



N E V A D A

AGENDA

Regular Meeting

Planning Commission

Wednesday, June 12, 2024 • 5:00 PM

Members

Jenni McCullar - Chairwoman
Angela Lewis - Vice Chair
Humayoon Lodhi - Commissioner
Barry Williams Sr. - Commissioner
Cody Wagner - Commissioner
Jacob VanderHeiden - Commissioner
Robert Flores - Commissioner
Tessa Garvin - Alternate

Fernley City Council Chambers, 595 Silver Lace Boulevard, Fernley, NV 89408

Zoom information:

Please click the following link to join the webinar: <https://us02web.zoom.us/j/82966343247>, or one tap/mobile: 12532158782, Dial: 669 900 9128, Webinar ID: 829 6634 3247

Public Notice: This agenda has been physically posted in compliance with 241.020 at Fernley City Hall, 595 Silver Lace Blvd. In addition, this agenda has been electronically posted in compliance with NRS 241.020(3) at www.cityoffernley.org and NRS 232.2175 at <https://notice.nv.gov/>. To obtain further documentation regarding posting, please contact the City Clerk's Office at (775) 784-9830 or cityclerk@cityoffernley.org

Public Comment: Those wishing to address the Planning Commission may submit public comment through the [online public comment form](#), or by sending an email to cityclerk@cityoffernley.org. Comments received prior to 4:00 pm the day of the meeting will be provided to the Planning Commission and added to the record but will not be read during the live meeting. Public comments received after 4 pm the day of the meeting will be included in the record but may not reach commission members before action is taken. Public comment, whether on action items or public comment, is limited to three (3) minutes per person. Unused time may not be reserved by the speaker, nor allocated to another speaker. The public may comment on any matter that is not specifically included on an agenda as an action item or comment on a specific agenda item. Items not included on the agenda cannot be acted upon other than to place them on a future agenda. Additionally, if you wish you can comment in person at the meeting or use the Raise your Hand feature in Zoom (*9 if you are participating via phone).

Accommodations: The Planning Commission and staff will make reasonable efforts to assist and accommodate individuals with disabilities desiring to attend the meeting. Please contact the City Clerk's Office at (775) 784-9830 in advance so that arrangements can be made.

Supporting Material: Staff reports and supporting material for the meeting are available at the City Clerk's Office, and on the City's website at www.cityoffernley.org. Pursuant to NRS 241.020(6), supporting material is made available to the general public at the same time it is provided to the City Council.

Order of Business: The presiding officer shall determine the order of the agenda. The Fernley Planning Commission may combine two or more agenda items for consideration; remove an item from the agenda; or delay discussion relating to an item on the agenda at any time. All items are action items unless otherwise noted. Items scheduled to be heard at a specific time will be heard no earlier than the stated time but may be heard later.

1. INTRODUCTORY ITEMS

- 1.1. Pledge of Allegiance**
- 1.2. Roll Call**
- 1.3. Public Forum**
- 1.4. (For Possible Action) Approval of Agenda**
- 1.5. (Possible Action) Approval of Minutes**

2. STAFF REPORTS

- 2.1. (For Possible Action) Discussion and possible recommendation to City Council regarding a tentative subdivision map application (TSM23003) from KLS Planning & Design Group on behalf of Schell Creek Construction to create 41 single-family detached lots on a site ±9.23-acres in size and generally located near the intersection of Canal Way and Silver Way (APN: 021-191-08). This parcel is zoned Single Family Residential, 6,000 square-foot minimum lot size (SF6) and the land use designation of Fernley's Comprehensive Plan is Single Family Residential (SFR).**

3. PUBLIC HEARINGS

A. DISCUSSION WITH PLANNING COMMISSION & STAFF B. PUBLIC INPUT C. ADDITIONAL DISCUSSION WITH PLANNING COMMISSION & STAFF D. COUNCIL ACTION OR DIRECTION TO STAFF

- 3.1. (For possible action) Discussion and possible action regarding Resolution #24-014 as it pertains to a comprehensive master plan amendment application (MPA24003) submitted by Golden Years Castle to change the designated land use from Single-Family Residential (SFR) to Public Facility (PF) on a site ±1.74-acres in size and approximately located at 565-575 Farm District Road (APNs: 021-111-47 & 021-111-48).**
- 3.2. (For possible action) Discussion and possible action regarding a conditional use permit extension of time application (CUP23004-EOT) submitted by Heartfelt Engineering on behalf of Stor-All, LLC to allow for a mini-warehouse (self-storage) on a site zoned General Commercial (C2) and generally located west of US95A and south of Shadow Lane (APN: 021-132-64).**
- 3.3. (For possible action) Discussion and possible action regarding a conditional use permit application (CUP24003) submitted by Westex Consulting on behalf of Nev Dev LLC to allow for a mini-warehouse (self-storage) and manufactured home park on a ±15.66-acre site zoned General Commercial (C2) and generally located on the south side of Farm District Road, west of Desert Lakes Drive, and east of Donna Way (APN: 021-301-35).**
- 3.4. A workshop to review and discuss revisions to Chapter 32.01 (General Provisions) and Chapter 32.02 (Definitions and Interpretations) of the City of Fernley Development Code and other matters related thereto.**

4. CHAIR AND COMMISSION ITEMS

(SUMMARY OR ACTIVITY REPORTS ON PLANNING ISSUES, ACTIVITIES OR ORGANIZATIONS IN WHICH INDIVIDUAL MEMBERS MAY BE INVOLVED. THIS ITEM IS TO PROVIDE GENERAL INFORMATION TO THE COMMISSION AND PUBLIC. NO DISCUSSION SHALL TAKE PLACE AND NO ACTION WILL BE TAKEN.)

5. PLANNING DIRECTOR ITEMS

(ACTIVITY SUMMARY OR UPDATES ON PROJECTS THAT HAVE BEEN PREVIOUSLY REVIEWED BY THE PLANNING COMMISSION. THIS ITEM IS TO PROVIDE GENERAL INFORMATION TO THE COMMISSION AND PUBLIC. NO DISCUSSION SHALL TAKE PLACE AND NO ACTION WILL BE TAKEN.)

6. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS

7. PUBLIC FORUM

8. ADJOURNMENT

Next Meeting: July 10th @ 5 pm

**MINUTES OF THE
FERNLEY PLANNING COMMISSION MEETING
MAY 8, 2024**

Vice-Chair Angela Lewis called the meeting to order at 5:00 pm.

1. INTRODUCTORY ITEMS

1.1. Pledge of Allegiance

1.2. Roll Call

Present: Vice Chair Angela Lewis, Commissioner Humayoon Lodhi, Commissioner Barry Williams, Commissioner Cody Wagner, Commissioner Jacob VanderHeiden, Commissioner Robert Flores, Alternate Commissioner Tessa Garvin, City Clerk Kim Swanson, Deputy City Clerk Brenda Gosser, City Attorney Aaron Mouritsen, Planning Director Michele Rambo, Senior Planner Shay League. **Absent:** Chairwoman Jenni McCullar.

1.3. Public Forum

None at this time.

1.4. (For Possible Action) Approval of Agenda

Motion: I MOVE TO APPROVE THE AGENDA. **Action:** Approved. **Moved by:** Commissioner Cody Wagner, **Seconded by:** Commissioner Robert Flores. **Vote:** Passed, **Summary:** Yes 7. **Yes:** Commissioner Williams, Vice-Chair Lewis, Commissioner Wagner, Commissioner Lodhi, Commissioner VanderHeiden, Commissioner Flores, Commissioner Garvin.

1.5. (Possible Action) Approval of Minutes

Motion: I MOVE TO APPROVE THE MINUTES OF LAST MONTH'S MEETING. **Action:** Approved. **Moved by:** Commissioner Barry Williams, **Seconded by:** Commissioner Humayoon Lodhi. **Vote:** Passed, **Summary:** Yes 7. **Yes:** Commissioner Williams, Vice-Chair Lewis, Commissioner Wagner, Commissioner Lodhi, Commissioner VanderHeiden, Commissioner Flores, Commissioner Garvin.

2. STAFF REPORTS

2.1. (For Possible Action) Discussion and possible action regarding a tentative subdivision map extension of time application (TSM2016-007EOT) filed by Lumos & Associates on behalf of Rockound Investments to request a two-year extension of time for the next phase of Nelson Meadows generally located west of Nevada Pacific Parkway, north of Farm District Road, east of Browne Lane, and south of Tamsen Lane and Langdon Street (Original APN: 021-331-35)."

Shay League, Senior Planner, explained the applicant is requesting a 2-year extension of time to file the next final map phase in order to have more time to complete the previous phase of their project. The developer has continually made progress constructing this neighborhood. To date, Nelson Meadows has built and sold 30 homes on the 49 parcels they have completed the final map process for. This extension will allow them to build and sell the 19 homes remaining before beginning the next phase. They have 45 approved parcels remaining and intend to split those into a final map for Phase 3 and a final map for Phase 4.

Motion: I MOVE TO APPROVE A TWO-YEAR EXTENSION OF TIME OF THE NELSON MEADOWS TENTATIVE SUBDIVISION MAP ASSOCIATED WITH TSM 2016-007EOT TO EXTEND THE TIMELINE TO RECORD THE NEXT PHASE IN A SERIES OF FINAL MAPS FROM MAY 23, 2024 TO MAY 23, 2026. **Action:** Approved. Moved by: Commissioner Barry Williams, **Seconded by:** Commissioner Tessa Garvin. **Vote:** Passed, **Summary:** Yes 7. **Yes:** Commissioner Williams, Vice-Chair Lewis, Commissioner Wagner, Commissioner Lodhi, Commissioner VanderHeiden, Commissioner Flores, Commissioner Garvin.

3. GENERAL BUSINESS

3.1. Training - Presentation by the City Attorney and Planning Director on the importance of findings and how to write them to stand up in court.

Michele Rambo, Planning Director, explained that Findings are the most important part of making decisions in the city Planning Department. When determining whether to approve or deny a development application, the most critical question is whether or not the legal findings can be made. Findings are the legal basis for planners to make decisions and are often the deciding factor when judges are ruling on court cases involving development issues. Therefore, it is important that Findings be well written and used appropriately when making decisions by both staff and decision-making bodies (Planning Commission and/or City Council). She explained "What are Findings"; "Why are Findings Important"; "How to make Findings"; "What makes a good Finding"; "Alternate Findings"; and "Finding Don'ts".

Aaron Mouritsen, City Attorney, explained that the best thing the Planning Commission can do when making a ruling, is to make sure those rulings are supported by the kind of Findings that if the project gets denied, the lawyers can look at it and say "the Planning Commission did a really good job with Findings, we cannot possibly win this lawsuit, we aren't going to waste the time".

Commissioner Robert Flores asked at what level the lawsuits are settled.

Aaron Mouritsen, City Attorney, stated that they are usually settled at County or District level.

4. CHAIR AND COMMISSION ITEMS

Commissioner Robert Flores asked if there will be training for the Capital Improvements Advisory Committee.

Michele Rambo, Planning Director, stated that there may be some training in the future.

Commissioner Cody Wagner asked about various projects and would like to get a data base or report that shows what projects are pending and what has expired.

Michele Rambo, Planning Director, stated that the Planning Department does a monthly report for current items, and the Development Coordinator has a report that details past projects.

5. PLANNING DIRECTOR ITEMS

Michele Rambo, Planning Director, stated that they are working on the update for the Development Code. There is a plan to bring it to a workshop with the Planning Commission and City Council. The North Area plan is coming along.

Commissioner Tessa Garvin asked if there was going to be an updated to the Water Master Plan.

Michele Rambo, Planning Director, stated that the City Council was provided with the information that the Planning Commission had asked for.

6. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS

None at this time.

7. PUBLIC FORUM

None at this time.

8. ADJOURNMENT

The next meeting will be June 12, 2024, at 5 PM.

There being no further business to come before it, the Fernley Planning Commission meeting adjourned at 5:35 PM.

Approved by the Fernley Planning Commission on June 12, 2024, by a vote of:

AYES _____ NAYS: _____ ABSTENTIONS: _____ ABSENT: _____

Vice Chairwoman Angela Lewis

ATTEST:



CITY OF FERNLEY

Planning Commission AGENDA REPORT

Meeting Date: June 12, 2024

REPORT TO: Fernley Planning Commission

REPORT FROM: Shay League

FINANCIAL IMPACT:

Yes: No: X

CURRENTLY BUDGETED:

Yes: No: X

FUND/ACCOUNT:

N/A

ACTION REQUESTED: Motion

AGENDA ITEM:

(For Possible Action) Discussion and possible recommendation to City Council regarding a tentative subdivision map application (TSM23003) from KLS Planning & Design Group on behalf of Schell Creek Construction to create 41 single-family detached lots on a site ± 9.23 -acres in size and generally located near the intersection of Canal Way and Silver Way (APN: 021-191-08). This parcel is zoned Single Family Residential, 6,000 square-foot minimum lot size (SF6) and the land use designation of Fernley's Comprehensive Plan is Single Family Residential (SFR).

AGENDA ITEM BRIEF:

The applicant is proposing 41 lots as Phase 7 of the already-established Green Valley Ranch neighborhood.

RECOMMENDED MOTION:

Approval

"I move to recommend City Council approve the tentative subdivision map for Green Valley Ranch Phase 7 associated with TSM23003 based on approval criteria 1 through 11 and the facts supporting these criteria as set forth in the staff report. I further recommend adoption of conditions of approval 1 through 21 as listed in the staff report."

BUSINESS IMPACT (per NRS Chapter 237):

A Business Impact Statement is not required because this is not a rule (term excludes vehicles by which legislative powers are exercised under NRS Chapters 271, 278, 278A, or 278B).

See attached report for background, analysis, alternatives.

ALTERNATIVES:

Denial

"Based on information received in written materials and at the public hearings on this matter, I move to recommend City Council deny the tentative subdivision map for Green Valley Ranch Phase 7 associated with TSM23003. I cannot recommend approval of this tentative subdivision map because I have determined the proposed changes are detrimental to the public's health, safety, and general welfare and am unable to make the following required findings:"

"I am unable to make finding _____ as it relates to _____.*" (Repeat for each applicable finding.)*

Note

Though no further language has been provided, all motions consistent with City of Fernley Planning Commission bylaws and rules of procedure are appropriate.

BACKGROUND:

The applicant is currently making great progress in building out phases 4 and 5. They are further working on the civil improvements and other criteria needed before they may record the final subdivision map for Green Valley Ranch Phase 6.

APPROVAL CRITERIA:

Recommendations and decisions on tentative maps shall be based on consideration of all the following criteria:

1. Compliance with environmental and health laws and regulations concerning water and air pollution, solid waste disposal, water supply facilities, community or public sewage disposal, and, where applicable, individual systems for sewage disposal;

Condition of approval 9 is intended to keep dust erosion from polluting the air. No other significant source of air pollution was identified. To ensure compliance with environmental and health laws and regulations concerning solid waste disposal, staff added condition of approval 19, which requires proof that Waste Management intends to provide solid waste disposal for the community.

Water and sewer services will be provided by City of Fernley. To ensure City of Fernley systems maintain compliance with applicable regulations once the project is developed, staff included conditions of approval 8, 14, 16-17, & 20. The developer must conduct water and sewer modeling to determine if adequate public facilities are in place. If adequate facilities are not in place, the developer will construct them in addition to all infrastructure within the development itself. The developer will grant easements so that City of Fernley may maintain the water and sewer infrastructure once built. Finally, the developer is responsible for constructing all necessary storm water treatment and drainage structures.

2. Availability of water that meets applicable health standards and is sufficient for the reasonably foreseeable needs of the subdivision;

Each of the 41 single-family parcels requires 1.12 acre-feet of surface water to be dedicated to City of Fernley to provide municipal services, for a total of 45.92 acre-feet. Should the applicant instead provide groundwater rights, which is a rare occurrence, the City Engineer will make the appropriate calculation based on lot size and number of lots. The applicant has indicated they have sufficient water rights for the proposed tentative subdivision map.

Additionally, in accordance with Fernley Municipal Code Section 32.09.035, the applicant shall dedicate to the city, as a condition precedent to approval of a final subdivision map, the surface water or groundwater rights reasonably necessary to ensure an adequate water supply to serve all parcels or lots within the project. Staff added condition 15 to make the need for dedication of water rights very clear. If the applicant is unable to dedicate the appropriate amount of water rights, their final subdivision map will not be approved by City

of Fernley.

3. Availability and accessibility of utilities;

All water, sewer, and other public utilities are known to be available through connections to the existing Green Valley Ranch neighborhood.

4. Availability and accessibility of public services such as schools, police and fire protection, transportation, recreation facilities, and parks;

This tentative map was forwarded to Lyon County School Board in accordance with NRS §278.346; the board did not indicate a school site is needed within the area. This subdivision is infill development located within areas already served by Lyon County Sheriff's Department and the North Lyon County Fire Protection District.

The question of automobile transportation is addressed through condition 18 which requires the streets to be built out prior to submitting the final map application. The submitted traffic generation letter did not identify the need for any additional improvements to existing public streets and highways. All streets within the subdivision are required to have sidewalks, which will allow pedestrian access.

The need for recreation facilities and parks is specifically addressed through condition 21 regarding residential construction tax. Given the current market rate of single-family homes in City of Fernley, the developer will be required to pay \$1,000 per dwelling unit in residential construction tax. This residential construction tax is to be reserved solely for providing recreation facilities and parks to the citizens of this neighborhood.

5. Consistency with the zoning district regulations;

The tentative map conforms with zoning district regulations. This parcel is zoned SF6 (Single Family Residential, 6,000 square foot minimum lot size). As mapped, the proposed new parcels meet all requirements of the SF6 zone, to include:

- 6,000 square feet minimum lot size
- 35' minimum lot frontage
- 60' minimum lot width
- 65' minimum corner lot width.

6. Conformity with the master streets and highways plan;

Staff verified that this development complies with the "City of Fernley Transportation Master Plan" of July 2020.

7. Effect of the proposed subdivision on existing public streets and the need for new streets or highways to serve the subdivision;

The proposed subdivision is only expected to generate an additional 530 daily trips, with 39 occurring during peak AM hours and 53 occurring during peak PM hours. This estimate was prepared for the originally planned 56 single-family homes of this phase. Because the number of homes was reduced from 56 to 41 by a shift in the Truckee canal, that estimate will also be reduced. At either number of homes, this is well below the threshold required to do a full traffic study. No improvements of existing streets are necessary.

8. Physical land characteristics, such as floodplain, slope, soil, and elevation differentials with abutting properties;

As part of their submission, the developer provided a preliminary technical drainage and geotechnical report.

Staff screened recommendations from these reports and found no items of concern.

9. Recommendations and comments of review bodies;

There are no outstanding comments from review bodies. The only comment received was from TCID/BOR regarding their need to obtain a rear portion of the parcel due to the canal shifting slightly after the lining project. The applicant and the relevant agencies have since resolved this issue. Condition 5 specifically requires documentation from TCID and/or BOR that they have reviewed and accepted this tentative subdivision map. Staff will enforce through the required TCID certificate on the final map.

10. Conformity to the master sewer and water utility plan;

This project conforms to both the master sewer and water utility plan. Because it is infill development, it will be connected to existing water and sewer lines. Aside from internal infrastructure needed to distribute utilities to each parcel, no additional city utility infrastructure has been identified as needed at this time.

11. Compliance with this Code and all other applicable regulations.

Planning and Engineering staff actively screened all requirements in Fernley Municipal Code and have determined there are no compliance issues.

RELEVANT LAWS, STATUTES, AND REGULATIONS:

General

[Nevada Revised Statutes \(NRS\), Chapter 278](#) - Planning and Zoning

[Fernley Municipal Code \(FMC\), Title 32](#) - Development Code

[City of Fernley Comprehensive Master Plan](#)

Specific

[NRS §278.330-278.353](#) - Subdivision of Land: Tentative Maps

[FMC §32.03.060\(f\)\(1\)](#) - Tentative subdivision maps

[FMC §32.06.070](#) - Residential - Single-family (SF20, SF12, SF9, SF6)

[FMC §32.09](#) - Development Standards

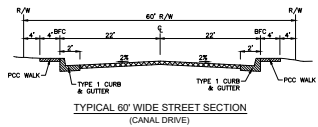
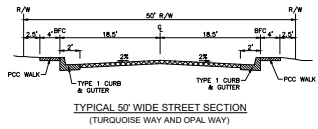
Note: City of Fernley does not guarantee the operation or applicability of the provided links beyond the June 12, 2024 Planning Commission meeting.

FINANCIAL IMPLICATIONS:

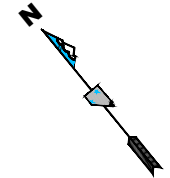
N/A

ATTACHMENTS:

1. TSM23003 Site Plan
2. TSM23003 Applicant Narrative
3. TSM23003 Traffic Letter
4. TSM23003 Conditions of Approval



REFER TO SHEET C1.0 FOR BASIS OF BEARINGS AND BASIS OF ELEVATION.
REFER TO SHEET C1.1 FOR NOTES, LEGEND, AND ABREVIATIONS.



PROJECT DATA:

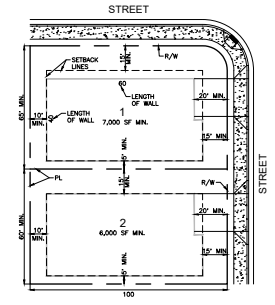
EXISTING APR: 021-191-08
EXISTING PAVED AREA: 11.29 AC
AREA TO BE ACQUIRED BY USBR: 2.06 AC
TOTAL PROJECT AREA: 9.23 AC
TOTAL LOT AREA: 8.49 AC
TOTAL REMAINING PARCELS (PARCELS A & B) AREA: 0.29 AC
TOTAL ROW AREA: 2.45 AC
TOTAL LOTS: 41
GROSS DENSITY: 4.44 LOTS/AC
NET DENSITY: 6.32 LOTS/AC
ZONING: SPS

EASEMENT NOTES:

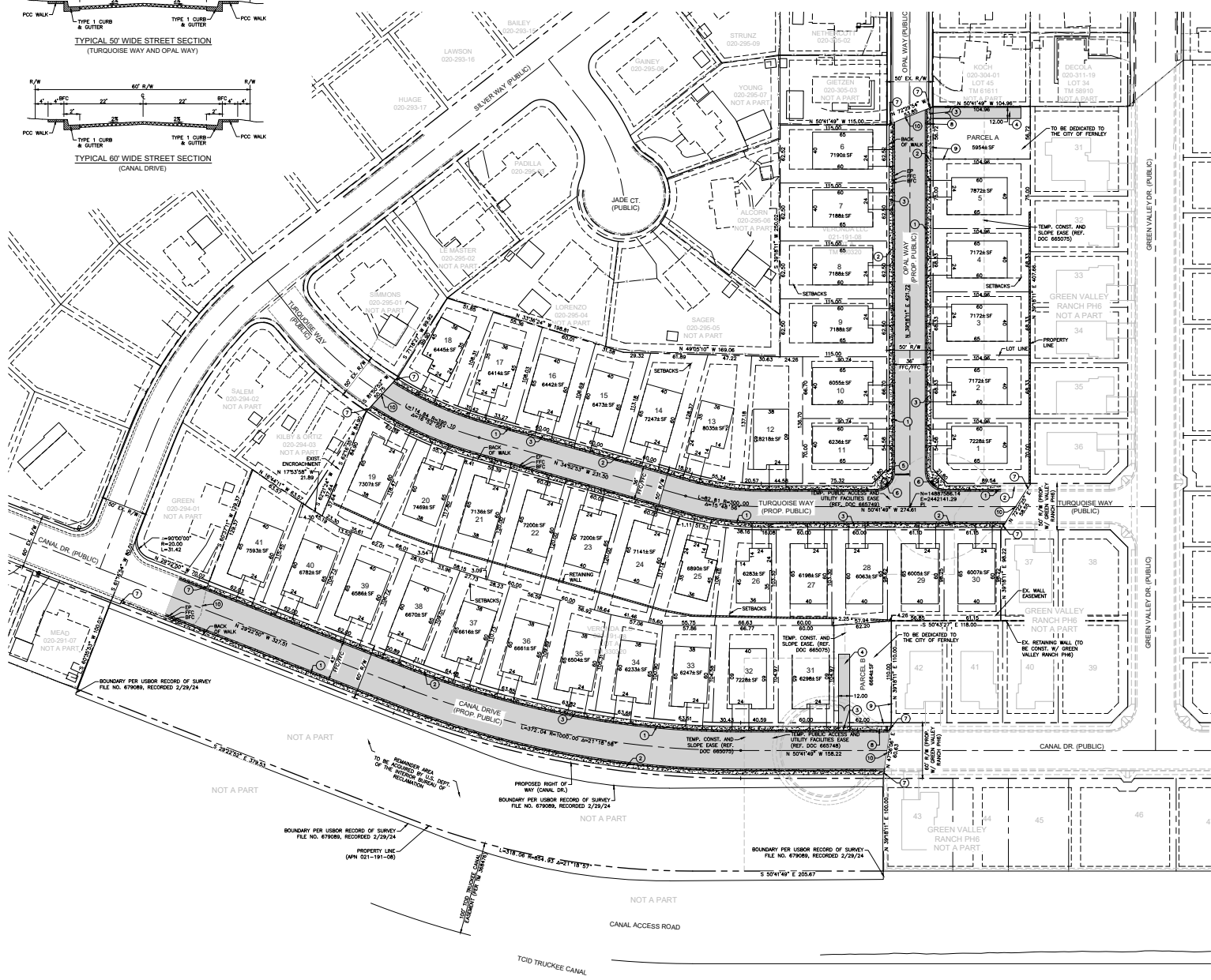
1. TEMPORARY PUBLIC ACCESS AND UTILITY FACILITIES EASEMENT (DOC #110022) GRANTS THE GRANTEE TO CONSTRUCT, ALTER, MAINTAIN, REPAIR, RECONSTRUCT, AND OPERATE PUBLICLY OWNED UTILITY FACILITIES UPON REDEMPTION OF A SCHEMATIC EASEMENT. THIS EASEMENT IS AUTOMATICALLY TERMINATED.
2. TEMPORARY SLOPE AND CONSTRUCTION EASEMENT (DOC #110022) ALLOWS GRANTEES THE CONSTRUCTION OF A SCHEMATIC EASEMENT ADJACENT TO THE GRANTEE'S PROPERTY, UPON THE COMPLETION AND ACCEPTANCE OF GREEN VALLEY ESTATES PHASE 1, THIS GRANT SHALL TERMINATE.

SITE PLAN KEYNOTES:

1. PROP. TYPE 1 POC CURB AND GUTTER
2. PROP. 4' WIDE SIDEWALK
3. PROP. DRIVEWAY APPROX.
4. PROP. PAVED MAINTENANCE ACCESS ROAD
5. PROP. STOP SIGN WITH STREET NAME SIGN
6. PROP. PEDESTRIAN RAMP FOR THE DISABLED
7. PROP. THE INTO EXISTING SIDEWALK
8. PROP. SIDEWALK CROSS DRAIN TO SERVE AS EMERGENCY OVERFLOW
9. PROP. PERMETER FENCING AROUND RETENTION BASIN PARCEL W/ VEHICLE GATE
10. PROP. POINT OF CONNECTION TO EXISTING AC PAVING



SETBACK DIAGRAM
NOT TO SCALE



REV.	DATE	DESCRIPTION	BY	APPD.

**TENTATIVE MAP FOR
GREEN VALLEY RANCH PHASE 7
PRELIMINARY SITE PLAN**

JOB NO: 31224

DRAWN BY: csmatthe

DESIGNED BY: CM

CHECKED BY: CH

SCALE: HORZ: 1"=50'

VERT: N/A



DATE: 11/14/24

PROJECT: Green Valley Ranch Phase 7 Preliminary Site Plan

PROJECT: Green Valley Ranch Phase 7 Preliminary Site Plan

PROJECT: Green Valley Ranch Phase 7 Preliminary Site Plan

PROJECT: Green Valley Ranch Phase 7 Preliminary Site Plan

PROJECT: Green Valley Ranch Phase 7 Preliminary Site Plan

PROJECT: Green Valley Ranch Phase 7 Preliminary Site Plan

Green Valley Ranch - Phase 7

Application to City of Fernley for a:

Tentative Subdivision Map

Prepared by:



John F. Krmpotic, AICP
KLS Planning & Design Group
201 W. Liberty Street, Suite 300
Reno, NV 89501



Colin Hayes, P.E.
General Manager of Development
Summit Engineering Corporation
5405 Mae Anne Avenue
Reno, NV 89523

Prepared for:

Gerald H (Jerry) Ricci
PO Box 2258
Fernley, NV 89408

December 19, 2023
Revised on April 11, 2024

Project Request

This application is for a **Tentative Subdivision Map** for the creation of 41 single-family lots.

Project Location

The site is located along Canal Drive near the intersection with Silver Way, northwest of Green Valley Ranch Phase 6. The site is on one parcel totaling 11.29 acres of which 9.23 acres (APN: 021-191-08) is the project area, 2.06 acres to be acquired by U.S BOR. The site is currently vacant.



Figure 1 – Vicinity Map

Land Use and Zoning

The site land use is Single Family Residential (SFR). The zoning is Single Family (SF-6), which guide the development standards of the proposed subdivision. Both land use and zoning are to remain as existing. (See Figures 2 and 3 below).

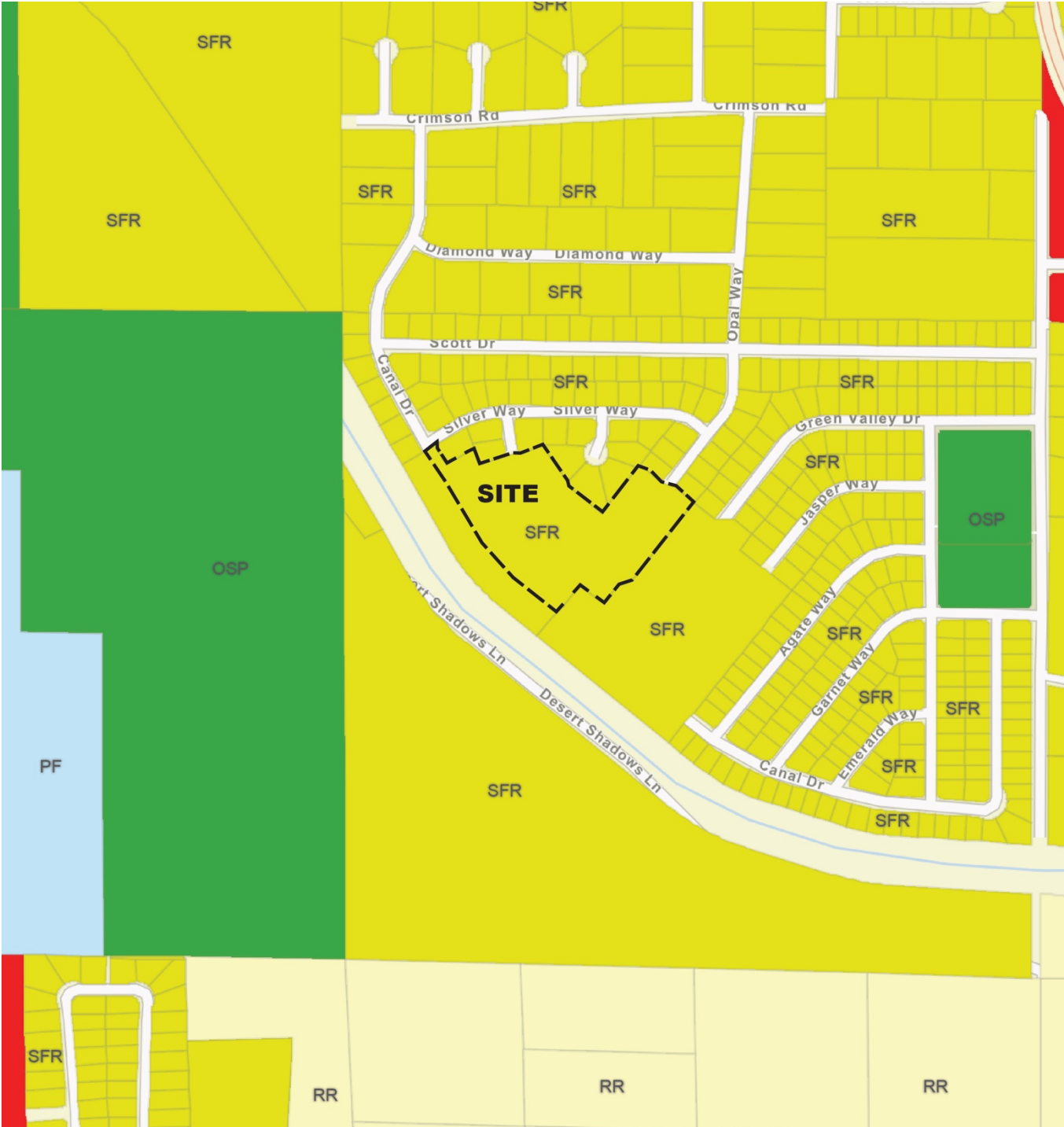


Figure 2 – Fernley Master Plan Land Use



Figure 3 – City of Fernley Zoning Map

Project Description

The 9.23-acre project area will contain 41 single family lots. See Project Data and Development Standards below. Landscape Plan shown in Figure 4 on page 5.

Project Data

Total Project Area	9.23 ac
Total Lot Area	6.49 ac
Total Remaining Parcels (Parcels A & B)* Area	0.29 ac
Total ROW Area	2.45 ac
Area to be acquired by U.S. BOR	2.06 ac
Total Lots	41
Gross Density	4.44 lots/ac
Net Density	6.32 lots/ac
Zoning	SF-6

*Parcels A & B dedicated to City of Fernley to be used as retention basins.

Fernley SF-6 Development Standards

Minimum Setbacks	
Front (Livable Space or Side Load Garage)	15 Ft
Front (Garage/Carport)	20 Ft
Side	5 Ft
Side Combined	20 Ft
Exterior Side	10 Ft
Rear	10 Ft
Minimum Lot Size	6,000 SF
Maximum Lot Coverage	50%
Minimum Lot Frontage	35 Ft
Minimum Width	60 Ft
Minimum Lot Width (Corner Lot)	65 Ft
Maximum Density	7.2 DU/Acre
Maximum Height (Residential)	35 Ft
Minimum Driveway Length (To Front of Garage Door)	20 Ft

Legal Access

This Phase 7 of Green Valley Ranch is an infill project with legal access as determined by the following means of access.

Canal Drive is a 60' R-O-W public street and Turquoise Way is a 50' R-O-W public street both abutting the project on the west border. These two streets provide physical street stubs to this phase of the project.

Similarly, Canal Drive is abutting the east border of the project in an approved Final Map for Green Valley Ranch (Phase 6). That segment of Canal Drive is not constructed but provides a legal access point following construction and dedication of the public street for Phase 6.

Opal Way is a 50' R-O-W public street abutting the project on the north border and provides a 3rd public access street connection to this phase. This street provides an access stub to this phase of the project. These 3 public streets provide proven legal access to this project.



Figure 4 – Preliminary Landscape Plan



South end of site, looking west



North end of site, looking west



North end of site, looking south



North end of site, looking east



South end of site, looking north



West end of site, looking east

Figure 5 – Site Photos



October 26, 2023

Jerry Ricci
Managing Member
Verdona, LLC.
P.O. Box 2258
Fernley, NV 89408

Green Valley Ranch Phase 7 Trip Generation

This letter has been prepared to provide trip generation calculations for a proposed residential development located on Resource Drive within the APN 021-191-08 in Fernley, Nevada. The development will consist of 56 single-family residential houses. The existing site is undeveloped. A site plan is provided in **Attachment A**. The following section describe the anticipated trip generation for the residential development.

SINGLE-FAMILY RESIDENTIAL TRIP GENERATION

For purposes of estimating the new vehicle trips that are anticipated to be generated by the proposed residential development, the ITE Trip Generation Manual, 11th Edition was used. The Trip Generation Manual has a land use titled “Single-Family Detached Housing” which defines it as a housing site that “includes any single-family detached home on an individual lot”. Within the Trip Generation Manual, “Single-Family Detached Housing” is designated by ITE Trip Generation Land Use Code 210.

According to the trip generation equations for “Single-Family Detached Housing”, the proposed development is expected to generate 39 AM peak hour trips and 53 PM peak hour trips based on a total of 56 single-family homes. The estimated daily trips total is 530 vehicles per day. As such, it is estimated that 83% of trips will occur outside of both the AM and PM peak hours.

The calculations are provided in **Attachment B**, and the resulting trip generation is summarized in **Table 1** for the residential development.

Table 1 – ITE Trip Generation Estimate

ITE Code	Land Use	Size (Units)	AM Peak Hour Trips	PM Peak Hour Trips	Daily Trips
210	Single-Family Detached Housing	56 Dwelling Units	39	53	530
Total			39	53	530

Source: ITE Trip Generation Manual, 11th Edition

Please contact me at 775-200-1981 or david.giacomin@kimley-horn.com should you have any questions regarding this analysis.

Sincerely,



David Giacomini, P.E., PTOE, RSP₁
Project Engineer



Attachments

Attachment A – Site Plan

Attachment B – Trip Generation Calculations

Attachment A
Site Plan

Attachment B
Trip Generation Calculations

Project Green Valley Ranch Phase 7

Kimley»Horn

Trip generation for Single-Family Detached Housing

Designed by AKT

Date October 16, 2023

Job No. 192401000

Checked by DJG

Date October 16, 2023

Sheet No. 1 of 1

TRIP GENERATION MANUAL TECHNIQUES

ITE Trip Generation 11th Edition, Average Rate Equations

Land Use Code - 210 Single-Family Detached Housing
Land Use Sub Category
Setting/Location General Urban/Suburban
Independent Variable - Dwelling Unit(s)
Number of Units (X) - 56

T = Trip Ends

Peak Hour: Weekday, Adjacent Street Traffic

One Hour Between 7 and 9 AM

Average Rate

$T = (X) * 0.7$

T = 39

Trip Ends Per Dwelling Unit(s)
Trip Ends

Directional Distribution:

26% Entering 74% Exiting
10 Entering 29 Exiting

Peak Hour: Weekday, Adjacent Street Traffic

One Hour Between 4 and 6 PM

Average Rate

$T = (X) * 0.94$

T = 53

Trip Ends Per Dwelling Unit(s)
Trip Ends

Directional Distribution:

63% Entering 37% Exiting
33 Entering 20 Exiting

Daily Weekday

Average Rate

$T = (X) * 9.43$

T = 530

Trip Ends Per Dwelling Unit(s)
Trip Ends

Directional Distribution:

50% Entering 50% Exiting
265 Entering 265 Exiting

Non-Pass-By Trip Percentage

AM Peak 100%
PM Peak 100%

Non-Pass-By Trip Volumes

AM Peak 10 Entering 29 Exiting
PM Peak 33 Entering 20 Exiting

Note: Rounding may occur in calculations

Conditions of Approval for TSM23003

Tentative Subdivision Map

SCOPE AND DURATION OF APPROVAL

1. APPROVAL:

THE TENTATIVE SUBDIVISION MAP IS APPROVED AS SUBMITTED AND CONDITIONED. ANY SUBSTANTIVE CHANGE SHALL REQUIRE A NEW SUBMITTAL OF A TENTATIVE SUBDIVISION MAP.

2. PROJECT DESCRIPTION:

THE PROJECT APPROVAL IS LIMITED TO RESIDENTIAL SINGLE-FAMILY DEVELOPMENT WITH A MAXIMUM OF 41 DETACHED SINGLE-FAMILY LOTS ON A ±9.23-ACRE SECTION OF THE ±11.29-ACRE PARCEL GENERALLY LOCATED NEAR THE INTERSECTION OF CANAL DRIVE AND SILVER WAY (CURRENT APN: 021-191-08).

3. EXPIRATION DATE:

THE TENTATIVE SUBDIVISION MAP APPROVAL SHALL EXPIRE WITHIN FOUR YEARS OF THE DATE OF CITY COUNCIL APPROVAL, UNLESS THE FINAL PARCEL MAP HAS BEEN RECORDED IN ACCORDANCE WITH NEVADA REVISED STATUTES (NRS) 278.360.

4. GOVERNING DOCUMENTS:

ALL CITY OF FERNLEY MUNICIPAL CODE (FMC) OR DEVELOPMENT CODE REFERENCES HEREIN PERTAIN TO THE VERSION OF THE CODE ESTABLISHED BY ORDINANCE NUMBER 2023-008, UNLESS OTHERWISE NOTED. THE DEVELOPER MUST COMPLY WITH ALL DESIGN STANDARDS AND REGULATIONS AS SET FORTH IN FMC. THE DEVELOPER MAY SUBSTITUTE REQUIREMENTS ESTABLISHED IN FUTURE FMC UPDATES, IF APPROVED BY THE ADMINISTRATOR.

THE DEVELOPER SHALL ALSO COMPLY WITH ALL STANDARDS FOUND WITHIN "CITY OF FERNLEY DEPARTMENT OF PUBLIC WORKS DESIGN STANDARDS & REVIEW GUIDELINES" AS UPDATED MARCH 2024, "CITY OF FERNLEY STANDARD DETAILS FOR PUBLIC WORKS CONSTRUCTION" AS UPDATED JULY 2022, AND "CITY OF FERNLEY COMPREHENSIVE MASTER PLAN" AS UPDATED APRIL 2024.

REGULATORY AGENCIES

5. TRUCKEE CARSON IRRIGATION DISTRICT (TCID) AND BUREAU OF RECLAMATION (BOR):

CITY OF FERNLEY PROVIDED A COPY OF THIS TENTATIVE MAP TO TCID. TCID INDICATED THAT THIS PROPERTY IS WITHIN THEIR DISTRICT AND REQUIRES SUBMISSION OF AN APPLICATION REGARDING THIS MAP WITH BOTH TCID AND BOR. THE DEVELOPER SHALL PROVIDE DOCUMENTATION FROM TCID AND BOR THAT THEY HAVE REVIEWED AND ACCEPTED THIS TENTATIVE PARCEL MAP. FULFILLMENT OF THIS CONDITION IS SUBJECT TO APPROVAL OF THE ADMINISTRATOR.

6. NORTH LYON COUNTY FIRE PROTECTION DISTRICT:

THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS OF THE MOST RECENT FIRE CODE ADOPTED BY THE NORTH LYON COUNTY FIRE PROTECTION DISTRICT, TO THE APPROVAL OF THE FIRE CHIEF, FIRE MARSHAL, OR DESIGNEE.

7. FEDERAL, STATE, AND LOCAL AGENCIES:

THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS OF ANY FEDERAL, STATE, LOCAL AGENCY, DEPARTMENT, OR LICENSED PROFESSIONAL WITH JURISDICTION OVER THE PROJECT INCLUDING, BUT NOT LIMITED TO: NEVADA DEPARTMENT OF TRANSPORTATION (NDOT), NEVADA DIVISION OF ENVIRONMENTAL PROTECTION (NDEP), NEVADA DIVISION OF WATER RESOURCES (NDWR), NEVADA BUREAU OF WATER POLLUTION CONTROL, NEVADA BUREAU OF SAFE DRINKING WATER, NEVADA PUBLIC UTILITIES COMMISSION (PUCN), NEVADA STATE ENVIRONMENTAL COMMISSION, THE CITY OF FERNLEY BUILDING OFFICIAL, THE CITY OF FERNLEY ENGINEER, CITY OF FERNLEY PLANNING DEPARTMENT, CITY OF FERNLEY PUBLIC WORKS DEPARTMENT, AND THE CITY OF FERNLEY PROFESSIONAL LAND SURVEYOR.

Conditions of Approval for TSM23003

Tentative Subdivision Map

REQUIREMENTS FOR GRADING AND CIVIL PERMITS

8. WATER AND SEWER SYSTEM MODELING:

ADEQUACY OF SEWAGE COLLECTION AND/OR TREATMENT IS SUBJECT TO THE APPROVAL OF THE PUBLIC WORKS DIRECTOR. FURTHER, THE ADMINISTRATOR SHALL DETERMINE WHETHER ADEQUATE PUBLIC FACILITIES ARE IN PLACE OR CAN BE CONSTRUCTED CONCURRENTLY WITH THE DEVELOPMENT PROJECT PRIOR TO THE APPROVAL OF A DEVELOPMENT PROJECT.

TO ENSURE THE PUBLIC WORKS DIRECTOR, ADMINISTRATOR, AND OTHER RELEVANT PARTIES HAVE THE INFORMATION REQUIRED FOR THESE APPROVALS, THE DEVELOPER SHALL COMPLETE WATER AND SEWER MODELING FOR THE PROJECT PRIOR TO ISSUE OF A CIVIL IMPROVEMENT PERMIT.

9. GRADING PERMIT:

PRIOR TO ISSUE OF A GRADING PERMIT FOR THE DEVELOPMENT, THE DEVELOPER SHALL POST A SURETY BOND FOR REGRADING AND RECLAMATION OF THE SITE. THE DEVELOPER SHALL COMPLY WITH ALL GRADING REQUIREMENTS SET FORTH IN FMC, AS WELL AS ALL STATE AND FEDERAL REGULATIONS INCLUDING, BUT NOT LIMITED TO, STORM WATER POLLUTION PREVENTION AND AIR QUALITY RELATED TO SURFACE AREA DISTURBANCE.

THE DEVELOPER SHALL PROVIDE VERIFICATION OF A STORM WATER DISCHARGE PERMIT FROM THE NEVADA DEPARTMENT OF ENVIRONMENTAL PROTECTION AS WELL AS A SURFACE AREA DISTURBANCE PERMIT, PRIOR TO ISSUE OF ANY GRADING, CIVIL IMPROVEMENT, OR BUILDING PERMIT FOR THE DEVELOPMENT. THIS REQUIREMENT IS SUBJECT TO APPROVAL OF THE CITY ENGINEER.

REQUIREMENTS DURING CONSTRUCTION PHASE

10. CONSTRUCTION DEBRIS:

ALL CONSTRUCTION SITES SHALL HAVE APPROVED TRASH RECEPTACLE(S) OR AN APPROVED TRASH REMOVAL PLAN IN PLACE AT THE TIME OF THE FIRST INSPECTION AND DURING CONSTRUCTION, UNTIL CERTIFICATE OF OCCUPANCY IS ISSUED. THE RECEPTACLE(S) SHALL BE USED APPROPRIATELY TO MAINTAIN A CLEAN WORK SITE.

11. CONSTRUCTION HOURS:

PRIOR TO THE START OF ANY CONSTRUCTION-RELATED ACTIVITY, THE DEVELOPER SHALL INSTALL SIGNS AT ALL ACCESS POINTS TO THE PROJECT THAT CLEARLY INDICATE THE HOURS OF ACTIVITY ON-SITE. THE DEVELOPER SHALL LIMIT ALL CONSTRUCTION-RELATED ACTIVITIES TO BETWEEN THE HOURS OF SEVEN AM AND SEVEN PM, SEVEN DAYS PER WEEK. ONCE CONSTRUCTION IS FINISHED, THE DEVELOPER SHALL REMOVE THESE SIGNS.

12. PROJECT CONTACT:

PRIOR TO ISSUE OF A GRADING PERMIT, THE DEVELOPER SHALL DESIGNATE A PROJECT CONTACT PERSON TO THE ADMINISTRATOR. THE CONTACT PERSON SHALL BE AUTHORIZED TO AND RESPONSIBLE FOR CORRECTING ANY PROJECT-RELATED ISSUES ON A 24-HOUR, SEVEN-DAYS-PER-WEEK BASIS.

REQUIREMENTS FOR FINAL MAP

13. FINAL SUBDIVISION MAP PHASING:

IF THE FINAL SUBDIVISION MAP IS PHASED, EACH MAP PHASE SUBMITTED MUST BE DESIGNED TO MEET THE PUBLIC FACILITIES AND IMPROVEMENT STANDARDS AND BE ABLE TO OPERATE INDEPENDENTLY AND AS PART OF THE OVERALL DESIGN. A PHASING PLAN SHOULD BE SUBMITTED WITH PHASE ONE. CHANGES TO THE PHASING PLAN WILL REQUIRE REVIEW AND APPROVAL BY THE ADMINISTRATOR, CITY ENGINEER, AND PUBLIC WORKS DIRECTOR, PRIOR TO IMPLEMENTATION.

Conditions of Approval for TSM23003

Tentative Subdivision Map

14. IMPROVEMENT PLANS:

PRIOR TO SUBMITTAL OF ANY FINAL SUBDIVISION MAP APPLICATION, THE ASSOCIATED CIVIL IMPROVEMENT PLANS SHALL BE SUBMITTED AND APPROVED BY THE CITY ENGINEER.

15. WATER RIGHTS:

PRIOR TO SUBMITTING A FINAL SUBDIVISION MAP APPLICATION, IN ORDER TO BE SERVED BY THE CITY'S MUNICIPAL WATER SYSTEM, THE DEVELOPER SHALL DEDICATE THE APPROPRIATE AMOUNT OF WATER RIGHTS—AS CALCULATED BY THE CITY ENGINEER—AND RECEIVE A WILL-SERVE FROM CITY COUNCIL. SHOULD THE PROJECT BE CONSTRUCTED IN PHASES, THESE REQUIREMENTS MAY BE CALCULATED ON A PER-PHASE BASIS. THIS REQUIREMENT IS SUBJECT TO APPROVAL OF THE ADMISTRATOR, THE CITY ENGINEER, AND THE PUBLIC WORKS DIRECTOR.

16. UTILITY EASEMENTS:

THE DEVELOPER SHALL PROVIDE EASEMENTS TO CITY OF FERNLEY FOR MAINTENANCE OF ALL PUBLIC INFRASTRUCTURE INSTALLED ON PRIVATE PROPERTY. THE EASEMENTS SHALL INCLUDE CITY OF FERNLEY'S STANDARD EASEMENT LANGUAGE—SUBJECT TO APPROVAL OF THE CITY ENGINEER AND PUBLIC WORKS DIRECTOR—AND SHALL BE RECORDED ALONG WITH THE FINAL SUBDIVISION MAP.

17. WATER AND SEWER:

THE DEVELOPER SHALL BE RESPONSIBLE FOR CONSTRUCTING ALL IMPROVEMENTS DEEMED NECESSARY TO SERVE THE PROJECT, AS IDENTIFIED IN THE APPROVED WATER AND SEWER MODELING REPORTS, SUBJECT TO APPROVAL OF THE CITY ENGINEER, PRIOR TO RECORDING A FINAL SUBDIVISION MAP.

THE DEVELOPER SHALL COMPLY WITH FMC REGARDING THE SANITARY SEWER AND WATER SYSTEMS, INCLUDING ASSOCIATED CONNECTION FEES, PRIOR TO ISSUING A PERMIT FOR THE CIVIL IMPROVEMENTS FOR THIS PROJECT.

18. STREETS AND SIGNAGE:

STREET IDENTIFICATION SIGNS MUST BE IN PLACE AND STREETS WITHIN THE SUBDIVISION MUST BE COMPLETE, TO THE APPROVAL OF THE CITY ENGINEER AND FIRE CHIEF, PRIOR TO SUBMITTING THE FINAL MAP APPLICATION.

19. WASTE MANAGEMENT:

THE DEVELOPER SHALL PROVIDE A WILL-SERVE FROM WASTE MANAGEMENT, SUBJECT TO APPROVAL OF THE ADMINISTRATOR, PRIOR TO RECORDING ANY FINAL SUBDIVISION MAP.

REQUIREMENTS FOR BUILDING PERMIT

20. STORM WATER TREATMENT AND DRAINAGE:

THE DEVELOPER SHALL UTILIZE STRUCTURAL CONTROLS FOR THE TREATMENT OF STORM WATER RUNOFF, IN ACCORDANCE WITH BEST MANAGEMENT PRACTICES. DRAINAGE CONVEYANCE FACILITIES AND OTHER IMPROVEMENTS MUST BE CONSTRUCTED, FUNCTIONAL, AND DEDICATED TO CITY OF FERNLEY PRIOR TO SUBMITTAL OF THE FIRST BUILDING PERMIT APPLICATION.

ALL INTERNAL STORM DRAIN INFRASTRUCTURE SHALL BE DESIGNED IN ACCORDANCE WITH PUBLIC WORKS DESIGN STANDARDS. DESIGN AND CONSTRUCTION OF ALL DRAINAGE CONVEYANCE FACILITIES ARE SUBJECT TO APPROVAL OF THE ADMINISTRATOR, CITY ENGINEER, AND PUBLIC WORKS DIRECTOR.

21. RESIDENTIAL CONSTRUCTION TAX:

THE DEVELOPER SHALL PAY ONE PERCENT OF THE VALUATION OF EACH RESIDENTIAL DWELLING UNIT BUILDING PERMIT BASED ON THE CITY'S VALUATION DATA TABLE, OR \$1,000.00 PER DWELLING UNIT, WHICHEVER IS LESS, PRIOR TO ISSUE OF EACH RESIDENTIAL BUILDING PERMIT.



CITY OF FERNLEY

Planning Commission AGENDA REPORT

Meeting Date: June 12, 2024

REPORT TO: Fernley Planning Commission

REPORT FROM: Shay League

FINANCIAL IMPACT:

Yes: No: X

CURRENTLY BUDGETED:

Yes: No: X

FUND/ACCOUNT:

N/A

ACTION REQUESTED: Motion

AGENDA ITEM:

(For possible action) Discussion and possible action regarding Resolution #24-014 as it pertains to a comprehensive master plan amendment application (MPA24003) submitted by Golden Years Castle to change the designated land use from Single-Family Residential (SFR) to Public Facility (PF) on a site ± 1.74 -acres in size and approximately located at 565-575 Farm District Road (APNs: 021-111-47 & 021-111-48).

AGENDA ITEM BRIEF:

The applicant is working to expand Golden Years Castle (formerly Beehive Homes) onto the parcel adjacent to the current location. To facilitate that, the applicant is requesting a change of designated land use from Single Family Residential to Public Facility.

RECOMMENDED MOTION:

Approval

"I move to adopt Resolution #24-014, and recommend City Council certify this resolution and approve the master plan amendment associated with MPA24003. I further move to adopt findings a, b, and c, and the facts supporting these findings as set forth in the staff report."

BUSINESS IMPACT (per NRS Chapter 237):

A Business Impact Statement is not required because this is not a rule (term excludes vehicles by which legislative powers are exercised under NRS Chapters 271, 278, 278A, or 278B).

See attached report for background, analysis, alternatives.

ALTERNATIVES:

Denial

"Based on information received in written materials, and at the public hearing on this matter, I move to deny the master plan amendment request associated with MPA24003 because I am unable to make the following required findings:"

"I am unable to make finding _____ as it pertains to _____. " *(Repeat for each applicable finding.)*

Note: Though no other language has been provided, all motions consistent with Planning Commission's bylaws and rules of procedure are appropriate.

BACKGROUND:

The Public Facility land use designation does not mean that a facility must be owned by City of Fernley or another governmental organization; it does limit the zone of the parcel to either Public Facility or Planned Development. In turn, the necessary Public Facility zone will limit the property to one of 30 uses generally thought to benefit the public. As an existing elder care facility, the applicant's intended use is classified as "life care or continuing care services"; however, any one of the other appropriate uses such as an office, child care facility, or hospital are permitted within the equivalent zoning district. Staff encourages review of the use table in Fernley Municipal Code (FMC) §32.06.150 to get an idea of what all the possible uses are for the equivalent zoning district of this land use designation.

Golden Years Castle was originally approved as Beehive Homes right around the time City of Fernley incorporated in 2001. As a result, their current use as a facility that provides elder care services is classified as legally nonconforming. When established, such a facility was permitted within the Single Family Residential land use designation (meaning it was legally established). Today, none of the equivalent zoning districts of this land use designation allow for the establishment of this type of facility (meaning it does not conform with our current land use designations). In short, though they are permitted to keep operating as already established, in order to expand the facility as planned, the applicant will need to change the land use designation to one that permits the current use.

It is important to understand that changing the master plan land use designation from Single Family Residential to Public Facility will not guarantee that the applicant or future owners will always choose to use these parcels for elder care. Though that is the applicant's intention, it is possible for the applicant to decide to establish another use. In any case, these parcels will also require a conditional use permit or administrative review application and a zoning map amendment before a new use other than those appropriate for Single Family Residential may be established or expanded.

FINDINGS:

a. The comprehensive plan amendment would implement the goals listed within the City of Fernley Comprehensive Plan as listed in the Staff Report.

The applicant has offered that this master plan amendment specifically supports 4 of our community goals and action strategies, as follows:

HP.1.5 - Increase the opportunity for affordable, high quality housing for seniors.

C.1.1 - Encourage the preservation of significant cultural resources.

LU.1.1 - Encourage and plan for new development in areas where adequate public services and facilities can be provided efficiently.

LU.1.3 - Provide a balanced distribution of employment and population.

Staff concurs that this project as proposed will support the two Land Use (LU) goals the applicant has identified. This is infill development in an area that already contains utility infrastructure. Further, the project as proposed will contribute both housing and employment to this neighborhood.

Staff would like to highlight Population, Housing, and Employment goal HP.1.5. Golden Years Castle is the

only facility of its kind in Lyon County that accepts Medicaid assistance for memory care. This facility directly supports the community goal of "increasing the opportunity for affordable, high quality housing for seniors" more than any other project brought before Planning Commission in recent years. By accepting Medicaid assistance for memory care, this facility allows seniors that are no longer able to live independently to still remain a part of their community in Fernley.

Staff concurs with the applicant that providing opportunities for the local community to stay together with their family and friends does strengthen our community culture. In the context of community conservation goals and how they relate to the master plan, however, it does not "encourage the preservation of significant cultural resources". The term "cultural resource" refers more to evidence of past human activity such as buildings or archaeological sites. Still, based on the strength of senior housing alone, and supplemented by the land use consideration, Staff has determined finding a can be made with confidence.

b. The comprehensive plan amendment would be compatible with surrounding land uses.

The land uses surrounding this site are as follows:

Direction	Current Land Use	Designated Land Use
North	Manufactured Home Park	Mixed Residential (MR)
Northeast	"Out of Town" Park	Open Space and Parks (OSP)
East	Large single-family rural lots	Suburban Mixed Use (SMU) Multi-Family Residential (MFR)
South and West	Large single-family rural lots	Single-Family Residential (SFR)

This project fits nicely, both with current land uses and the designated land uses for future development. The current facility looks very similar to a large single-family home. As the project expands, and possibly moves to other Public Facility uses in the future, it will provide a buffer between the Single-Family Residential and Farm District Road, as well as the planned Suburban Mixed Use and Multi-Family Residential east of Farm District Road. Further, Public Facilities are best located on arterial streets and/or incorporated into existing neighborhoods. This location offers the benefits of both.

c. Public notice was given, and a public hearing held per the requirements of Nevada Revised Statutes and Fernley Development Code.

Staff certifies that public notice was given in accordance with the applicable regulations. Staff placed a public hearing notice in the Reno Gazette Journal on May 24, 2024, and a public hearing will be held at the June 12, 2024 Planning Commission meeting.

RELEVANT LAWS, STATUTES, AND REGULATIONS:

General

[Nevada Revised Statutes \(NRS\), Chapter 278](#) - Planning and Zoning
[Fernley Municipal Code \(FMC\), Title 32](#) - Development Code
[City of Fernley Comprehensive Master Plan](#), especially "Goals and Action Strategies"

Specific

[NRS §278.150](#) to 278.246, regarding master plans
[FMC §32.03.040\(b\)](#) - Comprehensive master plan amendments
City of Fernley Comprehensive Master Plan, PDF page 81 of 306, regarding "Public Facilities"

Note: The links in this section have been provided for quick reference. They are accurate as of the publishing date and Planning Department will monitor them until the public hearing on June 12, 2024. Following that date, we do not guarantee the operation or applicability of the linked references.

FINANCIAL IMPLICATIONS:

N/A

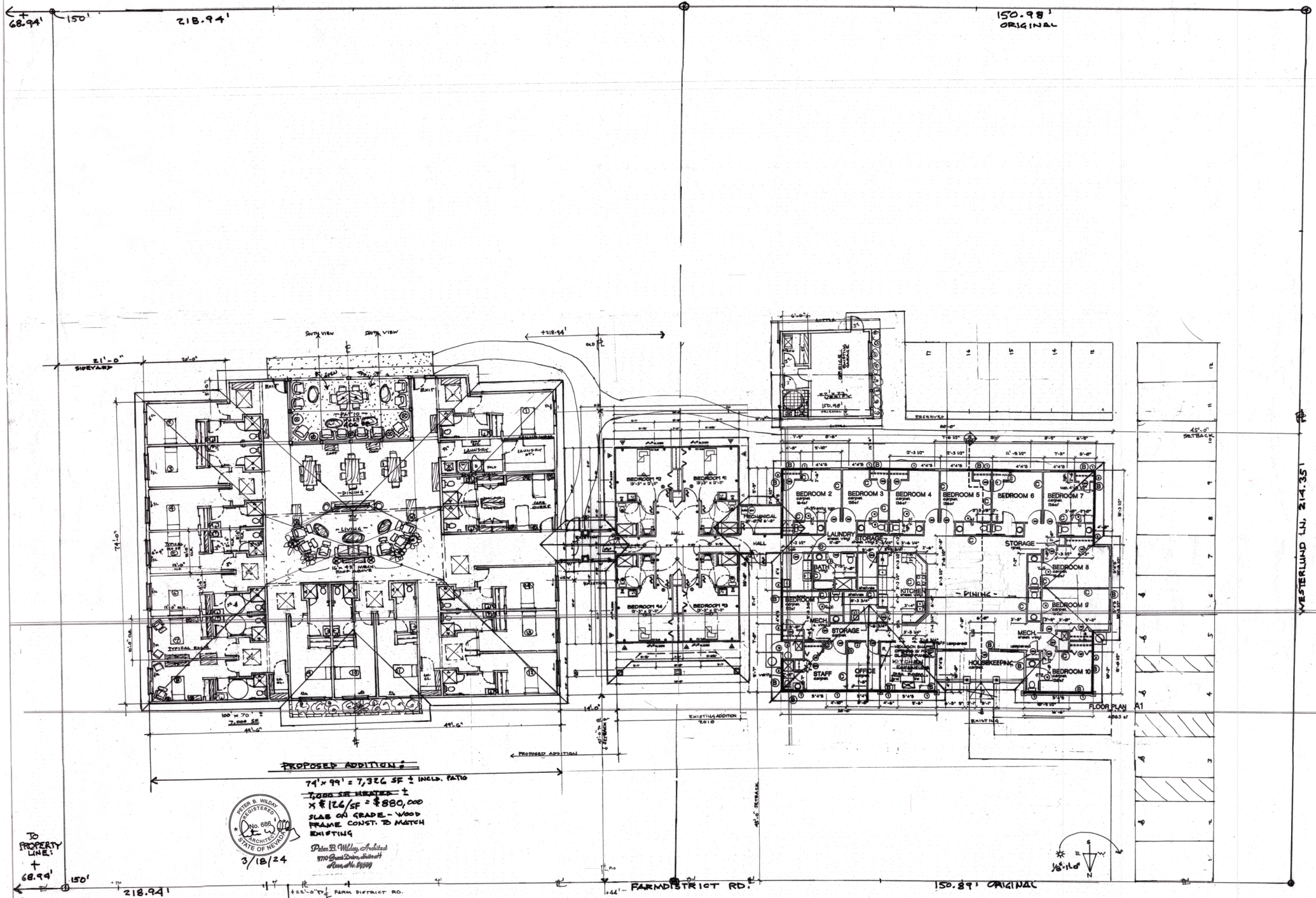
ATTACHMENTS:

1. MPA24003 Vicinity Map
2. MPA24003 Possible Site Plan
3. MPA24003 Applicant Narrative
4. MPA24003 Resolution # 24-014

565-575 Farm District Road

MPA24003 - Request to redesignate the land use of two parcels from Single Family Residential to Public Facility to facilitate the expansion of the Golden Years Castle.





Master Plan

We plan to make an addition to the building that we currently have, our current building houses a total of 16 residents. We want to utilize the second acre of land that we have completely empty as of now. (LU.1.1) Our goal is to create a new building that will allow us to increase our capacity from the current 16 to 32 residents. We will construct spacious and comfortable rooms for our residents. Create common areas such as a dining, living, and activity room that they will find suitable for when they choose to relax, eat, and socialize. Additionally, we understand the importance of allowing them access to go outside; due to this we want to have a dedicated patio where they can enjoy the good weather when the time is right and available.

We envision this goal to give opportunities to the local community to stay together with their families and friends. (C.1.1) Golden Years Castle Home of Fernley is the only group home facility in all of Lyon County that accepts Medicaid waiver services for the low-income elderly that cannot afford long-term care while holding up high quality standards. (HP.1.5) We want to continue providing for families' loved ones to the best of our ability and want to keep up with the drastically increasing aging and disabled population, while increasing our staff with a unique skillset to provide the best care that we can offer. (LU.1.3)

CITY OF FERNLEY
RESOLUTION # 24-014

A RESOLUTION OF THE FERNLEY PLANNING COMMISSION, CERTIFIED BY THE FERNLEY CITY COUNCIL, STATE OF NEVADA, ASSOCIATED WITH CASE NUMBER MPA24003, TO CHANGE THE DESIGNATED LAND USE OF A ±1.74-ACRE SITE FROM SINGLE FAMILY RESIDENTIAL (SFR) TO PUBLIC FACILITY (PF). THE SITE IS APPROXIMATELY LOCATED AT 565-575 FARM DISTRICT ROAD, FERNLEY, NV (APNS: 021-111-47 & 021-111-48).

WHEREAS, the 2018 Fernley Comprehensive Plan was adopted by Resolution of the Planning Commission August 8, 2018, and certified by the City Council on August 15, 2018; and

WHEREAS, Nevada Revised Statutes 278.210 specifies that master (comprehensive) plans and amendments must be adopted by resolution of the Planning Commission; and

WHEREAS, the proposed amendment is consistent with or supports community goals HP.1.5, LU.1.1, and LU.1.3 of the City of Fernley Comprehensive Plan;

BE IT RESOLVED BY FERNLEY PLANNING COMMISSION, AND CERTIFIED BY FERNLEY CITY COUNCIL, that based on the discussion and findings provided in the staff report and public testimony presented at the June 12, 2024, and July 17, 2024, public hearings, that the land use classification of Public Facility (PF) for this parcel be adopted as part of the City of Fernley's Comprehensive Plan.

RESOLUTION PASSED, APPROVED, AND ADOPTED this 12th day of June, 2024, by the Fernley Planning Commission, City of Fernley, State of Nevada.

Aye: _____ Nay: _____ Abstention: _____ Absent: _____

ACKNOWLEDGED AND APPROVED:

DATED:

Angela Lewis, Vice-Chair

ATTEST:

Brenda Gosser, Deputy City Clerk

RESOLUTION PASSED, APPROVED, AND CERTIFIED this 17th day of July, 2024, by the Fernley City Council, City of Fernley, State of Nevada.

Aye: _____ Nay: _____ Abstention: _____ Absent: _____

ACKNOWLEDGED AND APPROVED:

DATED:

Neal E. McIntyre, Mayor

ATTEST:

Kim Swanson, City Clerk



CITY OF FERNLEY

Planning Commission AGENDA REPORT

Meeting Date: June 12, 2024

REPORT TO: Fernley Planning Commission

REPORT FROM: Shay League

FINANCIAL IMPACT:

Yes: No: X

CURRENTLY BUDGETED:

Yes: No: X

FUND/ACCOUNT:

N/A

ACTION REQUESTED: Motion

AGENDA ITEM:

(For possible action) Discussion and possible action regarding a conditional use permit extension of time application (CUP23004-EOT) submitted by Heartfelt Engineering on behalf of Stor-All, LLC to allow for a mini-warehouse (self-storage) on a site zoned General Commercial (C2) and generally located west of US95A and south of Shadow Lane (APN: 021-132-64).

AGENDA ITEM BRIEF:

The applicant is requesting an extension of time on the conditional use permit granted for a 132,909 square foot self-storage facility. The applicant notes that their offsite improvement plans are complete and ready to submit to City of Fernley.

RECOMMENDED MOTION:

"I move to approve an extension of time for the conditional use approved by CUP23004 with conditions of approval 1-6 and 10-35 as originally approved and conditions of approval 7-9 as suggested in the staff report because I believe the conditions 7-9 proposed by staff better address the impact this development will have on the neighborhood and, that based on the staff report, all other findings for approval can be made."

BUSINESS IMPACT (per NRS Chapter 237):

A Business Impact Statement is not required because this is not a rule (term excludes vehicles by which legislative powers are exercised under NRS Chapters 271, 278, 278A, or 278B).

See attached report for background, analysis, alternatives.

ALTERNATIVES:

Approval

"I move to approve an extension of time for the conditional use approved by CUP23004 as originally approved because I believe the approved conditions adequately address the impact this development will have on the neighborhood and, that based on the staff report, all other findings for approval can be made."

Denial

"Based on information received in written materials and at the public hearing on this matter, I move to deny the extension of time requested for the conditional use approve by CUP23004 because I am unable to make the following conditional use permit findings:"

"I am unable to make finding _____ as it related to _____. " *(Repeat for each applicable finding.)*

Note: Though no further language has been provided, all motions consistent with City of Fernley Planning Commission bylaws and rules of procedure are appropriate.

BACKGROUND:

The owner/applicant intends to develop the project in three phases. Phase 1 will consist of the self-storage facility, Phase 2 is proposed as 30 multi-family dwelling units, and Phase 3 is proposed as 19,300 square feet of commercial retail space. This conditional use permit only pertains to the storage facility, as a specific use has not been specified for the commercial space and the City has not received enough information regarding the form of the 30 multi-family dwelling units to approve it as a conditional use. The developer will need to reapply with a conditional use permit or administrative review to develop phases 2 and 3 when they are ready to do so. These conditions do not guarantee that the applicant will develop phases 2 and 3.

FINDINGS:

CUP1.The approving agency must make findings that the proposed conditional use will be in compliance with the master plan.

The proposed conditional use does not comply with the comprehensive master plan; however, Staff suggests that Planning Commission honor this initial approval. At the time of this report, staff was mistakenly operating under the assumption that if the applicable zone predates the adoption of the master plan, then the City was not allowed to require conformance with the master plan. The applicant has been diligently working under the assumption of an approval that complies with the applicable findings; Staff would like to honor and extend that initial approval. Staff advises that the conditional use is mostly in compliance with the master plan, and that if the applicant were to apply for a master plan amendment from Suburban Mixed Use (SMU) to Commercial (C) that there would be reason to grant it. Additionally, the proposed development is at the rear of the parcel and the applicant intends to sell the remainder of the parcel to a developer interested in creating a more typical suburban mixed use development along HWY 95A.

CUP2. The conditional use will be compatible with the existing or permitted uses of adjacent properties.

This parcel is surrounded by the following existing and permitted uses:

Direction	Current Use	Land Use Designation
East	Multifamily quadruplex homes	Multi-Family Residential (MFR)
West	Single-family homes	Mixed Residential (MR)
Southwest	Rural residential single-family home	Single-Family Residential (SFR)
South	Rural residential single-family home	Suburban Mixed Use (SMU)

North	Vacant	Suburban Mixed Use (SMU)
-------	--------	--------------------------

Staff does not believe the self-storage facility is compatible with the neighboring residential homes as it is currently conditioned. The conditions of approval allow zero lot line development along the rear fenceline of the adjacent single-family homes to the west. Further, the applicant is not required to contribute a proportionate share to the percentage of landscaping, which will leave the rest of the landscaping to the second and third phase of development. There is no guarantee regarding when the second and third phases of development will occur. Finally, the applicant is currently conditioned to not install specific landscaping requirements of Fernley Municipal Code unless developing on a part of the lot directly adjacent to where that site-specific requirement would be. As an example, the applicant is not required as currently conditioned to install trees along HWY 95A until the second and/or third phase of development. The applicant has not indicated an exact time when further phases of the development are to occur.

Staff recommends that this project can be compatible with neighboring residential homes if conditioned as staff recommended during the first public hearing on this entitlement.

CUP3. The potential impairment of natural resources and the total population which the available natural resources will support without unreasonable impairment.

No natural resources have been identified on this project site, aside from the land itself. The City of Fernley has an abundance of undeveloped land and best land use practices dictate infill development. This parcel is located along a main arterial road and in proximity to our existing infrastructure. Conservation efforts are best applied to parcels outlying the core of existing City of Fernley development.

CUP4. The availability and need for affordable housing in the community, including affordable housing that is accessible to persons with disabilities.

The mini-warehouse use does not directly contribute to this need. It may support the construction of affordable housing by offering people alternative places to store belongings and allowing them to inhabit smaller dwellings than they may otherwise need. The developer has also proposed a 30 unit multi-family dwelling as a future phase of development on this parcel, which will likely directly contribute to the availability and need for affordable housing for all persons in our community. This will be dependent upon the type of multi-family housing constructed.

CUP5. The conditional use permit has been conditioned to address identified impacts.

As discussed in finding CUP2, Staff does not believe the existing approval has been conditioned to address identified impacts. Two major identified impacts specific to this project are buffering between the self-storage and existing single-family homes along White Eagle Lane, and aesthetic concerns regarding landscaping. Staff contends that the conditions of approval as originally drafted would adequately address these impacts.

CUP6. Public notice has been given and a public hearing held, per the requirements of the development code and Nevada Revised Statutes.

Staff certifies that public notice has been given in accordance with the applicable regulations. Individual notices setting forth the time, place, and purpose of the public hearing were sent to all property owners and tenants within a 500-foot radius of this parcel on May 28, 2024. Additionally, staff posted a public notice in the Reno Gazette Journal on May 24, 2024. A public hearing will be held as part of the Planning Commission meeting on June 12, 2024.

RELEVANT LAWS, STATUTES, AND REGULATIONS:

General

[Nevada Revised Statutes \(NRS\), Chapter 278](#) - Planning and Zoning
[Fernley Municipal Code \(FMC\), Title 32](#) - Development Code
[City of Fernley Comprehensive Master Plan](#)

Specific

[NRS §278.315](#) - Granting of ... conditional use permits

[FMC §32.03.050\(b\)](#) - Conditional use permit

[FMC §32.06.100](#) - Commercial (C1, C2, and TC)

[FMC §32.06.150](#) - Unlisted uses and use table

[FMC §32.07.280](#) - Mini-warehouse

[FMC §32.09](#) - Development standards

Note: All links supplied for relevant laws, statutes, and regulations are correct as of the day of publication and provided for quick reference. City of Fernley Planning Department will monitor these links until the June 12, 2024 hearing, but does not guarantee the operation or applicability of these links after that time.

FINANCIAL IMPLICATIONS:

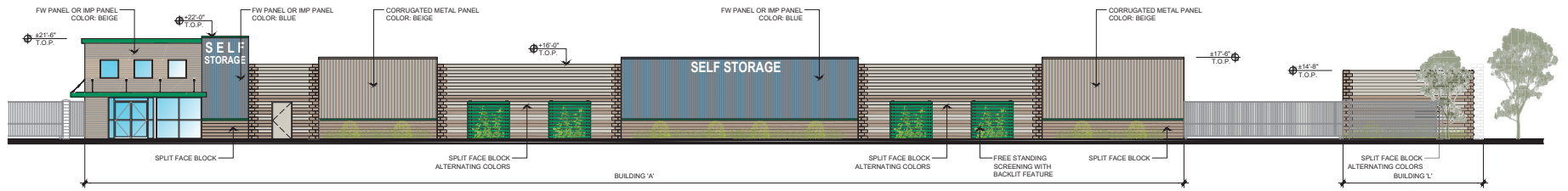
N/A

ATTACHMENTS:

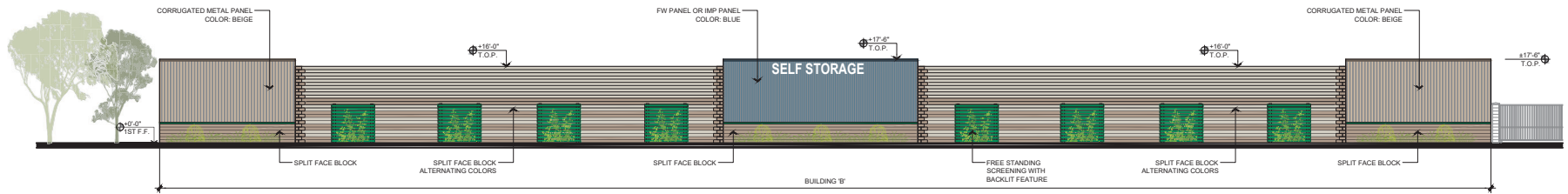
1. Vicinity Map
2. Front Elevation
3. Project Description
4. CUP23004 Approval Letter and Suggested Conditions
5. Extension of Time Request

Vicinity Map

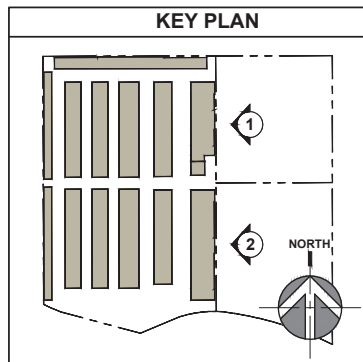




EAST ELEVATION ①
3/32"=1'-0"



EAST ELEVATION (CONT.) ②
3/32"=1'-0"



STOR-ALL
STOR-ALL MIXED USE
FERNLEY, NV

EAST ELEVATION

THIS DRAWING AND ITS CONTENTS ARE INSTRUMENTS OF SERVICE AND ARE THE COPYRIGHTED PROPERTY OF JORDAN ARCHITECTS, INC. THIS USE IS EXPRESSLY INTENDED FOR THE PROJECT NOTED HEREON AND MAY NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, WITHOUT THE WRITTEN PERMISSION OF JORDAN ARCHITECTS, INC. COPYRIGHT © 2022 JORDAN ARCHITECTS, INC.

JOB NUMBER: 22-707
SCALE: 3/32"=1'-0"
DATE: 02/28/2023



Project Description for STOR-ALL Fernley Mixed Use Project and Requested Conditions of Approval

The proposed project is to be located on Lyon County APN 021-132-64 (0 Hwy 95A) in Fernley, NV. The parcel is 11.29 acres in size and is vacant. The parcel is currently zoned commercial (C2). This project will consist of a storage component in the rear (west side of the property) as Phase I, with two additional components (multifamily residential and commercial components) to be built in second and third Phases. The multifamily residential and commercial components will be along US 95A and will be used to screen the storage component in the rear of the property. The proposed land use is consistent with the Master Plan Land Use Map designation of Suburban Mixed Use (SMU).

The owner/applicant is planning on completing a parcel map to separate Phase I (storage component) from the other elements of this mixed-use project (commercial and multifamily components) once site improvement and building permits have been approved. Although only Phase I is to be completed in the immediate future, this project's land use, drainage requirements, and landscaping requirements should be looked at as a whole, for all proposed phases. Both C2 and MU zoning require 15% Landscaping area. Accordingly, 1.69 acres of the entire project of a whole shall be required to be Landscaping Area. The primary Landscaping areas are proposed along the eastern side of the parcel, as this will be the area visible to the public.

Aside from the proposed land use, as part of the Conditions of Approval, the applicant is requesting that 0ft setbacks are approved around the parcel for the storage component on both the northern and western property boundaries, as well as any internal property boundaries in the future. Any storage component adjoining residential zoning will build a solid masonry wall for screening and security.

The applicant is proposing 132,909 square feet of self-storage space, as well as future multi-family and commercial components. The future multifamily component is estimated to be 30 multifamily units. The future commercial space is estimated to be 19,300 square feet of retail space. Drainage will be built on site for full buildout of all components at this time. A single driveway in the center of the east side of the parcel is proposed for access off US 95A. A secondary emergency access is proposed as well.

There currently are no public water or sewer mains to service this project. The applicant is going to have to incur significant costs in order to extend both sewer line and water lines to serve this project. Per initial discussions with the City of Fernley Engineering Department, approximately 1,200 feet of 8" sewer main will need to be installed within US 95A, which will extend from the southern property line, approximately 1,200 feet north and to the east to connect at an existing point of connection at the corner of Shadow Lane and Sunny Lane. Additionally, an approximate 2,500 feet of 8" water main will

need to be looped between a bend in Shadow Lane to the northwest and the intersection of US 95A and Cottonwood Lane to the south.



Figure 1 – Recommended Path of Extension of 8" Sewer Main



Figure 2 – Recommended Path of Extension of 8" Water Main

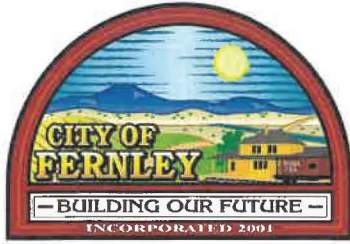
Based on ITE Parking Generation Data, 0.10 parking spaces are required per 1,000 square feet of storage space, or one parking space for every 10,000 square feet. This results in a parking demand of 13.53 spaces (rounded to 14 spaces). However, due to the nature of the storage facility, drive in traffic will be allowed to park in front of their units for loading and unloading. It is assumed that the majority of parking by visitors will be completed in this fashion. Based on the Applicant's extensive knowledge in this department and experience running self-storage facilities within northern Nevada, the three parking spaces outside of the facility plus the single ADA space should be more than sufficient for visitors to the office portion only.

A traffic study has been completed by Headway Transportation showing minimal impact to the surrounding roadway network. The traffic study has been reviewed by NDOT and accepted in a letter dated April 14, 2023.

Requested Conditions of Approval are as follows:

- Applicant is allowed to construct up to 132,909 square feet of self-storage space for the Storage Component of the Project (Phase I).
- Future Multifamily Component is allowed for 30 multifamily units pending reanalysis of sewer and water demands when applying for civil improvements / building permit for multifamily component.
- Future Commercial Component is allowed for 19,300 square feet of retail commercial space pending reanalysis sewer and water demands when applying for civil improvements / building permit for multifamily component.
- Property is allowed to be parceled into three parcels at a later date. All appropriate public and private access, emergency access, utility easements, and private drainage easements must be included as part of the Parcel Map.
- If or when parceling occurs, a deed restriction must be recorded on the new parcels making sure that the total landscaping between all three parcels meets the 15% minimum area (1.69 acres) required by City of Fernley code. The deed restrictions will clearly state how many acres of land (and percentages thereof) that will be required for landscaping from each parcel, contributing to total 1.69 acres of landscaping area across all three parcels.
- Zero foot (0ft) setbacks are approved around the parcel for the storage component on both the northern and western property boundaries, as well as any internal property boundaries in the future. Any storage component adjoining residential zoning will require a solid masonry wall for screening and security.

Approval Letter with Conditions



Planning Department

Permits
Planning
Development Review
Sustainability

June 26, 2023

Christopher Moltz
Westex Consulting Engineers
chris@heartfeltengineering.com

RE: Final Action – Conditional Use Permit CUP23004– Stor-All, LLC

Dear Applicant:

On June 14, 2023, the City of Fernley Planning Commission reviewed a Conditional Use Permit (CUP23004) application request from Westex Consulting Engineers to develop a three-phase project including a storage facility, multi-family residential, and commercial space on APN: 021-232-64 located at approximately 0 Hwy 95A on a ±11.32-acre parcel zoned General Commercial (C2). Phase One will consist of the storage facility, Phase Two will consist of proposed multi-family residential, and Phase Three will consist of commercial space. This Conditional Use Permit only applies to Phase One of the project known as the "Fernley Promenade".

Following careful consideration based upon the written materials and public comment, the Planning Commission voted to approve the Conditional Use Permit request subject to the Conditions of Approval 1 through 35 as attached hereto. No appeal was filed in accordance with the provisions outlines in Fernley Municipal Code Section 32.03.090(e); therefore, the Planning Commission's action is final.

You may not conduct or establish the use for which this application was approved until all conditions of approval have been satisfied to the approval of the Planning Department. If you have any questions concerning this application, please contact the Planning Department at (775) 784-9810.

Sincerely,

Lisa Warner

Lisa Warner
Assistant Planner

CC: Todd Whear
Stor-All, LLC
todd@storall.biz

Attachments: Conditions of Approval for CUP23004

Conditions of Approval for CUP23004

CONDITIONAL USE PERMIT

SCOPE AND DURATION OF APPROVAL

1. APPROVAL:

THIS APPLICATION IS APPROVED AS SUBMITTED AND CONDITIONED. ANY SUBSTANTIVE CHANGE(S) SHALL BE REVIEWED BY THE PLANNING COMMISSION AS AN AMENDMENT TO THIS CONDITIONAL USE PERMIT.

2. PROJECT DESCRIPTION:

THIS PROJECT APPROVAL PERTAINS TO THE DEVELOPMENT AND CONSTRUCTION OF A 132,909 SQUARE FOOT SELF-STORAGE FACILITY, REFERRED TO HEREIN AS A "MINI-WAREHOUSE", ON AN 11.32-ACRE PARCEL (APN: 021-132-64) WHICH IS ZONED GENERAL COMMERCIAL (C2).

PHASE 1 OF THE PROJECT INCLUDES THE MINI-WAREHOUSE, PHASE 2 OF THE PROJECT IS PROPOSED TO INCLUDE APPROXIMATELY 30 MULTI-FAMILY UNITS, AND PHASE 3 IS PROPOSED TO INCLUDE 19,300 SQUARE FEET OF COMMERCIAL RETAIL SPACE. ANY PHASES BEYOND PHASE 1 SHALL BE REQUIRED TO SUBMIT AN ADDITIONAL CONDITIONAL USE PERMIT APPLICATION OR ADMINISTRATIVE REVIEW APPLICATION AS APPLICABLE.

3. EXPIRATION DATE:

THE CONDITIONAL USE PERMIT SHALL EXPIRE WITHIN ONE (1) YEAR OF THE DATE OF APPROVAL, UNLESS THE PERMITTED USE HAS BEEN ESTABLISHED OR CONSTRUCTION TO ACCOMMODATE THAT USE HAS BEGUN AND IS BEING DILIGENTLY PURSUED. A ONE-YEAR EXTENSION MAY BE GRANTED BY THE PLANNING COMMISSION IF REQUESTED PRIOR TO THE EXPIRATION DATE OF THE CONDITIONAL USE PERMIT.

4. GOVERNING DOCUMENTS:

ALL FERNLEY MUNICIPAL CODE OR DEVELOPMENT CODE REFERENCES HEREIN PERTAIN TO THE VERSION OF FERNLEY MUNICIPAL CODE ESTABLISHED BY ORDINANCE NUMBER 2020-005, UNLESS OTHERWISE NOTED. THE DEVELOPER MAY SUBSTITUTE REQUIREMENTS ESTABLISHED IN FUTURE FERNLEY MUNICIPAL CODE UPDATES, IF APPROVED BY THE ADMINISTRATOR.

DESIGN STANDARDS

5. DESIGN STANDARDS:

UNLESS OTHERWISE STATED IN THE CONDITIONS OF APPROVAL, THE DEVELOPER SHALL COMPLY WITH ANY DESIGN STANDARDS AND REGULATIONS SET FORTH IN THE CITY OF FERNLEY DEVELOPMENT CODE, ESPECIALLY THOSE SPECIFIC TO THE USE DEFINED AS "MINI-WAREHOUSE" UNLESS IN CONFLICT WITH THE LOCAL, STATE, OR FEDERAL REGULATIONS, IN WHICH CASE THE MORE STRINGENT REGULATION WILL TAKE PRECEDENCE.

CURRENT RELEVANT DESIGN STANDARDS INCLUDE BUT ARE NOT LIMITED TO: DIMENSIONAL STANDARDS, SITE PLANNING, PARKING AND CIRCULATION, COMMUNITY AMENITIES, LANDSCAPING AND SCREENING, BUILDING ARCHITECTURE, ADJACENCY STANDARDS, GRADING, BUFFER REQUIREMENTS, LIGHTING, STREETS, MECHANICAL AND TRASH SCREENING, AND UTILITY CONSIDERATIONS.

6. PERIMETER WALL:

IN ACCORDANCE WITH FERNLEY MUNICIPAL CODE SECTION 32.07.280 AND SECTION 32.06.100, THE PERIMETER OF THE FACILITY SHALL BE SCREENED BY A SOLID (OPAQUE) MASONRY WALL. THE WALL SHALL INCORPORATE AT LEAST ONE OF THE FOLLOWING EVERY 50 LINEAR FEET: AT LEAST A TWO-FOOT CHANGE IN PLANE FOR AT LEAST TEN FEET; A MINIMUM 18-INCH RAISED PLANTER FOR AT LEAST TEN FEET; OR USE OF A PILASTER AT 75-FOOT INTERVALS,

Conditions of Approval for CUP23004

CONDITIONAL USE PERMIT

ON PROPERTY CORNERS, OR AT CHANGES IN WALL PLANES.

THE DEVELOPER MAY CHOOSE TO INCLUDE EXTERIOR BUILDING WALLS AS PART OF THE CONSTRUCTION OF THE MASONRY WALL; HOWEVER, IN ALL CASES, THE NON-FACADE PORTIONS OF THE WALL AND BUILDINGS COMBINED MUST BE THE SAME HEIGHT AROUND THE PERIMETER.

7. RESIDENTIAL DISTRICT ADJACENT SETBACKS:

IN ACCORDANCE WITH FERNLEY MUNICIPAL CODE SECTION 32.06.100, ALL SIDE OR REAR PORTIONS OF THE FACILITY ABUTTING A RESIDENTIAL DISTRICT MUST HAVE A SETBACK EQUAL TO THAT OF THE BUILDING HEIGHT. FURTHERMORE, IN ACCORDANCE WITH FERNLEY MUNICIPAL CODE SECTION 32.09.090, EVERGREEN TREES SHALL BE PLANTED IN INTERVALS OF 30 FEET AT A MINIMUM BETWEEN RESIDENTIAL AND NON-RESIDENTIAL USES TO PROVIDE SCREENING.

FERNLEY PLANNING COMMISSION FINDS THAT A MASONRY WALL AS DESCRIBED BY CONDITION OF APPROVAL #6 HEREIN, SUFFICIENTLY MEETS THE NEED TO SCREEN BETWEEN RESIDENTIAL AND NON-RESIDENTIAL USES AND HEREBY WAIVES BOTH THE SETBACK AND PLANTING REQUIREMENTS LISTED.

8. PERCENTAGE LANDSCAPING REQUIRED:

IN ACCORDANCE WITH FERNLEY MUNICIPAL CODE SECTION 32.09.090, THE MINIMUM PORTION OF THE SITE AREA TO BE LANDSCAPED IS 15%. BECAUSE IF PHASE 1 OF THE PROJECT DOES NOT INCLUDE 15% LANDSCAPING, ANY FURTHER PHASES MUST INCLUDE LANDSCAPE EQUIVALENT TO 15% OF THE ENTIRE 11.29-ACRE PARCEL. SHOULD THE SITE BE PARCELED IN THE FUTURE, ANY PARCELS CREATED WILL BE REQUIRED TO BEAR A DEED RESTRICTION TO DIVIDE THE BALANCE OF THE REMAINING REQUIRED LANDSCAPE BETWEEN THEM

9. SPECIFIC LANDSCAPE REQUIREMENTS:

IN ACCORDANCE WITH FERNLEY MUNICIPAL CODE SECTION 32.09.090, THE DEVELOPER MUST PROVIDE LANDSCAPING AS LISTED IN THE SPECIFIC STANDARDS SECTION. CITY OF FERNLEY PLANNING COMMISSION APPROVED THE DEVELOPER TO COMPLETE ONLY THOSE SPECIFIC STANDARDS THAT APPLY TO THE MINI-WAREHOUSE SITE AT THIS TIME. FURTHER SPECIFIC STANDARDS SHALL BE EQUALLY DIVIDED BETWEEN PHASES 2 AND 3.

10. PARKING:

IN ACCORDANCE WITH FERNLEY MUNICIPAL CODE SECTION 32.09.120, THE ADMINISTRATOR MAY APPROVE THE USE OF ALTERNATIVE PARKING SPACE REQUIREMENTS BASED ON AN ANALYTICAL STUDY FROM THE INSTITUTE OF TRANSPORTATION ENGINEERS (ITE). ITE RECOMMENDS 1 PARKING SPACE FOR EVERY 10,000 SQUARE FEET OF STORAGE SPACE AND THE CITY OF FERNLEY ADMINISTRATOR APPROVES USING THIS REQUIREMENT INSTEAD OF THE 1 PARKING SPACE PER 2,000 SQUARE FEET LISTED IN FERNLEY MUNICIPAL CODE FOR THE MINI-WAREHOUSE USE. CITY OF FERNLEY MUNICIPAL CODE FURTHER REQUIRES 1 PARKING SPACE PER LIVE/WORK DWELLING, AND 1 PARKING SPACE PER 800 SQUARE FEET OF OFFICE SPACE.

GIVEN THESE REQUIREMENTS, THE TOTAL PARKING NEED IS AS FOLLOWS: 1 PARKING SPACE FOR THE CARETAKER UNIT, APPROXIMATELY 1.5 PARKING SPACES FOR THE 1,225 SQUARE FOOT OFFICE, AND APPROXIMATELY 13.25 PARKING SPACES FOR THE REMAINING 132,909 SQUARE FEET OF STORAGE SPACE. THE TOTAL NUMBER OF PARKING SPACES REQUIRED IS 16.

BECAUSE MOST STORAGE UNITS WILL LIKELY BE ACCESSED BY PARKING IN FRONT OF THEIR UNIT, CITY OF FERNLEY PLANNING COMMISSION APPROVES A REDUCED PARKING STANDARD

Conditions of Approval for CUP23004

CONDITIONAL USE PERMIT

OF 1 OFF-STREET PARKING SPOT DEDICATED TO THE CARETAKER UNIT, 3 REGULAR PARKING SPOTS, AND 1 ADA VAN-ACCESSIBLE PARKING SPACE, FOR A TOTAL OF 5 PARKING SPACES. BECAUSE THE DEVELOPER INTENDS TO ALLOW TEMPORARY PARKING WITHIN THE DESIGNATED DRIVE AISLES, ALL FIRE LINES AND FIRE TURNAROUNDS MUST BE CLEARLY DELINEATED AS "NO PARKING" ZONES. IN NO CASE SHALL PARKING SPACES FOR RENT TO STORE RVs, AUTOMOBILES, BOATS, TRAILERS, OR OTHER VEHICLES BE COUNTED TOWARD ANY PARKING MINIMUMS.

11. CURB, GUTTER, SIDEWALK:

IN ACCORDANCE WITH TABLE 32.09.140-1, THE DEVELOPER SHALL INSTALL CURB, GUTTER, AND SIDEWALK ALONG US95A WITH PHASE 1 OF THE PROJECT.

CONSTRUCTION PHASE

12. PROJECT CONTACT:

THE DEVELOPER SHALL DESIGNATE TO THE ADMINISTRATOR A PROJECT CONTACT PERSON RESPONSIBLE FOR AND AUTHORIZED TO CORRECT PROBLEMS REGARDING THE PROJECT ON A 24-HOUR / 7 DAY-PER-WEEK BASIS. THE DEVELOPER SHALL DESIGNATE THE PROJECT CONTACT PERSON TO THE ADMINISTRATOR PRIOR TO ISSUE OF A GRADING PERMIT.

13. CONSTRUCTION HOURS:

THE DEVELOPER SHALL LIMIT ALL CONSTRUCTION AND CONSTRUCTION-RELATED ACTIVITIES TO BETWEEN THE HOURS OF 7:00 AM TO 7:00 PM, SEVEN DAYS-PER-WEEK. THE DEVELOPER SHALL INSTALL SIGNS AT ALL ACCESS POINTS TO THE PROJECT THAT CLEARLY INDICATE THE HOURS OF ACTIVITY ON-SITE PRIOR TO THE START OF ANY CONSTRUCTION-RELATED ACTIVITIES, SUBJECT TO THE APPROVAL OF THE ADMINISTRATOR. THE DEVELOPER SHALL MAINTAIN THESE SIGNS IN GOOD REPAIR FOR THE DURATION OF THE CONSTRUCTION OF THE PROJECT. ONCE CONSTRUCTION IS FINISHED, THE DEVELOPER SHALL REMOVE THESE SIGNS.

14. CONSTRUCTION MAINTENANCE:

THE DEVELOPER SHALL LOCATE A SUFFICIENT NUMBER OF TRASH CONTAINERS ON-SITE TO BE USED DURING THE CONSTRUCTION OF THE PROJECT TO MAINTAIN THE PROJECT SITE IN A CLEAN AND ORDERLY STATE, TO THE APPROVAL OF THE ADMINISTRATOR.

GRADING AND CIVIL IMPROVEMENT PERMIT REQUIREMENTS

15. GEOTECHNICAL REPORT:

THE DEVELOPER SHALL PROVIDE A FINAL GEOTECHNICAL REPORT FOR THE PROJECT IN CONFORMANCE WITH THE REQUIREMENTS OF THE DEVELOPMENT CODE FOR REVIEW AND APPROVAL BY THE CITY ENGINEER PRIOR TO THE APPROVAL OF A GRADING PERMIT OR BUILDING PERMIT FOR ANY PORTION OF THE PROJECT.

16. GRADING PERMIT:

THE DEVELOPER SHALL SUBMIT A GRADING PERMIT FOR ANY PHASE OF THE PROJECT TO THE APPROVAL OF THE CITY ENGINEER. PRIOR TO ISSUE OF A GRADING PERMIT FOR THE PROJECT, THE DEVELOPER SHALL POST A SURETY BOND FOR REGRADING AND RECLAMATION OF THE SITE. THE DEVELOPER SHALL COMPLY WITH ALL GRADING REQUIREMENTS SET FORTH IN THE CITY OF FERNLEY'S DEVELOPMENT CODE AS WELL AS ALL STATE AND FEDERAL REGULATIONS.

THE DEVELOPER OR THEIR DESIGNEE SHALL BE RESPONSIBLE FOR OBTAINING AND MAINTAINING A STORM WATER POLLUTION PREVENTION PERMIT WITH THE STATE OF NEVADA FOR GRADING AREAS 1 ACRE OR GREATER AS WELL AS A SURFACE AREA DISTURBANCE

Conditions of Approval for CUP23004

CONDITIONAL USE PERMIT

PERMIT FOR GRADING AREAS EXCEEDING 5 ACRES.

17. STORM WATER DRAINAGE:

THE DEVELOPER SHALL PROVIDE A FINAL DRAINAGE REPORT FOR THE PROJECT IN CONFORMANCE WITH THE FERNLEY MUNICIPAL CODE AND THE PUBLIC WORKS DESIGN MANUAL FOR REVIEW AND APPROVAL BY THE CITY ENGINEER PRIOR TO ISSUE OF A BUILDING PERMIT FOR ANY PORTION OF THE PROJECT.

ALL INTERNAL STORM DRAIN INFRASTRUCTURE SHALL BE MAINTAINED BY THE PROPERTY OWNER.

BUILDING PERMIT REQUIREMENTS

18. ADDRESSING AND STREET NAMES:

THE DEVELOPER SHALL SUBMIT A STREET NAME RESERVATION APPLICATION AND REQUEST FOR ADDRESSING TO THE CITY OF FERNLEY FOR REVIEW AND APPROVAL. ALL LOT ADDRESSING SHALL BE COMPLETED BY THE CITY. STREET NAMES SHALL BE APPROVED AND ADDRESSING SHALL BE COMPLETE PRIOR TO ISSUE OF A BUILDING PERMIT.

19. SCREENING:

MECHANICAL EQUIPMENT SHALL BE SCREENED FROM VIEW OF THE PARKING LOT, ADJACENT PUBLIC STREETS, AND PUBLIC AREAS, BY USING AN ARCHITECTURAL ELEMENT OF THE BUILDING THAT CONSISTS OF THE SAME DURABLE BUILDING MATERIALS USED TO THE APPROVAL OF THE ADMINISTRATOR.

ANY LOADING AND SERVICE AREAS, TO INCLUDE TRASH COMPACTION AND/OR DUMPSTER(S), SHALL BE SCREENED FROM VIEW OF PARKING LOTS AND PUBLIC AREAS. LOADING DOCK SCREENING SHALL BE HIGH ENOUGH TO SCREEN THE TRUCKS. THE SCREENING SHALL BE REVIEWED AND APPROVED BY THE ADMINISTRATOR PRIOR TO ISSUE OF A BUILDING PERMIT FOR EACH INDIVIDUAL BUILDING.

20. LIGHTING:

THE DEVELOPER SHALL SUBMIT A LIGHTING PLAN FOR REVIEW AND APPROVAL BY THE ADMINISTRATOR PRIOR TO ISSUE OF A BUILDING PERMIT. THE DEVELOPER IS REQUIRED TO COMPLY WITH THE LIGHTING STANDARDS AND REQUIREMENTS IN FERNLEY MUNICIPAL CODE. TO REDUCE THE IMPACT OF GLARE AND MINIMIZE THE EFFECT OF FIELD AND PARKING LIGHTING, LIGHTING FIXTURES WITH EXTERNAL "HOODS" AND INTERNAL GLARE REDUCTION LOUVERS SHALL BE USED.

THE DEVELOPER SHALL NOT HAVE LIGHTING POLES IN EXCESS OF 20' TO GRADE OF PARKING LOT AND LIGHT STANDARDS IN OR WITHIN 100 FEET OF RESIDENTIAL ZONES WILL NOT EXCEED 12 FEET IN HEIGHT.

21. LANDSCAPING/IRRIGATION:

THE DEVELOPER SHALL SUBMIT A LANDSCAPING AND IRRIGATION PLAN FOR THE PROJECT IN SUBSTANTIAL CONFORMANCE WITH THESE CONDITIONS OF APPROVAL AND CITY OF FERNLEY MUNICIPAL CODE 32.09.090, FOR REVIEW AND APPROVAL BY THE ADMINISTRATOR PRIOR TO ISSUE OF A BUILDING PERMIT FOR THE PROJECT

22. ARCHITECTURE/BUILDING ELEVATIONS:

THE DEVELOPMENT OF THE SUBJECT SITE SHALL BE IN SUBSTANTIAL CONFORMANCE WITH THE ARCHITECTURAL BUILDING ELEVATIONS SUBMITTED AS PART OF THIS APPLICATION. UNLESS REQUIRED BY THESE CONDITIONS OF APPROVAL, SUBSTANTIAL CHANGES TO THE ELEVATIONS SHALL REQUIRE REVIEW AND APPROVAL BY THE ADMINISTRATOR PRIOR TO

Conditions of Approval for CUP23004

CONDITIONAL USE PERMIT

ISSUE OF A BUILDING PERMIT FOR THE BUILDINGS.

23. WATER AND SEWER SYSTEM MODELING:

THE DEVELOPER SHALL COMPLETE WATER AND SEWER MODELING AND CONSTRUCT ANY IMPROVEMENTS IDENTIFIED AS NECESSARY TO SERVE THE PROJECT IN ACCORDANCE WITH STATE AND LOCAL REGULATIONS PRIOR TO ISSUE OF A BUILDING PERMIT.

24. WATER RIGHTS:

THE DEVELOPER SHALL COMPLY WITH ALL CITY OF FERNLEY MUNICIPAL CODES REGARDING THE DEDICATION OF WATER RIGHTS, INCLUDING ALL ASSOCIATED FEES, FOR THE CONNECTION TO THE CITY'S MUNICIPAL WATER SYSTEM IN THE AMOUNT REQUIRED PRIOR TO ISSUE OF A BUILDING PERMIT FOR ANY PHASE OF THE PROJECT.

25. WATER SYSTEM LOOPING:

THE DEVELOPER SHALL PROVIDE THE CITY WITH A UTILITY PLAN FOR THE WATER SYSTEM THAT DEMONSTRATES ADEQUATE SYSTEM LOOPING PRIOR TO ISSUE OF A BUILDING PERMIT. THE PLAN SHALL BE IN CONFORMANCE WITH THE CITY OF FERNLEY'S MUNICIPAL CODE, NEVADA ADMINISTRATIVE CODE, AND PUBLIC WORKS DESIGN MANUAL, TO THE APPROVAL OF THE CITY ENGINEER, PUBLIC WORKS DIRECTOR, AND THE ADMINISTRATOR.

26. STORM WATER TREATMENT:

THE DEVELOPER SHALL EMPLOY STRUCTURE CONTROLS FOR THE TREATMENT OF STORM WATER RUNOFF IN ACCORDANCE WITH BEST MANAGEMENT PRACTICES AND SUBJECT TO APPROVAL OF THE CITY ENGINEER AND PUBLIC WORKS DIRECTOR. DRAINAGE CONVEYANCE FACILITIES AND OTHER IMPROVEMENTS MUST BE CONSTRUCTED AND FUNCTIONAL PRIOR TO ISSUE OF A BUILDING PERMIT.

27. SANITARY SEWER REPORT:

THE DEVELOPER SHALL PROVIDE A FINAL SANITARY SEWER REPORT FOR THE PROJECT IN CONFORMANCE WITH THE FERNLEY MUNICIPAL CODE AND THE PUBLIC WORKS DESIGN MANUAL FOR REVIEW AND APPROVAL BY THE CITY ENGINEER PRIOR TO ISSUE OF A BUILDING PERMIT.

28. TRAFFIC ANALYSIS:

THE DEVELOPER SHALL PROVIDE A FINAL TRAFFIC ANALYSIS REPORT FOR THE PROJECT IN CONFORMANCE WITH THE CITY OF FERNLEY'S MUNICIPAL CODE AND THE PUBLIC WORKS DESIGN MANUAL FOR REVIEW AND APPROVAL BY THE CITY ENGINEER AND PUBLIC WORKS DIRECTOR PRIOR TO ISSUE OF A BUILDING PERMIT.

EACH SUCCESSIVE PHASE OF THE PROJECT SHALL SUBMIT AN UPDATED TRAFFIC ANALYSIS REPORT FOR REVIEW AND APPROVAL BY THE CITY ENGINEER AND PUBLIC WORKS DIRECTOR SHOWING THE CUMULATIVE EFFECT OF THE DEVELOPED PORTION OF THE PROJECT ALONG WITH THE PROPOSED PHASE'S EFFECT.

29. UNITED STATES POSTAL SERVICE:

THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS OF THE UNITED STATES POSTAL SERVICE FOR MAIL DELIVERY, MAILBOX DESIGN, AND MAILBOX LOCATION, SUBJECT TO APPROVAL OF THE FERNLEY POSTMASTER, CITY ENGINEER, PUBLIC WORKS DIRECTOR, AND ADMINISTRATOR, PRIOR TO ISSUE OF A BUILDING PERMIT FOR THE PROJECT.

CERTIFICATE OF OCCUPANCY REQUIREMENTS

30. TRASH ENCLOSURES:

THE DEVELOPER SHALL LOCATE AND INSTALL TRASH ENCLOSURES TO THE APPROVAL OF

Conditions of Approval for CUP23004

CONDITIONAL USE PERMIT

WASTE MANAGEMENT AND THE ADMINISTRATOR, INCLUDING THE APPROPRIATE SIZE AND LOCATION. THE TRASH ENCLOSURES SHALL MATCH THE PROJECT'S ARCHITECTURE AND BUILDING MATERIALS, TO THE APPROVAL OF THE ADMINISTRATOR, AND BE CONSTRUCTED PRIOR TO ISSUE OF A CERTIFICATE OF OCCUPANCY FOR THE INDIVIDUAL BUILDINGS.

31. UTILITY SCREENING:

THE DEVELOPER SHALL WORK IN CONJUNCTION WITH THE UTILITY COMPANIES TO LOCATE UTILITY EQUIPMENT SUCH AS ELECTRICAL, GAS AND WATER JUNCTION BOXES, INCLUDING TRANSFORMER BOXES, VAULTS AND ELECTRICAL PANELS, IN AREAS WHERE THE EQUIPMENT IS SCREENED BY EITHER ARCHITECTURAL ELEMENTS THAT MATCH THE MAIN STRUCTURE'S COLORS AND MATERIALS OR BY ADJUSTING THE APPROVED LANDSCAPING TO COMPENSATE, TO THE APPROVAL OF THE ADMINISTRATOR, PRIOR TO ISSUE OF A CERTIFICATE OF OCCUPANCY FOR EACH INDIVIDUAL BUILDING.

32. LANDSCAPING/IRRIGATION:

THE LANDSCAPING AND IRRIGATION SHALL BE INSTALLED PER THE APPROVED PLANS, PRIOR TO ISSUE OF A CERTIFICATE OF OCCUPANCY FOR ANY BUILDING.

REGULATORY AGENCIES

33. NORTH LYON COUNTY FIRE PROTECTION DISTRICT:

THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS OF THE NORTH LYON COUNTY FIRE PROTECTION DISTRICT INCLUDING BUT NOT LIMITED TO DEVELOPING A PLAN TO PROVIDE ADEQUATE EMERGENCY ACCESS THROUGHOUT THE SITE, DEVELOPING A MASTER FIRE HYDRANT AND FIRE FLOW PLAN, DEVELOPING A MASTER FIRE DEPARTMENT CONNECTION (FDC) PLAN, AND INSTALLING FIRE SUPPRESSION AND/OR ALARM SYSTEMS TO THE APPROVAL OF THE FIRE CHIEF PRIOR TO ISSUE OF A BUILDING PERMIT.

34. FEDERAL, STATE, AND LOCAL AGENCIES:

THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS OF ANY FEDERAL, STATE, OR LOCAL AGENCY, DEPARTMENT, OR LICENSED PROFESSIONAL WITH JURISDICTION OVER THE PROJECT INCLUDING, BUT NOT LIMITED TO: NEVADA DEPARTMENT OF TRANSPORTATION (NDOT), NEVADA DIVISION OF ENVIRONMENTAL PROTECTION (NDEP), NEVADA DIVISION OF WATER RESOURCES (NDWR), NEVADA BUREAU OF WATER POLLUTION CONTROL, NEVADA BUREAU OF SAFE DRINKING WATER, NEVADA STATE ENVIRONMENTAL COMMISSION, THE CITY OF FERNLEY BUILDING OFFICIAL, THE CITY OF FERNLEY ENGINEER, THE CITY OF FERNLEY PLANNING DEPARTMENT, AND THE CITY OF FERNLEY PUBLIC WORKS DEPARTMENT, NEVADA DIVISION OF ENVIRONMENTAL PROTECTION.

35. NEVADA DEPARTMENT OF TRANSPORTATION:

THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS OF THE NEVADA DEPARTMENT OF TRANSPORTATION FOR ALL IMPROVEMENTS WITHIN THE NDOT RIGHT OF WAY. THE DEVELOPER SHALL INSTALL ALL REQUIRED IMPROVEMENTS FROM THE TRAFFIC IMPACT STUDY AND SUBSEQUENT ACCEPTANCE LETTER FROM NDOT DATED APRIL 14, 2023, WHICH INCLUDED:

INSTALLATION OF A LEFT TURN LANE FOR NORTHBOUND US50A AT THE PROJECT DRIVEWAY, INSTALLATION OF A 215-FOOT RIGHT TURN DECELERATION LANE FOR SOUTHBOUND US50A AT THE PROJECT DRIVEWAY, AND DRIVEWAY LIGHTING PER NDOT STANDARDS.

Excerpt from Conditions of Approval as Suggested by Staff

Planning Commission approved changes to conditions of approval 7 – 9 (as requested by the applicant) during the initial public hearing regarding this conditional use permit.

Conditions of Approval for CUP23004

CONDITIONAL USE PERMIT

A MINIMUM 18-INCH RAISED PLANTER FOR AT LEAST TEN FEET; OR USE OF A PILASTER AT 75-FOOT INTERVALS, ON PROPERTY CORNERS, OR AT CHANGES IN WALL PLANES.

THE DEVELOPER MAY CHOOSE TO INCLUDE EXTERIOR BUILDING WALLS AS PART OF THE CONSTRUCTION OF THE MASONRY WALL; HOWEVER, IN ALL CASES, THE NON-FACADE PORTIONS OF THE WALL AND BUILDINGS COMBINED MUST BE THE SAME HEIGHT AROUND THE PERIMETER.

7. RESIDENTIAL DISTRICT ADJACENT SETBACKS:

IN ACCORDANCE WITH FERNLEY MUNICIPAL CODE SECTION 32.06.100, ALL SIDE OR REAR PORTIONS OF THE FACILITY ABUTTING A RESIDENTIAL DISTRICT MUST HAVE A SETBACK EQUAL TO THAT OF THE BUILDING HEIGHT. THIS SETBACK APPLIES TO THE WEST AND SOUTHWEST PORTIONS OF THE FACILITY, THE NORTH, EAST, SOUTH, AND SOUTHEAST PORTIONS OF THE FACILITY ABUT NON-RESIDENTIAL DISTRICTS.

8. PERCENTAGE LANDSCAPING REQUIRED:

IN ACCORDANCE WITH FERNLEY MUNICIPAL CODE SECTION 32.09.090, THE MINIMUM PORTION OF THE SITE AREA TO BE LANDSCAPED IS 15%. IF PHASED, EACH INDIVIDUAL PHASE MUST CONTAIN 15% LANDSCAPING PROPORTIONATE TO THE AREA UNDER CONSTRUCTION AND ANY AREAS PREVIOUSLY CONSTRUCTED.

9. PHASE 1 LANDSCAPE REQUIREMENTS:

IN ACCORDANCE WITH FERNLEY MUNICIPAL CODE SECTION 32.09.090, AS PART OF PHASE 1, THE DEVELOPER SHALL INSTALL ALL LANDSCAPING REQUIRED BY SPECIFIC STANDARDS AND BUFFER REQUIREMENTS SECTIONS. IN THE CASE THAT A SPECIFIC STANDARD OR BUFFER REQUIREMENT RELATES TO THE SQUARE FOOTAGE OF REQUIRED LANDSCAPING, THE DEVELOPER MAY SUBSTITUTE THE SQUARE FOOTAGE OF LANDSCAPING REQUIRED BY THE CURRENT PHASE.

10. PARKING:

IN ACCORDANCE WITH FERNLEY MUNICIPAL CODE SECTION 32.09.120, THE ADMINISTRATOR MAY APPROVE THE USE OF ALTERNATIVE PARKING SPACE REQUIREMENTS BASED ON AN ANALYTICAL STUDY FROM THE INSTITUTE OF TRANSPORTATION ENGINEERS (ITE). ITE RECOMMENDS 1 PARKING SPACE FOR EVERY 10,000 SQUARE FEET OF STORAGE SPACE AND THE CITY OF FERNLEY ADMINISTRATOR APPROVES USING THIS REQUIREMENT INSTEAD OF THE 1 PARKING SPACE PER 2,000 SQUARE FEET LISTED IN FERNLEY MUNICIPAL CODE FOR THE MINI-WAREHOUSE USE. CITY OF FERNLEY MUNICIPAL CODE FURTHER REQUIRES 1 PARKING SPACE PER LIVE/WORK DWELLING, AND 1 PARKING SPACE PER 800 SQUARE FEET OF OFFICE SPACE.

GIVEN THESE REQUIREMENTS, THE TOTAL PARKING NEED IS AS FOLLOWS: 1 PARKING SPACE FOR THE CARETAKER UNIT, APPROXIMATELY 1.5 PARKING SPACES FOR THE 1,225 SQUARE FOOT OFFICE, AND APPROXIMATELY 13.25 PARKING SPACES FOR THE REMAINING 132,909 SQUARE FEET OF STORAGE SPACE. THE TOTAL NUMBER OF PARKING SPACES REQUIRED IS 16.

BECAUSE MOST STORAGE UNITS WILL LIKELY BE ACCESSED BY PARKING IN FRONT OF THEIR UNIT, CITY OF FERNLEY PLANNING COMMISSION APPROVES A REDUCED PARKING STANDARD OF 1 OFF-STREET PARKING SPOT DEDICATED TO THE CARETAKER UNIT, 3 REGULAR PARKING SPOTS, AND 1 ADA VAN-ACCESSIBLE PARKING SPACE, FOR A TOTAL OF 5 PARKING SPACES. BECAUSE THE DEVELOPER INTENDS TO ALLOW TEMPORARY PARKING WITHIN THE DESIGNATED DRIVE AISLES, ALL FIRE LINES AND FIRE TURNAROUNDS MUST BE CLEARLY DELINEATED AS "NO PARKING" ZONES. IN NO CASE SHALL PARKING SPACES FOR RENT TO STORE RVs, AUTOMOBILES, BOATS, TRAILERS, OR OTHER VEHICLES BE COUNTED



SINCE 1971

1456 D. Industrial Way, Gardnerville, NV 89410

Dear City of Fernley Planning Commission-

3/15/24

I am writing to request a one-year extension from the original scheduled date of expiration of June 26, 2024, with request to extend CUP23004 to June 26, 2025. Our engineer, Chris Moltz of Heartfelt Engineering and I have been working diligently the past year towards submitting the application and plans for the off-site improvements. Ie - water and sewer. Those plans are complete and ready submit to the City, NDEP and, upon approval, then to NDOT for their consideration and approval. We plan on starting off-site improvements later this year once bidding is complete. Design of the civil improvement is also being pursued in this year.

Thank you for your consideration and understanding.

**Respectfully,
Todd Whear**

A handwritten signature in black ink, appearing to read "Todd Whear", is written over a horizontal line. The signature is fluid and cursive in style.

Member, Stor-All, LLC

CC – Heartfelt Engineering



CITY OF FERNLEY

Planning Commission AGENDA REPORT

Meeting Date: June 12, 2024

REPORT TO: Fernley Planning Commission

REPORT FROM: Shay League

FINANCIAL IMPACT:

Yes: No: X

CURRENTLY BUDGETED:

Yes: No: X

FUND/ACCOUNT:

N/A

ACTION REQUESTED: Motion

AGENDA ITEM:

(For possible action) Discussion and possible action regarding a conditional use permit application (CUP24003) submitted by Westex Consulting on behalf of Nev Dev LLC to allow for a mini-warehouse (self-storage) and manufactured home park on a ±15.66-acre site zoned General Commercial (C2) and generally located on the south side of Farm District Road, west of Desert Lakes Drive, and east of Donna Way (APN: 021-301-35).

AGENDA ITEM BRIEF:

This site has a previous conditional use permit for ±15.08-acres of self storage. The applicant is requesting that this conditional use permit instead be issued to contain ±15.66-acres of a mixture of the original self-storage and a manufactured home park.

RECOMMENDED MOTION:

Approval

"I move to approve the conditional use permit associated with CUP24003, subject to conditions of approval 1 through 21 as suggested by Staff. I further move to adopt findings a through f as set forth in the staff report."

BUSINESS IMPACT (per NRS Chapter 237):

A Business Impact Statement is not required because this is not a rule (term excludes vehicles by which legislative powers are exercised under NRS Chapters 271, 278, 278A, or 278B).

See attached report for background, analysis, alternatives.

ALTERNATIVES:

Denial and Extension of Original Approval

"I move to deny the conditional use permit associated with CUP24003. Based on information received in written

materials and the public hearings on this matter, I am unable to make the following required finding(s):"

"I am unable to make finding _____ as it pertains to _____.\" (Repeat for each applicable finding.)
I further move to grant a one-year extension of time for the original conditional use permit associated with CUP23005."

Note

Though no further language has been provided, all motions consistent with City of Fernley Planning Commission bylaws and rules of procedure are appropriate.

BACKGROUND:

Truckee Carson Irrigation District (TCID) split this parcel from a larger 55.14-acre parcel in August 2000 to sell to a private party. The private party transferred the property to the current owner, The Roman Catholic Bishop of Reno, in April 2002. The property is currently vacant and has never been developed beyond infrastructure related to irrigation.

The applicant has been working to find a combination of uses for this very large parcel that balances the needs of the existing neighbors with the needs of our community as a whole, while protecting future residents and/or business owners from proximity to the neighboring high-voltage power lines, all while still being financially feasible. Staff believes this project as proposed with a mixture of commercial, manufactured homes, and self-storage is the highest and best use of this site.

FINDINGS:

a. The proposed conditional use will be in compliance with the comprehensive plan.

Both proposed conditional uses are permitted within the General Commercial zone, which in turn is an equivalent zone of the Commercial land use designation. This project will further our City's progress in meeting our transportation goals regarding buildout of Farm District Road. In addition to completing the bike path along the northern property boundary, the applicant is required to comply with NDOT's access management standards. The proposed conditional uses are substantially in compliance with the comprehensive plan.

b. The proposed conditional use will be in compliance with the existing or permitted uses of adjacent properties.

The existing and permitted uses of adjacent properties are as follows:

Direction	Current Use	Designated Land Use
North	Desert Lakes Golf Course (across Farm District Road)	Open Space and Parks (OSP)
South	Single-family homes (across the canal)	Single-Family Residential (SFR)
East	Vacant TCID-owned property (across high-voltage power lines)	Single-Family Residential (SFR)
West	Single-family homes	Single-Family Residential (SFR)

Rural residential single-family housing to the south, east, and west would typically be a prominent concern when reviewing a project of this type; however, this property is unique. The property line is buffered to the west by a 60' TCID easement. It is also buffered to the south by the Truckee Canal, which is within a 200'

TCID easement.

The property to the east is likely to remain vacant. When TCID split the subject parcel from a larger property to sell, they kept the portion of the original property to the east. Roughly half the 6.84-acre parcel is unbuildable due to a 200' wide easement owned by Los Angeles Water and Power. The nature of the high-voltage lines within the neighboring easement also makes the eastern portion of the proposed conditional use site unsuitable for housing. Fitting dense housing with a surrounding buffer of much-wanted commercial uses with a further buffer (TCID easement, canal, road, powerlines) on all sides is an excellent layout for a difficult-to-develop site. Protecting the proposed housing with a buffer of storage units is also an excellent land use choice.

c. The potential impairment of natural resources and the total population which the available natural resources will support without unreasonable impairments.

The primary natural resources at hand on this site are land and water. This parcel would be inappropriate for land-conservation efforts because it is bordered by high-voltage power lines. Further, it is within our existing infrastructure network, which classifies it as infill development. Land conservation efforts are best directed toward the outlying areas of our boundaries where no infrastructure exists.

The self-storage requires much less water than most commercial uses. The only water required will be for landscaping, and the applicant has committed to providing low-water xeriscaping. Similarly, a manufactured home park requires much less water than single-family housing. When either an administrative review (by Staff) or a conditional use permit (by Planning Commission) is needed for development of the commercial businesses in the front of the parcel, City of Fernley will have an additional opportunity to review water usage.

d. The availability and need for affordable housing in the community, including affordable housing that is accessible to persons with disabilities.

This project is one of very few recent projects that allow Planning Commission to fully make this finding. It is the only recent project that provides such housing in the neighborhood-style development pattern preferred by Fernley residents. Further, this project provides an opportunity for homeowners to gain equity and become invested members in our community. In addition to the direct housing benefits, the planned self-storage provides our citizens with the option of inhabiting smaller homes than they otherwise might be able to.

e. The conditional use permit has been conditioned to address identified impacts.

Staff identified the following impacts specific to this project:

- Outdoor storage of vehicles associated with self-storage can be visually unattractive. To address this issue, Fernley Municipal Code requires the perimeter of the facility be screened by a masonry wall. Staff outlined this requirement in condition of approval 5 related to perimeter wall design standards.
- Staff is concerned that the front parcel may be vacant long enough to become an eyesore for the community. This is addressed in two ways in the conditions of approval:
 1. All specific landscape requirements, such as trees along the road, are required as part of phase 1 (see condition 6 for landscape phasing).
 2. The developer is required to post a bond for regrading and reclamation of the site. If the developer grades the site but does not finish the project, City of Fernley will have a financial resource to revegetate the graded areas (see condition 9 for grading permit).

- All traffic concerns are mitigated through condition 13 for Farm District Road improvements.

f. Public notice has been given, and a public hearing held per the requirements of the development code and the Nevada Revised Statutes.

Staff certifies that public notice was given in accordance with the applicable regulations. Staff mailed individual notices setting forth the time, place, and purpose of the public hearing to property owners and their tenants within a 1,000-foot radius of this parcel on May 28, 2024. Further, Staff placed a public notice in the May 24, 2024, edition of the Reno Gazette Journal. There will be a public hearing at the June 12, 2024 Planning Commission meeting.

RELEVANT LAWS, STATUTES, AND REGULATIONS:

General

[Nevada Revised Statutes \(NRS\), Chapter 278](#) - Planning and Zoning

[Fernley Municipal Code \(FMC\), Title 32](#) - Development Code

[City of Fernley Comprehensive Master Plan](#)

Specific

[NRS §278.315](#) - Granting of ... conditional use permits

[FMC §32.03.050\(b\)](#) - Conditional use permit

[FMC §32.06.100](#) - Commercial (C1, C2, and TC)

[FMC §32.06.150](#) - Unlisted uses and use table

[FMC §32.07.240\(c\)](#) - Manufactured home parks

[FMC §32.07.280](#) - Mini-warehouse

[FMC §32.09](#) - Development standards

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

1. CUP24003 Vicinity Map
2. CUP24003 Site Plan
3. CUP24003 Concept
4. CUP24003 Cross Sections
5. CUP24003 Traffic Study Excerpt
6. CUP24003 Traffic Study Update Letter
7. CUP24003 Conditions of Approval

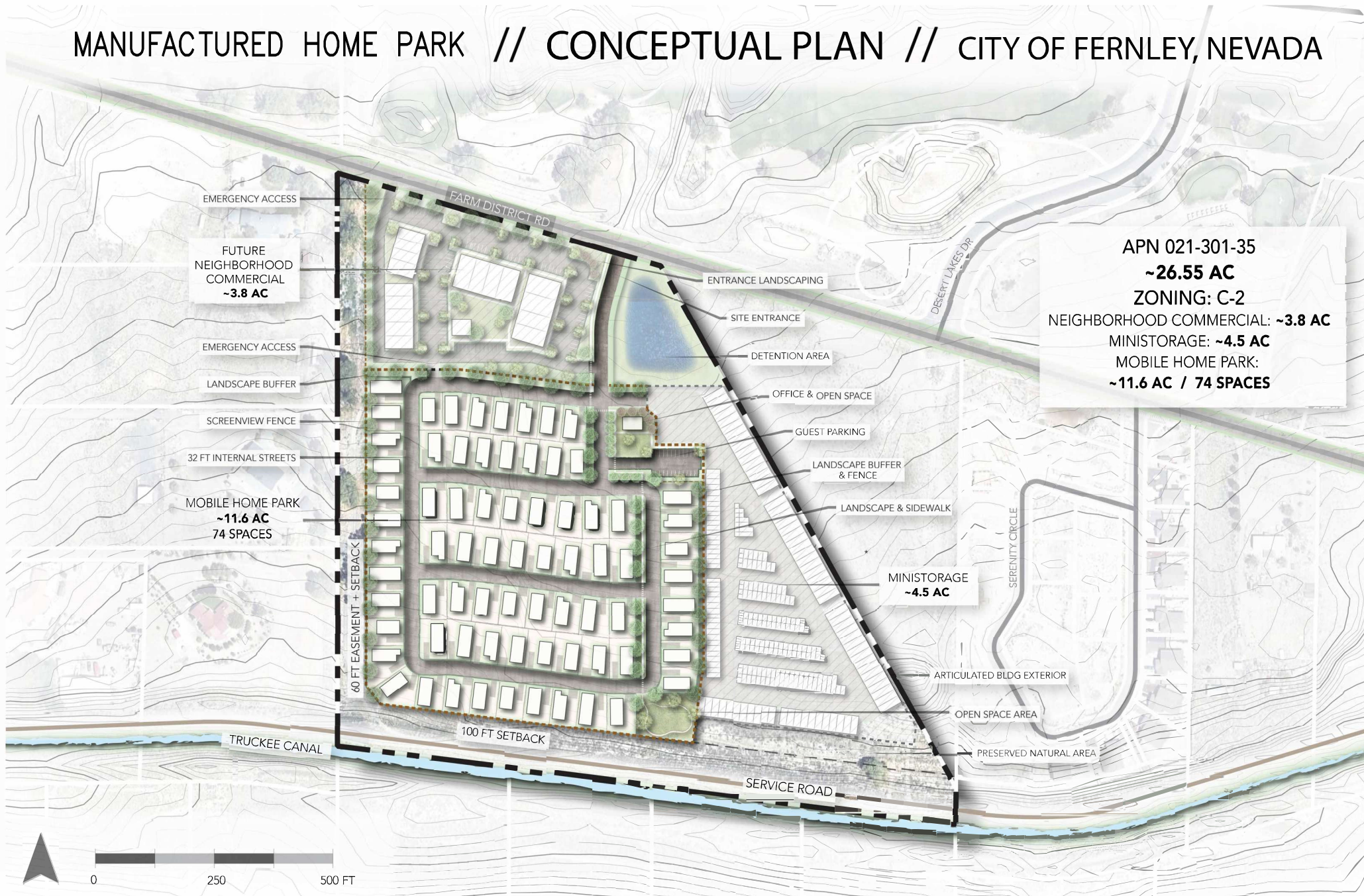
Vicinity Map



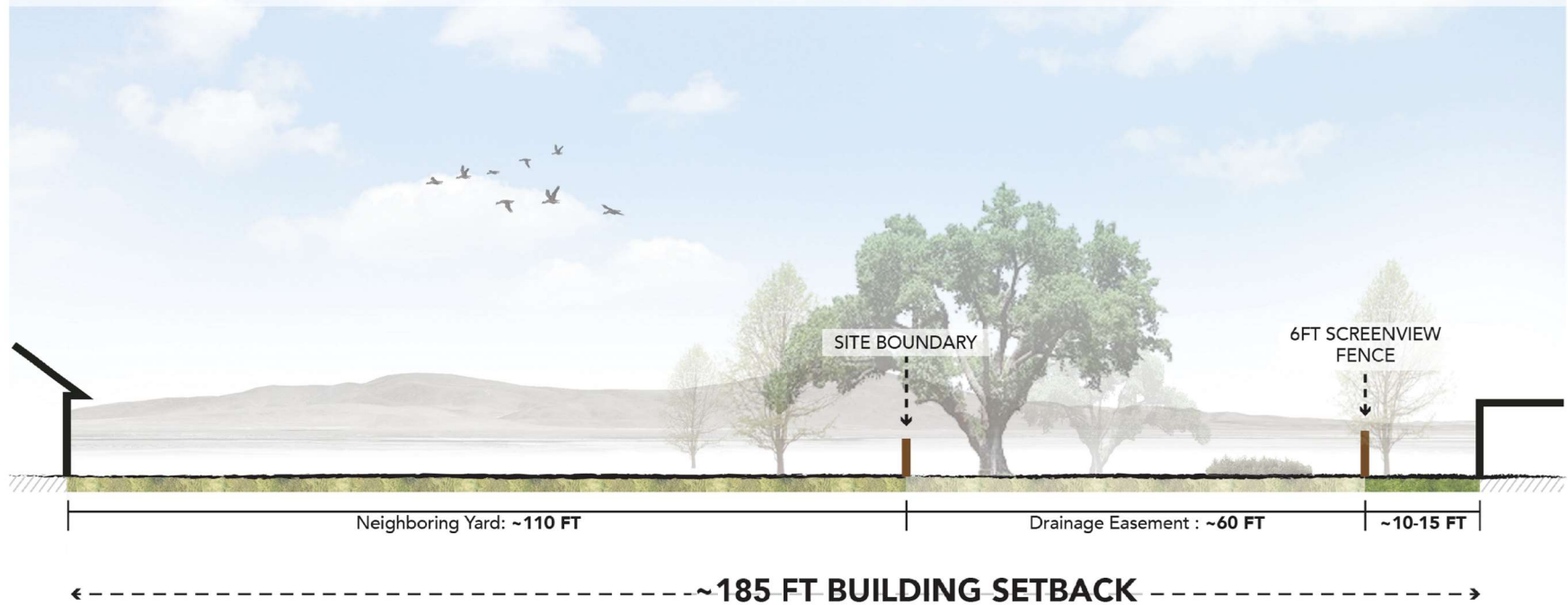
Proposed Site

Google Earth

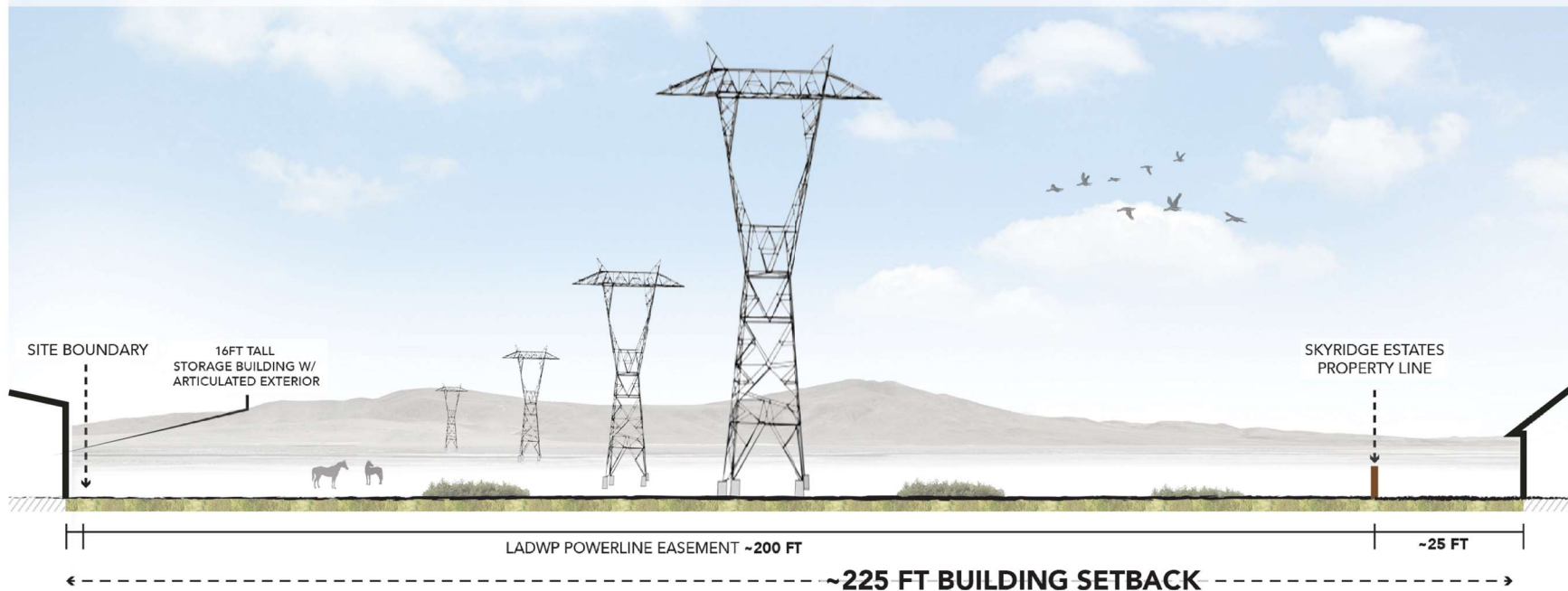
MANUFACTURED HOME PARK // CONCEPTUAL PLAN // CITY OF FERNLEY, NEVADA



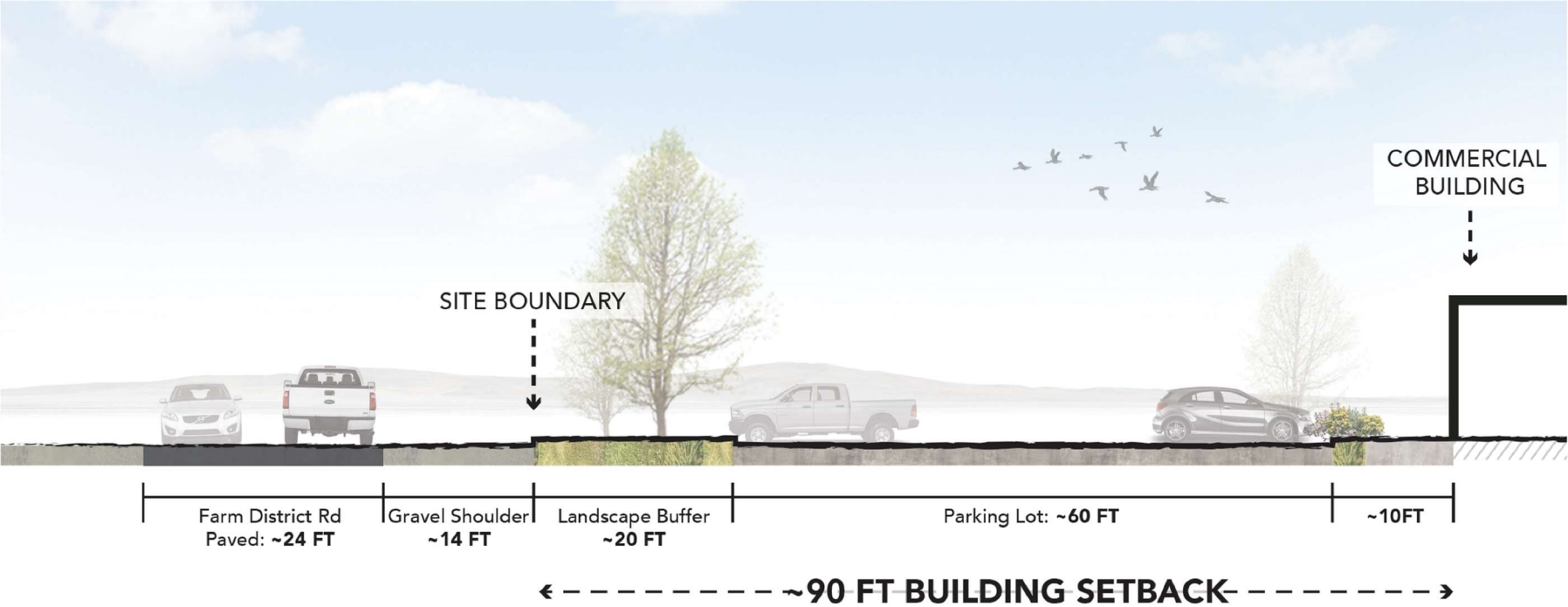
SECTION I // NEAREST HOME TO WESTERN SITE BOUNDARY



SECTION II // NEAREST HOME TO EASTERN SITE BOUNDARY



SECTION III // NORTHERN SITE BOUNDARY ALONG FARM DISTRICT ROAD



TRAFFIC IMPACT STUDY

For

Farm District Road Commercial

LYON COUNTY APN 021-301-35

0 Farm District Road

Fernley, NV 89408

Prepared For:

NevDev LLC

Prepared By:



P.O. Box 18871, Reno, Nevada 89511
chris@westexconsulting.com
(775) 484-1013

File No.: 2170.004-B
April 15, 2023



I INTRODUCTION AND SUMMARY

This report presents the results of the Traffic Impact Study for Farm District Road Commercial on Farm District Road in Fernley, NV. A general vicinity map is shown in Figure 1 (page 10), a site location overview is shown in Figure 2 (page 11), and the proposed site layout is shown in Figure 3 (page 12). This study was performed in general accordance with our approved proposal and work order authorization.

The conclusions and recommendations contained in this report are based on:

- Site visits and traffic counts performed during the AM and PM Peak Hours on Wednesday, March 15, 2023
- Methodology contained within the *“Highway Capacity Manual (HCM) 7th Edition”* (Published 2022 by the Transportation Research Board (TRB))
- Level of Service (LOS) analysis from MacTrans HCS 2022 Traffic Modeling Software
- Published trip generation data from the *“Trip Generation Manual: 11th Edition”* (Published September 2021 by the Institute of Transportation Engineers)

If any findings, assumptions, conditions, or project plans are found to vary from those described in this report, we should be contacted immediately to verify that the recommendations contained herein remain applicable to the final project design. Accordingly, this report may be revised at any time.

A. Purpose of Report and Study Objectives

The purpose of this report is to analyze the traffic impact of the proposed project (Farm District Road Storage), to be located within portions of the E½ SE¼ of Section 22 of, T.20N., R.22E., M.D.B.&M., on Lyon County APN 021-301-35. Three components are proposed as part of this project: a 2.5 Acre Commercial Area in the northwest of the parcel, a 0.8 secondary commercial area in the northeast of the parcel, and a 16.5 acre self-storage and outdoor boat and RV storage in the south of the parcel.

Due to lack of intersections along farm District Road, it was determined that a traffic impact study for the project should include analysis of the following intersections for both the current (2023) and future (2043) traffic volumes:

- The project driveway and Farm District Road

B. Executive Summary

This Executive Summary is intended to concisely and accurately summarize the findings and impacts this proposed project will have on traffic for the surrounding roadway network.

1. Site Location and Study Area

The site location of this proposed project is Lyon County APN 021-301-35. This parcel is currently a vacant rural residential lot with direct access to Farm District Road. A Conditional Use Permit is being applied for the City of Fernley for the proposed commercial use.

The address is listed as 0 Farm District Road per the Lyon County Assessor's Office. The parcel is surrounded by residential properties on the east and west. To the north is Farm District Road, with the Golf Club at Fernley located on the north side of Farm District Road. The south side of the parcel is contiguous with the Truckee Canal. Farm District Road is a two lane road (one lane in each direction) which runs from Main Street at the Fernley Roundabout in the north / west, to US 50 Alt in the east (approximately 7.75 miles in length). The project as proposed will utilize a single main driveway to access the project.

One intersection was analyzed for current (2023) and future (2043) traffic volumes, both with and without the proposed project. The intersection analyzed in this report is:

- The project driveway and Farm District Road

2. Development Description

Three components are proposed as part of this project: a 2.5 Acre Commercial Area in the northwest of the parcel, a 0.8 secondary commercial area in the northeast of the parcel, and a 16.5 acre mini storage and outdoor boat and RV Storage in the south of the parcel. Everything is still a concept at this time; however, preliminary land uses are single story self-storage facility totaling 215,180 square feet of space, 321 outdoor RV / boat storage spaces, an 8 pump gas station and 3,900 square foot convenience store on the 0.8 acre commercial area, and a 40,000 square foot Shopping Plaza. Please reference Figures 1, 2, and 3 (pages 10 through 12) for an overview of the proposed project.

3. Principal Findings

Based on review of Level of Service (LOS) Analysis performed with HCS 2022 traffic software (Summarized in Tables 7 and 8) we can see that all approaches produce acceptable Levels of Service both under current 2023 and future 2043 traffic scenarios.

All intersections and turning movements under both the current 2023 and future 2043 traffic scenarios received a LOS of C or better, which exceeds the LOS of D or better as recommended by The Highway Capacity Manual, 7th Edition. More importantly, the level of service for westbound traffic along Farm District Road only sees an average delay of 3.0 seconds (LOS of A) during the AM Peak Hour and 2.6 seconds (also LOS of A) during the PM

Peak Hour into the 2043 planning horizon. This is particularly important as Farm District Road does not currently have a center median for stacking of vehicles wishing to turn left into the project location from westbound Farm District Road.

The only roadway improvements recommended are the driveway approaches themselves, any associated deceleration lanes, and any required striping or re-striping due to the new driveway approaches.

4. Conclusions and Recommendations

Access to the site is anticipated to be good, due to the un-interrupted flows and direct access from Farm District Road. The existing driveway location will provide effective accessibility to and from the site. This has been confirmed with HCS2022 traffic modeling software.

The only roadway improvements recommended are the driveway approaches themselves, any associated deceleration lanes, and any required striping or re-striping due to the new driveway approaches.

All driveway approaches should be designed to accommodate the largest design vehicles anticipated.

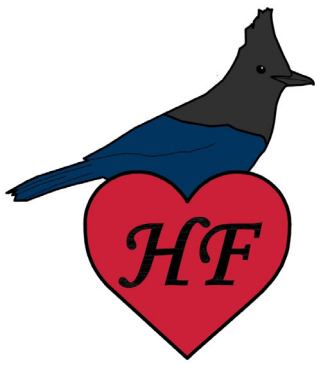
Review of NDOT's AMSS show the need for auxiliary deceleration lanes (both left and right turns). A right turn deceleration lane should be installed for eastbound traffic on Farm District Road entering the project driveway; however, installation of a left turn deceleration lane for westbound traffic entering the project location may need to be postponed until the entire Farm District Road is widened to allow for left turn deceleration lanes in a non-existent center median.

Traffic leaving the proposed project driveway should be controlled with a stop sign.

Based on the proposed geometry in Attachment 2, a single egress lane will be sufficient for this project into the 2042 planning horizon.

Driveway approaches, auxiliary deceleration and acceleration lanes, striping, and any other improvements should be to NDOT standards.

Due to the spacing from neighboring parcels, deviation from NDOT's AMSS will be required.



Heartfelt Engineering, LLC

PO Box 2457

Carson City, Nevada 89702

chris@heartfeltengineering.com

775-546-5582

March 20, 2024

Westex Consulting Engineers
ATTN: Rebecca Bernier, P.E.
220 S. Rock Blvd, STE 12
Reno, NV 89502

**SUBJECT: Update Letter for TRAFFIC IMPACT STUDY for Farm District Road
Commercial on Lyon County APN 021-301-35, 0 Farm District Road, Fernley, NV 89408 /
NevDev LLC**

Rebecca,

I previously completed "TRAFFIC IMPACT STUDY For Farm District Road Commercial, LYON COUNTY APN 021-301-35" while working at Westex Consulting Engineers. My report was stamped April 15, 2023. My P.E. Stamp has since been renewed. I am certifying that the results of my analysis have not changed since I stamped this report less than a year ago, and the report is still valid.

I have been informed that the assumed land uses in my original report have changed since April 15, 2023. My original report anticipated the following land uses:

- 215,180 square feet of enclosed self-storage space
- 321 outdoor RV / boat storage spaces
- 3,900 square foot convenience store with 8 fueling stations
- 10,000 square foot strip retail plaza

Based on revisions to the project, the new anticipated uses are as follows:

- 90,000 square feet of enclosed self-storage space
- 73 Space / 11.4 Acre Mobile Home Park
- 3,900 square foot convenience store with 8 fueling stations
- 6,800 square foot strip retail plaza

Really the only the changes in proposed uses are what matters: the enclosed self-storage is being reduced from 215,180 square feet down to 90,000 square feet, the 321 outdoor RV / boat storage spaces are being replacing with a 73 Space / 11.4 Acre Mobile Home Park, and the proposed strip retail plaza is being reduced from 10,000 square feet down to 6,800 square feet. By comparing these land uses, we can determine how the revised proposed land uses will affect the analysis of the original study dated April 15, 2023. Typically, when either an equally intensive or less intensive land use is selected than originally anticipated, no further traffic analysis or re-analysis is required, as the original study and its findings will hold true. There are

some exceptions to this, such as if significant time has passed since the study, but this is a good general rule that is often accepted in practice.
For an overview on how proposed changes in land uses will affect trips generated as part of the project and regards to the original traffic impact study, please refer to Tables 1 and 2, below.

Table 1 – Original Anticipated Land Uses and Trips Generated from Original Traffic Impact Study

Original Land Use	Trips					
	Weekday AM Peak Hour			Weekday PM Peak Hour		
	In	Out	Total	In	Out	Total
151 - Mini Warehouse, 215,180 square feet	20	19	39	20	19	39
151 - Mini Warehouse, 321 Outdoor RV and Boat Storage Units	4	3	7	3	4	7
822 - Strip Retail Plaza, 10,000 Square Feet	38	38	76	71	61	132
945 - Convenience Store / Gas Station 3,900 square feet, 8 fueling Stations	66	66	132	77	76	153
COMBINED LAND USES (OLD)	128	126	254	171	160	331

Table 2 – Revised Anticipated Land Uses and Trips Generated from Original Traffic Impact Study

New Land Uses	Trips					
	Weekday AM Peak Hour			Weekday PM Peak Hour		
	In	Out	Total	In	Out	Total
151 - Mini Warehouse, 90,000 square feet	8	8	16	8	8	16
240 - Mobile Home Park, 73 Spaces	9	25	34	29	18	47
822 - Strip Retail Plaza, 6,800 Square Feet	26	26	52	27	23	50
945 - Convenience Store / Gas Station 3,900 square feet, 8 fueling Stations	66	66	132	77	76	153
COMBINED LAND USES (NEW)	109	125	234	141	125	266

As can be seen in Review of Tables 1 and 2 (above), less trips are anticipated to be generated for all traffic movements as part of the revised land uses versus what was originally anticipated. Accordingly, all analysis and findings from the original traffic impact study dated April 15, 2023 remains valid. No further analysis or re-analysis of the intersections are required.

If you have any questions, I can be reached at 775-546-5582 or at the mailing / email address at the top of the letterhead.



Best Regards,

A handwritten signature in blue ink, appearing to read "Chris Moltz", written in a cursive style.

Christopher Moltz, P.E.
Heartfelt Engineering, LLC

Conditions of Approval for CUP24003

CONDITIONAL USE PERMIT

SCOPE AND DURATION OF APPROVAL

1. APPROVAL:

THIS CONDITIONAL USE PERMIT IS APPROVED AS SUBMITTED AND CONDITIONED. ANY SUBSTANTIVE CHANGE SHALL REQUIRE REVIEW AND APPROVAL BY PLANNING COMMISSION AS A NEW CONDITIONAL USE PERMIT. ALTERNATIVELY, SUBSTANTIVE CHANGES MAY BE ADDRESSED BY AN AMENDMENT TO THIS CONDITIONAL USE PERMIT IF/WHEN CITY OF FERNLEY ADOPTS AN AMENDMENT PROCEDURE FOR CONDITIONAL USE PERMITS.

2. PROJECT DESCRIPTION:

THE PROJECT APPROVAL IS LIMITED TO A MINI-WAREHOUSE (PERSONAL STORAGE FACILITY AND OUTDOOR VEHICLE STORAGE) AND/OR A MANUFACTURED HOME PARK ON A ±15.66-ACRE PORTION OF THE PARCEL GENERALLY LOCATED SOUTH OF FARM DISTRICT ROAD, WEST OF DESERT LAKES DRIVE, AND EAST OF DONNA WAY, IN FERNLEY, NV (APN: 021-301-35).

3. EXPIRATION DATE:

THE CONDITIONAL USE PERMIT SHALL EXPIRE WITHIN ONE YEAR OF THE DATE OF APPROVAL, UNLESS THE PERMITTED USE HAS BEEN ESTABLISHED, OR CONSTRUCTION TO ACCOMMODATE THAT USE HAS BEGUN AND IS BEING DILIGENTLY PURSUED. A ONE-YEAR EXTENSION MAY BE GRANTED BY THE PLANNING COMMISSION IF REQUESTED PRIOR TO THE EXPIRATION DATE OF THE CONDITIONAL USE PERMIT.

4. GOVERNING DOCUMENTS:

ALL CITY OF FERNLEY MUNICIPAL CODE (FMC) REFERENCES HEREIN PERTAIN TO THE VERSION OF THE CODE ESTABLISHED BY ORDINANCE NUMBER 2023-008, UNLESS OTHERWISE NOTED. THE DEVELOPER MAY SUBSTITUTE REQUIREMENTS ESTABLISHED IN FUTURE FMC UPDATES, IF APPROVED BY THE ADMINISTRATOR.

THE DEVELOPER SHALL ALSO COMPLY WITH ALL STANDARDS FOUND WITHIN "CITY OF FERNLEY DEPARTMENT OF PUBLIC WORKS DESIGN STANDARDS & REVIEW GUIDELINES" AS UPDATED MARCH 2024, "CITY OF FERNLEY STANDARD DETAILS FOR PUBLIC WORKS CONSTRUCTION" AS UPDATED JULY 2022, AND "CITY OF FERNLEY COMPREHENSIVE MASTER PLAN" AS UPDATED APRIL 2024.

DESIGN STANDARDS

5. PERIMETER WALL:

IN ACCORDANCE WITH FMC §32.07.280 AND §32.06.100, THE PERIMETER OF THE MINI-WAREHOUSE PORTION OF THE FACILITY SHALL BE SCREENED BY A SOLID (OPAQUE) MASONRY WALL. MATERIALS VISUALLY SIMILAR TO MASONRY MAY BE SUBSTITUTED BY APPROVAL OF THE ADMINISTRATOR. THE WALL SHALL INCORPORATE AT LEAST ONE OF THE FOLLOWING EVERY 50 LINEAR FEET: AT LEAST A TWO-FOOT CHANGE IN PLANE FOR AT LEAST 10 FEET; A MINIMUM 18-INCH RAISED PLANTER FOR AT LEAST 10 FEET; OR USE OF A PILASTER AT 75-FOOT INTERVALS, ON PROPERTY CORNERS, OR AT CHANGES IN WALL PLANES.

THE DEVELOPER MAY CHOOSE TO INCLUDE EXTERIOR BUILDING WALLS AS PART OF THE CONSTRUCTION OF THE WALL, PROVIDED ALL EXTERIOR WALLS ARE EITHER THE SAME HEIGHT AROUND THE PERIMETER OR GRADUALLY TRANSITION FROM ONE HEIGHT TO ANOTHER, TO THE APPROVAL OF THE ADMINISTRATOR.

6. LANDSCAPE PHASING:

IN ACCORDANCE WITH FMC §32.09.090, THE MINIMUM PORTION OF THE SITE AREA TO BE LANDSCAPED IS 15%. SHOULD THE PROJECT BE PHASED, THE 15% REQUIREMENT SHALL ONLY APPLY TO THE PORTION OF THE SITE DEVELOPED. ALL OTHER SPECIFIC REQUIREMENTS, AS LISTED IN §32.09.090(D), SHALL BE INSTALLED AS PART OF PHASE ONE.

Conditions of Approval for CUP24003

CONDITIONAL USE PERMIT

7. **PARKING:**

IN ACCORDANCE WITH FMC §32.09.120, MANUFACTURED HOME PARKS MUST HAVE ONE OFF-STREET PARKING SPACE PER UNIT. FMC FURTHER REQUIRES ONE PARKING SPACE PER 2,000 SQUARE-FEET OF MINI-WAREHOUSE (SELF-STORAGE) CONSTRUCTED. THE ADMINISTRATOR IS PERMITTED TO APPROVE THE USE OF AN ALTERNATIVE PARKING PLAN BASED ON AN ANALYTICAL STUDY FROM THE INSTITUTE OF TRANSPORTATION ENGINEERS (ITE). ITE RECOMMENDS ONE PARKING SPACE FOR EVERY 10,000 SQUARE-FEET OF STORAGE SPACE AND THE CITY OF FERNLEY ADMINISTRATOR APPROVES USING THIS REQUIREMENT INSTEAD OF ONE PARKING SPACE PER 2,000 SQUARE-FEET AS REQUIRED BY FMC.

UNLESS A REPORT FROM THE ITE, AMERICAN PLANNING ASSOCIATION (APA), OR SIMILAR BODY IS PROVIDED TO SUPPORT A LESSER PARKING REQUIREMENT, THE PROPOSED OFFICE SHALL HAVE ONE PARKING SPACE PER 800 SQUARE-FEET OF OFFICE SPACE.

EACH OF THE PROPOSED 73 MANUFACTURED HOMES SHALL HAVE ONE DESIGNATED OFF-STREET PARKING SPACE. THE PROPOSED 90,000 SQUARE-FEET OF MINI-WAREHOUSE USE SHALL HAVE NINE DEDICATED PARKING SPACES. IN NO CASE SHALL PARKING SPACES AVAILABLE FOR RENT TO STORE RVs, AUTOMOBILES, BOATS, TRAILERS, OR OTHER VEHICLES BE COUNTED TOWARD ANY PARKING MINIMUMS. ANY ADJUSTMENTS TO SQUARE-FOOTAGE OF THE MINI-WAREHOUSE OR NUMBER OF MANUFACTURED HOME LOTS SHALL BE ACCOMPANIED BY AN ADJUSTMENT TO PARKING REQUIREMENTS IN THE LISTED RATIOS.

IF THE DEVELOPER INTENDS TO ALLOW TEMPORARY PARKING WITHIN DESIGNATED DRIVE AISLES OF THE SELF-STORAGE, ALL FIRE LANES AND FIRE TURNAROUNDS MUST BE CLEARLY DELINEATED AS "NO PARKING" ZONES. THIS CONDITION IS SUBJECT TO APPROVAL OF THE ADMINISTRATOR, CITY ENGINEER, FIRE MARSHAL, AND PUBLIC WORKS DIRECTOR.

REQUIREMENTS FOR GRADING AND CIVIL PERMITS

8. **GEOTECHNICAL REPORT:**

THE DEVELOPER SHALL PROVIDE A FINAL GEOTECHNICAL REPORT FOR THE PROJECT IN CONFORMANCE WITH THE REQUIREMENTS OF FMC FOR REVIEW AND APPROVAL BY THE CITY ENGINEER PRIOR TO ISSUE OF A GRADING PERMIT OR BUILDING PERMIT FOR ANY PORTION OF THE PROJECT.

9. **GRADING PERMIT:**

PRIOR TO ISSUE OF A GRADING PERMIT FOR THE DEVELOPMENT, THE DEVELOPER SHALL POST A SURETY BOND FOR REGRADING AND RECLAMATION OF THE SITE. THE DEVELOPER SHALL COMPLY WITH ALL GRADING REQUIREMENTS SET FORTH IN FMC, AS WELL AS ALL STATE AND FEDERAL REGULATIONS INCLUDING, BUT NOT LIMITED TO, STORM WATER POLLUTION PREVENTION AND AIR QUALITY RELATED TO SURFACE AREA DISTURBANCE.

THE DEVELOPER SHALL PROVIDE VERIFICATION OF A STORM WATER DISCHARGE PERMIT FROM THE NEVADA DEPARTMENT OF ENVIRONMENTAL PROTECTION AS WELL AS A SURFACE AREA DISTURBANCE PERMIT, PRIOR TO ISSUE OF ANY GRADING, CIVIL IMPROVEMENT, OR BUILDING PERMIT FOR THE DEVELOPMENT. THIS REQUIREMENT IS SUBJECT TO THE APPROVAL OF THE CITY ENGINEER.

REQUIREMENTS DURING CONSTRUCTION PHASE

10. **CONSTRUCTION DEBRIS:**

ALL CONSTRUCTION SITES SHALL HAVE APPROVED TRASH RECEPTACLE(S) OR AN APPROVED TRASH REMOVAL PLAN IN PLACE AT THE TIME OF THE FIRST INSPECTION AND DURING CONSTRUCTION, UNTIL CERTIFICATE OF OCCUPANCY IS ISSUED. THE RECEPTACLE(S) SHALL BE USED APPROPRIATELY TO MAINTAIN A CLEAN WORK SITE.

Conditions of Approval for CUP24003

CONDITIONAL USE PERMIT

11. CONSTRUCTION HOURS:

PRIOR TO THE START OF ANY CONSTRUCTION-RELATED ACTIVITY, THE DEVELOPER SHALL INSTALL SIGNS AT ALL ACCESS POINTS TO THE PROJECT THAT CLEARLY INDICATE THE HOURS OF ACTIVITY ON-SITE. THE DEVELOPER SHALL LIMIT ALL CONSTRUCTION-RELATED ACTIVITIES TO BETWEEN THE HOURS OF SEVEN AM AND SEVEN PM, SEVEN DAYS PER WEEK. ONCE CONSTRUCTION IS FINISHED, THE DEVELOPER SHALL REMOVE THESE SIGNS.

12. PROJECT CONTACT:

PRIOR TO ISSUE OF A GRADING PERMIT, THE DEVELOPER SHALL DESIGNATE A PROJECT CONTACT PERSON TO THE ADMINISTRATOR. THE CONTACT PERSON SHALL BE AUTHORIZED TO AND RESPONSIBLE FOR CORRECTING ANY PROJECT-RELATED COMPLICATIONS ON A 24-HOUR, SEVEN-DAYS-PER-WEEK BASIS.

REQUIREMENTS FOR BUILDING PERMIT

13. FARM DISTRICT ROAD IMPROVEMENTS:

PRIOR TO SUBMITTAL OF A BUILDING PERMIT FOR ANY PHASE OF THE PROJECT, THE DEVELOPER SHALL DEDICATE 50' OF PROPERTY FROM THE CENTERLINE OF FARM DISTRICT ROAD TO CITY OF FERNLEY AND CONSTRUCT THE MULTI-USE PATH AS DEPICTED IN DIAGRAM 4-5 OF THE COMPREHENSIVE MASTER PLAN ALONG THE LENGTH OF THE NORTHERN PROPERTY BOUNDARY.

PER RECOMMENDATION OF THE TRAFFIC IMPACT STUDY PREPARED APRIL 15, 2023, AND REINFORCED BY THE TRAFFIC UPDATE LETTER PREPARED MARCH 20, 2024, THE DEVELOPER SHALL INSTALL A RIGHT-TURN DECELERATION LANE FOR EASTBOUND TRAFFIC AND A LEFT-TURN DECELERATION LANE FOR WESTBOUND TRAFFIC ON FARM DISTRICT ROAD TO FACILITATE ENTERING THE PROJECT DRIVEWAY. TRAFFIC LEAVING THE PROJECT DRIVEWAY SHALL BE CONTROLLED WITH A STOP SIGN. THE STOP SIGN SHALL BE PLACED SOUTH OF THE MULTI-USE PATH, UNLESS OTHERWISE DIRECTED BY THE CITY ENGINEER.

ANY DEVIATION FROM NEVADA DEPARTMENT OF TRANSPORTATION'S (NDOT'S) ACCESS MANAGEMENT AND SYSTEM STANDARDS (AMSS) IS SUBJECT TO THE APPROVAL OF NDOT; CONSEQUENTLY, REQUIREMENTS THAT ORIGINATE FROM AMSS STANDARDS MAY BE WAIVED WITH SPECIFIC PERMISSION FROM NDOT. ALL ASPECTS OF THIS CONDITION ARE SUBJECT TO THE APPROVAL OF THE ADMINISTRATOR, CITY ENGINEER, AND PUBLIC WORKS DIRECTOR.

14. ADDRESSING:

THE DEVELOPER SHALL SUBMIT A REQUEST FOR ADDRESS FORM TO CITY OF FERNLEY ENGINEERING DEPARTMENT FOR REVIEW AND APPROVAL. ALL ADDRESSING SHALL BE COMPLETED BY THE CITY PRIOR TO SUBMITTAL OF A BUILDING PERMIT.

15. STORM WATER TREATMENT AND DRAINAGE:

THE DEVELOPER SHALL PROVIDE A FINAL DRAINAGE REPORT FOR THE PROJECT IN CONFORMANCE WITH FMC AND THE PUBLIC WORKS DESIGN MANUAL FOR REVIEW AND APPROVAL BY THE CITY ENGINEER. THE DEVELOPER SHALL UTILIZE STRUCTURAL CONTROLS FOR THE TREATMENT OF STORM WATER RUNOFF, IN ACCORDANCE WITH BEST MANAGEMENT PRACTICES.

PRIOR TO SUBMITTAL OF A BUILDING PERMIT FOR ANY PHASE OF THE PROJECT, DRAINAGE CONVEYANCE FACILITIES AND OTHER IMPROVEMENTS MUST BE CONSTRUCTED AND FUNCTIONAL. DESIGN AND CONSTRUCTION OF ALL DRAINAGE CONVEYANCE FACILITIES IS SUBJECT TO APPROVAL OF THE ADMINISTRATOR, CITY ENGINEER, AND PUBLIC WORKS DIRECTOR.

ALL INTERNAL STORM DRAIN INFRASTRUCTURE SHALL BE PRIVATELY OWNED AND MAINTAINED BY A COMMERCIAL OWNERS' ASSOCIATION OR SIMILAR MECHANISM FOR SHARED MAINTENANCE.

Conditions of Approval for CUP24003

CONDITIONAL USE PERMIT

16. WATER RIGHTS:

PRIOR TO SUBMITTAL OF A BUILDING PERMIT FOR ANY PHASE OF THE PROJECT, IN ORDER TO BE SERVED BY THE CITY'S MUNICIPAL WATER SYSTEM, THE DEVELOPER SHALL DEDICATE THE APPROPRIATE AMOUNT OF WATER RIGHTS, AS CALCULATED BY THE CITY ENGINEER—AND RECEIVE A WILL-SERVE FROM CITY COUNCIL. SHOULD THE PROJECT BE CONSTRUCTED IN PHASES, THESE REQUIREMENTS MAY BE CALCULATED ON A PER-PHASE BASIS. THIS REQUIREMENT IS SUBJECT TO APPROVAL OF THE ADMINISTRATOR, THE CITY ENGINEER, AND THE PUBLIC WORKS DIRECTOR.

17. WATER AND SEWER SYSTEM MODELING:

PRIOR TO SUBMITTAL OF A BUILDING PERMIT, THE DEVELOPER SHALL COMPLETE WATER AND SEWER MODELING AND CONSTRUCT ANY IMPROVEMENTS IDENTIFIED AS NECESSARY TO SERVE THE PROJECT IN ACCORDANCE WITH STATE AND LOCAL REGULATIONS. THIS REQUIREMENT IS SUBJECT TO APPROVAL OF THE CITY ENGINEER AND PUBLIC WORKS DIRECTOR.

COMPLETION OF WATER AND SEWER SYSTEM MODELING FULFILLS THE REQUIREMENT OF A FINAL SANITARY WASTE ANALYSIS AS REQUIRED BY FMC §32, APPENDIX A-4, ITEM 62.

18. WATER SYSTEM LOOPING:

PRIOR TO SUBMITTAL OF A BUILDING PERMIT, THE DEVELOPER SHALL PROVIDE THE CITY WITH A UTILITY PLAN FOR THE WATER SYSTEM THAT DEMONSTRATES ADEQUATE SYSTEM LOOPING. THE PLAN SHALL BE IN CONFORMANCE WITH THE CITY OF FERNLEY'S MUNICIPAL CODE, NEVADA ADMINISTRATIVE CODE, AND PUBLIC WORKS DESIGN MANUAL. THIS REQUIREMENT IS SUBJECT TO THE APPROVAL OF THE CITY ENGINEER AND PUBLIC WORKS DIRECTOR.

A PUBLIC WATER MAIN EXTENSION ONTO PRIVATE PROPERTY WILL NOT BE PERMITTED. SERVICES SHALL BE TAPPED FROM THE 18-INCH WATER MAIN WITHIN FARM DISTRICT ROAD. THE METER SERVICES SHALL BE LOCATED OUTSIDE OF NDOT RIGHT-OF-WAY WITHIN A PUBLIC UTILITY EASEMENT.

OWNERSHIP AND DESIGN OF SEWER SYSTEM

19. SANITARY SEWER SYSTEM:

ALL ONSITE SEWER MAINS MUST BE PRIVATELY OWNED AND MAINTAINED BY A COMMERCIAL OWNERS' ASSOCIATION OR SIMILAR MECHANISM FOR SHARED MAINTENANCE. THE DEVELOPER SHALL INSTALL A SANITARY SEWER MANHOLE WITHIN FIVE FEET OF THE NDOT RIGHT-OF-WAY. THIS MANHOLE WILL DELINEATE BETWEEN THE PUBLIC AND PRIVATE SEWER SYSTEMS. THIS REQUIREMENT IS SUBJECT TO THE APPROVAL OF THE ADMINISTRATOR, CITY ENGINEER, AND PUBLIC WORKS DIRECTOR.

REGULATORY AGENCIES

20. NORTH LYON COUNTY FIRE PROTECTION DISTRICT:

THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS OF THE MOST RECENT FIRE CODE ADOPTED BY THE NORTH LYON COUNTY FIRE PROTECTION DISTRICT, TO THE APPROVAL OF THE FIRE CHIEF, FIRE MARSHAL, OR DESIGNEE.

21. FEDERAL, STATE, AND LOCAL AGENCIES:

THE DEVELOPER SHALL COMPLY WITH ALL REQUIREMENTS OF ANY FEDERAL, STATE, LOCAL AGENCY, DEPARTMENT, OR LICENSED PROFESSIONAL WITH JURISDICTION OVER THE PROJECT INCLUDING, BUT NOT LIMITED TO: BUREAU OF RECLAMATION (BOR), NEVADA DEPARTMENT OF TRANSPORTATION (NDOT), NEVADA DIVISION OF ENVIRONMENTAL PROTECTION (NDEP), NEVADA DIVISION OF WATER RESOURCES (NDWR), NEVADA BUREAU OF WATER POLLUTION CONTROL, NEVADA BUREAU OF SAFE DRINKING WATER, NEVADA PUBLIC UTILITIES COMMISSION (PUCN), NEVADA STATE ENVIRONMENTAL COMMISSION, TRUCKEE CARSON IRRIGATION DISTRICT (TCID), THE FERNLEY POSTMASTER, THE CITY OF FERNLEY BUILDING OFFICIAL, THE CITY OF FERNLEY ENGINEER, CITY OF FERNLEY PLANNING DEPARTMENT, CITY OF FERNLEY PUBLIC WORKS DEPARTMENT, AND THE CITY OF FERNLEY PROFESSIONAL LAND SURVEYOR.



CITY OF FERNLEY

Planning Commission AGENDA REPORT

Meeting Date: June 12, 2024

REPORT TO: Fernley Planning Commission

REPORT FROM: Michele Rambo, Planning Director

FINANCIAL IMPACT:

Yes: No: X

CURRENTLY BUDGETED:

Yes: No: X

FUND/ACCOUNT:

N/A

ACTION REQUESTED:

AGENDA ITEM:

A workshop to review and discuss revisions to Chapter 32.01 (General Provisions) and Chapter 32.02 (Definitions and Interpretations) of the City of Fernley Development Code and other matters related thereto.

AGENDA ITEM BRIEF:

The City of Fernley Planning Department is updating Title 32 of the Municipal Code, also known as the Development Code, to: 1) modernize it to better reflect current trends and technologies; 2) codify and streamline the development process; and 3) make general content and grammar corrections. Staff has completed an initial review of Chapter 32.01 (General Provisions) and Chapter 32.02 (Definitions and Interpretations) and has recommended many changes. Staff is now asking the Planning Commission and the public to review these changes and provide comments regarding other changes they would like to incorporate into the new Development Code.

RECOMMENDED MOTION:

N/A

BUSINESS IMPACT (per NRS Chapter 237):

A Business Impact Statement is not required because this is not a rule (term excludes vehicles by which legislative powers are exercised under NRS Chapters 271, 278, 278A, or 278B).

See attached report for background, analysis, alternatives.

ALTERNATIVES:

N/A

BACKGROUND:

The Development Code was last updated in 2020. While that was fairly recent, the existing Development Code poses some challenges for both staff and developers. These challenges include inconsistencies between sections, vague requirements that are hard to interpret and enforce, and a general lack of appropriate regulations for a growing community.

During the update process, Staff wants to get input from the Planning Commission, City Council, and the public to ensure that the updated Development Code works for as many people as possible. The Planning Department's goal is to create a Development Code that encourages development, while maintaining the character and community that residents have come to enjoy.

For the purposes of this workshop, Staff is requesting that Planning Commission review the proposed changes, provide their opinions, and/or make suggestions for further changes. To make reviewing the proposed changes easier, the following table provides a summary of the changes for each chapter and section.

Proposed Changes to Chapter 32.01 (General Provisions)

Current Section #	New Section #	Summary of Changes
32.01.010	32.01.010	Updated purpose statement
32.01.020	32.01.020	Minor grammatical changes
	32.01.030	Added section to define the effective date of the Code
	32.01.040	Added section to explain authority for Code under NRS
32.01.030	32.01.050	Minor grammatical changes; moved one subsection for better fit
32.01.040	32.01.060	Minor grammatical changes; specified need for Master Plan conformity when taking action on regulatory decisions
32.01.050	32.01.070	Simplified language
32.01.060	32.01.080	Simplified language
32.01.070	32.01.090	Removed old language and referred to NRS
32.01.080	32.01.100	Removed old language and replaced with that in current Chapter 32.05 (Violations, Enforcement, and Penalties)
32.01.090	32.01.110	Minor grammatical changes; revised for compatibility with latest fee schedule
32.01.100	32.01.120	Minor grammatical changes; removed repetitive language
	32.01.130	Added section to discuss conflicting provisions
	32.01.140	Added section to discuss the Code's relationship to other laws

Proposed Changes to Chapter 32.02 (Definitions and Interpretations)

Current Section #	New Section #	Summary of Changes
	32.02.010	Added section to discuss meanings and intent
32.02.010	32.02.020	Minor grammatical changes; redefined "Administrator"
32.02.020	32.02.030	Minor grammatical changes; added clarifying information
32.02.030	32.02.040	Minor grammatical changes; added/deleted definitions; simplified definitions; minor formatting changes*
32.02.040	32.02.050	Updated abbreviations
32.02.050	32.02.060	Minor grammatical changes
32.02.060	32.02.070	Minor grammatical changes
	32.02.080	Added section to define discretionary terms (shall vs. may)
	32.02.090	Added section to define conjunctions (and vs. or)

32.02.070	32.02.100	Minor grammatical changes
	32.02.110	Added section to discuss the interpretation of technical and non-technical terms
	32.02.120	Added section to discuss the interpretation of tenses, plurals, and gender
32.02.080	32.02.130	Minor grammatical changes
32.02.090	32.02.140	Minor grammatical changes
32.02.100		Moved to 32.01
32.02.110		Moved to 32.01

*Discussed in more detail below.

Significant changes are proposed for two (2) groups of definitions in Chapter 32.02: adult business and marijuana. The current definitions for these two groups are very outdated and unnecessarily explicit in some places. For example, the current Development Code only acknowledges medical marijuana and references a section of NRS that does not exist anymore. The proposed changes to this category of definitions include the addition of recreational marijuana and references to current NRS regulations. The other category of adult business is also out of date and includes a lot of unnecessarily explicit language. Therefore, definitions in this area have been updated and the inappropriate terms removed.

The definitions in Chapter 32.02 will continue to morph as we move forward with other chapters of the Development Code. The Planning Commission will have another chance to review any significant changes/additions/deletions that may occur.

RELEVANT LAWS, STATUTES, AND REGULATIONS:

City of Fernley Municipal Code Title 32 (Development Code)

FINANCIAL IMPLICATIONS:

None

ATTACHMENTS:

1. 32.01 - General Provisions Redlined
2. 32.02 Definitions and Interpretations Redlined

CHAPTER 32.01. - GENERAL PROVISIONS

Sec. 32.01.010. - Purpose-

~~This title regulates and restricts the use and improvement of land and controls the location, soundness, and use of structures, to~~ The purpose of this Chapter is to promote the public health, safety, and welfare by providing appropriate and reasonable controls for the development and use of lands within the City of Fernley, while also protecting the rights of property owners. This Chapter is also intended 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 ensure 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.~~
- Implement the policies, goals, and strategies adopted by the City of Fernley, including those in the Comprehensive Master Plan and other adopted plans and documents;
- Regulate and control the division of land to encourage convenient, compatible, and efficient relationships among land uses;
- Promote economic development and the improvement of property;
- Promote, preserve, and protect the environmental quality and encourage the wise use of natural resources;
- Conserve and enhance established residential neighborhoods through appropriately scaled infill development;
- Encourage innovative and quality residential development and a greater variety of type, design, and layout of dwellings;
- Protect life and property in areas subject to floods, landslides, and other natural disasters;
- Facilitate adequate provision of transportation, water, wastewater, parks, trails, stormwater management, and other public needs;
- Encourage a well-rounded set of City amenities for all age groups and income levels (parks, entertainment venues, activity centers, etc.); and
- Promote fair procedures that are efficient and effective in terms of time and expense and that appropriate process is followed in the review and approval of applications made under this Chapter.

~~(Ord. No. 2020-005, § 1(Exh. A), 3-4-2020.)~~

Sec. 32.01.020. - Title-

This ~~title~~ Chapter is known and cited as the "City of Fernley Development Code," hereinafter "~~development~~ Development Code." The City of Fernley shall be known and may be cited in all proceedings as "~~city~~ City."

~~(Ord. No. 2020-005, § 1(Exh. A), 3-4-2020.)~~

Sec. 32.01.030. – Effective Date

This Code shall take effect and be in force from and after the date of adoption.

Sec. 32.01.040. – Authority

This Code is enacted pursuant to the powers granted and limitations imposed by laws of the State of Nevada, including the statutory authority granted in Nevada Revised Statutes (NRS) Chapter 278, and all other relevant laws of the State of Nevada. Whenever any provision of this Code refers to or cites a section of the NRS and that section is later amended or superseded, this Code shall be deemed amended to refer to the amended section or the section that most closely corresponds to the superseded section.

Sec. 32.01.0350. - Applicability and ~~jurisdiction~~Jurisdiction-

(a) ~~(a)~~ General applicability.

(1) The provisions of this ~~code~~Code shall apply to all land, buildings, structures, and uses of land, buildings, and structures located within the City of Fernley, unless an exemption is provided by the terms of this ~~code~~Code. The provisions of this ~~code~~Code are the minimum requirements adopted for the promotion of the public health, safety, and welfare.

(2) ~~To the extent allowed by law, the provisions of this ~~code~~Code shall apply to all land, buildings, structures, and uses owned by government agencies. Where the provisions of this ~~code~~Code do not legally control such land, buildings, structures, and uses owned by government agencies, such agencies are encouraged to meet the provisions of this ~~code~~Code.~~

(b) Compliance required.

- (1) No building or structure shall be erected, converted, enlarged, reconstructed, or altered for use, nor shall any land, building, or structure be used or changed, except in accordance with all of the applicable regulations established by this ~~code~~Code.
- (2) No lot of record that did not exist on the effective date of this ~~code~~Code shall be created, by subdivision or otherwise, that does not conform to the applicable requirements of this ~~code~~Code.
- (3) No permit or approval may be issued under this ~~code~~Code unless all structures and uses of land and structures to be authorized by the permit or approval conform to this ~~code~~Code, regulations promulgated under this ~~code~~Code, and the terms and conditions of other applicable permits and approvals issued under this ~~code~~Code. A permit or approval issued in violation of this ~~code~~Code is void.

~~(c) Application to governmental agencies. To the extent allowed by law, the provisions of this code shall apply to all land, buildings, structures, and uses owned by government agencies. Where the provisions of this code do not legally control such land, buildings, structures, and uses owned by government agencies, such agencies are encouraged to meet the provisions of this code.~~

~~(Ord. No. 2020-005, § 1(Exh. A), 3-4-2020)~~

Sec. 32.01.0460. - Consistency with plans-

(a) This ~~development~~Development ~~code~~Code is intended to implement the goals and policies of the City of Fernley Comprehensive Master Plan and is ~~declared to conform~~hereby deemed to be consistent with ~~to the master~~Master plan-Plan of the city pursuant to the provisions of NRS ~~ch~~Ch. 278. Per NRS 278.200 the ~~master~~Master plan-Plan shall be a map, together with such charts, drawings, diagrams, schedules, reports, ordinances, or other printed or published material, or any one or a combination of any of the foregoing as may be considered essential to the purposes of NRS 278.010 to 278.630, inclusive.

Formatted: Indent: Left: 0", Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.75"

Formatted: Indent: Left: 1"

(b) No regulatory decision by an appointed or elected official or any city employee shall be made with respect to any zoning action or use of property that is not in substantial compliance with the Master Plan as officially adopted or amended.
(~~Ord. No. 2020-005, § 1(Exh. A), 3-4-2020~~)

Formatted: Indent: Hanging: 0.5", Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

Sec. 32.01.0570. - Saving provision-

~~The provisions of this development code shall not be construed as abating any action now pending under, or by virtue of, prior existing land development regulations, or as discontinuing, abating, modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, firm, or corporation, or as waiving any right of the city under any chapter or provision existing at the time of adoption of these regulations, or as vacating or annulling any rights obtained by any person, firm, or corporation, by lawful action of the city except as shall be expressly provided for in these regulations. Should any chapter, article, section, clause, or provision of this Chapter be declared by a court of competent jurisdiction to be unconstitutional or invalid, the decision shall not affect the validity of the Chapter as a whole or any part thereof other than the part declared to be unconstitutional or invalid.~~
(~~Ord. No. 2020-005, § 1(Exh. A), 3-4-2020~~)

Sec. 32.01.0680. - ~~Effect of this title on approved development permits, development permits currently being processed, and new applications for development permits~~Transitional Provisions:

(a) Approved development.

- (1) Development for which an application for conditional use permit, variance, tentative parcel map, final parcel map, tentative subdivision map, final subdivision map, tentative land division map or final land division map has been finally approved and which approval remains valid on the effective date of this title shall remain valid unless such approval expires by the terms of the approval or in accordance with this title. Development which has been granted approval may be built in accordance with the development standards in effect at the time of approval, provided that the approval is valid at the time building permits are issued and that the approval is subject to any time limits imposed pursuant to this title; further provided that any subsequent applications for a development permit required by this title prior to issuance of and including a building permit and certificate of occupancy shall be processed in accordance with the procedures established by this title for the processing of such development permit. This Code shall not affect the validity of any lawfully issued and effective development permits issued prior to the effective date of this Title, if construction was commenced prior to the effective date of this Code and if the construction continued uninterrupted until complete. If any such permit expires prior to completion, all future development shall be in conformance with the requirements of this Code.
- (2) No provision of this title shall require any change in the plans, permit expiration, construction or designated use of any structure for which a building permit has been issued prior to the effective date of this title or any subsequent amendment. Unless otherwise provided in the initial approval, any proposed amendment to a permit or other form of approval issued under prior regulations shall be reviewed based on the development standards in effect at the time of submission of a complete application for the amendment.
- (3) Any reapplication for an expired development permit must meet the standards in effect at the time of reapplication. Unless otherwise provided in the initial approval, any conditions of approval applied to a discretionary approval under the regulations in effect prior to the effective date of this Code shall continue to apply. The Administrator shall have discretion to sunset any conditions of approval applied under the regulations in effect prior to the

effective date of this Code upon demonstration that the site is in conformance with the current applicable code standards.

- (b) **Projects in process.** Development for which an application for a development permit has been accepted as complete, but which has not been granted final approval by the appropriate designated official prior to the effective date of this title, shall be subject to the land use regulations, standards for approval, and other requirements in effect at the time the application was deemed complete; provided that any subsequent application for a development permit required by this title prior to issuance of and including a building permit and certificate of occupancy shall be processed in accordance with the procedures established by this title for the processing of such development permit. If approved, the development may be built in accordance with the development standards in effect at the time of application, provided that any design review filed subsequent to the issuance of a conditional use permit or reapplication for an expired permit must meet the standards for approval in effect at the time of application. This provision shall not apply to any application for a master plan amendment or zoning map amendment.
- (1) For a period not to exceed twelve months from the effective date of this Code, a development application that has been determined to be complete may be decided under the regulations in effect prior to the adoption of this Code, or may be reviewed and decided under this Code at the request of the applicant. Applications shall not be processed under a combination of prior regulations and this Code.
- (2) This Section does not apply to any application for a Master Plan Amendment or Zoning Map Amendment. These applications will be approved under this Code regardless of when they were submitted.
- (c) **New applications.** If no application for a development permit has been accepted as complete and the development has received no more than approval of a master plan map amendment or a zoning map amendment prior to the effective date of this title, pending and subsequent applications for development approval shall be subject to all requirements, standards and procedures set forth in this title. All new application submittals received after the effective date of this Code shall be subject to this Code.

(Ord. No. 2020-005, § 1 (Exh. A), 3-4-2020)

Sec. 32.01.0790. - Right to farm.

~~(a) Purpose.~~

- ~~(1) The right to farm all land is recognized to exist as a natural right and is also ordained to exist as a permitted use everywhere in the city except where expressly prohibited under this title, subject only to state health and sanitary codes.~~
- ~~(2) It is the declared policy of the City of Fernley to conserve and protect agricultural land, agricultural irrigation water rights and agricultural operations, and to encourage sustainable agricultural operations within the city. It is the purpose and intent of this section to reduce the loss to the city of its viable agricultural land by limiting circumstances under which agricultural operations may be considered a nuisance, consistent with NRS 40.140.~~

~~(b) Intent.~~

- ~~(1) This section defines and limits cases in which agricultural operations may be perceived a nuisance. It includes a disclosure notice to prospective property buyers, notifying them that if the property they are purchasing is adjacent to agricultural land, they may be subjected to certain inconveniences associated with normal agricultural operations and that special setbacks may be required on the property.~~
- ~~(2) The right to farm includes, but is not limited to, the right to engage in all of the "agricultural operations" defined in this section. This right to farm shall also include the right to use land for agricultural production and grazing by animals, in addition to~~

Formatted: Indent: Left: 0.5"

agricultural products processing, transportation, sales, and distribution. The foregoing uses and activities included in the right to farm, when necessary for the particular farming, livestock, fowl or crop production, and when conducted in accordance with generally accepted agricultural practices, may occur on holidays, Saturdays, Sundays and weekdays, 24 hours a day, and the traffic, noise, odors, dust, fumes and other disturbances that are caused by such activities are also specifically permitted as part of the exercise of this right.

(c) ~~Nuisance.~~

- (1) ~~No present or future agricultural operation or any of its appurtenances conducted or maintained for commercial purposes and in a manner consistent with proper and accepted customs and standards of the agricultural industry on agricultural land or commercial land shall be deemed a nuisance, due to any changed condition of the use of adjacent land and water rights appropriated for that land in or about the locality thereof; provided, that the provisions of this section shall not apply whenever a nuisance results from the negligent or improper operation of any such agricultural operation and its appurtenances or if the agricultural activity or appurtenances obstruct the free passage or use in the customary manner of any navigable lake, stream, river, canal or basin or any public park, square, street or highway. Consistent with NRS 40.140(2), it is presumed that an agricultural activity which does not violate a federal, state or local law, ordinance or regulation constitutes good agricultural practice consistent with proper and accepted customs and standards of the agricultural industry.~~
- (2) ~~It is expressly found that whatever nuisance may be caused to others by such uses and activities so conducted is more than offset by the economic and social benefits from farming to the local and state economy, community aesthetics, and to society in general; by the preservation of open space, the beauty of the countryside and clean air, the provision for continual local economic growth and by the preservation and continuance of farming operations in this city and the state as a source of agricultural products for this and future generations.~~
- (3) ~~As a condition of approval of any subdivision or parcel map of any land in the City of Fernley, the owners or developers of such land and their heirs, assigns and successors, shall agree to provide notice to any and all subsequent purchasers of the provisions of NRS 40.140 and this chapter. Such notice shall include a signed acknowledgment on all land development maps.~~
- (4) ~~If a landowner or resident believes that an agricultural operation is not being conducted or maintained in a manner consistent with proper or accepted customs and standards of the agricultural industry, the landowner or resident may submit a complaint to the administrator.~~

(d) ~~Disclosure statement.~~

- (1) ~~Every seller of any real property in the City of Fernley, either directly or through his/her authorized agent shall provide to any prospective buyer a written disclosure statement advising the buyer of the existence of a right to farm ordinance enacted by the City of Fernley. Such disclosure statement shall contain or be accompanied by a copy of the ordinance codified herein or successor, and statement that intensive agricultural operations may be conducted on agricultural and other land within the city. The disclosure statement shall be substantially in the form promulgated by the board, or their designee. The written disclosure statement shall include any agricultural setback requirements and water rights use restrictions applicable to the property. The buyer shall sign a copy of the written disclosure statement acknowledging receipt of the disclosure and accompanying documents and deliver the signed copy to the seller or his/her authorized agent. The seller or his/her authorized agent shall retain the copy of the disclosure statement executed by buyer in the escrow process.~~

(2) — The disclosure statement shall contain substantially the following language:
The City of Fernley has determined that the highest and best use for agricultural land as defined below is to develop or preserve said lands for the purposes of agricultural operations and it will not consider the inconveniences or discomforts arising from or related to agricultural operations to be a perceived nuisance if such operations are legal, consistent with accepted customs and standards and operated in a non-negligent manner.

If property you own or may purchase in the future is located adjacent, near, or close to agricultural lands or within agricultural lands, including agriculture land easements, irrigation ditch easements, drain ditch easements, or agricultural products processing facilities, you may be subject to inconveniences or discomfort arising from agricultural operations. These may include but are not limited to the spraying, cleaning, and maintenance of irrigation water delivery systems as well as traffic, noise, odors, dust, chemicals, smoke, insects, operation of machinery (during any 24-hour period), aircraft operation, and storage and disposal of agriculture by-products, including manure. One or more of the inconveniences described above may occur even in the case of an agricultural operation, which is in conformance with existing laws and regulations and locally accepted customs and standards. If you live near an agricultural production area and/or agriculture products facility, you should be prepared to accept such inconveniences or discomfort as a normal and necessary aspect of living in a city with a strong rural character and a healthy agricultural sector. You are prohibited from interfering with or in any way obstructing agricultural operations, including, for example, tampering with irrigation delivery facilities, obstructing irrigation ditches, and obstructing agricultural land easements.

For purposes of this notification:

Land surrounding your property may or may not be presently zoned or designated on the General Plan for primary or substantial agricultural use, the land contains an existing agricultural operation of a type that would be obvious to an uninformed observer after a physical inspection of the property, and that operation began at a time when such use was permissible.

Agricultural operation means all activities relating to agricultural production and use, and shall include, but not be limited to, the cultivation and tillage of the soil, lawful use of appropriated water rights for agricultural irrigation purposes, including groundwater, as well as any agriculture irrigation water delivery system maintenance and improvements, the burning of agricultural waste, weeds and other debris or other agricultural burning, including ditches and fields, lawful use of housing and transportation of labor for the purpose of crop production, lawful use of temporary and permanent facilities for the health, safety and welfare of agricultural workers, protection of crops and livestock from pests (i.e., insects, diseases, weeds, predators) damaging or which could potentially damage crops or livestock, the proper and lawful use of agricultural inputs and chemicals, whether organic or conventional, including but not limited to the ground and aerial (i.e., via aircraft) application of crop protection products and fertilizers, fumigation, or the raising, production, irrigation, pruning, harvesting, or processing of any living organism, organically or conventionally, having value as an agricultural commodity or product, and any commercial practices performed incident to or in conjunction with such operations where the agricultural product is being produced, including preparation for market, delivery to storage, processing and packaging, and distribution to market, or to carriers for transportation to market or processing of an agricultural commodity, and those buildings

~~or related facilities (no matter their zoning) that process, store, package and distribute agriculture products.~~

~~The City of Fernley recognizes the Right to Farm provisions outlined in NRS 40.140.~~

~~(Ord. No. 2020-005, § 1(Exh. A), 3-4-2020.)~~

Sec. 32.01. ~~10980.~~ - Enforcement authority-

(a) General

~~(1) It is the duty of the zoning administratorCity, to enforce all of the provisions of this title.~~

~~(2) It is unlawful for any person to interfere with City employees in the performance of their duties.~~

~~(3) Enforcement of the provisions of this Code shall be pursued in order to provide for its effective administration, to ensure compliance with any condition of development approval, to promote the City's planning efforts, and to protect the public health, safety, and general welfare.~~

~~(4) In order to prevent a public health or safety hazard (as defined by NAC 444), nuisance (as defined by NRS 40.140) or to require an operation to cease due to a public health or safety hazard or nuisance, the city has the authority to appoint a representative with expertise in the area of violations and determine if a public health or safety hazard or nuisance exists. If the representative determines that such a violation exists, the cost of the city representative and the investigation shall be paid by the property owner.~~

~~(5) The City shall have the authority and powers necessary to determine whether an administrative violation of this Code exists and shall have the authority to take appropriate action to gain compliance with the provisions of this Code. These powers include all power and authority to issue notices of violation, administrative citations, notices and orders, the power to inspect public and private property, and use the administrative remedies available under this Code.~~

(b) ~~It is unlawful for any person to interfere with the zoning administrator in the performance of their duties.~~ Violations

~~(1) Any person who erects, constructs, reconstructs, alters, repairs, converts, or maintains any building, structure, or sign, or part thereof, in violation of the Code, and any person who uses any building, structure, or land in violation of this Title, shall be subject to penalties and enforcement action in accordance with this Chapter.~~

~~(2) Violations can include, but are not limited to, the following activities:~~

~~a. Erect, construct, remodel, alter, maintain, expand, move, or use any land, building, structure, or sign or engage in development or subdivision of any land contrary to the regulations and procedures of this Code.~~

~~b. Excavate, grade, cut, clear, or undertake any other land disturbance activity contrary to the provisions of this Code or without first obtaining all requisite land use approvals or permits required by the Code or other applicable regulations.~~

~~c. Create, expand, replace, or change a nonconforming use, lot, sign, or site improvement except in compliance with this Code.~~

~~d. Reduce or diminish the lot area, setbacks, or open space below the minimums required by this Code.~~

~~e. Increase the intensity of use of any land or structure, except according to the standards of this Code.~~

~~f. Engage in any development, use, construction, remodeling, or any other activity of any nature in any way inconsistent with the terms and conditions of any permit, approval, agreement, or other form of authorized required under this Code to engage in such activity.~~

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Indent: Left: 0.5"

g. Fail to comply with any terms, conditions, or limitations placed by the deciding body upon any final development plan, subdivision plat, site plan, permit, or other form of authorization.

h. Failure to remove any sign installed, created, erected, or maintained in violation of this Code, or for which the sign permit has lapsed.

Formatted: Indent: Left: 1"

- (c) In order to prevent a public health or safety hazard (as defined by NAC 444), nuisance (as defined by NRS 40.140) or to require an operation to cease due to a public health or safety hazard or nuisance, the city has the authority to appoint a representative with expertise in the area of violations and determine if a public health or safety hazard or nuisance exists. If the city representative is able to verify that such a public health or safety or nuisance exists, then the city may deny or revoke a permit and formally declare a violation of this title and require the operation to rectify or cease such activities until it can be determined that a public health or safety hazard or nuisance will not occur as a result of said activities. If the representative determines that such a violation exists, the cost of the city representative and the investigation shall be paid by the property owner.

Remedies and Penalties
(1) Unless otherwise addressed in a specific provision of this Code, the City may deny, withhold, or revoke any permit, approval, or other authorization granted under this Code, as applicable for any of the following reasons:

- a. Inability to make applicable findings required by this Code;
b. Developing, establishing, or conducting a use of land contrary to the conditions of the permit or in violation of any law or ordinance;
c. Developing or conducting a use of land in such a manner as to create a public nuisance or constitute a danger to the public health, safety, or welfare; or
d. Fraud, misrepresentations, or false statements in the permit or development application.

(2) Stop-Work Orders

- a. The City may issue a stop-work order whenever any building, structure, site, or portion of a building, structure, or site is being demolished, constructed, reconstructed, altered, or repaired, in substantial violation of this Code.
b. The City may issue a stop-work order on any property with an uncorrected violation of this Code or approval issued under this Code.
c. A stop-work order shall be in writing and directed to the person doing the work and shall specify the provision of this Code or the project approval requirement being violated.
d. If a stop-work order is issued, no work shall proceed on any building, structure, site or portion of a building, structure, or site subject to the order except to correct the violation or to comply with the order.
e. Once conditions cited in the stop-work order have been adequately addressed, the City shall rescind the stop-work order.
f. Failure to comply with a stop-work order or correct the violation may result in further enforcement action by the City Attorney's office.

Formatted: Indent: Left: 1", Hanging: 0.5"

(Ord. No. 2020-005, § 1(Exh. A), 3-4-2020)

Formatted: Indent: Left: 1"

Sec. 32.01. ~~110090~~ - Fees-

The ~~city~~ City Council shall establish a schedule of fees for processing of all development and land division applications under this ~~development~~ Development code ~~code~~ by resolution. All such resolutions are incorporated by reference into this ~~development~~ Development code ~~code~~ as though fully set forth.

Except as otherwise established by formal policy adopted by the ~~city~~ City Council, every application for a development permit under this ~~development~~ Development code ~~code~~ shall be accompanied by a fee

as set by resolution of the ~~city~~ City council ~~Council~~. Fees are not required with applications submitted by ~~the city council, planning commission, Lyon County school district, or city agencies or staff~~ other governmental agencies or registered non-profit organizations. Any fees required by this ~~development~~ Development code Code shall be collected and are due at the time of application submittal. ~~Refund of fees may be made less the staff and administrative costs incurred to date by the city. No refund shall be made where the development permit has been noticed for hearing.~~
~~(Ord. No. 2020-005, § 1(Exh. A), 3-4-2020.)~~

Commented [MR1]: New refund policy attached to fee schedule just approved by Council on 4/17.

Sec. 32.01.100 ~~20~~. - Payment of ~~taxes~~ Taxes required.

No application shall be considered complete and move forward through the review process until the property taxes have been paid through the entire, current fiscal year and proof of property tax payment from the county treasurer is provided with the application. ~~This provision shall apply, but not be limited to, all applications for change of land, master plan amendments, conditional use permits, variances, reversions to acreage, parcel maps, divisions into large parcels, tentative maps, and final maps.~~
~~(Ord. No. 2020-005, § 1(Exh. A), 3-4-2020.)~~

Sec. 32.01.130. – Conflicting Provisions

- (a) ~~If the provisions of this Code are inconsistent with those of the state or federal governments, the more restrictive provision will control, to the extent permitted by law.~~
- (b) ~~If the provisions of this Code are inconsistent with one another, or if they conflict with provisions found in other adopted codes, ordinances, or regulations of the City of Fernley, the more restrictive provision will control unless otherwise expressly stated.~~
- (c) ~~It is not the intent of this Code to interfere with, abrogate, annul, or prevent the private enforcement of any easement, covenant, deed restriction, or other agreement between private parties. The provisions of this Code are in addition to, and not in lieu of, any restriction imposed by a private agreement, provided that when this Code mandates a greater restriction than those imposed or required by such easements, covenants, or agreements, this Code shall govern. The City is not responsible for monitoring or enforcing private agreements or restrictions.~~

Sec. 32.01.140. - 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.~~
- (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.~~

CHAPTER 32.02. - DEFINITIONS AND INTERPRETATIONS

Sec. 32.02.010. — Meanings and Intent

All provisions, terms, phrases, and expressions contained in this Title shall be construed according to the general purpose set forth in Chapter 32.01 (Purpose) and the specific purpose statements set forth throughout this Code. When, in a specific section of this Code, a different meaning is given for a term defined for general purposes in this Code, the specific section's meaning and application of the term shall control.

Sec. 32.02.020 — Agencies Review Authority.

- (a) Zoning ~~administrator~~ 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, mayor, or city manager. For purposes of administering and enforcing this Code, the City of Fernley Planning Director, or their authorized designee, is the designated administrative officer and referred to in this Code as "the Administrator."
- (b) Planning ~~commission~~ Commission. Refer to Fernley Municipal Code [Title 2](#), Chapter 9.
- (c) City ~~council~~ Council. Refer to NRS Chapter 266 and Fernley Municipal Code [Title 2](#), Chapter 8.
- ~~(Ord. No. 2020-005, § 1(Exh. A), 3-4-2020)~~

Sec. 32.02.020030. - Rules of ~~interpretation~~ Interpretation.

- (a) ~~(a)~~ In case of any difference of meaning or implication between the text of this Title and any heading, caption, figure, illustration, table, or map, the text shall control.
- (b) Unless otherwise specifically indicated, lists of items or examples that use terms such as "for example", "including", and "such as" or similar language are intended to provide examples and are not exhaustive lists of all possibilities.
- (c) Unless context requires otherwise, the words and terms defined in this title have the meaning ascribed to them in this ~~chapter~~ Chapter.
- ~~(b)(d)~~ All words and terms used in this ~~title~~ Code which are defined in the Planning Act (NRS Chapter 278) are used in this title as so defined.
- ~~(c)(e)~~ 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 ~~title~~ Title 8 of the Fernley Municipal Code, if they are defined in that ~~title~~ Title.
- ~~(d)(f)~~ The term "building," "structure," "area," "lot" or "parcel" includes all or part of the building, structure, area, lot, or parcel unless otherwise indicated.
- ~~(e)(g)~~ The phrase "up to" means a maximum of. For example, a subdivision that is allowed "up to five lots per acre" may not include more than five lots per acre.

~~(Ord. No. 2020-005, § 1(Exh. A), 3-4-2020)~~

Sec. 32.02.030040. - Definitions.

- (a) The words, terms and phrases used in this title are below.
- (1) Abandonment. As relates to rights-of-way and easement, "abandonment" means to abandon or vacate a public right-of-way or easement.
- (2) Abut, Abutting, or Adjoining. Boardering or touching, such as sharing a common lot or property line. Includes properties across a street, easement, or right-of-way.
- 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 percent or less of the wall elevation.

Formatted: Indent: Left: 0", Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.75"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

(3) ~~Access.~~ A way or means of approach to provide vehicular or pedestrian physical entry to a property.

Formatted: Font: Not Italic

(4) ~~Access (Emergency).~~ An access way designated or intended for use by authorized emergency vehicles.

Formatted: Font: Not Italic

(5) ~~Access (Primary).~~ The access way abutting a development that carries the most traffic volume.

(6) ~~Access (Secondary).~~ An access way abutting a development that is not a primary access.

(7) ~~Accessible Route.~~ A continuous, unobstructed path connecting all accessible elements and spaces of a building or facility, as required by the federal Americans with Disabilities Act of 1990 as amended.

(8) ~~Accessory building~~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.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(9) ~~Accessory Use.~~ A use of land that is incidental or subordinate in purpose to the principal use or uses, contributes to the operations of the principal use or uses, and is located on the same site as the principal use or uses.

Formatted: Indent: Left: 0.5", Hanging: 0.5"

~~Accessory commercial use (for multiple family residential zoning districts).~~ A commercial use intended to serve the residents of a multiple family residential complex and surrounding area and not draw from outside the immediate area surrounding the complex (i.e. child care facility).

Formatted: Font: Not Italic

(10) ~~Accessory dwelling~~Dwelling unitUnit. 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:

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(1)a. Attached to the principal dwelling with a separate entrance, or

Formatted: Indent: Left: 1"

(2)b. Located in a detached building on the same lot.

Formatted: Indent: First line: 0"

~~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 percent of the square footage of the primary use in the I district and no more than ten percent of the square footage of the primary use in every other zone district.

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

(11) ~~Accessory structure~~Structure. A structure that is subordinate in scale and function to the main structure or principal use. Examples include ~~accessory dwelling units,~~ 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.~~

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(12) ~~Accessory use~~Use. A use that:

Formatted: Font: Not Italic

(1)a. Is necessarily and customarily associated with the principal use;

Formatted: Font: Not Italic

(2)b. Is appropriate and incidental to the principal use;

(3)c. Is subordinate to the principal use in area, extent or purpose; and

Formatted: Indent: First line: 0.5"

(4)d. Contributes to the comfort, convenience or necessity of occupants, business or industry in the principal building or principal use served.

Formatted: Indent: First line: 0"

(13) ~~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. ~~Sharing a common property line or separated by a public street, private street, access easement, railroad corridor, or other right-of-way.~~

Formatted: Indent: Left: 1"

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

(14) ~~Administrative review~~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 (~~chapter 32.08~~Chapter, 32.08), and for outdoor storage (~~chapter 32.07~~Chapter, 32.07).

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(15) ~~Administrator~~. The "administrator" has the power and duty to enforce this title. The administrator includes ~~the Planning Director and~~ other officers and employees of the city who are delegated this duty by authority and direction of the city council, mayor, or city manager.

Formatted: Highlight

Formatted: Highlight

Formatted: Font: Not Italic

~~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.~~

Formatted: Font: Not Italic

~~Adult business. Includes any adult book store, adult drive in theater, adult hotel or motel, adult mini motion picture theater, adult motion picture theater, adult motion picture arcade, or cabaret. 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."~~

Formatted: Font: Not Italic

(16) ~~Adult day care~~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.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

~~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.~~

Formatted: Font: Not Italic

~~Adult hotel or motel. A hotel or motel which rents for less than ten 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."~~

Formatted: Font: Not Italic

~~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.~~

Formatted: Font: Not Italic

~~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 five 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."~~

Formatted: Font: Not Italic

~~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.~~

Formatted: Font: Not Italic

(17) ~~Adult Entertainment Facility~~. All theaters, bookstores, cabarets, model studios, out call business, video stores, or similar businesses which are established for the purpose of

offering its patrons services, goods, or entertainment characterized by an emphasis on matter depicting, describing, or relating to sexual activity.

(18) Adult Merchandise Retail Establishment. Any establishment that displays, sells, or rents books, merchandise, periodicals, video tapes, video discs, computer discs, instruments, devices, or paraphernalia which are distinguished or characterized by the emphases on matter depicting, describing, or relating to sexual activity. The merchandise must only be available for sale or rent for private use by customers off the premises of the business.

(19) Adult Performers. Live performances by adult persons which are characterized by either 1) partial or complete nudity, and/or 2) the simulation of sexual activity.

(20) Advertising sign~~Sign~~. Any advertisement making a material or service known and located at the place of sale.

(21) 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.

(22) Affordable Housing. Housing affordable for a family with a total gross income that does not exceed 80 percent of the median gross income for Lyon County based upon the estimates of the United States Department of Housing and Urban Development of the most current median gross family income for Lyon County.

(23) Agricultural operation~~Operation~~. All activities relating to agricultural production and use, and shall include, but not be limited to, the cultivation and tillage of the soil, lawful use of appropriated water rights for agricultural irrigation purposes, including groundwater, as well as any agriculture irrigation water delivery system maintenance and improvements, the burning of agricultural waste, weeds and other debris or other agricultural burning, including ditches and fields, lawful use of housing and transportation of labor for the purpose of crop production, lawful use of temporary and permanent facilities for the health, safety and welfare of agricultural workers, protection of crops and livestock from pests (i.e., insects, diseases, weeds, predators) damaging or which could potentially damage crops or livestock, the proper and lawful use of agricultural inputs and chemicals, whether organic or conventional, including but not limited to the ground and aerial (i.e., via aircraft) application of crop protection products and fertilizers, fumigation, or the raising, production, irrigation, pruning, harvesting, or processing of any living organism, organically or conventionally, having value as an agricultural commodity or product, and any commercial practices performed incident to or in conjunction with such operations where the agricultural product is being produced, including preparation for market, delivery to storage, processing and packaging, and distribution to market, or to carriers for transportation to market or processing of an agricultural commodity, and those buildings or related facilities (no matter their zoning) that process, store, package and distribute agriculture products. See "Farm"

(24) Alley. A public thoroughfare or access way that used primarily for vehicle access to the back side of a property, provides a secondary means of access to a lot or parcel, and running runs perpendicular to a street and to the rear or side of the lot or parcel.

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.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Indent Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

~~Alteration does not include routine maintenance or the attachment of temporary fixtures.~~

- (25) ~~Alter.~~ To make any change or rearrangement in the supporting members of an existing building such as bearing walls, columns, beams, girders, or interior partitions, as well as any change in doors, windows, means of ingress or egress, or any enlargement to or diminution of a building or structure, whether horizontally or vertically, or the moving of a building or structure from one location to another.

~~Alternative tower.~~ 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.

- (26) ~~AM Peak Hour.~~ The highest traffic volumes during four consecutive 15 minute periods usually between the hours of 7:00 AM and 9:00 AM.

- (27) ~~Ambient Noise Level.~~ The normal or existing level of environmental noise at a given location.

- (28) ~~Animal (Exotic).~~ Any species of wild or exotic animals not customarily confined or cultivated by humans for domestic or commercial purposes but kept as a pet or for display.

- (29) ~~Animal (Nondomesticated).~~ Nontraditional animal species bred and kept in captivity. This includes animals that provide therapeutic emotional support for individuals with disabilities.

- (30) ~~Animal services~~Services. 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 and/or outdoor.~~ Any animal service (including veterinary service or kennel) that has overnight boarding or outdoor confinement or exercise areas.

- (31) ~~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.

- (32) ~~Apartment.~~ A room, or suite of rooms, within an apartment house, which has facilities for the preparation of meals and is designed for and used or intended to be used by one family. The units are intended to be occupied on a rental basis with the duration of the rental to be no less than weekly.

- (29) ~~Apartment house~~House. See "multifamily-Multi-Family dwellingDwelling."

- (30) ~~Appeal.~~ A procedure by which a decision, interpretation, or enforcement action is brought from a lower decision-making body to a higher authority for determination.

- (31) ~~Applicant.~~ A person with a legal or equitable interest in land that is the subject of an application for land development brought pursuant to this Code.

- (32) ~~Application.~~ Any application for approval of a development or use filed under chapter Chapter 32.03 of this title.

- (33) ~~Approval.~~ Written notice by an authorized representative of the City of Fernley approving a development application.

- (34) ~~Arcade (Architectural).~~ An area contiguous to a street or plaza that is open and unobstructed, and that is accessible to the public at all times. Arcades may include

Formatted: Font: Not Italic

Formatted: Highlight

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Highlight

Formatted: Indent: Left: 0.5", Hanging: 0.5"

building columns, landscaping, statuary, and fountains. Arcades do not include off-street loading/unloading areas, driveways, or parking areas.

Archaeological site. An area where remains of man or his activities prior to keeping of history are still evident.

(35) Architectural Element. The architectural character and general composition of the exterior of a structure, including the kind and texture of the building material, and the type, design, and character of all windows, doors, landscape elements, light fixtures, signs, and appurtenant elements.

(36) Art Gallery. See "Library, Art Gallery, or Museum"

(37) Articulate. To give emphasis to or distinctly identify a particular element on a building.

(38) Asphalt or Concrete Batch Plant. A facility or area which is not temporary in nature for mixing concrete or asphalt.

(39) Assisted living/Living Facility. A residence that primarily serves the elderly and provides residential facility providing rooms, meals and may provide personal care and supervision of self-administered medication for more than six clients. These establishments do not have on-site nursing care facilities. They may provide other services, such as recreational activities, financial services and transportation.

(40) Auction house/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 1G 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.

(41) Auto Sales (Automobile, Truck, Mobile Home, RV, Boat, and/or Trailer). See "Vehicle or Equipment Sales and Rentals".

(42) Auto and Truck Service and Repair. A facility for the service or repair of any type of motorized vehicle. This can include mechanical repair, service facilities, collision services, painting of vehicles, emissions testing, tire sales and installation, window tinting, and the installation of parts and accessories.

Auto and truck repair use. Includes auto and truck repair (heavy) and auto and truck repair (light), as defined above.

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Highlight

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

(43) ~~Automated teller machine~~Machine, stand-alone Freestanding. An automated teller machine that is at a location separate from the controlling financial institution.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

~~Automobile parking area. A fully accessible space for the parking of an automobile.~~
(44) Average Daily Trips. The estimated daily trip generation for a particular land development.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(45) Awning. A shelter projecting from and supported by the exterior wall of a building constructed of non-rigid materials on a supporting framework. The awning area is a roofed structure constructed of fabric or other material placed so as to extend outward from a building providing a protective shield for doors, windows, and other openings.

Formatted: Indent: Left: 0.5", Hanging: 0.5"

~~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.~~

Formatted: Font: Not Italic

(46) ~~Bail bond~~Bond servicesServices. 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.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(47) Bakery. A facility which sells bakery related items. Items sold on site may be made at the facility. Catering is permitted.

(48) Ball Court. A facility to play court games such as tennis and basketball.

Formatted: Indent: Left: 0.5", Hanging: 0.5"

(49) Bank. See ~~"financial institution"~~Financial institution.

Formatted: Font: Not Italic

(50) ~~Bar/lounge~~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. This includes taverns, brewpubs, microbreweries, hookah lounges, or distilleries where food and drink are served on the premises in a secondary capacity.

Formatted: Indent: First line: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

(51) ~~Bed and breakfast~~Breakfast. An owner-occupied house, or part of a house, where no more than four rooms (for a total of eight guests) are provided for short term (one night to two weeks) lodging, and where breakfast-only meals are provided for compensation. ~~Overnight accommodations and a morning meal in a dwelling unit provided to tourists for compensation.~~

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(52) Berm. A mound of earth typically used to shield, screen, and buffer undesirable views and to separate potentially incompatible land uses.

(53) Best Management Practices (BMP). Urban stormwater management techniques designed to minimize the adverse impacts of development, incorporating strategies for regulating development, managing runoff, and creating policies the minimize the impact of stormwater from both new development and already developed areas on local waterways.

(54) Bicycle Facilities. A general term denoting improvements and provisions made by public agencies to accommodate or encourage bicycling, including parking facilities, bikeways, and shared roadways.

(55) Bicycle Lane. A portion of a roadway that has been designated by striping, signage, and pavement markings for the preferential or exclusive use of bicyclists.

(56) Bicycle Path. A bikeway physically separated from motorized vehicular traffic by an open space or barrier and either within the street right-of-way or within an independent right-of-way.

(57) Bicycle Route. A right-of-way usually shared with automobiles and designated with appropriate directional and information signs.

Formatted: Indent: Left: 0.5", Hanging: 0.5"

~~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.~~

Formatted: Font: Not Italic

(58) ~~Bikeway. Anh road, path, or way which in some manner is specifically designated as being open to bicycle travel, regardless of whether such facilities are designated for the exclusive use of bicycles or are to be shared with other transportation modes.~~

Formatted: Indent: Left: 0.5", Hanging: 0.5"

(59) ~~Billboard. An outdoor advertisement making material or service known, where the advertisement is remote from point of sale of the material or service. See "Sign (Off-Premises)"~~

Formatted: Font: Not Italic

(60) ~~Boarding/rooming-Rooming houseHouse. A building or part of a building where, for compensation, meals and/or lodging are provided for more than three-five guests, all sharing one kitchen facility. Examples include fraternities, sororities, or dorms. This use type does not include a hotel, motel, or multifamily building. A multifamily building includes separate dwelling units occupied by a single household, while a boarding house includes separate households sharing kitchen facilities.~~

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(61) ~~Boat. A vehicle for traveling in or on water.~~

Formatted: Font: Not Italic

(62) ~~Boundary Line Adjustment. A process where the boundaries of recorded lots are combined or relocated in accordance with the standards in NRS Chapter 278.~~

Formatted: Indent: Left: 0.5", Hanging: 0.5"

(63) ~~Brewery. An establishment which manufactures malt beverages but does not sell those malt beverages at retail, as set forth in NRS 369.180.~~

Formatted: Font: Not Italic

(64) ~~Broadcasting/Communication Service. A building or portion of a building used as a place for television or radio broadcasting and similar activities.~~

Formatted: Indent: Left: 0.5", Hanging: 0.5"

(65) ~~Buffer/Buffer zoneZone. 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.~~

Formatted: Font: Not Italic

Formatted: Font: Not Italic

~~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.~~

Commented [MR1]: Same as "Building Material Sales and Services"

Formatted: Font: Not Italic

(66) ~~Building. Any permanent structure built for the shelter or enclosure of persons, animals, chattels, or property of any kind which is permanently affixed to the land, has one or more floors and roof, and is bounded by either open space, yards, or the lot lines of a lot.~~

(67) ~~Building (Main, Principal, or Primary). A building or group of buildings devoted to the principal use of the lot on which it is situated.~~

(68) ~~Building Articulation. To divide a building wall into distinct and significant parts.~~

(69) ~~Building Coverage. See "Floor Area Ratio"~~

(70) ~~Building Envelope. The space within which a building may be constructed on a lot or parcel according the regulations of this Code, including regulations addressing building coverage, yards, setbacks, landscaped area, and open space.~~

(71) ~~Building Façade. The exterior wall of a building facing the street or parking lot including the parapet and wall area above canopies.~~

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

(72) ~~Building frontageFrontage. 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.~~

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(73) ~~Building ground-Ground floor-Floor areaArea. The area of the ground floor enclosed within the walls of all buildings on the site.~~

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

- (74) ~~Building maintenance~~ Maintenance services ~~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.
- (75) ~~Building mass~~ Mass. The three-dimensional bulk of a building height, width, and depth.
- (76) ~~Building material~~ Material sales ~~Sales~~ and ~~services~~ 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.
- (77) ~~Building scale~~ Scale. The size and proportion of a building relative to surrounding buildings and environs, adjacent streets, and pedestrians.
- (78) 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.
- (79) Business Frontage. The length of building frontage occupied by an individual building occupant. A business may have more than one frontage if it occupies building frontage facing on two or more streets or public areas.
- ~~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 six feet of any principal building.
- (80) 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. See "Adult Entertainment Facility"
- (81) Caliper. The diameter of a tree measured six inches above the ground.
- (82) Call center ~~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. A primary point of contact with customers via phone or internet for purposes of selling merchandise characterized by most employees processing orders via phone or internet.
- ~~Camping trailer~~. A folding structure usually made of canvas, mounted on wheels and designed for travel, recreation and vacation use.
- (83) Canopy (Building). A rigid multi-sided structure covered with fabric, metal, or other material and supported by a building at one or more points or extremities and may be supported by columns or posts embedded in the ground at other points or extremities.
- (84) Canopy (Freestanding). A rigid multi-sided structure covered with fabric, metal, or other material and supported by columns or posts embedded in the ground.
- (85) Car wash ~~Wash~~. Vehicle cleaning, washing, and testing. Use may include drive through facilities. It does not include the additional activities permitted in "auto repair shop." Washing, cleaning, and detailing of passenger vehicles, recreational vehicles, or other light-duty equipment.
- (86) Caretakers Quarters. An independent, self-contained dwelling unit located on the same lot as a principal multi-family dwelling or nonresidential use or structure and which provides residential accommodations for property manager or security personnel.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: First line: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

- (87) Carnival, Circus, Entertainment Event, or Amusement Ride. Uses such as amusement arcades and parks, automobile shows, horse/dog/pet shows, carnivals, exhibitions, art shows, fairs, theater events, and other similar temporary uses.
- (88) Carport. ~~An~~ A one-story accessory building having one or more open sides, used by occupants of a dwelling unit to park automobiles or recreational vehicles.
- (89) Carriage House. An accessory dwelling unit to a primary dwelling on the same site located above a garage.
- (90) Casino. A nonrestricted gaming operation where gaming is made available for play by the public. May or may not be associated with a hotel. See also "Gaming Establishment (Non-Restricted)".
- 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.
- (91) CC&Rs. Covenants, conditions, and restrictions. The portion of the governing documents of a common interest community that set forth the rights and obligations of the members of that community as well as of the community association.
- (92) Cemetery. A burial ground for the interment of the ~~human~~ dead. This includes any burial ground or mausoleum. Includes pet cemeteries.
- Central accessory building. A structure housing toilet, lavatory and such other facilities as required or permitted by ordinance.
- (93) Change in Use. Any principal use that differs from the previous principal use of a land or building. Any instance where the Administrator finds the new use differs substantially in the amount of required parking, traffic generation, number or frequency of customers/users, hours of operation, or other similar aspect of the use.
- (94) Character. Those attributes, qualities, and features that make up and distinguish a development project and give such project a sense of purpose, function, definition, and uniqueness.
- (95) ~~Child care facility~~ Facility. A "child care facility" as defined by NRS ch. Chapter 432A. Includes any place, home, institution, business, or establishment in which children are received, cared for, or maintained for any period of time. Does not include accessory, in-home childcare as defined in this Chapter.
- (96) ~~Child care, (in in-homeHome; 1-6 Children).~~ 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 Nevada Division of Public and Behavioral Health, Child Care Licensing Regulations for Child Care Facilities (staff to child ratio). A childcare center or facility in the permanent residence of the provider or accessory to a principal business for the purpose of providing day care for less than 24 hours. Provide care, protection, and supervision to no more than six (6) children at one time, including the children of the provider.
- (97) Child Care (In-Home; 7-12 Children). A childcare center or facility in the permanent residence of the provider or accessory to a principal business for the purpose of providing day care for less than 24 hours. Provide care, protection, and supervision to no more than twelve (12) children at one time, including the children of the provider.
- (98) Christmas Tree/Pumpkin Sales Lot. A lot used to temporarily sell holiday decorations such as Christmas trees, pumpkins, and other similar items.
- (99) Church or ~~worship~~ Worship centerCenter. A place of religious worship and instruction. Accessory uses requiring independent approval include (1) an associated private

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

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, 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. Any building used for religious worship services, religious education, fellowship activities, and programs of a religious organization. (Does not include any childcare center, general education classrooms and facilities, or commercial activities).

(100) Clearing. The removal of vegetation, topsoil or other surface materials from a site.

(101) Cluster Development. Moderate density attached or detached development that is designed to protect sensitive areas or allow for common open space.

(102) Co-generation Generation facility. A facility that produces heat or electricity using waste energy from a primary industrial use.

(103) Collection Station. A facility used for the collection and temporary storage of empty beverage containers, aluminum, glass, paper, or clothing for recycling purposes conducted totally within an enclosed structure or container.

(104) College. A post-secondary educational institution authorized to award associate, baccalaureate, or higher degrees, or a seminary.

(105) Collocation. The sharing of structures by two or more wireless service providers.

(106) Commercial Center. A group of two or more commercial sales and service establishments managed as a single entity. May include recreation, entertainment, and amusement uses as well as institutional, public, and community service uses.

(107) Commercial Kitchen. An establishment whose principal business is to prepare food on-site then transport and serve off-site. No consumption of food or beverage on the premises.

(108) Commercial Use, Business, or Establishment. An activity involving the sale of goods or services carried out for profit. Includes office, retail, services, lodging, and other similar development.

(109) Commercial Vehicle. Every vehicle designed, maintained, or used primarily for the transportation of property or passengers in furtherance of a commercial enterprise. Includes any vehicle over 10,000 gross pounds unloaded weight, but does not include any residential mobile home or motor home.

(110) Common open space. A parcel or parcels of land 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.

(111) Community care facilities. 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.

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

- (112) Community Center. A facility that provides for community activities.
- (113) Communications ~~facility~~Facility. Satellite, microwave, cellular telephone, or other radio transmission devices and equipment, excluding satellite dishes for individual use.
- (114) Compatible or Compatibility. The characteristics of different uses, activities, or design that allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include height, scale, mass, and bulk of structures. Other characteristics include pedestrian or vehicular traffic, circulation, access, parking impacts, lighting, noise, odor, and architecture.
- (115) Complete Streets. Streets designed and operated to enable safe use and support mobility for all users.
- (116) Completed Application/Completeness. An application that complies with the applicable policies and procedures the city has determined is complete.
- (117) Condominium. A building or group of buildings in which units are owned individually, but the structure, common areas, and facilities are owned by all owners on a proportional, undivided basis. See also NRS Chapters 116 and 117.
- (118) Congregate ~~housing~~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.
- (119) Conditional ~~use~~Use permitPermit. 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 (~~chapter 32.06~~Chapter 32.06).
- (120) Connectivity. The relative degree of connection between streets, sidewalks, or other means. In subdivision design, connectivity refers to the need to provide access points between neighborhoods by both vehicle and pedestrian traffic.
- (121) Construction. Any and all activity necessary for the grading, installation of improvements, erection or placement of structures, or assembly of equipment or materials to be used in any of those activities.
- (122) Construction Office. A temporary building used as an on-site construction office.
- ~~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.~~
- (123) Contractor ~~shop~~Shop. The offices and/or indoor storage facilities for a specialized trade related to construction.
- (124) Convenience ~~store~~Store. Establishments that ~~retail a limited line of goods that generally includes milk, bread, soda, and snacks~~sell a limited amount of primarily food, beverages (including alcohol), and other household supplies to customers in relatively small quantity. 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.
- (125) Construction ~~yard~~Yard. An outdoorarea temporarily 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.

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Highlight

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(126) ~~Convent or Monastery.~~ A building housing a community of persons living under religious vows, such as nuns or monks.

(127) ~~Convention Center.~~ A facility dedicated to the hosting of conventions including service areas, common areas, and kitchens.

(128) ~~Copy center~~~~Center.~~ Includes blueprinting, printing, Photostatting, copying, packaging, labelling, and similar services.

(129) ~~Correctional institutions~~~~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, Lyon County or a federal agency. Examples include community correctional facilities, correctional facilities or juvenile detention facilities.

(130) ~~Courier and messenger~~~~Messenger services~~~~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.

(131) ~~Craft distillery~~~~Distillery.~~ An establishment which:

(a) ~~a.~~ Manufactures distilled spirits from agricultural raw materials through distillation; and

(b) ~~b.~~ Is authorized to sell those distilled spirits pursuant to the provisions of NRS ~~ch-Chapter~~ 597. (Source: NRS 597.200)

(132) ~~Crematorium.~~ ~~The building or portion of a building that houses the chamber for cremation (as defined in NRS 642.011) and the holding facility~~~~A facility where human and/or animal corpses are cremated.~~ ~~The crematorium is~~ subject the locational requirements of NRS 451.635.

(133) ~~Cultural institution~~~~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.

(134) ~~Curb.~~ A stone, concrete, or other improved boundary usually demarcating the edge of a roadway, parking lot, or other paved area.

(135) ~~Curb Cut.~~ The opening along the curb line at which point vehicles or pedestrians may enter or leave the street, parking lot, or other paved area.

(136) ~~Cutting.~~ Shaping of the land surface through the excavation of soil, rock or other materials.

(137) ~~Data center~~~~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.

(138) ~~Data processing~~~~Processing, hosting~~~~Hosting, and related~~~~Related services~~~~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

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: First line: 0.5"

Formatted: Indent: Left: 1"

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Commented [MR2]: Same as grading?

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Commented [MR3]: Included in Data Processing. Do we need it in both?

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

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.

(139) Demolition. The complete or constructive removal of any part or whole of a building or structure upon any site when same will not be relocated to a new site.

(140) Density. The number of housing units on a unit of land (e.g., ten units per acre).

(141) Department. The ~~department of the city responsible for zoning and land development~~Planning Department.

(142) Design ~~regulations~~Regulations or Planned Development Handbook. A detailed design text which includes, but is not limited to, the following components:

- a. Project description, legal description, and preliminary title report.
- b. Project goals and policies, specifically related to NRS 278A.020.
- c. Master plan, physical concept, and layout.
- d. 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
- e. Protective covenants, conditions, and restrictions in draft form.
- f. A soils/geotechnical investigation report prepared by a qualified Nevada registered engineer or qualified Nevada engineering geologist including conclusions and recommendations regarding rippability, 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.)
- g. Circulation and access diagrams.
- h. Grading and erosion control provisions.
- i. storm drainage master plan. (In appendix.)
- j. Provisions for water supply and water dedication.
- k. Sewer report. (In appendix.)
- l. Traffic impacts.
- m. Fire prevention.
- n. Access to adjacent public lands.
- o. Cultural resource/archeological review. (In appendix.)

(143) Developer. The legal or beneficial owner or owners of a lot or of any land included in a proposed development, including the holder of an option or contract to purchase or other persons having enforceable property interests in such land.

(144) Development. The division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any mining, dredging, grading, excavation, landfill, or other land disturbance; and any use or extension of the use of land; any other man-made changes being made to real property.~~Any construction or any division of land.~~

(145) Development Agreement. An agreement for the development of land pursuant to NRS 278.0201 et seq.

(146) Development Code Text Amendment. The process by which the text of this Development Code text is revised.

(147) Development ~~project~~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.

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5", No bullets or numbering

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(148) Development Standards. Regulations that limit the size, bulk, or siting conditions of particular types of buildings or uses located within any designated zoning district.

Formatted: Indent: Left: 0.5", Hanging: 0.5"

(149) Development ~~team~~Team. A committee comprised of representatives from the planning department, public works department, city engineer, building official, fire department, and other outside agencies who regularly review proposals for development within the city.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(150) Dimensional ~~standards~~Standards. The zoning district regulations that govern lot, setback, coverage, density and height.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(151) Disability. A long-lasting physical, mental, or emotional condition. This condition can make it difficult for a person to do activities such as walking, climbing stairs, dressing, bathing, learning, or remembering. This condition can also impede a person from being able to go outside the home alone or to work at a job or business.

(152) Developer. Any landlord, person, firm, partnership, association, joint venture, or corporation or any other entity or combination of entities or successors thereto who at any time causes property to be improved and/or developed.

(153) Development Agreement. An agreement entered into by the city, at its discretion, to vest private development rights for projects of regional significance.

(154) Development Impact Fee. A one-time fee or charge imposed on new development projects by a jurisdiction to cover capital expenditures by the governmental unit on the infrastructure required to serve the new development.

Formatted: Indent: Left: 0.5", Hanging: 0.5"

(155) Distribution ~~center~~Center. A facility that stores merchandise for distribution to businesses or customers, but that does not fulfill orders directly from customers at that location.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(156) Domestic ~~household~~Household ~~pet~~Pet. Any animal generally domesticated by humans, including: Dogs of the species Canis Familiarizes; cats of the species Felis Catus; 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 (Sus Scrofa Vittatus) that are spayed or neutered upon reaching maturity; domesticated fowl or birds; non-venomous reptiles, which, at maturity, are less than three and one-half feet in length or weigh less than five pounds and are kept in a confined space; or any fish kept in an aquarium or proper facility.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(157) Drainage Plan. A plan prepared and sealed by a Nevada Registered Professional Civil Engineer, for the collection, transportation, treatment, and discharge of storm water within and from a subdivision or development.

(158) Drainage Report. A technical engineering report prepared and sealed by a Nevada Registered Professional Civil Engineer, whose purpose is to identify and define drainage characteristics associated with a proposed development and to define possible problems and conceptual solutions. In its final form, the drainage report shall transform the defined conceptual solutions to the final drainage plan.

(159) Drainageway. Any device or area which drains a land area. These can include natural, disturbed, or landscaped areas.

(160) Driveway. A privately owned and maintained vehicular access not used for address assignment. Excludes alleys.

(161) Driveway (Residential). A vehicular access from a public or private street serving only one dwelling unit or more than one dwelling unit if it is a part of a multi-family residential project.

Formatted: Indent: Left: 0.5", Hanging: 0.5"

(162) ~~Drive-through~~Through. A business which provides a window or other area where customers of the business may obtain goods or services while remaining in a vehicle.

Formatted: Font: Not Italic

(163) Dwelling or ~~dwelling~~Dwelling unitUnit. 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.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(164) Dwelling, ~~accessory~~Accessory. See "~~accessory~~Accessory dwelling-Dwelling unitUnit."

Formatted: Font: Not Italic

(165) Dwelling, Fourplex. A building with four dwelling units located on a single lot designed or arranged to be occupied by four families living independently.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(166) Dwelling, Live/Work. A dwelling unit combining both a residential living space and an integrated workspace or studio, and public display area on the ground floor, with residential located either on the upper floor or in the back of the workspace.

(167) Dwelling, Multiple-Family. A building designed to house five or more families living independently of each other. Examples include apartments, townhouses, rowhouses, single-room occupancy buildings, condominiums, and similar combinations of five or more attached single-family dwellings. It includes any form of family occupancy, including traditional or non-traditional households, elderly housing, or retirement housing.

(168) Dwelling, Single-Family Attached. A dwelling unit attached to one or more other dwelling units located on a separate lot. Each dwelling has its own front and rear access, no unit is located over another unit, each unit is separated from other units by one or more vertical common walls, and each dwelling is located on a separately owned lot. A townhouse complex may include common areas and facilities owned by all of the owners on a proportional, undivided basis.

Formatted: Indent: Left: 0.5", Hanging: 0.5"

(167) Dwelling, ~~single~~Single-family Family detachedDetached. 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. This category includes:

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(1)a. 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; and

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(2)b. Manufactured homes pursuant to NRS 278.02095.

Formatted: Indent: Left: 1"

~~Dwelling, single family attached. A dwelling unit attached to one or more other dwelling units located on a separate lot. Each dwelling has its own front and rear access, no unit is located over another unit, each unit is separated from other units by one or more vertical common walls, and each dwelling is located on a separately owned lot. A townhouse complex may include common areas and facilities owned by all of the owners on a proportional, undivided basis.~~

Formatted: Indent: First line: 0"

Commented [MR4]: Moved into alphabetical order

Formatted: Font: Not Italic

(168) Dwelling, Triplex. A building with three dwelling units located on a single lot designed or arranged to be used by three families, living independently of each other.

Formatted: Indent: Left: 0.5", Hanging: 0.5"

(169) Dwelling, ~~two~~Two-family Family (duplexDuplex). A building containing up to two kitchens designed and/or with two dwelling units located on a single lot designed or arranged to be used to house by two families, living independently of each other.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(170) Easement. A grant of one or more property rights by the owner to, or for the use by, the public or another person or entity.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

~~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~~

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

coming into contact with the conductive element of the fence receives an electrical shock.

(171) Elevation (Architectural). 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. A fully dimensional drawing of the front, rear, and sides of a building showing features such as construction materials, height, dimensions, windows, doors, and relationship of grade to floor level.

Formatted: Font: Not Italic

(172) Email. An electronic message or an executable program or computer file that contains an image of a message that is transmitted between two or more computers or electronic terminals, including electronic messages that are transmitted within or between computer networks.

Formatted: Font: Not Italic

(173) Engineer/Engineer of Record. Any person who is retained as a consultant by the owner/developer and is legally authorized to practice civil engineering in the State of Nevada in accordance with NRS Chapter 625.

Formatted: Indent: Left: 0.5", Hanging: 0.5"

(174) Entertainment facility/Facility/theater/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. Examples include theaters, music clubs, and dance halls.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(175) Erosion. The process where soil particles are detached and transported by water, wind, ice or gravity.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(176) Event center/Center/banquet/Banquet hall/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). They may include:

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(1) a. Kitchen facilities for the preparation or catering of food;

Formatted: Indent: First line: 0"

(2) b. The sale of alcoholic beverages for on-premises consumption, only during scheduled events and not open to the general public; and

Formatted: Indent: Left: 1"

(3) c. Outdoor gardens or reception facilities.

Formatted: Indent: First line: 0"

(177) Evergreen. Any plant with foliage that persists and remains year-round.

Formatted: Font: Not Italic

(178) Excavating. Mechanical displacement of earth material.

Formatted: Font: Not Italic

(179) Exhibition, convention/Convention, or conference/Conference facility/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.

Formatted: Indent: First line: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(180) Exterior Alteration. Any act or process that changes one or more of the exterior architectural features of a structure, including the erection, construction, or removal of any structure.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(181) Exterior insulation/Insulation and finish/Finish systems-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."

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(182) FAA. The Federal Aviation Administration.

Formatted: Font: Not Italic

(183) Facility or Facilities. One or more buildings, structures, uses of land, landscaping, or other site improvements that are built, installed, or established to serve a particular purpose or activity.

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

(184) Façade. Any side of a building that faces a street, parking lot, or other open space. The "front façade" is the front of a building.

Formatted: Font: Not Italic

(185) Family. Includes ~~one~~ one person living alone, at least two persons related by blood, marriage or legal adoption, a group of up to four persons living as a single housekeeping unit, or a family foster home, independent living foster home (with up to four unrelated children between 16 and 18 years of age), or specialized foster home as defined in NRS ~~eh~~ Chapter 424; or up to ten 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.

Commented [MR5]: Is there a better definition? Seems outdated.

Formatted: Font: Not Italic

Formatted: Highlight

Formatted: Highlight

(186) Farm. Land area devoted to raising, breeding, or producing an animal or plant, including accessory processing, preparation, and sale of animal products, feed, grain, timber, fruit, or vegetables.

Formatted: Indent: Left: 0.5", Hanging: 0.5"

(187) Farmers' market. An outdoor retail event, certified by the Nevada Farmers' Association or a similar organization.

Formatted: Font: Not Italic

(188) FCC. Federal Communications Commission.

Formatted: Font: Not Italic

(189) Fence or wall. An artificially constructed freestanding structure intended to provide privacy, protection, or confinement or to redirect a person's direction of travel.

Formatted: Font: Not Italic

Formatted: Indent: First line: 0.5"

(190) Fence (Decorative). A continuous permanent or temporary structure designed primarily for aesthetic appeal and not intended or designed as a method of prohibited entry to a property or providing privacy.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

(191) Filling. Mechanical displacement deposit of earth material.

Formatted: Font: Not Italic

~~Final development plan~~. 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:

Formatted: Indent: First line: 0.5"

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

- ~~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.~~

Formatted: Indent: Left: 1", No bullets or numbering

(192) Final Map. A map prepared in accordance with the provisions of NRS Chapter 278 for recordation with the County to create new parcels or modify existing parcels.

(193) Financial institution. A business establishment authorized to receive and safeguard money or other valuables, lend money at interest, execute bills of exchange, and provide other similar services.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(194) 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.

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

(195) Flag. A fabric sheet of square, rectangular, or triangular shape that is used as a symbol, signaling device, or decoration typically mounted on a pole.

Formatted: Indent: Left: 0.5", Hanging: 0.5"

(196) ~~Fleet services~~Services. See "~~ground-Ground~~ ~~passenger-Passenger~~ ~~transportationTransportation~~."

Formatted: Font: Not Italic

(197) ~~Flood or Flooding~~. A general and temporary condition of partial or complete inundation of normally dry lands from either the over overflow of inland waters or the unusual and rapid accumulation of runoff of surface waters from any source.

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

(198) ~~Floor area-Area ratio-Ratio~~ (FAR). The measurement of a building's floor area in relation to the size of the lot/parcel that the building is located on. ~~Measured as the gross floor area of all buildings on a lot or parcel, divided by the lot area.~~

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(199) ~~Food preparationPreparation/Wholesale Bakery~~. 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.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(200) ~~Footcandle~~. A unit of measurement referring to illumination incident to a single point. One footcandle is equal to one lumen uniformly distributed over an area of one square foot.

Formatted: Indent: Left: 0.5", Hanging: 0.5"

~~Franchisee~~. The person, firm or corporation to whom or which a franchise has been granted by the Fernley 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.

Formatted: Font: Not Italic

(201) ~~Fraternal clubClub/ lodge lodge/ community-Community service Service~~ facilityFacility. 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. Includes any "fraternal club" which is defined as an establishment which:

Commented [MR6]: Divide?

Formatted: Font: Not Italic, Highlight

Formatted: Highlight

Formatted: Font: Not Italic, Highlight

Formatted: Highlight

Formatted: Font: Not Italic, Highlight

Formatted: Highlight

Formatted: Font: Not Italic, Highlight

Formatted: Highlight

Formatted: Font: Not Italic, Highlight

Formatted: Font: Not Italic, Highlight

Formatted: Highlight

Formatted: Font: Not Italic, Highlight

Formatted: Highlight

(1) a. Keeps, conducts, and maintains an establishment solely for bona fide fraternal, social, recreational, benevolent or athletic purposes, and not for pecuniary gain;

(2) b. Does not traffic in alcoholic beverages for profit;

(3) c. Dispenses alcoholic beverages to its members or bona fide guests only; and

(4) d. Does not maintain or possess a public bar or place for the sale of alcoholic beverages to the public.

(202) ~~Fraternity or Sorority House~~. Any building occupied and maintained by a social association of college students, or where organization-sponsored functions are regularly held.

(203) ~~Freeway~~. Freeways are intended to move large volumes of traffic at high speeds through and between urban centers. No direct access to abutting properties permitted and all intersections are grade-separated.

(204) ~~Freight facilitiesFacilities~~. 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.

Formatted: Indent: Left: 1"

Formatted: Indent: First line: 0"

Formatted: Indent: Left: 1"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

(205) ~~Freight terminal-Terminal or brokerageBrokerage~~. See "~~freight-Freight facilitiesFacilities~~."

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

~~Front lot line~~. The narrowest lot dimension adjoining on a public or private street. (Note: The lot's "frontage" refers to the lot's width at the front lot line.)

Formatted: Font: Not Italic

- (206) ~~Front yard~~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. This definition applies to section 32-07-340-See Yard (Front).
- (207) ~~Frontage~~. The lot line that fronts a public or private street or right-of-way.
- (208) ~~Fuel distribution~~Distribution facility~~Facility~~. See "~~fuel~~Fuel distribution ~~Distribution or recycling~~Recycling."
- (209) ~~Fuel distribution~~Distribution or ~~recycling~~Recycling. A facility dedicated to:
- (1)~~a~~. 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)~~b~~. 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.
- (210) ~~Fuel recycling~~Recycling facility~~Facility~~. See "~~fuel~~Fuel distribution ~~Distribution or recycling~~Recycling."
- (211) ~~Fulfillment center~~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."
- (212) ~~Funeral and interment~~Interment services~~Services~~. A "funeral establishment" as defined in NRS Chapter 642.016. Examples include funeral parlors, mortuaries, or columbaria. ~~(Note: cemeteries are classified under public/civic/institutional -- assembly, below.)~~
- (213) ~~Gaming establishment~~Establishment (non~~Non-restricted~~Restricted). ~~A resort hotel as defined in NRS 463.01865 and~~A gaming operation 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 in the same building. A "nonrestricted gaming operation" in existence in Fernley as of January 1, 2020, need not meet the resort hotel requirement of this section.~~
- (214) Gaming Establishment (Restricted). A gaming operation consisting of fifteen (15) or fewer slot machines, and no other gaming devices, when the machines are operated as incidental to the business of the primary or principal commercial or lodging use. Must have a state license pursuant to NRS 463.0189.
- (215) Garage. An accessory building or portion of a principal building primarily used to store motor vehicles.
- (216) Garage Sale. A sale of personal property from a residence or residential property within a residential zoning district.
- (217) ~~Gas station~~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. ~~[Compare "auto and truck repair."]~~

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: First line: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: First line: 0.5"

Formatted: Indent: Left: 1"

Formatted: Indent: First line: 0"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Geothermal gradient. The rate at which the earth's temperature increases with depth, indicating outward heat flows from a hot interior.

Formatted: Font: Not Italic

Geothermal power. Power extracted from the heat stored in the earth used to generate electrical energy or used directly as a heating source.

Formatted: Font: Not Italic

(218) Geothermal ~~resources~~Resources. Any groundwater, steam or other method of the earth's subsurface heat which is used for its thermal characteristics.

Formatted: Font: Not Italic

(219) Glare. The effect produced by brightness sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.

Formatted: Font: Not Italic

(220) Gradient. The vertical rise of a slope over a horizontal distance, expressed as a percentage (rise over run)-See "Slope"

Formatted: Indent Left: 0.5", Hanging: 0.5"

(221) Grading. Any clearing, excavating, cutting, filling or other earth moving operation-Rearrangement of the earth's surface by stripping, cutting, filling, or stockpiling of earth or land, including the land in its cut or filled condition, to create new contours or grades.

Formatted: Font: Not Italic

(222) Grubbing. The removal of trees and other large plants by their roots.

Formatted: Indent Left: 0.5", Hanging: 0.5"

(223) Government Facility, Major. Public facilities providing a significant service and have a substantial impact on the community. Typical uses are sanitary landfills, airports, and detention and correction facilities.

(224) Government Facility, Minor. An office or facility that is operated by the federal, state, county, city, or other public entity.

(225) Grocery/~~food market~~Store/Supermarket. 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.

Formatted: Font: Not Italic

Formatted: Indent Left: 0.5", Hanging: 0.5"

Gross revenues. Subject to federal, state, local law and any amendments, any and all 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 title. 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.

Formatted: Font: Not Italic

(226) Ground ~~passenger~~Passenger transportation-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.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(227) Group ~~home~~Home. A residential facility for groups of adultsA community-based dwelling use providing food and shelter, personal guidance, care, rehabilitation services, or supervision for a maximum of six clients. It must be licensed by the State of Nevada under authority of NRS ~~ch~~Chapter 449 (other than assisted living facilities). 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.")

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(228) Guest Quarters. An accessory use consisting of one or more rooms contained within the primary building or a detached accessory building located on the same parcel as a

Formatted: Indent Left: 0.5", Hanging: 0.5"

~~single-family detached dwelling intended for guest occupancies only and not leased or rented for commercial gain. Do not include independent cooking facilities.~~

~~HRC. The historic resources commission consisting of five members appointed by the mayor and confirmed by a majority vote of the city council.~~

(229) ~~Halfway house~~House. A residence that provides housing and a living environment for recovering alcohol and drug abusers and is operated to facilitate their reintegration into the community, but does not provide any treatment for alcohol or drug abuse. The term does not include a facility for transitional living for released offenders. This term should also conform to the meaning ascribed to it in NRS 449.008.

(230) Hardscape. Decorative materials included within a landscape area such as large boulders, public art, decorative walkways, turf blocks, and plazas. Public sidewalks are not considered hardscape.

(231) Hazardous Substances. Includes, without limitation, hazardous material, a regulated substance, a pollutant, or a contaminant as defined in NRS 459.429.

(232) Hazardous Waste. Chemicals or substances that are physical or health hazards as defined and classified in the Fire and Building Codes and/or Title 29 of the Code of Federal Regulations such as: explosives and blasting agents, compressed gases, flammable and combustible liquids, flammable solids, organic peroxides, oxidizers, pyrophoric materials, unstable (reactive) materials, water-reactive solids and liquids, cryogenic fluids, highly toxic and toxic materials, radioactive materials, corrosives, carcinogens, irritants, sensitizers, and other health hazards.

(233) Hazardous Waste Facility. A facility or part of a facility that is used for the manufacture, processing, transfer, treatment, storage, or disposal of explosives or hazardous substances.

(234) ~~Hazardous waste~~Waste transfer~~Transfer station~~Station. A facility where hazardous waste is received and processed for transportation to another place for recycling, re-use, incineration or final disposal.

(235) ~~Health/fitness~~Fitness club~~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.

(236) Hedge. A dense row of shrubs or low trees that form a barrier or boundary.

(237) 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 six feet (1,829 mm) from the building, between the building and a point six feet (1,829 mm) from the building.

~~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.~~

(238) ~~Heliport/miscellaneous~~Miscellaneous air~~Air transportation~~Transportation. Facilities intended solely for takeoff and landing of helicopters, or for miscellaneous

Commented [MR7]: We don't have one.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: First line: 0.5"

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

transportation vehicles for scenic purposes such as balloons. Can include fueling, maintenance, or other accessory services for the vehicles.

(239) High risk-Risk speciesSpecies. Species such as the striped skunk, spotted skunk, raccoon, fox, bat, coyote, bobcat, badger, weasel and other high-risk transmitters of rabies.

(240) Hillside Development. A development that has an average slope equal to or greater than ten (10) percent or slopes that exceed 15 percent on 25 percent or more of the site.

(241) Hilltop or ridgeRidge. The peak or highest point of a topographic feature from which all water drains down.

(242) Homeless Services Provider. Any use of land whether in a structure, tent, or any enclosed or unenclosed private or public area providing meals to the public for a period exceeding more than 24 days in any year and/or used to provide temporary shelter to homeless individuals.

(243) Home ~~occupation~~Occupation. A use customarily carried on by a dwelling occupant and incidental to the primary residential use, providing such residential character of the property is not changed and is operated in compliance with chapter Chapter 32.07.

(244) Homes for the elderlyElderly. 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.

(245) Hotel. A building occupied or intended to be occupied for compensation, as the temporary residence for transient guests, primarily persons who have residence elsewhere. Hotels have an interior hall and lobby with access to each room from the interior hall or lobby.

(246) House or homeHome. See "dwellingDwelling."

(247) Household. A household is made up of all persons living in a dwelling unit whether or not they are related by blood, birth, or marriage.

(248) Hospital. A building designed for use for medical and surgical diagnosis, treatment and housing of persons under the care of doctors and nurses and supporting services such as gift shops, pharmacies, restaurants, and laundromats. Rest homes, nursing homes, convalescent homes and clinics are not included.

(249) Hydroseeding. The application of seed within a suspended liquid medium that is sprayed onto a prepared surface.

(250) Impervious surfaceSurface. A manmade 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.

(251) Improvement. Any place, building, structure, landscape feature or object, whether permanent or not, which constitutes a physical addition to real property.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent Left: 0.5", Hanging: 0.5"

Formatted: Highlight

Formatted: Highlight

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent Left: 0.5", Hanging: 0.5"

Formatted: Highlight

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(252) Improvement Agreement. An agreement executed between the City and the owner/developer of land to be subdivided or developed where improvements are to be installed, modified, or removed.

Commented [MR8]: What do we call our agreements?

(253) Indirect Illumination. Illumination which is cast on a sign from a source outside the sign with the source of the light substantially shielded from direct view.

Formatted: Indent: Left: 0.5", Hanging: 0.5"

(254) Industrial ~~services~~ Services. An establishment involved in the manufacturing of products, primarily from extracted or raw materials, or bulk storage and handling of such products and materials that typically involve a high incidence of truck or rail traffic, and outdoor storage. May include items such as food processing and packaging and stonework. Does not include noxious industrial uses, such as asphalt and chemical manufacture, hot-mix plants, rendering, and tanneries.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(255) Infill. Development on a vacant or substantially vacant tract of land surrounded by existing development.

Formatted: Font: Not Italic

(256) Infill project. A development, redevelopment, or an expansion of more than 20 percent of the building area, on a parcel that is located in a previously developed area of the city where at least 80 percent 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.

Formatted: Font: Not Italic

(257) Internal Illumination. Illumination produced by a light source contained within a sign and not directly visible from outside.

Formatted: Indent: Left: 0.5", Hanging: 0.5"

(258) Jail. See "Prison or Custodial Institution"

(259) Kiosk. A structure not exceeding six feet in any horizontal dimension or 12 feet in vertical dimension which is used to provide surfaces for the posting of notices.

Formatted: Indent: Left: 0.5", Hanging: 0.5"

(260) Kitchen. A room used to cook or prepare food.

Formatted: Font: Not Italic

(261) Laboratory. A facility for conducting medical or scientific research, investigation, testing, or experimentation. Does not include facilities for the manufacture or sale of products except as incidental to the main purpose of the laboratory. Includes labs for the manufacture of dentures and prosthesis.

(262) Landmark. A designated building, site, or structure having historicl, architectural, or archaeological significance.

Formatted: Indent: Left: 0.5", Hanging: 0.5"

(263) Landowner. 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 title.

Formatted: Font: Not Italic

(264) Landscape Area. An area comprised of any combination of living plants, inorganic material such as rocks or stones, and architectural features including fountains, pools, art works, screen walls, fences, street furniture, and ornamental concrete or stonework.

(265) Landscape Maintenance District. The sum of all parcels of real property containing improvements requested by the applicant to be included and maintained with the district.

(266) Landscape Material. Living material including, but not limited to, grass, ground covers, shrubs, vines, hedges or trees. Nonliving materials including, but not limited to, rocks, gravel, sand, tile, bricks, wood, textured hard surfaces, and water features.

Formatted: Indent: Left: 0.5", Hanging: 0.5"

(267) 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,

Formatted: Font: Not Italic

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.~~

(268) ~~Level of Service (LOS). A qualitative measure describing operational conditions from "A" (best) to "F" (worst) within a traffic stream or at intersections, which is quantified for street segments by determination of a volume to capacity ratio.~~

(269) ~~Library, Art Gallery, or Museum. A facility or area that is open to the public and is intended for collections of books, manuscripts, and similar materials for study and reading, or for the acquisition, preservation, study and exhibition of works of artistic, historic, literary, or scientific value.~~

(270) ~~Life care-Care or continuing-Continuing care-Care servicesServices.~~ 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)a.~~ An establishment which provides care only during the day;

~~(b)b.~~ A natural person who provides care for no more than two persons in his or her own home;

~~(c)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)d.~~ A halfway house for recovering alcohol and drug abusers; or

~~(e)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.

(271) ~~Light or Light Fixture. A complete outdoor lighting unit consisting of a lamp or lamps together with the parts designed to distribute the light, to position and protect the lamps, and to connect the lamps to the power supply.~~

(272) ~~Liquor storeStore.~~ An establishment holding an on-premises or package alcoholic beverage license pursuant to [title 10](#) of the Fernley Municipal Code.

~~Live/work dwelling. A dwelling unit used for both dwelling purposes and a nonresidential use, where:~~

~~(1) The building includes only one dwelling unit; and~~

~~(2) The nonresidential space exceeds the area allowed for home occupations (see [chapter 32.07](#)) and occupies no more than 1,500 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.~~

(273) ~~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 [chapter 32.07](#)); all sheep or animals of the ovine species; all llamas and animals of the llama species.

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Indent: First line: 0"

Formatted: Indent: Left: 1"

Formatted: Indent: First line: 0"

Formatted: Indent: Left: 1"

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: First line: 0"

Formatted: Indent: Left: 1"

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

- (274) ~~Living unit~~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.
- (275) ~~Loading space~~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.
- (276) ~~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.
- (277) ~~Lot~~ Area. The amount of gross land area contained within the property lines of a lot or parcel. Does not include streets, access easements, or other rights-of-way.
- (278) ~~Lot coverage~~Coverage. Lot coverage is the percent of the total lot covered by buildings and structures. For example, houses, garages, sheds, gazebos, above-ground swimming pools, and covered patios all count as part of lot coverage.
- (279) ~~Lot depth~~Depth. The distance between the front and rear lot lines measured in the mean direction of the side lines.
- (280) ~~Lot width~~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.
- (281) Low Impact Development (LID). Systems and practices that use or mimic natural processes that result in the infiltration, evapotranspiration or use of stormwater in order to protect water quality and associated aquatic habitat.
- (282) ~~Machinery and heavy~~Heavy equipment ~~Equipment sales~~Sales and ~~service~~Service. The retail sales and accessory repair of construction, agriculture, excavation, and similar machinery and equipment, including tractor-trailers.
- (283) ~~Main building~~Building. See "principal~~Principal~~ building~~Building~~."
- (284) ~~Main structure~~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.
- ~~Main use. See "principal use."~~
- (286) ~~Maintenance~~. With regard to the landscaping regulations in ~~chapter~~Chapter 32.09, any management required for the well-being of the plant and appearance of the landscaped area.
- (287) ~~Maintenance, and repair~~Repair, and, servicesRenovation 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.~~ A facility for contracting services such as janitorial services, building repair, renovation, and maintenance including the installation of plumbing, electrical, air conditioning, and heating equipment. This classification excludes ~~building maintenance services and~~ maintenance and repair of automobiles and other vehicles and equipment.
- (288) ~~Manufactured Building~~. Any modular building or any building which is constructed in whole or in substantial part using modular components but does not include a recreational park trailer.
- (289) ~~Manufactured Home~~. A structure which is: built on a permanent chassis, designed to be used with or without a permanent foundation as a dwelling when connected to utilities, transportable in one or more sections, and eight feet or more in body width or forty feet or more in body length or contains 320 square feet or more when erected

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: First line: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Indent: First line: 0.5"

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

on site. The term includes the plumbing, heating, air-conditioning, and electrical systems of the structure. This term also includes manufactured buildings.

(290) Manufactured ~~home~~ ~~Home dealer~~ Dealer. Establishments primarily engaged in retailing new and/or used manufactured homes (i.e., mobile homes), parts, and equipment.

(291) Manufactured ~~home~~ ~~Home lot~~ 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.

(292) Manufactured ~~home~~ ~~Home park~~ 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.

(293) Manufactured ~~home~~ ~~Home space~~ 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.

(294) Manufactured ~~home~~ ~~Home subdivision~~ Subdivision. A subdivision of land, platted in conformance to NRS ~~ch.~~ Chapter 278, and applicable city ordinances for the purpose of providing mobile home lots.

(295) Manufacturing (Custom and Craft). The on-site production of goods by hand manufacturing or artistic endeavor which involves only the use of hand tools or domestic mechanical equipment and the incidental sale of those goods directly to consumers. Examples include, but are not limited to ceramic studios, custom cabinet making, candle making shops, custom jewelry manufacturing, furniture repair, woodworking, or sculpting.

(296) Manufacturing, Processing, Assembly, or Fabrication (Indoor). A manufacturing processing or assembly facility in which all activities and storage of materials occurs indoors. This use may include accessory retail sales.

(297) Manufacturing, Processing, Assembly, or Fabrication (Outdoor). A manufacturing, processing, or assembly facility in which activities and storage of materials occurs outdoors.

(298) Marijuana. As defined in NRS 453.096 as may be amended or renumbered.

(299) Marijuana (Edible Products). Products intended for adult use that contain marijuana or an extract thereof intended for human consumption by oral ingestion and presented in the form of foodstuffs, extracts, oils, tinctures, or other similar products.

(300) Marijuana (Independent Testing Laboratory). An entity licensed by the State of Nevada to test marijuana and marijuana products.

(301) Marijuana (Medical Use).

a. The possession, delivery, production, or use of marijuana as necessary for the exclusive benefit of a person to mitigate the symptoms or effects of his or her chronic or debilitating medical condition as defined in NRS 678C.030 as may be amended or renumbered.

b. The possession, delivery, or use of paraphernalia used to administer marijuana as necessary for the exclusive benefit of a person to mitigate the symptoms or effects of his or her chronic or debilitating medical condition.

c. Any combination of the acts described above.

(302) Marijuana Cultivation Facility. A business licensed by the State of Nevada to acquire, possess, cultivate, deliver, transfer, supply, or sell marijuana and related supplies to

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 1", Hanging: 0.5", Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 1" + Indent at: 1.25"

retail marijuana stores, marijuana production facilities, and other marijuana cultivation facilities, but not to consumers.

(303) Marijuana Dispensary Facility (Medical). A business that is licensed by the State of Nevada which acquires, possesses, delivers, transfers, transports, supplies, sells, or dispenses marijuana or related supplies and educational materials to the holder of a valid registry identification card as defined by state law or to another medical marijuana dispensary.

(304) Marijuana Dispensary Facility (Retail). A business that is licensed by the State of Nevada that acquires, possesses, delivers, transfers, supplies, sells, or dispenses marijuana or related supplies to a consumer or to another marijuana retail store.

(305) Marijuana Establishment. A marijuana cultivation facility, and independent marijuana testing facility, a marijuana infusion or manufacturing facility, a medical marijuana dispensary, or a retail marijuana store which is licensed by the State of Nevada.

(306) Marijuana-Infused Products. Marijuana products intended for adult use that are infused with marijuana or an extract thereof that are intended for use or consumption by humans through means other than inhalation or oral ingestion such as topical products, ointments, oils, and tinctures.

(307) Marijuana Infusion or Manufacturing Facility. A business licensed by the State of Nevada that acquires, possesses, manufactures, delivers, transfers, supplies, or sells marijuana products to retail marijuana stores.

Massage. The manipulation of the superficial tissues of the human body with the hand, foot, arm or elbow, whether or not such manipulation is aided by hydrotherapy or thermal therapy; any electrical or mechanical device; or the application to the human body of a chemical or herbal preparation.

(308) ~~Message establishment~~ Establishment. Any establishment, including a private club or organization, where massage is given or offered for compensation. This definition shall not be construed to include.

(1)a. A hospital or nursing home;

(2)b. The office of a physician, surgeon, chiropractor, osteopath, psychologist, marriage and family counselor, physical therapist or nurse duly licensed by the state;

(3)c. A barber or cosmetologist duly licensed by the state and who performs massage of the head, neck and shoulders only;

(4)d. A public or private physical fitness facility which offers massage as a secondary service and no exterior signs advertise massage services;

(5)e. A trade school which offers courses in a variety of occupational skills with no exterior signs advertising massage services.

(309) Master Plan. A comprehensive, long-term general plan for the physical development of the city in accordance with NRS 278.150 et seq.

(310) Master Plan Amendment. An application to modify the text or future land use map of the adopted City of Fernley Comprehensive Master Plan.

(311) Master Sign Program. A plan establishing the requirements for the size, location, and design of signs within a development that is constructed or managed as a single development.

Mechanically stabilized. Any artificial method of stabilizing a slope such as rip rap, rockeries or retaining walls.

(312) ~~Media production~~ Production. Establishments that produce, manufacture, arrange for the manufacture, or distribute motion pictures, videos, television programs, television

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: First line: 0"

Formatted: Indent: Left: 1"

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

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, tele production 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 ch. 453A.~~

~~Medical marijuana establishment. An independent testing laboratory; a cultivation facility; a facility for the production of edible marijuana products or marijuana infused products; or a medical marijuana dispensary.~~

~~Medical marijuana cultivation facility. A facility licensed by the state that acquires, possesses, cultivates, delivers, transfers, transports, supplies and/or sells marijuana and related products to medical marijuana dispensaries, facilities for production of edible marijuana or marijuana-infused products or other cultivation facilities.~~

~~Medical marijuana production facility. A facility licensed by the state that: Acquires, possesses, or manufactures edible marijuana products; extracts oils from marijuana; and/or delivers, transfers, transports, supplies or sells edible marijuana products or marijuana-infused products to medical marijuana dispensaries.~~

~~Medical marijuana testing laboratory. A facility licensed by the state that tests and analyzes marijuana, edible marijuana products and marijuana-infused products to be sold at medical marijuana dispensaries in Nevada.~~

(313) ~~Medical office~~Office, clinic~~Clinic, or laboratory~~Laboratory. A facility where patients are examined or treated for routine physical or mental ailments by a medical ~~doctor~~, osteopath, chiropractor, nurse, physical therapist, dentist, ~~doctor of oriental medicine, podiatrist, psychologist or optometrist~~professional duly certified or licensed by the state of Nevada. ~~Examples include medical or dental laboratories, or facilities for medical, optical, orthotic, prosthetic, or dental laboratory services, photographic, analytical, or testing services.~~

(314) Medical (Outpatient Services). An outpatient medical facility which is used only during the day. This includes surgery centers, outpatient care facilities, urgent care, and other typical standalone medical facilities that include medical care beyond routine consultation and may be in connection with surgery.

(315) ~~Metal waste~~Waste salvage~~Salvage yard~~Yard/junk~~Junk yard~~Yard/auto~~Auto dismantler~~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.

(316) Mining and quarrying~~Quarrying~~. The extraction of metallic and nonmetallic minerals, including sand and gravel pit operations.

(317) ~~Mini-warehouse~~Warehouse. A facility ~~that rents small structures or space~~ for the storage of merchandise, personal belongings, and/or ~~recreational~~operable vehicles such as passenger vehicles, recreational vehicles, and boats. A mini-warehouse establishment may offer ancillary retail sales from the office of the establishment. Does not include storage of heavy equipment or tractor-trailers.

(318) Mitigation. Actions to avoid, minimize, rectify, reduce, eliminate, and compensate for impacts of development.

Commented [MR9]: 453A indicates the definition was repealed. References 595, but there is no 595. ???

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Commented [MR10]: Replaced with "Marijuana Retail Store"

Commented [MR11R10]: Ended up deleting and moving to "Marijuana"

Formatted: Font: Not Italic

Commented [MR12]: Should we take out "medical"?

Commented [MR13R12]: Reworked this section under "Marijuana"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

- (319) ~~Mixed-use~~Use. Any single building or development that blends a combination of residential, commercial, cultural, institutional, or industrial uses, where those functions are physically and functionally integrated. In a mixed-use development, the different types of land uses are in close proximity, planned as a unified complementary whole, and functionally integrated to the use of vehicular and pedestrian access and parking areas. The development of a site, building, or structure with two or more different uses including, but not limited to, residential, office, retail, public uses, personal service, or entertainment uses which are designed, planned, and constructed as a single unit.
- (320) Mobile ~~food~~Food vendorVendor. 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 with the standards as set forth in this ~~chapter~~Chapter 32.07.
- (321) Mobile ~~home~~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. A structure which is built on a permanent chassis, designed to be used with or without a permanent foundation as a dwelling unit when connected to utilities, and transportable in one or more sections. This term includes the design of the body and frame and the plumbing, heating, air conditioners, and electrical systems of the mobile home. This term does not include a recreational park trailer, travel trailer, commercial coach, manufactured home, or any manufactured buildings.
- (322) Mobile Home Lot. Any area or tract of land designated, designed or used for the occupancy of a mobile home.
- (323) Mobile Home Park. See "Manufactured Home Park".
- (324) Mobile Home Subdivision. See "Manufactured Home Subdivision".
- (325) Mobile ~~vending~~Vending cartCart. A movable push cart that is operated by a mobile vendor including, but not limited to, bicycles.
- (326) Mobile ~~vending~~Vending trailerTrailer. A mobile trailer operated by a mobile vendor.
- (327) Mobile ~~vending~~Vending vehicleVehicle. A motorized vehicle operated by a mobile vendor.
- (328) Mobile ~~vendor~~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 ~~chapter~~Chapter 32.07.
- (329) Model Home. A single-family dwelling which is open to the general public for viewing within specified times on a regular basis and which was constructed for the purpose of encouraging the sale of similar homes within the same development. A model home is a type of temporary real estate sales office during the buildout of the community.
- ~~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.~~
- (330) Modular ~~home~~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 ~~and/or the City of Fernley.~~ (Source: NRS 278.0209.)
- (331) Motel. A building ~~or other structure or group of buildings~~ kept, maintained, advertised, or held out to the public to be a ~~place that provides five or more rooms as~~

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: First line: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

~~sleeping accommodations temporary residence for transient guests, primarily persons who have residence elsewhere offered at a daily rate to transient guests where access to the rooms is from the outside.~~

(332) ~~Motor home~~Home. A portable, temporary dwelling used for travel, recreation and vacation, constructed as an integral part of a self-propelled vehicle.

(333) ~~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.

(334) ~~Mural~~. A picture or decoration that is applied directly to a wall and does not contain ~~text or a commercial message~~.

(335) ~~Museum~~. See "Library, Art Gallery, or Museum"

~~Multifamily building~~. A building designed to house three 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 three or more attached single family dwellings. It includes any form of family occupancy, including traditional or non-traditional households, elderly housing, or retirement housing.

~~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.

(336) ~~Natural drainage~~Drainage wayWay. Any channel, swale or depression which conducts water as part of the natural drainage pattern of a site.

(337) ~~Natural slope~~Slope. The form of the land surface as it exists before any grading.

(338) ~~Natural vegetation~~Vegetation. Plant materials which exist on the site before clearing or grading.

(339) ~~Natural Watercourse~~. A natural creek, stream, or river whether seasonal, intermittent, or perpetually flowing.

(340) ~~Neighborhood Park~~. A site not exceeding 25 acres designed to serve the recreational and outdoor needs of families and small groups.

~~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.

(341) ~~Night Club~~. An establishment operated as a place of entertainment, characterized by either dancing or live, recorded, or televised entertainment (including magicians, musicians, or comedians).

(342) ~~Noise~~. Any sound that is unwanted and causes or tends to cause an adverse psychological or physiological effect on human beings.

(343) ~~Noise Disturbance or Unreasonable Noise~~. Any sound that annoys, injures, or endangers the safety or health of a reasonable person(s) with normal sensitivities or endangers the comfort, repose, health, hearing, peace, or safety of another person(s) or that causes injury to, or damage to, property or business.

(344) ~~Nonconforming Lot~~. A lot whose area, dimensions, or location of which were lawful prior to the adoption, revision, or amendment of this Code, but which fails by reason of such adoption, revision, or amendment to conform to the present requirements.

(345) ~~Nonconforming Site Improvement~~. Any driveway, parking or loading area, landscaping, buffer, screening, exterior lighting, or other site feature, except signs, that was legally established prior to the adoption of this Code but does not comply with current requirements of this Code.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: First line: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

(346) Nonconforming Structure. A legally established building or structure constructed or installed prior to adoption of this Code that does not comply with the current requirements of this Code.

(347) Nonconforming Use. A use or activity which was lawful prior to the adoption, revision, or amendment to this Code, but which fails by reason of adoption, revision, or amendment to conform to the present requirements of the zoning district in which such use is located.

(348) Non-store Store retailersRetailers. 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).

(349) Nursery/Garden Supply (~~commercialCommercial, retail-Retail and wholesaleWholesale~~). An establishment primarily engaged in the retail sale of garden supplies and plants grown on the premises or elsewhere for the growing, display, or sale of plants, seeds, or other horticulture items. ~~This classification includes including the sale of landscape materials, and topsoil, and as well as the rental of landscaping equipment.~~

(350) Nursing homeHome. 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.

(351) Occupancy. The purpose for which a building is used or intended to be used.

Occupancy unit. A single unit providing complete and independent facilities for commercial, residential or industrial use.

(352) 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. ~~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).~~

(353) Off-Site Improvements. Those capital improvements and right-of-way dedications and/or site-related improvements that provide direct access to the development. Direct access improvements include but are not limited to site driveways and streets, right and left turn lanes leading to those driveways and streets, traffic control measures for those driveways, frontage street, and local or private streets.

(354) Oil and gasGas storageStorage. A tank farm or outdoor facility to store oil and gas.

(355) Open Space. Areas that preserve the special natural and environmental character and health of a particular location. Open space can involve a variety of areas including floodplains, aquifer recharge areas, steep slopes, ridgelines, wetlands and other water

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: First line: 0.5"

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Indent: Left: 1", Hanging: 0.5"

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5"

bodies, playas, and habitat areas. These are typically important habitat conservation areas, environmentally sensitive areas, or historical areas.

(356) Open Space (Natural). Protected lands that, depending on their resource sensitivity, are conserved in their natural state, restored, or improved with appropriate native landscaping to retain a natural or natural-appearing condition and are integrated into an interconnected open space and trails system. Natural open space may include appropriate public trails or other public improvements.

(357) Open Space (Private). A usable open space adjoining and directly accessible to a dwelling unit and reserved for the exclusive use of residents of the dwelling unit and their guests.

(358) Open Space (Useable). On-site land area contained within lot lines or within common open space which is absent of any building or structure. Usable open space could contain, but is not limited to, private yards, walkways, trellises, swings, arbors, swimming pools, tennis courts, and landscaping. Surface parking areas or driveways are not usable open space.

~~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."

(359) Outdoor Activity. Any enterprise, operation, or activity that occurs in an unroofed area as part of a permitted use on a lot. Includes any outdoor display of materials, machinery, vehicles, or things that may or may not be for sale or rent.

(360) Outdoor Dining. See "Sidewalk Café"

(361) Outdoor ~~processing~~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.

(362) Outdoor ~~storage~~Storage. Materials, goods, vehicles, ~~junk~~, ~~merchandise~~, or equipment kept or placed outside an enclosed structure for ~~72-24~~ hours or more.

(363) Owner. The person or corporation appearing on the last equalized assessment roll of the Lyon County Assessor.

(364) Pad Site. A building or building site that is physically separate from the principal or primary building and reserved for freestanding commercial uses such as restaurants, banks, and auto services.

(365) Parapet. The portion of a wall that extends above the roofline.

(366) Parcel Map. A map which creates four or fewer lots, parcels, sites, units, plots, or interest.

(367) ~~Park/open space.~~ A park, playground, natural area, or open space. Examples include community centers, picnic facilities, public recreation areas, and accessory food ~~concessions~~Any public or private land available for recreational, educational, or aesthetic use. Examples include playgrounds, picnic areas, ball fields, swimming pools, etc.

(368) Parking Aisle. The traveled way by which cars enter and depart parking stalls or spaces.

(369) ~~Parking area~~Area. Any public or private area under or outside a building or structure designed and used for parking motor vehicles including parking lots, garages, private driveways, and legally designated areas of public rights-of-way.

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

~~Those portions of a site area designated for motor vehicle use, including, but not limited to, parking stalls, parking spaces, driveways and access driveways.~~

Formatted: Indent: Left: 0.5", Hanging: 0.5"

(370) ~~Parking facility~~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 Fernley Municipal Code chapter 32.09, parking and loading.~~

Commented [MR14]: Divided into 3.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(371) ~~A "p~~Parking garage~~Garage" is a. A~~ multi-level structure for the temporary placement of operable motor vehicles.

(372) Parking Lot. An off-street, ground-level, and open area for the temporary placement of operable motor vehicles improved to the standards of Fernley Municipal Code, Chapter 32.09, Parking and Loading. A parking lot does not include areas used for display or storage of vehicles that are owned by a licensed business on the site.

Formatted: Highlight

Formatted: Highlight

(373) Parkway. The strip of land, regardless of whether currently paved, surfaced, or landscaped situated between the back of the curb and the sidewalk. In the absence of a curb, the curbline of a street shall be deemed to be the edge of the parkway.

Formatted: Indent: Left: 0.5", Hanging: 0.5"

(374) Pawnbroker/Pawn Shop. A person or business 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.

Formatted: Font: Not Italic

(375) Payday loan~~Loan establishment~~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. This includes any establishment that provides check cashing, deferred deposit service, or vehicle title loan services as defined in NRS ~~ch~~Chapter 604A.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(376) Pedestrian Orientation. Development designed with an emphasis primarily on the street sidewalk and on pedestrian access to the site and building instead of on auto access and parking areas. The building is generally placed close to the street, the main entrance is oriented to the street sidewalk, and parking is provided behind the building on the interior portion of the lot.

(377) Pedestrian Walkway. A surfaced walkway, separate from the traveled portion of a public or private right-of-way or parking lot/drive aisle intended for pedestrian or bicyclist use.

Formatted: Indent: Left: 0.5", Hanging: 0.5"

(378) Permeable surface~~Surface~~. A hard, porous material that allows water penetration into the soil.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

~~Person. A natural person, corporation, partnership, firm, association, or other legal entity.~~

Formatted: Font: Not Italic

(379) Personal instructional~~Instructional services~~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.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(380) Personal services~~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. This does not include social escort, bail bond, or other services listed separately.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

~~Planned residential development. 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~~

Formatted: Font: Not Italic

- ~~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.~~
- (381) ~~Planned unit development~~**Development**. 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.
- (382) ~~Plaza. A civic space type designed for civic purposes and commercial activities in the more urban areas, generally paved and spatially defined by building frontages.~~
- (383) ~~PM Peak Hour. The highest traffic volumes during four consecutive 15 minute periods usually between the hours of 4:00 PM and 6:00 PM.~~
- (384) ~~Porte Cochere. A passageway through a building or extending from the entrance of a building over an adjacent driveway designed to let vehicles pass from the street to an interior courtyard.~~
- (385) ~~Portico. A porch or walkway with a roof supported by columns often leading to the entrance to a building.~~
- (386) ~~Preexisting towers~~**Towers** and ~~preexisting~~**Preexisting antennas****Antennas**. 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 title, including permitted towers or antennas that have not yet been constructed so long as such approval is current and not expired.
- ~~Preliminary development plan. 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.~~
- (387) ~~Primary or Principal Use. The specific primary purpose or use for a property. The primary or principal use of a property may occur in one or more buildings.~~
- ~~Principal building. A building devoted to the principal use of the lot on which it is situated.~~
- (388) ~~Principal use~~**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 (compare "accessory use").
- (389) ~~Printing and Publishing. A commercial facility which reproduces a large quantity of copies of books and other printed material. Does not include a facility which provide custom copy and printing services.~~
- (390) ~~Prison or Custodial Institution. A place where persons convicted or accused of crimes are confined.~~
- (391) ~~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.~~
- (392) ~~Production, craftwork~~**Craftwork**. Establishments primarily engaged in on-site production of goods by hand manufacturing, involving the use of hand tools and small-scale equipment.
- (393) ~~Production, general~~**General**. This category includes general manufacturing or production activities, such as:
- ~~(1)~~**a.** 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

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 1"

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)b.~~ 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)c.~~ 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.

~~(394)~~ Public ~~facility~~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.

~~(395)~~ Public ~~maintenance~~Maintenance facilityFacility. 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.

~~(396)~~ Public ~~nuisance~~Nuisance. Any condition defined as a public nuisance in ~~title~~Title 16 of the Fernley Municipal Code.

~~(397)~~ Public ~~safety~~Safety facilityFacility. 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.

~~(398)~~ Public ~~way~~Way. The surface of, and the space above and below, any public ~~right-of-way~~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~~City~~within the area serviced by the owner of the antenna/tower/backhaul network.~~

~~(399)~~ Railroad ~~freight~~Freight yardYard or ~~building~~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.

~~(400)~~ Real Estate Sales Office. An office or a model home used to sell homes or buildings while the property is under development.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(401) Reconstruction. The act or process of reproducing by new construction the exact form and detail of a vanished building, structure, or object, or part thereof as it appeared at a specific period of time.

Formatted: Indent: Left: 0.5", Hanging: 0.5"

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; outdoor archery or shooting ranges; riding stables; campgrounds; recreational vehicle parks; miniature golf; golf courses, driving ranges, and country clubs, marinas, and similar facilities.

Formatted: Font: Not Italic

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 archery or shooting facilities, batting cages, go-cart or dirt bike courses, miniature golf or putt courses, skateboard areas, and water slides or water parks.

Formatted: Font: Not Italic

(402) Recreation (Active). Recreational activities that require the use of special facilities, courses, fields, or equipment such as baseball, football, and soccer.

(403) Recreation (Passive). Recreational activities that do not require repared facilities like sports fields or pavilions such as walking, hiking, picnicking, and nature observation.

(404) Recreational/Amusement Facility (Inside). An enclosed facility or area for sport, entertainment, games of skill, or recreations to the general public for a fee. Examples include, but are not limited to: theaters (without drive-in), bowling alleys, video arcades, indoor miniature golf, roller and ice skating rinks, game courts, swimming pools, indoor gun ranges, and instruction for gymnastics, karate, and like activities/uses.

(405) Recreational/Amusement Facility (Outside). An outdoor facility or area for sport, entertainment, games of skill, or recreations to the general public for a fee. Examples include, but are not limited to: game courts, water slides, miniature golf courses, drive-in theaters, batting cages, practice/instructional fields, driving ranges, gun ranges, and stadiums.

Formatted: Indent: Left: 0.5", Hanging: 0.5"

(406) Recreational vehicle~~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, slide-in camper, or other trailer. For the purposes of the title, "recreation vehicle" may also include any utility trailer, boat, personal watercraft, all-terrain vehicle, or other similar instrument use for recreational purposes.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(407) Recreational vehicle~~Vehicle~~ park~~Park~~. A parcel or tract of land, having as its principal use the transient rental or occupancy of space for no more than 90 days by two or more recreational vehicles, including accessory buildings, structures, or uses customarily incidental to recreational vehicles.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(408) Recreational vehicle~~Vehicle~~ space~~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.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(409) Recreational vehicle~~Vehicle~~ storage~~Storage~~. The keeping or storage of any privately owned recreational vehicle on a lot or parcel of land.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(410) ~~Recycling plant~~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.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(411) 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.

Formatted: Font: Not Italic

(412) Rehabilitation. The act or process of returning a property to a state of utility through repair or alteration that makes possible an efficient contemporary use while preserving those features of the property significant to its historical, architectural, and cultural values.

Formatted: Indent: Left: 0.5", Hanging: 0.5"

~~Regional utility corridor~~. A planning designation assigned to a utility easement that contains or is proposed to contain one or more electrical transmission lines. The width of a regional utility corridor shall be equivalent to the width of the easement required by the responsible utility.

Formatted: Font: Not Italic

(413) Remediation servicesServices. Establishments primarily engaged in one or more of the following:

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(1)a. Remediation and cleanup of contaminated buildings, mine sites, soil, or ground water;

Formatted: Indent: Left: 1"

(2)b. Integrated mine reclamation activities, including demolition, soil remediation, waste water treatment, hazardous material removal, contouring land, and revegetation; and

(3)c. Asbestos, lead paint, and other toxic material abatement.

Formatted: Indent: First line: 0"

(414) ~~Renewable energy~~Energy productionProduction. 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.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

~~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.

Formatted: Font: Not Italic

~~Renewable energy production—Private~~. 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 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.

Formatted: Font: Not Italic

(415) Renovation. Modernization of an old or historic building that may produce inappropriate alterations or eliminate important features and details.

(416) Renovation (Major). An addition or renovation project to an existing structure that will contain a nonresidential use where the total gross floor area of the proposed addition is more than 50 percent of the total gross floor area of the existing structure before addition or renovation.

(417) Renovation (Minor). An addition or renovation project to an existing structure that will contain a nonresidential use where the total gross floor area of the proposed addition is less than 50 percent of the total gross floor area of the existing structure before addition or renovation.

Formatted: Indent: Left: 0.5", Hanging: 0.5"

~~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.

Formatted: Font: Not Italic

(418) Research and development~~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.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(419) Residence. See "~~dwelling~~Dwelling."

Formatted: Font: Not Italic

(420) Residentially zoned~~Zoned property~~Property. A parcel of land that is zoned RR, SF, MDR14 and MF.

Formatted: Indent: First line: 0.5"

(421) Resort, ~~dude~~Dude/guest~~Guest ranch~~Ranch. An establishment that provides:

Formatted: Font: Not Italic

- (1)~~a.~~ Horseback riding and/or related outdoor recreational facilities such as swimming, tennis courts, shuffleboard courts, barbecue and picnic facilities;
- (2)~~b.~~ Dining facilities intended primarily for use by guests; and
- (3)~~c.~~ Guest rooms limited to persons using the outdoor recreational facilities. This does not include boarding or rooming house, hotel or motel.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: First line: 0.5"

Formatted: Indent: Left: 1"

Formatted: Indent: First line: 0"

Formatted: Indent: Left: 1"

Formatted: Indent: Left: 1"

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

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.

~~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.

~~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.

(422) Restaurant. A ~~structure~~retail business where food and drink are prepared, served, and consumed. May include take-out, drive-in, and/or sit-down service.

Formatted: Font: Not Italic

(423) Restoration. The act or process of accurately recovering the form and details of a property and its setting as it appeared at a particular period of time by means of removal of later work or by the replacement of missing earlier work.

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

~~Retail sales.~~ The sale of goods or commodities to members of the general public.

Formatted: Indent: First line: 0.5"

~~(424) Retail, generalGeneral.~~ 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 Fernley Municipal Code [Title 10](#)), 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.~~

Formatted: Font: Not Italic

Formatted: Font: Not Italic

~~(425) Reversion to Acreage.~~ A process where the lot lines of two or more lots are removed or relocated to form a single larger parcel or site.

Formatted: Indent: Left: 0.5", Hanging: 0.5"

~~(426) Re-vegetation~~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.

~~(427) Roof Line. The top edge of the roof, top of the parapet, top of mechanical equipment, or any structure which is an integral part of the building forming the top line of the building silhouette.~~

Formatted: Indent: Left: 0.5", Hanging: 0.5"

~~(428) Room.~~ An unsubdivided portion of the interior of a dwelling, excluding bathrooms, kitchens, closets, hallways and porches.

Formatted: Font: Not Italic

~~Rotor diameter. Cross sectional dimensions of the circle swept by the rotating blades of a wind generator.~~

Formatted: Font: Not Italic

~~(429) Run-off~~Runoff. That part of precipitation which flows over the land without filtering into the soil.

~~(430) Salvage or Reclamation of Products. An indoor facility or area for storing, keeping, selling, dismantling, or salvaging scrap or discarded material or equipment including metal, paper, tires, bottles, inoperable or wrecked motor vehicles, machinery, structural steel, equipment, or appliances. Includes recycling of recoverable resources (paper products, glass, and/or metal cans).~~

Formatted: Indent: Left: 0.5", Hanging: 0.5"

~~Sanitary station. A facility used for removing and disposing of wastes from recreational vehicle holding tanks.~~

Formatted: Font: Not Italic

~~(431) School (public~~Public, or privatePrivate, or Charter). An institution of learning which offers instruction in the several branches of learning required to be taught in the public schools of the state.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

~~(432) School (Vocational or Trade). A business operating for profit and offering instruction and training in a service or art (barber college, commercial art school) or offering instruction and training in a trade (welding, brick laying, machinery operation).~~

~~(433) Screening device~~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.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

~~Seeding. The application of seed onto a prepared surface.~~

~~(434) Senior Housing. Specific units in a development restricted to residents over a certain age (55 and over).~~

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

(435) ~~Setback. The required minimum 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 chapter Chapter 32.09 for the regulations pertaining to allowed structures within, or projections into a setback. (chapter 32.02Chapter 32.02) Note: Compare "yard" below. The setback is the required distance between the lot line (or other point of measurement) to the building. A "yard" is the actual distance from that point to the building. In practice, the yard often extends past the required setback (in the case of a minimum setback).~~

Formatted: Font: Not Italic

Formatted: Highlight

(436) ~~Setback, frontFront. The setback-extendingrequired minimum distance from the front lot line to any building or structure. 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.~~

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(437) ~~Setback, rearRear. The setback-extendingrequired minimum distance from the rear property line to any building or structure.~~

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(438) ~~Setback, sideSide. The setback-extendingrequired minimum distance from a side lot line to any building or structure.~~

Formatted: Font: Not Italic

~~Sexual encounter center. Any business, agency or person who, for any form of consideration or gratuity, provides a place for two 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."~~

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(439) ~~Shade treeTree. 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 six feet above grade.~~

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(440) ~~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.~~

Formatted: Font: Not Italic

(441) ~~Shipping containerContainer. A standardized reusable steel intermodal container commonly used for the storage and movement of materials and products in a global containerized freight transport system. Other names include container, storage container, freight container, ISO container, cargo container, hi-cube container, conex box and sea can. "Intermodal" indicates that the container can be moved from one mode of transport to another. "Shipping containers" doDoes not include rail box cars, truck trailers, or vehicular transport truck box enclosures which were manufactured as an integral part of a vehicle, or which have or had permanently affixed wheels.~~

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(442) ~~Shopping Center. Any structure or group of structures housing commercial and/or retail uses including personal services, food service, and other ancillary uses with a minimum of 25,000 square feet of gross floor area.~~

(443) ~~Short-Term Rental. The commercial use of a residential dwelling unit for dwelling, lodging, or sleeping purposes wherein any individual guest rents or occupies the entire dwelling unit or one or more individual rooms within the unit for a period of less than 31 consecutive calendar days. Property owners are required to have a City business license and pay any applicable lodging taxes. Does not include the rental or occupancy of a residential accessory structure, residential accessory dwelling unit, a tent, a trailer, or a mobile unit.~~

- (444) Sidewalk Café. The use of public sidewalks and public rights-of-way for the consumption of food and beverages.
- (445) 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. See Yard (Exterior Side) or Yard (Interior Side).
- (446) Sign. A design or device displayed to the public for the purpose of identifying, advertising, or promoting the interests of any person, persons, firm, corporation, or other entity by conveying an advertising message, a non-commercial message or attracting the attention of the public. Includes all part of the device including its structure and supports. Includes balloons, flags, banners, building wrap, pennants, streamers, canopies, or other devices which are used to attract the attention of the public, whether or not they convey a specific advertising message.
- (447) Sign (A-Frame). A temporary sign typically collapsible and constructed of metal with two sides attached at the top allowing the sign to stand in an upright position.
- (448) Sign (Abandoned). A sign that has not been maintained for a period in excess of 90 days after the cessation of the use for which the sign was advertising.
- (449) Sign (Animated). See "Sign (Changeable)"
- (450) Sign (Architectural Graphic). A painted design, mural, relief, mosaic, or similar feature of an artistic nature which is incorporated into the architectural design of a building and conveys no advertising message.
- (451) Sign (Area Identification). A permanent, decorative sign used to identify a neighborhood, subdivision, commercial or office complex, industrial district, or similar distinct area of the community.
- (452) Sign (Awning). Any sign that is part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover located over a door, entrance, window, storefront, or outdoor service area.
- (453) Sign (Back-to-Back). A structure with two parallel and directly opposite signs with their faces oriented in opposite directions. A back-to-back sign shall constitute one off-premises sign or billboard.
- (454) Sign (Banner). A temporary sign made of any rigid fabric-like material that is mounted to a pole at one or more edges or attached to a building, structure, or other vertical surface. National, state, or municipal flags are not considered banners.
- (455) Sign (Billboard). See "Sign (Off-Premises)"
- (456) Sign (Blade). A permanent sign mounted either to the wall of a building by means of a bracket or attached to the underside of a lintel, arch, or other overhead structure above a porch or walkway and which is typically hung perpendicular to the wall of the building.
- (457) Sign (Building Wrap). A sign applied to or painted on all or portion of a building exterior wall(s).
- (458) Sign (Cabinet). A permanent building-mounted or freestanding sign with its text and/or logo symbols and artwork on a translucent face panel that is mounted within a metal frame or cabinet that contains the lighting fixtures which illuminate the sign face from behind.
- (459) Sign (Canopy). A sign affixed or applied to the exterior facing surface of a building or freestanding canopy. Canopy signs may not project above the roof line. Signs attached to a canopy will be considered a wall sign when flashed back to the canopy.
- (460) Sign (Changeable). A sign whose informational content can be changed or altered by manual, electric, electromechanical, or electronic means. Changeable signs include:

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

- a. Manually Activated. Signs whose alphabetic, pictographic, or symbolic informational content can be changed or altered by manual means.
 - b. Electrically Activated. Signs whose alphabetic, photographic, or symbolic informational content can be changed or altered on a fixed display surface composed of electrically illuminated or mechanically driven changeable segments including fixed message electronic signs and computer controlled variable message electronic signs.
 - c. Mechanically Changeable Signs. Signs that contain mechanically driven changeable segments.
- (461) Sign (Community Directory). A sign or group of signs designed as a single display which gives information.
 - (462) Sign (Directional). A permanent sign which directs the flow of traffic or pedestrians on private property.
 - (463) Sign (Directory). 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.
 - (464) Sign (Drive-Through). Any permanent sign accessory to an allowed drive-through facilities.
 - (465) Sign (Flashing). A sign which uses blinking, flashing, or intermittent illumination either direct, indirect, or internal.
 - (466) Sign (Freestanding). A sign that is supported by its own structure apart from a building.
 - (467) Sign (Illegal). A sign that does not comply with the requirements of this Development Code and that has not received lawful nonconforming status or has lost its lawful nonconforming status.
 - (468) Sign (Inflatable). Any device that is supported by air pressure or inflated with air or gas which is used to attract the attention of the public whether or not it displays any specific advertising message.
 - (469) Sign (Light Pole Banner). A temporary sign displayed from or hung on streetlight poles from a permanently affixed mounting bracket/holder.
 - (470) Sign (Mobile). A sign attached to or suspended from any type of vehicle other than normal identification of the business owned and served by the vehicle.
 - (471) Sign (Monument). A low-profile freestanding sign with the sign face attached directly to a solid base that is equal to or larger than the width of the sign face. Monument signs are intended for viewing by vehicles travelling on a collector or arterial street.
 - (472) Sign (Multi-Tenant Development). A sign on the site of a multi-tenant development identifying the name of the development, the address of the development, and two or more tenants within the development.
 - (473) Sign (Official). Any sign erect by or at the direction of a governmental agency.
 - (474) Sign (Off-Premises). A sign which is not on the same property as the business it is advertising. Also known as billboards.
 - (475) Sign (On-Premises). A sign on the same property as the business it is advertising.
 - (476) Sign (Pennant). A temporary sign made of any lightweight plastic, fabric, or other material whether or not it contains a message of any kind, suspended from a rope, wire, string, or other similar device designed to move in the wind.
 - (477) Sign (Permanent). Any sign that is designed, constructed, and affixed at the site in such a manner that it cannot be conveniently moved from place to place.

Formatted: Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 1" + Indent at: 1.5"

- (478) Sign (Pole). Any sign that is supported by a pole or poles and otherwise separated from other structures, buildings, and the ground.
- (479) Sign (Portable). Any sign that is designed and constructed in such a manner that it can conveniently be moved from place to place. This definition shall include cardboard, paper, fabric, canvas, and plastic banners and signs.
- (480) Sign (Projecting). Any sign other than a wall sign that projects from and is supported by a wall of a building or structure.
- (481) Sign (Pylon). A tall free-standing sign, usually double-faced and internally illuminated, mounted on two or more poles.
- (482) Sign (Roof). Any sign located on the roof of a building and either supported by the roof or by an independent structural frame.
- (483) Sign (Stacked). Two or more off-premises signs affixed to the same standards which are not back-to-back signs and which vary in height from the ground.
- (484) Sign (Temporary). A sign which is not permanently mounted and is designed and constructed in such a manner that it can be conveniently moved from place to place for use for a limited time only.
- (485) Sign (Wall). A sign attached to or erected against the wall of a building or structure with the exposed face of the sign in a parallel plane to the plane of the wall.
- (486) Sign (Window). A sign that is attached, affixed, or placed and intended to be seen in, on, or through a window or door and is visible from the exterior of the building.
- (487) Sign (Yard).
- a. A small temporary sign typically made of corrugated plastic and supported on an H-shaped wire frame.
 - b. A sign mounted on a single post installed securely in the ground with a small sign hanging from a crossbar mounted parallel to the ground.
 - c. A large (typically wood) sign mounted on two posts installed securely in the ground.
- (488) Sign Facing or Surface. The surface of a sign upon, against, or through which the message is displaced or illustrated.
- (489) Sign Permit. A permit issued by the City of Fernley authorizing the installation, modification, or removal of signage.
- (490) Sign Structure. Those parts of a sign designed to support it in place.
- Single family dwelling. A building containing one kitchen designed and/or used to house only one family, including necessary employees of the family. See use matrix (chapter 32.06). A "single family dwelling" includes any manufactured or modular home as defined in chapter 32.07 (manufactured homes).
- (491) Single-Room Occupancy. A commercial residential hotel providing sleeping and living facilities that may rent on a weekly or monthly basis as a primary residence with cooking and sanitary facilities provided within the individual units.
- (492) 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.
- Site area. The surface area of a development project including public right of way areas between property lines and paved sidewalks or streets.
- (493) Site frontage~~Frontage~~. The combined frontage of multiple, adjoining lots that are subject to a single application.
- (494) Site Plan. The development plan for one or more lots on which is shown the existing and proposed conditions of the lot, typically including topography, vegetation, drainage, floodplains, landscaping and open spaces, walkways, access, circulation,

Formatted: Indent: Left: 1", Hanging: 0.5", Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 1" + Indent at: 1.25"

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

utility services, buildings and structures, signs lighting, buffers and screening devices, surrounding development, and any other information that the Administrator may reasonable require in order for an informed decision to be made by the deciding body.
(495) Slope. The deviation of a surface from the horizontal, usually expressed in percent, degree, or as a ratio of horizontal distance (run) to vertical distance (rise or drop) of a slope.

(496) Small wireless-Wireless facilitiesFacilities. See "wireless-Wireless facilitiesFacilities, smallSmall."

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 1G license from the State of Nevada, may perform tests but are prohibited from performing emissions-related repairs.

(497) Social assistanceAssistance, welfareWelfare, and charitable-Charitable servicesServices. 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)a. 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)b. 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.

(498) Solar energyEnergy. 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.

(499) Solid waste-Waste disposal-Disposal siteSite/facilityFacility. The location and facility at which the collection, storage, treatment, utilization, processing, or final disposal of wastes occur.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 1"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(500) Special Event. Any show, exhibition, fair, carnival, theatre, or similar activity of a temporary nature.

Formatted: Indent: Left: 0.5", Hanging: 0.5"

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.

Formatted: Font: Not Italic

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.

Formatted: Font: Not Italic

(501) Stable (Commercial). Barns and equestrian facilities to house horses and provide riding classes or equestrian activities to the public.

(502) Stable (Private). A stable to house horses for the private use of the owner.

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Stand. A vehicle, trailer or temporary structure used for the sale of goods or services.

Formatted: Font: Not Italic

(503) Standards. Mandatory regulations. Standards are indicated by use of the terms "shall" and "must."

Formatted: Indent: First line: 0.5"

(504) Stockpiling. The temporary outdoor storage of soil, paving materials, wood, or other similar displaced materials generated during a construction project which is located in the public right-of-way or on a separate parcel. This includes the temporary storage of vehicles and supplies related to the associated construction project.

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

(505) Street. A public or private thoroughfare which affords a primary means of access to abutting property. A way for vehicular access and address assignment whether designated as a street, freeway, highway, parkway, throughway, road, avenue, drive, lane, boulevard, place, or however otherwise designated. Does not include alleys or driveways.

Formatted: Font: Not Italic

(506) Street (Collector). A street functional classification which relates to Master Plan documents and design standards. Collectors link local streets in neighborhood areas to arterial streets and provide access to abutting properties.

(507) Street (Cul-De-Sac). A minor street with only one outlet which provides for an adequate turning area for vehicular traffic at its terminus.

(508) Street (Local). A low speed, low traffic volume street that provides access to abutting properties in neighborhoods.

(509) Street (Major Arterial). A functional classification for a street that accommodates large volumes of through traffic between city districts. Direct access is discouraged to individual properties, although limited access to major projects is allowable, provided such access does not compromise the roadway's ability to handle large volumes of through traffic.

(510) ~~Street (Minor Arterial). A minor arterial provides traffic access between neighborhoods and city centers. The minor arterial street is subject to some access control, channelized intersections, and parking restrictions.~~

(511) ~~Street (Private). A street which is to be owned and maintained by parties other than the city or other government agency.~~

(512) ~~Street (Public). A street owned by the city or other government agency.~~

(513) ~~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.~~

(514) ~~Storage/processing-Processing of hazardous-Hazardous materialsMaterials. A facility where hazardous waste is received and either stored or processed for transportation to another place for recycling, re-use, incineration or final disposal. See "Hazardous Waste Facility"~~

(515) ~~Subdivision. Any vacant or improved land which is divided or proposed to be divided into five or more lots, parcels, sites, units, or plots for the purpose of any transfer, development, or any proposed transfer or development.~~

(516) ~~Substandard developmentDevelopment. 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.~~

(517) ~~Tasting roomRoom. A retail business where alcoholic beverages are provided for on-site consumption for the purpose of marketing alcoholic beverage brands to the general public. Tasting rooms may be established either as a separate off-site retail space or an area within a winery, brewery or distillery. A tasting room usually consists of a standing bar or similar area within a commercial business that may offer samples to patrons, for sale or on a complimentary basis, in accordance with the state alcoholic beverage control licensing requirements. The use may include tastings of single or multiple brands, and sale of retail wares and alcoholic beverage products for off-premises consumption.~~

(518) ~~Tattoo parlorParlor. 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.~~

(519) ~~Temporary useUse. Temporary uses are intended to allow for the short-term placement of activities on privately owned property with appropriate regulations so that such activities will be compatible with the surrounding areas.~~

~~Temporary parking of mobile home. Any specified length of time less than 12 months.~~

(520) ~~Tentative Map. A map made for the purpose of submittal to the city for application of a subdivision showing the conceptual design of the proposed subdivision and the existing and proposed physical conditions in and around it.~~

~~Time share. A time share estate.~~

~~Time share estate. A right to occupy a unit or any of several units during three or more separated time periods over at least three 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.~~

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Indent: First line: 0.5"

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

~~Time share license. A right to occupy a unit or any of several units during three or more separated time periods over a period of at least three years, including renewal options, not coupled with a free hold estate or an estate for years.~~

Formatted: Font: Not Italic

~~Time share owner. A person who is an owner or co-owner of a time share other than as security for an obligation.~~

Formatted: Font: Not Italic

~~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.~~

Formatted: Font: Not Italic

~~Time share unit. A unit in which time shares exist.~~

Formatted: Font: Not Italic

~~(521) Tiny House. A dwelling or accessory dwelling that is 400 square feet or less in floor area, not including lofts.~~

Formatted: Indent Left: 0.5", Hanging: 0.5"

~~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.~~

Formatted: Font: Not Italic

~~(522) Title loan loan establishmentEstablishment. A business whose primary function is to lend money on the security of any vehicle or other transportation device for which a bill of sale, title or registration can be provided. (NRS ch-Chapter 604A)~~

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

~~Total height. For purposes of the renewable energy regulations of chapter 32.07, 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. (Chapter 32.07, renewable energy.)~~

~~Tower[, wind energy]. monopole, freestanding, or guyed structure that supports a wind generator. (Chapter 32.07, renewable energy.)~~

Formatted: Font: Not Italic

~~Tower[, utility]. 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.~~

Formatted: Font: Not Italic

~~Tower height. For purposes of the renewable energy regulations of chapter 32.07, height above grade of the fixed portion of the tower, excluding the wind turbine itself. (Chapter 32.07, renewable energy.)~~

Formatted: Font: Not Italic

~~(523) Towing and Impound Yard. A facility where towing trucks are stored and where towed vehicles are stored on a temporary basis.~~

~~(524) Traffic Calming. The combination of mainly physical measures that reduce the negative effects of motor vehicle use, alter driver behavior, and improve conditions for non-motorized street users.~~

~~(525) Traffic Study. A report analyzing anticipated roadway conditions with and without an applicant's development. May also include a parking study and overall access management plan for the development site.~~

Formatted: Indent Left: 0.5", Hanging: 0.5"

~~(526) 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.~~

Formatted: Font: Not Italic

~~(527) Transitional living-Living facilityFacility. 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.~~

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(528) ~~Transfer station~~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.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(529) ~~Transportation passenger~~Passenger terminalTerminal. ~~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~~Any premises for the housing and/or parking and maintenance of buses or other vehicles used for the movement of people and where passengers are picked up or discharged. ~~does~~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.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(530) ~~Travel center~~Center/Truck Stop. A development oriented to the service of trucks, including the sale of fuel to truck drivers, and provision for support facilities for truck drivers including, but not limited to, eating, sleeping, truck repair, truck wash, and parking facilities. Travel centers are designed to accommodate trucks and truck drivers, ~~and but~~ may also be utilized by non-truck traffic and the interstate traveler. This facility allows for the temporary, daily, or overnight parking (excluding for the loading and unloading of cargo) of commercial motor vehicles which are en-route to or from a destination along an interstate freeway system, for free or for a fee that may be independent of any other use on the premises.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(531) ~~Travel trailer~~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 eight feet and body length not exceeding 32 feet.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(532) Trip. A one-way movement of vehicular travel from an origin to a destination.

(533) Trip Generation. The attraction or production of trips caused by a certain type of land development.

Formatted: Indent: Left: 0.5", Hanging: 0.5"

(534) 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.

Formatted: Font: Not Italic

(535) Truck Terminal. A business, service, or industry involving the use of commercial vehicles in the loading, unloading, and transportation of cargo. May also include the fueling, maintenance, servicing, storage, or repair of commercial vehicles or the storage of cargo. Does not include "Travel Center/Truck Stop".

Formatted: Indent: Left: 0.5", Hanging: 0.5"

~~Truck-under garages. Garages dedicated for use by residents of individual units within a multifamily 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.~~

Formatted: Font: Not Italic

(536) Turf grassGrass. Any species of grass that grows together and can be mowed, planted, and maintained in areas of pedestrian, aesthetic, or recreational activity.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

~~Uncovered structure. A structure with walls on at least two sides, and that does not have a roof.~~

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

(537) Undisturbed. The ground surface in its original, natural state before any grading, excavation, or filling.

Formatted: Font: Not Italic

(538) Unenclosed structureStructure. A structure that has no walls and is designed principally for outdoor use, such as a deck, porch, patio, or trellis.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(539) Unit. Any portion of real property designated for separate use.

Formatted: Indent: First line: 0.5"

(540) ~~Urban agriculture~~Agriculture. Includes:

- (1)a. *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)b. *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)c. *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.

(541) Urban Farm. The growing, raising, keeping, producing, and selling of agricultural, horticultural, viticultural, fruit and vegetable products, including bees and up to 12 fowl. See also "Urban Agriculture".

(542) Urban/Rural Interface. Areas where urban and rural development and uses meet and/or intermix.

(543) Use. The purpose for which land or a building is arranged, designed, or intended or for which either land or a building is or may be occupied or maintained.

(544) Utility, Alternative System. A common or individual solar, wind, or other non-fossil fuel utility system that requires a building permit for installation, is intended to reduce the costs of energy for a principal structure as an accessory use, and is not otherwise defined in this Chapter.

(545) Utility, ~~major~~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. Includes electric utility substations, electric lines 60kv or greater, and natural gas lines more than 100 psi.

(546) Utility, ~~minor~~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. 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-Communications facility~~Facility" or "~~wireless-Wireless communication-Communication tower~~Tower" as defined below, which refer to the point of transmission rather than distribution systems such as cable networks.

(547) Vacation (Type I). A process where the City abandons interest in any public right-of-way or easement.

(548) Vacation (Type II). A process where the City abandons interest in an easement for municipal utility (water or sewer) or controlled by the City.

(549) Variance. A grant of relief from the zoning, development, or design standards of this Code which permits construction in a manner that would otherwise be prohibited by this Code.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 1"

Formatted: Highlight

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

(550) ~~Vehicle~~. An automobile, truck, boats watercraft, motorcycle, motorbike, recreational vehicle, snowmobile, tractor, or similar item, but not to include machinery or heavy equipment.

Formatted: Font: Not Italic

(551) ~~Vehicle or equipment~~ ~~Equipment sales-Sales~~ and ~~rentalsRentals~~. 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.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(552) ~~Vehicle towing~~ ~~Towing~~ and ~~storage~~ ~~Storage facility~~ ~~Facility~~. Establishments primarily engaged in towing light or heavy motor vehicles, along with incidental services such as storage and emergency road repair services.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(553) ~~Vertical mixed~~ ~~Mixed-use~~ ~~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.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(554) ~~Vicinity~~. The area within 1,500 feet of a property line.

Formatted: Font: Not Italic

~~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.

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.5", Hanging: 0.5"

(555) ~~Violation~~. The failure of a land use, building, structure, facility, or other development to be fully compliant with the regulations of this Code.

Formatted: Font: Not Italic

(556) ~~Wall~~. See "~~fence~~ ~~Fence~~ or ~~wall~~ ~~Wall~~."

Formatted: Indent: Left: 0.5", Hanging: 0.5"

(557) ~~Wall (Decorative)~~. A wall that may include materials such as brick, stone, and similar materials at the discretion of the Administrator but shall not include smooth face CMU block, poured concrete, stucco, metal paneling, or similar materials.

Formatted: Font: Not Italic

(558) ~~Wall (Retaining)~~. A wall designed and constructed to withstand lateral earth and hydrostatic pressures.

Formatted: Indent: Left: 0.5", Hanging: 0.5"

(559) ~~Warehouse or Distribution Center~~. An enclosed structure for the loading, unloading, and storage of goods for distribution or transfer to another location. All storage is located inside. May include fulfillment centers where storage is combined with a call center.

~~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.

Formatted: Font: Not Italic

(560) ~~Weather or environmental~~ ~~Environmental monitoring~~ ~~Monitoring station~~ ~~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.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

(561) ~~Wedding chapel~~ ~~Chapel~~. A facility which is principally rented to perform wedding ceremonies. Facilities may include a chapel, dressing rooms, offices, reception facilities, and/or gardens.

Formatted: Font: Not Italic

Formatted: Font: Not Italic

~~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. All storage activities are indoor. This may include fulfillment centers that combine storage with call centers.

Formatted: Font: Not Italic

Commented [MR15]: Moved/Replaced to "Warehouse or Distribution Center"

Formatted: Font: Not Italic

(562) ~~Wind energy~~ ~~Energy conversion~~ ~~Conversion systems~~ ~~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

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

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.~~

Formatted: Font: Not Italic

~~(563) Winery/Microbrewery/Distillery. A place where wine is made and/or sold. A small brewery, winery, or distillery operated separately or in conjunction with a drinking establishment or restaurant.~~

Formatted: Font: Not Italic

~~(564) Wireless facilities. Facilities, small. Has the meaning ascribed in 47 CFR Section 1.6002(l).~~

Formatted: Font: Not Italic

~~(565) Wireless communication. Communication tower. Tower or antenna. Antenna. An antenna, alternative tower structure, and/or tower constructed and operated pursuant to section Section 32.07.480, not to include small wireless communications facilities. This definition is intended to encompass traditional macro wireless communications towers and associated structures, not small wireless facilities also known as small cell structures.~~

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Highlight

~~(566) Wrecking Yard, Salvage Yard, or Junk Yard. A yard or building where automobiles, machinery, appliances, or other used commodities and equipment are stored, dismantled, and/or offered for sale as whole units or as salvaged parts.~~

~~(567) Xeriscape. Landscape characterized by the use of vegetation that is drought-tolerant or of low water use in character.~~

Formatted: Indent Left: 0.5", Hanging: 0.5"

~~(568) Yard. The space on a lot or parcel extending from the principal building to the nearest lot line. Yards are to be unoccupied and unobstructed unless specifically stated otherwise in this Code.~~

Formatted: Font: Not Italic

~~(569) Yard, exterior. Exterior side. Side. The areas between the side wall of the building and side property line abutting a street right-of-way on corner lots.~~

Formatted: Font: Not Italic

~~(570) Yard, front. 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.~~

Formatted: Font: Not Italic

~~(571) Yard, interior. Interior side. Side. The area between the side wall of the building and the property line not abutting a street right-of-way.~~

Formatted: Font: Not Italic

~~(572) Yard, rear. Rear. The yard between the principal building and the rear line and extending across the full width of the lot or parcel.~~

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

~~(573) Yard, side. Side. The yard between the side lot line and the principal building and extending from the front yard line to the rear yard line.~~

Formatted: Font: Not Italic

Formatted: Font: Not Italic

~~(574) Zoning. Regulatory tool adopted by the City to direct and shape land development activities and implement the Master Plan.~~

Formatted: Font: Not Italic

Formatted: Font: Not Italic

~~(575) Zoning Map Amendment. An amendment to the official zoning map typically intended to change the zoning district designation of a particular parcel or lot.~~

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

~~(b) Other parts of this title include specific definitions (see, for example, uses defined in the use table [chapter 32.06] and chapter 32.07 use standards; and chapter 32.10 signs). Those definitions supersede those in this section to the extent that they are inconsistent.~~

Formatted: Font: Not Italic

Formatted: Indent Left: 0.5", Hanging: 0.5"

~~(Ord. No. 2020-005, § 1(Exh. A), 3-4-2020)~~

Sec. 32.02.040050. - Abbreviations.

~~(a) 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.~~

Formatted: Font: Not Italic

~~(b) ADT: Average Daily Trips~~

Formatted: Indent: Hanging: 0.5", Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

~~(c) BMP: Best Management Practices~~

~~(d) CFR: Code of Federal Regulations.~~

Formatted: Font: Not Italic

(e) Ft. or 'f': Foot or feet.

(f) HUD: United States Department of Housing and Urban Development.

(g) LOMR: Letter of map revision (see floodplain ordinance).

(h) Max.: Maximum; indicates that the value prescribed is the maximum allowed.

(i) Min.: Minimum; indicates that the value prescribed is the minimum required.

(j) MPO: The federally designated Metropolitan Planning Organization, or the Regional Transportation Commission of Lyon County.

(k) MUTCD: Manual on Uniform Traffic Control Devices published by the United States Department of Transportation, Federal Highway Administration.

(l) NRS: Nevada Revised Statutes.

(m) Sf: Square feet.

(n) USC: United States Code.

(Ord. No. 2020-005, § 1(Exh. A), 3-4-2020)

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Formatted: Font: Not Italic

Sec. 32.02.059060. - Technical ~~references~~References.

This section 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.

TABLE 32.02.059060-1 - Technical References

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 (Most Recent Edition)
AASHTO Guide for the Development of Bicycle Facilities	AASHTO, Guide for the Development of Bicycle Facilities (Most Recent Edition)
American Standard for Nursery Stock	American Nursery and Landscape Association, American Standard for Nursery Stock (Most Recent Edition)
Building Code	The City's adopted building code pursuant to Fernley Municipal Code Title 8 .
Fire Code	The most recent fire code adopted by the North Lyon County Fire Protection District.
NAC	Nevada Administrative Code. Any reference to a state administrative regulations refers to any amendment to that regulation, unless otherwise provided.

Document/Regulation	Reference
NRS	Nevada Revised Statutes. Any reference to a Nevada Statute refers to any amendment to that statute, unless otherwise provided.

~~(Ord. No. 2020-005, § 1(Exh. A), 3-4-2020)~~

Sec. 32.02.~~060~~**070**. - Computation of ~~time~~**Time**.

The time within which an act is to be performed shall be computed by excluding the first day and including the last day. If the last day is a Saturday, Sunday, or legal holiday, that day shall be excluded.

The following time related words shall have the meaning ascribed below:

- (a) "Day" means 24 hours, unless otherwise stated.
- (b) "Week" means seven calendar days.
- (c) "Month" means one calendar month.
- (d) "Year" means one calendar year, unless a fiscal year is indicated.

~~(Ord. No. 2020-005, § 1(Exh. A), 3-4-2020)~~

Sec. 32.02.080. – Mandatory and Discretionary Terms.

The words "shall" and "will" are always mandatory. The term "may" is discretionary.

Sec. 32.02.090. – Conjunctions.

Unless the context clearly indicates the contrary, conjunctions shall be interpreted as follows:

- (a) "And" indicates that all connected items or provisions apply; and
- (b) "Or" indicates that one or more of the connected items or provisions may apply singularly.

Formatted: Indent: Hanging: 0.5", Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

Sec. 32.02.~~070~~**100**. - Rounding of ~~quantities~~**Quantities**.

All fractions of whole numbers are to be rounded to the nearest highest whole number when the fraction is one-half or more, and to the next lowest whole number when the fraction is less than one-half, except as otherwise provided in the development code. Residential density allowed by the underlying zoning district shall be rounded to the nearest lowest whole number.

~~(Ord. No. 2020-005, § 1(Exh. A), 3-4-2020)~~

Sec. 32.02.110. – Technical and Non-Technical Terms.

Words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases that may have acquired a peculiar and appropriate meaning in law, city planning, or land development shall be construed and understood according to such meaning.

Sec. 32.02.120. – Tenses, Plurals, and Gender.

Whenever appropriate with the context, words used in the present tense include the future tense. Words used in the singular number include the plural. Words used in the plural number include the singular, unless the context of the particular usage clearly indicates otherwise. Words used in the masculine gender include the feminine gender, and vice versa.

Sec. 32.02.~~080~~**130**. - Zoning ~~district~~**District boundaries****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. No. 2020-005, § 1(Exh. A), 3-4-2020)~~

Sec. 32.02.099140. - Vacated ~~rights~~Rights-of-wayWay.

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. No. 2020-005, § 1(Exh. A), 3-4-2020)~~

~~Sec. 32.02.100. - 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. No. 2020-005, § 1(Exh. A), 3-4-2020)~~

~~Sec. 32.02.110. - 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.~~
- ~~(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. No. 2020-005, § 1(Exh. A), 3-4-2020)~~

Commented [MR16]: Moved to 32.01 (General Provisions)

Commented [MR17]: Moved to 32.01 (General Provisions)