, an approved landscape plan and irrigation plan shall be on file with the Administrator prior to issuance of a building permit.
- 2. The landscape plan and irrigation plan shall include the information required by Appendix A to this Title.
- 3. When the landscaping is installed a licensed landscape architect shall certify the landscaping was installed per plan.
- 4. A copy of the approved landscape plan and irrigation plan shall be kept on the job site until the project is inspected and accepted by the City.

(Ord. 1730, 1992: Ord. 1447 § 4, 1984: Ord. 1288 § 1 (part), 1980.) (Ord. 2417, Amended, 11/10/2008)

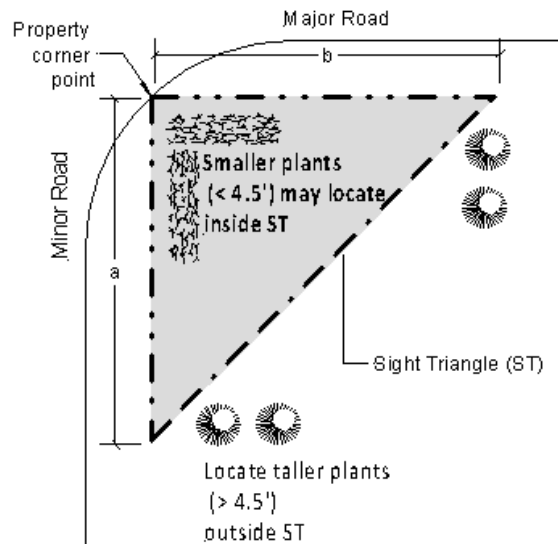
C. General Landscape Standards

- 1. Landscape elements shall provide a vertical dimension. Trees and tall shrubs shall be used in addition to grass and groundcover.
- 2. Landscaping shall be used to enhance the quality of the residential environment, to buffer the units from noise or undesirable views, and to separate roads within the development.
- 3. Landscaping around the entire foundation base of buildings is required to enhance the edge between the parking lot and the structure.
- 4. Landscaping shall be protected from vehicular and pedestrian encroachment by raised planters or the use of curbs. Stepping stones shall be provided as access through a landscape planter(s) when adjacent to parking spaces.
- 5. All landscape planters shall be protected by a minimum 6 inch high concrete curb.
- 6. All ground surfaces shall have one or more of the following treatments:
 - a. Paving

- b. Turf
- c. 4 inch rounded river rock
- d. Decomposed granite with a pre-emergent herbicide using weed barrier underneath.
- e. Other similar ground surface as approved by the administrator.

7. Landscaping shall be sited so that at maturity the plants do not inhibit visibility in any sight triangle.

8. Planting islands in parking lots shall have a minimum width of 8 feet interior, protected by 6-inch high curb.



9. Artificial turf is permitted as a landscape cover in side and rear yards that are not adjacent to streets,.

D. Specific Standards

1. Generally

2. The minimum portion of the site area to be landscaped, as required by this Section, is:

Table 20.04.007-1 Required Landscaping

Residential Multi-Family districts (SF and MF)	20% ^a
Professional office district (PO)	20%
Public facilities district (PF)	20%
Neighborhood commercial district (C1)	20%
General commercial district (C2)	15%
Tourist commercial district (TC)	10%
Mixed Use District (MUD)	See MUD Section
Industrial (I)	Follow all requirements in "Specific Standards" of this section

Notes:

- a. Applies to all uses except single-family two-family dwellings and MUD
 - b. Includes landscaping strips along street frontages. Landscaping strips shall be at least 10 feet wide regardless of the percentage of the site area involved. The Administrator may approve narrower landscaping strips in conjunction with alternative screening compliance that exceeds the minimum requirements for perimeter landscaping in this Section. This may include a combination of a masonry wall and plant materials or an increase in landscape plant materials of 30% or more above minimum quantities.
 - c. Includes all setback areas from public or private streets. Setback areas with street frontages shall be landscaped regardless of the percentage of the site area involved.
3. The minimum number of trees to be planted in the required landscape area is 1 tree per 300 square feet in the MF zoning districts and 1 tree per 500 square feet in other zoning districts. Parking area trees per subsection 8 are in addition to this requirement.
4. Evergreen trees shall be at least 6 feet in height at time of planting. Fifty percent (50%) of deciduous trees shall be a minimum caliper of 1 inch and 50% shall be a minimum caliper of 2 inches at time of planting.
5. Existing trees and shrubs may be incorporated into a landscaped area if they are healthy and in good condition and do not conflict with plant location requirements of this Section (such as in parking areas).
6. Sixty percent (60%) of container-grown shrubs and plants (excluding trees), and excluding those plants grown in flats, shall be minimum 5-gallon size and the remainder shall be minimum 1-gallon size at time of planting.
7. **Turf grass**
 - a. The minimum dimension of each area planted in turf grass is 8 feet.
 - b. The maximum slope of an area planted in turf grass is 4 to 1.
 - c. Turf grass may not constitute more than 80% of the required landscape area.
8. **Parking area** landscaping is in addition to other required landscaping. The parking area is subject to the following minimum standards:
 - a. Each planter island containing a tree shall have at least 288 square feet for double loaded parking and 144 square feet for single loaded parking, with an 8 foot minimum interior width protected by a 6 inch curb.

- b. At least 1 shade tree shall be planted for each 7 parking spaces for parking lots under 125 spaces in size. For those over 125 spaces, at least 1 shade tree shall be planted for each 10 parking spaces.
 - c. All areas used for landscaping shall be surrounded by curbing at least 6 inches in height and 4 inches in width, and shall be constructed of reinforced concrete.
 - d. Landscaping strips, a minimum of 10 feet in width (except as otherwise specified in this title) shall be provided along public street frontages. One tree shall be planted in the landscaping strips for each 25 feet of street frontage.
- 9. Ground covering shall be provided over the entire landscape area to prevent erosion, inhibit weed growth, and to present an aesthetically pleasing appearance. Ground covering may include:
 - a. Living plants, such as shrubs, turf grasses, vines, , or other living ground covers. Ornamental grasses and shrubs need to be 30 inches in height at maturity.
 - b. Decorative rock, pavers or other non-living materials may also be used.
 - c. Non-living materials may not be used for more than 10% of the total landscaped area and excludes the areas of temporary coverage allowed for all plant and ground cover maturity.
- 10. The following types of trees are prohibited in landscaping as required by this Section because of undesirable characteristics: Populus genus (poplars and cottonwoods), salix genus (willows), ulmus genus (elms), and zelkova genus (zelkova).
- 11. If specimens of these trees exist on a site to be landscaped, they may be retained and counted towards the required number of trees.
- 12. All landscaped areas shall be watered by a water-conserving irrigation system including drip, low-arching and/or low-gallonage heads, as appropriate, controlled by an automatic timer.

(Ord. 1839, 1994: Ord. 1730, 1992: Ord. 1447 § 5, 1984: Ord. 135 § 37, 1981: Ord. 197 § 1, 1980: Ord. 188 § 1 (part), 1980.) (Ord. 2417, Amended, 11/10/2008; Ord. 2206, Amended, 01/12/2004)

E. Buffer Requirements



The intent of buffering is to provide landscaped separation between residential and nonresidential uses and to screen from view certain land uses that may create visual clutter and distraction. The standards of this section provide for increases in the width and the opacity of the buffer as the land use intensity of the new or expanded development increases.

1. Applicability

- a. This section applies to any activity new construction adjacent to existing residential subject to this section (see subsection A, above).

b. Exemptions. This section does not apply to:

- i. Residential uses adjoining residential uses within the same residential zoning district.
- ii. Agricultural uses.
- iii. Nonresidential uses adjoining other nonresidential uses of the same zoning classification.
- iv. Any change of use that does not increase the existing building square footage or parking area.
- v. Single-family dwellings located on an existing lot of record.
- vi. Contiguous commercial parcels or land areas under common ownership.

c. Reduction in Required Buffers. The buffer requirements are reduced where a buffer exists on an abutting property, and the net buffer satisfies the minimum buffer requirements of this section.

2. Buffering

- a. Evergreen trees shall be planted to screen parking lots and non-residential building walls to provide a visual barrier between non-residential and residential uses. In no instance shall evergreen trees be planted further apart than 30 feet on center.

F. Bonding requirements

- 1. All landscaping material for a development project shall be installed in accordance with the landscape plan. A surety bond is required if the landscaping is not satisfactorily installed at the time a certificate of occupancy or business license is requested. The bond shall be written by a surety company authorized to do business in this state, to be filed with the City Clerk prior to issuance of a certificate of occupancy.
- 2. In lieu of filing a surety bond, cash, a cashier's check, or a letter of credit issued by a bank licensed in this state may be filed with the city clerk.
- 3. The bond, cash deposit, cashier's check, or letter of credit shall be in an amount sufficient to ensure the installation of all required landscaping as required by this section.
- 4. The Administrator shall inspect the landscaping to insure proper installation according to the approved landscape plan.
- 5. The bond, or equivalent surety, will not be released until final approval of the landscaping.

6. If the landscaping material is not installed in accordance with the landscape plan, the Administrator may cause the bond, cash deposit, or letter of credit to be forfeited in an amount necessary to complete the installation. The Administrator may waive the surety requirement.

(Ord. 1730, 1992: Ord. 1447 § 7, 1984: Ord. 1297 § 2, 1980: Ord. 1288 § 2 (part), 1980.)

G. Maintenance

1. If any portion of the landscaping material or irrigation equipment is damaged or destroyed, the owner, operator or other person in control of the development project shall replace or repair the damage or injury within thirty days following notification from the Administrator of the damage. If the season of the year makes this repair or replacement infeasible within the thirty-day period, the person responsible for the landscaping shall schedule an appropriate time for the accomplishment of this work with the Administrator.
2. If the repair or replacement is not accomplished in a timely fashion as described in subsection 2, the Administrator may initiate proceedings to revoke the Conditional use permit or business license for the subject use.

(Ord. 1730, 1992: Ord. 1447 § 8, 1984: Ord. 1288 § 1 (part), 1980.)

H. Landscaping at Site Entries

1. The project entry shall be treated with special landscape elements that will provide an individual identity to the project (i.e., special paving, graphic sign, specialty lighting, specimen trees, and flowering plants).
2. Entry/access drives for multi-family/attached single family projects with more than 50 units shall include at least one of the following:
 - a. a minimum of 5 foot wide (exclusive of curbs) landscaped median;
 - b. textured paving, interlocking pavers or rough textured concrete;
 - c. other "gateway" elements such as lights, bollards, monument/statue, entry walls, etc., as approved by the Administrator.
 - d. a roundabout containing landscaping and/or water fountain/feature, artwork, etc.
3. In Parking lots with over 125 parking stalls, a main entry drive shall extend from the public street to the front cross aisle and shall:
 - a. Include a minimum 4 foot wide sidewalk from the street to the front cross aisle on at least one side.
 - b. Include 10 foot wide landscape parkways on each side.
 - c. Prohibit parking stalls along the entry drive.

- d. Include a minimum 7 foot wide enhanced paving crosswalk to delineate the pedestrian crossing at the public sidewalk.

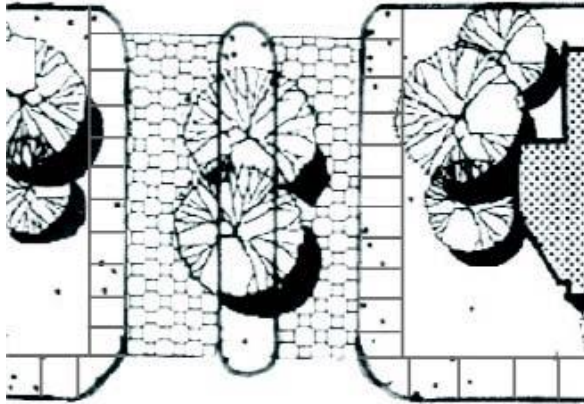


Figure 2 Illustration of Entry Detail



Figure 3 Example of Apartment Entrance with Pavers/Landscaping

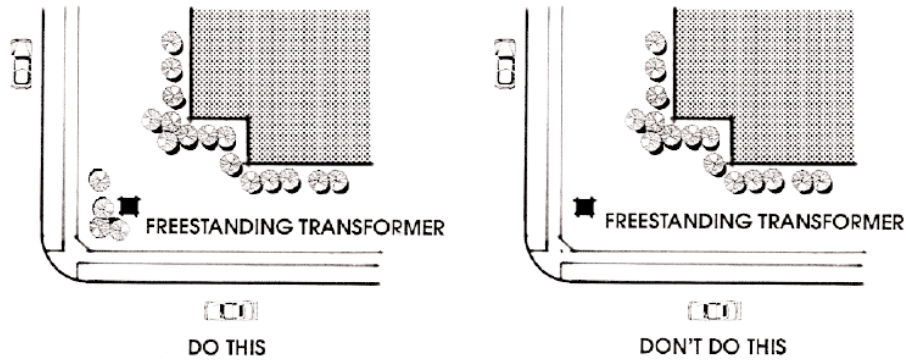
I. Landscaping of Open Space and Recreational Areas

J. Trash Enclosure and Mechanical/Electrical

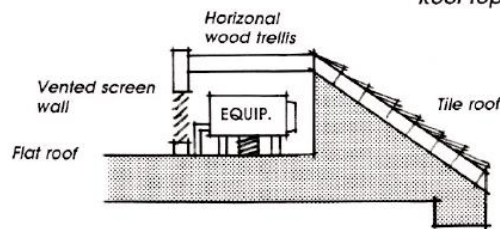
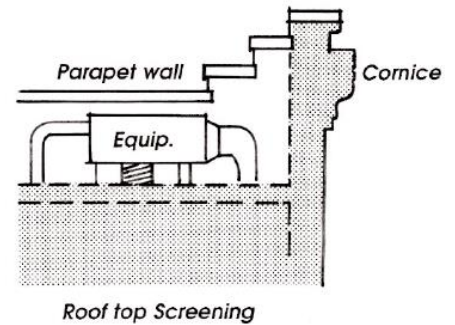
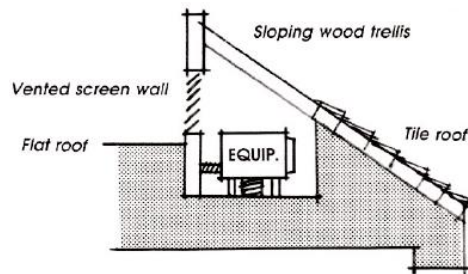
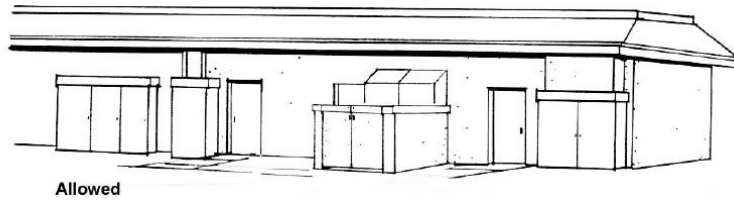
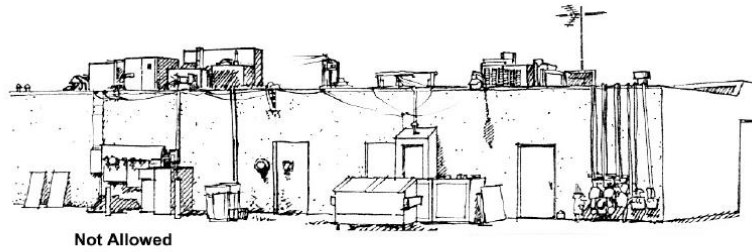
1. Trash enclosures shall allow convenient access from each tenant.
2. Trash enclosures shall be constructed to be architecturally compatible with the project. All trash enclosures shall be treated with anti-graffiti material. The trash enclosure shall be constructed of substantial building materials used in the design of the building(s). The gates shall be constructed of durable material that screens the trash enclosure as depicted in Figure 4 below. Wood and chain link gates are not allowed.



3. Switch boxes, transformers, electrical and gas meters, including ground mounted air conditioning units and other above ground or building mounted utility elements (including antennas or satellite disks), shall be screened or located out of view from public roads, driveways and common public areas, such as exterior entrances.



4. All roof-mounted equipment shall be screened with a parapet from adjacent properties, public rights-of-way, and driveways/common areas within project. The screening elements shall be designed to be compatible with building architecture.



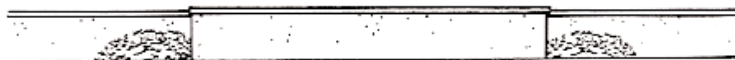
K. Walls. The following standards shall be used for the consistent design of perimeter walls:

1. Walls shall be **decorative** using materials and colors to complement the architectural design of the adjacent buildings/development theme as approved by the Administrator.
2. Walls shall incorporate at least one of the following every 50 linear feet:
 - a. At least a 2-foot change in plane for at least 10 feet;
 - b. At least 18-inch raised planter for at least 10 feet;
 - c. Use of a pilaster at 75-foot intervals, on property corners or at changes in wall planes; or

- d. A section of open metal fencing at least 4 feet in height for at least 10 feet.
- 3. Walls adjacent to a public walkway (sidewalks, path/trails, etc.) shall have masonry construction (either solid or with metal fencing insets) and a landscaped setback of at least 6 feet. At least 6 feet of fully landscaped and irrigated area shall separate sidewalks and walls (decorative, buffer or retaining).
- 4. Walls or solid fences are not permitted between public open spaces and adjacent roads except upon approval of the Administrator.



Figure 4 Example of a Well Designed Wall



Elevation of Staggered Wall



Elevation of Wall /Wrought Iron Combination



Elevation of Solid Wall with Pilasters



Elevation of Wrought Iron with Pilasters

Figure 5 ILLUSTRATION OF WALLS

- 5. Walls between public open spaces shall have an open design and a maximum height of 4 feet. The Administrator shall approve solid fences/walls between open space and multi-family/attached single family developments.
- 6. There shall be a minimum separation between sidewalks and walls (decorative, buffer or retaining) of 4 feet. The separation area shall be fully landscaped and irrigated.
- 7. The maximum height of rockery is 6 feet.
- 8. All screening devices shall be properly maintained.

Section 20.04.006 Lighting



Purpose: this section sets forth criteria and standards to mitigate impacts caused by future development.

(Ord. 2163, Add, 02/10/2003)

A. Generally. Any lighting facilities shall be installed to reflect away from adjoining properties.

(Ord. 1074 § 1 (part), 1976.) (Ord. 2163, Amended, 02/10/2003)

B. Light. Any new development shall submit a photometric plan for review and approval by the Administrator at time of building permit demonstrating:

1. Any lighting facilities will be installed to reflect away from adjoining properties.
2. Covers will be installed on all lighting fixtures and lamps will not extend below the bottom of the cover.
3. Light standards in or within 100 feet of residential zones will not exceed 12 feet in height. Additional standard height may be permitted by the Administrator if lights are a sharp cutoff lighting system.
4. No permanent rotating searchlights are permitted in any zoning district, except that the Administrator may approve a temporary searchlight for up to 3 days and up to 3 times in any calendar year.

C. Lighting Design. The style and intensity of lighting shall consider not only function and appearance, but shall reflect the existing character of surrounding areas and shall replicate natural light color as much as possible.

D. Parking Lot Lighting.

1. The height of parking lot lighting shall not exceed 27 feet from grade of parking lot, the height of the tallest building on the site.
2. The parking lot lighting poles shall be decorative, complementary and consistent with the architecture of the project.

(Ord. 2163, Add, 02/10/2003)

Section 20.04.007 Patio Covers, Decks, and Building Projections



Purpose: this section establishes rules to administer the lot and setback regulations, and to provide for the appropriate development of lots in zoning districts.

A. .

B. Unenclosed/Enclosed Structures

1. Unenclosed structures

- a. **Location.** Unenclosed structures may extend to within 10 feet of a rear property line, but must not extend into any required front or side setback.
- b. **Height.** Unenclosed structures must not exceed the height of the permitted main structure.

2. Uncovered Structures Within 2 Feet above Grade

Uncovered structures not higher than the ground floor elevation of a building and not higher than 2 feet above grade at any point may –

- a. extend to the side and rear property lines, but
- b. must not encroach into a required front setback.

3. Uncovered Structures Higher than 2 Feet Above Grade

- a. Uncovered structures higher than 2 feet above grade at any point must comply with the setback requirements of the district in which the permitted structure is located
- b. Uncovered structures higher than 2 feet above grade must not exceed the height of the permitted principal structure.

(Ord. 1074 § 1 (part), 1976.) (Ord. 2402, Amended, 07/28/2008)

C. Building Projections

- 1. Cornices, overhangs and eaves may not project more than 2 feet into any required front, side, or rear setback.
- 2. Fireplaces, chimneys, greenhouse windows, bay windows, and other projections may project beyond the exterior wall of a building up to 2 feet and 10 square feet into any required setback.

(Ord. 1521 § 1, 1985; Ord. 1487 § 9, 1985; Ord. 1074 § 1 (part), 1976.) (Ord. 2402, Amended, 07/28/2008; Ord. 2206, Amended, 01/12/2004)

(Ord. 1074 § 1 (part), 1976.)

D. More than One Dwelling On One Lot

There may be one or more single-family dwellings on an SF lot or parcel if –

- 1. for every single-family dwelling there is at least the minimum area required per dwelling unit, and

2. the dwellings are situated on the site to permit division of the site into 2 or more lots or parcels which conform to the area and setback requirements of the zone where the lot or parcel is situated.

(Ord. 1325 § 32, 1981; Ord. 1074 § 1 (part), 1976.) (Ord. 2417, Amended, 11/10/2008)

Section 20.04.008 Parking & Loading



Purpose: this section sets minimum standards for off-street parking requirements for new construction and expansion of or changes to existing uses. This section ensures that uses have a minimum level of off-street parking to avoid congestion on surrounding streets without creating excessive parking, discouraging pedestrian access, driving up the cost of development, and inviting excessive levels of traffic congestion.

A. Applicability

1. Permanently maintained off-street parking shall be provided in accordance with this Section for all developed property within the City.
2. Lawfully established uses which do not conform to this Section are considered to be substandard developments (see Chapter 20.06 of this Title).
3. If the use of any developed lot or parcel is changed to increase the number of parking spaces required under this Section, all requirements of this Section apply to that lot or parcel.

B. Exceptions

1. All required parking must be located on the same site as the use it serves, except in the I, TC, C2, C1, and PO when off-site parking (excluding the public right of way) may be considered through a shared parking plan or alternative requirements through:
 - (a) Shared parking and alternative standards.
 - I. In any development where the requirements of this Section can be met by non-concurrent, joint use of the same spaces by more than one business, the Administrator may permit the parking requirement to be reduced accordingly.
 - II. The Administrator may approve the use of alternative parking space requirements based on Urban Land Institute, American Planning Association, Institute of Transportation Engineers, or other analytical studies approved by the Administrator, that take into account factors including monthly, hourly and weekly variation; peaking characteristics, ride share programs, proximity to transit stops and shared uses. The applicant shall justify the use of and appropriateness of alternative parking number calculations.
 - III. All joint use parking spaces shall be located within $\frac{1}{4}$ of a mile (1380 feet) of the uses that they serve. If the spaces are located off – site, this distance is measured from the property line of the use served.
 - IV. Major and Minor Deviations may be utilized.

2. All required parking must be on the same site it serves. Exceptions may be considered up to ¼ mile from the respective site in the Mixed Use District provided that:
 - a. Development within this district may use shared parking arrangements to reduce overall parking requirements, as provided in Chapter 20.04. On-street parking along the frontage of any use is counted toward required off-street parking.
 - b. Onsite parking requirements may be further reduced through a Shared Parking Credit.
 - c. The Zoning Administrator may approve additional parking credits if the applicant provides a parking study that demonstrates that parking demands will be met with an alternative parking configuration or requirement.
3. A low income parking credit may be provided by the Administrator for residential uses that are income or rent restricted and are at or below 45% of AMI (Area Median Income) through a parking study.
4. For residential uses on lots or parcels occupied by no more than 4 dwelling units, the Administrator may approve a parking layout which contains tandem parking spaces.
5. In parking facilities accommodating at least twenty cars, up to 25% of the parking spaces required by this Section may be sized for compact cars. The spaces shall conform to the minimum sizes and design geometry for compact cars, contained in subsection D, and shall be given preferred locations within the facility. Each compact space shall be clearly marked "compact only."
6. **Parking for the disabled** shall be provided in all parking facilities serving the public.
 - a. One accessible parking space shall be provided as follows:

Table 20.04.011-2 Accessible Parking Spaces

Total Parking spaces provided	Required ADA spaces
1-25	1
26- 50	2
51-75	3
76-100	4
101-150	5
151-200	6
201-300	7
301-400	8
401-500	9
501-1000	2% of total
1000+	20 + 1 per 100 spaces over 1,000 spaces

- b.** One out of every 8 accessible spaces shall be van accessible. If only 1 accessible space is required, it must be van accessible. Accessible parking spaces shall be at least 8 feet wide and have an adjacent 5 foot wide aisle. Van accessible spaces shall be at least 8 feet wide and have an adjacent 8 foot wide aisle. These spaces shall be located on the shortest accessible route of travel to an accessible entrance. Those spaces must be indicated by a sign which complies with NRS 484.408 and the bottom of which is at least 7 feet above the ground. For all van accessible spaces, an additional sign indicating that it is van accessible shall be mounted below the above described sign.
- 7.** Off-street parking facilities shall be striped and otherwise marked so that individual spaces and aisles are clearly indicated. Directional markers and signs indicating spaces reserved for compact cars and the handicapped shall be painted on the pavement or placed on standards, as directed by the Administrator.
- 8.** All off-street parking lots as well as driveways and access roads must be paved. The Administrator may grant an exception for any parking lot which is, of necessity, subject to regular use by heavy construction equipment. A conditional use permit may authorize the temporary use of unpaved parking lots for up to 1 year. Designs for paving, curb and gutter, sidewalks, utilities and drainage for all off-street parking facilities shall be approved by the Administrator prior to construction.

(Ord. 1917, 1997; Ord. 1800, 1993; Ord. 1725, 1992; Ord. 1615 § 1, 1988; Ord. 1487 § 12, 1985; Ord. 1463 § 1, 1984; Ord. 1398 § 1, 1983; Ord. 1325 § 44, 1981; Ord. 1074 § 1 (part), 1976.) (Ord. 2417, Amended, 11/10/2008; Ord. 2342, Amended, 10/09/2006; Ord. 2298, Amended, 09/12/2005)

C. Number of Off-street Parking Spaces Required

1. This section specifies the required number of off-street parking spaces related to various land uses.
2. For any use not specifically covered by one of the following categories, the requirement shall be determined by the Administrator based on actual parking demand associated with that use.
3. The Administrator may require spaces in addition to those specified in this section if special circumstances exist.

Table 20.04.011-3 Parking Ratios

		Use (see Section 20.02.014 (Use Table))	Parking spaces required (sf = building gross floor area unless otherwise provided)
Residential			
Residences	Dwelling, single-family detached		1 per dwelling unit
	Dwelling, two-family (duplex)		1 per dwelling unit
	Multi-family Building \leq 110 units		1 per dwelling unit
	Multi-family Building $>$ 110 units		1 per dwelling unit
	Live/work dwelling		1 per dwelling unit
	Manufactured home park		1 per dwelling unit
Group Living:	Boarding / rooming house		0.5 per bedroom
	Group home		1 per 400 sf
	Life care or continuing care services		1 per 400 sf
	Halfway house		1 per 400 sf
Lodging / Short-Term Rental			
	Bed and breakfast		1 per guest room plus 1 per 800 sf of restaurant space
	Hotel / Motel ($<$ 20 units)		1 per guest room plus 1 per 800 sf of restaurant or public meeting space
	Hotel / Motel (\geq 20 units)		1 per guest room plus 1 per 800 sf of restaurant or public meeting space
	Recreational vehicle park		1 per 4 recreational vehicle or camping spaces
	Resort, dude/guest ranch		1 per guest room
Commercial / Mixed Use			
Animal Services*:	Animal services, indoor		1 per 1,500 sf
	Animal services, overnight (whether indoor or outdoor)		1 per 1,500 sf
Financial Services:	Payday loan establishment		1 per 400 sf
	Automated teller machine, stand alone		n/a
	Title loan		1 per 400 sf
	Financial institutions (including banks)		1 per 400 sf
	Pawnbroker		1 per 400 sf
Food & Beverage Sales / Service:	Craft Distillery		1 per 1,500 sf
	Grocer / Food market		1 per 300 sf
	Liquor store		1 per 300 sf
	Farmers market		n/a
	Food preparation		1 per 300 sf
	Mobile vendor		n/a
	Restaurant ♦		1 per 300 sf
Mixed Use:	Mixed use building (\leq 20,000 sf)		1 per 500 sf
	Mixed use building ($>$ 20,000 sf)		1 per 500 sf
Office, Business & Professional:	Office ♦		1 per 800 sf
Personal / Business services:	Bail bond services		1 per 500 sf
	Copy center		1 per 300 sf
	Courier and messenger services		1 per 800 sf
	Funeral & interment services		1 per 1,500 sf
	Crematorium		1 per 1,500 sf
	Maintenance & repair services		1 per 1,500 sf

Use		Parking spaces required
(see Section 20.02.014 (Use Table))		(sf = building gross floor area unless otherwise provided)
Retail sales:	Personal services ♦	1 per 300 sf
	Tattoo parlor	1 per 500 sf
	Wedding chapel	1 per 1,500 sf
	Auction house	1 per 500 sf
	Building material sales & services	1 per 400 sf
	Convenience store	1 per 250 sf
	Nonstore retailers	1 per 800 sf
	Nursery (commercial, retail and wholesale)	1 per 500 sf
Vehicles / Equipment:	Retail, general	1 per 300 sf
	Auto and truck repair (light)	1 per 500 sf
	Auto and truck repair (heavy)	1 per 500 sf
	Car Wash	1 per 1,500 sf
	Gas station	1 per 1,000 sf
	Manufactured Home Dealers	1 per 2,000 sf
	Truck stop	1 per 300 sf
	Vehicle or equipment sales and rentals	1 per 500 sf (indoor sales area only), 1 per 500 sf indoor repair and maintenance space
Public/Civic/Institutional		
Day Care:	Adult day care	1 per 1,000 sf
	Child care facility	1 per 350 sf
	Child care, In-home	n/a
Assembly Uses:	Cemetery	n/a
	Church or worship center	1 per 150 sf
	Event Center / Banquet Hall	1 per 150 sf
	Exhibition, convention, or conference facility	1 per 150 sf
	Fraternal club / lodge / community service facility	1 per 150 sf
Government / Non-Profit:	Correctional institutions	1 per 800 sf
	Public maintenance facility	1 per 1,500 sf
	Public Safety Facility	1 per 800 sf
	Social assistance, welfare, and charitable services	1 per 800 sf
Educational:	College, technical school	1 per 500 sf
	School (public or private)	1 space for each 1.5 students, faculty and staff based on design capacity (high school) 2 spaces per classroom plus 1 space per 100 students based on design capacity (junior/middle) 1 space per classroom and 1 space per 100 students based on design capacity (elementary)
	Personal instructional services	1 per 500 sf
Medical:	Hospital	1 per 400 sf
	Medical office, clinic, or laboratory ♦	1 per 500 sf
	Medical office, clinic, or laboratory (more than 50,000 sf gfa)	1 per 400 sf
	Medical marijuana production or cultivation	1 per 200 square feet of net leasable area

		Use	Parking spaces required
		(see Section 20.02.014 (Use Table))	(sf = building gross floor area unless otherwise provided)
Arts, Entertainment, & Recreation:	Medical marijuana dispensary		1 per 200 square feet of net leasable area
	Adult business		1 per 200 sf
	Bar / Lounge ♦		1 per 400 sf
	Cultural Institution		1 per 400 sf
	Gaming establishment (non-restricted)		1 per 100 square feet of gaming floor, plus 1 per 300 sf for accessory uses such as shops, bars, restaurants, showrooms, meeting rooms, and hotel rooms o
	Entertainment facility / Theater		1 per 300 sf
	Health/fitness club		1 per 150 sf
	Park / open space		n/a
	Recreational Facility, Minor		1 per 200 sf
	Recreational Facility, Major		1 per 200 sf
Industrial			
Manufacturing & Employment:	Contractor shop		1 per 1,500 sf
	Data Processing, Hosting, and Related Services (including data centers)		1 per 1,000 sf
	Industrial Services		1 per 1,000 sf
	Media Production		1 per 1,000 sf
	Mining & quarrying		n/a
	Outdoor Processing		1 per 1,500 sf
	Production, Craftwork		1 per 1,000 sf
	Production, General		1 per 1,000 sf
	Research and development		1 per 1,000 sf
	Building and landscaping materials supplier		1 per 2,000 sf
Warehousing, Storage & Distribution:	Building maintenance services		1 per 2,000 sf
	Commercial and industrial supply and equipment providers		1 per 2,000 sf
	Freight facilities		1 per 2,000 sf
	Fuel Distribution or Recycling		1 per 2,000 sf
	Machinery and heavy equipment sales and service		1 per 2,000 sf
	Mini-warehouse		1 per 2,000 sf
	Oil & gas storage		1 per 2,000 sf
	Outdoor storage		1 per 2,000 sf
	Vehicle towing and storage facility		1 per 2,000 sf
	Wholesale distribution, warehousing and storage		1 per 2,000 sf
Infrastructure			
Transportation / Parking:	Ground passenger transportation (e.g. taxi, charter bus)		1 per 1,000 sf
	Bike share kiosk		n/a
	Heliport / miscellaneous air transportation		1 per 1,000 sf
	Parking facility		n/a
	Railroad freight yard or building		1 per 2,000 sf
	Transportation passenger terminal		1 per 1,000 sf
Utilities:	Co-generation facility		n/a

		Use	Parking spaces required
		(see Section 20.02.014 (Use Table))	(sf = building gross floor area unless otherwise provided)
Communications facilities:	Utility, Major	n/a	
	Utility, Minor	n/a	
	Renewable energy production	n/a	
	Communications facility	n/a	
	Wireless communication tower or antenna	n/a	
	Weather or environmental monitoring station	n/a	
	Hazardous waste disposal	n/a	
	Hazardous waste transfer	n/a	
Waste-related:	Metal waste salvage yard / junk yard / auto dismantler	1 per 10,000 sf lot area	
	Recycling plant	1 per 1,000 sf	
	Remediation Services	1 per 10,000 sf lot area	
	Transfer Station	n/a	
Agriculture			
	Farm or ranch	n/a	
	Urban agriculture	n/a	

- When an existing building is expanded, parking and loading spaces shall be added to meet the requirements of the parking ratio table for the entire building. Exceptions may be considered as outlined in this chapter.

5.

(Ord. 1615 § 3, 1988; Ord. 1398 § 3, 1983; Ord. 1074 § 1 (part), 1976.) (Ord. 2417, Amended, 11/10/2008; Ord. 2388, Amended, 02/11/2008)

D. Parking Geometry

- All required off-street parking facilities shall be designed and constructed according to the following geometric configurations:

Table 20.04.011-4 Individual Parking Space Requirements (feet)

Angle A (degrees)	D	L	N	P	Q	V	W	X	Y
0 12*	9.0	24	21.0	30.0*	-	24.0	9	-	-
15 12*	13.4	18	25.4	38.8*	4.7	34.8	9	17.4	2.3
30 12*	16.9	18	28.9	45.6*	9.0	18.0	9	15.6	4.5
45 12*	19.1	18	31.1	50.2*	12.8	12.7	9	12.7	6.4
60 16	20.1	18	36.1	56.2*	15.6	10.4	9	9.0	7.8
75 24	19.7	18	43.7	63.4	17.4	9.3	9	4.6	8.7
90 24	18.0	18	42.0	60.0	18.0	9.0	9	-	9.0

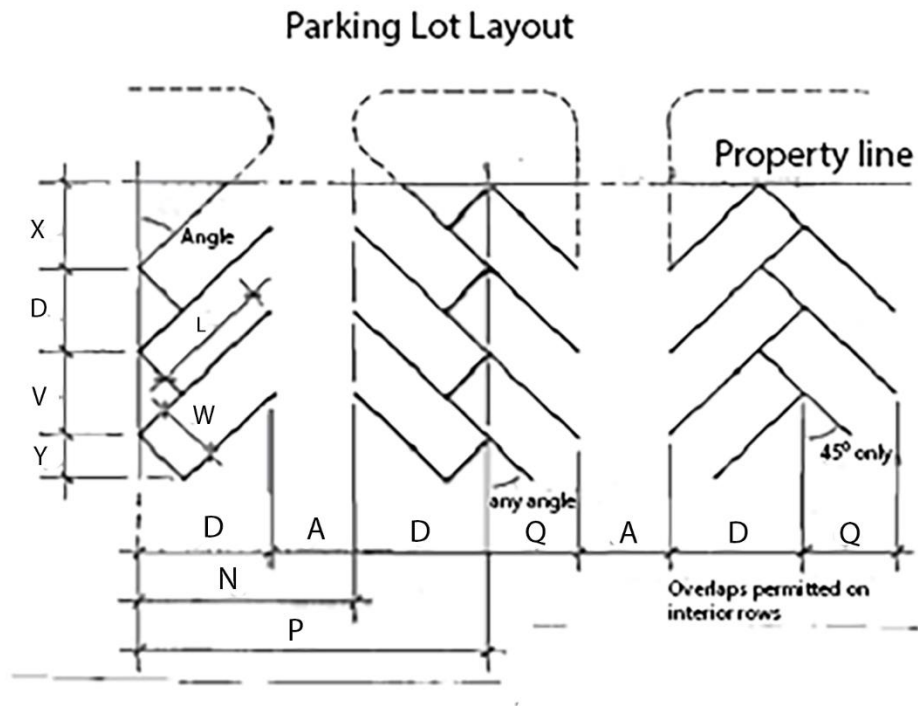
Table 20.04.011-5 Compact Cars

Angle A (degrees)	D	L	N	P	Q	V	W	X	Y
0 12*	8.0	21	20.0	28.0*	-	21.0	8	-	-
15 12*	11.9	16	23.9	35.8*	4.1	30.9	8	15.5	2.1
30 12*	14.9	16	26.9	41.8*	8.0	16.0	8	13.9	4.0
45 12*	17.0	16	29.0	46.0*	11.3	11.3	8	11.3	5.7
60 16	17.9	16	33.9	51.8*	13.9	9.2	8	8.0	6.9
75 24	17.5	16	41.5	59.0	15.5	8.3	8	4.1	7.7
90 24	16.0	16	40.0	56.0	16.0	8.0	8	-	8.0

*Minimum aisle width for two-way traffic is 20 feet.

(Ord. 1487 § 13, 1985: Ord. 1446 § 1, 1984: Ord. 1398 § 4, 1983: Ord. 1325 § 46, 1981: Ord 1074 § 1 (part), 1976.)

2. Wheel stops or curbs shall be provided where parking adjoins landscaping and sidewalks. A 3 foot overhang is permitted where parking abuts a landscape strip.



E. Parking District No. 1

- The purpose of Town Center Parking District No. 1 is to –
 - provide for the use of parking spaces in city owned facilities to provide businesses within the district which are not able to provide the required off-street parking required by this Section, and
 - provide for leasing of parking spaces in city owned parking facilities to private businesses to further the goals of the redevelopment effort.

(Ord. 1398 § 7, 1983.)

1. Victorian Square Parking District no. 1 is established.

2. **Boundaries.** The boundaries of the parking district are described as follows:

Beginning at the intersection of the centerline of Victorian Avenue and the centerline of Fifteenth Street, and proceeding thence northerly along said extended line to its intersection with the centerline of D Street and Victorian Plaza Circle, thence easterly along the centerline of D street to its intersection with the centerline of the Pyramid Way, with the centerline of Victorian Avenue, extended westerly along said centerline to its point of origin.

(Ord. 1398 § 5, 1983; Ord. 1225 § 1 (part), 1979.) (Ord. 2388, Amended, 02/11/2008)

3. **Parking Space Fee**

- a. The City Council may, by resolution, approve and adopt a form of agreement for the use of spaces in the parking district which include, but are not limited to, penalties for late

payments, security for the payment of obligations, maintenance provisions and procedures to withdraw from the parking district.

- b.** Terms of this agreement may be negotiated subject to specific redevelopment agreements developed in cooperation with the Sparks Redevelopment Agency.

(Ord. 1463 § 2, 1984; Ord. 1398 § 9, 1983; Ord. 1225 § 1 (part), 1979.) (Ord. 2388, Amended, 02/11/2008)
(Ord. 1398 § 10, 1983; Ord. 1225 § 1 (part), 1979.) (Ord. 2388, Amended, 02/11/2008)
(Ord. 1225 § 1 (part), 1979.) (Ord. 2388, Amended, 02/11/2008; 2009, Amended, 10/26/1998)

- 4.** Requirements for commercial uses marked with a diamond (◆) in Parking Ratio Table are modified for **Parking District No. 1** by the following exemption program:
 - a.** the indicated commercial uses are exempt from all parking requirements if they qualify based on one of the following 3 criteria:
 - i.** New construction of a building less than 10,000 square feet in size;
 - ii.** New construction of a building addition where the total area of the building addition and the existing building is less than 10,000 square feet in size;
 - iii.** An indicated commercial use occupying an existing building of less than 10,000 square feet in size.
 - b.** If the 10,000 square foot limit is exceeded for an indicated commercial use, the use shall receive a parking exemption equal to the 10,000 square foot limit, and is responsible for providing parking for the area exceeding the 10,000 square foot limit in accordance with the requirements listed in the parking ratio table.
 - c.** If a business has existing excess parking, it may count that excess parking towards any new parking required as a result of expansion or new construction.
- 5. Petition for inclusion in the parking district.** At any time following the district formation, any parcel of land, whether contiguous or noncontiguous to the district, may be added to the district if the use is identified with an diamond and the owner of such parcel files with the City Council a petition for inclusion and the City Council grants such petition. The City Council must find that sufficient additional parking space is available in the parking district and that inclusion will benefit the parking district in order to grant the petition. If the petition is granted, the parcel is then entitled to the same rights as those which apply to other lands in the district, and is subject to all fees levied on a district member.
- 6.** Requirements for hotel/casino uses in Victorian Square Parking District No. 1 are 50% of what is required in Table 20.04.011-3 Parking Ratios.

F. Off-street Loading

1. 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 off-street**.

(Ord. 1325 § 33, 1981; Ord. 1074 § 1 (part), 1976.) (Ord. 2417, Amended, 11/10/2008)

2. Loading Space Design

- a. Each required loading space shall be at least 10 feet by 45 feet with a 14 foot height clearance.
- b. For a non-residential building containing less than 3,000 square feet of gross floor area, a combined parking and loading area is acceptable.

3. Number of Off-street Loading Docks Required

Use / District	Building Size (<i>gfa</i>)	Loading Spaces Required
Non-residential building	3,000 - 20,000 sf <i>gfa</i>	1
	20,001 - 40,000 sf <i>gfa</i>	2
"I" Industrial District	Each 20,000 square feet, or majority fraction, of non-residential <i>gfa</i> greater than 40,000 square feet	1 additional loading space

(Ord. 2417, Add, 11/10/2008)

Section 20.04.009 Signs

 *Section 20.56.010 Purpose, scope and authority.* The purposes of these sign regulations are:

- *To encourage the effective use of signs as a means of communication in the city; and*
- *To maintain and enhance the aesthetic environment and the city's ability to attract sources of economic development and growth; and*
- *To improve pedestrian and traffic safety; and*
- *To minimize the possible adverse effect of signs on nearby public and private property; and*
- *To balance the rights of businesses and individuals to convey messages through signs against the aesthetics and safety hazards that come from the proliferation of sign clutter.*
- *To enable the fair and consistent enforcement of these sign regulations.*

This chapter is adopted pursuant to the powers conferred to the city in Chapter 278 of Nevada Revised Statutes and the Sparks City Charter.

A. Applicability-Effect

1. It shall be unlawful to display, erect, place, establish, paint, or maintain a nonexempt sign in the city except in conformance with the standards, requirements, limitations and procedures of this ordinance.
2. The effect of this ordinance as more specifically set forth herein, is:
 - a. To prohibit all signs except as permitted by this Section;
 - b. To allow a variety of types of signs in tourist commercial, commercial and industrial zones, and a limited variety of signs in other zones, subject to content neutral standards requirements and limitations;
 - c. To allow certain signs that are appropriately sized and incidental to the principal use of the respective lots on which they are located, subject to the substantive requirements of this ordinance, but without a requirement for permits;
 - d. To establish standards, requirements and limitations, and a permit system that honor constitutional rights and requirements; and
 - e. To provide for the enforcement of the provisions of this Section.

3. The effect of this sign ordinance on the Mixed Use zoning district (MUD) is as follows:

TOD Land Use Category	Applicable Signage Regulation
Residential Neighborhood	MF zoning district
Mixed Residential	PO zoning district
Downtown/Victorian Square	TC zoning district
Mixed Use Commercial	C2 zoning district

B. Definitions

Adjacent	Abuts, is contiguous to or shares a common boundary.
Administrator	The person defined in Chapter 20.08 of this Title, and any person to whom he has delegated applicable powers and duties.
Allowable sign area	The total area permitted for all nonexempt signs on a site with certain exceptions expressed in this chapter.
Arterial Roadway	A street designated as an arterial roadway in the Transportation Master Plan.
Banner	Any sign of fabric, plastic or similar material that is mounted to a pole, structure or a building at one or more edges.
Beacon	Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same site as the light source; also, any light with one or more beams that rotate or move.
Building.	See Chapter 20.08.
Building frontage	The length of the wall of a completely enclosed <i>main</i> and permanent building on a site which fronts directly on a public or private street or right of way.
Building ground floor area	The area of the ground floor enclosed within the walls of all buildings on the site.
Building identification sign	A sign that identifies the name, <i>street address</i> or ownership of the building, with no other text.
Building marker	A sign indicating the name of a building and date and incidental information about its construction, which sign is cut into masonry surface or made of bronze or other permanent material affixed to a building.
Building sign	Any sign attached to or painted on any part of a building, as contrasted to fence, freestanding and or monument signs.
Bus Stop	A bench, shelter, kiosk, or pole sign or similar structure placed by the Regional Transportation Commission along an established public transportation route to mark an area for members of the general public to wait for and get on or off of public transportation.
Business frontage	The length of the face or wall of a completely enclosed and permanent building occupied by an individual building occupant and contains a customer entrance. An occupant may have more than one business frontage if it occupies building frontage facing on two or more streets or public areas. If the building faces two or more streets or public areas, only the two frontages may be used in calculating allowable sign area.
Cabinet sign	A building sign which is an enclosed cabinet with copy on one or more sides and may enclose an integrated light source that can shine through the sides or face of the sign.
Canopy sign	Any sign that is a part of or is attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.
Changeable copy sign, manual	A sign or portion thereof which has a reader board for the display of text information in which each alphanumeric character, graphic or symbol, and may be changed or re-arranged manually with characters, letters or illustrations that can be changed or rearranged without altering

	the face or surface of the sign.
Channel lettering	Copy which is individually cut, raised, carved, or manufactured.
Civic display	A temporary display of banners, balloons, flags, lights or similar decorations erected on a public street or other public property in connection with a holiday, or civic event.
Commercial center	A group of contiguous lots organized into a shopping center, strip mall, business park, office condominium or similar grouping that share mutual access, ingress and egress easements.
Commercial message	Any sign wording, logo, or other representation that, directly or indirectly, names, advertises or calls attention to a business, product, service, or other commercial activity or is otherwise defined as “commercial speech” by the Nevada Supreme Court, the United States District Court for the District of Nevada, the Ninth Circuit Court of Appeals, or the United States Supreme Court for purposes of interpreting the United States Constitution or Nevada constitution regarding freedom of expression or speech.
Community directory sign	A sign, or a group of signs designed as a single display, which gives information about local churches or civic organizations.
Copy	Includes characters, letters, symbols (including logos and trademarks), illustrations and writings.
Co-tenancy	A business which leases or rents space to tenant(s) or business(es) that are housed within their building though they operate as an independent business.
Department	The Community Services Department of the City.
Digital Sign	A sign or portion thereof that displays electronic, static images, static graphics, text information, or static pictures, with or without information, defined by a small number of matrix elements using combinations of light emitting diodes (LED), fiber optics, light bulbs, liquid crystal display (LCD) or other illumination devices within the display area. Digital Signs include computer programmable, microprocessor controlled electronic or digital displays.
Direct Lighting	The light fixture or bulbs are visible when looking at the light source or sign.
Directional sign	A permanent sign that directs the flow of traffic or pedestrians and may or may not contain a commercial message. Directional signs shall not exceed four (4) square feet. If the directional sign is considered a monument sign as defined herein, it shall not exceed four (4) in height.
Directory sign	A sign, or a group of signs designed as a single display, which gives information about the location of businesses, buildings or addresses within a residential, office, commercial or industrial complex, and no commercial message.
Dissolve	See “Modes of Operation.”
Fade	See “Modes of Operation.”
Fence sign	A sign that is mounted or painted on a fence or soundwall.
Flag	A piece of fabric varying in shape, color and design usually attached at one edge to a staff, pole or cord which contains a noncommercial message as defined herein.

Flashing Sign	See "Modes of Operation."
Freestanding sign	A sign which exceeds six feet in height which is placed on or anchored to the ground or is supported by a sign structure that is placed on or anchored to the ground and is independent from any building or other structure. See section 20.56.170.c for definition of special freestanding sign.
Frontage	A portion of a site that fronts directly on a public or private street or right of way. See "building frontage," "business frontage" and "site frontage."
Grade	(Unless otherwise specified) the average of the highest and lowest elevations of the ground at the base of the sign.
Gross Floor Area	The sum of the square footage of all the floors of a structure or building.
Halo Illumination	See illumination
Height	(Unless otherwise specified) the vertical distance from the topmost part of the sign cabinet or copy (whichever is higher) to grade.
Holiday decoration	Any display commonly associated with a holiday as defined in NRS 336.015.
Illegal sign	A sign which was erected or put up after the effective date of this Section and does not comply with this Section. The term specifically includes a temporary or election period sign which is left up beyond the time allowed.
Illuminance	The amount of light that is incident to the surface of the sign. This is the method for describing ambient light levels or the amount of light that is projected onto a front-lit sign. This is typically measured in foot candles.
Illumination	Refers to the type and location of the light source for the sign: <ul style="list-style-type: none"> • All Types of illumination: Any form of light source including indirect, internal, exposed bulb including neon or other tubes of light. • Halo Illumination: A form of internal illumination where channel lettering is used and the light source is hidden behind and glows around the edges of letters or symbols giving the effect of a light halo. • Indirect illumination: Illumination which is cast on a sign from a source outside the sign. • Internal illumination: Illumination produced by a light source contained within a sign and not directly visible from outside. • Liquid-Crystal Display (LCD): A low-power, flat-panel display used in many digital devices to display numbers or images. It is made of liquid containing crystals that are affected by electric current, sandwiched between filtering layers of glass or plastic. LCDs do not produce light of their own; instead, when electric current is passed through the material, the molecules of the "liquid crystal" twist so that they either reflect or transmit light from an external source. • Light-emitting Diodes (LED) Lighting: A type of solid state lighting that utilizes light-emitting diodes (LED) as a source of illumination rather than electrical filaments or gas. If the sign is made up of matrix of bulbs or light source that individually light up to form images, it will be considered a digital sign and shall comply with Section 20.56.170F. • Neon: A type of illumination that is produced by neon lights or by

lamps containing similar gases such as helium, carbon dioxide, argon or krypton usually electrifying glass tubes or bulbs.

Incidental sign	A sign posted on private property by the owner of the property which is generally informational, contains no commercial message, and has a purpose secondary to the use of the site on which it is located, such as traffic control signs, parking or loading control signs, signs indicating the location of telephones or emergency equipment, and other similar signs. Official signs are not incidental signs.
Indirect illumination	See “illumination”
Internal illumination	See “illumination”
Interactive Sign	A digital sign that changes the sign message based on a passing vehicle or person. Radar speed signs or other traffic control signs are exempted from this definition.
Liquid-Crystal Display (LCD)	See “illumination”
Light-emitting Diodes (LED) Lighting	See “illumination”
LED sign	A sign that is lit by use of light-emitting diodes (LED) lighting visible from the outside. Refer to Digital Sign for regulations.
Linear distance	That no part of a sign may be within the specified distance of any part of any other sign which is on the same side of the street to which the first sign is oriented.
Lot	Is defined in Chapter 20.08 of this Title.
Luminance	The physical measurement of brightness or illumination leaving a surface in a particular direction, or reflected off that surface, and can be thought as measuring the brightness of a surface as seen by the eye. It is measured in candelas per square meters (cd/m^2) or nits (one nit = one cd/m^2).
Marquee	Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designated and constructed to provide protection from the weather.
Modes of operation	The types of visual display: <ul style="list-style-type: none"> • Static: Signs which include no animation or effects simulating animation. • Fade: Signs where static messages are changed by means of varying light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility. • Dissolve: Signs where static messages are changed by means of varying light intensity or pattern, where the first message gradually appears to dissolve and lose legibility simultaneous to the gradual appearance and legibility of subsequent message. • Flashing sign: A sign which uses blinking or intermittent illumination. • Message Sequencing: Signs where a single thought, idea, concept,

message or advertisement for a product or service that is divided into segments and presented over two or more successive display phases of a single dynamic sign or across two or more individual dynamic signs.

- **Travel:** Signs where the message is changed by the apparent horizontal movement of the letters or graphic elements of the message.
- **Scrolling:** Signs where the message is changed by the apparent vertical movement of the letters or graphic element of the message.
- **Video Display:** Signs that change its message or background in a manner or method of display characterized by motion or pictorial imagery, which may or may not include text and depicts action or special effect to imitate movement, the presentation of pictorials or graphics displayed in a progression of frames which give the illusion of motion, including moving objects, moving patterns or bands of light or expanding or contracting shapes.

Message Sequencing	See "Mode of Display."
Monument sign	A sign which is equal to or less than 6 feet in height and is attached directly to the ground or is supported by a sign structure that is placed on or anchored in the ground and is independent from any building or other structure. See section 20.56.170.d for definition of special monument sign.
Moving sign	A sign where the sign, sign structure, or any part of the sign or sign structure physically moves or rotates by mechanical means. For example, a trivision sign is a moving sign. If the only moving part of a sign is a clock, the sign shall not be considered as a moving sign.
Neon	See "Illumination"
Neighborhood bulletin board	Any surface outside a building provided specifically to allow the posting of notices.
Noncommercial message	Any sign copy that is not a commercial message as defined above, and includes any definition of "noncommercial speech" by the Nevada Supreme Court, the United States District Court for the District of Nevada, the Ninth Circuit Court of Appeals, or the United States Supreme Court for purposes of interpreting the United States Constitution or Nevada constitution regarding freedom of expression or speech.
Nonconforming sign	Any sign which was lawfully erected prior to the adoption of an ordinance codified in this chapter, or amendments thereto, which would not be permitted under the ordinance or amendment. This definition shall include signs which were erected without a permit and which would require a permit under the current provisions of this chapter.
Official sign	Any sign owned by, or erected by or at the direction of the City in furtherance of the official duties of the City or another governmental agency, including, but not limited to, traffic control signs, directional signs, street identification signs, warning signs, parking control signs, area identification signs, and signs prohibiting or controlling access to

	property.
Parcel of land	Is defined in Chapter 20.08 of this Title.
Pennant	Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.
Person	Is defined in Chapter 20.08 of this Title.
Portable sign	A movable sign that is not permanently attached to a structure or the ground, and includes: A-frame, portable reader boards and similar signs. This definition does not include any signs on trailers, vehicles or digital.
Projecting sign	Any sign affixed to a building or wall in such a manner that its face is not parallel to the wall. A marquee is not considered a projecting sign.
Radius distance	That no part of a sign may be within the specified distance from any part of any other sign.
Residential sign	A monument sign on a site located in a district zoned for agriculture or single family housing.
Residentially zoned district	Properties with the zoning designation SF, MF, or RN.
Roof	A horizontal or sloping surface of a building which serves as a cover for the building or its entry, portico or other appurtenances. This definition shall include any part of a building which resembles a roof in form or function.
Roof sign	A sign painted on, supported by or attached to the roof or roof structure of a building. This definition shall not include a sign attached flat against the wall of a penthouse; painted flat on the roof and only visible from the air; attached to a mansard roof or parapet as long as the sign does not project above the roofline and there is no other viable location on the building.
Scrolling	See "Mode of Display."
Sign	Any marking, device, fixture, placard, or structure that uses any graphics, illumination, symbol, or writing to draw the attention of the public, or advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public. This definition shall include all parts of such a device, including its structure and supports and shall also include balloons, pennants, streamers or other devices which are used to attract the attention of the public, whether or not they contain copy. This definition does not include hand held devices, fixtures or placards.
Sign area	The area of the sign computed in accordance with Section 20.56.110 below.
Sign structure	A structure designed to support one or more signs in place.
Site	(i) a lot or parcel owned by a person unless the lot or parcel is part of a combination or commercial center as defined herein; or (ii) a combination of lots or parcels which are contiguous, are owned in fee as a matter of record by the same person or entity, have the same zoning classification, and are designated by the owner to be a site for purposes of this chapter; (iii) a commercial center as defined above; or (iv) a Bus Stop if the property on which the Bus Stop is located is leased

	or licensed to the Regional Transportation Commission.
Site area	The total square footage of the land area of the entire site.
Site frontage	The linear dimension of a site abutting on public or private street right-of-way.
Stacked sign	Two or more signs affixed to the same sign structure and which vary in height from the ground.
Static	See "Modes of Operation."
Suspended sign	A sign supported from, and below, a building soffit or permanent canopy.
Temporary sign	A sign that is used only temporarily and is not permanently mounted to a structure or ground, and includes portable signs, banners, pennants and inflatables.
Time and temperature sign	A sign or portion of a sign which displays only the current time and/or temperature and carries no other copy. A time and temperature sign shall not be considered a flashing or animated sign and shall not exceed ten (10) square feet.
Travel	See "Mode of Display."
Tri-Vision Sign	A sign composed in whole or in part of a series of vertical or horizontal slats or cylinders that are capable of being rotated at intervals so that partial rotation of the group of slats or cylinders produces a different image and when properly functioning allows on a single sign structure the display at any given time one of two or more images.
V-type sign	Two or three signs in the shape of the letter "v" or of a triangle, when viewed from above, and supported by integral structures with their faces oriented in different directions.
Video Display	See "Mode of Display."
Wall sign	A sign which is attached parallel, but within six inches of, a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall or roof of any building or structure, which is supported by such wall or building, and which displays only one sign surface. Included in this definition is a sign attached to the wall of a penthouse or other vertical structure on the top of a roof.
Window sign	Any sign that is placed inside a window or upon the window panes of glass and is visible from the exterior of the window.

C. Exemptions

1. Unless specifically provided otherwise, the following types of signs and displays are not subject to the provisions of this chapter and are not counted in any aggregate area or number of sign computations:
 - a. Official signs.
 - b. Holiday decorations that (i) do not include a commercial message and (ii) are removed within thirty days after the holiday.

- c. Incidental signs whose size is the not greater than the larger of (i) 2 square feet or (ii) as specified for the particular type of sign in the Manual on Uniform Traffic Control devices published by the United States Department of Transportation incorporated by reference in 23 CFR Part 655, Subpart F.
 - d. Handicap parking signs. See SMC 20.04.009.B.
 - e. Signs posted on or near easements held by public utilities warning or informing the public about the easements or location of public utilities.
 - f. Building identification signs which show only the street address and/or building number/name.
 - g. Nameplates appearing on residences or mailboxes.
 - h. Civic displays.
 - i. Flags not to exceed four in number and a cumulative total size of 216 square feet.
 - j. Signs which are located within a structure and are not visible from a public street, sidewalk or alley.
 - k. Building markers that do not exceed four square feet in size.
 - l. Signs or copy permanently embroidered, screened, dyed, stenciled or painted into the fabric of umbrellas which are set up in sidewalk cafes.
 - m. Signs painted on or integral to vending machines, fuel dispensing pumps or fuel storage tanks.
 - n. Signs painted on the flat surface of the roof and only visible from the air.
 - o. Murals.
2. In the event that a sign fails to meet any criteria, condition or qualification established above for exemption, the sign shall be subject to and governed by all of the requirements of this Section.

D. Prohibited Signs

The following types of signs are prohibited within the city:

- 1. Signs not specifically permitted in or which violate any provision in this chapter.
- 2. Signs attached to (i) official signs and their sign structures, (ii) trees or poles or standards which are used for a purpose other than sign structures, or (iii) utility structures.
- 3. Roof signs.

4. Any display or sign that imitates or resembles an official traffic signal, sign device or other official warning signs.
5. Interactive signs.
6. Signs on wind machines, cellular towers or other equipment except for logos and not exceed eight square inches.

E. Prohibited Sign Location

1. **General.** Notwithstanding any provision in or right established in this chapter, no sign shall be permitted in any of the following locations.
2. **Drains, ditches, flood channels.** Except for Official Signs, no sign shall be placed in any ditch, storm drain facility or flood channel, except for signs displayed by a utility regarding any easements or dangers that lie within the drain, ditch or flood channel.
3. **Truckee River greenbelt**
 - a. Except as provided in this subsection, no signs are permitted within three hundred feet of (i) the centerline of the Truckee River or (ii) the outer boundary of any area designated as the Truckee River Greenbelt, whichever is greater.
 - b. Exceptions to the foregoing are:
 - i. Residential signs
 - ii. Building signs which are not visible from the river.
 - iii. Official Signs.
4. **Signs in the public right of way or on public property**

No sign shall be displayed in any right of way or on public property except:

 - a. Official signs.
 - b. Building markers and building address signs.
 - c. Directional signs owned by the City or with a permit.
 - d. Community directory signs owned by the City or with a permit.
 - e. Signs or copy permanently embroidered, screened, dyed, stenciled or painted into the fabric of umbrellas which are set up in sidewalk cafes in the right of way, provided that the café is operating under an outdoor dining and encroachment permit under Chapter 5.77 of Sparks Municipal Code.

- f. Signs located on a Bus Stop that is leased or licensed to the Regional Transportation Commission

F. Standards, Limitation & Requirements for All Signs

1. **Consent of owner.** No sign shall be placed on any lot without the express permission of the owner of the lot.
2. **No resemblance or interference with official or warning signs.** No sign may resemble, simulate or conflict with the proper functioning of any official sign, or use yellow or red blinking or intermittent lights resembling danger or warning signals;
3. **No sound or emissions.** Signs which produce odor, sound, smoke, flame or other emissions are prohibited.
4. **No obstruction or interference.** No sign shall:
 - a. obstruct or impair access to a public sidewalk, public or private street or driveway, traffic control sign, bus stop, fire hydrant, or any other type of street furniture;
 - b. block the light and ventilation of any residence on any adjoining property which is zoned for residential use; or
 - c. mislead or confuse users of the roadway.
5. **Stacked signs.** Stacked signs are allowed if (i) the other requirements of this chapter are satisfied (ii) the sign is integrated with the structure, and (iii) all signs on the same structure are similar in shape and material with one another, except for channel lettering.
6. **Compliance with codes.** All signs shall comply with applicable provisions of all codes adopted pursuant to Title 15 of the Sparks Municipal Code, and with all other ordinances and provisions of Sparks Municipal Code.
7. **Permanent.** Except for residential signs, election period signs, temporary signs, window signs, and special monument signs, all signs shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure.
8. **Maintenance, Repair and appearance.** All signs and sign structures shall be maintained in good, safe, structural condition and repair. All signs and display surfaces shall be neat in appearance, and neatly painted or posted, and not ripped, tattered or faded. Premises immediately surrounding free standing signs shall be kept clean and free of rubbish, weeds and debris.
9. **Illumination standards.**

- a. **Direction of light.** The light source for all indirect illumination signs shall be effectively shielded to prevent beams or rays from being directed at any roadway or abutting property.
- b. **Intensity.** The intensity and brilliance of light shall not be so great as to interfere with the effectiveness of any official sign, or impair the vision of or distract any person on any roadway.
- c. **Prohibited light sources.** No sign shall use a beacon, strobe light, racing/traveling or an exposed individual light source (excluding LED and neon) which exceeds seventy five watts.
- d. **Digital signs.** See subsection I.6 for special standards.

G. Computations

- 1. **Signs not included in computations.** If the following types of signs comply with all other requirements of this chapter, they need not be included in any allowance computations for area or number of signs:
 - a. Building identification signs
 - b. Building markers
 - c. Incidental signs
 - d. Directional Signs
 - e. Directory signs
 - f. Temporary signs as provided in subsection K of this Section
 - g. Election period signs as provided in subsection L of this Section
 - h. Window signs as provided in subsection H.4 of this Section
 - i. Signs exempted under subsection C of this Section
 - j. Special freestanding signs
 - k. Special monument signs
 - l. Projected/Suspended signs per subsection H.4 of this Section
 - m. As specifically provided in other provisions in this Section.
 - n. Murals
- 2. **Computation of sign area of individual signs.** The allowable sign area shall apply to the maximum geometric area of all sign faces. The area of a sign comprised of individual letters or

elements attached to a building wall, which are without an integrated background and are not enclosed in a frame or cabinet, the area of the letter can be calculated as long as the distance between the letters and / or elements is less than the largest dimension of the largest sign letter. If such a display consists of more than one line or component, the area of each line or component may be calculated separately. Where a display is enclosed in a frame or cabinet, or has an integrated background, the entire area within the frame, cabinet or background must be included in the calculation.

3. Computation of area of multifaced signs. The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than 25 degrees apart, the sign area shall be computed by the measurement of one of the faces.

4. Computation of number of signs.

- a. All signs contained within a single frame, structure, cabinet or integrated background shall be counted as one sign. If a display is not so contained, a single message or business name shall be counted as one sign. A business name combined with a brief slogan may be counted as one sign if the elements are visually integrated.
- b. In determining the number of signs:
 - i. Pennants or streamers shall be considered one sign
 - ii. One banner shall be considered one sign
 - iii. One large balloon or one bunch or string of small balloons shall be considered one sign.

H. Building Signs

1. Except as otherwise provided in this chapter, it shall be unlawful to construct or maintain a building sign in violation of the specifications and requirements of this section.

2. Specifications by zoning district

Table 20.04.010 Building Sign Limitations

Zoning & Use	Maximum allowable building sign area	Maximum number of signs allowed [1]	Allowance and area limits for projecting and suspended signs	Type of illumination
A-5 Agriculture	9 sq. ft.	1	Not allowed	Indirect only
A-40 Agriculture	9 sq. ft.	1	Not allowed	Indirect only

Zoning & Use	Maximum allowable building sign area	Maximum number of signs allowed [1]	Allowance and area limits for projecting and suspended signs	Type of illumination
SF (all) Residential	None	None	Not allowed	None
MF Multifamily	None	None	Not allowed	None
MF5 Multifamily	None	None	Not allowed	None
Bus Stops in any zoning district	<p>Only official signs are allowed in or adjacent to SF-40 or SF-20 except for signs located within twenty (20) feet of an arterial roadway. In all other zones, one</p> <p>(1) sq. ft. for each square foot of the footprint of the bench or shelter, up to maximum of 64 sq. ft. If the bus stop is leased or licensed to the Regional Transportation Commission, signs in the bus stop are not to be counted toward the maximum sign area for the site in which the bus stop is located.</p> <p>No illumination allowed in or adjacent to SF-40 or SF-20 except if the sign is located within 20 feet of an arterial roadway. Elsewhere, only internal illumination is allowed. Safety lighting for a shelter is not</p>			
MF Nonresidential	1.0% (0.01) of Gross Floor Area (GFA) of business	No limit	Not allowed	Indirect, internal and halo only
PO Professional Office	1.0% (0.01) of Gross Floor Area (GFA) of business	No limit	Not allowed	Indirect, internal and halo only
PF Public Facility	10 square feet / Acre	No limit	Not allowed	All types; none facing residential zoned properties
C1 Commercial	<p>1.0 sq. ft. for each foot of business frontage (no more than 2 business frontages)</p> <p>Minimum Sign Area – 40 sq. ft.</p> <p>Maximum Sign Area – 300 sq. ft.</p>	No limit	6 sq. ft. (max 1) Minimum clearance – 7 feet	All types

Zoning & Use	Maximum allowable building sign area	Maximum number of signs allowed [1]	Allowance and area limits for projecting and suspended signs	Type of illumination
C2 Commercial	1.0 sq. ft. for each foot of business frontage (no more than 2 business frontages) Minimum Sign Area – 40 sq. ft. Maximum Sign Area – 500 sq. ft.	No limit	6 sq. ft. (max 1) Minimum clearance – 7 feet	All types
TC Tourist Commercial	2.5% (0.025) of gross floor area No Limit	No limit	6 sq. ft. (max 1) Minimum clearance – 7 feet	All types
I Industrial	1 sq. ft. for each foot of business frontage (no more than 2 business frontages) Minimum Sign Area – 40 sq. ft. Maximum Sign Area – 250 sq. ft.	No limit	6 sq. ft. (max 1) Minimum clearance – 7 feet	All types
PD Planned Development	Per the standards in the approved Planned Development Standards Handbook. If approved Planned Development Handbook does not provide guidelines or restrictions for building signs, then the provisions of this table apply to each site as if it were zoned in accordance with its actual use. If there is more than one use in the site, the more restrictive zone classification shall be used.			

[1] Suspended signs located perpendicular to the front of the building and not exceeding six square feet in area will not be included in calculating the number of signs.

3. Specifications Applicable To All Building Signs

- a. Building signs within 300 feet of and directly facing a residentially zoned district shall be non-illuminated.
- b. Signs for co-tenancy shall be calculated as part of the maximum allowable building sign area for the GFA of the building or business it leases or rents from.

4. Specifications by Sign Type

- a. **Wall signs.** Wall signs may not extend above or beyond the wall or roof line.
- b. **Canopy signs.** Only one canopy sign will be permitted per business on each frontage and it cannot exceed 25% of the vertical surface of the canopy.
- c. **Building Identification Signs.** Only one building identification sign is permitted per building.
- d. **Marquee signs.** Only one is permitted per building.
- e. **Projecting/Suspended signs.** Projecting signs located on private property shall not extend beyond the property line into adjacent lots and, except in any redevelopment area, shall not extend into the right of way.
- f. **Window signs.** The total area of all window signs in a business frontage may not exceed 25% of the total area of all windows for that business in the building. Permits are not required for any window signs, and window signs are not governed by or counted against sign area or number limitations. Window signs must, however, conform to other standards, requirements and limitations in this chapter. The maximum size for digital signs shall be three (3) square feet.

I. Freestanding and Monument Signs

- 1. Except as otherwise specifically provided in this chapter, and subject to the maximum sign allowances set forth in this section, it shall be unlawful to construct a free standing or monument sign or sign structure in violation of the specifications and requirements of this section.

2. Limitations by zoning district

Table 20.04.010-2 Monument Sign Limitations

Zoning	Maximum Sign Area	Maximum Height of Each Sign [2]	Maximum Number of Monument Sign	Illumination
A-5 Agriculture	9 sq. ft. on each site frontage	6 feet	1 per site frontage, not to exceed 2	Indirect only
A-40 Agriculture	9 sq. ft. on each site frontage	6 feet	1 per site frontage, not to exceed 2	Indirect only
SF (all) Residential	9 sq. ft. on each site frontage	6 feet	1 per site frontage, not to exceed 2	Indirect only

Zoning	Maximum Sign Area	Maximum Height of Each Sign [2]	Maximum Number of Monument Sign	Illumination
MF Multifamily	32 sq. ft. on each site frontage (excluding directory sign(s))	6 feet	1 per site frontage, not to exceed 2 Plus 1 special monument sign see subsection I.4	Indirect, internal and Halo
Bus Stops in any zoning district	Only official signs are allowed in or adjacent to SF-40 or SF-20 except for signs located within twenty (20) feet of an arterial roadway. In all other zones, one (1) sq. ft. for each square foot of the footprint of the bench or shelter, up to maximum of 64 sq. ft. If the bus stop is leased or licensed to the Regional Transportation Commission, signs in the bus stop are not to be counted toward the maximum sign area for the site in which the bus stop is located.			
MF5 Nonresidential	32 sq. ft.	6 feet	1 per site frontage, not to exceed 2 Plus 1 special monument sign see subsection I.4	Indirect, internal and Halo
PO Professional Office	32 sq. ft.	6 feet	1 per parcel. See subsection I.4 special monument sign.	All types
PF Public Facility	32 sq. ft.	6 feet	1 per parcel. See subsection I.4 special monument sign.	All types
C1 Commercial	32 sq. ft.	6 feet	1 per parcel. See subsection I.4 special monument sign.[1]	All types
C2 Commercial	32 sq. ft.	6 feet	1 per parcel. See subsection I.4 special monument sign.[1]	All types
TC Tourist Commercial	32 sq. ft.	6 feet	1 per parcel. See subsection I.4 special monument sign.[1]	All types
I Industrial	32 sq. ft.	6 feet	1 per parcel. See subsection I.4 special monument sign.[1]	All types

Zoning	Maximum Sign Area	Maximum Height of Each Sign [2]	Maximum Number of Monument Sign	Illumination
PD Planned Development	Per the standards in the approved Planned Development Standards Handbook. If approved Planned Development Handbook does not provide guidelines or restrictions for building signs, then the provisions of this table apply to each site as if it were zoned in accordance with its actual use. If there is more than one use in the site, the more restrictive zone classification shall be used.			

[1] Drive through businesses may have an additional maximum of two (2) monument signs, not to exceed a combined sixty-four (64) square feet in addition to the thirty-two square (32) feet in Table 20.04.010 -1 and must be oriented to be visible to the vehicles within the drive through lane. If the drive-through use ceases or is abandoned, the sign are no longer permissible and shall be removed.

[2] The sign structure may extend above the sign by 10% of the height of a monument sign if (i) the sign structure is separately constructed from the cabinet or face of the sign; (ii) the portion above the cabinet or face does not contain any copy and (iii) the extension adds architectural embellishments to the sign.

Table 20.04.010-3 Freestanding Sign Limitations

Zoning	Maximum Sign Area [1]	Maximum Height of Each Sign [2] [3]	Maximum Number of Freestanding Sign Structures per Site	Illumination
A-5 Agriculture	Not allowed	Not allowed	None	None
A-40 Agriculture	Not allowed	Not allowed	None	None
SF (all) Residential	Not allowed	Not allowed	None	None
MF Multifamily	Not allowed	Not allowed	None	None
Bus Stops in any zoning district	Only official signs are allowed in or adjacent to SF-40 or SF-20 except for signs located within twenty (20) feet of an arterial roadway. In all other zones, one (1) sq. ft. for each square foot of the footprint of the bench or shelter, up to maximum of 64 sq. ft. If the bus stop is leased or licensed to the Regional Transportation Commission, signs in the bus stop are not to be counted toward the maximum sign area for the site in which the bus stop is located.			
MF Nonresidential	Not allowed	Not allowed	None	None
PO Professional Office	Not allowed	Not allowed	None	None

Zoning	Maximum Sign Area [1]	Maximum Height of Each Sign [2] [3]	Maximum Number of Freestanding Sign Structures per Site	Illumination
PF Public Facility	1 sq. ft. for each foot of individual site frontage up to 200 sq. ft.	16 feet	1 per site frontage up to a maximum of 2	Indirect, internal and halo only except on sites equal to or greater than 10 acres then all types.
C1 Commercial	25% (0.25) for each foot of individual site frontage(s) – maximum of 2 site frontages. Maximum – Not to exceed a combined total of 250 sq. ft.	30 feet	1 per site frontage up to maximum of 2	All types
C2 Commercial	35% (0.35) for each foot of individual site frontage(s) – maximum of 2 site frontages. Maximum – Not to exceed a combined total of 500 sq. ft.	30 feet	1 per site frontage up to maximum of 2	All types
TC Tourist Commercial	50% (0.5) for each foot of individual site frontage(s) – maximum of 2 site frontages. Maximum - unlimited	30 feet See subsection I.7 regarding gateway	1 per site frontage up to maximum of 2	All types
I Industrial	25% (0.25) for each foot of individual site frontage(s) – maximum of 2 site frontages. Maximum – Not to exceed a combined total of 250 sq. ft.	30 feet 40 feet for special freestanding sign	1 per site frontage up to maximum of 2 Plus 1 special freestanding sign See subsection I.3	All types
PD Planned Development	Per the standards in the approved Planned Development Standards Handbook. If approved Planned Development Handbook does not provide guidelines or restrictions for building signs, then the provisions of this table apply to each site as if it were zoned in accordance with its actual use. If there is more than one use in the site, the more restrictive zone classification shall be used.			

Notes:

[1] The calculation for the freestanding signs maximum area shall be the sign area including centers name and tenant panels excluding the architectural embellishments to the sign.

[2] The sign structure may extend above the sign by 20% of the height of a freestanding sign or if (i) the sign structure is separately constructed from the cabinet or face of the sign, (ii) the portion above the cabinet or face does not contain any copy, and (iii) the extension adds architectural embellishment to the sign.

[3] The height of the sign may be measured from the elevation of the centerline of the nearest travel lane of the street or highway to which the sign is oriented rather than from "grade".

3. Special Freestanding Signs

In addition to other allowances, one special freestanding sign shall be permitted on each site in the I zoning districts under the following circumstances.

- a. When applying for the sign permit, the applicant will designate the proposed sign as its special freestanding sign hereunder, and the sign will be specially marked in accordance with instructions from the Department to indicate it is a special freestanding sign.
- b. The special freestanding sign area may not exceed 672 square feet. The sign is not counted against the maximum allowable sign area. If the actual size of the sign is less than 672 sq ft, the difference *cannot be* added to allowable sign area.
- c. Rather than from "grade" as defined above, the height of the sign may be measured from the elevation of the centerline of the nearest travel lane of the street or highway to which the sign is oriented.
- d. Otherwise, each special freestanding sign is subject to and must comply with all other provisions of this Chapter, applicable to a freestanding sign except as otherwise indicated.
- e. If the sign is digital sign or uses other method of illumination with LED or similar illumination, the special freestanding sign must comply with subsection I.6.
- f. For moving or trivision signs, the minimum exposure time for each panel is ten (10) seconds and maximum twirl time is two (2) seconds.

4. Special Monument Signs

In addition to other allowances, one special monument sign shall be permitted for each entrance of each site in all zoning districts specified in subsection I.2 above under the following circumstances and subject to the following conditions and requirements.

- a. No special monument sign area may exceed 32 square feet. The area of the sign shall not be counted against the maximum allowable sign area for the site, and if the sign is smaller than 32 square feet, the difference shall not be added to the maximum allowable sign area for the site.

- b. Special monument signs are subject to and must comply with all other requirements of this Chapter applicable to monument signs, except:
 - i. They may not be illuminated, and may not be digital signs.
 - ii. The architectural requirement in subsection I.5.g does not apply.

5. Other Standards, Limitations and Requirements for Freestanding or Monument Signs

a. Sign separation distance

- i. **Monument signs.** No monument sign (including a special monument sign) may be within twenty feet radius distance of any other monument sign.

- ii. **Freestanding signs.** Except for special freestanding signs:

- (a) No freestanding sign may be within 100 feet linear distance of any other freestanding sign.
 - (b) If the freestanding sign includes a digital sign, the radial distance to another digital sign is 200 feet.

- b. **Special Freestanding Signs.** A special freestanding sign may be placed within 1500 linear feet distance of a freestanding sign (except an “outdoor advertising structure” as defined in subsection N.1, but no special freestanding sign may be placed within 1500 linear feet distance of any other special freestanding sign or an “outdoor advertising structure” as defined in subsection N.1. Any special freestanding sign prior in existence to adoption of this ordinance may be converted to digital and shall be located a minimum of 1,500 linear feet from any other special freestanding sign. Any nonconforming outdoor advertising structure in existence prior to adoption of this ordinance which meets the requirements for a special freestanding sign, may be converted to digital and shall be located a minimum of 1,500 linear feet from any other special freestanding sign. Any new special freestanding sign constructed after adoption of this ordinance shall be a minimum of 1,500 linear feet from any other special freestanding sign, except that if the special freestanding sign is digital, it shall be a minimum of 3,000 linear feet from any other digital special freestanding sign.

- c. **Extension over property lines.** All freestanding or monument signs must be located on one site only and shall not extend over the property line to another site.
- d. **Extension into right of way.** All freestanding or monument signs, except for signs displayed in the Town Center Redevelopment Area of the city, shall not extend into any public right of way.
- e. **Minimum setback for safe siting standards**

- i. Except as provided in subsection (b) below, all freestanding and monument signs (including special freestanding and monument signs) must be located outside of the control area defined below and shall be located in accordance with the most recent edition of American Association State Highway and Transportation Officials (AASHTO) "Roadside Design Guide" and stamped by registered engineer.
 - (a) For intersections of public streets with residential, collector, or arterial streets where the travel lane is a minimum of five feet from the edge of pavement: The control area is that area between the property lines and a line drawn between a point 15 feet back from the point of curvature of the intersection as measured at the property side of the sidewalk on each leg of the intersection. If no sidewalk exists, the measurement will be along the curb line.
 - (b) For intersections of private driveways with residential, collector, or arterial streets where the travel lane is a minimum of five feet from the edge of pavement: The control area is that area between the property line and a line drawn between a point 10 feet back from the intersection of the driveway and the sidewalk as measured at the property side of the sidewalk and a line drawn to the point 10 feet back from the intersection of the driveway and the sidewalk as measured on the driveway. If no sidewalk exists, the measurement will be from the intersection of the driveway and the curb.
 - (c) For intersections of public streets with arterial streets where the travel lane is at the edge of pavement: The control area is that area between the property lines and a line drawn between a point 15 feet back from the point of curvature of the intersection as measured at the property side of the sidewalk on the minor leg of the intersection and a point 50 feet back from the point of curvature of the intersection as measured at the property side of the sidewalk on the major leg of the intersection. If no sidewalk exists, the measurement will be along the curb line.
 - (d) For intersections of private driveways with arterial streets where the travel lane is at the edge of pavement: The control area is that area between the property line and a line drawn between a point 15 feet back from the intersection of the driveway and the sidewalk as measured at the property side of the sidewalk and a line drawn to the point 15 feet back from the intersection of the driveway and the sidewalk as measured on the driveway. If no sidewalk exists, the measurement will be from the intersection of the driveway and the curb.
- ii. All freestanding and monument signs (including special freestanding and monument signs) to be located within the control area shall be in conformance with the safe siting standards set forth in the current edition of *A Policy on Geometric Design of Highway and Streets*, published by the American Association of State Highway and Transportation Officials, and as established by an analysis sealed by a professional

engineer licensed in Nevada opining that the sign does not violate those safe siting standards.

- iii. If a permanent building extends into a control area as described above, freestanding, monument and special monument signs may be placed parallel to and within six inches of the walls of the building that extend into the control area, provided that the signs do not block any windows and do not extend beyond or wrap around the corner or edge of the walls. If it is impossible to locate a sign as specified herein because the building abuts the property line, a building sign may be placed on the wall that extends into the control area notwithstanding the limitation of the number of building signs set forth in subsection H.2, provided: (1) the sign is not a projecting sign, (2) the sign does not extend beyond or wrap around the corner or edge of any projecting sign, (3) the sign does not cover any windows, and (4) if the building sign is erected in lieu of a special monument sign, a building permit is obtained under Title 15 of the Sparks Municipal Code, if required.
- f. **Residential.** Permits are not required for residential signs.
- g. **Architecture.** All freestanding and monument signs and sign structures must contain similar architecture elements and materials visually compatible with buildings on the site. All poles used as a part of freestanding or monument sign structures shall be covered.
- 6. **Digital Signs.** In addition to all of the other limitations, standards and requirements for monument or freestanding signs, digital signs are subject to the following limitations, standards and requirements:
 - a. Digital signs shall be allowed only in TC (Tourist Commercial), C2 (General Commercial), and I (Industrial) zoning districts.
 - b. Digital signs shall be allowed in PF (Public Facilities) sites that are over 10 acres.
 - c. One digital sign per site frontage, maximum of two (2) digital signs per site.
 - d. The use of fade, dissolve, travel, message sequencing or scrolling is prohibited for signs over thirty-two (32) square feet, except for properties zoned Tourist Commercial (TC). The use of video display, flashing or blinking is prohibited for any digital sign.
 - e. Digital signs greater than thirty-two (32) square feet must contain a minimum constant display of no less than eight (8) seconds, including special freestanding signs. Maximum time allowed for messages to change is one (1) second. Digital signs located in the TC zoning district are exempt from this requirement.
 - f. The digital sign portion shall not exceed fifty percent (50%) of the total allowed sign area for freestanding signs in C2 and I zoning districts. In TC zoning district, the digital sign portion

shall not exceed seventy-five Percent (75%) of the total allowed sign area. For monument and special freestanding signs, the entire sign may be a digital sign.

- g. Digital displays shall not operate at brightness levels of more than 0.3 foot candles above ambient light, as measured using a foot-candle meter at a pre-set distance. The pre-set distances to measure the foot-candles is calculated using the following formula:

$$\text{Measurement Distance} = \sqrt{\text{Area of Sign} \times 100}$$

The measurement distance can be rounded to the nearest whole number.

- h. Digital signs shall be sited in a manner that the intensity or brilliance does not interfere with the effectiveness of an official traffic sign, device or signal.
 - i. The digital sign shall include photo-sensors to provide automatic intensity adjustment based on ambient lighting conditions.
 - j. Signs with a digital component shall consist of one unit.
 - k. The distance separation for digital signs, refer to subsection I.5.
 - l. The distance separation from any residentially zoned property shall be 300 feet. The distance separation shall be measured radially. The distance separation may be reduced to 150 feet if the digital sign is oriented away from the residentially zoned property.
- 7. Gateway Signs.** A "gateway sign" is one freestanding sign per lot that meets all of the following criteria and which may have an elevation that is 30 feet above the "Interstate 80 elevation" as defined below, provided that it meets all other criterion for freestanding signs and;
- a. If any portion of a lot is located within 500 feet from the intersection of a gateway street as described by the GIS coordinates in Table 20.04.010-4 below a gateway sign may be erected anywhere on the lot if the lot:
 - i. is located in the TC zoning district; and
 - ii. is at least one acre in size.

Table 20.04.010-4 Gateway Street Coordinates

Gateway Street	GIS Coordinates*	
	X coordinate	Y coordinate
McCarran Boulevard	2298834.55004527	14866893.56576840
Rock Boulevard	2291251.23756496	14867221.46275700
Vista Boulevard	2309524.43934199	14864209.64130800
Sparks Boulevard	2305435.41268704	14864930.23447220

Kietzke Lane	2288271.25795990	14867453.99376530
Pyramid Way	2294819.45760579	14867198.51685780
Prater Way	2287519.53185396	14867820.11018970

* Projected Coordinate System:

Name: NAD_1983_StatePlane_Nevada_West_FIPS_2703_Feet

Geographic Coordinate System:

Name: GCS_North_American_1983

- b. The sign must be oriented toward Interstate 80.
- c. The elevation of the top of the sign (subject to Note [1] to 20.04.010-1) must not exceed 30 feet over the Interstate 80 elevation, which is the elevation of the highest point of any improvement (except for any traffic signals or signs) that is within the Interstate 80 right of way and is within a lineal distance (as defined in subsection I.5(a) of 1,500 feet from the sign.
- d. Applications for sign permits for signs to be erected under this section shall be accompanied by a certificate of a licensed surveyor indicating that the base of the sign meets the restrictions of subsection a above and the height of the sign does not exceed the height requirements of subsection c.
- e. Except for the height allowance set forth herein, the sign must otherwise comply with all provisions in this code.

J. Fence Signs

- 1. **Residential zoning districts.** Fence signs in the SF residential zoning districts shall be regulated as monument signs under subsection I.
- 2. **All other areas.** Fence signs in all other zoning districts shall be regulated as building signs under subsection H, and shall comply with the safe siting requirements set forth in subsection I.5.e.

K. Temporary signs

- 1. Portable Signs.
 - a. One portable sign may be displayed per business (licensee) without sign permit. Such signs are not to be counted in the maximum allowable sign area or number of signs limitations. Portable signs must comply with the following standards:
 - i. Maximum size of eight (8) feet square with maximum height of four (4) feet
 - ii. Can only be displayed during business hours

- iii. Portable signs cannot be permanently affixed to the property as required by subsection F.7.
- iv. Portable signs may not be illuminated.
- v. Portable signs shall be located within twenty (20) feet of the business (licensee) public entrance.
- vi. Portable signs shall not be located in public right-of-way, roadway, on-site drive aisle, designated parking area or landscape area and shall be located outside of the visibility triangle of the driveway and/or street.
- vii. Portable signs shall not obstruct vehicular or pedestrian traffic.
- viii. Portable signs shall not be attached to any structure or vegetation such as utility structures, traffic signs/poles, trees or similar items.
- b. They must otherwise comply with all other limitations, standards and requirements the limitations in this chapter except and subject to:
 - i. The distance requirements in subsection I.5.a do not apply.
 - ii. The architectural requirements in subsection I.5.g do not apply.

2. Temporary Signs

- a. **Permit Required; Duration.** At the discretion of the property owner and with the issuance of a temporary sign permit, each site may display up to two (2) signs per public street entrance, not to exceed eight (8) signs and restricted to a period as designated or specified on the Temporary Sign Permit application. Display of temporary signs shall be based on a calendar year between January to December and must be reapplied for annually. If the site has any digital signs, the number of allowed temporary signs shall be reduced by two (2) for each digital sign.
- b. **Standards, Requirements and Limitations:**
 - i. The temporary sign permit application must be approved / signed by the site owner/manager. If a site has more than one occupant who wishes to put up signs at the same time, the site owner or manager must determine who can display the signs.
 - ii. Temporary signs may not be placed in a prohibited sign area (subsection E).
 - iii. Any temporary sign shall be located on private property and setback at a minimum of one (1) foot for every foot of height from the nearest travel lane. No temporary sign shall be higher than roof or parapet of the building.

- iv. The maximum size of a temporary sign shall be eighteen (18) square feet. Any sign over this size will require a sign permit and must comply with subsections H and/or I of this Section.
- v. Temporary signs shall be kept neat, clean and in good repair. Signs which are faded, torn, damaged or otherwise unsightly or in a state of disrepair shall be immediately repaired or removed.
- vi. Each temporary sign must meet the standards and limitations for all signs set out in subsection F, except:
 - (a) They cannot be affixed permanently to the ground or building.
 - (b) They may not be illuminated per subsection F.9, nor digital per subsection I.6.
 - (c) The distance requirements in subsection I.5.a do not apply.
 - (d) Temporary signs shall not be attached to any structure or vegetation such as utility structures, traffic signs/poles, trees or similar items.
- vii. Permitted temporary signs do not count against the maximum allowable sign area.
- c. **Exceptions:** Each owner of a vacant building may display a temporary sign affixed to the building not to exceed eighty (80) square feet and does not require a temporary sign permit.

L. Additional Signs During Election Periods

1. **Election period.** An election period begins the first day of filing before and ends ten days after any election conducted under federal, state, county, or city laws or ordinances in which residents of Sparks are entitled to vote, including elections or votes regarding selection or recall of any federal, state, county or city officials, any ballot questions, referendum or advisory vote.
2. **Additional signs during election period.** Additional signs containing any message may be displayed on any site during an election period, subject to the following limitations, standards and requirements.
 - a. **Number and size.** There is no limitation on the number or size of additional signs. Signs which comply with this subsection do not count against the maximum allowable sign area, or the maximum number of signs allowed under subsections H or I.
 - b. **No sign permit required.** A sign permit is not required for any election period sign which otherwise complies with this section. However, building permits may be required under Section 15.08 of the Sparks Municipal Code depending on the size and nature of the sign.
 - c. **Standards, Requirements and Limitations**

- i. Election period signs may not be placed in a prohibited sign area (subsection E).
- ii. Each election period sign must meet the standards and limitations for all signs set out in subsection F, with the following exceptions:
 - (a) They need not be affixed permanently to the ground or building
 - (b) They may not be illuminated, or digital signs.
 - (c) The distance requirements in subsection I.5.a do not apply.
 - (d) The minimum lettering requirements in subsection I.5.g do not apply.
 - (e) The architectural requirements in subsection I.5.g do not apply.

M. Sign Permits

1. Requirement. Sign permits are required for all signs except:

- a. Exempt signs, subsection C.
- b. As specifically provided in this chapter provided that such signs comply with all of the standards, limitations and requirements in the section regulating them; including, but not limited to:
 - i. Residential signs
 - ii. Special Monument Signs per subsection I.4
 - iii. Election Period signs per subsection L.
- c. Changes in copy of signs or plexiglass panel for which a valid permit exists so long as nothing else is changed in the sign. Any changes affecting the structure or the electricity of the sign including a change to digital sign requires issuance of a sign permit.
- d. If a sign permit is required, the permit must be obtained from the City before construction or installation is started. If a building permit is required under Chapter 15.08 ("Sign Code") of this code, it will be included as a part of the sign permit.

2. General Provisions Applicable to All Permits

- a. **Application and fees.** Applicants shall use forms and provide information as required by the department, and shall submit fees in the amounts provided by resolution or ordinance, and shall submit the fees at the times required by the department. Fees are nonrefundable, even if a sign permit is denied.
- b. **Application Date.** The application date is the date that the department receives at its counter an application on the form provided by the department. An application which

contains blanks where information is required to be filled in, or which does not include all the attachments required, or is not accompanied by any fees which must be submitted with the application may be rejected at the counter and is not deemed “received.” Otherwise, the application is deemed received.

- c. **Incomplete applications.** Applications which do not contain all the information necessary, in the opinion of the administrator, to determine compliance with this Chapter shall be denied. If convenient to department personnel, an applicant may be contacted to bring in additional information and the application may be held pending receipt of information, but if the information is not received by the action deadline, the application is deemed denied. If an application is denied for being incomplete, fees will not be refunded.
- d. **Processing.** The application will be simultaneously processed by the Building Official, who shall determine compliance with the requirements of Title 15 of Sparks Municipal Code, and the administrator, who shall determine compliance with this chapter and any other applicable provision.
- e. **Standards.** The Building official shall make his decision based on compliance with the requirements of Chapter 15.08 of this Code. The administrator shall make his decision based on compliance with this chapter and with any other applicable chapter of the Sparks Municipal Code. A denial of a permit must be based on a determination that, if approved, the sign described in the permit would violate an identifiable standard in Sparks Municipal Code.
- f. **Conditional approvals.** Conditions related to the application and enforcement of this Chapter may be imposed as a part of an approval of a permit. If any condition is not satisfied when due, it shall be treated as a violation of the permit.
- g. **Effect of denial; judicial relief.** In addition to any rights available to an aggrieved applicant under NRS 278.0233 and 278.0235, if an application is denied, the applicant may file or cause to be filed in the district court a petition for judicial examination of the validity of the denial as provided by NRS 34.185.
- h. **Effect of approval of permit.** Approval of a permit means that the sign described in the permit may be built subject to the terms and conditions stated in the permit, provided that the sign is constructed and continuously maintained in accordance with the provisions of this chapter even if the application describes a sign which does not comply with the provisions of this chapter.

3. Sign permits

- a. **Action deadline; failure to reject by deadline waives permit requirements.** For sign permits (except temporary sign permits), the “action deadline” is close of business on the thirtieth calendar day (starting with the first business day following the application

date) following the application date. If the “action deadline” falls on a weekend or holiday, it is extended to close of business on the first business day following the weekend or holiday. By the action deadline, both the Building Official and the administrator shall either approve or deny the application. The application is deemed denied if either the Building Official or the administrator denies it even if the other approves it. If the application is neither approved or denied by the action deadline, the applicant shall have a right to construct the sign in accordance with the provisions of this Title and Title 15 of the Sparks Municipal Code except for the requirement of a permit.

- b. Notice of denial.** If an application is denied, a written notice shall be prepared and mailed or hand delivered to the applicant, first class mail, at the address indicated on the application, within five working days following the denial. The written notice of denial shall include the reason for the denial. If the denial is for an incomplete application, the notice shall specify what information needs to be submitted if the application is resubmitted. The deadline for filing for any judicial relief does not commence until this written notice is mailed or hand delivered to the applicant.

4. Temporary Sign Permits

- a. Expedited permit process; Action deadline.** The administrator shall establish an expedited application and approval process for temporary signs, including a simplified application form which could be approved or disapproved over the counter (i) under ordinary circumstances, (ii) if every blank is correctly and completely filled in. If an approval of another official is required (such as approval of the airport authority for signs using searchlights), the permit may be approved subject to the condition that the applicant obtain such approval and the permit shall not be valid until that condition is met.
- b. Notification.** Notification of approval or disapproval shall be in person, or by telephone, e-mail, fax or other expeditious form of communication.

- 5. Suspension and revocation of sign permits.** Any permit issued in error, or in reliance on an application which contains false, misleading, or incomplete information that was material to the administrator’s decision may be suspended and revoked by the administrator. The applicant shall be given the notice required by subsection 5 of this section and shall have the right to judicial review as provided in subsection 6 of this section as if the suspension or revocation were a denial of an application.
- 6. Violation of permit.** It is unlawful to build or alter a sign in such a way that it does not strictly conform to the permit or any condition in the permit, the application for the permit, or the standards and requirements of this chapter.

N. Nonconforming Signs

1. **Nonconforming outdoor advertising structures.** If a nonconforming sign is a “nonconforming outdoor advertising structure,” as defined in state law (see 2001 Statutes of Nevada, chapter 451 or SB 265 of the 2001 legislature), the following provisions apply:
 - a. Neither the sign nor supporting structure may be increased in size or height, nor may there be an addition or enhancement to the structure that increases the visual effect or increases the impact on the use of the site, *including conversion to digital sign*.
 - b. The nonconforming outdoor advertising structure shall be removed on the earlier of:
 - i. In excess of 50 percent of the material structural value of the sign is damaged or destroyed as a result of a natural disaster, including, without limitation, a fire, flood, earthquake, windstorm, rainstorm and snowstorm.
 - ii. A resolution of the City Council (not related to the development or redevelopment of the site) orders removal of the sign which resolution provides for just compensation or relocation rights as required by state law. The City Council shall give written notice to the owner of the site in accordance with Chapter 241 of Nevada Revised Statutes (the open meeting law), and shall hold a public hearing prior to considering such a resolution.
 - iii. Upon the termination of any lease or rental agreement which governs the location of the sign on the site.
 - c. Until an event enumerated in the subsection above occurs, the nonconforming outdoor advertising structure may remain on the site, and may be given routine maintenance.
2. **Other nonconforming signs.** The following provisions apply to nonconforming signs which are not “nonconforming outdoor advertising structure,” as defined in state law (see 2001 Statutes of Nevada, chapter 451 or SB 265 of the 2001 legislature).
 - a. **Height and Size:** Neither the sign nor supporting structure may be increased in size or height, nor may there be an addition or enhancement to the structure that increases the visual effect or increases the impact on the use of the site, including conversion to digital sign.
 - b. **Right to maintain and continue use.** A nonconforming sign may be maintained and continued in use, provided that:
 - i. It is not altered, enlarged or relocated without a sign permit (but see subsection N.2.a below);
 - ii. It is maintained in good repair and does not become unsightly or hazardous.
3. **Termination of Right to Nonconforming Sign**

- a. Any nonconforming sign which is a safety hazard shall be removed or repaired within ten days of notice to the owner of the site.
 - b. Any nonconforming sign which requires repairs costing in excess of fifty percent of its replacement value shall be removed or made to comply with the provisions of this chapter.
4. **Alteration, enlargement or relocation.** No sign permit shall be issued for the alteration, enlargement or relocation of a nonconforming sign unless the changes will increase the level of conformance with the provisions of this chapter. An existing nonconforming sign cannot be converted to digital unless it is brought into conformance with this code. An existing nonconforming digital sign may be replaced or enhanced as long as the changes will increase the level of conformance with the provisions of this chapter.

O. Abandoned Signs

1. **Criteria for establishing abandonment.** A sign or sign structure shall be considered abandoned when any of the following occurs:
 - a. Any business advertised thereon is no longer in business and has not been in business anywhere for more than 90 days;
 - b. Any product or service advertised thereon is no longer offered and has not been offered for the past 90 days;
 - c. The structure no longer supports a sign for a period of 90 days;
 - d. The sign, structure or advertising display is visibly damaged or partially missing.
 - e. Internal or halo illumination is partially or wholly burned out or inoperative.
2. **Removal of abandoned signs.** Any sign or sign structure which has been abandoned shall be removed or restored to use within thirty days after a notice of abandonment is issued to the owner of the site. Notice shall be given by the administrator using certified mail. The administrator may allow an abandoned sign or sign structure to remain in place provided that the sign or sign structure is maintained in good condition, and that there is a reasonable possibility that the sign can be restored to use within a one-year period.

P. Variances and Minor Deviations

1. Variances under Chapter 20.16 may not be granted from the provisions of this chapter.
2. Minor deviations, as provided in Chapter 20.05, may not be granted under this chapter.

Q. Enforcement and Penalties.

1. To the extent not inconsistent with this chapter, the provisions of Chapter 20.05 and 20.07 shall apply to enforcement of this chapter.
2. Illegal signs may be removed by City officials.

Section 20.04.010 Slopes, Hilltops & Ridges



Purpose: this chapter regulates development on hills and slopes to promote quality land development by regulating the potential for the aesthetic degradation of sites through orderly development with slopes in conjunction with of the city's natural environment and scenic backdrop.

(Ord. 1880, 1995: Ord. 1577 § 1 (part), 1987.)

A. Applicability

1. A presubmittal meeting with staff is required for any development project to be undertaken on project sites having slope gradients of at least 10% or greater over at least 25% of the site. For development greater than 10 acres and/or when exceeding any minimum standard in this section a Conditional use permit may be applied for. For projects less than 10 acres and compliance with standards is demonstrated, the administrative review process shall be utilized.
2. The minimum average slope of a project site is used to identify the threshold (i.e., a slope map).

⇔ *Development projects are also required to obtain a grading permit from the building official (SMC Title 15).*

(Ord. 1880, 1995: Ord. 1577 § 1 (part), 1987.)

3. The major deviation process (⇔ *see Chapter 20.05*) does not apply to this section.

B. Definitions. The terms and phrases used in this section have the meanings assigned below, in addition to Chapter 20.08:

Clearing	The removal of vegetation, topsoil or other surface materials from a site.
Construction	Any grading, installation of improvements, erection or placement of structures, or assembly of equipment or materials to be used in any of those activities.
Cutting	Shaping of the land surface through the excavation of soil, rock or other materials.
Development	Any construction or any division of land.
Erosion	The process where soil particles are detached and transported by water, wind, ice or gravity.
Excavating	Mechanical displacement of earth material.
Filling	Depositing earth material by artificial means.
Gradient	The vertical rise of a slope over a horizontal distance, expressed as a percentage (rise over run).
Grading	Any clearing, excavating, cutting, filling or other earth moving operation.
Impervious surface	A man-made structure or surface which prevents the infiltration of storm water into the ground below the structure or surface. Roads, buildings, tennis courts, roofs, driveways, patios, pools, decks, parking lots, and similar water shedding surfaces.
Hilltop or ridge	The peak or highest point of a topographic feature from which all water drains down.
Mechanically	Any artificial method of stabilizing a slope such as rip-rap, rockeries or retaining

stabilized	walls.
Natural drainage way	Any channel, swale or depression which conducts water as part of the natural drainage pattern of a site.
Natural slope	The form of the land surface as it exists before any grading.
Natural vegetation	Plant materials which exist on the site before clearing or grading.
Revegetation	The stabilization of disturbed or graded soils after construction by replanting with indigenous plant species or other drought-tolerant, low water-consumptive plant materials appropriate for the climatic zone.
Run-off	That part of precipitation which flows over the land without filtering into the soil.
Sedimentation	The process of depositing soil particles detached and transported by erosion.

(Ord. 1880, 1995: Ord. 1577 § 1 (part), 1987.)

C. Design Policies. Any development subject to the requirements of this Section shall be designed in accordance with the best applicable practices of land use planning, engineering, geology, hydrology, civil and structural engineering, environmental design, architecture and landscape architecture, including but not limited to the following:

1. The site of the proposed development shall be analyzed to identify the design constraints imposed by hydrological and geological conditions, soils, slopes and other natural topographic conditions. In order to secure a Conditional use permit, the project shall respect the natural constraints in the design of the development.
2. The development shall be designed with consideration for limiting aesthetic degradation of the site, as well as erosion, sedimentation and other hazards.
3. Long slopes with sharp transitions are generally considered undesirable.
4. Buildings should be designed and placed on the site so as to visually complement each other and the natural land forms of the site. The placement of buildings on or near hilltops or ridges must show a high degree of sensitivity to the terrain and its visual impact. Definitive plans shall be prepared that clearly demonstrate this sensitivity for project approval.

D. Grading

1. No grading or clearing of any kind may be initiated until a final grading permit is issued unless exempted by Sparks Municipal Code Title 15. Grading shall also comply with the most restrictive requirements of Title 15 of the Sparks Municipal Code.
2. Grading shall be designed so that finished grading resembles natural land forms as much as practical with rounded transitions or variable slope gradients.
3. A graded slope that exceeds 33⅓ % (3:1) and over 3 feet in height shall have a solution presented that stabilizes the slope and minimizes scarring.

4. The portion of any development site which may be cleared, graded or otherwise disturbed by construction is limited to a percentage of the site area, based on the natural slope of the site, as follows:

- a. The applicant shall provide a slope or "cell" map which groups small areas of similar slope together, gridded at a maximum contour interval of 2 feet.
- b. The slope categories or groups are as listed below. This establishes the maximum disturbed area within each slope category over the entire site.
- c. Then the maximum area within each category that can be disturbed is calculated by applying the fraction indicated below:

Slope Category	Maximum Disturbed Area
0— 15 %	Unlimited
16—25%	$\frac{3}{4}$ of the category
26—30%	$\frac{1}{2}$ of the category
30% or above	When developing on natural slopes over 30% project design shall be enhanced to create a 2:1 ratio of non-constrained area being preserved as open space for every portion of area with slopes over 30% that is developed

- d. Once the calculation of disturbed area is made, this becomes the total disturbed area over the entire site. Disturbed areas can be aggregated and do not need to be specific to the slope category.
5. The final grading plan for the development shall include mapping and calculations necessary to demonstrate compliance with these requirements.
6. Before a grading permit is issued, a temporary fence shall be constructed on the site defining the limits of the area to be disturbed as shown on the final grading plan. That fence shall be inspected and approved by the Administrator before the grading permit is issued and shall remain in place until final grading inspection and approval.

E. Erosion and Sedimentation Control

1. For any project which involves a graded area larger than one acre, a temporary erosion and sedimentation plan, including dust control must be approved by the public works department before a grading permit is issued. If grading of an area larger than one acre is to proceed in phases, the erosion and sedimentation control plan shall contain a phasing schedule showing how large an area will be exposed at any one time. Land will be considered exposed from the time it is cleared, graded or otherwise disturbed until it is permanently stabilized by paving, landscaping or vegetation according to approved plans.
2. At any time during construction when more than one acre is exposed, all temporary erosion and sedimentation control measures shall be continuously applied and maintained.

3. In order to keep the grading permit valid, a bond or other surety in an amount determined by the Administrator must be provided by the developer.

F. Landscaping

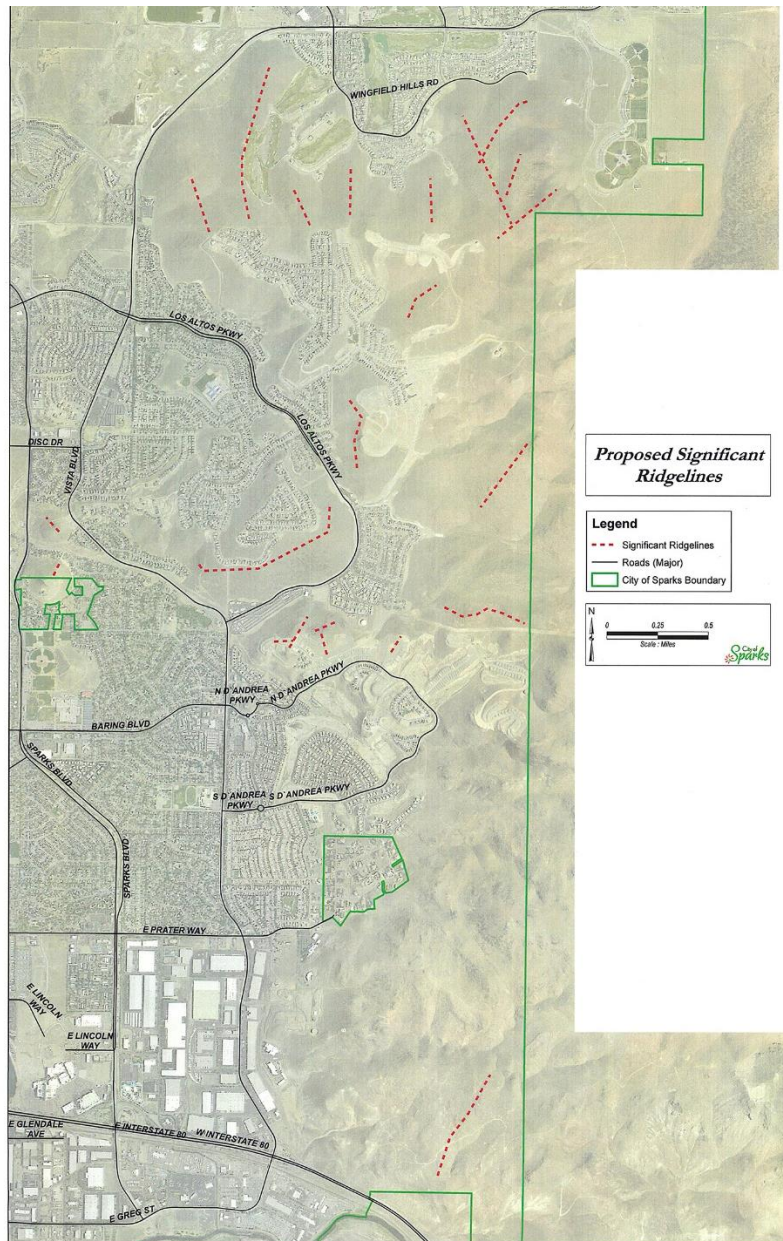
1. In addition to the landscaping requirements of this Chapter, landscaping and/or revegetation is required to stabilize all slopes which have been –
 - a. cleared,
 - b. graded,
 - c. otherwise disturbed by development subject to this Section, or
 - d. visible from public rights-of-way.
2. Landscaping shall be dispersed throughout the stabilized area.
3. Interior side yard sloped areas of individual lots are exempt from the landscaping and irrigation requirement.
4. Planting shall be designed to achieve 90% ground coverage of any disturbed area within 3 years.

G. Open Space

1. Any portion of a development on which clearing and grading is not allowed under subsection D (undisturbed area) must be –
 - a. Placed within any required open space, or
 - b. Protected from disturbance through fencing or other permanent access restrictions, or
 - c. subject to a permanent open space deed restriction in favor of the city.
2. If the application involves subdivision plat approval, the applicant must provide a plan to maintain any required open space which is not a part of a developed lot.
3. Open space areas shall include a variety of slope gradients and not contain only slopes within one slope category.
4. The open space must be accessible to the residents.

H. Hilltops or Ridgelines

Any hilltop or ridgeline that is identified by the city as a significant hilltop or ridgeline shall have additional setback requirements from that identified significant hilltop or ridgeline. The setback requirement shall vary dependent on the slope(s) of the ridgeline or hilltop and the proposed heights or structures.



(Ord. 1880, 1995: Ord. 1577 § 1 (part), 1987.)

I. Application Requirements

In addition to the usual requirements for a Conditional use permit, the application for any development subject to the requirements of this Section shall include the information required in Appendix A7 and A8.

Section 20.04.011 Truckee River Corridor



Purpose: The Truckee River Corridor is established in order to protect ecological balance and water quality of the Truckee River as well as to preclude the possibility of obstructing the flow of stormwaters.

(Ord. 1074 § 1 (part), 1976.)

A. Applicability

1. This section applies to all development in the Truckee River Corridor, defined in subsection 2 below.
2. The Truckee River Corridor comprises **2 zones** as follows:

Zone	Definition
Zone I	The area lying between the centerline of the Truckee River and the northern boundary line of the Truckee River Green belt.
Zone II	The area adjoining Zone I and running to a line parallel to and at a distance of 200 feet to the north of Zone I.

(Ord. 1325 § 42, 1981: Ord. 1074 § 1 (part), 1976.)

B. Permitted Uses

1. **Zone I.** Landscaped areas using organic and inorganic plant material which enhances the natural appearance of the corridor, public pedestrian and equestrian trails and service roads, public parking, recreation areas, and facilities.
2. **Zone II.** All permitted uses in underlying zoning district if:
 - a. Parking lots areas are screened by landscape material or fencing so as not to be visible from Zone I.
 - b. Outdoor storage is screened and fenced.
 - c. Cut and fill areas are stabilized with organic and/or inorganic landscape material.
 - d. Applicants install drought-tolerant, native species of plants and trees that are not otherwise prohibited as a nuisance plant or tree.

Parking lots, outdoor uses and outdoor storage areas are screened so as not to be visible from the Truckee River Trail. Where the Truckee River Trail is elevated more than 3 feet above grade of the parking lot, outdoor use, or outdoor storage site, the Administrator may approve screening that partially screens or reduces the visual impact of the operations from view of the Truckee River Trail.

(Ord. 1325 § 43, 1981: Ord. 1074 § 1 (part), 1976.) (Ord. 2417, Amended, 11/10/2008)

Section 20.04.012 Utilities



Purpose: this section establishes the standards for utilities improvements, including water, sewer, , electrical, gas, telephone, cable, and related improvements associated with any development located outside of the public right of way

A. Applicability

1. .
2. This subsection does not apply if the parcel is part of a subdivision or a development agreement where the City has determined that there is sufficient capacity for, and has approved the design of, water, sewer, , electrical, gas, telephone, cable, and related improvements for the proposed use.
3. Administrative review is required if the utility project has not been approved as part of a subdivision plat application (unless a conditional use permit is required).
4. The requirement for a conditional use permit and/or administrative review is not required for projects with an associated building permit.

B. Generally

C. Easements and Dedication

1. Development plans shall identify needed right-of-way or easement locations necessary for the provision of utilities, drainage and vehicular or pedestrian circulation within the development which meet specified levels of service called for in adopted City plans and policies. Easements may be granted and right-of-way dedicated to the public by the applicant as part of the development approval process or through separate instrument, which shall be in a form approved by the City Attorney.
2. Drainage easements needed for stormwater management as indicated on an approved drainage or grading plan shall be provided.
3. Utility easements required by the various public and private utilities shall be provided. The various utility agencies and the City of Sparks shall be consulted as to current policy on design and required easement widths.
4. Vegetation located on utility easements shall be placed so as to not interfere with the free movement of service vehicles.
5. Structures shall not be placed on utility easements.

PAGES 272-299 RESERVED

Title 20 Zoning Code

Chapter 20.05 Administration

Contents

Chapter 20.05	Administration	300
Part 1: Common Processes		300
Section 20.05.01	Generally	300
Section 20.05.02	Applications.....	302
Section 20.05.03	Notice	304
Section 20.05.04	Public Hearing	304
Part 2: Specific Processes.....		306
Section 20.05.05	Annexation.....	306
Section 20.05.06	Amendments & Rezoning	309
Section 20.05.07	Administrative Review	312
Section 20.05.08	Conditional Use Permits.....	315
Section 20.05.09	Development Agreements	320
Section 20.05.10	Minor Deviations.....	322
Section 20.05.11	Major Deviations.....	324
Section 20.05.12	Variance.....	327
Section 20.05.13	Appeals.....	331

Chapter 20.05 Administration

Part 1: Common Processes

Section 20.05.01 Generally

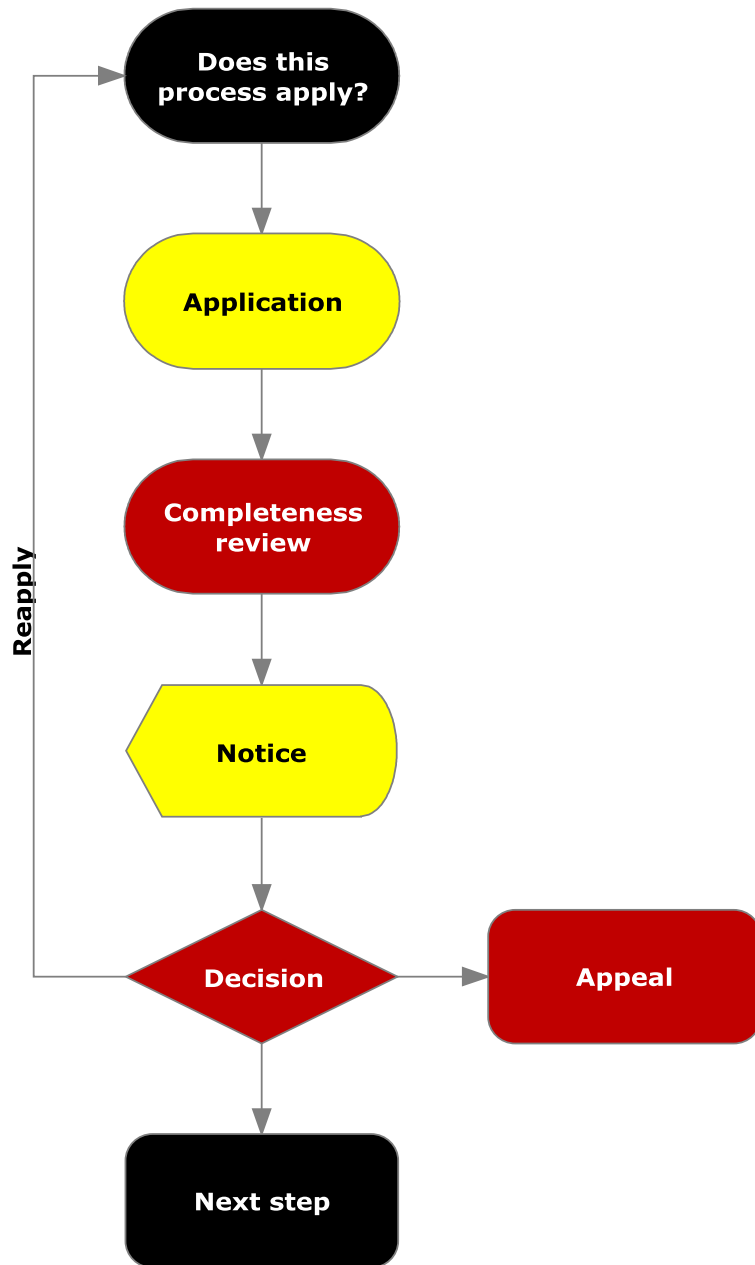
A. Applicability

1. This Chapter applies to any application of land development approval in the City.
2. This Chapter establishes procedures for land development decisions made under this Chapter. These include -
 - a. Legislative decisions, including rezoning and changes to this Zoning Code and the Master Plan. These involve a new policy or rule, or a change in land development policy.
 - b. Quasi-Judicial decisions, including conditional use permits and variances. These proceedings require a weighing of the evidence, a balancing of the equities, an application of rules, regulations and ordinances to facts, and a resolution of specific issues. These also involve a public hearing and the exercise of discretion by the decision-making agency.
 - c. Administrative decisions, such as building permits and certificates of occupancy. These apply this Code or conditions of a quasi-judicial decision to a specific project that is either clearly defined in this Code, or that has already obtained all necessary legislative and quasi-judicial approvals. Because these involve the application of non-discretionary rules to specific projects, these decisions are made by City staff without a public hearing.

B. Process Elements

This Chapter sets up rules for procedures, such as pre-application, neighborhood notification, notices and public hearings. It then describes the process for specific land use decisions. The procedures all have a common workflow and description, as follows:

Table 20.05-1 Process Elements



C.

The processes established in this Code are summarized below.

Table 20.05-2 Process Summary

<i>Process</i>	Administrator / Staff	Planning Commission	City Council	Publication	Mail		Cross-Reference
Administrative Review	✓						Section 20.05.07
Annexation			✓	✓	✓		Section 20.05.05
Appeal			✓	✓			Section 20.05.13
Conditional Use Permit		✓			✓		Section 20.05.08
Development Agreement	✓		✓				
Minor Deviation	✓						Section 20.05.10
Major Deviation		✓			✓		Error! Reference source not found.
Rezoning		✓	✓	✓	✓		Section 20.05.06
Code Amendment		✓	✓	✓			Section 20.05.06
Variance		✓		✓	✓		Section 20.05.12
Tentative Map		✓	✓	✓			

Note: this table is a general summary. Refer to the referenced sections for the specific procedure. If there is any conflict between the text section referenced here and Table 20.05-2, the text section controls.

Section 20.05.02 Applications

A. What are the general requirements?

1. Applications filed under this Chapter must include the information required by Appendix A-4 (Submittal Requirements). All applications shall be made on forms prepared by the City and available in the Planning Division
2. The Council may establish fees for all applications required in this Chapter by resolution.

B. How are applications reviewed for completeness?

1. An application is not complete until all required items are submitted (see Appendix A-4).

2. The City will not process incomplete applications. Review for completeness of application forms is solely to determine whether preliminary information required for submission with the application is sufficient to allow further processing. It does not constitute a decision as to whether an application complies with this Chapter.
3. Within 15 working days after an application is received, the Administrator shall determine whether the application is complete and send a written notice of the determination to the applicant. The Administrator shall specify those parts of the application that are incomplete and will indicate how they can be made complete. The Administrator and the decision making agency are not obligated to further review the application until the required information is provided.
 - a. If the Administrator determines that the application is still not complete, the applicant may appeal that determination to the Planning Commission by filing a written notice of appeal with the Administrator. The notice of appeal shall be filed within 10 days after the Administrator's determination. The Planning Commission shall issue a written determination on the appeal within 60 days after receipt of the notice of appeal.
4. Nothing in this section precludes an applicant and the City from mutually agreeing to an extension of any time limit provided by this section.

C. Concurrent Processing

In order to facilitate the development process, the following applications may be submitted and processed concurrently:

1. rezonings,
2. annexations,
3. conditional use permits,
4. subdivisions,
5. parcel maps,
6. variances, and
7. major deviations.

* Multiple applications submitted for a single development project may be processed concurrently to allow for an expedited review and processing schedule for a project. The time frame and approval process for a consolidated application shall follow the longest time frame and approval process required from among the multiple applications. For example, multiple applications for zoning map amendment and special use permit may be processed concurrently, in which case both applications would be considered based on the more extensive zoning map amendment procedure, and the city council would be the final decision body on both applications unless otherwise provided by law.

(Ord. 1325 § 34, 1981; Ord. 1074 § 1 (part), 1976.)

(Ord. 1074 § 1 (part), 1976.)

Section 20.05.03 Notice

A. What are the general procedures for notice?

State law establishes various requirements for public notice. Unless otherwise provided, the notice established in this Chapter is as follows:

Table 20.05-3 Notice

Type of notice	Description
Publication	Publication in an official newspaper, or a newspaper of general circulation in the City of Sparks.
Mail	Regular mail, unless certified mail is specifically required.
Email	<p>The Administrator will transmit an email or electronic means to:</p> <ul style="list-style-type: none"> the Applicant, parties to whom state law or this Chapter require notice by mail, upon request. <p>Receipt of an electronic notice must be capable of verification.</p>
Online	The City will make information about the permit or proceeding available on its website. Unless another form of notice is required by law or this Chapter, this is how the City will provide notice.

B. Notice shall include the following information, unless the process includes a different requirement.

1. Time, date, and place of the public hearing or meeting;
2. The type of land use or development decision that is being considered;
3. A telephone point of contact within the Planning Division;

C. **Additional Notice.** The City may provide additional notice not required by this Chapter or state law at its discretion.

Section 20.05.04 Public Hearing

A. Generally

1. A public hearing gives interested parties an opportunity to be heard. The specific processes for providing testimony and conducting the hearing are established by the agency that conducts the hearing.
 2. Where a public hearing is required for legislative action, the hearing may be called –
 - a. By the Planning Commission upon its own initiative, or
 - b. At the direction of the Sparks City Council.
- B.** Whenever this title requires a public hearing, the following procedures apply (unless otherwise provided):
1. At least 10 days notice of the time, place and purpose of such public hearing shall be:
 - a. Published in an official newspaper or newspaper of general circulation in the city, county or region;
 - b. Given by mail to the owner, applicant or appellant, as the case may be; and
 - c. .
 2. Parties in interest and citizens shall have an opportunity to be heard and the written communications relative to the hearing may be considered.

(Ord. 1715, 1991: Ord. 1325 § 19, 1981: Ord. 1074 § 1 (part), 1976.) (Ord. 2077, Amended, 07/10/2000)

Part 2: Specific Processes

Section 20.05.05 Annexation

A. Applicability

This section delineates the process and criteria by which the City of Sparks processes annexation applications pursuant to NRS 268.670.

B. Initiation

1. The applicant files an application for Annexation with the Administrator.
2. If the area proposed for annexation is within a Cooperative Planning Area designated by the City, the applicant must also submit a “Cooperative Planning Area” application.

C. Completeness

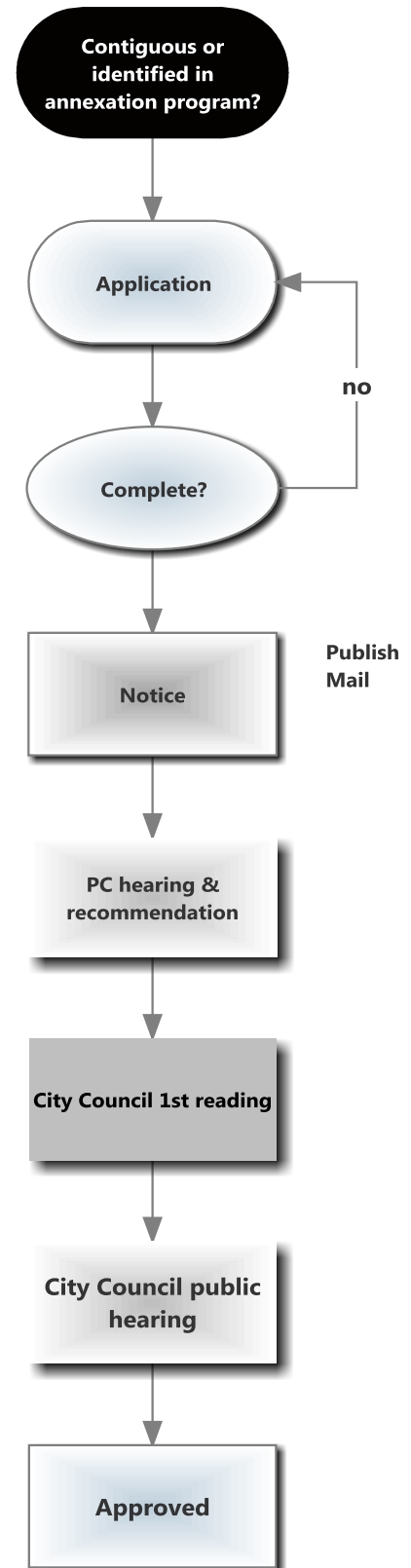
See Section 20.05.02.

D. Notice

1. Before adopting any annexation, a public hearing will be conducted after at least 10 days notice is given by mail to owners of property 750 of the exterior limits of the property or area proposed for annexation, as shown by the assessor’s latest ownership maps.
2. Notice is provided by publication and mail as provided by NRS 268 and Section 20.05.03 of this Title.

E. Decision

1. The Planning Commission will conduct a hearing and will recommend approval, or denial of the annexation.
2. The City Council will approve deny with or without prejudice, table or continue the annexation.



F. Findings for Approval

When considering an application for annexation submitted under the procedures set forth in NRS 268.670, the City shall consider the following factors in rendering a decision on the application:

1. The Request conforms to the requirements of NRS 268
2. The request conforms to the findings established for annexation:
 - a. Location of the property to be considered for annexation;
 - b. The logical extension of City limits;
 - c. The need for the expansion to accommodate planned regional growth;
 - d. The location of existing and planned water and sewer service;
 - e. Community goals that would be met by the proposed annexation;
 - f. The efficient and cost effective provision of service areas and capital facilities;
 - g. Fiscal analysis regarding the proposed annexation;
 - h. Whether Washoe County has adopted a Community Management Plan for the proposed annexation area;
 - i. Whether the annexation creates any islands; and
 - j. Any other factors concerning the proposed annexation deemed appropriate for consideration by the City Council.
3. The Property requested to be annexed conforms to the Master Plan as it is within the City's Sphere of Influence and Seven Year Annexation Plan.
4. Public notice was given and a public hearing held per the requirements of the Sparks Municipal Code.

(Ord. 2164, Add, 02/10/2003)

G. Subsequent Applications

If the annexation of territory to a city is not approved, an application to annex the same or substantially the same territory will not be accepted for at least 1 year after the date of disapproval.

H. Appeals

Not applicable.

I. Scope of Approval

1. **Generally.** After the area is annexed, it becomes subject to all ordinances and regulations of the City of Sparks.
2. **Classification of annexed territory**

Territory annexed to the city is classified for purposes of this chapter as follows:

Table 20.05-4 Zoning Classification of Annexed Territory

Washoe County zoning districts established prior to 1997	City Zoning Classification	Washoe County land use classification implemented in 1997	City Zoning Classification
R-1	SF-6	Medium Density Rural in Washoe County	A5
R-1a	SF-9	Low Density Suburban	SF-40
R-1b	SF-12	Medium Density Suburban	SF-15
E-1	SF-15	High Density Suburban	SF-6
A-3 or E-2	SF-20	Low Density Urban for existing residential uses	MF-2
A-1, A-2, E-3 or E-4	SF-40	Low Density Urban for existing nonresidential uses	C1
R-2 or R-2a	MF-2	Medium Density Urban for existing residential uses	MF-3
R-3	MF-3	Medium Density Urban for existing nonresidential uses	C1
A-R or L-R	PF	High Density Urban	MF-4
A-4, A-5, A-6, or E-5	A5	C2, if previously classified General Commercial	C2
A-7, A-8, A-9, A-10, or A-11	A40	Neighborhood Commercial/Office	C1
		Tourist Commercial for existing gaming facilities	TC
		Tourist Commercial for non gaming facilities	C2
		Industrial	I
		Public/Semi-Public Facilities or Parks and Recreation	PF
		General Rural	A40
		Special Plan Area	PD with land uses identified in the specific plan, if previously classified

(Ord. 1325 § 30, 1981; Ord. 1074 § 1 (part), 1976.) (Ord. 2417, Amended, 11/10/2008; Ord. 2158, Amended, 12/23/2002)

J. Recordkeeping

The City Clerk will maintain a record of the annexation ordinance in accordance with its normal ordinance tracking procedures.

Section 20.05.06 Amendments & Rezoning

A. Applicability

This applies to the amendment or repeal of this Title. This includes any amendment to the Zoning Map (a “rezoning”).

(Ord. 1325 § 25, 1981; Ord. 1074 § 1 (part), 1976.)

B. Initiation

1. Amendments to the zoning map may be initiated by:
 - a. the City Council;
 - b. for a rezoning, the City Council or the owner of a lot or parcel within the area sought for amendments.

(Ord. 1247 § 8, 1979; Ord. 1201 § 1, 1978; Ord. 1074 § 1 (part), 1976.)
2. The applicant files an application for rezoning with the Administrator.

C. Completeness

See Section 20.05.02.

D. Notice

Notice is provided by publication and mail as provided by NRS 278.260 and Section 20.05.03 of this Title.

E. Decision

The following procedures apply to Code Amendments and rezonings, as indicated in the table below:

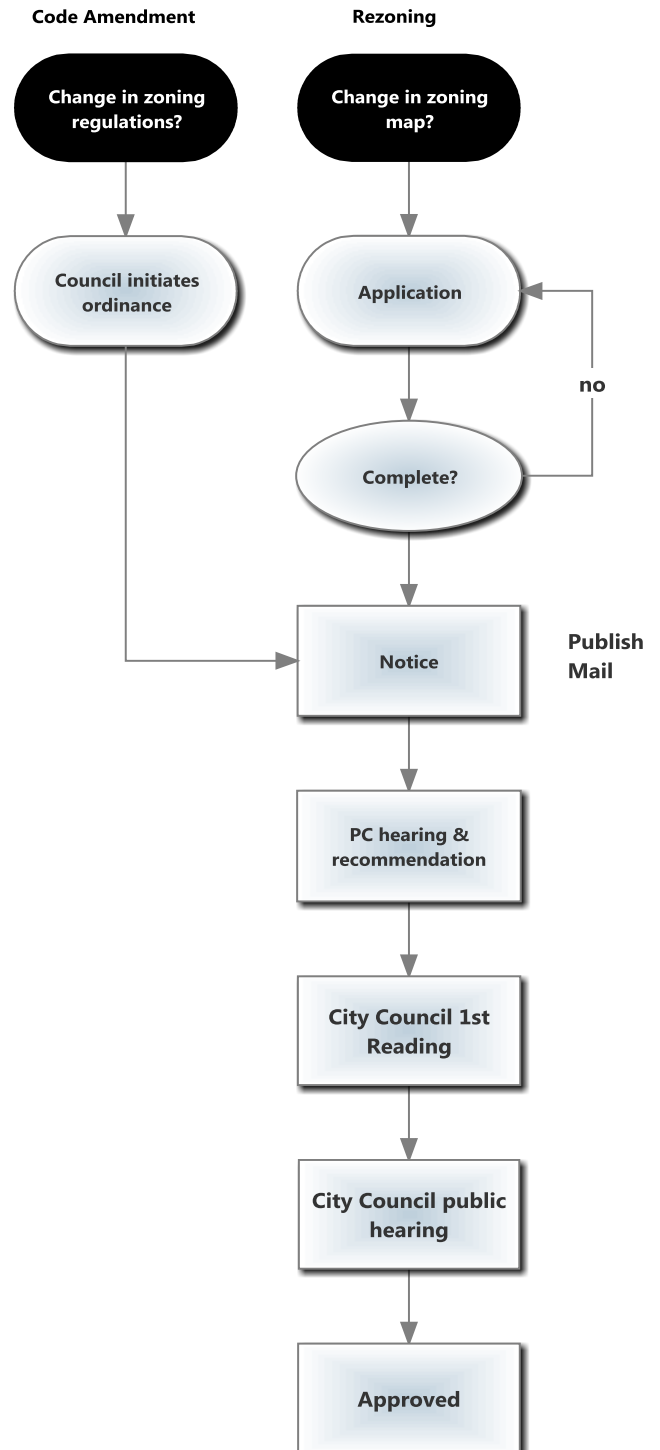


Table 20.05-5 Decision Process for Code Amendments & Rezoning

↓ Process	Applies to (as indicated by a check mark [✓]) →	Rezoning	Code Amendment
1. The Planning Commission shall file a written report with the city clerk relative to the proposed amendment. The written report shall recommend approval or disapproval of the proposed amendment.		✓	✓
The report shall be filed within 40 days following the public hearing.		✓	
2. Failure of the Planning Commission to file a report is deemed a recommendation for approval.		✓	
3. The Planning Commission shall mail to the applicant notice of the recommendation within 5 days following the filing of the report with the city clerk.		✓	
4. Upon the filing of the report, the city clerk shall cause a bill prepared by the city attorney to be placed on the agenda of the City Council for a first reading pursuant to Section 2.080.1 of the Sparks City Charter.		✓	✓
If the Planning Commission does not file the report within 40 days, the City Clerk will place a bill on the City Council agenda as provided above,		✓	
5. The City Council shall then comply with the ordinance enactment procedures set forth in Section 2.080 of the Sparks City Charter. At the meeting of the City Council held pursuant to Section 2.080.2 of the City Charter, the City Council shall hold a public hearing relative to the report of the Planning Commission and the proposed rezoning or Code Amendment bill before taking any action on the bill. No additional notice of this hearing is required.		✓	✓

(Ord. 1341 § 1, 1981: Ord. 1325 § 26, 1981: Ord. 1247 § 9, 1979: Ord. 1201 § 2, 1978: Ord. 1074 § 1 (part), 1976.) (Ord. 2234, Amended, 08/23/2004)

F. Findings for Approval

A rezoning or Code Amendment is committed to the City Council's legislative discretion. The rezoning or Code Amendment may be approved if it is –

1. Consistent with the City's Master Plan (↔ *NRS 278.0284 and* Otherwise consistent with Nevada or federal law
2. Consistent with the surrounding land uses
3. Public notice was given and a public hearing held per the requirements of the Sparks Municipal Code and Nevada Revised Statutes.
4. .

(Ord. 1325 § 29, 1981: Ord. 1201 § 3, 1978: Ord. 1074 § 1 (part), 1976.)

G. Appeals

Not applicable.

H. Scope of Approval

1. A Code Amendment applies to all situations, uses or development within the scope of the adopted ordinance.
2. After a rezoning is approved, all new development within the area subject to the approved rezoning is subject to the uses and development standards in the zoning districts applied by the rezoning ordinance.

I. Recordkeeping

1. The City Clerk will maintain a record of all Code Amendments as provided by the City Charter and Nevada law.
2. The Administrator will revise the Zoning Map (see § 20.02.002) to reflect an approved rezoning.

Section 20.05.07 Administrative Review

Purpose: Administrative Review determines whether the proposed use, building, structure addition or change to any building, structure or use will conform to the City's Zoning Code, building and fire codes and other applicable ordinances and requirements. Administrative Review insures the development of an aesthetically acceptable and well-ordered community serving the interests of public health, safety and general welfare. (Ord. 1876, 1995: Ord. 1074 § 1 (part), 1976.)

A. Applicability

Administrative Review is required –

1. where indicated in the Use Table (20.02.014),
2. for any Commercial , Industrial, or Multifamily construction or addition when a conditional use permit is not required, or
3. where specifically required in this Title.

B. Initiation

The applicant files an application for Administrative Review with the Administrator.

C. Completeness

See Section 20.05.02.

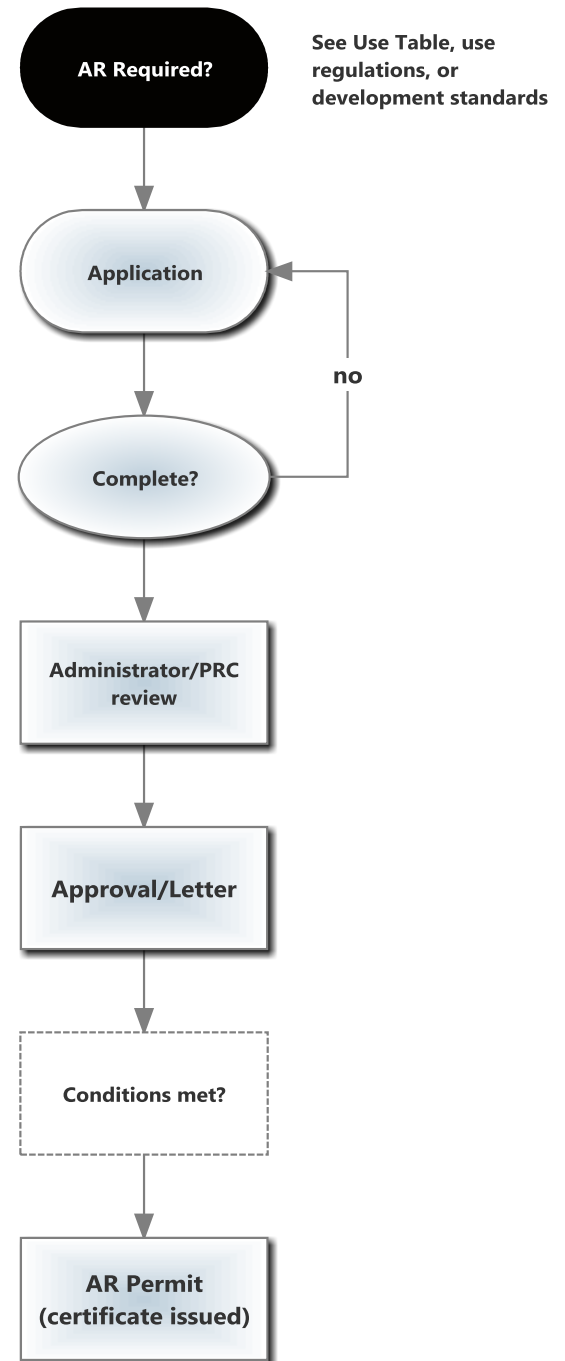
D. Notice

Not required.

E. Decision

1. Within 30 days from the date the Administrative Review application is deemed complete:
 - a. the Administrator shall review the application for compliance with this Title, and
 - b. the Administrator shall approve, conditionally approve, or deny the Administrative Review application, and
 - c. if the application is approved or conditionally approved, the Administrator shall submit to the applicant a letter and conditions of approval relative to the Administrative Review. (Ord.

1876, 1995: Ord. 1325 § 35, 1981: Ord. 1074 § 1 (part), 1976.) (Ord. 2234, Amended, 08/23/2004)



2. Following approval of Administrative Review by the Administrator will not issue an Administrative Review Permit until the conditions of approval are satisfied.
3. If the conditions of approval are not satisfied within 2 years of the date of the letter from the Administrator, or within another specified time limit stated as a condition of approval, the approval is automatically rescinded. (Ord. 1876, 1995.)

F. Approval Criteria

The Administrative Review application shall comply with all applicable requirements of this Title, including the following:

1. The proposed development shall not create unsafe traffic conditions or cause a reduction in the level of service on surrounding streets, taking into consideration:
 - a. Any change in traffic conditions on abutting streets created by additional trips generated by the proposed development,
 - b. The layout of the site with respect to locations and dimensions of vehicular and pedestrian entrances, exits, drives, walkways and fire-department access lanes,
 - c. The arrangement and adequacy of off-street parking facilities to prevent traffic congestion,
 - d. The location, arrangement, and dimensions of truck loading and unloading facilities,
 - e. The surfacing and lighting of off-street parking, and
 - f. Location of refuse storage and disposal facilities.

(Ord. 1876, 1995; Ord. 1325 § 36, 1981; Ord. 1074 § 1 (part), 1976.)

G. Subsequent Applications

1. An Administrative Review Permit may be amended if:
 - a. A condition of approval cannot be met;
 - b. There are substantial changes in the project; or
 - c. The Administrator determines that proposed changes to an approved project will impact surrounding properties.
2. Amendments to Administrative Reviews must follow the same procedure as a new application, including the application fee and information required by the Appendices to this Code.

(Ord. 1876, 1995.)

H. Appeals

See Section 20.05.13.

I. Scope of Approval

1. **Administrative Review Certificate.** After the applicant satisfies the conditions of approval, the Administrator will issue a certificate indicating that the conditions are satisfied.
2. **Responsibility.** The property owner shall comply with and maintain the conditions of approval of an Administrative Review permit. An Administrative Review runs with the land, subject to termination in accordance with the procedures in this Section. (Ord. 1876, 1995.)
3. **Modifications.** In issuing building permits, the Administrator may approve minor adjustments of the location and/or dimensions of buildings, parking areas and roadways if they do not change any points of ingress or egress to the site or reduce the parking or landscaping requirements to less than the minimum required by this Title. No modification of an approved application can be approved unless specifically provided in writing. (Ord. 1876, 1995.)
4. **Expiration of Administrative Review.**
 - a. An applicant has 2 years to establish the permitted use after the Administrative Review is approved.
 - b. If the permitted use is not established or construction to accommodate that use begun and diligently pursued during this time, the Administrative Review or Administrative Review Permit becomes null and void. If the use is established during this time, the Administrative Review Permit is valid until revoked unless there is a specific expiration date. (Ord. 1876, 1995.) (Ord. 2470, § 1.D, Amended, 3/25/2013)
 - c. The Administrator may extend the expiration date for up to one year if –
 - (1) the applicant files a written request, which includes the current status of the project, with the Administrator before the approval expires. (Ord. 1876, 1995.) (Ord. 2470, § 1.E, Amended, 3/25/2013)

(Ord. 1876, 1995.)

J. Revocation.

1. The Administrator may revoke an Administrative Review if
 - a. The permit holder violates any condition of the permit;
 - b. The permitted use becomes a public nuisance: or
 - c. The permit was granted on the basis of false statements or fraudulent application.
2. If the Administrator has reason to believe that an administrative review permit is subject to revocation, the Administrator may institute proceedings to revoke the permit.

K. Recordkeeping

The Administrator and the applicant shall maintain a record of the Administrative Review and Administrative Review Permit.

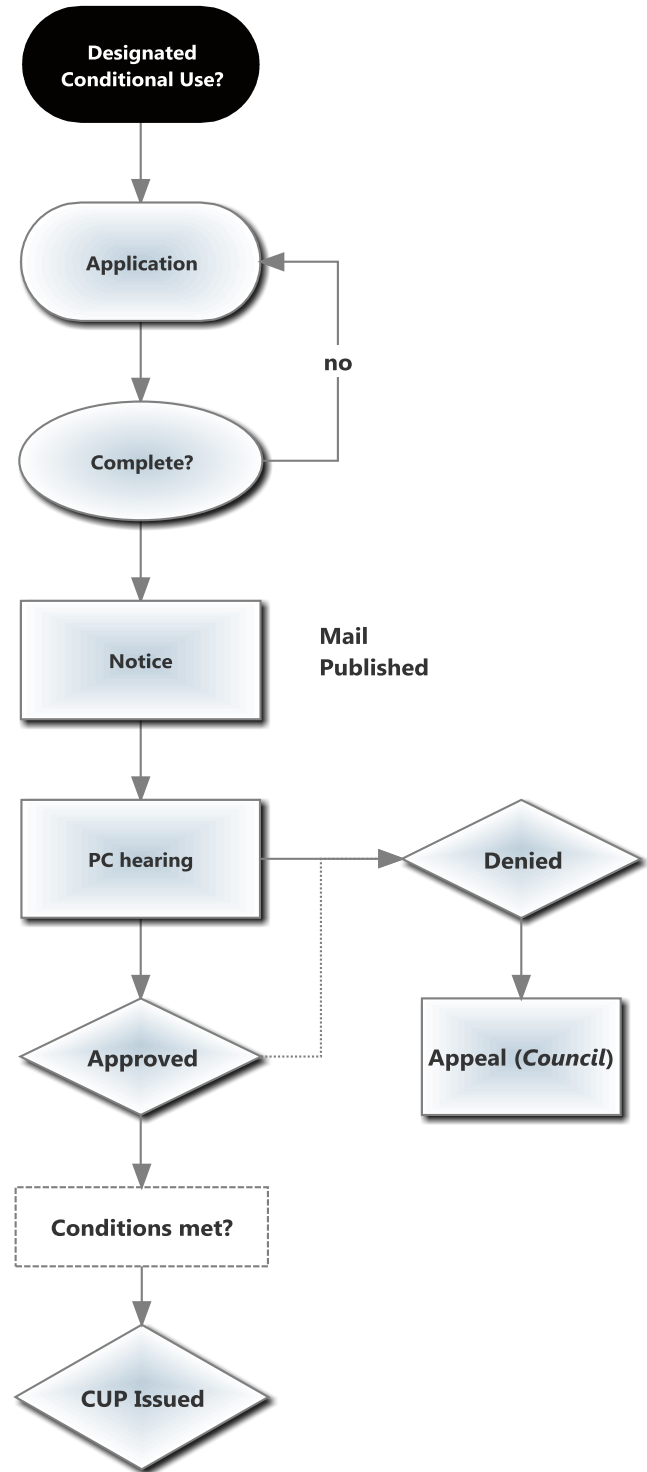
Section 20.05.08 Conditional Use Permits

- *Purpose: This Section promotes the public health, safety and general welfare by providing for special safeguards in the location and design of certain uses in certain zoning districts, and by allowing for minor adjustments in the impact of some regulations as specifically provided elsewhere in this Title.* (Ord. 1487 § 6 (part), 1985.)

↔ see NRS 278.315

A. Applicability

- This section applies to –
 - any use designated as a conditional use in the Use Table (§ 20.02.014), or
 - any other situation where this Title requires conditional use approval.
- This section does not authorize a use variance or a deviation based on hardship or difficulty. However, an applicant may combine a request for a Variance with a conditional use permit, and the City may process both applications concurrently.
- A conditional use permit application may be processed concurrent with a rezoning application.
- Multiple applications submitted for a single development project may be processed concurrently to allow for an expedited review and processing schedule for a project. The time frame and approval process for a consolidated application shall follow the longest time frame and approval process required from among the multiple applications. For example, multiple applications for zoning map amendment and special use permit may be processed concurrently, in which case both applications would be considered based on the more extensive zoning map amendment



procedure, and the city council would be the final decision body on both applications unless otherwise provided by law.

B. Initiation

The applicant files an application for a Conditional Use Permit with the Administrator.

C. Notice

See NRS 278.315.

D. Decision

1. For purposes of this section, the approving agency for a conditional use permit is –
 - a. The Planning Commission, or
 - b. The City Council if the Planning Commission's decision is appealed.
2. The Planning Commission will hold a public hearing within 65 days after the application is filed, unless a longer time or a different process of review is provided in a development agreement (see NRS 278.0201).
3. The Planning Commission shall
 - a. Approve the conditional use permit;
 - b. Approve the conditional use permit with conditions;
 - c. Deny the conditional use permit, with or without prejudice;
4. The approving agency may impose conditions on the conditional use permit to safeguard the public health, safety, morals and general welfare. The conditions may address, but are not limited to, compatibility, site design, architecture, landscaping, building materials, access, internal circulation, lighting, signage, parking, operation of the use, the mitigation of potential impacts, and any other criteria permitted by state law.
5. An application may be tabled or continued so long as a new public hearing is held within 65 days after the application is heard, unless a longer time or a different process of review is provided in a development agreement (see NRS 278.0201) (↔ NRS 278.315.2).
6. Within 10 days after final action and at the conclusion of any appeal period, the Planning Commission's administrative secretary or the city clerk will notify the applicant in writing of that action, including any conditions imposed by the Planning Commission or City Council. The Planning Commission's administrative secretary must also notify the city clerk's office if the Planning Commission takes final action. (Ord. 1487 § 6 (part), 1985.) (Ord. 2234, Amended, 08/23/2004; Ord. 2077, Amended, 07/10/2000;

1996, Amended, 07/13/1998)

7. After a conditional use is approved, the Administrator shall issue the permit when all conditions of approval, except for continuing conditions, are satisfied.

E. Findings for Approval

1. The approving agency must make findings that the proposed conditional use will be in compliance with the Master Plan;
2. The conditional use will be compatible with the existing or permitted uses of adjacent properties;
3. The potential impairment of natural resources and the total population which the available natural resources will support without unreasonable impairment .:
4. The availability of and need for affordable housing in the community, including affordable housing that is accessible to persons with disabilities.
5. The conditional use permits impacts have been conditioned to address identified impacts.
6. Public notice has been given and a public hearing held per the requirements of the Sparks Municipal Code and the Nevada Revised Statutes.

(Ord. 1487 § 6 (part), 1985.) (Ord. 2077, Amended, 07/10/2000)

F. Amendments.

1. A conditional use permit must be amended if:
 - a. One or more of the conditions of approval cannot be met;
 - b. There are substantial material changes in the project; or
 - c. The Administrator determines that proposed changes to an approved project will materially impact surrounding properties.
2. Amendments to conditional use permits must follow the same procedure as for a new application.

(Ord. 1798, 1993.)

G. Appeals

See section 20.05.14

H. Scope of Approval

1. **Compliance Certificate.** After the applicant satisfies the conditions of approval, the Administrator will issue a certificate indicating that the conditions are satisfied.
2. **Responsibility.** The property owner is responsible for compliance with and maintenance of the conditions of approval of a conditional use permit for a particular use on a particular piece of property.

3. Duration.

- a. A conditional use permit runs with the land, subject to termination in accordance with the procedures set forth in this chapter. (Ord. 1779, 1993.) (Ord. 2077, Amended, 07/10/2000)
- b. A conditional use permit issued by the Administrator is valid until revoked, unless it contains a specified expiration date.
- c. If the use for which the conditional use permit was issued ceases operation for two (2) years or more, the conditional use permit becomes null and void.
- d. If a final subdivision map is recorded on any portion of a project while a conditional use permit for the project is in effect, the use of that portion of the project is considered established, even if construction has not taken place, unless the subdivision map is amended or reverted to acreage.
- e. . (Ord. 1798, 1993: Ord. 1779, 1993: Ord. 1487 § 6 (part), 1985.) (Ord. 2470, § 1.C, Amended, 3/25/2013; Ord. 2077, Amended, 07/10/2000)

4. Rescission. If any conditions of approval (other than continuing conditions) are not satisfied within 2 years after final action is taken, or within another time limit specified in the permit, the approval is automatically rescinded. (Ord. 1779, 1993: Ord. 1487 § 6 (part), 1985.) (Ord. 2470, § 1.A, Amended, 3/25/2013; Ord. 2077, Amended, 07/10/2000)

5. Expiration of conditional use permit.

- a. An applicant has 2 years to establish the permitted use after the conditional use permit is approved.
 - b. If the permitted use is not established or construction to accommodate that use begun and diligently pursued during this time, the Conditional Use Permit becomes null and void. If the use is established during this time, the Conditional Use Permit is valid until revoked unless there is a specific expiration date. (Ord. 1876, 1995.) (Ord. 2470, § 1.D, Amended, 3/25/2013)
 - c. The approving agency may extend the expiration date for up to one year if –
- I.** If a permit holder is unable to establish the permitted use or begin construction to accommodate it within 2 years or the time specified in the conditional use permit, the approving agency may extend the expiration date. The extension may not exceed 1 year beyond the original expiration date,. To obtain an extension, the applicant must submit a written request to the approving agency before the permit expires. Revocation.
- 1.** The Administrator may revoke Conditional Use Permit if
 - a. The permit holder violates any condition of the permit;
 - b. The permitted use becomes a public nuisance: or

- c. The permit was granted on the basis of false statements or fraudulent application.
- 2. If the Administrator has reason to believe that a Conditional Use Permit is subject to revocation, the Administrator may institute proceedings to revoke the permit. Before revoking any Conditional Use Permit, the body which approved it must hold a public hearing as provided in Section 20.05.04.

J. Recordkeeping

The Administrator and the applicant shall maintain a record of the Conditional Use Permit.

Section 20.05.09 Development Agreements

↔ see NRS 278.0201 to 278.0207

A. Applicability

1. This section provides for development agreements to regulate the development of land within the city.
2. The Administrator has authority to apply, administer and enforce this Section, including the negotiation and enforcement of development agreements.
(Ord. 1828, 1994.)

B. Initiation

The applicant files an application for a Development Agreement, along with the proposed Development Agreement, with the Administrator.

C. Completeness

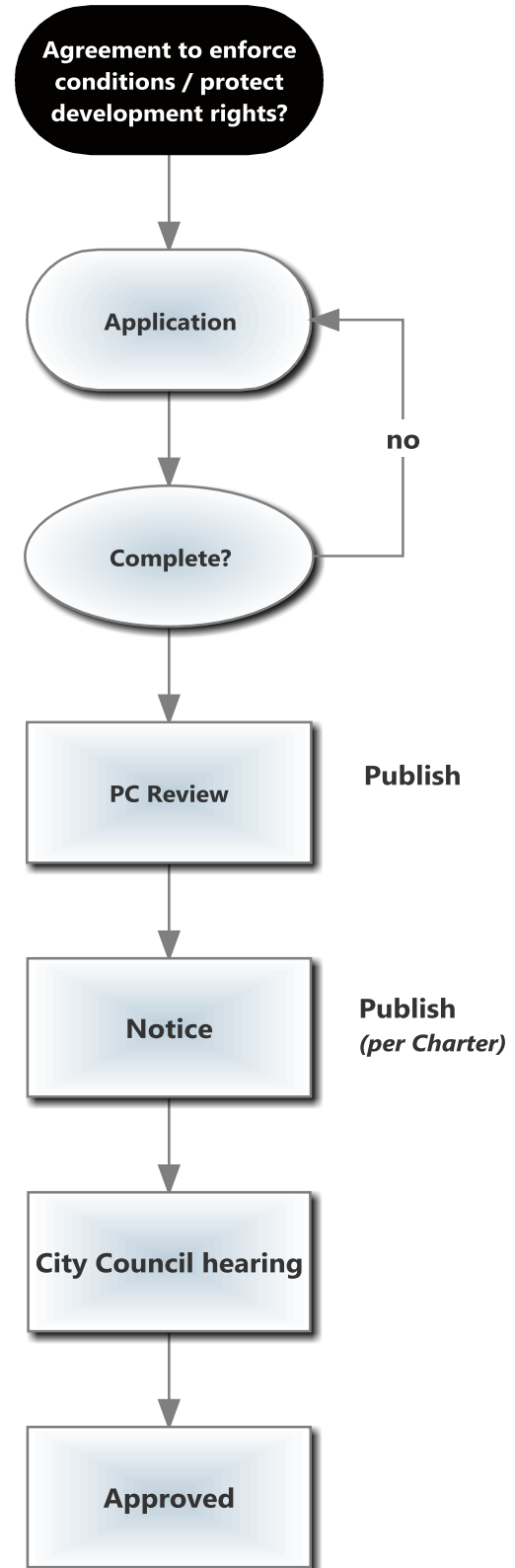
See Section 20.05.02.

D. Notice

1. See City Charter, § 2.080 (notice required for ordinances). This does not supersede any additional notice required for any development approval required by this Chapter.
2. Publication is required to amend or cancel any part of the agreement (see NRS 278.0205, City Charter, § 2.080).

E. Decision

1. Before the City Council enters into a development agreement, the Planning Commission shall review the agreement for consistency with the city's Master Plan.
2. If the sole purpose of the development agreement is to allow an alternate time period for review of an entitlement application, the agreement is processed directly by the City Council and subsection 1 does not apply.



(Ord. 1828, 1994.) (2108, Amended, 06/25/2001)

3. The City Council shall review and approve, approve with modifications, or deny the development agreement by ordinance.

F. Approval Criteria

A development agreement is committed to the City Council's legislative discretion. The City Council may approve the development agreement if it is –

1. Consistent with the City's Master Plan (\Leftrightarrow NRS 278.0284), and
2. Otherwise consistent with Nevada or federal law.

G. Subsequent Applications

Not applicable.

H. Appeals

Not applicable.

I. Scope of Approval

Except as otherwise provided in NRS 278.0201 to 278.0207, or in a development agreement entered into pursuant to this Section, all the procedures and requirements of Title 20 of this code apply to the development of property that is the subject of a development agreement.

(Ord. 1828, 1994.)

J. Recordkeeping

1. The City Clerk will record with the County Recorder –
 - a. the original development agreement or any amendments to the agreement; and
 - b. a certified copy of the ordinance adopting the development agreement and any amendments to the ordinance.
2. The original of the amendment must be filed for recording with the County Recorder.

Section 20.05.10 Minor Deviations

↔ see NRS 278.319

A. Applicability

This section allows deviations of less than 10 percent from requirements for land use in this Title.

B. Initiation

1. The applicant files an application for a minor deviation with the Administrator. The minor deviation request may be combined with the underlying application for which the minor deviation is requested.

C. Notice

1. The applicant for a minor deviation must provide the written consent of the owner of any real property that would be affected by the deviation.

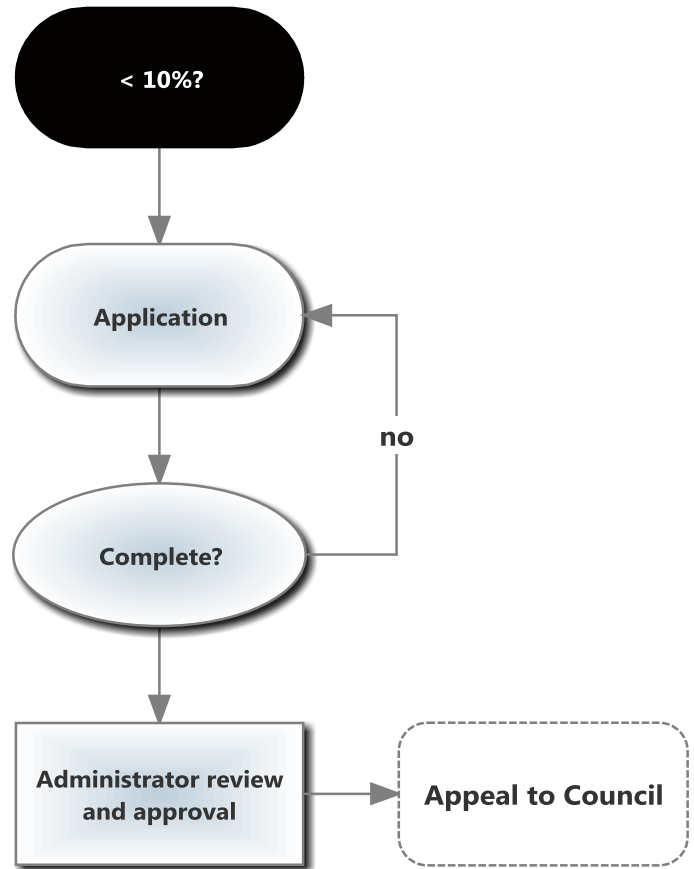
D. Decision

1. The Administrator will approve, approve with conditions, or deny the deviation. No public hearing is required.
2. The applicant must obtain the written consent of the owner of any real property be affected by the minor deviation. This includes any abutting property, unless the Administrator determines that existing natural or man-made barriers or other factors resolve any potential impacts resulting from the deviation.

E. Approval Criteria

1. The deviation shall not change any points of ingress or egress to the site, or exceed the density
2. The deviation shall not impair the purpose of the zoning district or any district regulations.
3. Any changes that might be affected by fire, building or health regulations must be reviewed and approved by the responsible agencies before any deviation is granted.
4. The Administrator may require mitigation measures to address potential impacts arising from the deviation.

(Ord. 2076, Added, 07/10/2000) (Ord. 2120, Amended, 01/14/2002; Ord. 2076, Added, 07/10/2000)



F. Subsequent Applications

No restriction.

G. Appeals

See Section 20.05.13.

H. Scope of Approval

After a minor deviation is approved, the applicant may apply for a building permit or certificate of occupancy.

I. Recordkeeping

The Administrator and the applicant shall maintain a record of the Minor Deviation.

Section 20.05.11 Major Deviations

↔ see NRS 278.315

A. Applicability

1. This section authorizes the Planning Commission to approve –
 - a. Special exceptions greater than 10% and less than 50% from requirements for land use in this Title, or
 - b. Special exceptions from development standards that can be quantified.
2. This section does not authorize a use variance or a deviation based on hardship or difficulty. However, an applicant may combine a request for a Variance with a Major Deviation, and the City may process both applications concurrently.

B. Initiation

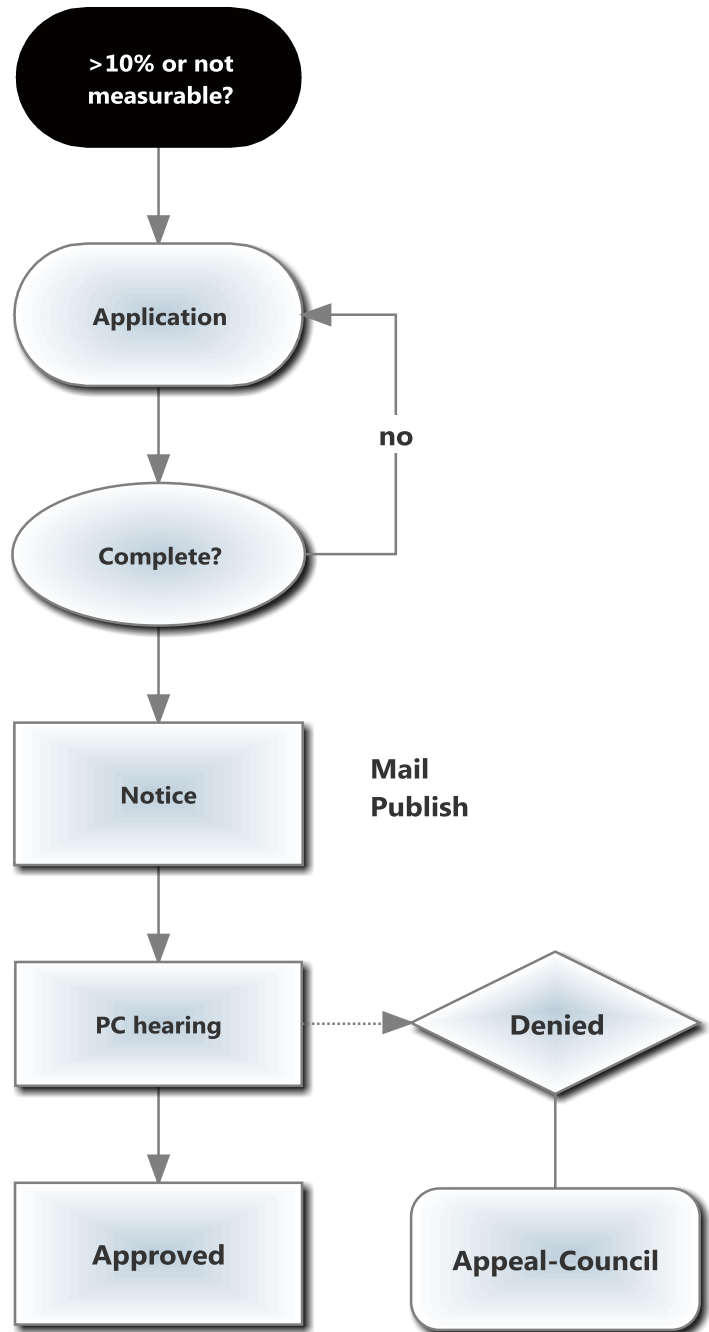
The applicant files an application for a Major Deviation with the Administrator. The Major Deviation request may be combined with the underlying application for which it is requested. However, the underlying application will not be approved until the Major Deviation is approved, unless it is possible to comply with the standards associated with the underlying application without the Major Deviation.

C. Completeness

See Section 20.05.02.

D. Notice

A notice setting forth the time, place and purpose of the hearing must be sent at least 10 days before the hearing to:



1. The applicant; and 2. Each owner, as listed on the County Assessor's records, of real property located within five hundred (500) feet of the property in question.

a. Notify minimum of the thirty (30) separately owned parcels nearest the property in question as listed on the County Assessor's records; and

3. Notify each tenant of a mobile home park located within five hundred (500) feet of the property in question.

E. Decision

1. The Planning Commission will review the Major Deviation at a hearing. The hearing is held within 65 days after the filing of the application, unless a longer time or a different process of review is provided in a development agreement (see Section 20.05.09).

2. The Planning Commission may:

a. Grant the Major Deviation, which may be subject to conditions as provided in subsection 4;

b. Deny the Major Deviation, with or without prejudice; or

c. Continue or table the application.

3. If an application is tabled or continued, the Planning Commission shall hold a new public hearing within 65 days after the application was filed with the Planning Commission, unless a longer time or a different process of review is provided in an agreement entered into pursuant to NRS 278.0201.

4. The Planning Commission may impose conditions on a Major Deviation to safeguard the public health, safety, morals and general welfare and to protect the interests of the persons residing or working in the surrounding areas.

F. Findings for Approval

If granting the approval of the major deviation, the Planning Commission must make findings that the proposed major deviation will be compatible with the existing or permitted uses of adjacent properties and is consistent with the City of Sparks' Master Plan. The Planning Commission must conclude that:

1. The request is consistent with the stated purposes of [Title 20](#), Zoning and Land Use Controls;

2. Granting the major deviation will not be materially detrimental to the public health, safety or welfare, or injurious to property or improvements in the vicinity;

3. Granting the major deviation is necessary for the preservation and enjoyment of a property right possessed by other property owners in the same vicinity and land use district and is denied to the property for which the major deviation is sought; and

4. Granting of the major deviation does not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and land use district in which the property is located.

G. Subsequent Applications

If the Planning Commission denies a Major Deviation, unless the denial is specifically stated to be without prejudice, a new application for a substantially similar Major Deviation may not be submitted for at least 6 months following the denial.

(Ord. 2077, Added, 07/10/2000)

H. Appeals

See Section 20.05.13.

I. Scope of Approval

1. Lapse of Major Deviation

- a. A Major Deviation automatically lapses and becomes void 1 year following the date on which the Major Deviation became effective, unless during this time a building permit is issued and construction is commenced and diligently pursued toward completion on the site which was subject to the Major Deviation application.
- b. The Administrator may renew the Major Deviation for an additional year if an application to renew the Major Deviation is filed with the Administrator before the original expiration date.

(Ord. 1074 § 1 (part), 1976.)

2. Revocation of Major Deviation

A Major Deviation may be revoked by the Planning Commission for any of the following reasons:

- a. The recipient or his successor in interest violates any condition of the approval.
- b. The approval was granted on the basis of false statements or a fraudulent application.
- c. The development as modified becomes a public nuisance.

(Ord. 2077, Amended, 07/10/2000; 1997, Added, 07/13/1998)

J. Recordkeeping

Within 10 days after the Planning Commission's final action, the administrative secretary to the Planning Commission must notify the applicant and the City Clerk in writing of that action, including any conditions the Planning Commission imposed.

Section 20.05.12 Variance

↔ see NRS 278.315

A. Applicability

1. This section authorizes the Planning Commission to grant a variance for the development of property if the variance is necessary to –
 - a. prevent or to lessen any peculiar and exceptional practical difficulties, or exceptional and undue hardships, and
 - b. the difficulties or hardships would result from a strict application and enforcement of any provision of this Title except the Sign standards (see Chapter 20.04).
2. A peculiar and exceptional practical difficulty or exceptional and undue hardship may result from the size, shape or dimensions of a site or the location of existing structures, or from geographic, topographic or other physical conditions on the site.
3. Cost to the applicant of strict compliance shall not be the sole reason for granting a variance.
4. Use variances are not allowed.

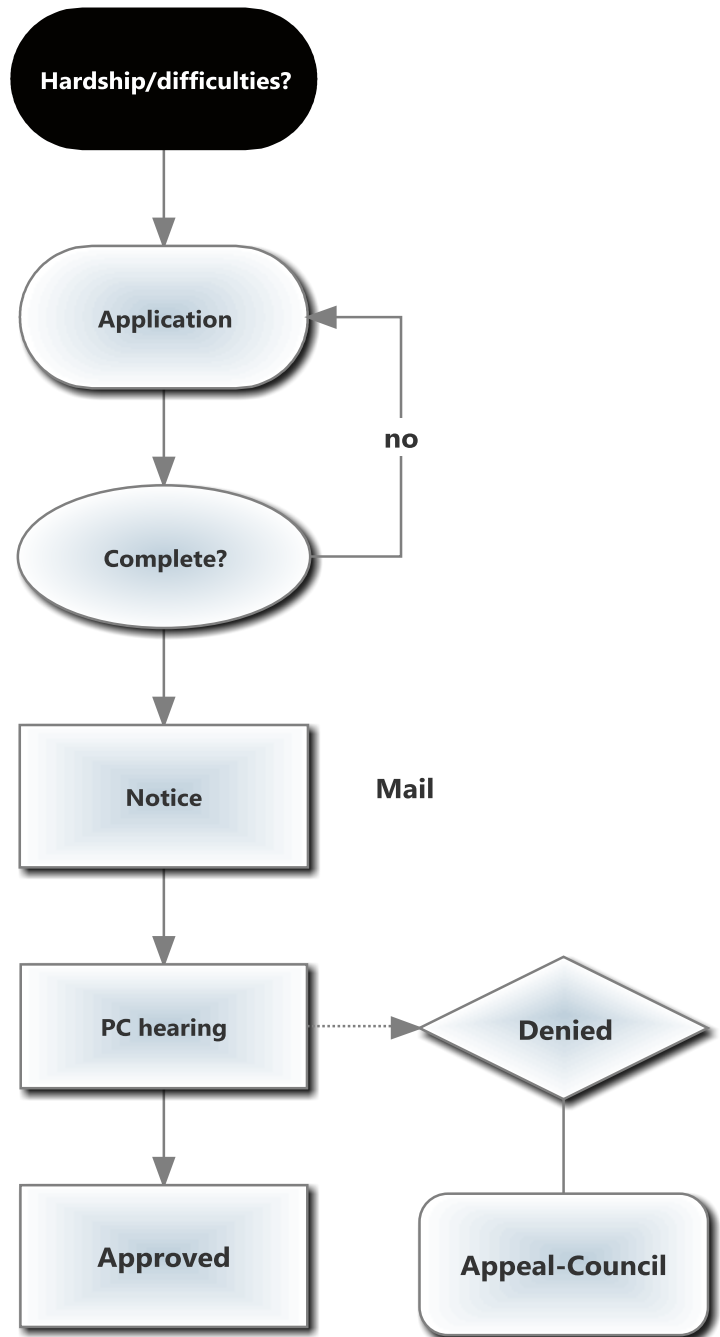
(Ord. 1325 § 22, 1981; Ord. 1074 § 1 (part), 1976.) (Ord. 2120, Amended, 01/14/2002; Ord. 2077, Amended, 07/10/2000)

B. Initiation

The applicant files an application for a variance with the Administrator. The variance request may be combined with the underlying application for which the variance is requested. However, the underlying application will not be approved until the variance is approved, unless it is possible to comply with the standards associated with the underlying application without the variance.

C. Completeness

See Section 20.05.02.



D. Notice

A notice setting forth the time, place and purpose of the hearing must be sent at least 10 days before the hearing to:

1. The applicant;
2. Each owner as listed on the county's assessor's records, of real property located within 500 feet of the property in question;
 - a. The owner, as listed on the county assessor's records, of each of the 30 separately owned parcels nearest the property in question, to the extent this noticed does not duplicate the notice given.
3. Each tenant of a mobile home park located within 100 feet of the property in question

E. Decision

1. The Planning Commission will review the variance application at a public hearing.
2. The Planning Commission may:
 - a. Grant the variance, which may be subject to conditions as provided in subsection 4 below;
or
 - b. Deny the variance, with or without prejudice; or
 - c. Continue or table the application.
3. If an application is tabled or continued, the Planning Commission shall hold a new public hearing within 65 days after the application was filed with the Planning Commission, unless a longer time or a different process of review is provided in an agreement entered into pursuant to NRS 278.0201.
4. The Planning Commission may impose conditions on a variance to safeguard the public health, safety, morals and general welfare and to protect the interests of the persons residing or working in the surrounding areas.

(Ord. 1325 § 23, 1981; Ord. 1074 § 1 (part), 1976.) (Ord. 2077, Amended, 07/10/2000; 1997, Amended, 07/13/1998)

F. Findings for Approval

To approve or conditionally approve a variance, the Planning Commission must make findings of fact that:

1. There are exceptional or extraordinary circumstances or conditions applicable to the property involved that do not generally apply to other properties classified in the same zoning district;
2. Strict interpretation and enforcement of the specified provisions would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district;

3. The variance will not constitute or grant a special privilege inconsistent with limitations on other properties classified in the same zoning district;
4. The variance will not substantially impair the public health, safety or welfare or materially injure properties or improvements in the vicinity.
5. The potential impairment of natural resources and the total population which available natural resources will support without unreasonable impairment has been considered.
6. The affect the availability of and need for affordable housing in the community, including affordable housing that is accessible to persons with disabilities has been considered.
7. Public notice was given and a public hearing held per the requirements of the Sparks Municipal Code and the Nevada Revised Statutes.

(Ord. 1325 § 24, 1981; Ord. 1074 § 1 (part), 1976.) (Ord. 2077, Amended, 07/10/2000; 1997, Amended, 07/13/1998)

G. Subsequent Applications

If the Planning Commission denies a variance, unless the denial is specifically stated to be without prejudice, a new application for a substantially similar variance may not be submitted for at least 6 months following the denial.

(Ord. 2077, Added, 07/10/2000)

H. Appeals

See Section 20.05.13.

I. Scope of Approval

1. Lapse of Variance

- a. A variance automatically lapses and becomes void 2 years following the date on which the variance became effective, unless during this time a building permit is issued and construction is commenced and diligently pursued toward completion on the site which was subject to the variance application.
- b. The Administrator may renew the variance for an additional year if an application to renew the variance is filed with the Administrator before the original expiration date.

(Ord. 1074 § 1 (part), 1976.)

2. Revocation of Variance

A variance may be revoked by the Planning Commission for any of the following reasons:

- a. The recipient or his successor in interest violates any condition of the variance.
- b. The variance was granted on the basis of false statements or a fraudulent application.
- c. The variance becomes a public nuisance.

(Ord. 2077, Amended, 07/10/2000; 1997, Added, 07/13/1998)

J. Recordkeeping

Within 10 days after the Planning Commission's final action, the administrative secretary to the Planning Commission must notify the applicant and the city clerk in writing of that action, including any conditions the Planning Commission imposed.

Section 20.05.13 Appeals

↔ see NRS 278.3195

A. Applicability

1. This section applies to any decision of the Planning Commission, Administrator, , or any other person appointed or employed by the City Council who is authorized to make administrative decisions regarding the use of land under this Title.
2. An applicant or any person aggrieved may appeal a decision subject to subsection 1 appeal if they claim that –
 - a. the intent of a standard in this Title was incorrectly interpreted,
 - b. this Title does not apply,
 - c. a better form of design is proposed that does not require a waiver of the requirements of this Title, or
(Ord. 2209, Add, 01/12/2004)
 - d. the decision would violate state or federal law.
3. This section does not apply to a recommendation or other action or decision routinely reviewed by the City Council.
4. The right to appeal to the City Council is waived upon failure to comply with the procedures set forth in this section or any rules and regulations adopted by the Administrator pursuant to **Error! Reference source not found..**

B. Initiation

1. The appeal is initiated by filing a written notice of appeal with the city clerk which identifies all pertinent issues within 11 calendar days after the action or decision.
2. The Mayor or any member of the City Council may request review of a Planning Commission action or decision with a written notice to the city clerk or orally at a meeting of the City Council. Any such notice must be made within 11 calendar days after the action or decision.

C. Completeness

See Section 20.05.02.

D. Notice

No specific notice is required by this Code. The City will provide notice by mail or email to the applicants or aggrieved parties who request personal notice.

E. Decision

1. The City Clerk shall set the matter for public hearing at the next available regular meeting of the City Council.
2. The City Council shall review the matter de novo.
3. The City Council may affirm, modify, remand for further consideration or reverse the action or decision.
4. The City Council shall render its decision within 60 days after a complete appeal is filed.

F. Approval Criteria

In deciding an appeal, the Sparks City Council will consider –

1. The statement of purpose underlying the regulation of the improvement of land expressed in Nevada state law,
2. The plain language of the regulation and principles of interpretation in Chapter 20.08 and Nevada law, and
3. Any applicable requirements of state or federal law.

G. Subsequent Applications

After the City Council renders a final decision, the City will not consider an appeal involving –

1. The same property and issues, including the same regulations of this Title involved in the subject of the appeal, or
2. Any issues that could have been raised during the original appeal.

H. Appeals

1. The decision of the Sparks City Council is a final decision for the purpose of judicial review.
2. Any person who has appealed a decision to the governing body in accordance with this section and is aggrieved with the decision of the Sparks City Council may appeal the decision to Washoe County District Court by filing a petition for judicial review within 25 days after the date of filing of notice of the decision with the clerk of the Sparks City Council.

(Ord. 1325 § 17, 1981; Ord. 1247 § 7, 1979; Ord. 1074 § 1 (part), 1976.) (Ord. No. 2468, § 1, Amended, 2-11-2013; Ord. 2118, Amended, 12/10/2001; Ord. 2077, Amended, 07/10/2000)

I. Scope of Approval

Any permit or decision rendered under this Chapter shall comply with any order of the City Council, as modified or reversed by a final decision on judicial review.

J. Recordkeeping

The City Clerk will maintain a record of all appeals as provided by the City Charter and Nevada law.

PAGES 333-350 RESERVED

Title 20 Zoning Code

Chapter 20.06 Nonconformities

Contents

Chapter 20.06	Nonconformities	351
Section 20.06.001	Types of Nonconformities.....	351
Section 20.06.002	Right to Continue a Nonconformity	351
Section 20.06.003	Nonconforming Use	352
Section 20.06.004	Nonconforming Lots	353
Section 20.06.006	Substandard Development	353
Section 20.06.007	Damage or Destruction	354
Section 20.06.008	Applications in Progress.....	355

Chapter 20.06 Nonconformities



Purpose: Applying new regulations to existing development can create situations where existing lot dimensions, development density or intensity, land uses, buildings, structures, landscaping, parking areas, signs, or other conditions do not strictly comply with the new requirements. This Chapter protects and regulates nonconforming uses, buildings, structures, and lots (referred to collectively as "nonconformities"), and specifies the circumstances and conditions under which those nonconformities may continue. The City finds that nonconformities that adversely affect the orderly development and value of other property in the neighborhood or district should not continue unless restricted. At the same time, reinvestment in some properties that do not strictly comply with current regulations can maintain existing neighborhood assets and economic growth, and is allowed with appropriate conditions. For existing lots or development (including uses, buildings, structures, and signs) that are "legally nonconforming," this Chapter sets out fair rules for whether, when, and how the regulations of this Title apply.

Section 20.06.001 Types of Nonconformities

A. There are 4 types of nonconformities addressed by this Chapter:

Nonconforming Use	See Error! Reference source not found.
Nonconforming Lot	See Section 20.06.004
Substandard Development	See Section 20.06.006
Projects in Process	See Section 20.06.008

B. **Unlawful Uses.** This Chapter does not excuse, authorize or legitimize uses, buildings, structures, parcels, or signs that were used, erected or maintained in violation of any previous zoning, subdivision or building regulation or otherwise not legally established or constructed. Those uses, buildings, structures, or signs are not "legally" nonconforming, but instead remain unlawful and subject to all requirements of this Title (including enforcement provisions) and any other applicable law.

Section 20.06.002 Right to Continue a Nonconformity

A. Prior Rights

This Ordinance does not terminate any uses, site requirements or other adjustments authorized under the provisions of any ordinance that was repealed, and does not excuse any violation of those ordinances.

(Ord. 1074 § 1 (part), 1976.)

B. Right to Continue a Nonconforming Use

A nonconforming use may continue under the provisions of this chapter unless it becomes a public nuisance or is deemed abandoned (see below).

(Ord. 2387, Add, 02/11/2008)

Section 20.06.003 Nonconforming Use

A. Applicability

A “nonconforming use” means any use of land which was lawfully established prior to the adoption of this Title or amendments thereto, which would not be permitted under the current provisions of this Title. This includes any use which was lawfully established without a discretionary review, and would require that review under the current provisions of this Title.

(Ord. 2387, Add, 02/11/2008)

B. Abandonment of Nonconforming Uses

1. Abandonment is any cessation of a use regardless of intent to resume the use. In considering whether a use is abandoned, the administrator shall consider any combination of the following:
 - a. Failure to maintain regular business hours, typical or normal for the use;
 - b. Failure to maintain equipment, supplies or stock-in-trade that would be used for the active operation of the use;
 - c. Failure to maintain utilities that would be used for the active operation of the use;
 - d. Failure to pay taxes, including but not limited to sales tax, workers’ compensation taxes, corporate taxes that would be required for the active operation of the use;
 - e. Failure to maintain required local, state or federal licenses or other approvals that would be required for the active operation of the use;
 - f. Failure to maintain applicable business license(s); and
 - g. Other relevant evidence.
2. If a nonconforming use ceases for a continuous period of more than 2 years, or is superseded by a permitted use for a period of at least 2 years, the nonconforming use is deemed abandoned and shall not be reestablished.

(Ord. 2387, Add, 02/11/2008)

C. Enlargement of Nonconforming Uses

1. A nonconforming use shall not be extended or enlarged by more than 10% of the area lawfully occupied by the nonconforming use as of the date on which it became nonconforming, except by conditional use permit.
2. Any enlargement of a nonconforming use not requiring a conditional use permit shall obtain administrative review.

(Ord. 2387, Add, 02/11/2008)

Section 20.06.004 Nonconforming Lots

A. Nonconforming Lots

Any lot or parcel of record as of April 1, 1977, which fails to meet the current requirements for lot area or width or both, may be developed for any use permitted in the zoning district in which it is classified if all other applicable requirements of the Title are satisfied.

(Ord. 2387, Add, 02/11/2008)

Section 20.06.005 Nonconforming Structure

Section 20.06.006 Substandard Development

A. Applicability

Substandard development means a lawfully improved lot or parcel, including any structure thereupon, which does not satisfy the current provisions of this title regarding parking, landscaping, signs, or other site development standards including building height, building design, setbacks or other dimensional standards.

1. **Alteration, Extension or Expansion.** A structural alteration, including an extension or expansion of a nonconforming structure is allowed if it –
2. Does not increase the applicable nonconformity, and
3. Does not involve or create a nonconforming use or substandard development.

B. Maintenance, Repairs and Alterations

Routine maintenance of nonconforming structures is permitted, including necessary non-structural repairs, paint, and incidental alterations which do not extend or intensify the nonconformity.

(Ord. 2387, Add, 02/11/2008)

C. Right to Continue a Substandard Development

A substandard development may continue to be occupied and used for any purpose permitted by this Title unless it becomes a public nuisance or is damaged or destroyed as provided in this title.

(Ord. 2387, Add, 02/11/2008)

D. Intensification of a Substandard Development

1. Intensification of a substandard development (order “intensify”) is any –
 - a. increase in lot coverage, or
 - b. increase in building floor area, or
 - c. increase in building height..
2. A substandard development shall not intensify unless the incremental changes and/or additions meet the current requirements of this Title, except as provided below.
3. If the development is substandard as to parking, the intensification is not allowed unless the entire development provides at least 75% of the currently required parking.
4. If the development is substandard as to landscaping, the intensification is not allowed unless the entire development provides at least 65% of the currently required landscaping.
5. If development is unable to meet the requirements of this section, the changes or enlargements to a substandard development may be approved through a conditional use permit when the proposed changes are not detrimental to the public health, safety, and welfare.

(Ord. 2387, Add, 02/11/2008)

Section 20.06.007 Damage or Destruction

A. Applicability

This section applies to the destruction or damage of any nonconforming use, nonconforming structure, or substandard development.

B. Up to 50%

Any destruction or damage less than 50% of the replacement value of the use, structure or development may be repaired or replaced at any time.

C. Greater than 50%

1. Any destruction or damage to an extent greater than 50% of the replacement value of the use, structure or development may be repaired or replaced within 2 years after it is destroyed or damaged.
2. If use, structure or development is not repaired or replaced within this time period, it may not be repaired or replaced unless it is made to conform to the current requirements of this Title.

(Ord. 2387, Add, 02/11/2008)

Section 20.06.008 Applications in Progress

A. Applicability

1. This subsection applies to any **Application in Progress**, defined as applications for zoning approval that were filed before this Title, or an amendment to this Title that affects the application, became effective.
2. **An Application in Progress is not considered legally nonconforming**, except as provided below. The application is subject to all applicable provisions of this Title when the application was filed and while it is being processed, unless otherwise provided in an ordinance amending this Title.
3. **Effect on Existing Building Permits.** Nothing in this Title requires a change in plans, construction, or designated use of any building or structure for which a building permit was lawfully issued prior to the effective date of adoption or amendment of this Title, if construction was commenced and completed within the time period required by the building code. If the building code does not establish a time period for construction, construction must be commenced within 180 days and completed within 2 years after issuance of the building permit.

- B. Continuation.** The development approval process usually requires a series of steps, and applications are subject to any conditions provided in an earlier step in the approval process as set out in Article 5. An approved application normally does not create a legal nonconformity or vested rights. However, in consideration of existing, good faith investments in project approvals, the City will continue to process existing applications as follows:

Table B-1 Conditions on Existing Approvals

	Type of Application	Conditions or Continuation
1	Annexation Rezoning Text Amendment	An approved application is not considered legally nonconforming unless that applicant has obtained vested rights under Nevada law, or to the extent provided in an enforceable development agreement.
2	Appeal Conditional Use Permit Variance Administrative Review or Site Plan Review	<ul style="list-style-type: none"> • All development consistent with the decision is subject to the regulations in effect at the time of the application if a building permit or certificate of occupancy (if no building permit is required) is issued within 1 year of the final decision, and development timely proceeds pursuant to the building permit or certificate of occupancy, or • If development does not timely proceed as set out above, the rules in row 1 above apply.

C. Buildings Under Construction

A building legally under construction that does not comply with this Title becomes substandard when this Title or an amendment becomes effective.

D. Appeal

1. If the rules above do not apply, the applicant may file an appeal with the City Council as provided in Article 5.
2. The City Council May, on appeal, allow the application to proceed if it finds that the applicant has vested rights under Nevada law.

PAGES 357-390 RESERVED

Title 20 Zoning Code

Chapter 20.07 Violations, Enforcement, and Penalties

Contents

Chapter 20.07	Violations, Enforcement, and Penalties	391
Section 20.07.001	Generally	391
Section 20.07.002	Types of Violations	391
Section 20.07.003	Penalties	391

Chapter 20.07 Violations, Enforcement, and Penalties

Section 20.07.001 Generally

- A. Any violation of any provision of this Title is unlawful and a public nuisance.
- B. Violations of this title are abated in accordance with the procedures set forth in Sparks Municipal Code Chapter 7.16.

(Ord. 1325 § 20, 1981; Ord. 1120 § 1, 1977; Ord. 1074 § 1 (part), 1976.)

Section 20.07.002 Types of Violations

- A. Any of the following is considered a violation of this Title and is subject to the enforcement remedies provided by this Chapter and by the Nevada state law:

Development or use without, or inconsistent with, permit or approval	Any activity that is not authorized or is inconsistent with all of the required permits, approvals, certificates and authorization required by this Title.
Development or use inconsistent with Title	An activity that is inconsistent with any regulation of this Title or any amendment to this Title.
Development or use inconsistent with conditions	To violate, by act or omission, any term, condition or qualification placed by the City upon a required permit, certificate, rezoning, plan approval or other form of authorization granted by the City to allow the use, development or other activity upon land or improvements of land.
Making lot or yard nonconforming	To reduce or diminish any lot area so that the yards or open spaces are smaller than prescribed by this Title.
Increasing intensity or density	To increase the intensity and/or density of use of any land or structure, except in accordance with the procedural and substantive requirements of this Title.

- B. For purposes of this subsection, an “**activity**” or “**activities**” includes:
1. To erect, construct, reconstruct, remodel, alter, maintain, move or use any building, structure or sign, or
 2. That use, alteration or maintenance of any land.

Section 20.07.003 Penalties

- A. Any person, firm or corporation, whether as principal agent, employee or otherwise, in violation of this Title (see Section 20.07.002) is guilty of a misdemeanor and upon conviction thereof is punishable as provided in Section 1.12.010 of the Sparks Municipal Code.
- B. A person, firm or corporation in violation of this Title is guilty of a separate offense for each and every day during which the violation is committed, continued, not remedied, or otherwise maintained.

(Ord. 1325 § 21, 1981; Ord. 1074 § 1 (part), 1976.)

(Ord. 1876, 1995.)

(Ord. 1779, 1993; Ord. 1487 § 6 (part), 1985.) (Ord. 2470, § 1.B, Amended, 3/25/2013; Ord. 2458, § 1, Amended, 02/27/2012; Ord. 2077, Amended, 07/10/2000)

PAGES 393-399 RESERVED

Title 20 Zoning Code

Contents

Chapter 20.08	Definitions and Interpretations.....	400
Section 20.08.001	Rules of Interpretation.....	400
Section 20.08.002	Definitions	400
Section 20.08.003	Abbreviations	423
Section 20.08.004	Technical References	423
Section 20.08.005	Zoning District Boundaries.....	424
Section 20.08.006	Vacated Rights-of-Way	424
Section 20.08.007	Severability.....	424
Section 20.08.008	Relationship to Other Laws.....	424

Chapter 20.08 Definitions and Interpretations

Section 20.08.001 Rules of Interpretation

- A. Unless context requires otherwise, the words and terms defined in this Chapter have the meaning ascribed to them in this Chapter.
- B. All words and terms used in this Title which are defined in the Planning Act (NRS Chapter 278) are used in this Title as so defined.
- C. Any words or terms used in this Title which are pertinent to structures and which are not defined in this Title or in the planning act have the meaning ascribed to them in SMC Chapters 15.04 and 15.08, if they are defined in those chapters.
- D. The term “building,” “structure,” “area,” “lot” or “parcel” includes all or part of the building, structure, area, lot, or parcel unless otherwise indicated.
- E. The phrase “up to” means a maximum of. For example, a subdivision that is allowed “up to 5 lots per acre” may not include more than 5 lots per acre.
- F. See SMC Chapter 1 for additional rules of interpretation.

(Ord. 10.74 § 1 (part), 1976.) (Ord. 2417, Renumbered, 11/10/2008)

Section 20.08.002 Definitions

- A. The words, terms and phrases used in this Title are below.

Accent Material	Material that is secondary to the primary building material in terms of its quantity, or that contrasts with the primary building material. Accent materials generally cover 25% or less of the wall elevation.
Accessory Building	A detached building or structure which is subordinate to, and the use of which is incidental to that of the Principal Building, structure or use of the same parcel or lot of land. (Ord. 1074 § 1 (part), 1976.) (Ord. 2417, Renumbered, 11/10/2008)
Accessory Commercial Use (for multiple family residential zoning districts)	A retail sales facility designed to serve as an accessory use to a multiple residential complex, serve the residents of the complex and the surrounding area and not draw from outside of the immediate area surrounding the complex. (Ord. 1719, 1991.) (Ord. 2417, Renumbered, 11/10/2008)
Accessory Dwelling Unit	An ADU is a dwelling unit that is accessory to a principal single-family dwelling unit on the same lot. This includes a building or part of a building that provides complete independent living facilities for one or more people, including a kitchen, living room, bathroom, and bedroom, and that is (1) attached to the principal dwelling, or (2) located in a detached building on the same lot.
Accessory Retail, Office, or Recreational Use	A retail, office, or recreational use that is subordinate to and incidental to the primary use, that primarily serves the employees of the primary use, and occupies no more than 20% of the square footage of the primary use in the I District and no more than 10% of the square

	footage of the primary use in every other zone district. (Ord. 2417, Add, 11/10/2008)
Accessory Structure	A structure that is subordinate in scale and function to the main structure or principal use. Examples include porches, patios, sheds, garages, play houses (excluding tree houses and play equipment), mail boxes, bird houses, and gazebos. An accessory structure may be attached to or detached from the main structure, and either fixed in place or temporary.
Accessory Use	A use that (1) is necessarily and customarily associated with the principal use, (2) is appropriate and incidental to the principal use, (3) is subordinate to the principal use in area, extent or purpose, and (4) contributes to the comfort, convenience or necessity of occupants, business or industry in the principal building or principal use served.
Adjacent	Abuts, is contiguous to or shares a common boundary. Includes a lot or parcel of land that shares all or part of a common lot line with another lot or parcel of land.
Administrative Review	A review which is required as a prerequisite to the issuance of building permits, whenever a conditional use permit is not required, for commercial and industrial building additions, for new multiple-family residential, new commercial or industrial construction, the enlargement of a nonconforming use (20.06.003), and for outdoor storage (20.03.044). (Ord. 1876, 1995: Ord. 1074 § 1 (part), 1976.) (Ord. 2387, Amended, 02/11/2008)
Administrator	The official charged with the duty and authority to administer this Title and any person to whom he has delegated applicable powers and duties.
Adult book store	An establishment having, as a substantial or significant portion of its stock in trade, videos, books, magazines and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" or an establishment with a segment or section devoted to the sale or display of that material.
Adult Business	Includes any adult book store, adult drive-in theater, adult hotel or motel, adult mini motion picture theater, adult motion picture arcade, adult motion picture theater, adult motion picture arcade, or cabaret. (ó See Chapter 20.08 for definitions). 1. An "adult business" includes any other business or establishment which offers its patrons services or entertainment characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas".
Adult day care	A licensed establishment operated and maintained to provide care or supervision during the day, such as social activities, minor health care assessments, meals, and recreation, for five or more persons 18 years of age or older. The facility may not be used as a residence. The definition does not include halfway houses for recovering alcohol and drug abusers. (Ord. 2436, Add, 03/22/2010)
Adult drive-in theater	A drive-in theater used to present materials distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" for observation by patrons in the theater.
Adult hotel or motel	A hotel or motel which rents for less than 10 hours, where material is presented which is distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas".
Adult mini motion picture theater	An enclosed building with a capacity for less than 50 persons used to present material distinguished or characterized by an emphasis on matter depicting or relating to "specified sexual activities" or "specified anatomical areas" for observation by patrons in the building.
Adult motion picture arcade	Any place to which the public is permitted or invited where coin or slug-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors or other image-producing devices are maintained to show images to 5 or fewer persons per machine at any one time, and where the images displayed are distinguished or characterized by an emphasis on depicting or describing "specified sexual activities" or "specified anatomical areas".
Adult motion picture theater	An enclosed building with a capacity of 50 or more persons used to present material distinguished or characterized by their emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" for observation by patrons in the

	building.
Advertising Sign	Any advertisement making a material or service known and located at the place of sale. (Ord. 1074 § 1 (part), 1976.) (Ord. 2417, Renumbered, 11/10/2008)
Alley	A public thoroughfare or way that provides a secondary means of access to a lot or parcel, running perpendicular to street and to the rear or side of the lot or parcel. (Ord. 1074 § 1 (part), 1976.) (Ord. 2417, Renumbered, 11/10/2008)
Animal Service	A building or area where animals are boarded, groomed, bred, or trained, or given medical care or recreational activities. This includes any kennel, animal hospital, animal grooming, veterinarian, animal spa, or animal shelter that provides temporary housing of stray, abandoned, abused, neglected or unwanted domestic animals.
Animal services, indoor	An animal service (including a veterinary services) that occurs entirely within an enclosed building, and where animals are not boarded overnight.
Animal services, overnight (whether indoor or outdoor)	Any animal service (including veterinary service or kennel) that has overnight boarding or outdoor confinement or exercise areas.
Apartment House	See "Multi-Family Dwelling."
Application	Any application for approval of a development or use filed under Chapter 20.05 of this Title.
Auction house	An enclosed establishment for the temporary storage and offering by an auctioneer of qualified property which is offered or sold to the highest bidder by means of a request or invitation for bids. For purposes of this description, the term "qualified property" means property of any kind belonging to another, but excluding animals, motor vehicles and business inventory to be liquidated following or in connection with the closing of a business. This use does not include a secondhand dealer.
Auto and truck repair (heavy)	An establishment as defined in "auto and truck repair (light)," and that may also provide major mechanical and body work, straightening of body parts, body repairs, battery rebuilding, painting, welding, short term (less than 72 hours) storage of automobiles not in operating condition, outdoor work on vehicles, or other work involving noise, glare, fumes, smoke, or other characteristics to an extent greater than normally found in auto service stations.
Auto and truck repair (light)	An area used for general maintenance activities including but not limited to replacement of filters, fluids, light bulbs, belts, fuses, and tire; emissions testing; and similar activities. Includes smog shops, or stations authorized to perform emissions tests and complete emissions-related repairs as long as the station has a 2G license from the State of Nevada. Other stations with a 1 G license from the State of Nevada, may perform tests but are prohibited from performing emissions-related repairs. Includes emissions testing services that test the emissions of automobiles or other vehicles to determine compliance with state or federal emissions requirements.
Auto and truck repair use	Includes auto and truck repair (heavy) and auto and truck repair (light), as defined above.
Automated teller machine, stand-alone	An automated teller machine that is at a location separate from the controlling financial institution. (Ord. 2417, Add, 11/10/2008)
Automobile Parking Area	A fully accessible space for the parking of an automobile.
Bail bond services	An office that engages in the sale or issuance of bail bonds or other financial transfers for the purpose of securing the release from jail of an accused defendant pending trial.
Banks	See "Financial Institutions."
Bar / Lounge	An establishment or part of an establishment used primarily for the sale of alcoholic beverages where the beverages are consumed on the premises, or the consumption of tobacco or similar products. (Ord. 2417, Add, 11/10/2008) This includes taverns, brewpubs, microbreweries, hookah lounges, or distilleries where food and drink are served on the

	premises.
Bed and breakfast	An owner-occupied house, or part of a house, where no more than four rooms (for a total of 8 guests) are provided for short-term (1 night to 2 weeks) lodging, and where breakfast-only meals are provided for compensation. (Ord. 1741, 1992.)
Bike share kiosk	A station or area where bicycles are stored for rental to the general public, typically as part of a bike sharing program. A bike share kiosk may be enclosed, partially enclosed or unenclosed. This does not include a retail shop where bicycles are repaired or sold.
Billboard	An outdoor advertisement making material or service known, where the advertisement is remote from point of sale of the material or service. (Ord. 1074 § 1 (part), 1976.) (Ord. 2417, Renumbered, 11/10/2008)
Boarding / rooming house	A building or part of a building where, for compensation, meals and/or lodging are provided for more than three guests. (Ord. 1074 § 1 (part), 1976.) (Ord. 2417, Renumbered, 11/10/2008) Examples include fraternities, sororities, or dorms. This use type does not include a hotel, motel, or multi-family building. A multifamily building includes separate dwelling units occupied by a single household, while a boarding house includes separate households sharing kitchen facilities.
Boat	A vehicle for traveling in or on water. (Ord. 1519 § 1, 1985.) (Ord. 2417, Renumbered, 11/10/2008)
Building	Any structure having a roof supported by columns or walls used to enclose persons, animals or chattel, but not including a trailer coach or mobile home. (Ord. 1074 § 1 (part), 1976.) (Ord. 2417, Renumbered, 11/10/2008)
Building and landscaping materials supplier	A business that sells building materials or landscaping where the majority of sales are wholesale transactions to other firms, not retail sales. (Ord. 2417, Add, 11/10/2008)
Building Frontage	The length of the face or wall of a completely enclosed and permanent building on a site which fronts directly on a public or private street or right of way.
Building Ground Floor Area	The area of the ground floor enclosed within the walls of all buildings on the site.
Building maintenance services	An establishment providing carpet cleaning, carpentry, roofing, exterminator, glazing, janitorial services, electrical repair, plumbing, heating and air conditioning, upholstery, painting and paper hanging, sign painting, or packing and crating.
Building Mass	The three-dimensional bulk of a building height, width, and depth.
Building material sales & services	Retailing, wholesaling or rental of building supplies or construction equipment. Examples include lumberyards, home improvement sales and services, tool and equipment sales or rental establishments.
Building Scale	The size and proportion of a building relative to surrounding buildings and environs, adjacent streets, and pedestrians.
Bus Rapid Transit (BRT)	A system that allows bus vehicles to operate on a right-of-way that is largely separated from other types of traffic.
Bus Rapid Transit (BRT) Route	The BRT Route for the corridor shall be as identified in the Multi-Modal Framework Plan chapter of the adopted TOD Corridor Master Plan.
Business	An operation conducted by an individual, partnership or corporation which functions as a single enterprise or activity or is owned or operated by a single individual, partnership or corporation.
Cabana	Any portable, demountable, or permanent cabin, room, enclosure or other building erected, constructed or placed on any mobile home lot, mobile home space or recreational vehicle space within 6 feet of any Principal Building.
Cabaret	For purposes of this Section only, a nightclub, theater or other establishment which features as its primary entertainment live performances by topless and/or bottomless dancers, "go-go" dancers, exotic dancers, strippers, or similar entertainers.

Call Center	An establishment primarily engaged in answering telephone calls and relaying messages to clients or in initiating or receiving communications for telemarketing purpose, such as promoting clients' products or services, taking orders for clients, or soliciting contributions or providing information for clients. These centers may operate with extended hours and typically have a higher density of employees per square foot than traditional office uses.
Camping Trailer	A folding structure usually made of canvas, mounted on wheels and designed for travel, recreation and vacation use.
Car Wash	Vehicle cleaning, washing, and testing. It does not include the additional activities permitted in "auto repair shop". (Ord. 2417, Add, 11/10/2008)
Carport	An accessory building having one or more open sides, used by occupants of a dwelling unit to park automobiles.
Cemetery	A burial ground for the interment of the human dead. This includes any burial ground or mausoleum.
Central Accessory Building	A structure housing toilet, lavatory and such other facilities as required or permitted by ordinance.
Character	Those attributes, qualities, and features that make up and distinguish a neighborhood, street, or an individual development project and give that place or project a sense of purpose, function, definition, and uniqueness.
Child care facility	A "child care facility" as defined by NRS Chapter 432A.
Child care, In-home	A child care facility located in a dwelling unit that includes no more than the number of children two care givers may care for in accordance with the Washoe County Department of Social Services, Regulations for Child Care Facilities 24.4 [staff-to-child ratio]).
Church or worship center	A place of religious worship and instruction. Accessory uses requiring independent approval include (1) an associated private school, and (2) a child care in the main building or the same lot as the church or worship center that accepts customers not attending the church (Ord. 1711, 1991.) (Ord. 2417, Renumbered, 11/10/2008), recreational facilities, dormitories or other facilities for temporary or permanent residences. Child care facilities located in the main building that are used only during worship services, for persons attending the service, are considered accessory to the church and do not require independent approval. For purposes of this section, "religious worship" includes any "religious exercise" as defined by the Religious Land Use and Institutionalized Persons Act (RLUIPA), 42 U.S.C. § 2000cc-5.
Co-generation facility	A facility that produces heat or electricity using waste energy from a primary industrial use. (Ord. 2417, Add, 11/10/2008)
College	A post-secondary educational institution authorized to award associate, baccalaureate, or higher degrees, or a seminary. (Ord. 2417, Add, 11/10/2008)
Commercial and industrial supply and equipment providers	
Communications facility	Broadcasting and other communication services accomplished through electronic mechanisms. Examples include radio, television or recording studios, switching centers and cable transmitting stations.
Conditional Use Permit	A permit required as a prerequisite to the establishment of certain uses in certain zoning districts. Uses requiring a conditional use permit are specified in the Use Table (20.02.014). (Ord. 1487 § 6 (part), 1985.)
Contractor shop	The offices and/or storage facilities for a specialized trade related to construction. (Ord. 2417, Add, 11/10/2008)
Convenience store	Establishments that retail a limited line of goods that generally includes milk, bread, soda, and snacks. Fuel sales are allowed as an accessory use. Automotive repair is also allowed if it is listed as a permitted use in the applicable zoning district.
Copy center	Includes blueprinting, printing, photostatting, copying, packaging, labelling, and similar

	services.
Correctional institutions	A facility where persons are detained pending adjudication or confined under sentences of two years or less provided that the facility is operated by a law enforcement agency or under contract with the state, City, Washoe County or a federal agency. Examples include community correctional facilities, correctional facilities or juvenile detention facilities.
Courier and messenger services	Establishments primarily engaged in providing air, surface, or combined mode courier services, express delivery services of parcels, or local messenger and delivery services of small items, with local pick-up and delivery. Examples include air courier services, express delivery services; local delivery services for letters, documents, or small parcels; grocery delivery services (i.e., independent service from grocery store), or restaurant meals delivery services.
Craft Distillery	An establishment which: (a) manufactures distilled spirits from agricultural raw materials through distillation; and (b) is authorized to sell those distilled spirits pursuant to the provisions of NRS Chapter 597. <i>(Source: NRS 597.200)</i>
Crematorium	The building or portion of a building that houses the chamber for cremation (as defined in NRS 642.011) and the holding facility. The crematorium is subject the locational requirements of NRS 451.635.
Cultural Institution	An institution engaged primarily in the performing arts or in the display or preservation of objects of interest in the arts or sciences that are open to the public on a regular basis. Examples include performing arts centers for theater, dance and events, museums, historical sites, art galleries, libraries, zoos, aquariums and observatories.
Data Center	A facility used primarily to store, manage, process, and transmit digital data, which houses computer and/or network equipment, systems, servers, appliances and other associated components related to digital data operations. The facility may also include air handlers, power generators, water cooling and storage facilities, utility substations, and other associated utility infrastructure to support sustained operations at a data center.
Data Processing, Hosting, and Related Services (including data centers)	Establishments that provide infrastructure for hosting or data processing services. These establishments may provide specialized hosting activities, such as web hosting, streaming services or application hosting; provide application service provisioning; or may provide general timeshare mainframe facilities to clients. Data processing establishments provide complete processing and specialized reports from data supplied by clients or provide automated data processing and data entry services.
Department	The Community Development Department of the City.
Detached Garage	A garage that is detached from the Principal Building.
Development Project	The use of land, buildings and structures on any property in the City subject to this Title, except single-family dwellings and two-family dwellings. and includes new developments, Planned Developments, and the expansion of existing developments. (Ord. 1730, 1992: Ord. 1447 § 1, 1984: Ord. 1288 § 1 (part), 1980.)
Dimensional Standards	The zoning district regulations that govern lot, setback, coverage, density and height.
Distribution Center	A facility that stores merchandise for distribution to businesses or customers, but that does not fulfill orders directly from customers at that location.
Domestic household pet	Any animal generally domesticated by humans, including: dogs of the species <i>Canis Familiaris</i> ; cats of the species <i>Felis Catus</i> ; gerbils, hamsters, guinea pigs, mice, rats, squirrels, chipmunks or similar rodent-like mammals, but not to include ferrets or animals which are considered a high risk species, as defined in this section; domestic rabbits, but not those being used for commercial purposes or for food production; Vietnamese potbellied pigs (<i>Sus Scrofa Vittatus</i>) that are spayed or neutered upon reaching maturity; domesticated fowl or birds; non-venomous reptiles, which, at maturity, are less than 3½ feet in length or weigh less than 5 lbs. and are kept in a confined space; or any fish kept in an aquarium or proper facility. (Ord. 2226, Add, 05/24/2004)
Drive-Through Business	A business which provides a window or other area where customers of the business may obtain goods or services while remaining in a vehicle. (Ord. 1211 § 3, 1979.) (Ord. 2417,

Renumbered, 11/10/2008)

Dwelling or Dwelling Unit	Any building used exclusively for residential purposes. This does not include hotels, clubs, boarding or rooming houses, fraternity or sorority houses, institutions or mobile homes. (Ord. 1074 § 1 (part), 1976.) (Ord. 2417, Renumbered, 11/10/2008)
Dwelling, single-family detached	A building containing one kitchen designed or used or designed and used to house not more than one family, including necessary employees of the family. (Ord. 1074 § 1 (part), 1976.) (Ord. 2417, Renumbered, 11/10/2008) This category includes only those dwelling units that comply with the City's building code, whether built on site or in a factory (commonly referred to as "modular homes"), and factory-built housing as defined in NRS 278.0209.
Dwelling, two-family (duplex)	A building containing up to two kitchens designed and/or used to house two families, living independently of each other. (Ord. 1663 § 4, 1990.) (Ord. 2417, Renumbered, 11/10/2008)
Electric Theft Deterrent Device	Fences and appurtenant devices, including, but not limited to, fences and devices used for theft deterrence consisting of single strands of wire supported by posts or other fixtures, which have an electrical charge or are connected to a source of electrical current and which are so designed or placed that a person coming into contact with the conductive element of the fence receives an electrical shock. (Ord. 2432, Add, 11/23/2009)
Elevation	The external faces of a building, or a mechanically accurate, "head-on" drawing of any external vertical plane or Façade of a building or object, without any allowance for the effect of the laws of perspective.
Email	An electronic message or an executable program or computer file that contains an image of a message that is transmitted between 2 or more computers or electronic terminals, including electronic messages that are transmitted within or between computer networks.
Entertainment facility / Theater	An establishment where the primary source of revenue is derived from live or recorded performances shown or played for the amusement of an audience. (Ord. 1211 § 4, 1979.) (Ord. 2417, Renumbered, 11/10/2008) Examples include theaters, music clubs and dance halls.
Event Center / Banquet Hall	An establishment rented by individuals or groups to accommodate private functions (such as banquets, weddings, graduation parties, anniversaries, business or retirement luncheons, trade shows, and similar events). The may include: 1) kitchen facilities for the preparation or catering of food; 2) the sale of alcoholic beverages for on-premises consumption, only during scheduled events and not open to the general public; and 3) outdoor gardens or reception facilities.
Evergreen	Any plant with foliage that persists and remains year-round. (Ord. 1730, 1992: Ord. 1447 § 1, 1984: Ord. 1288 § 1 (part), 1980.)
Exhibition, convention, or conference facility	A facility used for assemblies or meetings of the members or representatives of a group, such as convention centers and banquet halls. This does not include clubs, lodges or other meeting facilities of private or non-profit groups that are primarily used by group members.
Exterior Insulation And Finish Systems (EIFS)	AN exterior cladding system composed of an adhesively or mechanically fastened foam insulation board, reinforcing mesh, a base coat, and an outer finish coat. EIFS is available in various colors and external textures designed to look like traditional stucco. Also known as "synthetic stucco."
Facade	Any side of a building that faces a street, parking lot, or other open space. The "Front facade" is the front of a building.
Family	Includes: 1 person living alone, at least 2 persons related by blood, marriage or legal adoption, a group of up to 4 persons living as a single housekeeping unit, or a family foster home, independent living foster home (with up to 4 unrelated children between 16 and 18 years of age), or specialized foster home as defined in NRS Chapter 424; or up to 10 unrelated persons with a disability, as defined in 42 U.S.C. § 3602, along with related or unrelated house parents or guardians of those persons and any additional persons who are related to the house parents or guardians within the third degree of consanguinity or affinity. A family includes necessary employees of the family, such as household servants. (Ord. 1074

	§ 1 (part), 1976.) (Ord. 2417, Renumbered, 11/10/2008; Ord. 2311, Amended, 03/20/2006)
Farm or ranch	An area used to raise or grow, till, move or extract soils on-site and market on a wholesale or commercial scale poultry, rabbits, livestock, tree and bush crops, vegetable gardens, nursery stock and field crops.
Farmers' Market	An outdoor retail event, certified by the Nevada Farmers' Association or a similar organization. (Ord. 2417, Renumbered, 11/10/2008; Ord. 2384, Add, 01/14/2008)
Fence or Wall	A freestanding structure intended to provide privacy, protection or confinement or to redirect a person's direction of travel.
Financial Institutions	A business where the primary occupation is financial services such as banking, savings and loans, and check cashing and currency exchange outlets. It does not include payday loan establishments or stand-alone automated teller machines. (Ord. 2417, Add, 11/10/2008) This includes any attached automated teller machine (ATM), defined as an automated device that performs banking financial functions at the same location that as the controlling financial institution. It does not include financial services that typically occur in an office or storefront, such as investment companies, loan companies, credit and mortgage, insurance services, or brokerage firms).
Fleet Services	See "Ground Passenger Transportation."
Food preparation	A business that prepares food and beverages for off-site consumption, including delivery services. Examples include catering kitchens, bakeries with on-site retail sales and the small-scale production of specialty foods, such as sweets.
Fraternal club / lodge / community service facility	A building and related facilities owned or operated by a corporation, association or group of individuals established for the fraternal, social, education, recreational or cultural enrichment of its members and not primarily for profit and whose members pay dues and meet certain prescribed qualifications for membership. (Ord. 1842, 1994.) (Ord. 2417, Renumbered, 11/10/2008) Includes any "fraternal club" as defined by Municipal Code 5.28.010 ("An establishment which: (1) keeps, conducts and maintains an establishment solely for bona fide fraternal, social, recreational, benevolent or athletic purposes, and not for pecuniary gain; (2) does not traffic in alcoholic beverages for profit; (3) dispenses alcoholic beverages to its members or bona fide guests only; and (4) does not maintain or possess a public bar or place for the sale of alcoholic beverages to the public. ")
Freight facilities	Distribution facilities upon which storage and warehousing of cargo is incidental to the primary function of freight shipment, and not to include any display of goods for either retail sale or wholesale. Includes both railway and truck freight transfers. (Ord. 2417, Add, 11/10/2008)
Freight Terminal Or Brokerage	See "freight facilities."
Front Lot Line	The narrowest lot dimension adjoining on a public or private street. (↔ <i>Note: the lot's "frontage" refers to the lots with at the front lot line.</i>)
Frontage	The lot line that fronts a public or private street or right of way.
Fuel Distribution Facility	See "Fuel Distribution or Recycling."
Fuel Distribution or Recycling	A facility dedicated to: (1) wholesale or commercial fuel storage and distribution, including petroleum, biodiesel, propane, butane, natural gas, or other similar fuels, to vehicles, machinery, or heavy equipment, or (2) the collection, storage, and processing of waste oil product for conversion into useable fuel products such as biodiesel, and may include storage and sales of resulting useable fuels. . This does not include auto service stations. (Ord. 2417, Add, 11/10/2008)
Fuel Recycling Facility	See "Fuel Distribution or Recycling."
Fulfillment Center	A business whose services include the fulfillment of orders placed directly by a customer or by an affiliate company, whether those orders are place by means of mail, fax, email, telephone,

	or an internet transaction, and that includes warehouse or storage facilities from which the goods are shipped. A business that fulfills order completely within an office, but that does not maintain a warehouse or storage facilities, is classified as an "Office."
Funeral & interment services	A "funeral establishment" as defined in NRS 642.016. Examples include funeral parlors, mortuaries or columbaria. (Note: cemeteries are classified under Public/Civic/Institutional - Assembly, below).
Gaming establishment (non-restricted)	A resort hotel as defined in NRS 463.01865 and consisting of 16 or more slot machines or operation of any number of slot machines together with any game, gaming device, race book or sports pool at one establishment. A "nonrestricted gaming operation" in existence in Sparks as of January 23, 2006 need not meet the resort hotel requirement of this section. (Ord. 1675, 1990: Ord. 1487 § 3, 1985: Ord. 1074 § 1 (part), 1976.) (Ord. 2417, Renumbered, 11/10/2008; Ord. 2306, Amended, 01/23/2006)
Garage	An accessory building or portion of a Principal Building primarily used to store motor vehicles.
Gas station	An area used exclusively for retail sales of fuels or oils. This use may have storage tanks and pumps, minor vehicle service and repair facilities conducted inside the building, or an accessory car wash. It does not include body repairs or battery rebuilding. (Ord. 1074 § 1 (part), 1976.) (Ord. 2417, Renumbered, 11/10/2008) [compare Auto and Truck Repair]
Geothermal Gradient	The rate at which the Earth's temperature increases with depth, indicating outward heat flows from a hot interior.
Geothermal Power	Power extracted from the heat stored in the earth used to generate electrical energy or used directly as a heating source.
Geothermal Resources	Any groundwater, steam or other method of the earth's subsurface heat which is used for its thermal characteristics.
Grocer / Food market	An establishment for retail sales of food and beverages for off-site preparation and consumption. Examples include supermarkets or specialty food stores. This category also includes large-scale stores that sell food items and beverages in bulk.
Ground passenger transportation (e.g. taxi, charter bus)	Establishments that provide passenger transportation by bus, charter bus, automobile, limousine, van, or shuttle. Some services (such as taxi) are not operated over regular routes and on regular schedules. Examples include charter bus, special needs transportation, taxicab owner/operators, taxicab fleet operators, or taxicab organizations. This does not apply to publicly operated bus or mass transit systems. Includes fleet services that store, maintain, repair, fuel, and service two or more vehicles owned by a single commercial or public entity. (Ord. 2417, Add, 11/10/2008)
Group home	A residential facility for groups of adults licensed by the State of Nevada under authority of NRS Chapter 449 (other than assisted living facilities). (Ord. 1681, 1990.) (Ord. 2417, Renumbered, 11/10/2008) This includes any "group foster home" as defined by NRS 424.015 (note: a family foster home, independent living foster home, and specialized foster home are addressed under the definition of "family.")
Halfway house	A residence that provides housing and a living environment for persons who have been released from prison and who require assistance with reintegration into the community, other than such a residence that is operated or maintained by a state or local government or an agency thereof. The term does not include a halfway house for recovering alcohol and drug abusers or a facility for the treatment of abuse of alcohol or drugs. As used in this definition, "person who has been released from prison" means: (a) a parolee; (b) a person who is participating in: a judicial program pursuant to NRS 209.4886 or 213.625, or a correctional program pursuant to NRS 209.4888 or 213.632; (c) a person who is supervised by the Division of Parole and Probation of the Department of Public Safety through residential confinement pursuant to NRS 213.371 to 213.410, inclusive; (d) a person who has been released from prison by expiration of his or her term of sentence. (Reference: NRS 449.0055) This use includes any "child care institution" as defined by NRS 432A.0245.
Hazardous waste disposal	A facility where hazardous or infectious waste material is incinerated, landfilled or put to other final disposition.

Hazardous waste transfer	A facility where hazardous or infectious waste is received and processed for transportation to another place for recycling, re-use, incineration or final disposal.
Health/fitness club	An establishment that offers exercise or weight control programs whether or not the business provides any other service. Examples include gymnasiums, martial arts schools, gymnastics schools, weight control establishments, health clubs, health spas, swimming pools, handball facilities, racquetball or tennis club facilities, tanning facilities, fitness facilities, and yoga or workout studios. (Ord. 1780, 1993: Ord. 1687, 1991.) (Ord. 2417, Renumbered, 11/10/2008)
Hedge	A dense row of shrubs or low trees that form a barrier or boundary.
Height	Vertical distance from grade plane to the average height of the highest roof surface, as determined by the City's adopted building code. "Grade Plane" is a reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than 6 feet (1829 mm) from the building, between the building and a point 6 feet (1829 mm) from the building.
Heliport / miscellaneous air transportation	Facilities intended solely for takeoff and landing of helicopters, or for miscellaneous transportation vehicles for scenic purposes such as balloons.
High risk species	Species such as the striped skunk, spotted skunk, racoon, fox, bat, coyote, bobcat, badger, weasel and other high-risk transmitters of rabies. (Ord. 2226, Add, 05/24/2004)
Horizontal Mixed-Use	A pattern where several types of uses or buildings are included as part of a cohesive development in proximity to each other with each building containing its own separate use. An example is a development site that includes an area for residential uses, an office building, and a retail center. They would be designed as a set of coordinated uses with common parking areas, pedestrian connections between the uses, and similar design features, but would contain separate uses in each building.
Hospital	A building used for accommodation of sick, injured or infirm persons, including accessory clinics, sanitariums, convalescent and rest homes. (Ord. 1074 § 1 (part), 1976.) (Ord. 2417, Renumbered, 11/10/2008)
Hotel / Motel	A building, including one containing one or more units subject to a time-share license, intended or designed to be used as a temporary residence of individuals.
House or Home	See "Dwelling."
Hydroseeding	The application of seed within a suspended liquid medium that is sprayed onto a prepared surface. (Ord. 1730, 1992: Ord. 1447 § 1, 1984: Ord. 1288 § 1 (part), 1980.)
Industrial Services	A business that provides cleaning, washing, or similar services to industrial, manufacturing, medical or business establishments. An example includes commercial launderer that launders and dry cleans clothing and other fabric articles in bulk quantities, such as cleaning services for hospitals, restaurants, hotels, and similar clients, or rug and dry-cleaning plants. This does not include establishments classified under Commercial / Mixed Use - Personal / Business Services above.
Infill	Development on a vacant or substantially vacant tract of land surrounded by existing development.
Infill Project	A development, redevelopment, or an expansion of more than 20% of the building area, on a parcel that is located in a previously developed area of the city where at least 80% of the land within a 300 foot radius has been developed, and where water, sewer, streets, schools, and fire protection have already been developed and provided. (Ord. 2417, Add, 11/10/2008)
Kitchen	A room used to cook or prepare food. (Ord. 1074 § 1 (part), 1976.) (Ord. 2417, Renumbered, 11/10/2008)
Landscaped Area	An area within a Development Project that is Landscaped.
Landscaping or Landscaped	A combination of turf grasses, trees, shrubs, hedges, vines, ground covers, and other living plant materials; inert materials such as decorative rock, bark, and wood chips; concrete curbing (or railroad ties or landscape timbers), permeable walkways, decks, patios, and

	similar amenities.
Large Format Retail	A retail building that exceeds 50,000 square feet in gross floor area.
Life care or continuing care services	An institution, residence or facility licensed by the State of Nevada that provides accommodation and personal assistance to more than three residents who are dependent on the services of others by reason of age and physical or mental impairment, and that is licensed to provide skilled nursing care. This category includes nursing homes, facilities for hospice care (as defined in NRS 449.0033), or assisted living facilities (as defined in NRS 422.2708). This use does not include: (a) An establishment which provides care only during the day; (b) A natural person who provides care for no more than two persons in his or her own home; (c) A natural person who provides care for one or more persons related to him or her within the third degree of consanguinity or affinity; (d) A halfway house for recovering alcohol and drug abusers; or (e) A facility funded by a division or program of the Department of Health and Human Services. (Reference: NRS 449.017) Note: a group home for persons with intellectual disabilities, up to a limited number of persons, is considered a single-family home under the "Residential" category above.
Liquor store	An establishment holding an on-premises or package alcoholic beverage license pursuant to Chapter 5.28 of the Municipal Code.
Live/Work Dwelling	A dwelling unit used for both dwelling purposes and a nonresidential use, where: (1) the building includes only 1 dwelling unit, and (2) the nonresidential space exceeds the area allowed for home occupations (see Chapter 20.03) and occupies no more than 1500 square feet, and (3) the structure is designed or structurally modified to accommodate joint and integrated residential occupancy and work activities, including complete kitchen and sanitary facilities and working space reserved for and regularly used by one or more occupants of the unit.
Livestock	Any animal generally used for production, commercial or recreational purposes, including: all horses, mules, burros, asses, or animals of the equine species;; all cattle or animals of the bovine species;; all swine or animals of the porcine species, except vietnamese potbellied pigs;; all goats or animals of the caprine species;; all poultry and large fowl or birds (except as provided in Section 20.03.052 (Urban Agriculture));; bees kept in a collection of hives or colonies except as provided in Section 20.03.052 (Urban Agriculture));; all sheep or animals of the ovine species;; all llamas and animals of the lama species. (Ord. 2226, Add, 05/24/2004)
Living Unit	A building or portion thereof containing one kitchen designed or used to house not more than one family, including necessary employees in the family. (Ord. 1074 § 1 (part), 1976.) (Ord. 2417, Renumbered, 11/10/2008)
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. (Ord. 1074 § 1 (part), 1976.) (Ord. 2417, Renumbered, 11/10/2008)
Lot	A distinct part or parcel of land divided with the intent to transfer ownership or for building purposes which abuts upon a means of access. (Ord. 1074 § 1 (part), 1976.) (Ord. 2417, Renumbered, 11/10/2008)
Lot Depth	The distance between the front and rear lot lines.
Lot Width	The distance between the side lot lines measured at right angles to the lot depth at a point midway between the front and rear line.
Machinery and heavy equipment sales and service	The retail sales and accessory repair of construction, agriculture, excavation, and similar machinery and equipment, including tractor-trailers. (Ord. 2417, Add, 11/10/2008)
Main Building	See "Principal Building."
Main Structure	The building or structure where the principal use of the lot is located. This includes any structures or buildings that are attached to the principal structure by a covered structure. Lots with multiple principal uses may have multiple main structures, but storage buildings, garages, and other clearly accessory uses are not considered main structures. (Ord. 1074 § 1

(part), 1976.) (Ord. 2404, Amended, 07/28/2008)

Main Use	See "Principal Use. "
Maintenance	With regard to the landscaping regulations in Chapter 20.04, any management required for the well-being of the plant and appearance of the landscaped area. (Ord. 1730, 1992: Ord. 1447 § 1, 1984: Ord. 1288 § 1 (part), 1980.)
Maintenance & repair services	An establishment providing repair services for personal and household goods, such as household appliances, computers, television, audio or video equipment, office machines, furniture and leather goods. This classification excludes building maintenance services and maintenance and repair of automobiles and other vehicles and equipment.
Major Transit Corridors	In accordance with the Land Use Framework map and the Multi-Modal Framework map contained in the adopted TOD Corridor Master Plan, corridors with BRT routes and conceptual future fixed transit routes. Major transit corridors include Victorian Avenue and Prater Way.
Manager	With regard to the time-share regulations in Chapter 20.03, any person designated and employed pursuant to the time-share instrument to manage the time-share project.
Manufactured Home Dealers	Establishments primarily engaged in retailing new and/or used manufactured homes (i.e., mobile homes), parts, and equipment.
Manufactured home lot	A portion of land within a mobile home subdivision used or intended to be used for parking of one mobile home, including required yards and parking area, attached or detached accessory building and open space.
Manufactured home park	A parcel or tract of land where the principal use is the rental, leasing or occupancy of space by two or more manufactured homes on a permanent or semi-permanent basis, and customary accessory buildings or uses such as clubhouses, laundries, manager's offices, maintenance storage, community swimming pools.
Manufactured home park	
Manufactured home space	A portion of land within a mobile home park used or intended to be used for the parking of one mobile home, including required yards and parking area, attached or detached accessory buildings and open space.
Manufactured home subdivision	A subdivision of land, platted in conformance to NRS Chapter 278 of the Nevada Revised Statutes, and applicable city ordinances for the purpose of providing mobile home lots.
Massage Establishment	Any establishment, including a private club or organization, where massage, as defined in Chapter 5.65 of this code, is given or offered for compensation. This definition shall not be construed to include. (1) A hospital or nursing home; (2) The office of a physician, surgeon, chiropractor, osteopath, psychologist, marriage and family counselor, physical therapist or nurse duly licensed by the state; (3) A barber or cosmetologist duly licensed by the state and who performs massage of the head, neck and shoulders only; (4) A public or private physical fitness facility which offers massage as a secondary service and no exterior signs advertise massage services. (5) A trade school which offers courses in a variety of occupational skills with no exterior signs advertising massage services. (Ord. 1622 § 1, 1988.) (Ord. 2417, Renumbered, 11/10/2008; Ord. 2166, Amended, 02/24/2003)
Media Production	Establishments that produce, manufacture, arrange for the manufacture, or distribute motion pictures, videos, television programs, television commercials, and music and sound recordings. This includes specialized motion picture or video postproduction services, such as editing, film/tape transfers, titling, subtitling, credits, closed captioning, and computer-produced graphics, animation and special effects, and developing and processing motion picture film. Examples include motion picture film laboratories, stock footage film libraries, postproduction facilities, teleproduction services, and sound recording studios. It does not include graphics, editing, or similar work that occurs in an office (see Commercial / Mixed Use

- Office category, above).

Medical marijuana dispensary	As defined by NRS Chapter 453A. [See NRS NRS 453A.350]
Medical marijuana production or cultivation	Any medical marijuana testing laboratory, cultivation facility, or production facility, as defined by NRS Chapter 453A. [See NRS NRS 453A.350]
Medical office, clinic, or laboratory	A facility where patients are examined or treated for physical or mental ailments by a medical doctor, osteopath, chiropractor, nurse, physical therapist, dentist, doctor of oriental medicine, podiatrist, psychologist or optometrist duly certified or licensed by the state of Nevada. (Ord. 1211 § 2, 1979.) (Ord. 2417, Renumbered, 11/10/2008) Examples include medical laboratories, or facilities for medical, optical, orthotic, prosthetic, or dental laboratory services, photographic, analytical, or testing services.
Metal waste salvage yard / junk yard / auto dismantler	An establishment for the storage and dismantling of vehicles and equipment for sale of parts, as well as the collection, storage, exchange or sale of goods including, but not limited to, any used building material, used containers or steel drums and similar or related articles or property.
Mining & quarrying	The extraction of metallic and nonmetallic minerals, including sand and gravel pit operations.
Mini-warehouse	A facility that rents small structures or space for the storage of merchandise or personal belongings. A mini-warehouse establishment may offer ancillary retail sales from the office of the establishment. (Ord. 1487 § 4, 1985.) (Ord. 2417, Renumbered, 11/10/2008)
Mixed use	A building with any of the following floor space configurations: (1) an office, as defined above, located above the ground floor, where the ground floor is occupied by any use listed in the "convenience store," "restaurant," "retail," or "theater" categories, or (2) "office," "convenience store," "restaurant," "retail," or "theater" categories on the ground floor, and residential dwelling units above the ground floor or behind the non-residential floor area. The floor space above the ground floor may be occupied by non-residential floor area in addition to dwelling units.
Mobile Food Vendor	A person, including any employee or agent of another, who sells, or offers to sell, barter or trade food and/or drink to be consumed by customers. Mobile food vendors shall comply the standards as set forth in this section. (Ord. No. 2460, § 1, Add, 03/26/2012)
Mobile home	A factory built home that does not comply with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. §§ 5401 et seq..
Mobile Vending Cart	A movable push cart that is operated by a mobile vendor including, but not limited to, bicycles. (Ord. No. 2460, § 2, Add, 03/26/2012)
Mobile Vending Trailer	A mobile trailer operated by a mobile vendor. (Ord. No. 2460, § 3, Add, 03/26/2012)
Mobile Vending Vehicle	A motorized vehicle operated by a mobile vendor. (Ord. No. 2460, § 4, Add, 03/26/2012)
Mobile vendor	Any person, including any employee or agent of another, who sells or offers to sell, barter or trade from a vending vehicle, trailer or cart. See § 20.03.059.
Model studio	Any business where, for any form of consideration or gratuity, figure models who display "specified anatomical areas" are provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by persons paying the consideration or gratuity.
Modular home	A factory-built home that has been built in compliance with the standards for single-family residential dwellings of the Building Code most recently adopted by the International Conference of Building Officials. (Source: NRS 278.0209)
Motel	A building or other structure kept, maintained, advertised; or held out to the public to be a place that provides 5 or more rooms as sleeping accommodations offered at a daily rate to

transient guests where access to the rooms is from the outside.

Motor Home	A portable, temporary dwelling used for travel, recreation and vacation, constructed as an integral part of a self-propelled vehicle.
Mulch	A covering over the soil used for water retention, soil erosion and dust control, as well as for aesthetic purposes. Examples include rock products, wood products, and vegetative by-products. (Ord. 1730, 1992; Ord. 1447 § 1, 1984; Ord. 1288 § 1 (part), 1980.)
Multi-family Building	A building designed to house 3 or more families living independently of each other, having their own kitchen facilities. Examples include apartments, townhouses, rowhouses, quadruplexes, single-room occupancy buildings, condominiums, and similar combinations of 3 or more attached single-family dwellings. It includes any form of family occupancy, including traditional or non-traditional households, elderly housing, or retirement housing.
Net Useable Floor Area	The sum of the gross floor area minus the following areas measured from the center of the inside walls: areas used for public corridors, interior stairways, public lobbies, interior courts, public rest rooms; mechanical equipment areas; elevators and elevator shafts and similar areas. (Ord. 1074 § 1 (part), 1976.) (Ord. 2417, Renumbered, 11/10/2008)
Nonconforming Use	As referenced in Chapter 20.06 of this Title, any use of land which was lawfully established prior to the adoption of this Title or any amendments, which would not be permitted under the current provisions of this Title. Any use which was lawfully established without a conditional use permit and would require a conditional use permit under the current provisions of this Title is included in this definition. (Ord. 1325 § 9, 1981.) (Ord. 2417, Renumbered, 11/10/2008; Ord. 2387, Amended, 02/11/2008)
Nonstore retailers	Establishments that retail merchandise through online, mass media, telephone, mail, or similar methods (infomercials, direct-response advertising, paper and electronic catalogs, door-to-door solicitation, in-home demonstration, selling from portable stalls, vending machines, and similar methods), and that do not have a warehouse on the site. Examples include mail-order houses, vending machine operators, home delivery sales, door-to-door sales, party plan sales, electronic shopping, and sales through portable stalls (e.g., street vendors). This does not include a fulfillment center (classified under "Wholesale distribution, warehousing and storage," below).
Nursery (commercial, retail and wholesale)	An establishment primarily engaged in the retail sale of garden supplies and plants grown on the premises or elsewhere. This classification includes the sale of landscape materials, topsoil and rental of landscaping equipment.
Nursing Home	A home for the aged or infirm in which persons not of the immediate family are received, kept, or provided with food and shelter, or care for compensation; but not including hospitals, clinics, or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured.
Occupancy	The purpose for which a building is used or intended to be used. (Ord. 1074 § 1 (part), 1976.) (Ord. 2417, Renumbered, 11/10/2008)
Occupancy Unit	A single unit providing complete and independent facilities for commercial, residential or industrial use. (Ord. 1074 § 1 (part), 1976.) (Ord. 2417, Renumbered, 11/10/2008)
Office	A building principally occupied by professional, business, government, and service activities not otherwise specified in this municipal code. Offices do not include retail sales except where specifically permitted as an accessory use. (Ord. 2417, Add, 11/10/2008) This includes: (1) the administrative, clerical or public contact offices of a government agency, together with incidental storage and maintenance of vehicles, including post offices; or (2) call centers that have no warehousing or trucking facilities on the same site (see "Wholesale distribution, warehousing and storage," below, for call centers combined with those facilities).
Oil & gas storage	A tank farm or outdoor facility to store oil and gas.
Orient	To bring in relation to, or adjust to, the surroundings, situation, or environment; to place with the most important parts (e.g., the primary building entrance and the designated "front" of a

	building) facing in certain directions; or to set or arrange in a determinate position, as in "to orient a building."
Outdoor Processing	Production, contractor or repair operations that occur outside of an enclosed building, and that may involve the retail sale of items produced or assembled on the site. Examples include the production and sale of propane tanks, rock and concrete crushing operation, painting or coating, grinding or sanding, or degreasing or cleaning of parts.
Outdoor storage	Materials, goods, vehicles, or equipment kept or placed outside an enclosed structure for seventy-two (72) hours or more. (Ord. 1211 § 5, 1979.) (Ord. 2417, Renumbered, 11/10/2008)
Parcel	Any unit or contiguous units of land, in the possession of or recorded as the property of one owner. (Ord. 1074 § 1 (part), 1976.) (Ord. 2417, Renumbered, 11/10/2008)
Park / open space	A park, playground, natural area, or open space. Examples include community centers, picnic facilities, public recreation areas, and accessory food concessions.
Parking Area	Those portions of a site area designated for motor vehicle use, including, but not limited to, parking stalls, parking spaces, driveways and access driveways. (Ord. 1730, 1992: Ord. 1447 § 1, 1984: Ord. 1288 § 1 (part), 1980.)
Parking facility	A parking lot or a parking garage offering parking to the public and is the principal use of the premises. "Parking lot" is an off-street, ground-level, and open area for the temporary placement of operable motor vehicles improved to the standards of S.M.C. 20.49, Parking. (Ord. 2417, Add, 11/10/2008) A "parking garage" is a multi-level structure for the temporary placement of operable motor vehicles. (Ord. 2417, Add, 11/10/2008)
Pawnbroker	A person engaged, in whole or in part, in the business of loaning money on the security of pledges, deposits or other secured transactions in personal property. Said personal property must not include vehicles or other transportation devices upon which an autopawn is authorized to loan money. (Ord. 1758, 1992.) (Ord. 2417, Renumbered, 11/10/2008)
Payday loan establishment	An institution that primarily makes small, short-term loans, typically without a credit check, that are intended to bridge the borrowers' cash flow gap between pay days. (Ord. 2417, Add, 11/10/2008) This includes any establishment that provides check cashing, deferred deposit service, or vehicle title loan services as defined in NRS Chapter 604A.
Permeable Surface	A hard, porous material that allows water penetration into the soil. (Ord. 1730, 1992: Ord. 1447 § 1, 1984: Ord. 1288 § 1 (part), 1980.)
Person	a natural person, corporation, partnership, firm, association, or other legal entity.
Personal instructional services	The provision of instructional services such as tutoring and exam preparation, language, photography, fine arts, crafts, dance or music studios, art studios, driving schools, employment training, diet centers, and beauty schools / reducing salons. This includes incidental retail sales, or light assembly and offices relating to training or instruction.
Personal services	A business which provides a service to the general public. This includes, but is not limited to, beauty shops, laundries, dry cleaners, tailors, pet groomers, wedding planning, dating services, nail salons, massage establishments, reflexology, and shoe shining or repair. (Ord. 1687, 1991.) (Ord. 2417, Renumbered, 11/10/2008; Ord. 2100, Amended, 05/14/2001) This does not include social escort, bail bond, or other services listed separately. A "massage establishment" means an establishment, including a private club or organization, where massage, as defined in Chapter 5.65 of this code, is given or offered for compensation. A "massage establishment" does not include a: (1) hospital or nursing home; (2) the office of a physician, surgeon, chiropractor, osteopath, psychologist, marriage and family counselor, physical therapist or nurse duly licensed by the state; (3) barber or cosmetologist duly licensed by the state and who performs massage of the head, neck and shoulders only; (4) public or private physical fitness facility which offers massage as a secondary service and no exterior signs advertise massage services, or (5) trade school which offers courses in a variety of occupational skills with no exterior signs advertising massage services. (Ord. 1622 § 1, 1988.) (Ord. 2417, Renumbered, 11/10/2008; Ord. 2166, Amended, 02/24/2003)
Pickup Coach	A structure designed to be mounted on a truck chassis for use as a temporary dwelling for

	travel, recreation and vacation.
Plan Review Committee	A committee comprised of representatives from the Planning and Community Development Department, Public Works Department, Fire Department and outside agencies who regularly review proposals for development within the City.
Podium Parking	Parking garage that is completely enclosed at the ground level of a building, beneath the building's occupied levels. Podium parking is generally designed with an open floor plan and a single access point to serve multiple users.
Primary Material	Material covering at least 75% of the wall elevation.
Principal Building	A building devoted to the principal use of the lot on which it is situated. (Ord. 1074 § 1 (part), 1976.) (Ord. 2417, Renumbered, 11/10/2008)
Principal Use	The main or primary purpose for which a structure or lot is designed, arranged or intended, or for which it may be used, occupied or maintained. (\Leftrightarrow <i>compare Accessory Use</i>).
Processing	To subject to some special process or treatment, as in the course of manufacture; to change the physical state or chemical composition of matter. (Ord. 2417, Add, 11/10/2008)
Production, Craftwork	Establishments primarily engaged in on-site production of goods by hand manufacturing, involving the use of hand tools and small-scale equipment.
Production, General	This category includes general manufacturing or production activities, such as: (1) Manufacturing of products, from extracted or raw materials, or recycled or secondary materials, or bulk storage and handling of those products and materials. Examples include food, beverage and tobacco products, textiles, apparel, leather and allied products, wood products (including printing and related activities), paper, plastics, rubber, fabricated metal products, mined or quarried nonmetallic minerals (such as sand, gravel, stone, clay, and refractory materials, such as cement batch or concrete mixing plants), and transportation equipment. This does not include any activity listed under Intensive High Impact Production. (2) Manufacturing of chemicals, primary metals, acetylene, cement, lime, gypsum or plaster-of-Paris, chlorine, corrosive acid or fertilizer, insecticides, disinfectants, poisons, explosives, paint, lacquer, varnish, petroleum products (including asphalt), coal products, plastic and synthetic resins and radioactive materials. This group also includes smelting, animal slaughtering and oil refining. (3) Manufacturing of finished parts or products, primarily from previously prepared materials. Examples include: machinery, computer and electronic product, electrical equipment, appliance, component manufacturing, furniture and related product, jewelry and silverware, dolls, toys, games, musical instruments, office supplies, signs, sporting goods and equipment, and similar uses.
Project	For purposes of the time-share regulations in Chapter 20.03, a "project" is real property, subject to a time-share instrument, containing more than one unit. A project may not include units that are not time-share units.
Public Facility	A public, civic, or institutional use facility used for the conduct of operations and services, including but not limited to offices, maintenance facilities, and recreational or cultural facilities. (Ord. 2417, Add, 11/10/2008)
Public maintenance facility	A governmentally owned facility providing maintenance and repair services for vehicles and equipment and areas for storage of equipment and supplies. This classification includes governmentally owned construction yards, equipment service centers and similar facilities.
Public Nuisance	Any condition defined as a public nuisance in Section 7.16.010 of the SMC Code. (Ord. 1325 § 10, 1981; Ord. 1074 § 1 (part), 1976.) (Ord. 2417, Renumbered, 11/10/2008)
Public Safety Facility	A facility for public safety and emergency services, such as police, fire protection, police and fire training facilities, and ambulance and emergency services, administrative facilities for emergency medical care, and blood and organ banks. This includes accessory transportation services and the vehicle maintenance.
Railroad freight yard or building	A facility for freight pick-up or distribution by rail. This may include specialized services for railroad transportation including servicing, routine repairing (except factory conversion, overhaul or rebuilding of rolling stock), and maintaining rail cars; loading and unloading rail cars; and independent terminals.

Ramada	Any roof or shade structure installed, erected or used above any part of a manufactured home, mobile home, recreational vehicle, lot, or space.
Recreational Facility, Major	Large, generally outdoor facilities, such as: outdoor roller or ice-skating rinks, sports stadiums and arenas; amusement and theme parks; racetracks; driving ranges; swimming or wave pools; entertainment complexes; amphitheaters; drive-in theaters; archery or shooting ranges; riding stables; campgrounds; recreational vehicle parks; miniature golf; golf courses, driving ranges, and country clubs, marinas, and similar facilities.
Recreational Facility, Minor	Buildings or structures principally devoted to recreational activities or nongambling games, leisure and recreation services to the public or to members. Examples include the following uses when they are conducted indoor: ice or roller skating rinks, bingo parlors, billiard parlors, bowling centers, pool rooms, miniature golf courses and amusement arcades, tennis clubs, indoor and outdoor play courts, horseback riding facilities, indoor and outdoor shooting facilities, batting cages, go-cart or dirt-bike courses, miniature golf or putt courses, skateboard areas, and water slides or water parks. (Ord. 1780, 1993: Ord. 1687, 1991.) (Ord. 2417, Renumbered, 11/10/2008)
Recreational Vehicle	A vehicular type unit primarily designed as temporary living quarters for travel, recreational, or camping use which may be driven or towed on a highway, and which may be self-propelled, mounted upon, or drawn by a motor vehicle. Recreational vehicle includes any travel trailer, camping trailer, motor home, pickup coach, or slide-in camper. (Ord. 1519 § 2, 1985.) (Ord. 2417, Renumbered, 11/10/2008)
Recreational Vehicle Park	A parcel or tract of land, having as its principal use the transient rental or occupancy of space by 2 or more recreational vehicles, including accessory buildings, structures or uses customarily incidental to recreational vehicles.
Recreational Vehicle Space	A portion of land within a recreational vehicle park used or intended to be used for the transient parking of one recreational vehicle, including permitted accessory uses and structures.
Recycling plant	A facility in which recyclable material only is collected, processed, separated, and/or baled in preparation for shipment to others who will use those materials to manufacture new products. Recyclable material includes metals, glass, plastics, wood, paper, and other similar materials that may be used in the manufacture of new products. Recycling plants shall not collect vehicles for salvage, hazardous materials, compost, or rubbish. (Ord. 2417, Add, 11/10/2008)
Redevelopment	Development on a tract of land with existing structures where all or most of the existing structures would be razed and a new structure or structures built.
Remediation Services	Establishments primarily engaged in one or more of the following: (1) remediation and cleanup of contaminated buildings, mine sites, soil, or ground water; (2) integrated mine reclamation activities, including demolition, soil remediation, waste water treatment, hazardous material removal, contouring land, and revegetation; and (3) asbestos, lead paint, and other toxic material abatement.
Renewable energy production	Energy produced by converting wind energy, solar energy, geothermal or other non-fossil fuel and associated control or conversion electronics/system and is intended primarily to be connected and sold to the electrical grid system for consumption off-site. Energy production supplying more than 100 percent of the customer's average annual consumption at the site is considered a utility.
Renewable Energy Production-Utility	Energy produced by converting wind energy, solar energy, geothermal or other non-fossil fuel and associated control or conversion electronics/system and is intended primarily to be connected and sold to the electrical grid system for consumption off-site. Energy production supplying more than 100 percent of the customer's average annual consumption at the site is considered a utility.
Renewable Energy	Energy produced by converting wind energy, solar energy, geothermal or other non-fossil fuel and the associated control or conversion electronics/system and is intended primarily to

Production-Private	reduce on-site consumption of public energy. Energy production shall supply no more than 100 percent of the customer's average annual consumption at the site to be considered private.
Required Area	The minimum area of a lot or parcel necessary to permit its use under the provisions of this Title, and means for the purposes of this Title: Any lot shown as part of a subdivision recorded as a final plat in the manner provided by law; or Any parcel of land separated as a lot prior to the adoption and effective date of the original City land use ordinance. Any lot or parcel of land which has an area not less than that required in the respective zoning district. (Ord. 1074 § 1 (part), 1976.) (Ord. 2417, Renumbered, 11/10/2008)
Research and development	The investigation into the natural, physical, or social sciences, and that includes product development or testing. This does not include research, engineering or similar activities that occur indoors in an office environment, which is classified separately under Commercial / Mixed Use - Office, above.
Research and Development	The investigation into the natural, physical, or social sciences, and may include engineering and product development.
Residence	See "Dwelling."
Residential Property	Any parcel of land that is zoned for residential use or on which a residential use is present. This does not include residential quarters for a caretaker or guard. (Ord. 2417, Add, 11/10/2008)
Resort, dude/guest ranch	An establishment that provides: (1) horseback riding and/or related outdoor recreational facilities such as swimming, tennis courts, shuffleboard courts, barbecue and picnic facilities, (2) dining facilities intended primarily for use by guests, and (3) guest rooms limited to persons using the outdoor recreational facilities. This does not include boarding or rooming house, hotel or motel. This does not include bars and restaurants that cater primarily to those other than guests, such as including drive-through or drive-in restaurants.
Resource-Efficient Irrigation	The application of water to a specific area based on plant requirements. (Ord. 1730, 1992: Ord. 1447 § 1, 1984: Ord. 1288 § 1 (part), 1980.)
Resource-Efficient Landscaping	A method of landscaping intended to conserve water and other natural resources by encouraging the following principles: Practical turf areas. The use of water-conserving plant material. The grouping of plants with similar water requirements. An irrigation system designed to meet plant needs. The installation of permeable hard surfaces to encourage ground-water recharge and re-use, and to discourage run-off. The use of water harvesting techniques. The use of mulches. The use of soil amendments. Soil analysis. (Ord. 1730, 1992: Ord. 1447 § 1, 1984: Ord. 1288 § 1 (part), 1980.)
Resource-Efficient Landscaping Material	Any of the following material: Living material, including, but not limited to, turf grass, ground covers, shrubs, vines, hedges, or trees which have been identified as those which are drought-tolerant or low-water use varieties, indigenous to or adaptable to this climate, and which can survive, once established, on minimal irrigation or natural rainfall; and Nonliving material including, but not limited to, rocks, gravel, sand, tile, bricks, bark, decorative concrete, and wood. (Ord. 1730, 1992: Ord. 1447 § 1, 1984: Ord. 1288 § 1 (part), 1980.)
Restaurant	A structure where food and drink are prepared, served, and consumed. May include take-out, drive-in, and/or sit-down service. (Ord. 2417, Add, 11/10/2008)
Retail Sales	The sale of goods or commodities to members of the general public. (Ord. 1211 § 6, 1979.) (Ord. 2417, Renumbered, 11/10/2008)
Retail, general	An establishment engaged in sale or rental of goods, such as: general merchandise, apparel, appliances, auto parts/tires, bicycles, books, electronics, firearms, florists, furnishings, gifts and novelties, hardware, health and personal care (such as pharmacies, cosmetics and optical) , heating and plumbing equipment, hobby, jewelry, luggage and leather goods, music, office supplies, pawn shops, pets, sporting goods, stationary, tobacco sales, and entertainment media (such as videos, compact discs, DVDs, or computer games), used merchandise, arts and crafts, beer or liquor (see Municipal Code § 5.28), or similar items.

This includes artist studios that both create and sell visual artwork for noncommercial use.

This classification includes the retail sale or rental of merchandise not specifically listed under another use classification. Merchandise is typically sold from locations known as storefronts, stand-alone buildings, department stores, warehouse clubs, variety stores, superstores, swap meets or flea markets, auctions, or consumer goods rental / general rental centers.

Room	An unsubdivided portion of the interior of a dwelling, excluding bathrooms, kitchens, closets, hallways and porches. (Ord. 1074 § 1 (part), 1976.) (Ord. 2417, Renumbered, 11/10/2008)
Rotor Diameter	Cross sectional dimensions of the circle swept by the rotating blades of a wind generator.
Sanitary Station	A facility used for removing and disposing of wastes from recreational vehicle holding tanks.
School (public or private)	An institution of learning which offers instruction in the several branches of learning required to be taught in the public schools of the state. (Ord. 1325 § 11, 1981: Ord. 1074 § 1 (part), 1976.) (Ord. 2417, Renumbered, 11/10/2008)
Screening Device	Includes but is not limited to any fence, hedge, wall or barrier made of living, non-living, or a combination of living and non-living materials, either fixed in place or temporary. (Ord. 1074 § 1 (part), 1976.) (Ord. 2403, Amended, 07/28/2008)
Seeding	The application of seed onto a prepared surface. (Ord. 1730, 1992: Ord. 1447 § 1, 1984: Ord. 1288 § 1 (part), 1980.)
Setback	The distance between the property line, street right-of-way line, or edge of sidewalk to the nearest portion of the structure on the property (see definitions of front setback, side setback and rear setback below). See Article 20.04 for the regulations pertaining to allowed structures within, or projections into a setback. (↔ see § 20.04.008) <i>note: compare "Yard" below. The <u>setback</u> is the <u>required</u> distance between the lot line (or other point of measurement) to the building. A "<u>yard</u>" is the <u>actual</u> distance from that point to the building. In practice, the yard often extends past the required setback (in the case of a minimum setback).</i> (Ord. 1074 § 1 (part), 1976.) (Ord. 2417, Renumbered, 11/10/2008)
Setback, Front	The setback extending from the front lot line. The "front lot line" is the property line of any lot or parcel that abuts the street right-of-way. If there is an existing sidewalk, or a sidewalk designated on the subdivision plat or the City's capital improvements program, the front lot line is considered the edge of the sidewalk furthest from the street for purposes of measuring the front setback.
Setback, Rear	The setback extending from the rear property line.
Setback, Side	The setback extending from a side lot line.
Sexual encounter center	Any business, agency or person who, for any form of consideration or gratuity, provides a place for 2 or more persons, not all members of the same family, to congregate, assemble or associate to engage in "specified sexual activities" or exposing "specified anatomical areas."
Shade Tree	A large deciduous plant with a mature crown diameter of at least 15 feet and having a trunk that, at maturity, is kept clear of leaves and branches at least 6 feet above grade. (Ord. 1730, 1992: Ord. 1447 § 1, 1984: Ord. 1288 § 1 (part), 1980.)
Shed	A structure that is subordinate to the Principal Building, and designed or used to store lawn, garden, pool care or other household equipment. A shed may be built onsite, or purchased pre-built or as a kit in pre-fabricated sections. A shed is not served by heat or plumbing and may or may not have a permanent foundation.
Single-Family Dwelling	A building containing one kitchen designed and/or used to house only 1 family, including necessary employees of the family. (Ord. 1074 § 1 (part), 1976.) (Ord. 2417, Renumbered, 11/10/2008) See Use Matrix (§ 20.02.14). A "single-family dwelling" includes any manufactured or modular home as defined in Chapter 20.03.036 (Manufactured Homes).
Site	A parcel or combination of parcels or lots which share a common development plan or which are dependent upon one another for access, parking or utilities. (Ord. 1211 § 7, 1979.) (Ord. 2417, Renumbered, 11/10/2008)
Site Area	The surface area of a development project including public right-of-way areas between property lines and paved sidewalks or streets. (Ord. 1730, 1992: Ord. 1447 § 1, 1984: Ord.

1288 § 1 (part), 1980.)

Site Frontage	The combined frontage of multiple, adjoining lots that are subject to a single Application.
Smog Shop	Stations authorized to perform emissions tests and complete emissions-related repairs as long as the station has a 2G license from the State of Nevada. Other stations with a 1 G license from the State of Nevada, may perform tests but are prohibited from performing emissions-related repairs.
Social assistance, welfare, and charitable services	Establishments that provide social assistance services directly to clients such as children, elderly persons, disabled persons, homeless persons, or veterans. Social assistance may include (1) food, medical relief, counseling or training. Examples include adoption agencies, youth centers (except recreational only), child guidance organizations, youth self-help organizations, foster care placement services, community action services agencies, marriage counseling services (except by offices of mental health practitioners), crisis intervention centers, multipurpose social services centers, family social services agencies, self-help organizations (except for disabled persons, the elderly, persons diagnosed with intellectual and, developmental disabilities), family welfare services, suicide crisis centers, hotline centers, telephone counseling services, community food services (includes collection, preparation, and delivery of food, clothing and blankets for needy persons), and (2) housing services including short term emergency shelter for victims of domestic violence, sexual assault, or child abuse; temporary residential shelter for the homeless, runaway youths, and patients and families caught in medical crises; or transitional housing for low-income individuals and families.
Solar Energy	Equipment that converts and then stores or transfers energy from the solar into usable forms of energy. Solar energy includes either solar photovoltaic, solar thermal or any system that converts solar energy to usable forms of energy. This equipment is any substance or device which collects, stores or distributes solar energy for the use in heating or cooling of a structure or building, the heating or pumping of water, or the generation of electricity and all the associated equipment for the operation of the system.
Solar Photovoltaic (PV)	Production of electricity through the conversion of direct sunlight.
Solar Thermal Systems	Use of the sun to heat water or heat-transferring fluids. Each system is comprised of two parts: solar collection (panel) or reflective panel and storage tank. Systems that use active solar require the use of electricity for pumps and circulation and require flat-panel collectors similar to PV. Passive solar water heaters do not have electrical components and rely on direct sun heating the collector panel.
Special Event	Any show, carnival, entertainment, celebration, farmers' market, sporting event or similar activity of temporary duration open to the general public which occurs on vacant property or outside a permanent structure or commercial area of a business. (Ord. 1862, 1995: Ord. 1487 § 5, 1985.) (Ord. 2417, Renumbered, 11/10/2008; Ord. 2384, Amended, 01/14/2008)
Specified Anatomical Areas	Less than completely and opaquely covered human genitals, pubic region; buttock; and female breast below a point immediately above the top of the areola; and human male genitals in a discernibly turgid state, even if completely and opaquely covered.
Specified Sexual Activities	Actual or simulated sexual intercourse, oral copulation, anal intercourse, oral anal copulation, bestiality, direct physical stimulation of unclothed genitals, flagellation or torture in the context of a sexual relationship, or the use of excretory functions in the context of a sexual relationship, and any of the following depicted sexually oriented acts or conduct: anilingus, buggery, coprophagy, coprophilia, cunnilingus, fellatio, necrophilia, pederasty, pedophilia, piquerism, sapphism, zoerasty; or clearly depicted human genitals in a state of sexual stimulation, arousal or tumescence; or use of human or animal masturbation, sodomy, oral copulation, coitus, ejaculation; or fondling or touching of nude human genitals, pubic region, buttocks or female breast; or masochism, erotic or sexually oriented torture, beating or the infliction of pain; or erotic or lewd touching, fondling or other contact with an animal by a human being; or human excretion, urination, menstruation, vaginal or anal irrigation.

Stand	A vehicle, trailer or temporary structure used for the sale of goods or services. (Ord. 1211 § 8, 1979.) (Ord. 2417, Renumbered, 11/10/2008)
Standards	Mandatory regulations. Standards are indicated by use of the terms "shall" and "must."
Street	A public or private thoroughfare which affords a primary means of access to abutting property. (Ord. 1325 § 13, 1981; Ord. 1074 § 1 (part), 1976.) (Ord. 2417, Renumbered, 11/10/2008)
Structure	Anything which is built or constructed, an edifice or building of any kind or any piece of work, artificially built up or composed of parts joined together in a definite manner. "Structure" does not include a tent, trailer, mobile home or vehicle. (Ord. 1074 § 1 (part), 1976.) (Ord. 2417, Renumbered, 11/10/2008)
Substandard Development	A lawfully improved lot or parcel, including any structures on the lot or parcel, which does not satisfy the current provisions of this Title regarding use, setbacks, height restrictions, parking, landscaping, signs or other site development standards. (Ord. 1325 § 14, 1981.) (Ord. 2417, Renumbered, 11/10/2008; Ord. 2387, Amended, 02/11/2008)
Tandem Parking	A parking space which is positioned in such a manner that it is necessary to pass through one parking space to access the other from a street, lane or driveway.
Tattoo parlor	A facility which provides personal services such as tattoos, body painting, body piercing and other similar uses as the primary function.
Technical School	A specialized institution of learning which offers secondary or post-secondary instruction in business, trade, vocational, or other technical subject matter. (Ord. 2417, Add, 11/10/2008)
Temporary Parking Of Mobile Home	Any specified length of time less than 12 months.
Time-Share	A time-share estate.
Time-Share Estate	A right to occupy a unit or any of several units during 3 or more separated time periods over at least 3 years, including renewal options, coupled with a freehold estate or an estate for years in a time-share property or a part of that property.
Time-Share Instrument	One or more documents, by whatever name denominated, creating or regulating time-shares.
Time-Share License	A right to occupy a unit or any of several units during 3 or more separated time periods over a period of at least 3 years, including renewal options, not coupled with a free-hold estate or an estate for years. (Ord. 1348 § 3, 1982.) (Ord. 2417, Renumbered, 11/10/2008)
Time-Share Owner	A person who is an owner or co-owner of a time-share other than as security for an obligation.
Time-Share Property	One or more time-share units subject to the same time-share instrument, together with any other real estate or rights appurtenant to those units.
Time-Share Unit	A unit in which time-shares exist.
Title loan	A pawnbroker who loans money only on the security of any vehicle or other transportation device for which a bill of sale, title or registration can be provided. (Ord. 1758, 1992.) (Ord. 2417, Renumbered, 11/10/2008)
Total Height	For purposes of the Renewable Energy regulations of Chapter 20.03, vertical distance from the ground level to the tip of a wind generator blade when the tip is at its highest point of a wind generator or the highest point of the overall structure. (↔ 20.03.043 Renewable Energy)
Tower	A monopole, freestanding, or guyed structure that supports a wind generator. (↔ 20.03.043 Renewable Energy)
Tower Height	For purposes of the Renewable Energy regulations of Chapter 20.03, height above grade of the fixed portion of the tower, excluding the wind turbine itself. (↔ 20.03.043 Renewable Energy)
Trailer	A vehicle without motive power designed to carry property or passengers wholly on its own structure and to be drawn by a motor vehicle. (Ord. 1519 § 3, 1985.) (Ord. 2417, Renumbered, 11/10/2008)

Transfer Station	A fixed facility where non-hazardous wastes are taken from collection vehicles, temporarily stored, and ultimately relocated to a permanent disposal site. It does not include an incineration facility.
Transportation passenger terminal	Facilities for passenger transportation operations, and holding facilities, which includes rail stations, bus terminals, urban and regional transit stations and scenic and sightseeing facilities, but does not include airports and heliports. This includes incidental maintenance and accessory parking facilities. This does not include bus shelters, which are permitted in all districts.
Travel Trailer	A vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreation and vacation use, having a body width not exceeding 8 feet and body length not exceeding 32 feet.
Truck	A motor vehicle used for the transportation or delivery of goods with a body built and designed for that purpose, and every motor vehicle designed and used primarily for drawing a trailer or other vehicle, and is not constructed so as to carry a load other than part of the weight of the trailer or vehicle drawn. (Ord. 1663 § 1, 1990: Ord. 1074 § 1 (part), 1976.) (Ord. 2417, Renumbered, 11/10/2008)
Truck stop	A facility oriented to the servicing of, and sale of fuel to truckers, and providing support facilities for truck drivers. (Ord. 1854, 1995: Ord. 1670, 1990: Ord. 1663 § 2, 1990.) (Ord. 2417, Renumbered, 11/10/2008)
Tuck-Under Garages	Garages dedicated for use by residents of individual units within a multi-family building, such as a townhome or apartment complex, that occupy the first floor (either partially or in its entirety) of a multi-floor building and are usually clustered into large groups of garages with each unit's garage being accessed via separate garage doors from the alley or street.
Turf Grass	Any species of grass that grows together and can be mowed, planted and maintained in areas of pedestrian, aesthetic or recreational activity. (Ord. 1730, 1992: Ord. 1447 § 1, 1984: Ord. 1288 § 1 (part), 1980.)
Uncovered Structure	A structure with walls on at least 2 sides, and that does not have a roof.
Unenclosed Structure	A structure that has no walls and is designed principally for outdoor use, such as a deck, porch, patio, or trellis.
Unit	Any portion of real property designated for separate use.
Urban agriculture	Includes – (1) Community Garden: A site operated and maintained by a group to cultivate trees, herbs, fruits, vegetables, flowers, or other ornamental foliage for the following uses: personal use, consumption, donation or off site sale of items grown on the site. (2) Crop/limited agriculture: An area of land managed and maintained by an individual or group of individuals to grow and harvest food crops, horticultural and limited animal products (including flowers, trees, bees and apiary products, and chickens) for off-site sale in locations where retail sales are an allowed use. Crop/limited agriculture may be a principal or accessory use. (3) Community supported agriculture: An area of land managed and maintained by an individual or group of individuals to grow and harvest food and/or horticultural products for shareholder consumption or for sale or donation. This does not include a personal garden.
Utility, Major	A building or other structure for water supply or wastewater treatment or the production of electricity, steam, air conditioning, hot water or chilled water for consumption by the general public.
Utility, Minor	All lines and facilities related to the provision, distribution, collection, transmission, or disposal of water, storm water, communications, electricity, transportation, gas, steam, and similar public services, and may include storage for vehicles and equipment necessary to provide those services. (Ord. 2417, Add, 11/10/2008) This includes facilities that are necessary to support legally established uses and involve only minor structures such as electrical distribution lines, switch boxes, transformer boxes, cap banks, and underground water and sewer lines. This does not include "communications facility" or "wireless communication tower" as defined below, which refer to the point of transmission rather than

	distribution systems such as cable networks.
Vehicle	An automobile, truck, boats watercraft, motorcycle, motorbike, recreational vehicle, snowmobile, tractor, or similar item, but not to include machinery or heavy equipment. (Ord. 2417, Add, 11/10/2008)
Vehicle or equipment sales and rentals	A facility for the sale or rental of automobiles, motorcycles, trucks, motor homes and RV's, marine equipment, boats and recreational watercraft. This includes accessory parts and supplies, and storage and incidental maintenance.
Vehicle towing and storage facility	Establishments primarily engaged in towing light or heavy motor vehicles, along with incidental services such as storage and emergency road repair services.
Vertical Mixed Use	Refers to two or more land-use types within a building, occurring on different floors. A typical example of a vertical mixed-use building would incorporate active uses such as stores, offices, and restaurants at the street level and residential and/or office uses on the upper floors.
Visible Light Transmittance	An optical property that indicates the amount of visible light transmitted. The higher the visible transmittance, the more light is transmitted. A high visible transmittance is desirable to maximize daylight.
Wall	See "Fence or Wall."
Water Harvesting System	Any combination of techniques that results in storm or flood waters captured on site, for later plant use or return to the water table.(Ord. 1730, 1992: Ord. 1447 § 1, 1984: Ord. 1288 § 1 (part), 1980.)
Weather or environmental monitoring station	A facility with instruments and equipment that measures atmospheric conditions (typically to provide current weather information or a basis for weather forecasts), air or water quality, soil conditions, or similar variables.
Wedding chapel	A facility which is principally rented to perform wedding ceremonies. Facilities may include a chapel, dressing rooms, offices, reception facilities, and/or gardens.
Wholesale distribution, warehousing and storage	The storage of goods, and the sale of goods to other firms for resale, including activities involving significant storage and movement of products or equipment. (Ord. 2417, Add, 11/10/2008) All storage activities are indoor. This may include fulfillment centers that combine storage with call centers.
Wind Energy Conversion Systems (WECS)	Equipment that converts and then stores or transfers energy from the wind into usable forms of energy. This equipment is the aggregation of parts including the base, foundation, tower, generator, nacelle, rotor, blades, supports, guy wires and accessory equipment such as utility interconnect and battery banks, or other components used in the system.
Wind Generator	Blades and associated mechanical and electrical conversion components mounted on top of the tower.
Wireless communication tower or antenna	An antenna, alternative tower structure, or tower as defined by 20.03.113.
Yard	The space on a lot or parcel extending from the principal building to the nearest lot line. (Ord. 1074 § 1 (part), 1976.) (Ord. 2417, Renumbered, 11/10/2008)
Yard, Exterior Side	The areas between the side wall of the building and side property line abutting a street right-of-way on corner lots.
Yard, Front	The yard lying between the front wall of the Principal Building and the front property line and extending across the full width of the lot or parcel.
Yard, Interior Side	The area between the side wall of the building and the property line not abutting a street right-of-way.
Yard, Rear	The yard between the Principal Building and the rear line and extending across the full width of the lot or parcel.
Yard, Side	The yard between the side lot line and the Principal Building and extending from the front yard line to the rear yard line.

- B. Other parts of this chapter include specific definitions (see, for example, uses defined in the Use Table [Section 20.02.14] and Chapter 20.03; and Section 20.04.003 Fences, Walls and Hedges). Those definitions supersede those in this section to the extent that they are inconsistent.

Section 20.08.003 Abbreviations

ADA	Americans with Disabilities Act, 42 USC Subsection 12181 et seq., Pub. L 101-336 and implementing regulations at 28 C.F.R. parts 35 and 36
BRT	Bus Rapid Transit
CFR	Code of Federal Regulations
Ft. or ' 	foot or feet
HUD	United States Department of Housing and Urban Development
LOMR	Letter of Map Revision (see Floodplain Ordinance)
Max.	Maximum; indicates that the value prescribed is the maximum allowed
Min.	Minimum; indicates that the value prescribed is the minimum required
MPO	The federally designated Metropolitan Planning Organization, or the Regional Transportation Commission of Washoe County
MUTCD	Manual on Uniform Traffic Control Devices published by the United States Department of Transportation, Federal Highway Administration
NRS	Nevada Revised Statutes
Sf	Square feet
TOD	Transit Oriented Development
USC	United States Code

Section 20.08.004 Technical References

This Title refers to various technical resources and external documents or regulations. These references are noted specifically below, are incorporated into this Title by reference, and refer to the most recent version of the document or reference unless specifically noted otherwise.

Document / Regulation	Reference
AASHTO Green Book	American Association of State Highway and Transportation Officials (AASHTO), A Policy on the Geometric Design of Highways and Streets (6th Edition 2011)
AASHTO Guide for the Development of Bicycle Facilities	AASHTO, <i>Guide for the Development of Bicycle Facilities</i> (4 th ed. 2012)
ADA Standards for Accessible Design	2010 ADA Standards for Accessible Design (United States Department of Justice, September 15, 2010), as amended.
American Standard for Nursery Stock	American Nursery and Landscape Association, <i>American Standard for Nursery Stock</i> (ANSI Z60.1-2004, Approved May 12, 2004)
Building Code	The City's adopted building code (SMC 15.05.100, currently the 2012 Edition of

Document / Regulation	Reference
	the International Building Code (IBC), chapters 2 through 35 together with Appendix Chapters C, E, I, and J)
Fire Code	The City's adopted fire code (SMC 14.05.0010, currently the International Fire Code, 2012 edition, including Appendix Chapters A—I)
NAR	Nevada Administrative Regulations. Any reference to a state administrative regulations refers to any amendment to that regulation, unless otherwise provided.
NRS	Nevada Revised Statutes. Any reference to a Nevada Statute refers to any amendment to that statute, unless otherwise provided.

Section 20.08.005 Zoning District Boundaries

Where uncertainty exists as to the boundaries of zoning districts, as shown, the following apply:

- A.** Boundaries are intended to parallel street lines or to follow lot or property lines as they exist at the time of passage of This Title or amendments to this Title, unless specifically shown otherwise.
- B.** In the event of further uncertainty, the Administrator shall interpret intent as to the boundary location.

(Ord. 1074 § 1 (part), 1976.)

Section 20.08.006 Vacated Rights-of-Way

if a dedicated street or alley is abandoned, the regulations applicable to abutting properties apply to that portion of such right-of-way vacated.

(Ord. 1074 § 1 (part), 1976.)

Section 20.08.007 Severability

If any provision of this Title or its application to any person or circumstances, is held invalid, the remainder of this Title, or the application or provision to other persons or circumstances not affected.

(Ord. 1074 § 1 (part), 1976.)

Section 20.08.008 Relationship to Other Laws

A. Other laws—Private restrictions

This Title does not impair or interfere with other regulations of effective state or local law, or with private restrictions on the use of land, improvements, and structures. Where this Title imposes a greater restriction than that imposed by other law or by private restrictions, this Title controls.

(Ord. 1074 § 1 (part), 1976.)

B. Other regulations

This Title is intended to cooperate with other city regulations, including but not limited to building, plumbing, electrical and fire prevention codes, and subdivision regulations. In all cases of doubtful interpretation or possible conflict, the proper interpretation of this Title is that which favors consistency with other regulations.

(Ord. 1074 § 1 (part), 1976.)

PAGES 425-449 RESERVED

Title 20 Zoning Code

Chapter 20.09 Agencies

Contents

Chapter 20.09 Agencies	450
Section 20.09.001 Zoning Administrator	450
Section 20.09.002 Planning Commission	450
Section 20.09.003 City Council	450

Chapter 20.09 Agencies

Section 20.09.001 Zoning Administrator

The administrator has the power and duty to enforce this Title. The “Administrator” includes other officers and employees of the city who are delegated this duty by authority and direction of the City Council or City Manager.

(Ord. 1325 § 15, 1981; Ord. 1074 § 1 (part), 1976.)

Section 20.09.002 Planning Commission

Refer to SMC, Title 2, Chapter 2.14.

Section 20.09.003 City Council

Refer to City Charter Article II and Chapter 20.05 of this Title.

Title 20 Zoning Code

Appendix

Appendix	451
<i>Appendix A-1 Generally</i>	<i>451</i>
<i>Appendix A-2 Fees</i>	<i>451</i>
<i>Appendix A-3 Digital Applications</i>	<i>451</i>
<i>Appendix A-4 Application Checklists.....</i>	<i>451</i>
<i>Appendix A-5 Technical Studies.....</i>	<i>455</i>
<i>Appendix A-6 Landscape and Irrigation Plans.....</i>	<i>456</i>
<i>Appendix A-7 Preliminary Grading Plan and Slope Analysis.....</i>	<i>458</i>
<i>Appendix A-8 Supplemental Information for Development on Slopes, Hilltops & Ridges</i>	<i>459</i>
<i>Appendix A-9 Bed and Breakfast Conditional Use Permit</i>	<i>460</i>
<i>Appendix A-10 Time Share</i>	<i>460</i>
<i>Appendix A-11 Wireless Communication</i>	<i>461</i>

Tables

Table A-1 Application Checklists	452
Table A-2 Example Plant List	456

Appendix

Appendix A-1 Generally

- A. This Article establishes the information that applications must include in order to be considered complete.
- B. All applications must be prepared by the owner of the subject property or the property owner's agent.
- C. The Administrator may prescribe forms and requirements for completing the information required by this Article. The forms may include –
 - a. filing instructions (such as mail, email, and website or internet upload locations),
 - b. number of physical copies,
 - c. certifications,
 - d. advisory notifications about private covenants, ex parte contacts, or other legal matters, and
 - e. related information.

Appendix A-2 Fees

The City Council will adopt the required application fees by resolution. Applications are not processed or considered filed until all required fees are paid in full.

Appendix A-3 Digital Applications

The Administrator may require applicants to file applications on digital media in lieu of or in addition to filing in physical media. The Administrator will provide the format and instructions for filing an application in digital form on the application forms.

Appendix A-4 Application Checklists

Applications for permits or land development decisions required by Chapter 20.05 shall be filed upon forms prescribed by the Administrator. The following information is required for each application listed below:

Table A-1 Application Checklists

Material / Information		Annexation	Rezoning	Rezoning - Planned Development	Conditional Use Permit	Development Agreement	Administrative review	Minor deviation	Major deviation	Building / Commercial Permit	Variance	Appeal
■ required												
○ required if requested by Administrator or approving agency to demonstrate compliance with this Title												
General												
1	Names, addresses, and contact information of property owner, applicant and agent	■	■	■	■	■	■	■	■	■	■	■
2	Surveyor's name, address, stamp and signature			■	■		■	■	■	■	■	■
3	Property owner/affidavit of ownership		■	■	■	■	■	■	■	■	■	■
4	Verification of the application before a notary public by the owner of the land or building or his authorized agent							■	■		■	■
5	Date of preparation		■	■	■	■	■	■	■	■	■	■
6	General location and street address (if available) of property		■	■	■	■	■	■	■	■	■	■
7	Action or decision requested and statement of the reasons why the application is being requested	■	■	■	■	■	■	■	■	■	■	■
8	An analysis of whether the application is consistent with the city's Comprehensive Plan and the Truckee Meadows Regional Plan, including any potential inconsistencies and methods to resolve them	■	■	■	■			■	■		■	■
9	Development Plan, Preliminary			■								
10	Development Plan, Final (for PD zoned property only)						■			■		
11	Acres of subject property (for Planned Development, include location and size of the site and nature of the landowner's interest in the land proposed to be developed to establish compliance with the minimum standard of 5 acres A site less than 5 acres may be considered if the proposal furthers the City's adopted redevelopment plans, neighborhood plans or area plans)		■	■	■	■	■	■	■	■	■	■
12	A legal description of the property involved	■	■	■	■	■	■	■	■	■	■	■
13	Zoning category requested		■	■								
14	Proposed use(s)			■	■	■	■	■	■	■	■	■
15	Proposed number of lots			■								
16	Proposed number of dwelling units, by type			■	■	■	■	■	■	■	■	■
17	For plans which call for development over a period of years, a phasing plan including a schedule showing the proposed times within which applications for final approval of all sections of the planned development are intended to be filed			■	■	■						
18	Proposed gross square footage by use category			■	■	■					■	■
19	Adjacent Property Owners (within required notification distance)		■	■	■						■	■
20	Provisions of this Title from which the property or building is sought to be excepted							■	■		■	■
21	Statements and evidence supporting the necessity for the deviation, variance or appeal based on the applicable standards in Chapter 2005							■	■		■	■
22	An analysis of the proposed range of modifications this Title otherwise applicable to the subject property			■	■							

Material / Information		Annexation	Rezoning	Rezoning - Planned Development	Conditional Use Permit	Development Agreement	Administrative review	Minor deviation	Major deviation	Building / Commercial Permit	Variance	Appeal
<p>■ required</p> <p>○ required if requested by Administrator or approving agency to demonstrate compliance with this Title</p>												
Legal												
23	A copy of any applicable covenants or deed restrictions applicable to the property. The restrictions may appear on the face of the plat or site plan, or may be submitted separately			■	■							
24	The substance of easements or other restrictions existing or proposed to be imposed upon the use of the land including proposed easements or grants for public utilities			■	■	■	■					
25	Methods and assurances for the ownership and maintenance of any required common open space			■	■		■					
26	Evidence of satisfaction of any conditions of conditional rezoning, conditional use permit, or plat approval						■			■		
Existing Conditions												
27	Existing zoning classification of subject property	■	■	■	■	■	■	■	■	■	■	■
28	Existing uses on the subject property	■	■	■	■	■	■	■	■	■	■	■
29	Location and width of easements, railroad rights-of-way, and other important features such as section lines and corners, municipal boundary lines and monuments and names within or adjacent to the site			■	■		■	○	○		○	○
30	All platted or existing streets and property lines			■	■		■	○	○		○	○
31	Existing streams, drainage channels and other bodies of water			■	■		■	○	○		○	○
32	Location of wooded areas and trees with a caliper of at least 10 inches (measured 4½ feet above the ground)			■	■		■	○	○		○	○
Site												
33	Site plans drawn to scale showing the location of all existing and proposed buildings			■	■	■	■	■	■	■	■	■
34	The ratio of residential to nonresidential use			■								
35	A fiscal analysis to determine the proposed impact of the project on city services			■								
36	Number of lots/units		■	■	■	■	■	■	■	■	■	■
37	The density and classification of land use to be allocated to parts of the site to be developed to assure compliance with the master plan, including information relative to the density of land use to be allocated to parts of the site to be developed			■								
38	The location of the one hundred (100) year flood zone and all watercourses, with boundaries and elevations			■	■	■	■	○	○		○	○
39	Location and dimensions of all required landscaping noting common and botanical names and planting size			■	■	■	■	○	○		○	○
40	Location, height, candle power and type of outside lighting fixtures for buildings and parking lots			■	■	■	■	○	○		○	○
41	Location, size, and type of all proposed freestanding signs			■	■	■	■	○	○		○	○
42	The location and size of any common open space			■	■	■	■	○	○		○	○
43	Location of natural features such as streams, steep slopes and wooded areas			■		■	■	○	○		○	○

Material / Information		Annexation	Rezoning	Rezoning - Planned Development	Conditional Use Permit	Development Agreement	Administrative review	Minor deviation	Major deviation	Building / Commercial Permit	Variance	Appeal
<input checked="" type="checkbox"/> required <input type="checkbox"/> required if requested by Administrator or approving agency to demonstrate compliance with this Title												
44	Landscaping and irrigation plan			■	■	○	■	○	○			
45	Preliminary Grading Plan and Slope Analysis (Appendix A-7)			■	■	○	■	○	○		○	○
46	Supplemental Information for Development on Slopes, Hilltops & Ridges (Appendix A-8)											
47	Any hilltop or ridgeline that has been identified by the city as a significant hilltop or ridgeline shall have additional setback requirements from that identified significant hilltop or ridgeline. The setback requirement shall vary dependent on the slope(s) of the ridgeline or hilltop and the proposed heights or structures. Each proposal shall address this issue individually, but each proposal shall at a minimum maintain setbacks so that the visual impact of roof tops are minimized when viewed from an arterial roadway.			■	■	■	■	○	○		○	○
Buildings												
48	Location, number of stories, footprint, and gross square footage of buildings and structures			■	■		■	○	○	■	○	○
49	Elevations of all proposed buildings or alterations in sufficient detail to meet all requirements			■	■	■	■	○	○	■	○	○
50	Building elevations showing architectural features, stories, fenestration, and articulation of all exterior building facades			■	■		■	○	○	■	○	○
51	The use and the approximate height, bulk and location of buildings and other structures to establish that adequate transition of dissimilar land uses is accomplished			■	■			○	○		○	○
52	Status of structures on the site (ie, vacant, to be removed; good condition, interior remodel only; new, etc)			■	■		■	○	○		○	○
53	Design Regulations											
Infrastructure												
54	Utility legend, indicating source of water, sewer, electrical, etc			■	■		■	○	○		○	○
55	Existing streets or roads which abut, touch upon or extend through the subject property, including types and widths of existing surfaces, rights-of-way widths, and dimensions of any bridges or culverts			■	■		■	○	○		○	○
56	Proposed water source			■	■		■					
57	Proposed method of sewage collection/treatment			■	■		■					
58	Sufficient dimensions and information to indicate existing and proposed rights-of-way, pavement width and type, number of lanes, medians and median breaks, sidewalks, existing and proposed driveways			■	■		■					
59	Street cross sections consistent with City standards			■								
60	Indicate if streets are public or private			■								
61	All existing and proposed drive locations, widths, curb cuts and radii			■	■		■					
62	An analysis of the disposition of sanitary waste and storm water to determine impact of the project on these services			■	■		■	○	○		○	○

Material / Information		Annexation	Rezoning	Rezoning - Planned Development	Conditional Use Permit	Development Agreement	Administrative review	Minor deviation	Major deviation	Building / Commercial Permit	Variance	Appeal
■ required ○ required if requested by Administrator or approving agency to demonstrate compliance with this Title												
63	Location and type of utilities to be installed			■	■		■					
64	Proposed utility layouts for water and sewer			■	■		■					
65	Subsurface drainage, if required (location, width, capacity)			■	■		■			■		

Appendix A-5 Technical Studies

A. Applicability

The administrator, Planning Commission or city Council may require applicants for rezonings, conditional use permits, or administrative review to submit technical studies that are necessary to enable the approving agency to determine that the application complies with the standards for approval.

- These studies include:
- Traffic studies
- Engineering studies
- Geologic or hydrologic studies
- Environmental impact assessments
- Noise studies
- Market studies
- Economic impact reports
- Architectural surveys

B. General Requirements

1. The applicant shall bear the costs of all technical studies.
2. Any decision of the Administrator to require any a technical study or to disapprove the person or firm selected by the applicant to perform the study may be appealed to the City Council.

C. Procedures

1. Upon the submission of any technical studies and/or upon any further determination by the Administrator, certain easements and related improvements such as streets, drainage, water

courses, erosion control, utilities, tree preservation, open areas, or recreational amenities that are related and proportionate to the impacts of the development may be required as a condition for approval of the application.

2. Performance and maintenance bonds or other approved surety for the improvements shall be approved by City staff prior to the issuance of a building permit, and the improvements shall be completed prior to the issuance of a certificate of occupancy.

Appendix A-6 Landscape and Irrigation Plans

- A. The landscape plan shall be prepared by a landscape architect registered in the State of Nevada, or other person permitted to prepare landscaping plans pursuant to Chapter 623A of the Nevada Revised Statutes.
- B. The landscape and irrigation plan shall be neatly drawn at a convenient commonly used engineering or architectural scale. Two blue-line or blackline prints of the plan shall be furnished to the administrator.
- C. The **landscape plan** shall include the following information:
 1. Scale, north arrow, location of adjacent streets, property lines, easements, sidewalks, drives, paved areas, utilities, buildings, existing trees (including street trees), and any other natural or manmade site features influencing the use of the site;
 2. Construction details pertinent to installation of the landscape in accordance with City Standards.
 3. A note or calculation sheet with all landscape calculations relevant to the application of this section.
 4. A plant list giving the common and botanical names of plants to be used. This plant list shall be arranged in legend form with a key number assigned to each plant. On the plan, each plant shall be identified by a key number. The size of the plant, its spacing and the quantity to be used shall follow the legend, as the following example illustrates:

Table A-2 Example Plant List

Botanical Name	Common Name	Size	Quantity
<i>Coreopsis grandiflora</i>	Coreopsis	Flat	144
<i>Celtis occidentalis</i>	Common Hackberry	1" cal.	9
<i>Cytisus craecox</i>	Warminster Broom	1 gal.	27
<i>Buddleia davidii</i>	Butterfly Bush/Summer Lilac	5 gal.	5
<i>Hedera Helix 'Baltica'</i>	Baltic Ivy	Flat	72
<i>Robinia idahoensis</i>	Idaho Locust	2" cal.	10
<i>Cedrus deodara</i>	Deodar Cedar	5' height	12
<i>Artemisia tridentata</i>	Big Sagebrush	1 gal.	20

- D. Irrigation plans** (at the same scale as the landscape plans), and specifications which comply with the Uniform Plumbing Code, insure the correct irrigation coverage and include the following:
1. Scale, north arrow, locations of adjacent streets, property lines, easements, sidewalks, drives, paved areas, buildings, including street trees, and any other natural or man-made site features influencing the use of the site.
 2. Identification and description of automatic irrigation components to insure that vegetation is adequately serviced through water conserving features.
 3. Indication of the system point of connection and size, water pressure available, and maximum demand of the system in gallons per minute.
 4. Irrigation equipment specified must be identified by manufacturer's name and equipment identification number.
 5. Cross connection devices installed as follows:
 - a. Single family or duplex residential model homes shall have a pressure vacuum breaker installed on the main line of the irrigation system upstream of the control valves.
 - b. All other development shall have reduced pressure backflow preventer (R.P. Device).
 6. All locations of irrigation valves, controllers, hose bibs, quick coupler valves, sprinkler heads, and backflow preventers. Sprinkler location on plans shall also include pattern of sprays (i.e., full circle, half-circle), psi, radius of throw and gallons per minute.
 7. Irrigation details must be used to clarify particular situations. Typical details should include backflow prevention devices, valves, irrigation heads, and irrigation controllers.
 8. Sizes of irrigation lines. Schedule 40 P.V.C. is required for all pressure lines and under all paved areas. Piping must be installed a minimum of twelve (12) inches underground for non-pressure irrigation lines and eighteen (18) inches underground for constant pressure irrigation lines. Adequate freeze protection shall be provided. Schedule 40 P.V.C. or equivalent sleeving under sidewalks or driveways is recommended.
 9. Landscape irrigation shall be separately metered.
 10. A recommended irrigation system operation schedule that includes 4 seasonal changes shall be required.
- E.** The Administrator may require **other relevant information** such as, but not limited to, elevations, sections and construction details, necessary to provide an accurate description of the work to be performed.

Appendix A-7 Preliminary Grading Plan and Slope Analysis

↔ Section 20.04.011 Slopes, Hilltops & Ridges

A. Applicability

This section applies to sites having slope gradients of at least 10% over at least 25% of the site.

B. Preliminary Grading Plan

If an area is subject to the application is adjacent to a previously approved entitlement, the applicant shall provide a preliminary grading plan showing –

1. approximate street grades,
2. approximate pad and floor elevations,
3. approximate location and grading of major cut and fill slopes, as defined by the Administrator,
4. approximate location and height of retaining walls at least 6 feet in height, and
5. slopes steeper than 33⅓% (3:1) and 6 feet in height.

C. Slope Analysis

1. A **slope analysis map** with slope category breakdown shall be provided as provided below.
2. A **slope or "cell" map** shall be developed which groups small areas of similar slope together, gridded at a maximum interval to be determined by the Administrator. The slope categories or groups shall be as listed below. This establishes the maximum disturbed area within each slope category over the entire site.
3. Specified maximum disturbed areas can be used as thresholds which can only be exceeded after demonstration that the additional grading provides a better solution. Demonstration of a better solution must address the following three design policies:
 - a. The site of the proposed development shall be analyzed to identify the design constraints imposed by hydrological and geological conditions, soils, slopes and other natural topographic conditions. In order to secure a tentative approval, the project shall respect the natural constraints in the design of the development.
 - b. The development shall be designed with consideration for limiting aesthetic degradation of the site, as well as erosion, sedimentation and other hazards.
 - c. Buildings should be designed and placed on the site so as to visually complement each other and the natural land forms of the site. The placement of buildings on or near hilltops or ridges is to show a high degree of sensitivity to the terrain and its visual impact. Definitive plans shall be prepared that clearly demonstrate this sensitivity for project approval.

(Ord. 2129, Add, 02/11/2002)

Appendix A-8 Supplemental Information for Development on Slopes, Hilltops & Ridges

- A. Applicability.** This section applies to any development that is subject to § 20.04.011 (Development on Slopes, Hilltops & Ridges).
- B. Additional Conditional Use Permit Application Requirements.** In addition to the application contents required by Appendix A-4, a conditional use permit application must include -
1. A written description of the process and analysis used to meet the three design policies identified in 20.04.11.C.
 2. A topographic map of the development site, and areas within 300 feet of the site deemed necessary by the Administrator, drawn to a standard engineering scale with a maximum control interval of 5 feet. The map shall indicate areas subject to inundation by the one hundred-year flood as well as slopes in each of the categories listed in the graded subsection above;
 3. A site analysis identifying building constraints imposed by:
 - a. Slopes,
 - b. Soils,
 - c. Hydrology,
 - d. Surrounding uses; and
 - e. Geological formations.
 4. A conceptual development plan showing how the project adapts for the constraints identified in the site analysis, and how the visual impact of the development has been considered in the design. This plan shall be accompanied by typical site sections with vertical and horizontal scales equal;
 5. A grading plan showing approximate street grades, approximate pad and floor elevations, approximate location and grading of all cut and fill slopes, approximate location and height of all retaining walls and slopes steeper than 33⅓% (3:1) and 3 feet in height;
 6. A preliminary hydrology report prepared by a Nevada registered civil engineer, addressing the five-year and one hundred-year return frequency storm flows.
 7. A map depicting the limits of disturbed area and calculations of undisturbed area, differentiated from common area, if applicable.

8. A soils/geotechnical investigation report prepared by a qualified Nevada registered engineer or qualified Nevada engineering geologist including conclusions and recommendations regarding ripability, slope grading and stabilizing, foundation design and seismic and other geological hazards.

C. Supplemental Requirements. In addition to the basic requirements, an application for development of any site shall include a minimum of 2 copies of the following information to be submitted with the application for display to the Planning Commission and City Council of the following:

1. Existing contour map with the proposed lot layouts and right-of-way lines;
2. Final contour map (showing proposed contour lines tied into existing contour lines) with proposed lot layouts and right-of-way lines;
3. Slope analysis map with slope category breakdown;
4. Overlay of the project depicting and distinguishing the cuts and fills (tops and toes), the undisturbed areas and the rip-rap or other mechanical slope stabilization methods proposed;
5. A minimum of 2 cross-sections through the project at a scale and at locations to be determined by the planning and community development department in a presubmittal conference; and
6. Revegetation plan that demonstrates compliance with § 20.04.011.F (landscaping).

(Ord. 1880, 1995; Ord. 1577 § 1 (part), 1987.)

Appendix A-9 Bed and Breakfast Conditional Use Permit

An application for a conditional use permit for a bed and breakfast facility must include the following information:

- A. Development application, plus non-residential project data sheet.
- B. Vicinity map, site plan, and floor plan.
- C. Application fee.
- D. Any other documentation deemed necessary by City staff.

(Ord. 1741, 1992.)

Appendix A-10 Time Share

An application for a conditional use permit for a time-share project may be processed concurrently with an application for a rezoning and must include the following:

- A. Conditional use permit application form;

- B.** Preliminary site plan, building plans, building elevations, parking layout, landscaping plan, and other descriptive drawings as required;
- C.** The preliminary time-share instrument;
- D.** A preliminary maintenance and management plan;
- E.** A preliminary conversion plan, if applicable; and
- F.** Any other matters that the developer, city council or its staff deem appropriate.

(Ord. 1348 § 1 (part), 1982.)

Appendix A-11 **Wireless Communication**

⇔ *See Section 20.03.055 Wireless Communication Tower or Antenna*

- A.** The following information is required for the construction of any Wireless Communication Towers:
 - 1.** A scaled site plan clearly indicating –
 - a.** the location, type and height of the proposed tower,
 - b.** on-site land uses and zoning,
 - c.** adjacent land uses and zoning (including when adjacent to other municipalities),
 - d.** Comprehensive Plan in a Regional Plan classification of the site and all properties within the applicable separation distances set forth in section 20.03.055.E.2.d,
 - e.** adjacent roadways,
 - f.** proposed means of access,
 - g.** setbacks from property lines,
 - h.** elevation drawings of the proposed tower and any other structures,
 - i.** topography,
 - j.** parking, and
 - k.** other information deemed by the Administrator to be necessary to assess compliance with this ordinance.
 - 2.** Legal description of the parent tract and leased parcel.
 - 3.** The setback distance between the proposed tower and the nearest residential unit, platted residentially zoned properties, and unplatted residentially zoned properties.

4. The separation distance from other towers described in the inventory of existing sites submitted pursuant to section 20.03.055.C.3 shall be shown on an updated site plan or map. The applicant shall also identify the type of construction of the existing tower(s) and the owner/operator of the existing tower(s), if known.
 5. A landscape plan showing specific landscape materials.
 6. Method of fencing, and finished color and, if applicable, the method of camouflage and illumination.
 7. A description of compliance with all applicable requirements of section 20.03.055 and all applicable federal, state or local laws.
 8. A notarized statement by the applicant as to whether construction of the tower will accommodate collocation of additional antennas for future users.
 9. Identification of the entities providing the backhaul network for the tower(s) described in the application and other cellular sites owned or operated by the applicant in the City of Sparks.
 10. A description of the suitability of the use of existing towers, other structures or alternative technology not requiring the use of towers or structures to provide the services to be provided through the use of the proposed new tower.
 11. A description of the feasible location(s) of future towers or antennas within the City of Sparks based upon existing physical, engineering, technological or geographical limitations in the event the proposed tower is erected.
- B. The information required above is in addition to any applicable information required by Appendix A-4.