

# ***Division Three: Regulation of Uses***

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## CHAPTER 300

### TITLE AND CONTENTS

#### SECTIONS:

17.300.00	Title
17.300.05	Contents
17.300.10	List of Tables and Figures

**Section 17.300.00 Title.** Division Three of Title 17 is entitled “Regulation of Uses”.

**Section 17.300.05 Contents.** Division Three consists of the following chapters:

Chapter 300	Title and Contents
Chapter 302	Allowed Uses
Chapter 304	Use Classification System
Chapter 306	Accessory Uses and Structures
Chapter 308	Fabricated Housing
Chapter 310	Manufactured Home Parks
Chapter 312	Commercial Campground/Recreational Vehicle Parks
Chapter 314	Bed and Breakfast Establishments
Chapter 316	Group Care Facilities
Chapter 318	Child Care Facilities
Chapter 320	Communication Facilities
Chapter 322	Temporary Uses and Structures
Chapter 324	Home Occupations
Chapter 326	(reserved - Aggregate Extraction and Processing)

**Section 17.300.10 List of Tables and Figures.**

Table 17.302.05-1	Residential Use Land Types
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Table 17.302.05-2	Civic Use Types
Table 17.302.05-3	Commercial Use Types
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## CHAPTER 302

### ALLOWED USES

#### SECTIONS:

17.302.00	Purpose
17.302.03	General Provisions
17.302.05	Tables of Uses
17.302.10	Use Classification System
17.302.15	Types of Review
17.302.20	Accessory Uses and Structures
17.302.25	Temporary Uses and Structures
17.302.30	Uses in Airport Critical Areas
17.302.35	Excavation and Grading

**Section 17.302.00 Purpose.** The purpose of Chapter 302, Allowed Uses, is to prescribe the uses that are allowed in each regulatory land use district.

#### **Section 17.302.03 General Provisions.**

Variances to the Table of Uses (Tables 17.302.05-1 to 17.302.05-5) are prohibited by Chapter 17.702, Variances.

**Section 17.302.05 Table of Uses.** The uses that are allowed in each regulatory land use district are set forth in Table 17.302.05-1 through Table 17.302.05-5 as follows:

- A. Low Density Rural is indicated as "LDR";
- B. Medium Density Rural is indicated as "MDR";
- C. Low Density Suburban is indicated as "LDS";
- D. Medium Density Suburban is indicated as "MDS";
- E. High Density Suburban is indicated as "HDS";
- F. General Commercial is indicated as "GC";
- G. Neighborhood Commercial is indicated as "NC";
- H. Industrial is indicated as "I";
- I. Public/Semi-Public Facilities is indicated as "PSF";
- J. Open Space is indicated as "OS"
- K. General Rural is indicated as "GR";

- L. Agricultural-Mining-Recreation is indicated as “AMR”; and
- M. General Rural Non-Agricultural Preservation is indicated as “GRNA”.

**Table 17.302.05-1 Residential Land Use Types**  
 (See Chapter 17.304 for definitions)

<b>Residential Use Types (Chapter 17.304.20)</b>	<b>LDR</b>	<b>MDR</b>	<b>LDS</b>	<b>MDS</b>	<b>HDS</b>	<b>GC</b>	<b>NC</b>	<b>I</b>	<b>PSF</b>	<b>OS</b>	<b>GR</b>	<b>AMR</b>	<b>GRNA</b>
Family Residential													
Attached Accessory Dwelling	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>	--	--	--	--	--	<b>A</b>	<b>A</b>	<b>A</b>
Detached Accessory Dwelling	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	--	--	--	--	--	<b>S</b>	<b>S</b>	<b>S</b>
Detached Accessory Structure	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>	--	<b>A</b>	--	--	--	<b>A</b>	<b>A</b>	<b>A</b>
Duplex	--	--	--	<b>S</b>	<b>S</b>	--	<b>S</b>	--	--	--	--	--	--
Multi Family	--	--	--	--	<b>S</b>	--	<b>S</b>	--	--	--	--	--	--
Single Family, Attached	--	--	--	<b>A</b>	<b>A</b>	--	<b>S</b>	--	--	--	<b>A</b>	<b>A</b>	<b>A</b>
Single Family, Detached	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>A</b>	--	<b>S</b>	--	--	--	<b>A</b>	<b>A</b>	<b>A</b>
Manufactured Home Parks	--	--	<b>S</b>	<b>S</b>	<b>S</b>	--	--	--	--	--	--	--	--
Residential Group Home	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	--	<b>S</b>	--	--	--	<b>S</b>	--	<b>S</b>
Large Group Home	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>S</b>	--	--	--	--	--	--	--	--

Key: -- = Not Allowed; A = Allowed; S = Special Use Permit

**Table 17.302.05-2 Civic Land Use Types**  
(See Chapter 17.304 for definitions)

<b>Civic Use Types (Chapter 17.304.25)</b>	LDR	MDR	LDS	MDS	HDS	GC	NC	I	PSF	OS	GR	AMR	GRNA
Administrative Services	--	--	--	--	--	A	A	A	A	--	--	--	--
Child Care													
Family Daycare	A	A	A	A	A	--	--	--	--	--	A	A	A
Large-Family Daycare	S	S	S	S	S	--	--	--	--	--	S	S	S
Child Daycare	S	S	S	S	S	S	S	S	S	--	S	S	S
Community Center	--	--	--	--	--	A	--	--	A	--	--	--	--
Convalescent Services	--	--	S	S	S	S	S	--	S	--	--	--	--
Cultural and Library Services	S	S	S	S	S	A	A	--	A	--	A	S	A
Education	S	S	S	S	S	S	S	--	S	--	S	S	S
Group Care	S	S	S	S	S	S	S	--	--	--	S	--	S
Hospital Services	--	--	--	--	--	A	A	--	A	--	--	--	--
Major Services and Utilities	--	--	--	--	--	A	A	--	A	--	--	--	--
Utility Services	S	S	S	S	S	S	S	S	S	S	S	S	S
Major Public Facilities	--	--	--	--	--	S	--	S	S	--	S	S	S
Nature Center	--	--	--	--	--	S	--	--	S	--	S	S	S
Parks and Recreation													
Active Recreation	S	S	S	S	S	S	S	S	S	--	S	S	S
Passive Recreation	A	A	A	A	A	A	A	A	A	A	S	S	S
Postal Services	--	--	--	--	--	A	A	A	A	--	--	--	--
Public Parking Services	--	--	--	--	--	A	A	A	A	--	--	--	--
Religious Assembly	S	S	S	S	S	S	S	S	S	--	S	--	S
Safety Services	S	S	S	S	S	S	S	S	S	--	S	S	S

Key: -- = Not Allowed; A = Allowed; S = Special Use Permit

**Table 17.302.05-3 Commercial Land Use Types**  
(See Chapter 17.304 for definitions)

<b>Commercial Use Types (Section 17.304.30)</b>	LDR	MDR	LDS	MDS	HDS	GC	NC	I	PSF	OS	GR	AMR	GRNA
Administrative Offices	--	--	--	--	--	A	A	A	A	--	--	--	--
Animal Sale and Services													
Commercial Kennels	S	S	S	--	--	S	--	S	--	--	S	S	S
Commercial Stables	S	S	S	--	--	--	S	--	--	--	S	S	S
Grooming and Pet Stores	--	--	S	S	S	A	A	--	--	--	S	S	S
Pet Cemeteries	--	--	--	--	--	S	--	--	A	--	--	--	--
Veterinary Services, AG	A	A	A	--	--	S	--	--	--	--	A	S	A
Veterinary Services, Pets	--	--	S	S	S	A	A	S	--	--	S	S	S
Automotive and Equipment													
Automotive Repair	--	--	--	--	--	S	--	A	--	--	--	--	--
Automotive Sales and Rentals	--	--	--	--	--	A	A	A	--	--	--	--	--
Cleaning	--	--	--	--	--	A	A	A	--	--	--	--	--
Commercial Parking	--	--	--	--	--	A	A	A	S	--	--	--	--
Equipment Repair and Sales	--	--	--	--	--	S	--	A	--	--	--	--	--
Fabricated Housing Sales	--	--	--	--	--	A	--	A	--	--	--	--	--
Storage of Operable Vehicles	--	--	--	--	--	A	--	A	--	--	--	--	--
Truck Stops	--	--	--	--	--	S	--	A	--	--	--	--	--
Building Maintenance Services	--	--	--	--	--	A	A	A	--	--	--	--	--
Commercial Centers													
Neighborhood Centers	--	--	S	S	S	A	A	A	--	--	--	--	--
Community Centers	--	--	--	--	--	S	S	--	--	--	--	--	--
Regional Centers	--	--	--	--	--	S	--	--	--	--	--	--	--
Commercial Educational Services													
Commercial Educational Services	--	--	--	--	--	A	A	A	A	--	--	--	--
Commercial Recreation													
Commercial Campground/ Recreational Vehicle Park	--	--	--	--	--	S	--	--	--	--	S	S	S
Destination Resorts	--	--	--	--	--	A	--	--	--	--	S	S	S
Indoor Entertainment	--	--	--	--	--	A	--	--	S	--	--	--	--
Indoor Sports and Recreation	--	--	--	--	--	S	S	S	S	--	--	--	--
Limited Gaming Facilities	--	--	--	--	--	S	S	S	--	--	--	--	--
Marinas	--	--	--	--	--	S	--	--	S	S	S	--	S
Outdoor Entertainments	--	--	--	--	--	--	--	S	S	--	--	--	--
Outdoor Sports & Recreations	S	S	S	S	S	S	S	S	S	--	S	S	S
Outdoor Sports Club	S	--	--	--	--	--	--	--	S	--	S	S	S
Unlimited Gaming Facilities	--	--	--	--	--	S	--	--	--	--	--	--	--
Communications Facilities	S	S	S	S	S	S	S	S	S	S	S	S	S
Constructions Sales & Services	--	--	--	--	--	S	--	A	--	--	--	--	--
Convention - Meeting Facilities	--	--	--	--	--	S	S	--	S	--	--	--	--

Key: -- = Not Allowed; A = Allowed; S = Special Use Permit

**Table 17.302.05-3 Commercial Use Land Types - continued**  
(See Chapter 17.304 for definitions)

<b>Commercial Use Types (Section 17.304.30)</b>	LDR	MDR	LDS	MDS	HDS	GC	NC	I	PSF	OS	GR	AMR	GRNA
Eating - Drinking Establishments													
Convenience	--	--	--	--	--	A	A	S	--	--	--	--	--
Full Service	--	--	--	--	--	A	A	S	--	--	--	--	--
Financial Services	--	--	--	--	--	A	A		--	--	--	--	--
Funeral & Interment Services													
Cemeteries	S	S	--	--	--	--	--	--	A	--	S	S	S
Undertaking	--	--	--	--	--	A	A	--	--	--	--	--	--
Gasoline Sales – Service Stations	--	--	--	--	--	A	A	A	--	--	S	--	S
Helicopter Services													
Heliport	--	--	--	--	--	S	--	S	S	--	S	S	S
Helistop	S	--	--	--	--	S	S	S	S	--	S	S	S
Liquor Sales													
Off-Premises	--	--	--	--	--	A	A	S	--	--	--	--	--
On-Premises	--	--	--	--	--	A	S	S	--	--	--	--	--
Lodging Services													
Bed & Breakfast Inns	S	S	S	S	S	S	--	--	--	--	S	S	S
Hostels	--	--	--	--	--	A	A	S	--	--	--	--	--
Hotels and Motels	--	--	--	--	--	A	S	--	--	--	--	--	--
Vacation Time Shares	--	--	--	--	--	A	S	--	--	--	--	--	--
Medical Services	--	--	--	--	--	A	A	--	A	--	--	--	--
Nursery Sales													
Retail	--	--	--	--	--	A	A	A	--	--	--	--	--
Wholesale	S	S	--	--	--	A	--	A	--	--	S	S	S
Personal Services	--	--	--	--	--	A	A	--	--	--	--	--	--
Personal Storage	--	--	--	--	--	A	S	A	--	--	--	--	--
Professional Services	--	--	--	--	--	A	A	S	--	--	--	--	--
Recycle Center													
Full Service Recycle Center	--	--	--	--	--	--	--	A	--	--	--	--	--
Remote Collection Facility	S	S	S	S	S	S	S	A	--	--	--	--	--
Residential Hazardous Substance Recycle Center	--	--	--	--	--	S	--	S	--	--	--	--	--
Repair Services, Consumer	--	--	--	--	--	A	A	A	--	--	--	--	--
Retail Sales													
Convenience	--	--	S	S	S	A	A	A	--	--	--	--	--
Specialty Stores	--	--	--	--	--	A	S	--	--	--	--	--	--
Comparison Shopping Centers	--	--	--	--	--	A	--	--	--	--	--	--	--
Secondhand Sales	--	--	--	--	--	A	--	--	--	--	--	--	--
Transportation Services	--	--	--	--	--	A	A	A	--	--	--	--	--

Key: -- = Not Allowed; A = Allowed; S = Special Use Permit



**Table 17.302.05-4 Industrial Land Use Types**  
(See Chapter 17.304 for definitions)

<b>Industrial Use types (Section 17.304.35)</b>	LDR	MDR	LDS	MDS	HDS	GC	NC	I	PSF	OS	GR	AMR	GRNA
Aggregate Facilities													
Permanent	S	--	--	--	--	--	--	S	--	--	S	A	S
Temporary	S	--	--	--	--	--	--	S	--	--	S	A	S
Custom Manufacturing	S	S	--	--	--	S	--	--	--	--	S	S	S
Energy Production	S	S	--	--	--	--	--	S	S	--	S	S	S
General Industrial													
Limited	--	--	--	--	--	--	--	A	--	--	--	--	--
Intermediate	--	--	--	--	--	--	--	A	--	--	--	--	--
Heavy	--	--	--	--	--	--	--	S	--	--	--	--	--
High Technology Industry	--	--	--	--	--	S	S	A	--	--	S	--	S
Inoperable Vehicle Storage	--	--	--	--	--	--	--	S	--	--	S	S	S
Laundry Services	--	--	--	--	--	S	--	A	--	--	--	--	--
Mining Operations	S	--	--	--	--	--	--	S	--	--	S	A	S
Petroleum Gas Extraction	--	--	--	--	--	--	--	S	--	--	S	S	S
Salvage Yards	--	--	--	--	--	--	--	A	--	--	--	--	--
Wholesaling, Storage & Distribution													
Light	--	--	--	--	--	--	--	A	--	--	--	--	--
Heavy	--	--	--	--	--	--	--	S	--	--	--	--	--

Key: -- = Not Allowed; A = Allowed; S = Special Use Permit

**Table 17.302.05-5 Agricultural Land Use Types**  
(See Chapter 17.304 for definitions)

<b>Agricultural Types (Section 17.304.40)</b>	LDR	MDR	LDS	MDS	HDS	GC	NC	I	PSF	OS	GR	AMR	GRNA
Agricultural Processing	--	--	--	--	--	--	--	A	--	--	S	--	S
Agricultural Sales	S	--	--	--	--	A	--	A	--	--	S	A	S
Animal Production	A	A	A	--	--	--	--	--	--	S	A	A	A
Animal Slaughtering, AG	A	A	S	--	--	--	--	A	--	--	A	A	A
Animal Slaughtering, Comm*	--	--	--	--	--	--	--	S	--	--	--	--	--
Crop Production	A	A	A	--	--	--	--	--	--	S	A	A	A
Dairies*											S	S	S
Hog Farms*											A	A	A
Feedlots, Commercial*											S	S	S
Feedlots, Non Commercial*											A	A	A
Forest Products	S	S	--	--	--	--	--	--	--	S		--	
Game Farms	S	S	--	--	--	--	--	--	--	S	S	S	S
Produce Sales	S	S	S	--	--	--	--	--	--	--	S	A	S

Key: -- = Not Allowed; A = Allowed; S = Special Use Permit

\*Commercial or non-commercial feedlots, commercial or non-commercial slaughterhouses, dairies, hog farms or other similar operations must be located at least 1/2 mile from any dwelling, except those dwellings located on the owners contiguous property and located at least two miles from the Lovelock City limits.

**Section 17.302.10 Use Classification System.** The land use categories that are listed in Table 17.302.05-1 through Table 302.05-5 are defined in Chapter 17.304, Use Classification System.

**Section 17.302.15 Types of Review.** Table 17.302.05-1 through 17.302.05-5 indicate the types of review required as follows:

- A. Allowed Use. A letter “A”: indicates that a use is allowed in the specified land use district.
- B. Use Not Allowed. A designation “ – ” indicates that a use is not allowed in the specified land use district.
- C. Special Use Permit. A designation “S” indicates that a use is allowed with special use permit approval in the specified land use district.

**Section 17.302.20 Accessory Uses and Structures.** Accessory uses and accessory structures are governed by Chapter 17.306, Accessory Uses and Structures.

**Section 17.302.25 Temporary Uses and Structures.** Temporary uses and temporary structures are governed by Chapter 17.322, Temporary Uses and Structures.

**Section 17.302.30 Uses in Airport Critical Areas.** In addition to the provisions of this chapter, uses with the following characteristics shall be prohibited in an airport critical area, as adopted in the Pershing County Master Plan:

- A. High Density. Uses with high residential, labor or other high population concentration characteristics of a permanent or extended duration.
- B. Special Populations. Uses that concentrate people unable to respond to emergency situations such as children, elderly and handicapped persons.
- C. Area wide Utilities. Uses that involve the provisions of utilities and services provided for area wide population where disruption would have an adverse impact (such as telephone, gas, etc).
- D. Hazardous Characteristics. Uses that involve explosives, fire toxic materials, corrosive materials or other hazardous characteristics.
- E. Hazards to Aircraft. Uses that pose particular hazards to aircraft, as identified and adopted by the Pershing County Commissioners or the Pershing County Airport Advisory Board.

**Section 17.302.35 Excavation and Grading.** In addition to the uses identified in Table 17.302-05-1 through 17.302.05-5, any excavation, grading, earthwork construction, earthen structures and storage of earth, including fills and embankments, as described in Section 17.302.35 A, requires a special use permit reviewed by the Planning Commission as prescribed in Chapter 17.606, Special Use Permits, unless exempted as noted in Section 17.302.35 B.

- A. A special use permit for such work is required if:
  - 1. The disturbed area exceeds 25,000 square feet per parcel.

2. More than 1,000 cubic yards of earth will be imported and placed as fill below the flood hazard area or limited flooding area.
3. More than 5,000 cubic yards of earth will be imported and placed as fill.
4. More than 1,000 cubic yards of earth will be excavated, whether or not the earth will be exported from the property.
5. A permanent earthen structure will be established over 4.5 feet high.
  - a. "Permanent", as applied to earthen structures, means earthen structures; (1) which the plans show will remain at the completion of the work; or (2) which will remain indefinitely under separate permit and approval for purposes or storage until a use is found elsewhere.
  - b. "Temporary", as applied to earthen structures, means earthen structures which the plans show will not remain at the completion of the work.
  - c. Height of earthen structures is measured from the land surface as it existed prior to applying for the permit or from grade shown on plans, whichever is lower.
6. The provisions of (2) and (3) above are applicable whether the material is intended to be permanently located on a site or temporarily stored on a site for relocations to another, final site.

B. A special use permit is exempted if:

1. Earth excavated from a slope greater than seven percent and retained on the slope immediately adjacent to the excavation, where such excavation is for the foundation of a building.
2. Earthwork performed by the developer of an approved subdivision, major project or other projects that have completed a hearing process and review pursuant to which mitigation conditions could have been attached in the same manner as in the special use permit process.
3. Excavation and grading related to agricultural uses.

## CHAPTER 304

### USE CLASSIFICATION SYSTEM

#### SECTIONS:

17.304.05	Purpose
17.304.10	Classification Rules
17.304.15	Authority and Responsibility
17.304.20	Residential Use Types
17.304.25	Civic Use Types
17.304.30	Commercial Use Types
17.304.35	Industrial Use Types
17.304.40	Agricultural Use Types

**Section 17.304.05 Purpose.** The purpose of Chapter 304, Use Classification System, is to classify uses according to a limited number of use types on the basis for regulation of uses in accordance with criteria which are directly relevant to the public interest. These provisions shall apply throughout the Development Code.

**Section 17.304.10 Classification Rules.** Uses will be classified into use types based upon the descriptions in Section 17.304.15 through Section 17.304.40, inclusive. The classifications shall comply with the provisions of this section.

- A. **Types of Uses Regulated.** Only principal uses are included within the use classification system. Accessory uses and temporary uses are regulated by Chapter 17.306, Accessory Uses and Structures, and Chapter 17.322, Temporary Uses and Structures, respectively.
- B. **Typical Uses within Use Types.** The description of the use types in this article often contain usual and customary uses classified within that use type. These usual and customary uses are examples and are not to include all uses that may properly be classified within the use type.
- C. **Classifying New Uses.** New uses shall be classified into use types based upon the description of the use types and upon characteristics similar to other uses already classified within the use type, subject to the applicable provisions of subsection D of the section.
- D. **Classifying Several Uses on the Same Parcel.** The principal uses conducted on a single parcel shall be classified separately.

**Section 17.304.15 Authority and Responsibility.** The Planning Director shall have the following authority and responsibilities with respect to the use classification system:

- A. **Classifying Uses.** The Planning Director shall have the authority to classify uses according to use types or to determine that a use does not fit under any use type, and therefore, is not permitted. The classification of a use is an administrative decision

without notice and hearing, except that an applicant can appeal the decisions pursuant to Chapter 17.710, Appeals.

- B. List of Uses. The Planning Director shall develop and maintain an administrative list of common uses and the use types into which they are classified.

**Section 17.304.20 Residential Use Types.** Residential use types include the occupancy of living accommodations on a wholly or primarily non-transient basis but exclude institutional living arrangements, providing twenty-four hour skilled nursing or medical care and those providing forced residence, such as asylums and prisons.

- A. Family Residential. The family residential use type refers to the occupancy of living quarters by one or more families. The following are family residential use types.
1. Attached Accessory Dwelling. Attached accessory dwelling refers to a portion of a single family dwelling that may provide complete, independent living facilities for living, sleeping, eating, cooking and sanitation within the main dwelling unit, but which is separate from the main dwelling unit's cooking area, bathroom(s) and living areas. An attached accessory dwelling shall not exceed 25 percent of the total square footage of the main dwelling unit. Typical uses include guestrooms, guest apartments and "granny flats". These units shall not be used for rental purposes.
  2. Detached Accessory Dwelling. Detached accessory or non-farm dwelling refers to a dwelling unit on the same lot as the primary dwelling unit, but physically separated from the primary dwelling unit. An accessory dwelling unit may provide complete, independent living facilities for one or more persons, including permanent facilities for living, sleeping, eating, cooking and sanitation. A detached accessory unit shall not exceed 1,200 square feet of living space or 50 percent of the floor area of the main unit, whichever is greater. Typical uses include guesthouses, second units, "granny flats" and caretaker's quarters. These units shall not be used for rental purposes.
  3. Detached Accessory Structure. A detached accessory structure refers to a building or structure on the same lot as the main residential structure and devoted to a use incidental to that main residential structure. A detached accessory structure is not designed or used for human habitation. Typical uses include storage buildings and sheds, barns and detached garages.
  4. Duplex. Duplex refers to the use of a parcel for two dwelling units in a single structure.
  5. Multi-family. Multi-family refers to the use of a parcel for three or more dwelling units within one or more buildings, including condominium developments.
  6. Single Family, Attached. Single family, attached refers to two or more dwelling units constructed with a common or abutting wall with each located on its own separate parcel.

7. Single Family, Detached. Single family, detached refers to the use of a parcel for only one dwelling unit.
- B. Manufactured Home Parks. Manufactured home parks use type refers to the occupancy of a dwelling unit defined as a mobile home or a manufactured home and which is located in a site defined as a manufactured home park.
- C. Residential Group Home. Residential group home use type refers to on a weekly or longer basis, the occupancy of living quarters by and the care for a group of 6 to 12 persons – not defined as families, excluding caregivers and their family, such as adult day care and treatment centers.
- D. Large Residential Group Home. Large residential group home use type refers to, on a weekly or longer basis, the occupancy of living quarters by and the care for a group of 6 to 12 persons – not defined as families, excluding caregivers and their family, such as adult day care and treatment centers.
- E. Group Care. Group care use type refers to care services provided in residential facilities which accommodate 11 or more persons or in facilities authorized to provide services, but excludes those uses classified under major services and utilities. Typical uses include halfway houses, intermediate care facilities, or senior citizen board and care homes.

**Section 17.304.25 Civic Use Types.** Civic use types include the performance of utility, educational, cultural, medical, protective, governmental and other uses which are strongly vested with public or social importance.

- A. Administrative Service. Administrative service use type refers to consulting, record keeping, clerical or public contact services that deal directly with the citizen, together with incidental storage of necessary equipment and vehicles.
- B. Child Care. Child care use type refers to the use of a building or a portion thereof for the daytime care of individuals less than 18 years of age. Child care use types are subject to the regulations and permission of the State of Nevada, Division of Child and Family Services, Bureau of Child Care. This use type includes nursery schools, preschools, daycare centers and similar uses, but excludes those classified under educations. The following are child care use types;
1. Family Daycare. Family daycare refers to daycare services provided for six or fewer full-time children, including those of the child care facility licensee who are under the age of seven years, except that care may also be provided for up to three additional part-time children for three hours before schools are in session, subject to the regulations and permission of the State of Nevada Division of Child and Family Services, Bureau of Services of Child Care.
  2. Large Family Daycare. Large-family daycare refers to services provided for more than six full-time children, including those of the childcare facility licensee who are under the age of seven years.

3. Child Daycare. Child daycare refers to services providing non-medical care to any number of children in need of personal services or supervision, on less than a 24 hour basis, but excluding service provided in a private dwelling.
- C. Community Center. Community center use type refers to recreational, social or multi-purpose uses within buildings with no fixed seats and occupancy limited to 500 or fewer. Typical uses include public or private, non-commercial clubs.
- D. Convalescent Services. Convalescent services use type refers to provision of bed care and in-patient services for persons requiring regular medical attention, but excludes a facility providing surgical or emergency medical services and a facility providing care for alcohol or drug addiction.
- E. Cultural and Library Services. Cultural and library services use type refers to non-profit, museum like, preservation and exhibition of objects of permanent interest in one or more of the arts and sciences, gallery exhibition of works of art or library collection of books, manuscripts, etc., for study and reading.
- F. Education. Education use type refers to educational services provided by public, private or parochial institutions, but excludes uses classified under commercial education services. Typical uses include elementary, junior high, and senior high schools, and junior colleges. Curriculum must be approved by the State Department of Education.
- G. Group Care. Group care use type refers to care services provided in residential facilities which accommodate 11 or more persons or in facilities authorized to provide services, but excludes those uses classified under major services and utilities. Typical uses include halfway houses, intermediate care facilities, or senior citizen board and care home.
- H. Hospital Services. Hospital services use type refers to medical, psychiatric or surgical services for sick or injured persons primarily on an in-patient basis, including ancillary facilities for out-patient and emergency medical services, diagnostic services, training, research, administration and services to patients, employees or visitors.
- I. Major Services and Utilities.
  1. Utility Services. Utility services use type refers to the provisions of electricity, water or other liquids, or gas, through wires, pipes or ditches through utility services involving major structures that have flexibility in location. Typical uses include natural gas transmission lines and substations, petroleum pipelines, and irrigation water ditches.
  2. Major Public Facilities. Major public facilities use type refers to public facilities that provide a significant service and have a substantial impact on the community. Typical uses are sanitary landfills, airports, and detention and correction facilities.
- J. Nature Center. Nature center use type refers to an area set aside for the public viewing and display of indigenous or exotic wildlife and/or indigenous or exotic plant life on either a for-profit or non-profit basis in a structured setting. Typical uses include zoos, wildlife sanctuaries, arboretums and gardens.



- K. Parks and Recreation. Parks and recreations use type refers to publicly owned parks, recreation facilities and open space facilities within the recreation areas. These may be operated by a concessionaire. The following are park and recreation use types:
1. Active Recreation. Active recreation refers to public park recreational uses that may have a potential impact on the area or adjacent land uses. Uses include participant sports and developed family recreational areas. Typical uses include group picnicking, tennis courts, swimming pools, softball diamonds, group campgrounds, and community centers operated by a public entity.
  2. Passive Recreation. Passive recreation refers to public park recreational uses that have no or a minimal impact on the area and adjacent land uses. Uses include hiking, nature study, wildlife refuge, fishing and viewing. No active uses, such as group picnicking, camping and sporting activities, are included.
- L. Postal Services. Postal services use type refers to mailing services, excluding major processing, as provided by the United States Postal Service, including branch post offices and public and private facilities.
- M. Public Parking Services. Public parking services use type refers to parking services involving buildings and lots which may be privately and/or publicly owned and operated and are assigned to meet a parking demand. Commercial parking is that which is not designated for any identified use.
- N. Religious Assembly. Religious assembly use type refers to religious services involving public assembly such as customarily occurs in synagogues, temples and churches.
- O. Safety Services. Safety services use type refers to public safety and emergency services, including police and fire protection services, and emergency medical and ambulance services.

**Section 17.304.30 Commercial Use Types.** Commercial use types include the distribution and sale or rental of goods, and the provisions of services other than those classified as civic or industrial use types.

- A. Administrative Offices. Administrative offices use type refers to offices or private firms or organizations which are primarily used for the provisions of executive, management or administrative services. Typical uses include administrative offices and services including travel, secretarial services, telephone answering, photo-copying and reproduction, business offices of public utilities, organizations and associations, or the use classifications when the service is rendered is that customarily associated with administrative office services.
- B. Animal Sales and Services. Animal sales and services use type refers to establishments or places of business primarily engaged in animal-related sales and services. Animals kept as domestic pets or as accessory uses to a residential use are regulated by the accessory use provisions of Chapter 17.306, Accessory Uses and Structures. The following are animal sales and services use types:

1. Commercial Kennels. Commercial kennels refers to kennel services for dogs, cats and similar animals. Typical uses include commercial animal breeding with four or more animals (dogs), boarding kennels, pet motels, or dog training centers. Commercial kennels require a parcel size of 2.5 acres, regardless of the regulatory land use district within which it is located.
  2. Commercial Stables. Commercial stables refers to boarding or raising of three or more horses, but excludes horses used primarily for agricultural operations which are classified under animal production. Typical uses include commercial stables, riding clubs and riding instruction facilities.
  3. Grooming and Pet Stores. Grooming and pet stores refers to grooming or selling of dogs, cats and similar small animals. Typical uses include dog bathing and clipping salons, pet grooming shops, or pet stores and shops.
  4. Pet Cemeteries. Pet cemeteries refer to services involving the preparation of dead animals for burial and the keeping of animal bodies on cemetery grounds.
  5. Veterinary Services, Agricultural. Veterinary services, agricultural refers to veterinary services specializing in the care and treatment of large animals. Veterinary services, agricultural requires a parcel size minimum of 2.5 acres regardless of the regulatory zone within which it is located. Typical uses include veterinary offices for livestock.
  6. Veterinary Services, Pets. Veterinary services, pets refers to veterinary services for small animals. Typical uses include pet clinics, dog and cat hospitals, or animal hospitals.
- C. Automotive and Equipment. Automotive and equipment use type refers to establishments or places of business primarily engaged in automotive-related or heavy equipments sales or services. The following are automotive and equipment use types:
1. Automotive Repair. Automotive repair refers to repair of automobiles and the sale, installation and servicing of automobile equipment and parts. Typical uses include muffler shops, automobile repair garages or automobile glass shops.
  2. Automotive Sales and Rentals. Automotive sales and rentals refer to on-site sales and/or rentals of automobiles, non-commercial trucks, motorcycles, motor homes and trailers together with incidental maintenance. Typical uses include automobile dealers, car rental agencies, or recreational vehicle sales and rental agencies.
  3. Cleaning. Cleaning refers to washing and polishing of automobiles. Typical uses include automobile laundries or car washes.
  4. Commercial Parking. Commercial parking refers to parking of operable motor vehicles on a temporary basis within a privately owned off-street parking area with or without a fee. Commercial parking is that which is not designated for any identified use. Typical uses include commercial parking lots or garages.

5. Equipment Repair and Sales. Equipment repair and sales refers to repair of motor vehicles such as aircraft, boats, recreational vehicles, trucks, etc.; the sale, installation and servicing of automobile equipment and parts; and body repair, painting and steam cleaning. Typical uses include truck transmission shops, body shops, motor freight maintenance groups or agricultural equipment sales.
  6. Fabricated Housing Sales. Fabricated Housing Sales refers to the sales of new and used modular housing, manufactured homes and/or mobile homes; and ancillary minor repair of modular housing, manufactured homes and/or mobile homes sold from the same location as the new or used units. Typical uses include mobile home sales lots and minor repairs of units sold on site that do not include changes in walls and do not include changes in undercarriage plumbing or support systems.
  7. Storage of Operable Vehicles. Storage of operable vehicles refers to storage of operable vehicles, recreational vehicles and boat trailers. Typical uses include car and truck rental lots.
  8. Truck Stops. Truck stops refers to businesses engaged in the sale of fuel and lubricants primarily for trucks, routine repair and maintenance of trucks, and associated uses such as selling food and truck accessories.
- D. Building Maintenance Services. Building maintenance services use type refers to establishments primarily engaged in the provisions of maintenance and custodial services to firms rather than individuals. Typical uses include janitorial, landscape and maintenance or window cleaning services.
- E. Commercial Centers. Commercial centers use type refers to a group of unified commercial establishments built on a site which is planned, developed, owned and managed as an operating unit. The following are commercial center use types;
1. Neighborhood Centers. Neighborhood centers refer to sales of convenience goods (food, drugs, and sundries) and personal services, those which meet daily needs of an immediate neighborhood trade area. A neighborhood center typically includes convenience retail and services approximately 500 to 1,500 people.
  2. Community Centers. Community Centers refers to shopping establishments containing some services of the neighborhood center plus other services providing a greater depth and range of merchandise than contained in the neighborhood center. A community center may include a variety store as the major tenant. A community center generally serves the larger trade area.
  3. Regional Centers. Regional centers refers to centers that provide shopping goods, general merchandise, apparel, furniture and home furnishing in full depth and variety. They usually are built around more than one department store. Typical design uses the pedestrian mall, either open or enclosed, as a connector between major anchor stores. A regional center serves as a major commercial center for the entire region and typically has more then 150,000 square feet of gross leaseable area.

- F. Commercial Education Services. Commercial educational services use type refers to educational services provided by private institutions or individuals with the primary purposes of preparing students for jobs in trade or profession. Typical uses include businesses and vocational schools, music schools, and hair styling schools.
- G. Commercial Recreation. Commercial recreation use type refers to commercial establishments or places of business primarily engaged in the provisions of sports, entertainment or recreation for participants or spectators. The following are commercial recreation use types:
1. Commercial Campground Facilities/RV Park. Commercial campground facilities/RV Park refers to areas and services for two or more campsites, accommodating camping vehicles and tents, which are used by the general public as temporary living quarters for recreational purposes. Typical uses include recreational vehicle campgrounds.
  2. Destination Resorts. Destination resorts refer to commercial enterprises for recreation that can include lodging. Typical uses include ski resorts, dude ranches, and hunting and fishing lodges.
  3. Indoor Entertainment. Indoor entertainment refers to predominantly spectator uses conducted within an enclosed building. Typical uses include motion picture theaters, meeting halls and dance halls.
  4. Indoor Sports and Recreation. Indoor sports and recreation refers to predominantly participant sports, conducted within an enclosed building. Typical uses include bowling alleys, billiard parlors, ice and roller skating rinks, indoor racquetball courts and athletic clubs.
  5. Limited Gaming Facilities. Limited gaming facilities refers to establishments which contain no more than 15 slot machines (and no other game or gaming device) where the operation of the slot machine is incidental to the primary business of the establishment.
  6. Marinas. Marinas refers to docking, storage, rental and minor repair of recreational and fishing boats. Typical uses include recreational boat marinas and boat rental establishments.
  7. Outdoor Entertainment. Outdoor Entertainment refers to predominantly spectator-type uses conducted in open or partially enclosed or screened facilities. Typical uses include sports arenas, racing facilities and amusement parks.
  8. Outdoor Sports and Recreation. Outdoor sports and recreation refers to predominantly participant sports conducted in public facilities that are open or partially enclosed or screened facilities. Typical uses include driving ranges, miniature golf courses, golf courses, paintball shooting ranges, shooting ranges, swimming pools and tennis courts.
  9. Outdoor Sports Club. Outdoor sports club refers to sports clubs using agricultural land or open space for private membership based activities including

hunting, paintball, shooting or fishing purposes. Typical uses include duck clubs, hunting clubs, skeet clubs and rifle ranges.

10. Unlimited Gaming Facilities. Unlimited gaming facilities refer to an establishment which contains 15 or more electronic gaming devices or operation of other gaming devices as authorized by the State of Nevada.
- H. Communication Facilities. Communication facilities use type refers to establishments primarily engaged in the transmission and/or receiving of electromagnetic waves. Typical uses include television stations, radio stations, satellite dishes, antennas and wireless communication facilities.
- I. Construction Sales and Services. Construction sales and services use type refers to establishments or places of business primarily engaged in construction activities and incidental storage, as well as the retail or wholesale sale from the premises, of materials used in the construction of buildings or other structures. This use type does not include retail sales of paint, fixtures and hardware, or those uses classified as one of the automotive and equipment use types. This type does not refer to actual construction sites. Typical uses include tool and equipment rental, or sales and building material stores.
- J. Convention and Meeting Facilities. Convention and meeting facilities use type refers to establishments which primarily provide convention and meeting facilities.
- K. Eating and Drinking Establishments. Eating and drinking establishments use type refers to establishments or places of business primarily engaged in the sale of prepared food and beverages for on-premises consumption, but excludes those uses classified under the liquor sales use type. The following are eating and drinking establishments use types:
  1. Convenience. Convenience refers to establishments or places of business primarily engaged in the preparation and retail sale of food and beverages, and have a short customer turnover rate (typically less than one hour). Typical uses include drive-in and fast-food restaurants, ice cream parlors, sandwich shops and delicatessens.
  2. Full Service. Full service refers to establishments or places of business primarily engaged in the sale of prepared food and beverages on the premises, which generally have a customer turnover rate of one hour or longer, and which include sales of alcoholic beverages at the table or at a bar as an accessory or secondary service. Typical uses include full-service restaurants.
- L. Financial Services. Financial services use type refers to establishments primarily engaged in the provision of financial and banking services. Typical uses include banks, savings and loan institutions, loan and lending activities, and check cashing facilities.
- M. Funeral and Internment Services. Funeral and internment services use type refers to provisions of services involving the care, preparation or disposition of human dead. The following are funeral and internment services use types:

1. Cemeteries. Cemeteries refer to undertaking services and services involving the keeping of bodies provided on cemetery grounds. Typical uses include crematoriums and mausoleums.
  2. Undertaking. Undertaking refers to services involving the preparation of the dead for burial and arranging and managing funerals. Typical uses include funeral homes or mortuaries.
- N. Gasoline Sales and Service Stations. Gasoline sales and service stations use type refers to retail sales of petroleum products from the premises of the establishment. Incidental sale of tires, batteries, replacement items, lubricating services and minor repair services may also be available. Typical uses include automobile service stations.
- O. Helicopter Services. Helicopter services use type refers to areas used by helicopter or steep-gradient aircraft. The following are helicopter services use types:
1. Heliport. Heliport refers to areas used by helicopters or by other steep-gradient aircraft, which includes passenger and cargo facilities, maintenance and overhaul, fueling service, storage space, tie-down space, hangars and other accessory buildings, and open space.
  2. Helistop. Helistop refers to areas on a roof or on the ground used by helicopters or steep-gradient aircraft for the purpose of picking up or discharging passengers or cargo, but not including fueling service, maintenance or overhaul.
- P. Liquor Sales. Liquor sales use type refers to retail sales of alcoholic beverages for consumption either on or off the premises of the establishment, but excludes uses classified under either the retail sales or eating and drinking establishments use types. The following are liquor sales use types:
1. Off-Premises. Off-premises refers to sale of liquor for off-site consumption. Typical uses include packaged liquor sales.
  2. On-Premises. On-premises refers to sale of liquor for on-site consumption. Typical uses include taverns, cabarets, service bars, retail beer and wine sales.
- Q. Lodging Services. Lodging services use type refers to establishments primarily engaged in the provision of lodging on a less-than-weekly basis within incidental food, drink, and other sales and services intended for the convenience of guests, but excludes those classified under residential group home and commercial recreation. The following are lodging services use types;
1. Bed and Breakfast Inns. Bed and breakfast inns refer to single family dwellings with guest rooms (no cooking facilities in the guest rooms) where, for compensation, meals and lodging are provided.
  2. Hostels. Hostels refers to supervised transient facilities offering dormitory type lodging, usually with a minimum of facilities.

3. Hotels and Motels. Hotels and motels refers to temporary residences for transient guests, primarily persons who have residence elsewhere, with access to each room through an interior hall and lobby or outside porch or landing.
  4. Vacation Time Share. Vacation time share refers to real properties that are subject to a time share program.
- R. Medical Services. Medical services use type refers to establishments primarily engaged in the provision of personal health services ranging from prevention, diagnosis and treatment, or rehabilitation services provided by physicians, dentists, nurses and other health personnel as well as the provisions of medical testing and analysis services, but excludes those classified as any civic use type. Typical uses include medical office, dental laboratories, health maintenance organizations, immediate care facilities or sports medicine facilities.
- S. Nursery Sales. Nursery sales use type refers to the sales of plants, flowers, and related nursery items. The following are nursery sales and use types:
1. Retail. Retail refers to retail sale of plants and flowers and related nursery items. Typical uses include retail nurseries and home garden stores.
  2. Wholesale. Wholesale refers to wholesaling of plants and flowers, with incidental retail sales. Typical uses include wholesale nurseries.
- T. Personal Services. Personal services use type refers to establishments primarily engaged in the provisions of informational, instructional, personal improvement and similar services of a non-professional nature, but excludes services classified as commercial recreation or lodging services. Typical uses include photography studios, driving schools or weight loss centers.
- U. Personal Storage. Personal storage use type refers to storage services primarily for personal effects and household goods within an enclosed storage area having individual access, but excludes workshops, hobby shops, manufacturing or commercial activity. Typical uses include mini-warehouses.
- V. Professional Services. Professional services use type refers to establishments which provide professional services to individuals or businesses, but excludes offices servicing walk-in customers which are classified under the administrative offices use type. Typical uses include law offices, travel offices, real estate offices, insurance offices, accounting and architectural firms.
- W. Recycle Center. Recycle center use type refers to facilities for the collection, as a commercial enterprise, of household recyclables such as newspapers, bottles and cans. Recycle centers do not include recycle facilities existing as part of a refuse pickup service or recycle bins used for donations to non-profit organizations. The following are recycle center use types:
1. Full Service Recycle Center. Full service recycle center refers to large, fully attended recycle centers accepting paper, plastic and glass, household recyclables and may include processing or sorting of the recyclables.

2. Remote Collection Facility. Remote collection facility refers to a center for the acceptance, by redemption or purchase of recyclable materials from the public. Such a facility does not process the recyclables on site. Typical uses include reverse vending machines.
  3. Residential Hazardous Substance Recycle Center. Residential hazardous substance recycle center refers to specialized recycling centers that receive household hazardous substances such as household paint, household cleaners and automobile engine oil.
  4. Septage Storage. Refers to biodegrade and storage of natural sludge which should not be located nearer to residential than within one mile of a home site.
- X. Repair Services, Consumer. Repair services, consumer use type, refers to establishments primarily engaged in the provision of repair services to individuals and households rather than firms, but excludes automotive repair. Typical uses include appliance repair shops, apparel repair firms or instrument repair firms.
- Y. Retail Sales. Retail sales use type refers to retail sales of neighborhood or commonly used goods and merchandise, either free-standing or within a commercial center, but excludes those uses classified under other use types. The following are retail sales use types:
1. Convenience. Convenience refers to establishments which provide a limited number of frequently or recurrently needed personal items or services for residents of an immediate neighborhood. Typical uses include convenience stores, small grocery stores, barber shops, beauty parlors, dry cleaners and self-service laundromats.
  2. Specialty Stores. Specialty stores refer to establishments which provide a variety of retail or personal services needs for residents in the larger community area. Typical uses include supermarkets, super drug stores, clothing boutiques, antiques bookstores, furniture stores and auto parts.
  3. Comparison Shopping Centers. Comparison shopping centers refer to retail establishments that provide a wide variety of retail and personal services that cater to the regional needs. Typical uses include full-line department stores and warehouse-styled retail outlets.
- Z. Secondhand Sales. Secondhand sales use type refers to establishments primarily engaged in the sale of goods and merchandise which are not being sold for the first time, but excludes those classified as animal sales and services and automotive and equipment. Typical uses include secondhand stores and thrift shops.
- AA. Transportation Services. Transportation services use type refers to establishments which provide private transportation of persons and goods. Typical uses include taxi services and commercial postal service.
- BB. Other Commercial. Other commercial use type refers to commercial establishments which engage in activities that are commercial in nature and are not specifically listed in Chapter 17.304 of the Pershing County Development Code. A commercial entity is



generally engaged in a non-manufacturing business, including, but not limited to, hotels, motels, restaurants, wholesale businesses, retail stores, and health, social, and educational institutions, which is engaged in activities which are commercial in nature, to wit: Activities involving the sale or rental of commodities or products, providing services for a cost, or both. However, if the establishment engages in activities that are specifically listed in this chapter as either agricultural or industrial activities or that are in the general nature of either agricultural or industrial types of activity, this specific provision does not apply to the type of use. Agricultural activities involve the process of producing food, feed, fiber and other desired products by the cultivation of certain plants and the raising of domesticated animals (livestock). Industrial Activities are principally related to the processing, or semi-processing, of materials or the manufacture, assembly, service, repair, storage or transportation of materials, goods or equipment and includes processing, warehousing, packaging or treatment of products, goods or equipment. Industrial establishments include, but are not limited to, manufacturing centers, assembly centers, warehouses, waste disposal sites, land fill operations, junk yards, and other similar business operations.

**Section 17.304.35 Industrial Use Types.** Industrial use types include the on site production of goods by methods not agricultural in nature, including certain accessory uses.

- A. Aggregate Facilities. Aggregate facilities use type refers to the extraction and processing of sand, gravel and rock from the ground. Typical uses include sand and gravel pits and other uses such as concrete, cement and asphalt batch plants.
- B. Custom Manufacturing. Custom manufacturing use type refers to 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 these goods directly to consumers.
- C. Energy Production. Energy production use type refers to the commercial production of electricity from geothermal, petroleum, solar, wind and other sources.
- D. General Industrial. General industrial use type refers to the on-site production of goods other than those that are agricultural or extractive in nature, but excludes those uses classified under custom manufacturing and high technology use types. The following are general industrial use types:
  1. Limited. Limited refers to production processes which use already manufactured components to assemble, print or package a product such as cloth, paper, plastic, leather, wood, glass or stones, but not including such operations as paper, saw or planer mills, steel, iron or other metal works, rolling mills, or any manufacturing uses involving primary production of commodities from raw materials. By the nature of the activity performed and/or the scale of operation, these uses can be located near residential or commercial uses with minimal impact to adjacent uses. Typical uses include apparel manufacturing, paper products finishing, furniture production and production of fabricated metal products.
  2. Intermediate. Intermediate refers to production processes which can be located near residential or commercial uses only if special control measures are taken to mitigate the land use conflicts which can result from such operations. Typical

uses include production of food substances, household appliance manufacturing, prefabrication of manufactured buildings, and major repair/reconstruction and storage of fabricated housing.

3. Heavy. Heavy refers to production processes which should not be located near residential or commercial uses due to the intensive nature of the industrial activity and/or the scale of operation. These uses may be located near other manufacturing uses exhibiting similar characteristics although special control measures may be required for some extremely intensive operations to ensure compatibility with similar industrial uses. Typical uses include geothermal energy production, motor vehicle assembly, sawmills, textile dyeing, leather tanning, hazardous chemical production, petroleum refining, primary metal processing and production of explosives or propellants.
- E. High Technology Industry. High technology industry use type refers to the research, development and controlled production of high technology electronic, industrial or scientific products. Typical uses include biotechnology firms and computer component manufactures.
- F. Inoperable Vehicle Storage. Inoperable vehicle storage use type refers to premises devoted to the parking and/or storage of inoperable vehicles. Typical uses include truck and car storage yards.
- G. Laundry Services. Laundry services use type refers to establishment primarily engaged in the provision of large scale laundering, dry cleaning or dyeing services other than those classified as personal services. Typical uses include laundry agencies, diaper services or linen supply services.
- H. Mining Operations. Mining operations use type refers to the extraction and processing of rocks and minerals from the ground, but excludes use classified under the petroleum gas extraction use type. Typical uses include the mining of precious metals and industrial minerals.
- I. Petroleum Gas Extraction. Petroleum gas extraction use type refers to the extraction of oil and natural gas from the ground and the temporary storage of oil at the well site. Typical uses include oil and gas wells.
- J. Salvage Yards. Salvage yards use type refers to the collection, storage or sale of rags, scrap metal or discarded material; or the collection, dismantling, storage, salvaging or demolition of vehicles, machinery or other materials. Typical uses include junkyards and auto wrecking facilities.
- K. Wholesaling, Storage and Distribution. Wholesaling, storage and distribution use type refers to establishments or places of business primarily engaged in wholesaling, storage and bulk sale distribution including, but not limited to, open-air handling of material and equipment other than live animals and plants. The following are wholesaling, storage and distribution types:
  1. Light. Light refers to wholesaling, storage and warehousing services within enclosed structures. Typical uses include wholesale distributors, storage warehouses, or moving and storage firms.

2. Heavy. Heavy refers to distribution and handling of materials and equipment. Typical uses include monument sales, stone yards or open storage yards.
- L. Other Industrial. Other industrial use type refers to industrial establishments which engage in activities that are industrial in nature and are not specifically listed in Chapter 17.304 of the Pershing County Development Code. Activities which are Industrial in nature, as described in this section, principally involve activities related to the processing, or semi-processing, of materials or the manufacture, assembly, service, distribution, repair, storage or transportation of materials, goods or equipment and includes processing, warehousing, packaging or treatment of products, goods or equipment. Industrial establishments include, but are not limited to, manufacturing centers, assembly centers, warehouses, waste disposal sites, land fill operations, junk yards, and other similar business operations. However, if the establishment engages in activities that are specifically listed in this chapter as either agricultural or commercial activities or that are in the general nature of either agricultural or industrial types of activity, this specific provision does not apply to the type of use. Agricultural activities involve the process of producing food, feed, fiber and other desired products by the cultivation of certain plants and the raising of domesticated animals (livestock). A commercial entity is generally engaged in a non-manufacturing business, including, but not limited to, hotels, motels, restaurants, wholesale businesses, retail stores, and health, social, and educational institutions, which is engaged in activities which are commercial in nature, to wit: Activities involving the sale or rental of commodities or products, providing services for a cost, or both.

**Section 17.304.40 Agricultural Use Types.** Agricultural use types include the on-site production of plant and animal products by agricultural methods.

- A. Agricultural Processing. Agricultural processing use type refers to the processing of foods and beverages from agricultural commodities, including compost production, but excludes animal slaughtering. Typical uses include canning of fruits and vegetables, processing of dairy products, and the production of prepared meats from purchased carcasses, and the production of compost from natural agricultural and household waste.
- B. Agricultural Sales. Agricultural sales use type refers to the sale of agricultural supplies such as feed, grain and fertilizers. Typical uses include feed and grain stores.
- C. Animal Production. Animal production use type refers to raising of animals or production of animal products, such as eggs, on an agricultural or commercial basis, but excluding commercial slaughtering. Typical uses include grazing, ranching, and poultry farming.
- D. Animal Slaughtering, Agricultural. Agricultural animal slaughtering use type refers to the slaughtering of animals to be used in making meat products on the same premises.
- E. Animal Slaughtering, Commercial. Commercial animal slaughtering use type refers to the slaughtering of animals to be sold to others or to be used in making meat products on the same premises. Typical uses include slaughter houses.

- F. Crop Production. Crop production use type refers to raising and harvesting of tree crops, row crops or field crops on an agricultural or commercial bases, including packing and processing.
- G. Dairy. Any establishment for the processing of dairy products, including cheese and milk.
- H. Game Farms. Game farms use type refers to boarding or breeding of exotic animals generally considered as wild or not normally domesticated.
- I. Produce Sales. Produce sales use type refers to on-site sale of farm produce and/or shell eggs from property owned, rented or leased by the farmers who grow or produce all or part of the farm produce or shell eggs, offered for sale. Only products grown or produced on site may be sold. Typical uses include produce stands, and fruit and vegetable stands.
- J. Feed Lot. Feed lot use type refers to confined areas or structures used for feeding, breeding, or holding livestock for eventual sale.
- K. Other Agricultural. Other agricultural use type refers to agricultural establishments which engage in activities that are agricultural in nature and are not specifically listed in Chapter 17.304 of the Pershing County Development Code. Activities which are agricultural in nature, as described in this section, involve the process of producing food, feed, fiber and other desired products by the cultivation of certain plants and the raising of domesticated animals (livestock). However, if the establishment engages in activities that are specifically listed in this chapter as either commercial or industrial activities or that are in the general nature of either agricultural or industrial types of activity, this specific provision does not apply to the type of use. A commercial entity is generally engaged in a non-manufacturing business, including, but not limited to, hotels, motels, restaurants, wholesale businesses, retail stores, and health, social, and educational institutions, which is engaged in commercial activities involving the sale or rental of commodities or products, providing services for a cost, or both. Industrial Activities are principally related to the processing, or semi-processing, of materials or the manufacture, assembly, service, repair, storage or transportation of materials, goods or equipment and includes processing, warehousing, packaging or treatment of products, goods or equipment. Industrial establishments include, but are not limited to, manufacturing centers, assembly centers, warehouses, waste disposal sites, land fill operations, junk yards, and other similar business operations.

*[Chapter 17.304 amended by Ord. 239, passed 06/20/07, provisions eff. 07/06/07]*

## CHAPTER 306

### ACCESSORY USES AND STRUCTURES

#### SECTIONS:

17.306.00	Purpose
17.306.05	Applicability
17.306.15	Detached Accessory Structures
17.306.20	Attached Accessory Dwellings
17.306.25	Detached Accessory Dwellings
17.306.30	Agricultural Buildings
17.306.35	Outdoor Storage/Outdoor Display

**Section 17.306.00 Purpose.** The purpose of Chapter 306, Accessory Uses and Structures, is to allow accessory uses and structures and provide standards and conditions for regulating them.

**Section 17.306.05 Applicability.** Accessory uses and structures normally incidental to principal uses and main structures are allowed in all regulatory land use districts except as otherwise provided herein. This is not to be construed as permitting any commercial uses, including the storage of commercial vehicles, in residential regulatory land use districts unless specifically allowed by this Development Code.

**Section 17.306.15 Detached Accessory Structures.** The following development requirements shall apply to detached accessory structures:

- A. **Buildable Area.** A detached accessory structure may occupy no more than 50 percent of the total area of a rear yard or 25 percent of a side yard.
- B. **Setbacks.** Accessory structures are not permitted to encroach upon the required setbacks established in Chapter 17.502, Lot Design and Building Placement Standards.
- C. **Height Limits.** Accessory structures shall not exceed 35 feet in height.
- D. **Location.** Any accessory structure shall comply with the following site requirements:
  - 1. In no event shall any detached accessory structure occupy the front yard of any lot, except as provided in this section;
  - 2. In the case of a corner lots abutting two streets, no detached accessory structure shall be erected so as to encroach upon the front halves of such lot; and
  - 3. The accessory structures shall have a minimum separation of 10 feet from any dwelling or other structure. No portion of the structure shall be located within any easement.
  - 4. Mobile homes, travel trailers and recreational vehicles may not be used as accessory structures.

**Section 17.306.20 Attached Accessory Dwellings.** Attached accessory dwellings are permitted in the General Rural, AMR, Rural and Suburban Regulatory Land Use Districts, pursuant to all the following regulations:

- A. A main residential unit exists.
- B. A minimum lot area of 5,000 square feet exists.
- C. Setback and height standards of the regulatory district shall be maintained.
- D. The attached accessory unit shall not exceed 25 percent of the floor area of the main unit.
- E. Any exterior entrance to the attached accessory dwelling shall not be located along the same wall as the main entrance to the main unit.
- F. A minimum of one off-street parking space shall be added, in addition to the applicable parking requirements of the main unit. Additional parking beyond the one off-street parking space added may be required pursuant to the provisions of Chapter 17.506, Parking Standards.
- G. There shall be not more than one attached or detached accessory dwelling unit per parcel.

**Section 17.306.25 Detached Accessory Dwellings.** Detached accessory dwellings are allowed in the General Rural, AMR, Rural and Suburban Regulatory Land Use Districts, subject to a special use permit reviewed by the Planning Commission pursuant to the applicable provisions of Section 17.306.05 and the following requirements:

- A. A main residential unit exists.
- B. A minimum lot area of one acre exists.
- C. Setback and height standards of the regulatory district shall be maintained.
- D. Shall be located entirely within the rear or side yard.
- E. Shall be of the same architectural style and constructed of same or similar materials and colors that blend with the primary dwelling.
- F. The detached accessory unit shall not exceed 1,200 square feet of living space or 50 percent of the floor are of the main unit, whichever is greater.

The maximum permitted floor area of a detached accessory unit shall not be increased by use of the variance process contained in Chapter 17.602, Variances, except for conversion of a guest house, that was legally constructed prior to January 17, 2003, to a detached accessory unit.

- G. A manufactured home constructed within 10 years of the date of its placement and a modular home are permitted as detached accessory dwelling units in any regulatory land

use district in which a single family residence is permitted provided that the unit is permanently affixed to the property and its foundation system is masked at the time of the final inspection date. Fabricated homes are permitted as detached accessory units in a manufactured home subdivision.

- H. A minimum of one off-street parking space shall be added, in addition to the applicable parking requirements of the main unit. Additional parking beyond the one off-street parking space added may be required pursuant to the provisions of Chapter 17.506, Parking Standards.
- I. There shall be not more than one attached or detached accessory dwelling unit per parcel.
- J. A parcel containing a detached accessory dwelling unit shall not be subdivided to place the detached accessory dwelling unit on a lot subdivided from the original parcel, if in creating such a subdivision, any of the existing or new parcels have a lot area less than the required minimum lot area of the regulatory land use district in which the parcel exists.

**Section 17.306.30 Agricultural Buildings.** Buildings, corrals, coops, pens, stables or structures used in conjunction with farming may be constructed, erected or located, and used without a permissive main structure in any regulatory land use district allowing agricultural use types provided that the following conditions are met:

- A. General Requirements. All agricultural buildings shall conform to the following general requirements:
  - 1. The accessory structures do not involve on-site sale of agricultural products.
  - 2. The accessory structures do not involve the commercial use of horses;
  - 3. The accessory structures are located not closer than 100 feet to any street or highway, or to any public park or school, or to any land classified in a residential district.
- B. Requirements for the Agricultural Slaughtering of Animals. All agricultural buildings used for the agricultural slaughtering of animals shall conform to the following requirements:
  - 1. Any agricultural building used for the agricultural slaughtering of animals must be located on a parcel of land that is a minimum of 2.5 acres in size;
  - 2. Any agricultural building used for the agricultural slaughtering of animals must be located a minimum of 100 feet from a property line;
  - 3. Only one agricultural building may be used for the agricultural slaughtering of animals:
  - 4. The agricultural building used for the agricultural slaughtering of animals must be of a size to accommodate the entire slaughtering process which shall include an area large enough to hold the animal or animals to be slaughtered; an area for

preparing the animal produce; and area for storing the animal produce, animal waste and carcasses; and an area for cleanup;

5. All animal waste and carcasses created through the agricultural slaughtering process shall be removed from the premises to an approved District Health Department disposal area within 24 hours of the slaughtering of an animal;
6. All slaughtering of animals that is considered agricultural slaughtering shall be conducted within a building; and
7. Only animals raised on-site may be slaughtered as part of an agricultural process.

**Section 17.306.35 Outdoor Storage/Outdoor Display.**

- A. General Requirements, Storage. No area visible from a street shall be used for outdoor storage of inoperable vehicles. No area visible from a street shall be used for outdoor storage of building materials, appliances, containerized trash or similar materials, except as provided in this section, or:
  1. When being temporarily stored for the purpose of construction pursuant to and during the time permitted by a valid building permit;
  2. When in conjunction with a yard/garage sale with a duration of not more than five consecutive days or three consecutive weekends;
  3. When the covered trash containers are approved by the disposal company for weekly or other regularly scheduled domestic disposal.
- B. Inoperable Vehicle Defined. An inoperable vehicle is defined as a vehicle that cannot be licensed by the State of Nevada Department of Motor Vehicles, or a vehicle that is not registered by the State of Nevada Department of Motor Vehicles, or a vehicle that is in a state of being dismantled, or a vehicle that is missing one or more parts that permit it to be operable or safely operated.
- C. Trash Storage Method and Location. The provisions of this subsection shall apply to all developments except single-family dwellings and duplexes.
  1. Trash enclosure locations shall be located in the side or rear yard unless the Planning Director can make a finding that the location of the enclosure in one of these yards would prevent accessibility by a refuse-collecting vehicle.
  2. Trash enclosures shall be constructed in accordance with the following standards:
    - a. They shall be fully constructed prior to occupancy of the development;
    - b. They shall be screened on three sides by a solid masonry or wood wall of six feet in height and on one side by a slatted fenced gate (with wheels) of equal height;



- c. They shall be screened from view from public rights-of-way; and
  - d. Their enclosure locations shall be accessible to refuse-collecting vehicles.
- D. Electrical Cage Enclosures and Storage Tanks. All exterior electrical cage enclosures and storage tanks are to be screened from view from access ways, adjacent street and residential neighborhoods by a solid fence, wall or mature landscape materials. Any solid fence or wall shall be screened by landscaping.
- E. General Requirements, Outdoor Display. A use in a Commercial or Industrial Regulatory Land Use District may display products sold or manufactured on-site in the area between the property line and the face of the main building, except that the display shall not be closer than 15 feet to the front property line.
- F. Outdoor Display for Merchandise. Except for the uses enumerated in subsection G of this section, the outdoor display of merchandise in the area between the front and side property lines and the front and side faces of the main building shall not cover more than 50 percent of this area.
- G. Outdoor display for Automobiles, Boats, Recreational Vehicles and Heavy Equipment. The outdoor display of automobiles, boats, recreational vehicles and heavy equipment shall not cover more than 85 percent of the area between the front and side property lines and the front and side faces of the main building.



## CHAPTER 308

### FABRICATED HOUSING

#### SECTIONS:

17.308.00	Purpose
17.308.05	Placement Standards
17.308.10	Conversion of Manufactured Home to Real Property
17.308.15	Development Standards
17.308.20	Design Standards
17.308.25	Submittal Requirements
17.308.30	Mobile Homes
17.308.35	Temporary Storage of Mobile and Manufactured Homes

**Section 17.308.00 Purpose.** The purpose of Chapter 308, Fabricated Housing, is to establish general requirements for fabricated housing to include modular homes, manufactured homes, and mobile homes.

**Section 17.308.05 Placement Standards.** Fabricated housing that is not located within a manufactured home park shall comply with the provisions of this section.

- A. **Modular Homes.** Modular home placements shall be subject to the same regulations and standards as site-built homes, and comply with the provisions of Pershing County Code Title 15, Buildings and Construction.
- B. **Manufactured Homes.** Manufactured home placements are allowed as follows:
1. Manufactured homes constructed within 10 years of the date of placement are allowed on individual lots in all Rural and Suburban Regulatory Land Use Districts, General Rural and Agricultural-Mining-Recreation. In Neighborhood Commercial Land Use Districts, Manufactured homes are permitted in conjunction with a neighborhood commercial use; a special use permit is required.
  2. Manufactured homes constructed within 10 years of the date of placement are allowed in a manufactured home park, provided they are in compliance with Chapter 17.310, Manufactured Home Parks; and;
  3. Manufactured homes which were manufactured more than 10 years prior to and within 25 years of the desired placement and which comply with the requirements listed below, may be placed on a parcel of property or in a manufactured home park subject to compliance with the rules set forth in paragraphs 1 and 2 above:
    - a. When placed on a lot, the unit must meet all setback requirements of the land use district;
    - b. Plans and elevations must be submitted prior to the issuance of a placement permit;

- c. The foundation and tie-downs must conform or meet current FHA and VA standards, but in no case shall the standards be less than required by the manufacturer or by state law or regulation;
- d. The finished floor must be no higher than 24 inches above the adjacent ground level;
- e. There must be a perimeter crawl space enclosure and it must be constructed in a manner similar to a perimeter foundation, such as block or poured concrete wall, regardless of whether a perimeter foundation is required by manufacturer requirement or by state law or regulation;
- f. The exterior covering material of the unit must extend over the top of the perimeter crawl space enclosure;
- g. The exterior siding may be wood, plywood, particle board, fiber-cement board or similar material. Aluminum, steel or vinyl siding in four, six, eight or ten-inch widths is permitted, as long as it is installed horizontally. Corrugated or ribbed metal siding with a galvanized or gloss finish is prohibited;
- h. All main structures must have a pitched roof of no less than 3:12 and must be roofed with shingles or tiles. Colored, corrugated or ribbed steel roofing of number 30 galvanized steel gauge, or heavier, may be used;
- i. Roofs must have a minimum of 12 inches of overhang on all sides;
- j. If a carport or garage is provided, the exterior material and roofing of the carport or garage must be the same as the dwelling unit, and the construction of the carport or garage must comply with state law and regulation;
- k. The unit must be occupied only as a single-family residence;
- l. All components of the towing system, such as tongue, hitch, axles and wheels must be removed;
- m. The unit must be registered with the County Assessor and taxed as real property;
- n. The unit complies with the Manufactured Home Construction and Safety Standards pursuant to 24 CFR 3280;
- o. The unit complies with the Manufactured Home Procedural and Enforcement Regulations 24 CFR 3282;
- p. The unit complies with the Manufactured Home Consumer Requirements 24 CFR 3283; and
- q. A safety and quality inspection is done by the Pershing County Building

Inspector to ensure that the unit meets the requirements herein.

4. All new placements of manufactured homes on individual lots shall be converted to real property at the time of placement and must comply with Sections 17.308.10 and Sections 17.308.15.

*[Section 17.308.05 amended by Ord. 225, passed 02/01/06]*

**Section 17.308.10 Conversion of Manufactured Home to Real Property.** Within six months after a manufactured home has passed all required final inspections and a certificate of occupancy has been issued, the property owner shall convert the manufactured home to real property. Conversion to real property may be completed through the County Tax Assessor's office.

**Section 17.308.15 Development Standards.** All new set-up and installations of manufactured homes shall comply with the following development standards:

- A. Density and Intensity Standards. Manufactured homes shall be subject to the maximum number of units allowed per acre and height of structures as set forth in Chapter 17.502 for the regulatory land use district in which they are located.
- B. Lot Standards. Manufactured homes shall be subject to the minimum and maximum size of lots and the minimum average lot width as set forth in Chapter 17.502 for the regulatory land use district in which they are located.
- C. Building Placement Standards. Manufactured homes shall be subject to the building setbacks and yard requirements as set forth in Chapter 17.502 for the regulatory land use district in which they are located.
- D. Parking. Manufactured homes shall be subject to the parking standards as set forth in Chapter 17.506, Parking Standards. At a minimum, one of the required parking spaces shall be contained within a garage or carport. This requirement may be waived through an application for a variance in accordance with Chapter 17.602, Variances, in cases where the deletion would be consistent with the surrounding neighborhood. Where required, the external material and roofing of the garage or carport shall be the same as that of the dwelling unit.
- E. Skirting. Complete perimeter solid skirting, of a material and color complimentary to the manufactured home shall be provided from the bottom of the fabricated home to the ground surface within 60 days of the set-up and inspection date. The exterior covering of the fabricated home can be used to satisfy the skirting requirement, except that, when a solid concrete or masonry perimeter foundation is used, the exterior covering material need not extend below the top of the foundation.
- F. Foundation. Manufactured homes shall be installed on a permanent foundation system. Permanent foundation systems shall comply with the applicable requirements established in the latest edition of The Nevada Manufactured Home, Mobile Home & Commercial Coach Installation Standards published by the State of Nevada Division of Manufactured Housing, and all other applicable local, state or federal requirements.

- G. Removal of Running Gear. All components associated with the transportation of a manufactured home shall be removed from the home within 60 days of issuance of a certificate of occupancy. Such components may include but shall not be limited to: hitches, axles and wheels, transportation lights, etc. The components shall be removed from the property or may be stored under the home but must be completely concealed by the skirting.

**Section 17.308.20 Design Standards.** Fabricated homes with an original invoice date on or after January 1, 1994, shall comply with the following appearance standards to ensure aesthetic compatibility with conventional site-built construction:

- A. Exterior Siding. Exterior siding shall be made of non-reflective and non-metallic materials. Acceptable siding materials include wood, stucco, tile, brick, stone, fiber-cement board or other masonry materials, or any combination thereof.
- B. Roof Structure. All roof structures shall be sloped and provide an eave projection of no less than six inches measured from the vertical side of the manufactured home. The eave projection is required on all four sides. The roof on the residential structure or on any garage or carport shall be made of non-reflective materials.
- C. Roofing Material. All roofing materials shall comply with the provisions of the County's adopted building code. Metal roofing must be non-reflective. Reflective metallic roofing surfaces shall not be permitted on the residential structure or on any garage or carport.

**Section 17.308.25 Submittal Requirements.** The permit application for fabricated homes on individual lots shall include the elements listed in this section.

- A. Site Plan. A scaled site plan shall be submitted which depicts the location of the proposed fabricated home and other existing and proposed improvements on the site. The site plan shall clearly identify any structural additions to be added to the manufactured home (i.e. garage, carport, and porch).
- B. Foundation Plan. A foundation plan shall be submitted which illustrates the type of foundation system to be utilized for the fabricated home.
- C. Statement of Compliance with Covenants, Conditions and Restrictions. A notarized statement certifying that any Covenants, Conditions or Restrictions; or deed restrictions; applicable to the property on which the unit is to be placed do not prohibit the placement of a manufactured home.

**17.308.30 Mobile Homes.**

- A. New placements of mobile homes (homes that were constructed prior to the 1976 HUD Code) are restricted to individual lots where a mobile home is in existence or has existed within 12 months prior to the new set-up permit application date.
- B. Mobile home placements shall comply with Section 17.308.15, Development Standards.

**17.308.35 Temporary Storage of Mobile and Manufactured Homes.** Mobile and or manufactured homes that have been removed so that a new home may be placed on the same parcel must be removed within 30 days of the date the Certificate of Occupancy is issued.

CHAPTER 310

**MANUFACTURED HOME PARKS**

SECTIONS:

- 17.310.00 Purpose
- 17.310.05 Requirements
- 17.310.10 Design Standards
- 17.310.15 Parking Standards
- 17.310.20 Circulation
- 17.310.25 Landscaping and Screening
- 17.310.30 Recreational Areas
- 17.310.35 Provision of Services
- 17.310.40 Nonconformance

**Section 17.310.00 Purpose.** The purpose of Chapter 310, Manufactured Home Parks, is to establish regulations for the development of manufactured home parks.

**Section 17.310.05 Requirements.** Manufactured home parks are allowed in the Suburban Regulatory Land Use Districts subject to a Planning Commission approved special use permit as set forth in Chapter 17.606, Special Use Permits. Manufactured home parks may also be authorized through the Planned Unit Development process subject to the conditions established in Chapter 17.410, Planned Unit Developments.

**Section 17.310.10 Design Standards.** Development of a manufactured home park shall comply with the standards established in the table below and the provisions of this section.

**Table 17.310.10-1 Manufactured Home Park Development Standards**

Minimum park area	5 acres
Minimum park width	300 feet
Maximum park density	7 dwelling units per acre, subject to provisions of adequate public facilities
Minimum lot area	3,000 square feet
Minimum lot width	40 feet
Maximum building height	20 feet
Minimum open space	1,200 square feet per lot or space
Minimum lot or space setbacks:	
Front	25 feet
Side	7 feet <sup>1</sup>
Rear	20 feet <sup>1</sup>

Table Notes:

1. If the lot or space is located adjacent to an existing residential subdivision or a residential regulatory land use district, a 30' setback shall be provided.

**Section 17.310.15 Parking Standards** Manufactured home parks shall be subject to the parking standards as set forth in Chapter 17.506, Parking Standards.

**Section 17.310.20 Circulation.** The automobile and pedestrian circulation system within the manufactured home park shall comply with the provisions of this section.

- A. Minimum Road Widths. Minimum road widths shall be as follows:
1. 24 feet for roads on which parking is prohibited;
  2. 28 feet for roads on which parking is allowed on one side only; and
  3. 36 feet for roads on which parking is permitted on both sides.
- B. Walkways and Bikeways. All manufactured home parks shall provide internal walkways, separate from interior roadways, which connect each manufactured home site and provide access to all common areas and public streets. All pedestrian walkways shall be a minimum of three feet and shall be appropriately surfaced.
- C. Snow Removal. All manufactured home parks proposed above 5,000 foot elevation shall provide for snow removal and snow storage areas.
- D. Paving. In manufactured home parks within 1/2 mile from the City of Lovelock city limits, all vehicle parking spaces and driveways shall be paved. All streets shall be paved with a minimum of two inches of hot mix or equivalent and six inches of compacted stone base or better. All other manufactured home parks may be graveled to a county standard. A graveling and grading plan must be approved prior to construction by the County Road Superintendent.
- E. Lighting. All streets shall be lighted at night with at least the equivalent of one 150-watt lamp for each 100 lineal feet of street, or a guard light each 300 feet. All lighting shall be directed away from neighboring and adjacent properties.
- F. Maximum Speed Limit. All streets shall have a maximum posted speed limit of 10 miles per hour.

**Section 17.310.25 Landscaping and Screening.** Manufactured home parks shall be landscaped along any perimeters of the subject property which abut a street. Landscaping shall be located within the required setbacks.

**Section 17.310.30 Recreational Areas.** All manufactured home parks with more than 10 manufactured home sites shall provide recreational areas which comply with this section.

- A. General. All manufactured home parks with more than 10 manufactured home sites shall provide at least one substantial area of group usable open space that is accessible from all areas of the park. The recreational area shall include outdoor recreational facilities for both active and passive recreation, including playground facilities.
- B. Size. The cumulative size of the recreational areas shall be not less than 10 percent of the gross manufactured home park. Required setbacks, greenbelts and walkways shall not be counted towards the required area.

**Section 17.310.35 Provision of Services.** All manufactured home parks shall provide services that comply with the provisions of this section.



- A. Electricity, Gas and Telephone. A manufactured home park shall provide direct electrical, gas and telephone service to each manufactured home space from a public or governmental entity that provides such services, if those services are available. All power and telephone lines shall be in compliance with standards of the utility provider.
- B. Water. A manufactured home park shall provide direct water service to each manufactured home space from a public utility or governmental entity that provides such services, if those services are available. The water service shall be connected to a master meter and not to individual meters for each space.

**Section 17.310.40 Nonconformance.** Any manufactured home park in full compliance with Pershing County regulations in affect prior to the adoption of this chapter, but which is not in full compliance with this chapter, shall be considered a nonconforming use subject to the provisions of Chapter 17.704, Nonconformance.



CHAPTER 312

**COMMERCIAL CAMPGROUNDS / RECREATIONAL VEHICLE PARKS**

SECTIONS:

- 17.312.00 Purpose
- 17.312.05 Requirements
- 17.312.10 Development Standards
- 17.312.15 Circulation
- 17.312.20 Landscaping and Screening
- 17.312.25 Accessory Commercial Services
- 17.312.30 Prohibitions

**Section 17.312.00 Purpose.** The purpose of chapter 312, Commercial Campgrounds and Recreational Vehicle Parks, is to set forth the regulations for the development of commercial campgrounds or recreational vehicle parks.

**Section 17.312.05 Requirements.** Commercial campgrounds and recreational vehicle parks are allowed in those regulatory land use districts as set forth in Chapter 17.302, Allowed Uses.

**Section 17.312.10 Development Standards.** Development of a commercial campground or recreational vehicle park shall comply with the standards established in the table below and the provisions of this section.

**Table 17.312.10-1 Commercial Campground / Recreational Vehicle Park Development Standards**

Minimum park area	5 acres
Minimum park width	300 feet
Maximum park density	20 spaces / acre
Minimum space area	1,500 square feet
Minimum space width	25 feet
Minimum RV/trailer space setbacks:	
front	15 feet
side	5 feet
rear	5 feet

- A. **Open Storage.** Open storage of materials or belongings other than boats, trailers, automobiles or operational vehicles is prohibited.
- B. **Utilities and Services Required.** Each space shall be provided potable water from a centralized water system, and electricity.
- C. **Paving.** Each space shall have a graveled or paved parking pad.
- D. **Fire Pits.** If provided, barbecue pits or fire rings and related setbacks thereof shall be subject to approval by the Fire Marshall.

- E. Sanitary Facilities. Sufficient sanitary facilities shall be provided at sanitary stations for the sole purpose of removing and disposing of waste from all holding tanks in a clean, efficient and convenient manner.
- F. Shower/Restroom. Each RV/Trailer park shall provide shower and restroom facilities for males and females.

**Section 17.312.15 Circulation.** Road servicing commercial campgrounds and recreational vehicle parks shall comply with the provisions of this section.

- A. Entrance Roads. Roads which service entrances to commercial campgrounds and recreational parks shall provide two-way access.
- B. Internal Roads. Internal roads within a commercial campground or a recreational park shall comply with the provisions of this subsection.
  - 1. All commercial campgrounds and recreational parks shall be serviced by at least one interior road of continuous two-way circulation.
  - 2. The use of non-through interior roads shall be minimized. Such roads shall not exceed 600 feet in length and shall end in cul-de-sacs providing adequate radius for the turnaround of recreational vehicles.
  - 3. Each commercial campground and/or recreational vehicle site shall have frontage on the interior road servicing it.
- C. Road Widths. Road widths for interior roads shall be as follows:
  - 1. 24 feet in clear width where two-way traffic is required for ingress and egress; and
  - 2. 12 feet in clear width for one-way traffic provided the one-way road originated from and terminates in a two-way road.
- D. Road Materials. All roads shall be paved or graded to a county standard.

**Section 17.312.20 Landscaping and Screening.** Commercial Campgrounds and Recreational Vehicle Parks shall be screened with a solid decorative wall, fence or other permitted screen along portions of the perimeter of the subject property which abut a street or residential land use. The screen shall be six to seven feet in height.

**Section 17.312.25 Accessory Commercial Services.** Limited commercial services catering exclusively to park users may be permitted, provided such services are necessary for the benefit of park users and will not duplicate services available in adjoining areas. Typical services may include snack shops, laundries and mini-markets. All such accessory commercial services shall be approved by the Planning Commission in conjunction with a special use permit.

**Section 17.312.30 Prohibitions.** All commercial campgrounds and recreational vehicle parks are subject to the prohibitions in this section.

- A. Residency Limit. Rental and occupancy space shall be limited to 60 consecutive days except for a caretaker or manager.
- B. Site-built Buildings. A recreational vehicle park shall have no site-built buildings, other than the following;
  - 1. Recreational buildings;
  - 2. Accessory commercial buildings, as specified in Section 17.312.25; and
  - 3. One dwelling unit for the use of a caretaker or manager.
- C. Manufactured Homes. A recreational vehicle park shall have no manufactured homes other than one for the use of the caretaker or manager.
  - 1. The site for the manufactured home shall comply with the provisions of Chapter 17.310, Manufactured Home Parks.
  - 2. If a manufactured home is used to provide housing for a caretaker or manager, a conventional single family dwelling for the use of a caretaker or manager shall not be permitted.
- D. Use of Facilities. Facilities within the recreational vehicle park shall be used only by the occupants of the campground/park and their guests.
- E. Commercial Uses. There shall be no commercial uses or activities within a recreational vehicle park except for those authorized by Section 17.312.25.
- F. Accessory Structures. Accessory structures shall not be permitted within a commercial campground or recreational vehicle park, except for the following:
  - 1. One cabana, Ramada, patio or similar structure, and one detached storage building per camp/recreational vehicle space; and
  - 2. Community recreation buildings and facilities, laundry, car and trailer wash, battery charging station, water fill up, and boat or storage facilities serving the recreational vehicle park only.



## CHAPTER 314

### BED AND BREAKFAST ESTABLISHMENTS

#### SECTIONS:

17.314.00	Purpose
17.314.05	Applicability
17.314.10	Requirements for Application
17.314.15	Development Requirements
17.314.20	Findings

**Section 17.314.00 Purpose.** The purpose of Chapter 314, Bed and Breakfast Establishments, is to allow for the inclusion of bed and breakfast establishments in unincorporated areas of Pershing County.

**Section 17.314.05 Applicability.** Applications for bed and breakfast establishments may be accepted as set forth in Chapter 17.302, Allowed Uses.

**Section 17.314.10 Requirements for Application.** Applications shall include a site plan, drawn to scale, which include, at a minimum, the elements listed in this section.

- A. **Lot Specifications.** The lot configuration and boundary dimensions of the lot on which the bed and breakfast establishment is proposed to be located.
- B. **Building Specifications.** The location and dimensions of all existing or proposed structures. The structures shall maintain a residential appearance.
- C. **Parking Specifications.** The location and dimensions of all on-site parking spaces shall be shown on the site plan. A minimum of one parking space shall be provided for each guest bedroom. Four or more parking spaces shall be visually screened from any adjacent residential uses or regulatory land use districts.
- D. **Adjacent Land Uses.** The uses on all lots surrounding the proposed bed and breakfast establishment.

**Section 17.314.15 Development Requirements.** All special use permits for a bed and breakfast establishment shall, at a minimum, include the requirements of this section.

- A. **Conformity with Plans.** The establishment shall conform to all approved plans.
- B. **On-site Operator.** The operator of the establishment shall reside on the site.
- C. **Length of Stay.** Length of stay for guests shall be limited to a maximum of 30 contiguous nights. No long-term rental of rooms shall be permitted.
- D. **Private Parties.** No receptions, catered parties or similar activities shall be permitted unless expressly approved as part of the special use permit.

- E. Parking Spaces. The location of required parking space shall not create any more adverse visual impact than that of surrounding uses.
- F. Codes. Prior to issuance of a certificate of occupancy, all applicable building, fire, health and Pershing County Building Codes shall be complied with.
- G. Services. Other than registered guests, no meals shall be served to the general public unless expressly approved as part of the special use permit. No cooking facilities shall be allowed in guest rooms.
- H. Business License. Prior to the commencement of business, a business license shall be obtained.
- I. Revise Conditions. The Board of County Commissioners reserves the right to review and revise the conditions of approval should it be determined that a subsequent license or permit issued by the County violated the intent of the permit.
- J. Taxes. Responsibility for payment of applicable room taxes shall reside with the owner and/or the operator.

**Section 17.314.20 Findings.** The approving authority shall make the findings provided in this section, in addition to the general findings required for special use permit approval, when recommending approval for a bed and breakfast establishment.

- A. Traffic. The residential character of the neighborhood will not be changed due to increased traffic in the neighborhood caused by the use.
- B. Commercial Nature. The residential character of the neighborhood will not be changed due to the commercial nature of the use.
- C. Dwelling Exists. The single-family dwelling has been constructed.
- D. Private Controls. The proposed use does not violate the provisions of any applicable covenants, conditions and restrictions governing the property. The burden shall be upon the applicant to provide appropriate documentation to supporting this finding.
- E. Hours of Operation. The hours of operation are consistent with the residential character of the neighborhood.



## CHAPTER 316

### GROUP CARE FACILITIES

#### SECTIONS:

- 17.316.00 Purpose
- 17.316.05 Applicability
- 17.316.10 Group Care Facilities Defined
- 17.316.15 Development Standards and Guidelines

**Section 17.316.00 Purpose.** The purpose of Chapter 316, Group Care Facilities, is to provide special regulations pertaining to residential facilities for groups as defined in NRS 449.017, in order to preserve the quality of care provided to people using the facilities, and to protect the residential integrity of neighborhoods.

**Section 17.316.05 Applicability.** The provisions of this chapter shall apply to uses classified as residential group home and group care in Chapter 17.304, Use Classification System. Residential group homes and group care facilities are allowed in those regulatory land use districts as set forth in Chapter 17.302, Allowed Uses.

**Section 17.316.10 Group Care Facilities Defined.** Residential Facility for Group means an establishment that furnishes food, shelter, assistance and limited supervision to an aged, infirm or persons with disabilities. The term includes an assisted living facility. The term does not include:

- A. An establishment which provides care only during the day;
- B. A natural person who provides care for no more than two persons in his own home;
- C. A natural person who provides care for one or more persons related to him within the third degree of consanguinity or affinity;
- D. A halfway house for alcohol and drug abusers; or
- E. A facility funded by a division or program of the department of human resources.

**Section 17.316.15 Development Standards and Guidelines.** Residential facilities for groups and group care facilities shall comply with the provisions of this section.

- A. **Floor Plan.** An interior sketch of the floor plan of the home or facility, to scale, shall be submitted with the required special use permit application. The sketch shall contain information as required by the Director of the Planning and Building Department.
- B. **Exterior Yard Area.** A sketch, to scale, of the exterior yard area to be used for residential group home and group care purposes shall be submitted containing information as required by the Director of the Planning and Building Department.

- C. Interior Space. A minimum of 1,200 square feet of interior space shall be provided for the first six facility users, and 150 square feet of interior space for each additional facility user. Rooms which may be included in this calculation include areas where care activities will be conducted, including bedrooms used for sleeping, recreation rooms, food preparation areas, living rooms and family rooms. Rooms which may not be included in this calculation include closets, halls, garages and bathrooms.
- D. Outdoor Recreation Area. A minimum of 600 square feet of outdoor recreation area shall be provided for the first six facility users, and 75 feet of outdoor recreation area for each additional facility user.
1. Areas which may not be included in calculating outdoor recreation area include side yards less than 10 feet in width and areas containing swimming pools, spas or other water bodies unless covered and deemed safe pursuant to state regulations.
  2. Neighborhood greenbelt and park space may be used to satisfy the outdoor recreation area requirement if these alternative areas are located in immediate proximity to the facility, are appropriate for recreation, and proper insurance coverage has been obtained for them.
  3. All outdoor recreation areas, except those described in subsection D 2 of this section, shall be enclosed by walls or fences not less than six feet in height. Should existing fencing be less than six feet in height, the reviewing authority may approve such alternative fencing if, upon review of adjacent uses, supervision ratios and facility floor plans, it determines that the existing fence height will not be detrimental to the health, safety, or welfare of facility users.
- E. Garages. Garages shall be prohibited at a residential group home or group care facility recreation area unless:
1. Alternative on-site parking is available to meet minimum residential parking requirements; and
  2. The garage is improved to meet building and fire code regulations as a habitable space.
- F. Location of Rooms. Rooms used for care activities shall not be located above the first story unless the facility is equipped with an automatic fire sprinkler system approved by the appropriate fire protection agency.
- G. Fire Exits. All facilities shall have no less than two legal exits for fire purposes, pursuant to the requirements of the appropriate fire protection agency.
- H. Public Service Access. The applicant shall develop and will implement a public service access plan providing or arranging for transportation, as necessary, for residential group home and group care residents. The plan shall specifically describe the means by which residents will gain access to bus or other public transportation routes, shopping locations, medical, dental or other health care facilities, and government offices.

- I. Parking Plan. The applicant shall develop and will implement a parking plan indicating the maximum number of vehicles to be parked on and off the site, projected needs for parking at the site, and means to satisfy the projected needs.
- J. Over Concentration. The establishment of the proposed residential group home or group care facility will not result in an over concentration of group homes and/or care facilities or group homes in the neighborhood. Over concentration will be presumed when the establishment of the residential group home and/or group facility would result in a residential group home, group care facility or group home being spaced closer than 1/4 mile or 1,320 feet as measured in a straight line to another residential group home, group care facility or group home. This requirement shall be evaluated upon clear and convincing evidence by the applicant that over concentration will not result if the proposed residential group home or group care facility is established. The Board of County Commissioners shall make the final determination to permit concentration of residential group homes or group care facilities in excess of the standard enumerated in this subsection.
- K. Emergency Response Plan. The applicant shall prepare and file an emergency response plan with all local emergency service providers, including police, fire and ambulance. The plan shall include evacuation procedures, and shall identify emergency vehicle entrances and rear and front building entrances. In addition, the plan shall encourage no light/no siren responses, except in emergency situations.
- L. Licensing. An operator of a residential group home or group care facility shall first obtain all licenses and/or permits (except for a building permit) for the operation of the facility prior to obtaining a business license from Pershing County. At the time of obtaining the business license, the applicant shall submit evidence identifying from which agency other licenses and/or permits have been obtained.



## CHAPTER 318

### CHILD CARE FACILITIES

#### SECTIONS:

- 17.318.00 Purpose
- 17.318.05 Applicability
- 17.318.10 Exempt Child Care Facilities
- 17.318.15 Development Standards and Guidelines

**Section 17.318.00 Purpose.** The purpose of Chapter 318, Child Care Facilities, is to provide special regulations pertaining to an establishment where temporary or full time care is provided for five or more children less than 18 years of age, excluding those who are related to the child care provider by blood relationship, marriage or adoption.

**Section 17.318.05 Applicability.** The provisions of this chapter shall apply to uses classified as child day care, large group day care or family day care in Chapter 17.304, Use Classification System. Childcare facilities are allowed in those regulatory land use districts as set forth in Chapter 17.302, Allowed Uses.

**Section 17.318.10 Exempt Child Care Facilities.** A childcare facility shall not be required to obtain a special use permit if the following conditions exist:

- A. Child care is provided for less than five children; or
- B. Child care is provided no more than four days in any calendar month; or
- C. Child care is provided at a church or school; or
- D. Child care is provided for employees working on-site.

**Section 17.318.15 Development Standards and Guidelines.** Childcare facilities shall comply with the following standards and guidelines:

- A. Floor Plan. An interior sketch of the floor plan of the home, to scale, shall be submitted with the required special use permit application. The sketch shall contain information as required by the Director of Planning and Building.
- B. Exterior Yard Area. A sketch, to scale, of the exterior yard area to be used for the childcare facility shall be submitted. The sketch shall contain information as required by the Director of Planning and Building.
- C. Outdoor Recreation Areas. An outdoor recreation area shall be provided at the rate of 75 square feet for each child over the age of 18 months. The outdoor recreation area shall be enclosed with a fence or buffer, a minimum of four feet tall. No outdoor recreation area shall be permitted in the required front yard of a residence.

- D. On-site Passenger Loading. A childcare facility shall provide an off-street passenger loading zone for pick-up and drop-off activities. The loading zone shall be capable of accommodating two cars for every six children in care, in addition to the requirements specified in Chapter 17.506, Parking Standards.
  
- E. Licensing. An operator of a child care facility shall first obtain all licenses and or permits (except for a building permit) for the operation of the facility prior to obtaining a business license from Pershing County. At the time of obtaining the business license, the applicant shall submit evidence identifying from which agency other licenses and/or permits have been obtained.

## CHAPTER 320

### COMMUNICATION FACILITIES

#### SECTIONS:

17.320.00	Purpose
17.320.05	Exemptions
17.320.10	Definitions
17.320.15	Review Procedures
17.320.20	Development Standards
17.320.25	Findings

**Section 17.320.00 Purpose.** The purpose of Chapter 320, Communications Facilities, is to set forth the regulations for antenna systems and wireless communication facilities consistent with applicable directives and standards issued by the Federal Communication Commission and the Federal Aviation Administration. Health and safety concerns related to antennas and wireless communication facilities include avoiding property damage from falling antenna support structures, proper placement to avoid visual obstructions along rights-of-way and discouraging access to attractive nuisances by unauthorized people.

**Sections 17.320.05 Exemptions.** The following antenna systems are exempt from this Chapter:

- A. Residential Televisions Reception Aerial Antennas. Television reception aerial antenna systems that are designed to receive locally transmitted television signals for personal use within a residential dwelling unit are exempt from the provisions of this chapter.
- B. Small Diameter TVRO Satellite Dish antenna Systems. Television reception only (TVRO) satellite dish antenna systems that are 36 inches or less in diameter are exempt from the provisions of this chapter.

**Section 17.320.10 Definitions.** Wireless communication facilities, including antennas mounted on structures and freestanding monopoles and lattice towers and supporting equipment which are used for the commercial broadcasting/receiving of telecommunication transmission that are regulated under the Telecommunications Act of 1996 are a principal use and are classified under the communication facilities use type in Chapter 17.304, Use Classification System. The following definitions apply to the regulation of wireless communication facilities contained in this section:

- A. Antennas. Antennas are used in the transmission of radio frequencies and include: panels, whips, commercial microwave dishes, and cross-polarized or dual polarized antennas. Antennas of one or more types may be grouped in an array, where several are located on a site.
  1. Antenna Farm. An antenna farm is a facility where one or more types of antennas are clustered. The farm also includes related structures like equipment buildings. Antennas, mounts and buildings are grouped together on a site.

Antennas may be provided by single or multiple providers and co-located to save space and maximize efficiency. See “co-location”.

- B. Co-location. Co-location is the practice of installing facilities for multiple (two or more) uses at one location. Vertical co-location: two or more carriers located on the same mount. Horizontal co-location: two or more mounts located next to each other. Antenna farms: the clustering of several cell sites together, for example, clustering of sites on rooftops.
- C. Equipment Cabinets. Equipment cabinets include equipment buildings and base transceiver stations.
- D. Wireless Communications Facility. Any antennas, mounts, equipment cabinets and switching offices intended for use in connection with transmission or receipt of radio or television signals, or any other spectrum-based transmission/receptions.
- E. FCC. Federal Communications Commission (FCC) an independent agency of the U.S. Government, regulates broadcast and telecommunications services through the Telecommunications Act of 1996.
- F. Mounts. Mounts are various types of structures that are used to provide transmission of wireless communications and include; monopoles, lattice towers, guyed towers, roof or side mounts on buildings, and mounts on structures other than those listed.
- G. Radiofrequency (RF) Radiation. The FCC established standards regarding the maximum radio frequency emissions allowed to be transmitted from a facility's equipment in the Guidelines for Evaluating the Environmental effects of Radiofrequency Radiation (RF Radiation Guidelines).
- H. Security Barrier. A security barrier is a fence or wall that prevents unauthorized persons from gaining access to the site.
- I. Siting. Siting means the placement, construction and modification of personal wireless service facilities on a site that functions as a wireless telecommunications facility.
- J. Tower. See “mounts”.
- K. Wireless Communications. This term include personal wireless communication and data services such as PCS, cellular phones and mobile radio service.

**Section 17.320.15 Review Procedures**. The following procedures shall apply to new facilities and/or expansion to existing facilities.

- A. Submittal Requirements. The applicant shall provide the following information in conjunction with the site plan to the Planning and Building Department:
  - 1. A statement regarding the facility's compliance with the FCC Guidelines;
  - 2. A statement regarding the facility's compliance with the National Environmental Policy Act (NEPA) Rules regarding the review of projects capable of having a significant effect on the human environment;



3. Information regarding the proposed and future RF radiation measurements;
  4. The applicant's total network design as well as future expansions plans; and
  5. The applicant shall file a complete application with the Director that shall contain this information and a site plan.
- B. Additional Site Plan Information. In addition to the site plan information required in Chapter 17.608, the applicant shall show the following detailed information:
1. Height of facility equipment;
  2. Fall zone;
  3. Setbacks from property lines, structures, streets and rights-of-way;
  4. Sight lines showing what a person sees from a given point;
  5. Identification of property owner, applicant and consultants or agents representing the property owner and/or applicant;
  6. Vicinity map showing the location of the facility relevant to its placement within the County;
  7. Existing and finished topographic contours; surrounding rights-of-way; easements; buildings and property lines; neighboring parcels and structures; regulatory land use district of site and surrounding parcels; benchmark or referenced monumentation; intervening objects, e.g., trees, buildings, etc.; vegetation; security barrier at least 6 feet high; proposed project; ingress/egress; parking plan for person servicing/inspecting equipment;
  8. Elevations showing antennas, mounts and equipment cabinet(s); security barrier all existing structures within 50 feet; vegetation depicted at scale;
  9. Design information including equipment brochures or cut sheets; examples of materials and colors, including security barrier, dimensions of all equipment; landscape and screening plan; and drainage plan, if required;
  10. Noise report regarding the anticipated noise in decibels to be emitted from the equipment cabinet; and
  11. Before-photographs taken from a selected viewing point.

**Section 17.320.20 Development Standards.** The following procedures shall apply to new facilities and/or expansion to existing facilities.

**Table 17.320.20-1 Communication Facility Design Standards**

Regulatory District	Maximum Height	Minimum Radius of Fall	
		Zone from Property Line	Minimum Setback from Building and Property Lines
AMR General Rural	< 200 feet	50% of antenna or mount height	50% of antenna or mount height
All Residential Districts	< 100 feet	50% of antenna or mount height	50% of antenna or mount height
Commercial and Industrial	< 200 feet	50% of antenna or mount height	50% of antenna or mount height
Planned Unit Developments	Per adopting Ordinance	50% of antenna or mount height	50% of antenna or mount height

- A. Security Barrier. A security barrier shall be a minimum of six feet high to prevent unauthorized entry.
- B. Site Access. The site shall have a paved driveway accessing the facility which may be either gravel (to County standards) or in urbanized residential and commercial areas a minimum of chip and seal.
- C. Parking. The site shall have a minimum of one parking space for an employee who services and inspects the facility. Depending upon the district in which it is located, the parking space may be paved with gravel or chip and seal.
- D. Visual Screening. The facility shall have landscaping incorporated into the site to create a visual screen that softens the impact of the equipment within the facility site. The type of landscaping materials and their placement shall be shown on the site plan.

**Section 17.320.25 Findings.** The Planning Commission shall hold a public hearing and consider approval of the application for a new or expanded wireless telecommunications facility based upon the standards set forth in this Section and the criteria listed below.

- A. Protection of Human Life and Property. The application and site plan shall demonstrate clearly that human life, health and public or private property shall not be adversely impacted by the proposed facility.
- B. Compatibility with/Effect on Surrounding Area. The facility location will not have a deleterious impact on the value of private property or to the public health, safety and general welfare. The application shall demonstrate compliance with the FCC Guidelines and NEPA requirements. The facility will be designed to be physically and visually compatible with the surrounding development.
- C. Satisfaction of Requirements. The Planning Commission shall determine that the applicant has complied with all the requirements of the PCDC, in particular, the standards for maximum height, fall zone radius, setback and site plan review requirement listed in this Section and in Division five, Development Regulations.

## CHAPTER 322

### TEMPORARY USES AND STRUCTURES

#### SECTIONS:

17.322.00	Purpose
17.322.05	Site Plan Required
17.322.10	Allowed Temporary Uses and Structures
17.322.15	Construction Yards
17.322.20	Contractor's Yards
17.322.25	Swap Meets and Flea Markets
17.322.30	Mobile Homes, Manufactured Homes, Travel Trailers, Commercial Coaches and Recreational Vehicles

**Section 17.322.00 Purpose.** The purpose of Chapter 322, Temporary Uses and Structures, is to establish allowed temporary uses and structures, and standards and conditions for regulating same.

**Section 17.322.05 Site Plan Required.** For any temporary use subject to the provisions of this chapter, excluding temporary contractor's offices used to manage the construction of a project, a site plan shall be prepared and presented to the satisfaction of the Director of Planning and Building. Such site plan shall indicate the location of any permanent uses and structures on the parcel, the temporary use and any temporary structures, all vehicular access points proposed for the temporary use, the location of all required parking, and the location of adequate restroom facilities for the temporary use.

**Section 17.322.10 Allowed Temporary Uses and Structures.** Temporary uses and structures shall be subject to all the regulations as would be applied to a permanent principal or accessory use located in the same regulatory land use district, except as otherwise provided by the regulations of this article. The following temporary uses and structures shall be allowed as specified by the provisions of this section. The Director of Planning and Building may impose additional restrictions on the frequency and duration of a temporary use.

- A. **Pumpkin Patches.** Retail sales of pumpkins, squash and related farm produce during the month of October. Clean-up of the site shall occur by November 5 of the year in which a pumpkin patch is conducted.
- B. **Christmas Tree Sales.** Retail sales of Christmas trees between Thanksgiving and December 31.
- C. **Construction Yards.** Temporary buildings, structures and storage areas supporting residential development and major construction. Section 17.322.15, Construction Yards, provides additional regulations.
- D. **Swap meets and Flea Markets.** Retail sale or exchange of agricultural Goods or new, handcrafted or secondhand merchandise in a flea market, bazaar or other outdoor market. In no case shall such activities exceed a total of 31 days in any one calendar year. Section 17.322.25, Swap Meets and Flea Markets, provides additional regulations.

- E. Street Fairs. Temporary provision of games, eating and drinking facilities, live entertainment, or similar activities not requiring use of roofed structures.
- F. Use of Manufactured Home, Travel Trailers, Commercial Coaches and Recreational Vehicles. Temporary use manufactured homes, travel trailers, commercial coaches and recreational vehicles which support the construction of a permanent residence or permanent use. Section 17.322.30 provides additional regulations.
- G. Contractor's Yard. Temporary buildings, structures, storage areas and processing facilities supporting, federal, state or local agency public construction projects. Section 17.322.20, Contractor's Yards, provides additional regulations.

**Section 17.322.15 Construction Yards.** A construction yard operated by one contractor may be located in any regulatory land use district for the purpose of storing material and/or prefabricating components of a structure. The construction process can be conducted within or outside a building. Construction yards shall be in accordance with the provisions of this section.

- A. Fencing. A construction yard shall have perimeter fencing not to exceed 10 feet in height.
- B. Property Conditions. A construction yard shall only be permitted where the following conditions are true:
  - 1. On property that has a recorded subdivision map and in which five or more building permits are active for single-family lots;
  - 2. On property in which a building permit has been issued to construct five or more multiple family dwellings; or
  - 3. On property that has a recorded commercial or industrial subdivision map and in which five or more building permits are active for separate commercial or industrial structures.
- C. Single Family and Multiple Family Dwellings. A building placed in a construction yard for the purposes of prefabricating components of single family or multiple family dwellings shall be located a minimum of 100 feet from the lot line of an established use not part of the subdivision in which the construction yard has been established.
- D. Commercial or Industrial Structures. A building placed in a construction yard for the purposes of prefabricating components of commercial or industrial structures shall be located a minimum of 100 feet from the lot line of an established use.
- E. Outside Activities. Prefabrication of components of dwellings done outside of a building shall be located a minimum of 200 feet from the lot line of an established use not part of the subdivision of structure housing multiple family dwellings. Prefabrication of components of dwellings done outside of a building shall not commence any earlier than 7:00 a.m. and shall cease no later than 7:00 p.m.

- F. Containment of Activities. No prefabrication of components of a single family or multiple family dwelling shall occur outside of a construction yard in any agricultural or residential regulatory zone.
- G. Relationship to Fences. Storage of material shall be a minimum of 10 feet from the fence surrounding the construction yard and no higher than two feet above the fence.
- H. Location. Storage of material and prefabrication of components for single-family dwellings in a construction yard shall only be permitted for the subdivision that the construction yard is located within or for the multiple dwellings for which the construction yard was established.
- I. Abandonment of Construction Yards. A construction yard shall be abandoned, the fence and any building removed and the site re-vegetated within three months from the date that four or fewer building permits are active for the subdivision in which the construction yard is located, or within two months after a certificate of occupancy has been issued for the structure housing multiple family dwellings for which the construction yard was established. The County Engineer shall be provided financial assurances that these provisions will be met prior to establishment of the construction yard.

**Section 17.322.20 Contractor's Yards.** A contractor's yard may be located in any regulatory land use district for the purposes of storing equipment and material, and processing material for a federal, state or local agency public construction project. Contractor's yards shall be in accordance with the provisions of this section.

- A. Fencing. A contractor's yard shall have fencing along the boundaries of the contractor's yard not to exceed 10 feet in height.
- B. Property Conditions. A contractor's yard shall only be permitted where the following conditions are true:
  - 1. On property that is within 1,000 feet of property on which a federal, state or local agency public construction project is being constructed; and
  - 2. On property that is no closer than 2,000 feet to property with an established residential, civic, or commercial use.
- C. Relationship to Fences. Storage of material shall be a minimum of 10 feet from the fence required under A of this section and no higher than two feet above the fence.
- D. Material Storage. Any material that is subject to being transported by winds shall be covered by a tarp, tied down and treated to prevent it from being transported by wind.
- E. Processing of Material. Any processing of material for the construction of the federal, state or local agency public construction project shall require an administrative permit prior to establishment of the processing operation .
- F. Period of Time for Use of Contractor's Yard. The contractor's yard may only be established for a period of time commencing 15 days prior to the commencement of construction of the federal, state or local agency public construction project and ending 15 days after the completion of the public construction project.

- G. Abandonment of Contractor's Yard. A contractor's yard shall be abandoned, the fence and any buildings and/or preprocessing facilities shall be removed within the period stipulated in F of this section. The site shall be re-vegetated within three months of the vacation of the contractor's yard, or if weather conditions do not permit re-vegetation, as soon as weather conditions do permit re-vegetation of the site. The County Engineer shall be provided financial assurances that these provisions will be met prior to establishment of the contractor's yard.

**Section 17.322.25 Swap Meets and Flea Markets.** A swap meet or flea market may be permitted in all regulatory land use districts for a period not to exceed 10 days. Adequate parking and restroom facilities shall be provided for the expected attendance. Off-street parking shall be provided at 1.5 spaces per booth or stall, or a designated parking area meeting standards of Chapter 17.506, Parking Standards, shall be provided. No booths, stalls, or other display areas shall be placed or maintained within any required setback area. Flea markets shall not deprive access from a local street which serves a residential district located or within 600 feet of a residence. All items for sale shall be stored indoors (or within an approved screened storage area) or removed from the site at the close of each business day. Flea markets shall not be open for business in excess of 16 hours per day. No storage of items other than those available for retail sale may be stored on the premises unless confined within an approved screen storage area.

**Section 17.322.30 Mobile Homes, Manufactured Homes, Travel Trailers, Commercial Coaches and Recreational Vehicles.**

- A. Temporary Occupancy. A manufactured home, travel trailer, commercial coach or recreational vehicle may be occupied as a legal use pending construction of a permanent single-family dwelling in any regulatory land use district allowing agricultural or agricultural uses, provided that a building permit is issued at the same time for the permanent residence. The permanent residence shall be completed and the manufactured home, or commercial coach will be removed from the property within 18 months from the original date of issuance of the building permit, or within 30 days of issuance of a certificate of occupancy, whichever is sooner. A \$2,000 bond to cover the cost of removal of the mobile home, manufactured home, or commercial coach, or satisfactory proof of removal will be placed on file with the Planning and Building Department prior to the issuance of the certificate of occupancy. The use of a travel trailer or recreational vehicle as a temporary occupancy will cease with the disconnection of all on-site utility services. One extension for an additional six-month period may be granted with a building permit extension or renewal, but in no case will the temporary occupancy be permitted after 18 months from the original date of issuance of the building permit.
- B. Temporary Contractor's Office. A mobile home, manufactured home, travel trailer, commercial coach or recreational vehicle may be used as a contractor's office to manage the construction of a permanent use, provided that a building permit is issued at the same time for permanent use.
- C. Temporary Watchman's Quarters. A manufactured home, travel trailer, commercial coach or recreational vehicle may be used for security purposes, including watchman's quarters, for a permitted mining operation or permitted earth products excavations processing activity, public park, recreational area, or other commercial or industrial use

which by its nature is temporary or is located in a remote area where security is necessary outside of normal business hours. Prior to the establishment of this use, the requirements of Chapter 17.606 Special Use Permits, must be satisfied.

- D. Temporary Camping. A self-contained travel trailer or recreational vehicle may be used by nonpaying guests or relatives on any private ownership parcel within the residential regulatory land use districts; General Rural, Agricultural, Mining and Recreation regulatory land use district and Open Space regulatory land use districts subject to the following provisions:
1. The temporary camping visit does not extend beyond 14 consecutive days, with no more than four visits per calendar year.
  2. The property owner provides written permission that the visit is authorized without any form of compensation.
  3. No discharge of any litter, sewage, effluent or other matter shall occur except into sanitary facilities designed to dispose of the material.
  4. No water or sanitary sewer connections are allowed to any buildings on the property during the temporary camping visit.
- E. Temporary Occupancy for the Care of the Infirm. One mobile home or self-contained travel trailer may be occupied as a legal use for person(s) responsible for the care of an infirm resident of a permanent single-family dwelling. The authorization of the additional unit will mitigate a special hardship. Prior to the establishment of this use, the requirements of Chapter 17.606 Special Use Permits, must be satisfied. The special use permit application shall include a signed affidavit from a Nevada licensed physician identifying the need for such on-premise care. The special use permit must be renewed on an annual basis to ensure that the need for such on-premise care still exists. The mobile home or travel trailer shall be located on the parcel to provide as much screening as practical from being viewed from the street, and shall not substantially impact the surrounding property owners. No discharge of any litter, sewage, effluent or other material shall occur except into sanitary facilities designed to dispose of the material. Any temporary utility connections shall be to the satisfaction of the Building Department.





## CHAPTER 324

### HOME OCCUPATIONS

#### SECTIONS:

17.324.00	Purpose
17.324.05	Applicability
17.324.10	Requirements
17.324.15	Special Use Permit Required
17.324.20	Exempt Home Occupations
17.324.25	Prohibited Home Occupations
17.324.30	Nonconforming Home Occupations
17.324.35	Unsafe Home Occupations

**Section 17.324.00 Purpose.** The purpose of Chapter 324, Home Occupations, is to establish regulations and procedures for home occupations. Home occupations are land uses of a commercial nature that take place within or in conjunction with a residential dwelling and do not alter the character or appearance of the residential environment.

**Section 17.324.05 Applicability.** Home occupations are permitted in any land use district that allows dwellings or on any property which currently has an existing dwelling.

**Section 17.324.10 Requirements.** Home Occupations shall comply with the requirements set forth in this section and in Table 17.324.10-1.

- A. Home occupations shall take place in compliance with all other applicable county and state regulations.
- B. Home occupations may only be operated by a permanent resident of the property on which the use occurs, except as otherwise provided in Table 17.324.10-1.
- C. Home occupations must take place within a residence or accessory structure.
- D. The residence associated with the home occupation shall retain a residential appearance. The outside of the residence shall not be modified to call attention to the home occupation.
- E. Any signage used to advertise the home occupation shall comply with the county's sign regulations.
- F. Home occupations shall not take place within any required setbacks.
- G. Noise levels generated by the home occupation that are detectable at the property line shall not exceed those generated by typical residential uses.
- H. The applicant for a home occupation shall demonstrate that public utilities and services are adequate for the safe use of any facilities or equipment that may be part of the home occupation.

- I. Off-street parking shall be provided which can adequately provide parking for the residents of the dwelling, any employees for the home occupation, and the estimated maximum number of customers that may visit the property at a given time.
- J. Heavy vehicles, equipment or materials shall not be parked or stored on lots smaller than 10 acres in residential land use districts. Heavy vehicles, equipment and materials include those exceeding eight tons in size or capacity.
- K. In residential land districts, mechanized equipment may only be used as part of a home occupation within a completely enclosed structure. Use of power equipment in open garages or on patios is prohibited.
- L. Materials and equipment associated with the home occupation shall not be stored outdoors.
- M. Combustible, volatile, or hazardous materials used in conjunction with the home occupation shall not be stored inside the residence.
- N. Customer visits and deliveries are only permitted between the hours of 7:30 a.m. and 8:00 p.m. each day.
- O. Deliveries associated with home occupations, excluding U.S. mail, may only take place twice per day.

**Table 17.324.10-1 Home Occupation Requirements.** The requirements listed in the left column apply to home occupations which take place in the land use districts denoted with an 'X'.

	Land Use District				
	AMR	GR	LDR/ MDR	LDS/ MDS	HDS
<b>Maximum Area of Home Occupation</b>					
10 percent of residential floor area					X
25 percent of residential floor area				X	
2,500 square feet in accessory structure	X	X	X	X	
<b>Customer Vehicle Requirements</b>					
No more than 2 customer vehicles at a time					X
No more than 3 customer vehicles at a time	X	X	X	X	

**Table 17.324.10-1 continued.**

	Land Use District				
	AMR	GR	LDR/ MDR	LDS/ MDS	HDS
<b>Non-resident Employee Requirements</b>					
Non-resident employees not permitted					X
Up to one non-resident full-time employee or equivalent permitted <sup>1</sup>				X	
Up to two non-resident full-time employees or equivalent permitted <sup>1</sup>	X	X	X		
<b>Other Requirements</b>					
Animal related home occupations not permitted					X

Table Notes:

1. Full-time equivalent means an approximate total of 40 hours of work performed each day by one or more persons.

**Section 17.324.15 Special Use Permit Required.** A special use permit shall be obtained for the operation of any home occupation, except those specifically listed in Section 17.324.20 as exempt. The regulations and procedures for home occupation special use permits shall be those established by Chapter 17.606, Special Use Permits. The review of applications, the issuance and revocation of permits, and any other actions taken in regard to home occupation special use permits shall be governed by Chapter 17.606.

Home occupation special use permits shall be issued in conjunction with a home business license and are not appurtenant to the subject property or structure.

**Section 17.324.20 Exempt Home Occupations.** Persons who wish to operate any of the home occupations listed in this section must comply with the requirements established in this chapter but are not required to obtain a special use permit, provided that all persons engaged in such activities reside on the premises and the conditions listed with each type are satisfied.

- Artists, sculptors, composers. Products must not be sold to the public on the premises.
- Craft work, such as jewelry making and pottery. Products must not be sold to the public on the premises.
- Home offices. Client visits to the residence are not permitted.
- Telephone answering and message services.

**Section 17.324.25 Prohibited Home Occupations.** The following types of home occupations are strictly prohibited in all residential land use districts:

- Animal hospitals and boarding, including stables and kennels.
- Auto body work, painting or similar uses.

- C. Dispatching of any on-site commercial vehicles.
- D. Gymnastics facilities or studios.
- E. Health care facilities.
- F. Medical offices for doctors and dentists.
- G. Restaurants or other commercial food services open to the public.

**Section 17.324.30 Nonconforming Home Occupations.** Existing home occupations which are either prohibited or which do not comply with one or more of the requirements set forth in this chapter shall be removed, or modified to be brought into compliance, upon the occurrence of any of the following events:

- A. The home occupation or the dwelling becomes unsafe or hazardous.
- B. The home occupation is discontinued for a period of one year or more.
- C. The dwelling in which the home occupation is conducted is destroyed, or more than 50 percent of its total area is damaged.

**Section 17.324.35 Unsafe Home Occupations.** If, in the opinion of the Planning Director, a home occupation becomes dangerous, unsafe or presents a hazard to the public or to adjacent or nearby properties, residences or businesses, the Planning Director shall issue an order to the property owner and/or the tenant of the property where the home occupation is taking place. The order shall direct that the home occupation be terminated until such time that the danger or safety hazard associated with the home occupation has been mitigated. The order shall provide a description of the danger or hazard, and shall state any action which must be taken to mitigate such problem and state a reasonable amount of time in which the property owner/tenant must comply.

In the event that the property owner or tenant fails to comply with the order, the Planning Director shall initiate review of the special use permit, pursuant to Section 17.606.60, Modification or Revocation of Permit by County.

CHAPTER 326

**AGGREGATE EXTRACTION AND PROCESSING**

(This chapter reserved for future ordinance.)