

ORDINANCE NO. 3530

(ZOA-18-001462 – Development Code Update – Amend Henderson Municipal Code Section 19.5. – Use Regulations and 19.7. Development and Design Standards)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HENDERSON, NEVADA, TO AMEND TITLE 19 OF THE HENDERSON MUNICIPAL CODE – HENDERSON DEVELOPMENT CODE - BY AMENDING PORTIONS OF SECTIONS OF CHAPTERS 19.5 AND 19.7 TO ADDRESS MINIMUM PARKING REQUIREMENTS AND PARKING LOT LANDSCAPE AND DESIGN.

- WHEREAS, it is the intent of the City of Henderson to maintain a zoning ordinance for the safe and orderly development of property; and
- WHEREAS, the City of Henderson adopted a new zoning ordinance on January 19, 2010; and
- WHEREAS, a zoning ordinance is considered a “living document” and will invariably need amending to make minor corrections, revisions, and updates as necessary; and
- WHEREAS, the City Council of the City of Henderson adopted its updated Comprehensive Plan on July 11, 2017, which included Land Use and Community Design goals and strategies such as Strategy H 2.5: “Develop new design guidelines for big-box development associated with large parking lots and block patterns to improve access for pedestrians and bicyclists,” and Strategy H 25.3: “Update the City’s Development Code parking standards to improve design of parking lots and reduce hardscapes in order to reduce heat islands and free-up real estate for productive uses”; and
- WHEREAS, in order to adequately implement the goals of the Henderson Strong Comprehensive Plan, the City Council desires code revisions to tailor minimum parking requirements to align with current industry standards and to require developers to provide adequate and safe access for pedestrians and bicyclists circulating through parking lots; and

NOW, THEREFORE, the City Council of the City of Henderson, Nevada, does ordain:

SECTION 1. Henderson Development Code, Section 19.5. Use Regulations and 19.7 Development and Design Standards, are hereby amended as depicted in Exhibit A, attached hereto, consisting of 231 pages.

SECTION 2. If any section, subsection, sentence, clause, phrase, provision or portion of this Ordinance, or the application thereof to any person or circumstances, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions or provisions of this Ordinance or their applicability to distinguishable situations or circumstances.

ZOA-18-001462 – Development Code Update – Amend Henderson Municipal Code Section 19.5. – Use Regulations and 19.7. Development and Design Standards

PASSED, ADOPTED, AND APPROVED THIS 16TH DAY OF OCTOBER, 2018.

Debra March

Debra March, Mayor



ATTEST:

Sabrina Mercadante

Sabrina Mercadante, MMC, City Clerk

The above and foregoing Ordinance was first proposed and read in title to the City Council on October 2, 2018, which was a Regular Meeting, and referred to a Committee of the following Councilmen:

“COUNCIL AS A WHOLE”

Thereafter on October 16, 2018, said Committee reported favorably on the Ordinance and forwarded it to the Regular Meeting with a do-pass recommendation. At the Regular Meeting of the Henderson City Council held October 16, 2018, the Ordinance was read in title and adopted by the following roll call vote:

Those voting aye:

- Debra March, Mayor
- Councilmembers:
- John F. Marz
- Gerri Schroder
- Dan K. Shaw
- Dan H. Stewart

Those voting nay: None
 Those abstaining: None
 Those absent: None

Debra March

Debra March, Mayor



ATTEST:

Sabrina Mercadante

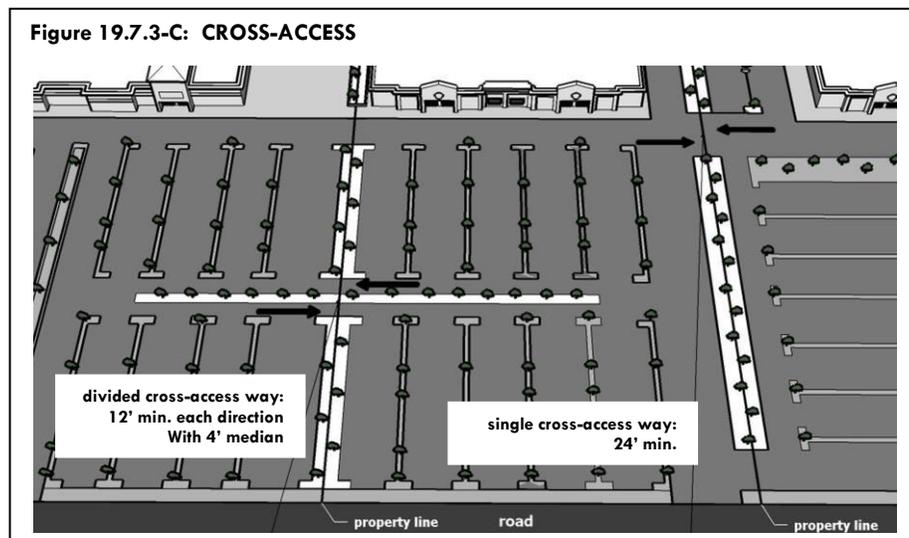
Sabrina Mercadante, MMC, City Clerk

19.7.3. CIRCULATION AND MOBILITY

E. CROSS-ACCESS BETWEEN ADJACENT USES

To encourage shared parking and shared access points on public streets, circulation plans prepared for all new nonresidential and mixed-use development shall comply with the following standards:

1. Internal vehicular circulation areas shall be designed to allow for cross-access with adjacent lots that have nonresidential or mixed uses.
2. A stub for future cross-access shall be provided from the vehicular use area to all adjacent vacant land designated for nonresidential or mixed-use development.
3. Cross-access ways shall allow for two-way traffic between parcels through the use of a single drive aisle with a minimum width of 24 feet or through two one-way aisles each with a minimum width of 12 feet. The maximum median separation width shall be 15 feet with a left-turn pocket or four feet without a left-turn pocket. Shown on Figure 19.7.3-C.
4. When cross-access for vehicles is deemed impractical by the Community Development and Services and Public Works Parks and Recreation Directors on the basis of topography, the presence of natural features, or vehicular safety factors, the requirement for cross-access may be waived if ~~bicycle and~~ pedestrian connections are provided between adjacent developments or land uses, either at the street frontage or internal within the site.
5. A cross-access easement must be recorded prior to issuance of a building permit for the development, unless otherwise approved by the Community Development and Services Director.



6. [Pedestrian access from adjacent residential areas shall be provided by incorporating wall/gate and landscape openings which connect pedestrians to the adjacent commercial development. These openings can be locked assuming the residential development is provided access via keys or touchpad entry system.](#)

F. PEDESTRIAN CIRCULATION

The pedestrian [E]circulation routes [plans] must be shown on the site plan submitted for a Design Review and shall address pedestrian circulation in accordance with the following standards:

1. Sidewalks Required

Sidewalks shall be installed on both sides of all arterials, collector streets, and local streets (including loop streets, cul-de-sacs, and private streets), and within and along the frontage of all new development or redevelopment, per the Master Transportation Plan or as approved by the Public Works Parks and Recreation Director. This requirement shall not apply within the MC district, where a larger sidewalk requirement applies; or to local streets in districts within the RN overlay, where an established cross-section without sidewalks has been approved; or in steep-slope areas where sidewalks on one side of the street may be approved by the Community Development and Services Director to reduce excessive slope disturbance, adverse impacts on natural resources, and potential soil erosion and drainage problems.

2. Onsite Pedestrian Connections

(a) All commercial, industrial, multifamily, and mixed-use development shall provide a network of onsite pedestrian walkways with a minimum width of five feet to and between the following areas:

- (1) Entrances to each building on the site, including pad site buildings;
- (2) Public sidewalks or walkways on adjacent properties and along public rights-of-way that extend to the boundaries shared with the subject development;
- (3) Adjacent public transit station areas, transit stops, park and ride facilities, or other transit facilities; and
- (4) Adjacent parks, trails, schools, and recreation centers.



Figure 19.7.3-D: EXAMPLES OF PEDESTRIAN CONNECTIONS

(5) Adjacent non-residential development, as determined by the Community Development and Services Director.

(6) All non-residential development, except those exempted in 19.7.5.D.1, shall provide at least one continuous landscaped pedestrian walkway from the right-of way to the building entrance walkway or sidewalk adjacent to the building. This walkway shall be separated from all vehicular movement except where drive aisle crossings are necessary. Design of this landscaped pedestrian walkway can be found in 19.7.3.F.6.

(b) Identify pedestrian walkways and crosswalks to motorists and pedestrians through the use of one or more of the following methods: (Figure 19.7.3-D.)

(1) Changing paving material, patterns, or paving color;

(2) Changing paving height;

(3) Decorative bollards;

(4) Painted crosswalks;

(5) Raised median walkways with landscaped buffers; or

(6) Stamped asphalt; ~~[or]~~

~~[(7) —Bicycle parking.]~~

COMMENTARY:
Easements to provide rights of access between adjacent properties must be recorded prior to project occupancy.

All non-standard paving methods listed that are installed within the public right-of-way require a revocable permit.

(c) Emphasize pedestrian circulation routes with special design features that establish them as areas where pedestrians are physically separated from the flow of vehicular traffic and/or are protected from the desert elements. See Figure 19.7.3-E. Techniques shall include one or more of the following:

(1) Arcades, porticos, or other shade structures;

(2) Pedestrian light features,

(3) Bollards,

(4) Seat walls or benches;

(5) Drinking water fountains; or

(6) Landscape planters.

(d) Sites larger than five acres shall be divided into smaller units through the use of pedestrian walkways, private drives, and other vehicular circulation routes. Breaking up such sites need not require any subdivision of the site or creation of a separate legal description(s).

(e) To the extent practical, drainage facilities should be similarly designed with pedestrian amenities on the same sites. Drainage facilities must be designed per Section 1500 (Structural Best Management Practices)



of the Clark County Regional Flood Control District Hydrologic Criteria and Drainage Design Manual.

3. Pedestrian Access Through Parking Areas

All surface parking lots ~~[that contain more than 50 parking stalls]~~ in non-residential developments must include pedestrian walkways ~~[through the parking lot to the primary building entrance or a sidewalk providing access to the primary building entrance. At a minimum, walkways must be provided for]~~ at an interval of every ~~[five]~~ four driving aisles, except those exempted in 19.7.5.D.1.

At least one primary continuous pedestrian landscaped walkway must be provided from the street, through the parking lot, to the primary building entrance (or to a sidewalk providing access to the primary building entrance). The primary continuous pedestrian landscaped walkway must be located central to the site or as close to the primary building entrance as possible. The design of the continuous pedestrian landscaped walkways must comply with Section 19.7.3.F.6(a).

The secondary pedestrian walkways must be provided at an interval of every fourth parking row, using the location of the primary continuous pedestrian landscaped walkway as a starting point. These walkways must be located between abutting rows of parking spaces. The design of the secondary pedestrian walkways must comply with Section 19.7.3.F.6(b).

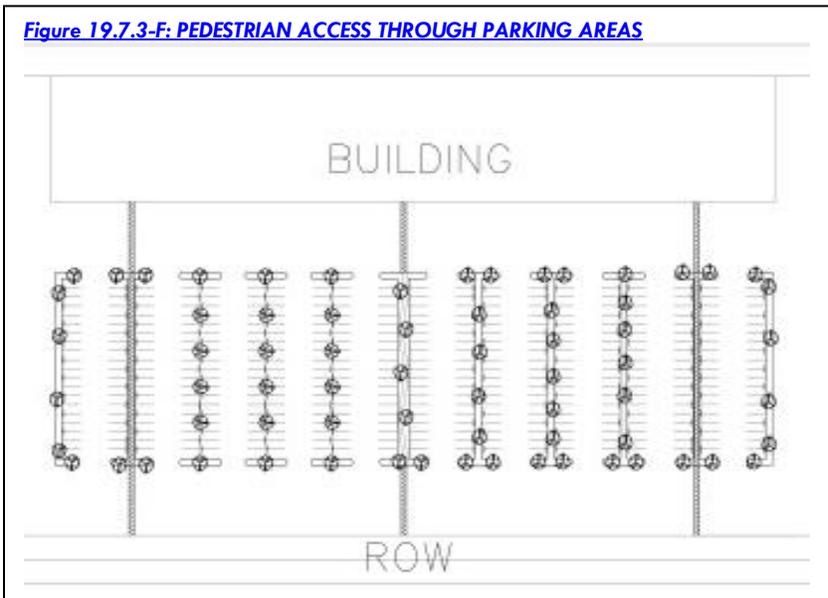


Figure 19.7.3-F: PEDESTRIAN ACCESS THROUGH PARKING AREAS

4. Pedestrian Access Through Parking Garages

Pedestrian walkways must be provided through parking garages from the parking area to the abutting public right-of-way and/or to the primary entrance of the building served by the parking. Pedestrian walkways may not use vehicle entrance or exit driveways from the parking area to a public right-of-way.

5. Overhead Weather Protection and Shade

Commercial, mixed-use, and industrial development shall provide overhead weather protection and shade structures pursuant to Section 19.7.6.D.3(h), *Response to the Climate*.

6. Standards for Pedestrian Improvements

General Pedestrian Walkway Standards

(a) Required Primary Continuous ~~[p]~~ Pedestrian Landscaped ~~[w]~~ Walkways must:

(1) Be at least ~~[five]~~ eleven feet in width and include ~~[?]~~:

i. A five foot sidewalk

ii. A minimum six foot wide continuous landscaped strip adjacent to the sidewalk. Planting quantities and layout shall be per Section 19.7.5.E.2.

1. If the landscape is less than eight feet wide, a structural soil compound must be used to ensure proper root growth.

2. A sidewalk may be placed between two landscape strips, assuming that at least one of the landscape strips is a minimum of six feet wide.

3. A meandering sidewalk may be placed between two landscape strips, assuming that the plants are planted on the larger of the two landscaped strips

(2) When crossing with drive aisles, all walkways must [B]be distinguishable from traffic lanes by painted markings, pavement material, texture, or raised in elevation [~~striped asphalt does not count~~];

(3) Have adequate lighting for security and safety;

(4) Be centrally located on the subject property[?]. If multiple continuous pedestrian landscaped walkways are proposed within a single development, they may be generally dispersed throughout the site.

(5) Be ADA accessible; and

(6) Not include barriers that limit pedestrian access between the subject property and adjacent properties.

(7) Wheel stops are required adjacent to the Required Primary Continuous Pedestrian Landscaped Walkway.

i. Wheel stops may be staggered as long as each parking space has a portion of a wheel stop

(8) All landscape planter design shall comply with Section 1500 (Structural Best Management Practices) of the Clark County Regional Flood Control District Hydrologic Criteria and Drainage Design Manual and the Southern Nevada Regional Planning Coalition's Regional Plant List.

(b) Required Secondary Pedestrian Walkways must:

(1) Be at least five feet in width;

(2) Be distinguishable from traffic lanes by painted markings, pavement material, texture, or raised in elevation

(3) Have adequate lighting for security and safety;

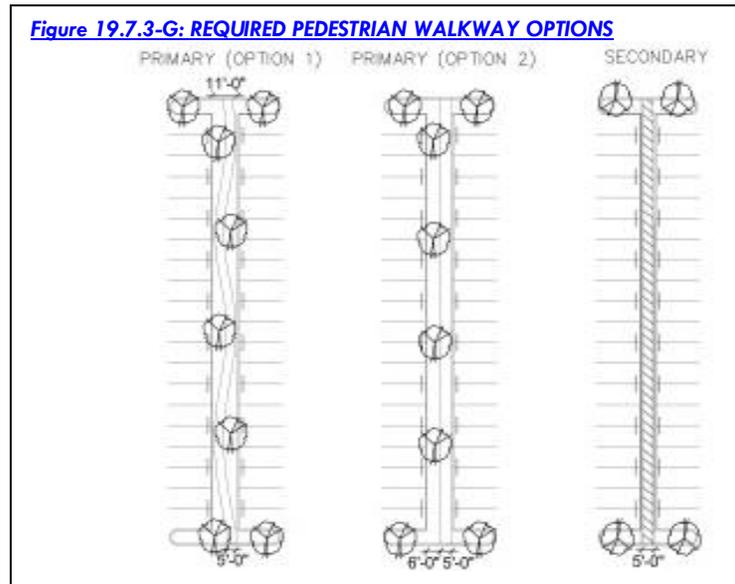
(4) Must be located at an interval of every fourth parking row using, to the greatest extent possible, the required primary continuous pedestrian landscaped walkway as a starting point.

(5) Be ADA accessible; and

(6) Not include barriers that limit pedestrian access between the subject property and adjacent properties

(7) If raised curbing is not utilized to separate the walkway from the parking spaces, wheel stops must be provided within each parking space abutting the walkway.

i. Wheel stops may be staggered as long as each parking space has a portion of a wheel stop



19.7.4. PARKING AND LOADING

B. APPLICABILITY

1. New Development

Every building or land use established, every existing building enlarged, and every existing use expanded must provide off-street parking and loading areas in accordance with the minimum parking requirements set forth in Sections 19.5.3 through 19.5.6. Existing parking and loading spaces may not be reduced below the minimums required by Sections 19.5.3 through 19.5.6.

2. Expansions and Enlargements

The off-street parking and loading standards of this section apply when an existing structure or use is expanded or enlarged. In the case of such expansions or enlargements, additional off-street parking and loading spaces are required to serve only the enlarged or expanded area, provided that in all cases the number of off-street parking and loading spaces provided for the entire use (pre-existing plus expansion) must equal at least 75 percent of the minimum required ratio as defined in Sections 19.5.3 through 19.5.6.

3. Change of Use

Off-street parking and loading must be provided for any change of use that would result in a requirement for more parking or loading spaces than the existing use as defined in Sections 19.5.3 through 19.5.6.

4. Phased Projects

In projects being developed in phases, the future phases left undeveloped must either be fenced off from vehicular traffic entirely or separated by a 6" curb and in no instance may be used as a parking area if left unpaved.

If there is intent to use an area planned for future phases as an interim parking lot, that area must be paved and striped to Code parking lot standards. Parking lot landscaping would not be required within the phased area.

[4.]5. Exemptions

For exemptions to downtown district parking and loading spaces, refer to Section 19.7.4.F.8.

F. OFF-STREET PARKING ALTERNATIVES

1. Scope

This section authorizes several alternatives to strict compliance with the parking regulations of this chapter.

2. Applicability

Applicants seeking approval of an alternative parking plan through the waiver or administrative adjustment processes must secure approval of such plan in accordance with the provisions of this section. Alternative parking plans may be approved in all zoning districts.

3. General

(a) Procedure

Alternative parking plans must be reviewed and approved in accordance with the administrative adjustment procedures of Section 19.6.9.B.

(b) Recordation of Approved Plans

An attested copy of an approved alternative parking plan and approval letter must be recorded with the Clark County Recorder. An alternative parking plan may be amended by following the same procedure required for the original approval. The applicant must provide proof of recordation prior to approval of a certificate of occupancy.

(c) Violations

Violations of an approved alternative parking plan constitute a violation of the Development Code and will be subject to the enforcement and penalty provisions of Chapter 19.11: Enforcement.

4. Offsite Parking

The Community Development and Services Director may approve the location of required off-street parking spaces on a separate lot from the lot on which the principal use is located if the offsite parking complies with all of the following standards.

(a) Ineligible Activities

Offsite parking may not be used to satisfy the off-street parking standards for residential uses (except for guest parking), restaurants, convenience stores or

other convenience-oriented uses. Required parking spaces reserved for persons with disabilities may not be located off site.

(b) Location

No offsite parking space may be located more than 1,000 feet from the primary entrance of the use served (measured along the shortest legal pedestrian route) unless remote-parking shuttle-bus service is provided. Offsite parking spaces may not be separated from the use served by a street right-of-way with a width of more than 80 feet, unless a grade-separated pedestrian walkway is provided or other traffic control or remote parking shuttle bus service is provided.

(c) Zoning Classification

Offsite parking areas require the same or a more intensive zoning classification than required for the use served.

(d) Agreement for Offsite Parking

In the event that an offsite parking area is not under the same ownership as the principal use served, a written agreement between the record owners will be required. The agreement must guarantee the use of the offsite parking area for at least ten years. An attested copy of the agreement between the owners of record must be submitted to the Community Development and Services Director for review and approval. Recordation of the approved agreement by the applicant must take place before issuance of a building permit or certificate of occupancy for any use to be served by the offsite parking area. An offsite parking agreement may be revoked only if all required off-street parking spaces will be provided, in accordance with Sections 19.5.3 through 19.5.6. No use may be continued if the parking is removed unless substitute parking facilities are provided, and the Community Development and Services Director must be notified at least 60 days prior to the termination of a lease for offsite parking.

5. Shared Parking

The Community Development and Services Director may approve shared-parking facilities for developments or uses with different operating hours or different peak business periods if the shared parking complies with all of the following standards.

(a) Location

Shared-parking spaces must be located within 1,000 feet of the primary entrance of all uses served, unless remote-parking shuttle-bus service is provided.

(b) Zoning Classification

Shared-parking areas require the same or a more intensive zoning classification than required for the use served.

(c) Shared-parking Study

Those wishing to use shared parking as a means of satisfying off-street parking requirements must submit a shared-parking analysis prepared by a qualified professional to the Community Development and Services Director that clearly demonstrates the feasibility of shared parking. The study must be provided in a form established by the Community Development and Services Director and be made available to the public. It must address, at a minimum, the size and type of the proposed development, the composition of tenants, the anticipated rate of

parking turnover, and the anticipated peak parking and traffic loads for all uses that will be sharing off-street parking spaces.

(d) Agreement for Shared Parking

A shared-parking plan will be enforced through written agreement among all owners of record. An attested copy of the agreement between the owners of record must be submitted to the Community Development and Services Director for review and approval. Recordation of the approved agreement by the applicant must take place before issuance of a building permit for any use to be served by the offsite parking area. A shared-parking agreement may be terminated only if all required off-street parking spaces will be provided, in accordance with the requirements in Sections 19.5.3 through 19.5.6.

6. Valet Parking

The Community Development and Services Director may approve valet parking as a means of satisfying otherwise applicable off-street parking requirements if:

- (a)** A valet-parking plan must be reviewed and approved in accordance with design review procedures if a plan was not submitted with the entitlement application that created the development.
- (b)** All parking areas, except allowed tandem and stacked-parking areas, must be designed so that a vehicle may enter or exit without having to move another vehicle. Stacked parking may be authorized by the Community Development and Services Director in valet-parking facilities and other parking lots with a parking attendant.
- (c)** No more than 50 percent of the minimum required parking spaces for the development may be designated for valet spaces.
- (d)** Valet parking must be designed so that direct access is not from a public street or alley. Direct access must be provided from an internal drive aisle that serves the development. The valet-parking design may not restrict pedestrian and vehicular circulation within the development.
- (e)** The development must provide a designated drop-off and pick-up area. The drop-off and pick-up area may be located adjacent to the building, but it may not be located within a fire lane, impede vehicular and/or pedestrian circulation, or cause queuing in the right-of-way or drive aisle.
- (f)** The valet parking area may not be located within 200 feet of the public entrance of a building within the development. If the parking configuration does not allow compliance with this separation requirement, such as in parking garages, valet parking must be located in the farthest spaces from any public entrance as approved by the Community Development and Services Director.

7. Parking-reduction Incentives

(a) Transit Accessibility

The Community Development and Services Director may authorize up to a 1~~5~~10 percent reduction in the number of off-street parking spaces required for uses located within 1,000 feet of a bus rapid transit-stop.

The Community Development and Services Director may authorize up to a five percent reduction if the developer provides a bus stop with shelter adjacent to the

site with a walkway that connects the bus shelter to the primary building entrance. The applicant must provide confirmation from the Regional Transportation Commission of Southern Nevada (RTC) that indicates the RTC will use the facility.

(b) Multifamily Residential in Mixed-Use Building

Multifamily residential incorporated as part of a vertically-oriented mixed-use building shall provide a minimum of 1.5 spaces per dwelling unit. No parking study shall be required unless it is combined with another credit request.

(c) Transportation Demand Management

The Community Development and Services Director and/or Public Works Parks and Recreation Director may approve a Transportation Demand Management plan (TDM plan) as a means of reducing the minimum number of off-street parking spaces required for large employers (defined for purposes of this section as those with at least 500 employees) within a nonresidential or mixed-use development with a minimum overall area of ten acres.

(1) Required TDM Plan

A TDM plan shall be reviewed and approved in accordance with the applicable entitlement application to allow up to a 15 percent reduction. The TDM plan must include facts and/or projections (i.e., type of development, proximity to transit and/or other multi-modal systems, anticipated number of employees and/or patrons, Development Code minimum-parking requirements) and indicate the types of transportation demand management activities that will be instituted to reduce single-occupant vehicle use and reduce traffic congestion.

(2) Transportation Demand Management Activities

The TDM plan must provide a minimum of three of the following transportation demand management activities in order to qualify for a reduction in otherwise required minimum off-street parking ratios:

- i.** Establish a development-specific website that provides multi-modal transportation information such as real-time travel/traffic information, bus routes, bus schedules and maps, and alternative commute log (bicycle, pedestrian, carpool, vanpool, etc.).
- ii.** Disclose in writing to all employees transportation information and educational materials.
- iii.** Coordinate the formation of, but not limited to, carpooling, vanpooling, ridesharing, guaranteed ride home, teleworking, and/or shuttle service programs.
- iv.** Create a Preferential Parking Management Plan that specifically marks spaces for each registered carpool and/or vanpool vehicle, located near building entrances or in other preferential locations.
- v.** Institute off-peak work schedules, allowing employees to arrive and depart at times other than the peak morning commute period. The peak morning commute period is defined as 7:00–9:00 a.m. and the peak evening commute period is defined as 5:00–7:00 p.m.

- vi. Establish an office location within the development, staffed by the transportation coordinator that makes transportation and ride-sharing information available to employees, residents, and nonresidents.
- vii. Alternative transportation demand management activities may be approved by the Community Development and Services and Public Works Parks and Recreation Directors as a means of complying with the parking reduction incentive provisions of this subsection.

(3) Transportation Program Manager/Coordinator

- i. The applicant must appoint a program coordinator to oversee transportation demand management activities.
- ii. The program coordinator must be registered with the Regional Transportation Commission of Southern Nevada's TDM program, Club Ride Commuter Services, to promote the use of alternative commute modes and reduce single occupancy vehicle use.
- iii. The transportation coordinator must be appointed prior to issuance of a building permit or certificate of occupancy for the buildings to be served by the transportation demand management program.

(4) TDM Annual Report

The program coordinator must provide a report annually to the Public Works Parks and Recreation Director that details the implementation strategies for the TDM plan as approved by the appropriate decision-making body for the subject entitlement application. The report may include the following:

- i. A description of the transportation management activities efforts;
- ii. A list of current tenants and number of employees for each tenant;
- iii. A parking-reduction analysis based on employee and/or resident use of ridership programs or alternative transportation options;
- iv. Changes to the TDM plan to increase ridership; and
- v. Employee transportation survey.

(5) Recordation

A copy of the approved TDM plan shall be recorded with the Clark County Recorder's Office. Recordation of the TDM plan must take place prior to issuance of a building permit for the development to be served by the plan. The TDM plan shall be recorded against the property, and the applicant and/or successors of interest shall be responsible for the plan in perpetuity on the property.

(6) Enforcement

In the event that: (1) the program coordinator fails to submit a report to the Public Works Parks and Recreation Director in a timely fashion not to exceed 60 days after the annual report deadline or (2) the applicant no longer implements the program, the TDM plan shall be considered terminated and the required off-street parking spaces must be provided in accordance with requirements in Sections 19.5.3 through 19.5.6.

(7) Amendments

Minor amendments to approved TDM plans shall be approved administratively in accordance with Section 19.6.9.B, *Administrative Adjustments*. The Community Development and Services Director and/or Public Works Parks and Recreation Director may approve a major amendment to an approved TDM plan following the same process required for the initial approval.

(d) Special Facilities for Bicycle Commuters

The Community Development and Services Director may authorize up to a five percent reduction in the number of required off-street parking spaces for developments or uses that provide both of the following:

- (1) Enclosed (indoor or locker), secure bicycle parking spaces equal to at least five percent of the number of vehicle parking spaces provided; and
- (2) Employee shower and dressing areas for employees.

(e) On-Street Parking Credit

If there are parking spaces provided on a public street that abuts the property, one half of the parking may be counted toward the off-street parking requirement of a building or use on the site.

The on-street parking shall be free of charge during business hours for credit towards the fulfillment of the off-street parking requirement.

~~(e)~~(f) Other Eligible Alternatives

The Community Development and Services Director may approve any other parking-reduction incentive that reduces minimum off-street parking requirements in exchange for strategies that will effectively reduce parking demand on the site of the subject development provided the alternative does not result in a modification that is greater than a ten percent modification of the off-street parking standards found in this chapter. Such alternatives may only be approved if the applicant demonstrates to the satisfaction of the Community Development and Services Director that the proposed plan will do at least as good a job protecting surrounding neighborhoods, maintaining traffic-circulation patterns, and promoting quality urban design than would strict compliance with the otherwise applicable off-street parking standards.

~~(f)~~(g) Maximum Reduction Allowed

Total cumulative reductions to the minimum off-street parking requirements through the application of any combination of the potential credits and reductions listed above shall not exceed ~~(2)~~1.5 percent, as determined by the Community Development and Services Director.

19.7.5. LANDSCAPING AND SCREENING

D. PARKING LOT LANDSCAPING AND SCREENING

1. Applicability

The interior parking lot landscaping standards of this section shall apply to all off-street parking lots ~~[containing five or more off-street parking spaces]~~ except those exempted below. They shall not apply to vehicle/equipment storage lots. Perimeter landscaping is required in all parking lots, regardless of size.

(a) Parking lots containing twenty or less off-street parking spaces.

(b) Non-residential developments with less than four rows of parking depth. In the instances of double-loaded parking, each individual row of parking will be counted as a single row, whether it is provided as a single- or double-loaded parking or any combination of the two. See figure 19.7.5-B.

2. Relationship to Other Landscaping Standards

Landscaping provided to meet the parking lot landscaping requirements of this section may be counted towards meeting a project's required site landscaping, but shall not count towards meeting the applicable common open space requirement.

3. Terminal Islands

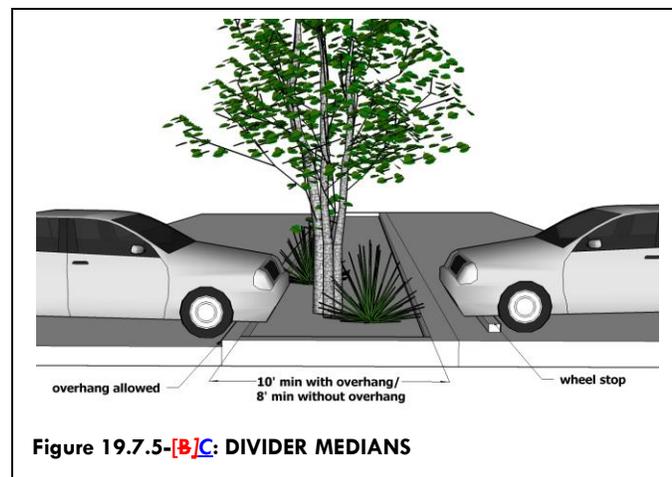
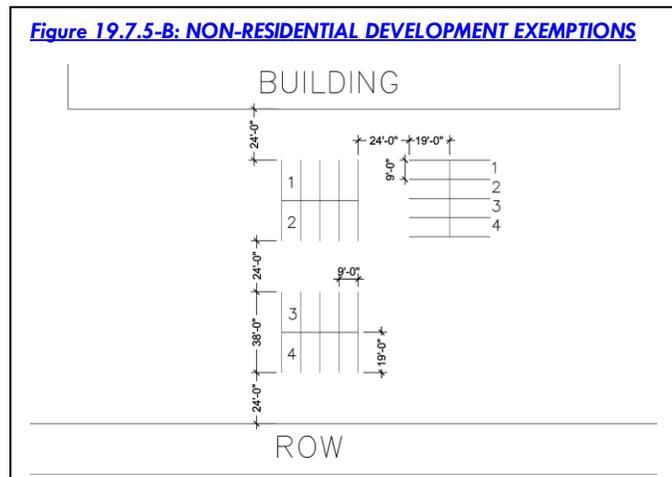
Landscaped terminal islands shall be provided at the end of each parking row. Terminal islands shall have minimum interior dimensions of at least eight feet in width and 30 feet in length.

4. Divider Medians

Divider medians that form a continuous landscaped strip may be installed between abutting rows of parking spaces. The minimum width of divider medians shall have a minimum interior dimension of eight feet if wheel stops or raised curbs prevent vehicle overhang of the median. If vehicle overhang is allowed, the minimum interior dimension shall be ten feet. See Figure 19.7.5-[B]C.

6. Pedestrian Walkways

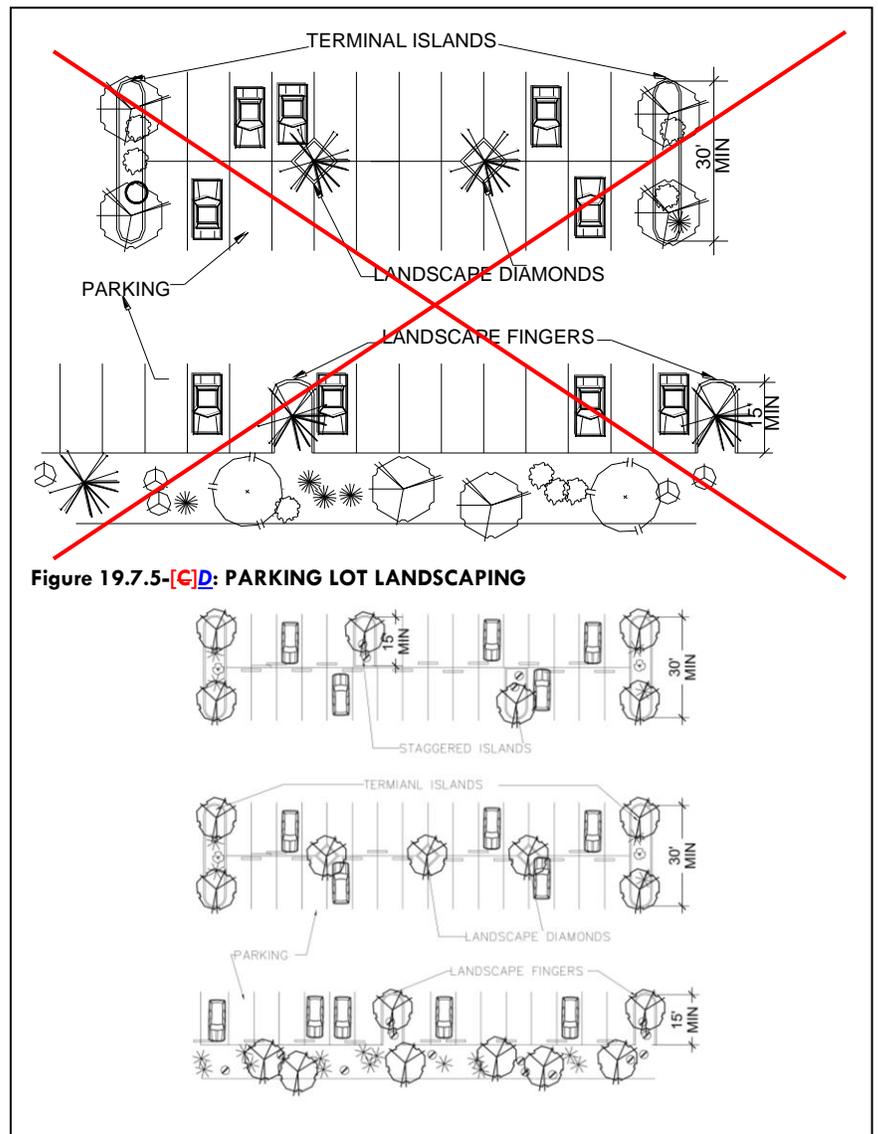
Pedestrian walkways must be installed between abutting rows of parking per Section 19.7.5.F.3.



5. Landscape Diamonds, Staggered Islands and Fingers

(a) Landscape diamonds with a minimum interior dimension of six feet shall be provided every four parking spaces within the interior parking lot, except where divider medians are provided in accordance with Figure 19.7.5-~~(C)~~D. Upon approval of the Community Development and Services Director, trees may be omitted from the diamonds only if covered parking structures are provided and would interfere with the trees. Shrubs/ground cover must still be provided per Code. In the event the structures are later removed, trees must be installed at that time per the requirements of this Code.

(b) Staggered landscape islands with a minimum interior dimension of eight feet wide and 13 feet long shall be provided every six parking spaces within the interior parking lot. Upon approval of the Community Development Director, trees may be omitted from the portions of the parking lot where covered parking structures are provided and would interfere with the trees. Shrubs/ground cover must still be provided per Code. In the event the structures are later removed, trees must be installed at that time per the requirements of this Code.



~~(b)~~(c) Landscape fingers shall be provided every ten spaces around the perimeter of the parking lot. Landscape fingers shall have a minimum interior dimension of eight feet in width and 15 feet in length.

6. Parking Lot Screening

All surface parking lots visible from the public realm shall be screened using one of the following methods, unless otherwise noted below:

(a) Methods

- (1) A low masonry wall at least three feet and no more than four feet in height (with any fencing over three feet being transparent – e.g., wrought iron), in combination with landscaping (see Figure 19.7.5-~~(D)~~E);
- (2) An ornamental metal fence in combination with landscaping;
- (3) A hedge at least three feet and no more than four feet in height at maturity consisting of a double row of shrubs planted three feet on center in a triangular pattern; or
- (4) Berming of the grade to at least 2 ½ feet in height above the finish grade of the parking lot, and with slopes no greater than 2:1. Slopes shall be covered with shrubs spaced a maximum of three feet on center.

(b) Criteria

To satisfy the above standards:

- (1) Landscaping shall be planted between the wall/fence and the public right-of-way, sidewalk, or boundary.
- (2) Walls, fences, and landscaping shall not exceed four feet in height to adequately screen most car headlights while maintaining clear visibility into and out of the parking lot.
- (3) All parking lot screening devices shall comply with sight-visibility-zone requirements at street intersections, per Standard Drawing No. 201.2. Sight visibility zones for driveways shall be provided per Section 19.7.4.J.4(c) of the Code.

Figure 19.7.5-~~(D)~~E:
PARKING LOT SCREENING

Not This



This



E. PLANT UNITS

1. Perimeter Landscape Buffers and Non-Buffer Areas

Unless otherwise expressly stated, a minimum of one shrub shall be provided per 80 square feet of landscape buffer, and a minimum of one tree shall be provided per 20 linear feet of landscape buffer. Trees are not required to be planted every 20 feet on center. The Community Development and Services Director may allow plant and tree clustering subject to approval.

2. Parking Lot Landscaping

No turf shall be allowed within interior parking lot landscape areas. [All plant units must comply with the SNRPC Regional Plant List.](#)

- (a) Terminal Islands – A minimum of two large shade trees installed at 24-inch-box size and four five-gallon shrubs.
- (b) Divider Medians [and Pedestrian Walkways](#) – A minimum one large shade tree installed at 24-inch-box size every 20 linear feet and one shrub every 80 square feet.
- (c) Landscape Diamonds – A minimum one large shade tree installed at 24-inch-box size ~~[and either two five-gallon shrubs or three one-gallon groundcovers]~~.
- (d) Landscape Fingers – A minimum one large shade tree installed at 24-inch-box size and three five-gallon shrubs.

[\(e\) Staggered Landscape Islands – A minimum one large shade tree installed at 24-inch-box size.](#)

F. LANDSCAPE MATERIAL STANDARDS

5. Plant Quality

Plants installed to satisfy the requirements of this section shall meet or exceed the plant quality and species standards of the ~~[Association of Arizona Nurserymen]~~ [SNRPC Regional Plant List](#). Plants shall be nursery-grown and adapted to the local area. No artificial plants or vegetation shall be used to meet any standards of this section, except in the discretion of the Community Development and Services Director, limited amounts of high-quality artificial turf may be allowed to meet the requirements of this section.

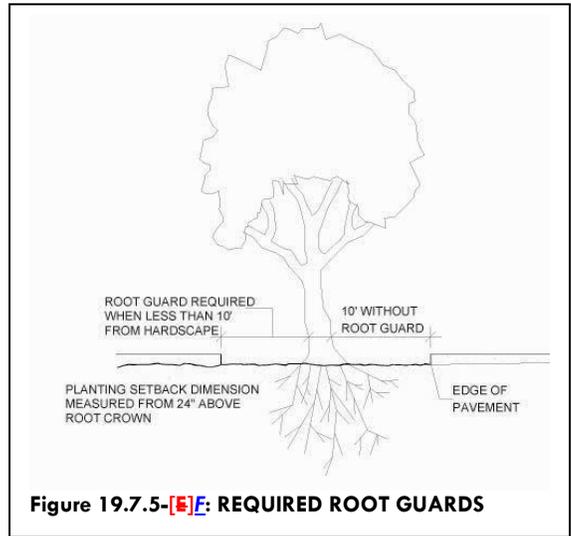
G. INSTALLATION, MAINTENANCE, AND IRRIGATION

1. Installation

(a) General

All landscaping shall be installed according to International Society of Arboriculture (ISA) in a manner designed to encourage vigorous growth. All landscape material and irrigation improvements shall be in place prior to issuance of the final certificate of occupancy unless the Community Development and Services Director approves an extension or the applicant provides a landscape bond satisfactory to the Community Development and Services Director prior to the extension being granted.

- (b) **Root Guards**
- Root guards shall protect hardscape from trees planted within ten feet of public improvements within the public right-of-way in accordance with Figure 19.7.5-[E]F, *Required Root Guards*. Root guards shall be shown on final stamped landscape drawings submitted as part of the building permit process.



K. FENCES AND WALLS

Unless otherwise expressly provided for in this Code or unless expressly provided for in conjunction with the approval of a conditional use permit, fences and walls shall comply with the following general standards:

1. All Zoning Districts

(a) **Sight Visibility Zones**

In addition to the standards listed below for various zoning districts, sight visibility zones for street intersections shall be provided per Standard Drawing No. 201.2. Sight visibility zones for driveways shall be provided per Section 19.7.4.J.4.

(b) **Access Gates**

- (1) Access gates shall be in accordance with CPTED guidelines and approved by the Building & Fire Safety Department.
- (2) All access gates shall be built from materials that are not conducive to vandalism.

(c) **Materials and Design**

- (1) Fences and walls shall complement the design of the associated building(s) in terms of their color, materials, and scale.
- (2) Chain-link fencing and smooth-face concrete masonry units (CMU) are prohibited, except as authorized for vacant property below and in Section 19.7.5.K.2.
- (3) All perimeter retaining walls that are visible from public rights-of-way or open spaces/parks shall require caps; exposed tops of walls are not permitted. Solid CMU blocks may be used to satisfy this requirement. "Slurry caps" do not satisfy this requirement.

(d) **Fence or Wall Height**

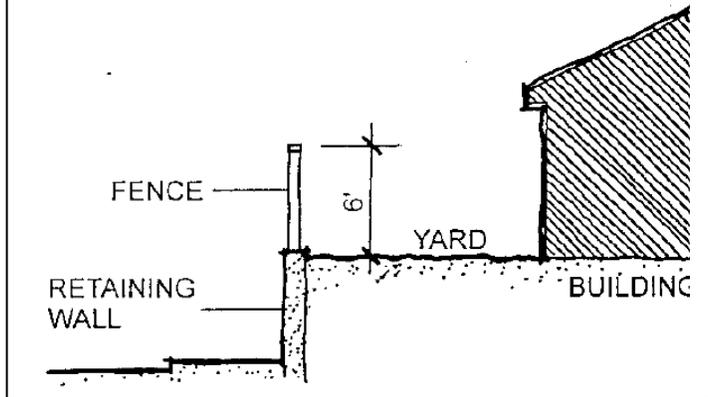
Fence or wall heights shall be measured from finished grade on the highest side of the fence or wall to the top of the fence or wall.

(e) **Vacant Property**

Vacant property may be fenced with chain-link fencing not to exceed six feet in height when the purpose of such fencing is to prevent unauthorized dumping or vehicular soil disturbance that results in fugitive dust or nuisance conditions. Such fencing of vacant property shall not be construed to allow use of the

property for outdoor storage. A building permit for a chain-link fence shall be obtained from the Building & Fire Safety Department and shall be reviewed as necessary by the Public Works Parks and Recreation department prior to issuance to ensure that the fence does not create or intensify any drainage problems.

Figure 19.7.5-[F]G: MEASUREMENT OF HEIGHT



2. Residential Zoning Districts

(a) Maximum Fence Heights

Except as otherwise permitted in this Code, the maximum height of a fence or wall within required side and rear setbacks in a residential zoning district shall be six feet (eight feet adjacent to commercial development), except in required front setbacks, where the maximum height of a solid fence or wall shall be 32 inches and the maximum height of a chain-link or wrought-iron fence shall be four feet. The maximum height for fences/walls for entry gates at the residential subdivision entrance shall be eight feet. All other entry features or designs must be approved through a design review or planned unit development. Smooth-face concrete masonry units (CMU) are permitted only in the RS-1 and RS-2 zoning districts and may be visible from rights-of-way. Smooth-face concrete masonry units (CMU) in all other residential zoning districts may be constructed as interior walls and may not face rights-of-way. Walls to be constructed in existing communities shall match as closely as possible to other existing walls.

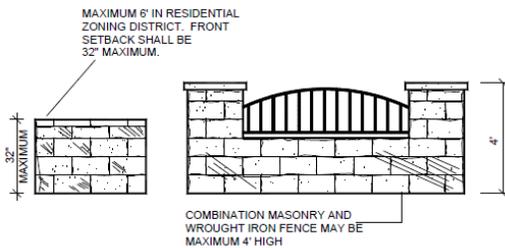


Figure 19.7.5-[G]H: FENCES

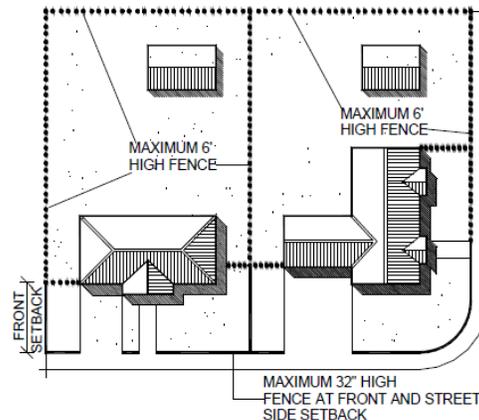


Figure 19.7.5-[H]: RESIDENTIAL

L. SLOPES AND GRADING

Unless otherwise approved by the Community Development and Services Director or specified in the Henderson Municipal Code (HMC), on RS zoned lots less than 12,000 square feet in area, the slope of the first 15 feet of the rear yard area or rear yard required by the underlying zoning district shall not exceed one foot of vertical change per 12 feet of horizontal run, measured from the house outward. Retaining walls may be used to create terracing; however, terraced portions may not exceed the specified 1:12 slope. If the total rear yard area is greater in horizontal dimension than the minimum required zoning setback, the remainder of the yard area beyond the minimum required setback may exceed the 1:12 slope. See Figure 19.7.5-~~H~~J.

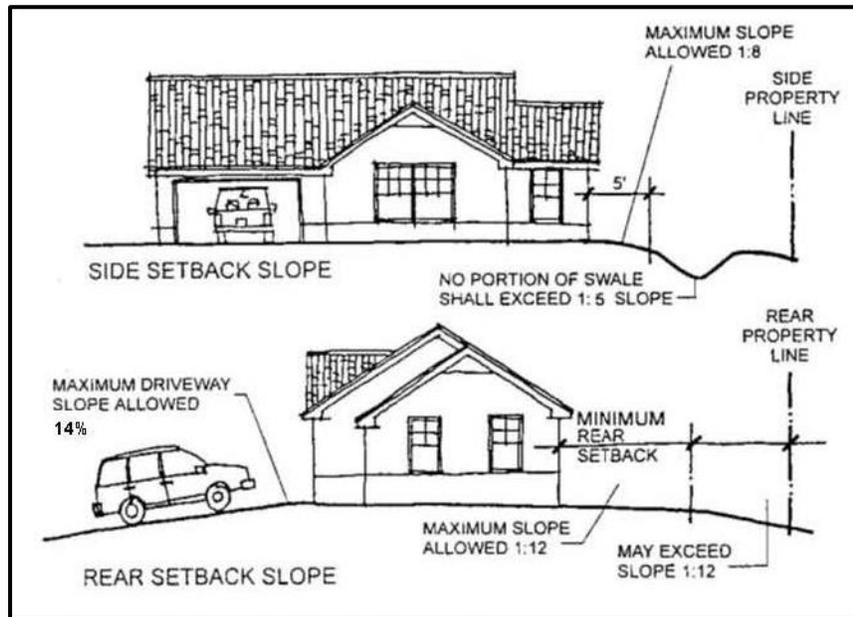


Figure 19.7.5-~~H~~J: SLOPES AND GRADING

1. Unless otherwise approved by the Community Development and Services Director or specified in the HMC, on RS zoned lots smaller than 12,000 square feet, the slope of the first five feet of side yard area or any side yard required by the underlying zoning district, whichever is smaller, shall not exceed one foot of vertical change per eight feet of horizontal run, measured from the dwelling outward. A swale may lie within this area; however, in no instance shall either side of the swale exceed a slope of one foot vertical per five feet of horizontal change.
2. Unless otherwise approved by the Community Development and Services Director or unless otherwise specified in the HMC, no driveway or parking space intended to satisfy the off-street parking requirements of this Code shall exceed 14 percent.
3. Applications for any residential planned unit development or tentative map within the city may be subject to additional exhibits being required as part of the application process. Such exhibits shall clearly demonstrate the resulting grade elevation differentials that would result between neighboring properties and the subject property of such application(s). The City will consider the impact of the proposed grade elevation differentials on adjacent property and, if significant negative impacts are found, will

recommend that the proposed grades be modified or that the negative impacts be mitigated.

4. In residential districts where lots are created by parcel map(s) or by any process other than the tentative map/final map process, the import of fill shall not result in the maximum finished floor elevation for individual lots being greater than two feet above the minimum elevation otherwise required by the applicable standards found in the Regional Flood Control District's "Hydrologic Criteria and Drainage Design Manual." Exceptions to this standard shall be approved by the design review procedures set forth in Section 19.6.6.B.

19.7.6. BUILDING DESIGN STANDARDS

C. MULTIFAMILY RESIDENTIAL DESIGN STANDARDS

1. Applicability

The standards in this subsection apply to the development of any multifamily residential dwelling, and any building that contains seven or more single-family attached dwellings when located in a residential zoning district.

2. Site Design and Building Organization

(a) Access

Multifamily developments are to be served exclusively by arterial streets, and shall comply with the following standards:

- (1) A minimum of one secondary point of ingress/egress into a multifamily development shall be required in accordance with Building & Fire Safety Department specifications.
- (2) No vehicular access from a multifamily development shall be provided on a local street serving existing single-family detached development; however, emergency vehicle access may be provided, as appropriate.

(b) Site Layout

Multifamily development is expected to follow a consistent visual theme in terms of architecture, plantings, and site layout in accordance with the following standards:

- (1) Household-related services or amenities, such as storage, laundry, trash, and parking, shall be within a 300-linear-foot distance of each dwelling unit.
- (2) Structures containing multiple units can be grouped more closely around amenity areas. Less dense buildings shall be located toward the site's perimeter to take advantage of spaciousness provided by landscaping and parking buffers.
- (3) Clusters of buildings containing 100 or more units shall be arranged around an open space or recreational amenity and separated from other building groupings by distances of 75 linear feet or more.
- (4) On-site recycling containers in designated areas are required.

(c) Primary Entrance Orientation

Building entries shall comply with at least two of the following requirements:

- (1) At least one main building entry shall face an adjacent street;
- (2) Building entrances shall face a courtyard or common open space that has a direct and visible connection to an adjacent street;
- (3) Building entries are connected to a public sidewalk by a system of interior walkways; or
- (4) The pedestrian entries to the site from the public right-of-way are emphasized with enhanced landscaping, special paving, gateways, arbors, or similar features.

(d) Off-Street Surface Parking Location

- (1) In addition to the standards in Section 19.7.4.J, *Parking Location, Layout, and Design*, buildings shall comply with the following: No more than 25 percent of the total off-street surface parking may be located between the structures and adjacent streets.
- (2) Off-street surface parking located on the side of a building shall not occupy more than 50 percent of the lot's street frontage along the primary street. In making that calculation, associated driving areas and driveways shall be included as part of such off-street surface parking. See Figure 19.7.6-E.
- (3) All onsite [P] parking areas shall ~~[include guest parking spaces]~~ be located within ~~[300]~~ 150 feet of the unit~~[(s)]~~ to be served.
- (4) Surface parking areas shall be configured into subgroupings of 80 or fewer spaces to the maximum extent practical as a means of dispersing parking across the site.

19.5.3. RESIDENTIAL USES

A. GENERAL STANDARDS FOR ALL RESIDENTIAL USES

The following general standards apply to all Residential Uses allowed in the City of Henderson.

1. Maximum Dwelling Unit Occupancy

Occupancy by persons living in a dwelling unit shall be limited to the following: compliance with the definition of a “family unit” or a “Community Residence”; and a dwelling unit with a minimum of 150 square feet of gross floor area for each of the first ten occupants and 300 square feet for each additional occupant, to a maximum of 20 occupants. A conditional use permit shall be required for occupancy of a dwelling unit by more than ten persons 18 years or older, except that for a Community Residence, a conditional use permit shall be required only where the number of residents, not including house parents, guardians, and other persons related to the house parents or guardians, exceeds 10 per the requirements of Section 19.5.3.D. In no case shall a dwelling unit be occupied by more than 20 persons.

2. Domestic Employees

No shift change involving two or more employees shall take place between the hours of 10:00 p.m. and 6:00 a.m. For the purposes of this subsection, “employees” shall include child-care workers, domestic help, contract workers, in-home health-care providers, assisted-living service providers, or any other employee associated with a household living use.

3. Personal Property Sales

A personal property sale is defined as a temporary garage or yard sale of personal property typically conducted on residential land. Sales of personal property shall be limited to a period of not more than three days during each consecutive six-month period.

B. HOUSEHOLD LIVING

1. Dwelling, Live/Work

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
					C	C	C	C				
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
						C		C	C	C	C	

(a) Definition

A structure or portion of a structure combining a residential living space for one or more persons with an integrated work space principally used by one or more of the residents.

(b) General Standards

- (1)** The residential portion within the live/work unit shall be a minimum of 700 square feet in area. Waivers to this standard may be processed through the design review or conditional use permit process.
- (2)** The residential portion shall be contiguous with and an integral part of the working space, with direct access between the two areas, and not a separate stand-alone dwelling unit.
- (3)** Live/work units shall not be located within a single-family detached dwelling but may be located within single-family attached dwellings as well as vertical mixed-use dwellings.
- (4)** Live/work units must be specifically indicated as such on a site plan approved through an entitlement application.
- (5)** Live/work units are not permitted in existing developments unless the original approval for that development is amended.
- (6)** The nonresidential portion within the live/work unit shall be located on the ground floor.

- (7) Any nonresidential activity shall require a City business license.
- (8) The nonresidential portion of the building shall comply with all applicable nonresidential Building Code requirements.
- (9) Employees shall be limited to occupants of the residential portion of the building plus up to two people not residing in the residential portion.
- (10) Drive-through windows are prohibited.
- (11) The use shall comply with the landscaping and open space standards for mixed-uses in Chapter 19.7: *Development and Design Standards*.

- (12) No portion of a live/work unit may be separately rented or sold as a commercial space for a person or persons not living on the premises, or as a residential space for a person or persons not working on the premises.
- (13) The following uses are permitted for live/work units:
- i. Business and professional offices.
 - ii. Artist studios.
 - iii. Retail sales of items produced or created on-site as part of the live/work use.
 - iv. Personal services such as photography studios, tailors, seamstresses, shoe repair, and other similar uses but excluding any uses prohibited below.
 - v. Personal improvement services such as music and dance lessons, tutoring, palmistry and fortune-telling, and other similar uses but excluding any uses prohibited below.
 - vi. Other uses may be approved thru the Conditional Use Permit process if determined to be compatible with the overall characteristics of the development or neighborhood.
- (14) A live/work unit shall not be established or used in conjunction with any of the following activities:
- i. Sexually oriented businesses.
 - ii. Cosmetology or hair salons/barber shops.
 - iii. Animal sales and animal-related services.
 - iv. Liquor sales.
 - v. Eating and drinking establishments.
 - vi. Massage establishments.
 - vii. Vehicle maintenance or repair (e.g., body or mechanical work, including boats and recreational

vehicles, vehicle detailing and painting, upholstery, etc).

- viii. Storage of flammable liquids or hazardous materials beyond that normally associated with a residential use.
 - ix. Welding, machining, or any open flame work.
 - x. Any other activity or use determined by the Planning Commission to not be compatible with residential activities and/or to have the possibility of affecting the health or safety of live/work unit residents, because of the potential for the use to create dust, glare, heat, noise, noxious gasses, odor, smoke, traffic, vibration or other impacts, or would be hazardous because of materials, processes, products, or wastes.
- (15) Client and customer visits to live/work units are permitted subject to any applicable conditions of the applicable use permit to ensure compatibility with adjacent commercial or industrial uses, or adjacent residentially zoned areas or uses.
- (16) Client and customer visits to live/work units are permitted subject to any applicable conditions of the applicable use permit to ensure compatibility with adjacent commercial or industrial uses, or adjacent residentially zoned areas or uses.
- (17) Each of the above standards, as well as those of subsections (c) and (d) below and all other conditions imposed on the Conditional Use Permit, shall be set forth in codes, covenants, and restrictions, which shall be recorded with respect to the property after review and approval of the City Attorney.
- (c) Standards for Mixed-Use and Nonresidential Districts
- (1) Manufacturing activities associated with a live/work unit shall be limited to those types of manufacturing that would

be classified as “Limited Industry” (Section 19.5.6.G.3(a)) under this Code if operated as a principal use.

- (2) The Planning Commission may, with clear and convincing justification provided by the applicant, allow more than two employees at a live/work unit in the IL and IP districts.
- (3) A live/work unit shall be designed to accommodate commercial or industrial uses as evidenced by the provision of ventilation, interior storage, flooring, and other physical improvements of the type commonly found in exclusively commercial or industrial facilities used for the same work activity.
- (4) If a building contains mixed occupancies of live/work units and other nonresidential uses, occupancies other than live/work shall meet all applicable requirements for those uses, and proper occupancy separations shall be provided between the live/work units and other occupancies, as determined by the chief building official.
- (5) The owner or developer of any nonresidential building containing live/work units shall provide written notice to all occupants and users that the surrounding area may be subject to levels of noise, dust, fumes, or other effects associated with commercial and industrial uses at higher levels than would be expected in residential areas. State and federal health regulations notwithstanding, noise and other standards shall be those applicable to commercial or industrial properties in the applicable zone.

(d) Standards for Residential Districts

- (1) Manufacturing and retail sales activities shall not be allowed in a live/work unit in a residential district.
- (2) The exterior appearance of the live/work unit shall be designed to be compatible with adjacent and nearby residential uses.
- (3) Building and lot layout shall demonstrate that the quiet enjoyment expectations of the neighbors in the building or

adjacent buildings take precedence over work needs of the unit in question.

- (4) Signage shall be limited to one wall sign of 15 square feet.
- (5) Garages and/or exterior areas shall not be used for work space for a live/work use.
- (6) Customer visits and deliveries shall be limited to the hours between 8:00 a.m. and 6:00 p.m., Monday through Friday, unless otherwise provided by use permit, and shall not occur on state and federal holidays.
- (7) No more than one live/work use is allowed per legal dwelling unit on the property.
- (8) No more than one single one-ton or smaller commercial vehicle related to the business activity shall be kept at the dwelling site.
- (9) No outdoor storage of materials or equipment related to the business activity shall be permitted. No outdoor activity related to the business activity shall be permitted.
- (10) Activities conducted and equipment or material used shall not change the fire safety or occupancy classifications of the premises.

(e) Off-Street Parking Requirement

Residential and nonresidential districts.

- (1) The use shall comply with the parking standards for mixed-uses in Section 19.7.4, *Parking and Loading*. Any off-street surface parking shall be located as far as possible from existing adjacent single-family dwellings.

(f) Off-Street Loading Group

None.

2. Dwelling, Mansion Apartment

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
				S	S	S	S	S				
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
				S					S	S	S	

(a) Definition

A structure configured to appear as a large single-family dwelling with or without individual entryways, porches, or balconies. These use types include more than two but not more than six individual dwelling units.

(b) Standards

- (1) Mansion apartments shall incorporate design elements intended to reinforce the building’s appearance as a single-family home, including a consistent architectural style on all sides of the building.
- (2) Mansion apartments shall comply with the single-family residential design standards in Section 19.7.6.B, *Single-Family Residential Design Standards*.
- (3) The maximum length of the building may not exceed 200 linear feet.
- (4) Except on corner lots, mansion apartments shall be served by a single driveway and off-street parking area.

(c) Off-Street Parking Requirement

~~1.5~~ 1.25 parking spaces per unit.

(d) Off-Street Loading Group

None.



Figure 19.5.3-A:

3. Dwelling, Multifamily

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
					P	P	P	P				
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
				C					P	P	P	

(a) Definition

A building containing two or more dwelling units on one lot, each of which includes a separate household, including duplexes, condominiums, townhouses, row houses, or apartments.

(b) Standards

(1) All Districts

Multifamily dwellings shall comply with the multifamily design standards in Section 19.7.6.C., *Multifamily Residential Design Standards*.

(2) CT District

- i. Multifamily uses are allowed only with a conditional use permit as part of a mixed-use project.
- ii. Household living areas may not occupy more than 20 percent of the CT-zoned area of the subject development or master plan.

(c) Off-Street Parking Requirement

(1) Residential and nonresidential districts

- i. 1.5 spaces per 1-bedroom unit
- ii. 2 spaces per 2-bedroom unit *and above*

~~iii. 2.5 spaces per 3-bedroom unit~~

~~iv. 3 spaces per 4-bedroom unit~~

~~v. Plus additional 0.25 space per unit for guest parking~~

(d) Off-Street Loading Group

None.

4. Dwelling, Single-Family Attached

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
			P	P	P	P	P	P				
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
									P	P	P	

(a) Definition

Two or more single-family dwelling units, each with its own outside entrance and individual lot, which are joined together by a common or party wall.

(b) Standards

(1) All Districts

Single-family attached dwellings shall comply with the applicable standards in Section 19.7.6.B, *Single-Family Residential Design Standards*.

(2) M Districts

Single-family attached dwellings shall only be developed in conjunction with a commercial component when in an M zoning district. Single-family attached dwellings shall not be a stand-alone project in an M zoning district.

(c) Off-Street Parking Requirement

2 spaces per dwelling unit.

(d) Off-Street Loading Group

None.

5. Dwelling, Single-Family Detached

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
P	P	P	P	P	P	P						
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
									S		P	

(a) Definition

A residential building containing not more than one dwelling unit and occupied by a family unit, and that is located on its own individual lot and not physically attached to any other principal structure. For regulatory purposes, this term does not include mobile homes, recreational vehicles, or other forms of temporary or portable housing. This term includes “manufactured home,” which is defined as a dwelling unit that is built on a permanent chassis that is transportable in one or more sections and designed to be used with or without a permanent foundation that complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. Sections 5401 et seq).

(b) Standards

(1) All Districts

- i. Single-family detached dwellings shall comply with the applicable standards in Section 19.7.6.B, *Single-Family Residential Design Standards*.
- ii. Manufactured homes shall comply with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. Sections 5401 et seq) and subject to Section 19.7.6.B.6.

(2) M District

- i. Single-family detached dwellings are not allowed along the Boulder Highway frontage.

ii. Single-family detached dwellings shall only be developed in conjunction with a commercial component when in an M zoning district. Single-family detached dwellings shall not be a stand-alone project in an M zoning district.

(c) Off-Street Parking Requirement

2 spaces per dwelling unit.

(d) Off-Street Loading Group

None.

6. Senior Apartments and Condominiums

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
					S	S	S	S				
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
									S	S	S	

(a) Definition

An apartment or condominium development in which the ages of all occupants shall be restricted to 62 years of age or older for all units; or, in the alternative, at least one resident in each of 80 percent of the units shall be 55 years of age or older. This use includes multifamily dwelling units that qualify as “housing for older persons” under the provision of federal law, including without limitations housing developments that:

- (1) Provide significant facilities and services specifically designed to meet the physical or social needs of older persons; and
- (2) Publish and adhere to policies and procedures that demonstrate intent to provide housing for persons 55 years of age or older to the extent allowed by applicable state or federal law.

(b) Standards

(1) Personal Services (General) uses may be allowed as accessory uses subject to the following:

- i. Personal services uses shall be limited to residents of the development and shall not be open to the general public.
- ii. No exterior signage shall be visible to the public.
- iii. No more than three individual personal service use types within a development shall be allowed.

(2) The applicant shall record a deed restriction against the property restricting the use to a Senior Apartment or Condominium project. The deed restriction must include the age limitation as stated in the definition for this use. The deed must be recorded and a copy provided to the Community Development Department prior to issuance of a building permit for the first building on the site.

(c) Off-Street Parking Requirement

[1] 0.75 spaces per unit [~~plus a minimum of 1 space per 50 square feet of assembly area.~~]

(d) Off-Street Loading Group

None.

7. Accessory Dwelling Unit

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
C	C	C	C									
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
									C		C	

(a) Definition

A dwelling unit either attached to a single-family principal dwelling or located on the same lot and having an independent means of access.

(b) Districts Allowed

An accessory dwelling unit shall be allowed only through the conditional use process and only as accessory use to a single-family detached residential dwelling unit in the districts referenced in the table above.

(c) Standards

Accessory dwelling units shall comply with all requirements in Section 19.5.7.C, *General Standards for All Accessory Uses and Structures*, and also the following:

- (1)** The setback requirements for the principal dwelling shall apply to the accessory dwelling unit, not the general setback requirements for accessory structures.
- (2)** In the RS-6 district as of the effective date of this Code, accessory dwelling units may be allowed by conditional use permit only on lots greater than 10,000 square feet.
- (3)** Mobile homes, recreational vehicles, and travel trailers shall not be used as accessory dwelling units.
- (4)** Accessory dwelling units shall be the lesser in size of: 25 percent of the square footage of the principal dwelling unit (excluding carports, garages, and unfinished basements) or 1,000 square feet.
- (5)** There shall be no more than one accessory dwelling unit on a lot in addition to the principal single-family detached dwelling.
- (6)** Accessory dwelling units shall not count toward any applicable maximum residential density requirements.
- (7)** Accessory dwelling units shall not be sold apart from the principal dwelling upon the same lot where they are located.
- (8)** Accessory dwelling units shall not be leased or rented for tenancies of less than 30 days.
- (9)** Home occupations shall be prohibited within an accessory dwelling unit.

(10) Pool houses, cabanas, and casitas shall not be used as accessory dwelling units.

(11) Only one kitchen is allowed per accessory dwelling unit.

(12) In the mixed-use districts, an accessory dwelling unit shall only be allowed on a lot occupied by a single-family detached dwelling.

(d) Off-Street Parking Requirement

1 space for each accessory dwelling unit.

(e) Off-Street Loading Group

None.

C. FACILITY FOR TRANSITIONAL LIVING FOR RELEASED OFFENDERS

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
C	C	C	C	C	C	C	C	C		C		
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
									C	C	C	

1. Definition

A dwelling unit of a residential character that provides housing and a living environment for up to six persons who have been released from prison and who require assistance with reintegration into the community, other than such a residence that is operated or maintained by a state or local government or an agency thereof. The term does not include a halfway house for recovering alcohol and drug abusers or a facility as defined in NRS 449.00455. As used in this definition, "person who has been released from prison" means:

(a) A parolee;

(b) A person who is participating in:

- (1) A judicial program pursuant to NRS 209.4886 or 213.625;
or
- (2) A correctional program pursuant to NRS 209.488 or
213.632.
- (c) A person who is supervised by the Division of Parole and Probation
of the Department of Public Safety through residential confinement
pursuant to NRS 213.371 to 213.410, inclusive; or
- (d) A person who, within the past two years, has been released from
prison by expiration of his term of sentence.

2. Standards

The standards below cannot be waived.

- (a) The facility must comply on an ongoing basis with all
governmental licensing and applicable notification requirements.
- (b) The facility must be located on a parcel with minimum size of
6,500 square feet.
- (c) The facility must be located on a parcel that is within 1,500 feet of
an existing bus stop served by a regional bus system.
- (d) Indoor common area shall be provided on the basis of a minimum
of 25 square feet per resident.
- (e) The facility shall not be established or modified in a manner that
would make it inconsistent with the scale and architectural
character of the neighborhood.
- (f) No signage, graphics, display, or other visual representation that is
visible from a public street shall be used to identify the facility as a
Facility for Transitional Living for Released Offenders.
- (g) A facility may not be located closer than 1,500 feet (measured by
means of the shortest distance from property line to property line)
from another Facility for Transitional Living for Released
Offenders, a Halfway House for Recovering Alcohol and Drug
Abusers, Residential Facility for Groups, religious assembly,
school, day care facility, or city park.

- (h) There shall be no more than two live-in facility staff at the subject property.
- (i) The number of occupants within a Facility for Transitional Living for Released Offenders shall not exceed the following occupancy standards:
 - (1) For the first bedroom (deemed to be the largest bedroom), a maximum of two adults (18 years of age or older).
 - (2) For each bedroom thereafter:
 - i. A maximum of one adult, for bedrooms less than 100 square feet in area; and
 - ii. A maximum of two adults, for bedrooms 100 square feet in area or greater.

3. Off-Street Parking Requirement

~~[In addition to the required residential parking standard, off-street parking shall be provided on the basis of at least 1 space per 2 residents.]~~ 2 per unit plus 1 space per 4 residents

4. Off-Street Loading Group

None.

D. COMMUNITY RESIDENCE

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
S	S	S	S	S	S	S	S	S				
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
									S	S	S	

1. Definition

A dwelling unit of a residential character for fewer than 11 unrelated individuals with disabilities in need of the mutual support furnished by other residents of the community residence as well as the support

services, if any, provided by the staff of the community residence. Nevada Revised Statutes Chapter 278 defines “person with a disability” as a person: (a) with a physical or mental impairment that substantially limits one or more of the major life activities of the person; (b) with a record of such an impairment; or (c) who is regarded as having such an impairment. Residents may be self-governing or supervised by a sponsoring entity or its staff, which provides habilitative or rehabilitative services related to the disabilities of the residents. A Community Residence seeks to achieve normalization and community integration of its residents. Its primary purpose is to provide shelter in a family-like environment; treatment is incidental, as in any home.

The term “Community Residence” includes “residential facilities for groups,” as defined by Nevada Revised Statutes 449.017 in which fewer than 11 unrelated persons with disabilities reside, a “halfway house for recovering alcohol and drug abusers” as defined by Nevada Revised Statutes 449.008, in which fewer than 11 persons reside, and a “home for individual residential care”, as defined by Nevada Revised Statutes 449.0105. The term does not include a “facility for the treatment of abuse of alcohol or drug abuse”, “modified medical detoxification facilities”, “transitional living facilities for released offenders”, “facilities for treatment with narcotics”, or “community triage centers” as each of these is defined within Chapter 449 of the Nevada Revised Statutes. The term also does not include an “institution”, “hospital”, “boarding house”, “lodging house”, “fraternity”, “sorority”, “dormitory”, or any other group living arrangement for unrelated individuals who are not disabled. This dwelling unit shall be considered a residential use of property for purposes of all zoning and building codes.

2. Standards

- (a)** A Community Residence must comply with any and all local, state and federal governmental licensing or certification requirements as well as all public health and safety requirements, including any applicable building and fire safety code requirements. A residential facility for groups must be equipped with a fire sprinkler system if the facility has three or more residents who would have difficulty perceiving danger or moving to safety in the event of a fire.

- (b) A halfway house for recovering alcohol and drug abusers must require such residents to be actively and continuously enrolled in an outpatient rehabilitation or substance abuse program that is supervised by a licensed medical professional, or a recognized substance abuse treatment program, or both. The halfway house must adopt and enforce a policy prohibiting the use of drugs or alcohol by clients while they reside in the home. Upon request, the halfway house operator shall produce evidence satisfactory to the Director of Community Development and Services that the home is in compliance with this condition.
- (c) Residents of a residential facility for groups may also reside with house parents or guardians who need not be related to any of the persons with disabilities and, if applicable, additional persons who are related to the house parents or guardians within the third degree of consanguinity or affinity, as long as the total number of occupants of the home does not exceed 20 persons, per 19.5.3.A.1.
- (d) A Conditional Use Permit is required to increase the number of residents to 11 or more.

 - (1) An application for a Conditional Use Permit shall not be denied on any basis that discriminates against persons with disabilities. If it deems appropriate, the Planning Commission or City Council may continue a public hearing on the application to another date in order to allow Community Development and Services staff to consult with, or to obtain an opinion from, a person or entity with expertise in the Federal Fair Housing Act regarding whether an approval or denial of the application is justified under state and federal law.
 - (2) Requests to waive, reduce or refund Conditional Use Permit application fees for a Community Residence shall be considered by the Director of Community Development and Services and shall be administratively granted where the request is reasonable and the applicant can demonstrate a financial hardship or other good cause for the waiver, refund or discount.

3. Off-Street Parking Requirement

No additional parking beyond the required parking for the specific dwelling type.

4. Off-Street Loading Group

None.

E. MOBILE HOME PARK OR SUBDIVISION

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
									S			
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	

1. Definitions

(a) Mobile Home Park

A site containing spaces with required improvements and utilities that are leased for the long-term placement of mobile homes or manufactured homes, and that may include services and facilities for residents.

(b) Mobile Home Subdivision

A subdivision of individual lots, each containing one single-family mobile home or manufactured home.

2. Standards

(a) All dwelling units and habitable structures shall be served by underground utilities in accordance with City requirements.

(b) Each dwelling unit shall have at least a 2,800-square-foot lot or site area for dwelling placement.

(c) Each dwelling unit in the park or subdivision shall be set back at least 15 feet from any other dwelling unit, common driveway, or street.

- (d) All structures shall be set back at least 20 feet from the perimeter boundary of the district.
- (e) Common facilities and recreational features shall be centrally located.

3. Off-Street Parking Requirement

1 space per dwelling unit, plus 0.25 guest space per unit, within each park or subdivision.

4. Off-Street Loading Group

None.

F. TRAVEL TRAILER/RV PARK

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
			C	C								

1. Definition

Any lot, tract of land, or facility renting or leasing space on a short-term or long-term basis for the accommodation of two or more owners or users of travel trailers and recreational vehicles, not intended for permanent residence.

2. Standards

In the CT district, travel trailer/recreational vehicle parks may only be approved with a conditional use permit as part of a mixed-use project.

3. Off-Street Parking Requirement

Schedule C (Section 19.7.4.C.3)

4. Off-Street Loading Group

None.

G. SHORT-TERM VACATION RENTAL

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
				C								

1. Definition

The commercial use, by any person, of any residential development for lodging, where any individual guest occupies the property for 30 consecutive calendar days or less. This use type does not include a dwelling or room used as a primary residence.

2. Standards

- (a) All unit/property owners within a multifamily development must agree to allow for short-term vacation rentals.
- (b) Property owners offering short-term vacation rental properties are subject to the following requirements:
 - (1) Units may be rented for no less than seven days and no more than 30 days.
 - (2) Each vacation rental unit is permitted a maximum of three guest vehicles on site.
 - (3) A vacation rental unit may not be rented, leased, or furnished to more than one party subject to limitations of two guests per bedroom plus two individuals, with a maximum of eight guests.
- (c) One hundred percent of a multifamily development located within a CT zoning district may be short-term vacation rental units.

3. Off-Street Parking Requirement

Based upon type of housing unit being rented. See that use type for parking requirements.

4. Off-Street Loading Group

None.

19.5.4. PUBLIC/INSTITUTIONAL USES

A. AIRPORT OR LANDING STRIP

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
											C	
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	

1. Definition

Runways and related facilities for aircraft, including rotary-winged and ultralight aircraft, take-off and landing.

2. Off-Street Parking Requirement

Schedule “C” (Section 19.7.4.C.3)

3. Off-Street Loading Group

None.

B. CEMETERY

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
											C	
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	

1. Definition

Land used or intended to be used for the burial of human remains and dedicated for cemetery purposes. Cemetery purposes include columbariums, crematoriums, mausoleums, and mortuaries operated in conjunction with the cemetery.

2. Standards

Crematoriums must be separated a minimum of 1,500 feet from residentially zoned property.

3. Off-Street Parking Requirement

Schedule “C” (Section 19.7.4.C.3)

4. Off-Street Loading Group

None.

C. CLUB OR LODGE

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
											C	C
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
C	C	C	C					C	C	C	C	

1. Definition

Meeting, recreational, or social facilities of a private or non-profit organization primarily for use by members or guests. This use type includes union halls, social clubs, youth centers, fraternal, and veteran’s organizations.

2. Standards

(a) All Districts – Alcohol or Liquor Sales

Clubs or lodges offering alcohol or liquor for onsite or offsite consumption shall comply with Section 19.5.5.A., *General Standards for Alcohol and Liquor Uses, and Live Entertainment.*

(b) IP District

Clubs and lodges shall be limited to labor union and labor organization offices only. Such uses may include kitchens intended for food service to members only, and no food shall be served to the general public. Such uses may offer training classes, provided such classes take place solely within the building.

3. Off-Street Parking Requirement

All districts: 1 space per 100 square feet of assembly area.

4. Off-Street Loading Group

Group Three (Section 19.7.4.D)

D. CULTURAL INSTITUTION

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
											C	P
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
C	P	P	P	P					P	C	P	

1. Definition

Non-profit institution displaying or preserving objects of interest in one or more of the arts or sciences. This use type typically includes but is not limited to libraries, museums, and art galleries.

2. Standards

Any use that includes live entertainment shall comply with the standards in Section 19.5.5.A.2, *Live Entertainment*.

3. Off-Street Parking Requirement

Nonresidential districts: 1 space per 90 square feet of assembly area plus 1 space per 300 square feet for the remaining building area.

4. Off-Street Loading Group

Group Three (Section 19.7.4.D)

E. DAY CARE FACILITY

1. General

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
C	C	C	C	C	C	C	C	C				
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
C	S	C	C	S	C	C	C	C	C	C	C	

(a) Definition

Any commercial facility that provides care for more than 12 children or adults on a less-than-24-hour basis. This use may include nursery schools, preschools, accommodation facilities, and day care centers offering non-medical care. This use must also comply with all local and state licensing requirements.

(b) Standards

(1) All Districts

- i. Such uses shall include the minimum square footage of outdoor play space on the site (including trees or structures that provide adequate shade over the play space) and indoor space per State of Nevada requirements as listed in NAC 432A.250 (Building and Grounds);
- ii. When a day care abuts a residential use, additional buffering may be required to reduce adverse impacts to the residential use.

(2) All R Districts

General day care uses shall:

- i. If located within a residential base zoning district, maintain a minimum separation of 1,000 linear feet from any other general or group child-care day care use also located within a residential district;

- ii. Be located on lots that front a minor collector or greater street as indicated on the Henderson Master Transportation Plan; and
- iii. Be located on a lot of at least 12,000 square feet in size.

(3) IG and IP Districts

General day care uses may only be permitted as an accessory use with a maximum size of up to 25 percent of a building's gross floor area.

(4) CO and CT Districts

A general day care use is required to obtain a conditional use permit, unless the following conditions can be met, in which case the use may be allowed by right:

- i. The primary purpose of the use is to serve employees of the office development in the district;
- ii. The use shall not be the principal use in any freestanding building;
- iii. The use shall not occupy more than 5,000 square feet in gross floor area or five percent of the principal office structure, whichever is less;
- iv. The use shall not have an entrance leading directly to the outside; and
- v. No freestanding sign shall be allowed in connection with such use.

(c) Off-Street Parking Requirement

~~[A minimum of 1 space per 6-person capacity, including staff, is required based on maximum allowable capacity under state regulations and the Building Code.]~~ 1 space per 500 square feet. Adequate drop-off and pick-up lanes and areas must be provided.

(d) Off-Street Loading Group

Group Two (Section 19.7.4.D)

2. Group Child Care

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
C	C	C	C	C	C				C			
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
A	A	A							C	C	C	

(a) Definition

A residential dwelling used primarily as a residence or an accommodation facility that provides care for at least seven children but no more than 12 children on a less-than-24-hour basis. This may include nursery schools, preschools, and day care centers offering non-medical care. This use must also comply with all local and state licensing requirements.

(b) Standards

(1) Conditional Use Requirements

- i. If located within a residential base zoning district, maintain a minimum separation of 1,000 linear feet from any other general or group child care day care use also located within a residential district;
- ii. Be located on lots that front a street right-of-way that is a minimum of 47-feet in width;
- iii. Be located on a lot of at least 10,000 square feet in size; and
- iv. Such uses shall include the minimum square footage of outdoor play space on the site (including trees or structures that provide adequate shade over the play space) and indoor space per State of Nevada requirements as listed in NAC 432A.250 (Building and Grounds).

(2) Accessory Use Requirements

- i. The use may only operate as an accommodation facility.
- ii. The primary purpose of the use shall be to serve employees of the onsite business in the district.
- iii. The use shall not be the principal use in any freestanding building.
- iv. The use shall not have an entrance leading directly to the outside.
- v. No freestanding sign shall be allowed in connection with such use.

(c) Off-Street Parking Requirement

~~[A minimum of 1 space per 6 person capacity, including staff, is required based on maximum allowable capacity under state regulations and the Building Code.]~~ 1 space per 500 square feet. Adequate drop-off and pick-up lanes and areas must be provided.

(d) Off-Street Loading Group

Group Two (Section 19.7.4.D)

3. Family Home

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
P	P	P	P	P	P	P	P	P	P	P		
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
									P	P	P	

(a) Definition

A residential dwelling used primarily as a residence, which also provides care for a maximum of six persons on a less-than-24-hour basis, offering non-medical care for children or adults. This use must also comply with all local and state licensing requirements.

(b) Off-Street Parking Requirement

2 spaces.

(c) Off-Street Loading Group

None.

F. DETENTION FACILITY

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
											C	C
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	

1. Definition

Publicly owned and operated facilities providing housing, care, and supervision for persons confined by law.

2. Off-Street Parking Requirement

Schedule “C” (Section 19.7.4.C.3)

3. Off-Street Loading Group

None.

G. EMERGENCY HEALTH CARE FACILITY

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
											C	
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
S	P	P	P	S		C	C	C	P	P	P	

1. Definition

A facility maintained and operated to provide immediate and short-term emergency medical care. Overnight patient care is not provided.

2. Standards

CN and CT Districts: Emergency health care uses shall be limited in size to 7,500 square feet or less, and shall demonstrate that emergency response vehicles and visitor activities will not interfere with existing or anticipated adjacent uses.

3. Off-Street Parking Requirement

(a)1 space per 200 square feet.

4. Off-Street Loading Group

None.

H. EMPLOYMENT & TRAINING CENTER, NON-PROFIT

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
											C	P
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
		C	C			C		C	C		C	

1. Definition

Facility operated by a nonprofit organization (e.g. Goodwill Industries, Salvation Army, and Opportunity Village) intended to provide employment and training. Such facilities may include, but are not limited to, activities such as light assembly of products, training, administrative offices, repair and sale of secondhand clothing, and furniture and appliances, and may also include certain facilities for persons with profound mental retardation. This use type does not include homeless shelters or other forms of transient or permanent residential accommodation.

2. Off-Street Parking Requirement

Schedule “B” (Section 19.7.4.C.2)

3. **Off-Street Loading Group**

Group Three (Section 19.7.4.D)

I. **GOVERNMENT OFFICE**

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
											P	P
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
P	P	P	P	P	P	P	P	P	P	P	P	

1. **Definition**

Administrative, clerical, or public contact offices of a government agency, including postal facilities, with incidental storage and maintenance of vehicles.

2. **Off-Street Parking Requirement**

Nonresidential districts: 1 space per 300 square feet.

3. **Off-Street Loading Group**

Group Two (Section 19.7.4.D)

J. **HELIPORT**

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
											C	C
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
		C	C	C	C		C	C			C	

1. **Definition**

Pads and facilities enabling takeoffs and landings by helicopters and air ambulances.

2. Standards

Heliports shall maintain a minimum separation of 1,000 feet from residential districts. To establish a heliport within this separation distance, an applicant shall demonstrate through the conditional use process that the reduced separation does not adversely impact nearby residential properties.

3. Off-Street Parking Requirement

Schedule “C” (Section 19.7.4.C.3)

4. Off-Street Loading Group

None.

K. HOSPITAL

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
											C	C
COMMERCIAL					INDUSTRIAL				MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
											C	

1. Definition

Facilities providing medical, surgical, psychiatric, or emergency medical services to the sick or injured, primarily on an inpatient basis. This use type includes incidental facilities for outpatient treatment, as well as training, research, and administrative services for patients and employees. A hospital may incorporate a restaurant, florist, pharmacy, and gift shop as accessory uses within the principal structure.

2. Off-Street Parking Requirement

1 space per 400 square feet, including hospital area and medical offices.

3. Off-Street Loading Group

Group Three (Section 19.7.4.D)

L. INSTITUTIONAL HOUSING

1. Congregate Housing

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
					S	S	S	S				
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
									P	P	P	

(a) Definition

Specially planned, designed, and managed multi-unit rental housing with self-contained apartments to promote an independent lifestyle. A limited number of services such as meals, laundry, housekeeping, transportation, and social and recreational activities may also be provided.

(b) Standards

- (1) Congregate housing shall be located near neighborhood commercial services so that residents have access to necessary services not provided on site.
- (2) This use shall comply with the maximum dwelling unit occupancy requirements of Section 19.5.3.A.1.

(c) Off-Street Parking Requirement

0.75 spaces per ~~bed-or~~ dwelling unit.

(d) Off-Street Loading Group

Group One (Section 19.7.4.D)

2. Continuing Care Retirement Community

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
					C	C	C	C			C	

COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
									S		S	

(a) Definition

An age-restricted development that is planned, designed, and operated to provide a full range of accommodations and services for older adults, including independent living, congregate care housing, and medical care. Dwellings include, but are not limited to, attached or detached houses, apartments, condominiums, or townhomes offering private or semiprivate rooms, and may be either rentals or owner-occupied units. Such facilities may offer health care and a variety of other personal services.

(b) Standards

- (1) The ages of all occupants shall be restricted to 62 years of age or older for all units, or in the alternative, at least one resident in each of 80 percent of the units shall be 55 years of age or older.
- (2) Housing structures exceeding two or more stories in height shall provide elevators or ramps between all levels with a maximum grade of one foot in height for every 12 feet of horizontal distance. Stairs shall not be the sole route between any two levels.
- (3) This use shall comply with the maximum dwelling unit occupancy requirements of Section 19.5.3.A.1.

(c) Off-Street Parking Requirement

~~1~~0.5 spaces per ~~bed or~~ dwelling unit, or alternate amount as approved through a parking study conducted by a certified professional engineer.

(d) Off-Street Loading Group

Group One (Section 19.7.4.D)

3. Assisted Living Facility

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
											C	
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
P									S			

(a) Definition

A residential care facility with private or shared sleeping rooms for seven or more occupants with no serious health problems, but who may have chronic or debilitating conditions requiring assistance with daily activities. Permitted services include, but are not limited to, staff-supervised meals, housekeeping, personal care, medication supervision, and social activities.

(b) Standards

- (1) Such uses shall be considered as residential uses for the purpose of compliance with common open space standards of this Code in Section 19.7.2.
- (2) Supporting retail or personal services uses may only be permitted as accessory uses and shall only be accessed through the principal structure. This does not apply to single-family detached dwellings.
- (3) This use shall comply with the maximum dwelling unit occupancy requirements of Section 19.5.3.A.1.

(c) Off-Street Parking Requirement

0.~~[7]~~5 space per ~~[bed-or]~~ dwelling unit.

(d) Off-Street Loading Group

Group One (Section 19.7.4.D)

4. Group Living—General

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
					C	C	C	C	C		C	
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
C				S					S	C	S	

(a) Definition

Shared living quarters for seven or more individuals without separate kitchen or bathroom facilities for each room or unit. This use type includes boardinghouses, dormitories, fraternities, sororities, and private residential clubs, but excludes residential or apartment hotels or motels.

(b) Standards

- (1) Such uses shall be considered as residential uses for the purpose of compliance with the common open space standards of this Code in Section 19.7.2.
- (2) Supporting retail or personal service uses may only be permitted as accessory uses and shall only be accessed through the principal structure.
- (3) No outdoor signage shall be allowed in connection with such use.
- (4) This use shall comply with the maximum dwelling unit occupancy requirements of Section 19.5.3.A.1.

(c) Off-Street Parking Requirement

Residential and nonresidential districts: ~~[1 space per bed or dwelling unit.]~~ 0.5 spaces per room or 200 square feet of gross floor area, whichever is greater.

(d) Off-Street Loading Group

Group One (Section 19.7.4.D)

5. Skilled Nursing Facility/Hospice

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
					C	C	C	C			C	
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
		C	C						P	P	P	

(a) Definition

A facility providing a full range of 24-hour direct medical, nursing, and other health services by registered nurses, licensed practical nurses, and nurses aides prescribed by a resident’s physician. These facilities are designed for those individuals who need health supervision, but not hospitalization. Specialized nursing services such as intravenous feeds or medication, tube feeding, injected medication, daily wound care, rehabilitation services, and monitoring of unstable conditions may also be provided, but surgical and emergency medical services are not permitted.

(b) Off-Street Parking Requirement

1 space per 2 beds or alternate amount as approved through a parking study conducted by a certified professional engineer.

(c) Off-Street Loading Group

Group One (Section 19.7.4.D)

M. PARK AND RECREATION FACILITY

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
C	C	C	C	C	C	C	C	C	C	C	C	P
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
C	C	C	C	C	C			S	P	P	P	

1. Definition

Noncommercial parks, playgrounds, recreation facilities, and open spaces.

2. Standards

(a) Residential Districts

Private or nonpublic park and recreation facilities shall not include commercial functions.

(b) CN, CO, CC, CH, CT, CA, and IP Districts

Park and recreation facilities shall be a maximum size of two acres.

(c) PS District

Park and recreation facilities shall be subject to review by the Parks and Recreation Board.

(d) If a park, recreational facility or open space discontinues daily operation or maintenance, see 19.7.8.L *Operation and Maintenance Closure Plan*.

3. Off-Street Parking Requirement

Schedule “C” (Section 19.7.4.C.3)

4. Off-Street Loading Group

None.

N. PUBLIC SAFETY FACILITY

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
C	C	C	C	C	C	C	C	C		C	C	C
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
C	C	C	C	C	C	C	C	C	C	C	C	

1. Definition

Facilities for public safety and emergency services, including police and fire protection, not including detention facilities.

2. Standards

Substations may be allowed as accessory to other primary uses (e.g., station within a recreation center or mall), subject to design review requirements. Stand-alone sub-stations require approval of a conditional use permit.

3. Off-Street Parking Requirement

Schedule "C" (Section 19.7.4.C.3)

4. Off-Street Loading Group

None.

O. RELIGIOUS ASSEMBLY

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
C	C	C	C	C	C	C	C	C		C	C	C
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
C	C	C				C	C	C	C	C	C	

1. Definition

Facilities for religious worship and incidental religious education, but not including private schools as defined by this Code.

2. Standards

- (a) A general day care facility proposed as part of a religious-assembly use shall require approval of a conditional use permit. The applicant must demonstrate that the use will be compatible with adjacent areas in terms of hours of operation, noise, lighting, parking, and similar considerations, and not cause significant traffic impacts.
- (b) Only classes operating in conjunction with religious services may be permitted as an accessory use.

3. Off-Street Parking Requirement

All Districts: ~~[1 space per 50 square feet of seating/assembly area.]~~ Whichever is greater between (those that apply): 1 space per 4.5 affixed seats plus 1 space per 50 square feet of assembly area with non-fixed seats or; 1 space per 50 square feet of assembly area with non-fixed seats or; 1 space per 100 square feet of gross floor area.

4. Off-Street Loading Group

Group Three (Section 19.7.4.D)

P. SCHOOL, PUBLIC OR PRIVATE

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
					C	C	C	C		C	C	C
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
C	C	C						C	C	C	C	

1. Definition

Educational institutions having a curriculum comparable to that required in the public schools or offered in institutions of higher learning in the State of Nevada. Private schools are further defined by NRS Section 394.103 and public schools are further defined by NRS Section 385.007.

2. Off-Street Parking Requirement

- (a) Elementary and middle schools: ~~[1 space per teacher/employee]~~ 2 spaces per classroom plus all required drop-off/pick-up spaces in accordance with Section 19.7.4.K.10.
- (b) High schools: 1 space per teacher/employee plus ~~[1 space per 5 students]~~ 8 spaces per classroom plus 1 space per 250 square feet of administrative office space plus all required drop-off/pick-up spaces in accordance with Section 19.7.4.K.10.
- (c) Colleges and universities: 1 space per 2 employees plus 1 space per 3 students based on maximum enrollment.

3. Off-Street Loading Group

Group One (Section 19.7.4.D)

Q. SCHOOL, BUSINESS, TRADE, OR VOCATIONAL

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
S	S	S	P	S	S	P	P	P	S		S	

1. Definition

A secondary or higher education facility primarily teaching usable skills that prepares students for jobs in a trade or in industry, construction, business, or commerce, and meeting all applicable state requirements for a facility of its type.

2. Standards

(a) CO and CN Districts

The use shall consist of classroom instruction only and may not include any intensive laboratory or workshop training (e.g., carpentry, auto repair, machine repair).

(b) CA District

Only automobile driving schools, motorcycle driving schools, and auto-related trade schools are permitted. Auto body classes shall require approval of a conditional use permit unless operated on the premises of an existing auto body shop. The classes must operate in accordance with the existing conditions of approval for that location.

(c) CC, CT, MC, and MR Districts

Schools consisting of intensive laboratory or workshop training (e.g., carpentry, auto repair, machine repair, etc.) require approval of a conditional use permit.

3. Off-Street Parking Requirements

All Districts: ~~[1 space for each staff member, plus 1 space for every 2 students in class when the school is at maximum capacity.]~~ 1 space per 500 square feet of classroom area plus 1 space per 250 square feet of administrative office space.

4. Off-Street Loading Group

None

R. UTILITY: MINOR

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
S	S	S	S	S	S	S	S	S	S	S	S	S
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
S	S	S	S	S	S	S	S	S	S	S	S	

1. Definition

Utility facilities that are necessary to support legally established uses and involve only minor structures such as electrical distribution lines, switch boxes, transformer boxes, cap banks, underground water and sewer lines, and utility communication devices.

2. Standards

- (a) Unless excepted in accordance with Section 15.18.180 of the HMC, all electrical, telephone, cable television, internet, fiber optic, and similar distribution lines providing direct service to a development site shall be installed underground in accordance with Section 15.18 of the HMC.
- (b) Utility communication devices as a permitted use are subject to the standards set forth in Section 19.12.3.C.1, *Exceptions to Height*.

3. Off-Street Parking Requirement

Schedule “C” (Section 19.7.4.C.3)

4. Off-Street Loading Group

None.

S. UTILITY: MAJOR

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
C	C	C	C	C	C	C	C	C	C	C	C	C
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
C	C	C	C	C	C	C	C	C	C	C	C	

1. Definition

Generating plants, renewable energy generating plants, electrical substations, aboveground electrical transmission lines, switching buildings, refuse collection, recycling or disposal facilities, water reservoirs, flood control or drainage facilities, water or wastewater treatment plants, transportation or communications utilities (including wireless), and similar facilities of public agencies or utility providers.

2. Standards

- (a) The applicant shall submit a plan for screening and/or buffering major utilities from adjacent residential districts.
- (b) Unless by exception in accordance with Section 15.18.22 of the HMC, all electrical, telephone, cable television, internet, fiber optic, and similar distribution lines providing direct service to a development site shall be installed underground in accordance with Section 15.18 of the HMC.
- (c) Transmission lines and associated structures proposed to be located within an adopted Above-Ground Utility Corridor shall be processed administratively in accordance with 19.6.6.B.5(a).
- (d) Transmission lines and associated structures proposed to be located outside an adopted Above-Ground Utility Corridor shall be processed as a Conditional Use Permit as outlined in Section 19.6.6.A.
- (e) Renewable energy generating plants shall be screened to minimize visual, noise, and other impacts on residential development.

3. **Off-Street Parking Requirement**

Schedule “C” (Section 19.7.4.C.3)

4. **Off-Street Loading Group**

Group One (Section 19.7.4.D)

T. WIRELESS COMMUNICATION FACILITY

1. **Wireless Communication Antenna**

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
C	C	C	C	C	C	C	C	C	C	C	S	S
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
S	S	S	S	S	S	S	S	S	S	S	S	

(a) **Definition**

Any exterior transmitting or receiving device mounted on a tower, building, or structure and used in communications that radiates or captures electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals, and other communications signals.

(b) **Standards**

(1) **General Standards**

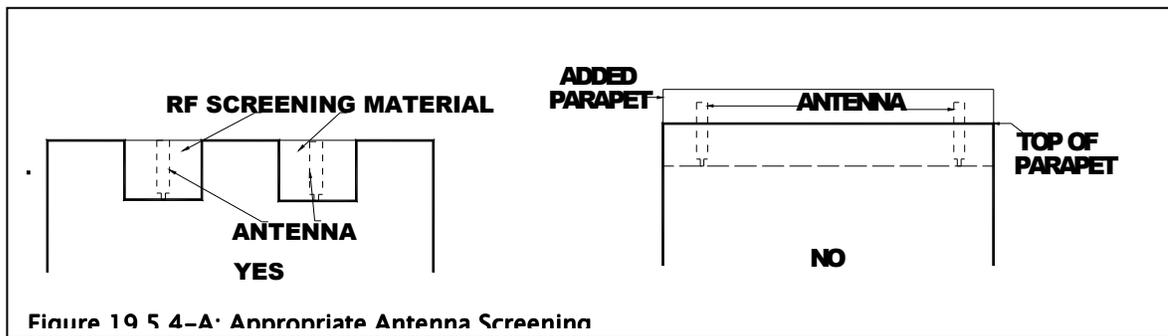
See Section 19.5.4.U.4, *General Standards for Wireless Communication Facilities*.

(2) **Nonresidential or Mixed-Use Districts**

A proposed wireless communication antenna that will not be attached to a tower may be approved by the Community Development and Services Director as an accessory use to any building in a nonresidential or mixed-use district, provided:

- i. The antenna(s) is flush-mounted to the building structure and does not extend above the wall on which it is attached;

- ii. The antenna(s) is painted to match the structure on which it is attached;
- iii. The antenna complies with all applicable Airport Environs Overlay regulations; and
- iv. The antenna(s) is behind a RF transparent screening material that is integrated into an existing structure in a manner that does not change the architecture or increase the height of the structure. (Figure 19.5.4-A)
- v. Any wireless communication antenna that is mounted in such a way that the antenna extends above the wall of the structure upon which it is attached and



requires additional screening that is not integrated with the existing architecture, shall require a conditional use permit.

(3) Residential Districts

A wireless communications antenna proposed in a residential zoning district that will not be attached to a tower shall be subject to conditional use permit review and approval and the following additional standards:

- i. The antenna(s) shall be flush-mounted to the building structure and not extend above the wall on which it is attached.
- ii. The antenna shall not be located on a lot occupied by a single-family dwelling.

- iii. The antenna shall not be located on a residentially zoned lot unless it is co-located on a nonresidential use such as a religious facility, utility, or other like use. This type of use requires a conditional use permit.
- iv. The antenna shall not reduce the required amount of common open space for a development except when radio equipment does not require construction of an enclosure (i.e. when stored in an underground vault), in a building, or other acceptable alternative that conceals radio equipment.
- v. The antenna shall be located on the perimeter of a development.
- vi. The antenna shall only be allowed as an accessory use and shall not be located on a vacant lot.

(c) Off-Street Parking Requirement

None.

(d) Off-Street Loading Group

None.

2. **Wireless Communication Tower**

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
										C	C	C
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
C	C	C	C	C	C	C	C	C	C	C	C	

(a) **Definition**

Any structure and support that is designed and constructed primarily for the purpose of supporting one or more antennas for telephone and similar communications purposes, including monopoles, cellular telephone towers, and the like.

(b) **Standards**

(1) **General Standards**

See Section 19.5.4.T.4, *General Standards for Wireless Communication Facilities*.

(2) **Conditional Use Permits**

The following provisions shall govern the issuance of conditional use permits for wireless communications towers.

- i. In granting a conditional use permit, the Planning Commission may impose necessary conditions to minimize any adverse effect of the proposed wireless communication tower on adjoining properties.
- ii. A Nevada licensed professional engineer shall provide engineering documentation for any information of an engineering nature that the applicant submits as part of the conditional use permit application, whether civil, mechanical, or electrical.
- iii. Applicants must be providers of wireless telecommunication services, licensed by the Federal Communications Commission.

(3) Factors Considered in Granting Conditional Use Permits

In addition to the approval criteria for conditional use permits, the Planning Commission shall consider the following factors in determining whether to issue a conditional use permit:

- i. Height of the proposed wireless communication tower;
- ii. Proximity of the wireless communication tower to residential structures and residential district boundaries;
- iii. Nature of uses on adjacent and nearby properties;
- iv. Surrounding topography;
- v. Design of the wireless communication tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;
- vi. Proposed ingress and egress; and
- vii. Availability of suitable existing wireless communication towers, other structures, or alternative technologies not requiring the use of wireless communication towers.

The Planning Commission may waive or reduce the burden on the applicant of these criteria if the Planning Commission concludes that the goals of this Code are better served by such waiver or reduction.

(4) Setbacks

Setbacks shall be based on the applicable zoning district.

(5) Separation

The following separation requirements shall apply to all wireless communication towers:

- i. Separation from Adjoining Land Uses
 1. Wireless communication tower separation shall be measured from the base of the wireless communication tower to the lot line of the adjoining land use.

2. Separation requirements for wireless communication towers shall comply with Table 19.5.4-1: *Wireless Communication Facility Separation*.

TABLE 19.5.4-1: WIRELESS COMMUNICATION FACILITY SEPARATION	
ADJOINING LAND USE (AS DEFINED IN COMPREHENSIVE PLAN)	MINIMUM SEPARATION DISTANCE
Low-density residential uses	Greater of: 200 feet or 300 percent of tower height
Medium- and high-density residential	Greater of: 100 feet or tower height
All other uses	District setbacks only

ii. Separation Distance between Wireless Communication Towers

1. Separation distance between wireless communication towers shall be applicable for and measured between the proposed wireless communication tower and preexisting wireless communication towers. The separation distances shall be measured by drawing or following a straight line between the base of the existing wireless communication tower and the proposed base, pursuant to a site plan, of the proposed wireless communication tower. The separation distances between wireless communication towers shall be 600 feet.
2. The Planning Commission may reduce the standard separation requirements if the goals of this section would be better served.

(6) Tower Modifications to Allow Co-Location

A wireless communication antenna that is proposed to be attached to an existing wireless communication tower may be approved by the Community Development and Services Director provided such co-location and any wireless communication tower modifications comply with the following standards:

i. Form

1. A wireless communication tower that is modified or reconstructed to accommodate the co-location of an additional antenna shall be of the same wireless communication tower type as the existing wireless communication tower, unless the Community Development and Services Director allows reconstruction as an alternative wireless communication tower structure.
2. A conditional use permit is required if full-array antennas are added to a "stealth" or "slim-line" pole.

ii. Height

1. An existing wireless communication tower may be modified or rebuilt to a taller height to accommodate the co-location of additional antenna(s). Increases shall not exceed ten feet over the base zoning district height maximum or 70 feet.
2. The height change referred to above may only occur one time per wireless communication tower. Additional height increase requests shall be processed as conditional use permits.

iii. Onsite Location

1. A wireless communication tower that is being rebuilt to accommodate the co-location of an additional antenna may be moved onsite within 50 feet of its existing location subject to the separation requirements listed below.
2. After the wireless communication tower is rebuilt to accommodate co-location, only one wireless communication tower may remain on the site.
3. The onsite relocation of a wireless communication tower, which comes within the separation distances to residential units or residentially-zoned lands as established in this section, shall only be permitted when approved by the Community Development and Services Director.

(c) Off-Street Parking Requirement

None.

(d) Off-Street Loading Group

None.

3. Alternative Tower Structure

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
		C	C	C	C	C	C	C	C	C	S	S
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
S	S	S	S	S	S	S	S	S	S	S	S	

(a) Definition

A wireless communications tower that may or may not include separate antennas that is designed to camouflage or conceal its presence through its

design and placement. Alternative tower structures may be designed to appear as trees, clock towers, bell steeples, light standards, chimneys, or similar projections.

(b) Standards

(1) General Standards

See Section 19.5.4.T.4, *General Standards for Wireless Communication Facilities*.

(2) Separation

The following separation requirements shall apply to all alternative tower structures.

- i. Alternative tower structure separation shall be measured from the base of the tower to the lot line of the adjoining land use.
- ii. Alternative tower structures shall be separated from all adjoining residential land uses at a ratio of one to one (height to separation). There is no separation requirement from nonresidential land uses; only zoning district setbacks apply.

The Community Development and Services Director may reduce the standard separation requirements if the goals of this Code would be better served.

(3) Residential Districts

An alternative tower structure proposed in a residential zoning district shall be subject to conditional use permit review and approval and, in addition, shall be subject to the following standards:

- i. The tower shall not be located on a lot occupied by a single-family dwelling.
- ii. The tower shall not reduce the required amount of common open space for a development or subdivision except when radio equipment does not require construction of an enclosure (i.e. when stored in an underground vault), in a building, or other acceptable alternative that conceals radio equipment.

- iii. The tower shall be located on the perimeter of a development or subdivision.
- iv. The tower shall only be allowed as an accessory use and shall not be located on a vacant lot.

(4) Towers that Exceed Base District Height

If an alternative tower structure in any district not located on City of Henderson property is proposed to exceed ten feet above the base zoning district maximum height limit, a conditional use permit will be required. The separation requirements for alternative tower structures in this section shall apply.

(5) Alternative Tower Structures on City of Henderson Property

Any new wireless communication facility on City of Henderson property that is not co-located on an existing tower may be approved by the Community Development and Services Director provided:

- i. On non-park City property, the facility is designed as a freestanding, co-locatable alternative tower structure or monopole not to exceed the height of the existing structures on the site or 70 feet, whichever is taller; or
- ii. The facility consists of concealed or slim-line antennas attached to existing or replaced sports-field lights or net posts, but does not increase the height of the line or post structure; and
- iii. On Parks and Recreation sites, the Public Works Parks and Recreation Director has reviewed the proposed wireless communication facility and provided written comments to the Community Development and Services Director; and
- iv. The wireless communication facility is located on the property in an area predetermined by the City of Henderson; and
- v. Any alternative tower structure shall be separated from adjoining land uses per Section 19.5.4.T.3(b)(2) above; and

- vi. All associated support equipment not located within an existing building shall be located within an underground vault or within an enclosed structure designed to be architecturally compatible with existing buildings on site or the nearest adjacent buildings. The equipment storage structure shall be designed to accommodate equipment for future locations as well as additional storage as needed.
- vii. An alternative tower structure designed as a flagpole shall display an appropriately sized flag. If an American flag is displayed, then it shall comply with the Federal Flag Code (Public Law 94:344). A plaque measuring no more than 12 inches by 12 inches and displaying the facility reference number and a contact telephone number for maintenance of the flag shall be attached to the structure in a means clearly visible to the public.

(c) Off-Street Parking Requirement

None.

(d) Off-Street Loading Group

None.

4. General Standards for Wireless Communication Facilities

(a) Purpose

The purpose of this section is to establish additional standards for the siting of wireless communications facilities, in addition to those standards established in subsections 1 through 3 above. The term “wireless communications facilities” includes wireless communications antennas, wireless communications towers, and alternative tower structures. The goals of these standards are to:

- (1) Protect residential areas and land uses from potential adverse impacts of wireless communication facilities.
- (2) Encourage the location of wireless communication facilities in nonresidential areas.
- (3) Minimize the total number of wireless communication facilities throughout the community.

- (4) Strongly encourage the joint use of new and existing wireless communication tower sites as a primary option rather than construction of additional single-use wireless communication towers.
- (5) Encourage users of wireless communication facilities to locate them, to the extent possible, in areas where the adverse impact on the community is minimal.
- (6) Encourage users of wireless communication facilities to configure them in a way that minimizes adverse visual impacts through careful designing, siting, landscape screening, and innovative camouflaging techniques.
- (7) Enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively, and efficiently.
- (8) Consider the public health and safety of wireless communication towers.
- (9) Avoid potential damage to adjacent properties from tower failure through engineering and careful siting of structures.

(b) Applicability

(1) New Wireless Communications Facilities

All new wireless communications facilities in the City shall be subject to these regulations.

(2) Pre-existing Wireless Communications Facilities

Except for the AE overlay provisions, preexisting wireless communications facilities shall not be required to comply with these standards.

(c) Administratively Approved Uses

(1) The Community Development and Services Director may approve administratively the following uses:

- i. Any wireless communication facility that is allowed subject to a “P” or “S” in sections 1 through 3 above,
or

- ii. Any of the following:
 - 1. Locating wireless communication antennas on existing structures or towers;
 - 2. Locating any alternative tower structure no higher than ten feet above the base district maximum height limit, not to exceed 70 feet in any applicable zoning district, unless the alternative tower structure is located on City of Henderson property;
 - 3. Wireless communication facilities located on the site of an electrical substation or on City of Henderson property if the owner has approved its use. Wireless communication facilities on City of Henderson property are subject to Section 19.5.4.T.3(b)(5) above; or
 - 4. Installing a network using multiple low-powered transmitters/receivers attached to existing wireline systems, such as conventional cable or telephone wires, or similar technology that does not require the use of towers.

(2) Applicants for administrative approval shall request approval of a design review or conditional use permit (if amending an existing conditional use permit) application from the Community Development and Services_Director and shall follow the appropriate procedures set forth in Chapter 19.6: Administration.

(3) In connection with any administrative approval, the Community Development and Services Director may, in order to encourage the use of slim-line stealth monopoles, administratively allow the reconstruction of an existing "full-array" tower to slim-line stealth monopole construction.

(d) Conditional Use Permits

If an applicant seeks to establish any type of wireless communications facility (antenna, tower, or alternative tower structure) that is designated as “P” or “S” in subsections 1 through 3 above, yet cannot meet the applicable standards for that facility, the applicant may seek approval of the proposed facility through the conditional use permit procedure.

(e) Standards

(1) FCC Licensing

Applicants must be providers of wireless telecommunication services, licensed by the Federal Communications Commission.

(2) GPS Coordinates

Applicants shall provide global positioning system (GPS) coordinates for the proposed wireless communication facility prior to issuance of a building permit.

(3) Principal or Accessory Use

Wireless communications facilities may be considered either principal or accessory uses.

(4) Lot Size

For the purpose of determining whether the installation of a wireless communication facility complies with district-specific standards, including but not limited to setback requirements, lot coverage requirements, and other such requirements, the dimensions of the entire lot shall control, even though the wireless communications facility may be located on leased parcels within such lot.

(5) Inventory of Existing Sites

Each application for a wireless communication facility shall include an inventory of existing and approved wireless communication facilities that are within one mile of the proposed location, including specific information about the service area, location, height, and design of each facility. The Community Development and Services Director may share such information with other applicants or other organizations seeking to locate a wireless communication facility within the City provided, however, that the Community Development and Services Director is not by sharing such information in any way representing or warranting that such sites are available or suitable.

(6) Aesthetics

Wireless communications facilities shall meet the following requirements:

- i. Wireless communications towers shall, to the extent possible and subject to any applicable standards of the FAA, be architecturally integrated into the surrounding environment so that their purpose as a communications tower is not readily apparent.
- ii. At a wireless communications tower site, the design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend them into the natural setting and surrounding buildings.
- iii. If a wireless communications antenna is installed on a structure other than a wireless communications tower, the antenna and supporting electrical and mechanical equipment shall be painted or screened in a way to match the colors or simulate the materials of the supporting structure.
- iv. Alternative tower structures shall be designed to be consistent with the existing built or natural environment.

(7) Lighting

Wireless communications facilities shall not be artificially lit, unless required by the FAA or other applicable authority. If lighting is required, the lighting alternatives and design chosen must cause the least disturbance to the surrounding uses and must comply with Section 19.7.8.E., *Glare and Lighting*.

(8) Airport Environs Overlay

All wireless communications facilities shall meet the height restrictions set forth in Section 19.4.3, *Airport Environs Overlay*.

(9) Measurement

For the purpose of measurement, wireless communications tower and alternative tower structure setbacks and separation distances shall be

calculated and applied to all facilities irrespective of municipal and county jurisdictional boundaries.

(10) Non-utility

Wireless communications facilities shall be subject to the standards in this section and shall not be regulated or permitted as major or minor utilities.

(11) Signs

No signs shall be allowed on a wireless communication facility unless required by the FAA, FCC, or other applicable authority.

(12) Buildings and Support Equipment

Buildings and support equipment associated with wireless communication facilities shall comply with the requirements in this section.

(13) HENNET

Wireless communications facilities shall not have any adverse impact or be constructed within the line of site of any existing or future proposed HENNET facilities operated by the City's Department of Utility Services.

(14) Buildings or Other Equipment Storage

An eight-foot-high solid masonry fence with a solid-metal gate shall surround all equipment not located within an existing building. The fence and gate shall be designed to match existing development on the site. If located on vacant land, the applicant must build the enclosure out of decorative materials such as split-faced block, slump-stone, or stuccoed and painted CMU. No chain-link fencing is allowed.

(f) Availability of Suitable Existing Wireless Communication Towers, Other Structures, or Alternative Technology

No new wireless communication facility shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the Planning Commission or staff that no existing tower, structure, or alternative technology that does not require the use of towers or structures can accommodate the applicant's proposed antennas. An applicant shall submit information requested by the Planning Commission or staff related to the availability of suitable existing towers, other structures, or alternative technology, which may consist of the following:

- (1)** No existing towers or structures are located within the geographic area, which meet the applicant's engineering requirements.

- (2) Existing towers or structures do not have sufficient height to meet applicant's engineering requirements.
- (3) Existing towers or structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment.
- (4) The applicant's proposed antenna would cause or be affected by electromagnetic interference with antenna on the existing towers or structures.
- (5) The fees, costs, or contractual provisions required by the owner in order to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable. Costs exceeding new tower development are presumed to be unreasonable.
- (6) The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable.
- (7) The applicant demonstrates that an alternative technology that does not require the use of towers or structures, such as a cable microcell network using multiple low-powered transmitters/receivers attached to a wireline system, is unsuitable.

(g) Removal of Abandoned Wireless Communication Facilities

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

(h) Nonconforming Uses

(1) Not Expansion of Nonconforming Use

Towers that are constructed and antennas that are installed, in accordance with the provisions of this Code, shall not be deemed to constitute the expansion of a nonconforming use or structure.

(2) Preexisting Wireless Communication Towers

Preexisting wireless communication towers shall be allowed to continue their usage as they presently exist. Routine maintenance (including replacement with a new tower of like construction and height) shall be permitted on such preexisting wireless communication towers. New construction other than routine maintenance on a preexisting wireless communication tower shall comply with the requirements of this Code.

(3) Rebuilding Damaged or Destroyed Nonconforming Wireless Communication Facilities

Notwithstanding Section 19.5.4.T.4(a), bona fide nonconforming wireless communication facilities that are damaged or destroyed may be rebuilt without having to first obtain design review or a conditional use permit and without having to meet the separation requirements specified in these standards. The type, height, and location of the wireless communication tower onsite shall be of the same type and intensity as the original facility approval. Building permits to rebuild the facility shall comply with the then-applicable building codes and shall be obtained within 180 days from the date the facility is damaged or destroyed. If no permit is obtained or if said permit expires, the tower or antenna shall be deemed abandoned.

(i) Denial

In the event that an application for a Wireless Communication Facility is denied, either by the Community Development and Services Director, the Planning Commission, or the City Council, a written explanation shall be provided to the applicant as well as the governing body, including the following:

- (1)** A list of each procedure and standard that the applicant failed to meet.
- (2)** Each specific ground upon which the denial was based.
- (3)** A record of the documents relied upon for the decision.

U. YOUTH DROP-IN CENTER

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
C	C	C	C	C	C	C	C	C			C	
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
C	C	C	C			C		C	C	C	C	

1. Definition

An establishment in a dwelling of residential character or a commercial facility that provides services only during the day, furnishes food, temporary respite, financial assistance, assistance in obtaining permanent residence, counseling, limited medical care for unaccompanied minors. The facility must be operated by a nonprofit organization, as defined by Chapter 82 of the Nevada Revised Statutes. This use must comply with all local and state licensing requirements. This definition does not include a day care facility, a facility that provides immediate and short-term emergency medical care.

2. Standards

(a) All Districts

- (1) The facility must be located on a parcel with a minimum size of 6,000 square feet unless modified through the Conditional Use Permit process.
- (2) Only the underlying property owner or qualified supervisor shall be permitted to live at the facility if located within a residence.
- (3) A qualified supervisor shall be present at all times. A qualified supervisor shall be a minimum of 18-years old, and meet the State of Nevada requirements of NRS 244.
- (4) The maximum age of a person who utilizes services at the facility shall not be older than 18 years of age.

- (5) Youth Drop-In Center hours of operation shall be limited from 8:00 a.m. to 6:00 p.m. Those requiring assistance are not allowed to utilize the facility for no more than 2-hours at any given time. The hours of operation can be modified through the conditional use permit if the applicant demonstrates mitigation of potential impacts on other uses and/or surrounding properties.
- (6) Such uses shall provide an outdoor open space within an enclosed area. Users of the facility shall not congregate outside without qualified supervision.
- (7) No youth drop-in center may be located within a mile radius of any other youth drop-in center, or any parcel where a general day-care facility is established or approved. This separation requirement is measured by the shortest line between the parcel in the residential district or the occupied space in a nonresidential district to be occupied by the youth drop-in center and the property line of the nearest established youth drop-in center or general day care facility. Waivers or reductions of the separation requirement may be considered through the conditional use permit process.
- (8) Waivers or reductions of the separation distance may be considered in cases where adequate barriers exist between the proposed use and youth drop-in center or day care use. An "adequate barrier" includes, but is not limited to, such items as an approved drainage channel, a freeway, constructed minor arterial, or a topographical feature that prevents vehicular and pedestrian access.
- (9) Loitering in the surrounding neighborhood is prohibited.

(b) Off-Street Parking Requirement

A minimum of 1 space per 6-person capacity, including staff, is required based on maximum allowable capacity under state regulations and the Building Code. Adequate drop-off and pick-up lanes and areas must be provided.

(c) Off-Street Loading Group

Group Two (Section 19.7.4.D)

19.5.5. COMMERCIAL USES

A. GENERAL STANDARDS FOR ALCOHOL AND LIQUOR USES AND LIVE ENTERTAINMENT

1. Distance Limitations for Alcohol and Liquor Uses

Uses involved in the sale or offering of alcohol or liquor shall submit a distance separation analysis application, as defined in Section 19.6.10.C, for review and determination of site suitability; comply with the requirements in Section 4.36 of the Henderson Municipal Code (HMC), *Liquor – Regulations and Licensing*; and the following standards:

- (a) Except for establishments within any resort village (as defined in Title 19 of the HMC), such uses shall comply with the minimum separation requirements in Table 19.5.5-1, Minimum Separation:

TABLE 19.5.5-1: MINIMUM SEPARATION			
PROPOSED USE TYPE	REQUIRED BUFFER ZONE SEPARATION FROM EXISTING AND APPROVED USES {1} {2}		
	SCHOOL SITE	RELIGIOUS ASSEMBLY	GENERAL DAY CARE
	BUFFER ZONE (FEET) {3}		
Category I Uses (tavern, nonprofit club, billiard hall, liquor store, brewpub, microbrewery, craft distillery)	1,000	500	200
Category II Uses (restaurant with bar; beer, wine, and spirit-based products on or off-sale; full on-sale; full off-sale; convenience market; wine lounge; winery)	500	500	0
NOTES: {1} Buffer zone separation requirements shall be applied regardless of whether the school site, religious assembly, or general day care use is located inside or outside the City. {2} Catering, wholesale sale of alcohol or liquor, and retail sale of gift baskets containing alcohol or liquor are exempted from these separation requirements. {3} For purposes of the buffer zone measurement, accommodation facilities located within or operated as part of limited or non-restricted gaming locations are exempt.			

- (b) The foregoing distance separation requirements may be considered to be waived or reduced through the conditional use

permit only if it can be shown by clear and convincing evidence by the applicant that a waiver or reduction of such buffer zone separation requirement will not compromise the purpose and the general intent of this Code and the HMC to protect the public health, safety, and general welfare of the citizens of the City.

- (c) In addition, the applicant must demonstrate the proposed use may be conducted in a manner that is harmonious and compatible with existing and/or approved protected uses.
- (d) Demonstration of “by clear and convincing evidence” may include the following:
 - (1) Unique operating and/or locational characteristics of the proposed alcohol and liquor use;
 - (2) A freeway, railroad, or roadway with a minimum width of a minor arterial;
 - (3) A topographical feature that prevents vehicular and pedestrian access; or
 - (4) An improved drainage facility that prevents vehicular and pedestrian access.
- (e) Sales, services, and distribution of alcohol or liquor is prohibited within a 1,000-foot buffer zone of a sexually oriented business.
- (f) Issuance of a conditional use permit does not guarantee or constitute approval of a liquor license.

2. Live Entertainment

Any use that includes live entertainment as defined in this Code shall comply with the following standards:

(a) Definition

Regulations pertaining to “live entertainment” in this Code apply to the following activities where they occur on a scheduled basis three or more days during a calendar year on the site of a use other than a public or semipublic use:

- (1) A musical, dance, or comedic act or event, disc jockey (unless he or she merely plays recorded music and does not perform or entertain the patrons), play, revue, recital,

concert, or other similar performances, activity or presentation by one or more persons intended or tending to entertain or amuse, regardless of whether provided in exchange for compensation.

- (2) A fashion show, except when conducted within an enclosed building used primarily for the manufacture or sale of clothing. A change of performers shall not constitute a change in the type of live entertainment.

(b) Standards

- (1) A conditional use permit is required.
- (2) A conditional use permit for live entertainment shall apply only to the type of entertainment listed in the notice of final action. If a different type of entertainment is requested other than those listed, it shall require approval of a new or amended conditional use permit.
- (3) Exits and entrances shall not be located opposite a residential district immediately adjoining the site. This provision does not apply to emergency entrances and exits.
- (4) Additional restrictions may be added through the conditional use permit process to ensure compatibility with surrounding uses and zoning districts.

B. AGRICULTURE

1. Crop Production

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
C	C	C								C	C	
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	

(a) Definition

The production, keeping, or maintenance for sale or lease of plants useful to man, including but not limited to: forages and sod crops; grains and seed crops; trees and forest products; fruits of all kinds, including grapes, nuts, and berries; vegetables; nursery, floral, ornamental, and greenhouse products; or land devoted to a soil conservation or forestry management program.

(b) Standards

Crop production uses located in a residential base zoning district may not include onsite retail sales or leasing.

(c) Off-Street Parking Requirement

None.

(d) Off-Street Loading Group

None.

2. Community Garden

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
S	S	S	S	S	S	S	S	S	S	S	S	S
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
S	S	S	S	S	S	S	S	S	S	S	S	

(a) Definition

Land designated for gardening by a community-based organization or other group of people, with the intent of harvesting to include, but not limited to: vegetables, fruits, floral, trees, and herbs for personal consumption or for sales or distribution to the community on a limited basis. This term does not include a garden that is incidental to a residential use and whose products are intended for the use of those residing on the parcel.

(b) Standards

- (1)** Power equipment use shall be limited to the hours between 7 am and 7 pm or dusk, whichever is later, and shall comply with Section 19.7.8.G, *Noise*.
- (2)** A storage shed or shade structure is a permitted structure with setbacks designed for accessory structures, see Section 19.5.7. Maximum height of a storage shed and/or shade structure shall be 12 feet.
- (3)** No more than one identification sign is permitted in the area. Maximum square footage of the sign shall be nine square feet.
- (4)** On-site incidental sales of crops grown are permitted through a conditional use permit only.
- (5)** In a residential district, hours of operation shall be from 7 am to 7 pm or dusk, whichever is later, unless different hours are approved through a conditional use permit.
- (6)** Site may only be enclosed by wrought-iron fencing, a maximum of 8 feet in height. Solid block walls are prohibited unless already existing.
- (7)** Sites over one acre require a conditional use permit.

(c) Off-Street Parking Requirement

If on-site sales, parking will be determined through the conditional use permit application process.

(d) Off-Street Loading Group

None.

C. AMBULANCE SERVICE

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
		C	S			S					S	

1. Definition

Provision of emergency medical care or transportation, including incidental storage and maintenance of vehicles.

2. Standards

- (a) Ambulance service uses shall front or have direct access to an arterial street as designated on the Master Transportation Plan.
- (b) CH and IL districts: A conditional use permit is required if the use will be located within one-half mile of a residential district, school, or park and recreation facility. In approving a conditional use permit, the City may apply limits to maximum vehicle speeds, use of sirens, number of vehicles or other potential adverse impacts.
- (c) CC and MR districts: In approving a conditional use permit, the City may apply limits to maximum vehicle speeds, use of sirens, number of vehicles, or other potential adverse impacts.
- (d) PS district: Ambulance services are permitted as an accessory use to a hospital.

3. Off-Street Parking Requirement

1 space per 500 square feet.

4. Off-Street Loading Group

Group One (Section 19.7.4.D)

D. ANIMALS AND RELATED SERVICES

1. Purpose

This section contains supplemental regulations governing the care and keeping of animals. These standards are intended to provide for compatibility between such animals and neighboring land uses. These standards are in addition to the general requirements governing animals established by HMC Title 7, *Animals*.

2. Animal Boarding

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
C	C									C		
COMMERCIAL					INDUSTRIAL				MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
		S	S	S		C			S	S	S	

(a) Definition

Provision of shelter and care for small animals on a commercial basis. This use type includes activities such as feeding, exercising, grooming, and incidental medical care.

(b) Standards

(1) All Districts

- i. All animals shall be confined within an enclosed area or on a leash at all times.
- ii. The property owner/operator must comply with all applicable requirements of HMC Title 7, *Animals*, and obtain a Professional Animal Handler permit.
- iii. No exterior overnight boarding shall be permitted.

(2) RS-1, RS-2, and DH Districts

- i. Animal boarding is only permitted as an ancillary use to the primary residential use of the property.
- ii. Animal boarding uses shall be entirely enclosed, properly ventilated, and provide odor protection to adjacent properties.

- iii. Any exterior pens for daytime use shall be located a minimum of 50 feet from any residential-zoned property, unless modified through a conditional use permit. Additional buffering may be required as part of the conditional use permit.

(3) CC and CH Districts

- i. Animal boarding uses shall be entirely enclosed, properly ventilated, and provide sound barriers (when attached to other tenants) and odor protection to adjacent properties and users within the same development.
- ii. Rooms containing cages or pens are not permitted to have windows, doors, or other penetrations on exterior walls adjacent to existing residences.
- iii. Any exterior pens for daytime use shall be located a minimum of 50 feet from any residential zoned property and shall be screened from view from adjacent streets and adjoining properties.

(4) MC, MN, and MR Districts

- i. Animal boarding uses shall be entirely enclosed, properly ventilated, and provide sound barriers (when attached to other tenants) and odor protection to adjacent properties and users within the same development.
- ii. No outside pens are allowed.
- iii. Rooms containing cages or pens are not permitted to have operable windows, doors, or other penetrations on exterior walls adjacent to existing residences.

(5) CT District

Animal boarding may only be allowed on the site of a hotel.

(c) Off-Street Parking Requirement

1 space per 400 square feet in all districts except residential. For residential, 1 parking space in addition to the residential parking requirement.

- (d) Off-Street Loading Group
Group One (Section 19.7.4.D)

3. Animal Grooming

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
S		S	S						S	S	S	

(a) Definition

Provision of bathing and trimming services for small domestic animals on a commercial basis.

(b) Standards

- (1) Animals receiving grooming services may only be boarded for a maximum period of 48 hours.
- (2) All animals shall be confined within an enclosed area or on a leash at all times.
- (3) Animal grooming uses shall be entirely enclosed, properly ventilated, and provide sound barriers (when attached to other tenants) and odor protection to adjacent properties and users within the same development.
- (4) Rooms containing cages or pens are not permitted to have operable windows, doors, or other penetrations on exterior walls adjacent to existing residences.
- (5) The property owner/operator must comply with all applicable requirements of HMC Title 7, *Animals*, and obtain a Professional Animal Handler permit.

(c) Off-Street Parking Requirement

All Districts: 1 space per 400 square feet.

- (d) Off-Street Loading Group
Group One (Section 19.7.4.D)

4. Animal Husbandry

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
										C	C	
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	

(a) Definition

Raising of animals or production of animal products, such as eggs or dairy products, on an agricultural or commercial basis. Typical uses include grazing, ranching, dairy farming, and poultry farming.

(b) Standards

- (1) Conditions may be imposed limiting operations to designated areas to protect water resources from runoff and to protect the public health, safety, and welfare.
- (2) The number of animals allowed shall be determined as part of the conditional use permit. The location in relation to existing residential dwellings and compatibility with the surrounding neighborhood shall be considered.
- (3) The use shall comply with the standards in Section 19.5.7.D.1, *Barns, Stables, and Corrals*.

(c) Off-Street Parking Requirement

None.

(d) Off-Street Loading Group

None.

5. Animal Retail Sales

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
S		S	S						S	S	S	

(a) Definition

A retail sales establishment that offers domestic animals as well as products and services for the keeping of domestic animals. Such uses may include animal grooming, boarding, and veterinarian services as ancillary uses for animals not for sale.

(b) Standards

(1) All Districts

- i. All animals shall be located within an entirely enclosed building, properly ventilated, and provide sound barriers (when attached to other tenants) and odor protection for adjacent properties and users within the same development.
- ii. Incidental boarding of animals for up to 30 days may be permitted.
- iii. The property owner/operator shall comply with all applicable requirements of HMC Title 7, *Animals*, and obtain a Professional Animal Handler permit.

(2) CN District

Animal boarding as an ancillary use requires approval of a conditional use permit.

(c) Off-Street Parking Requirement

All Districts: 1 space per ~~250~~500 square feet.

(d) Off-Street Loading Group

6. Livestock Farming (Equines/Bovines)

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
S	S									S	C	
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
				S								

(a) Definition

The raising or keeping of equines or bovines for recreational, entertainment, or training purposes for the owner’s or resident’s use only. The term does not include the breeding or raising of animals for consumption or sale.

(b) Standards

The standards governing equines and bovines are intended to ensure compatibility between uses maintaining animals and neighboring land uses. Conditions may be imposed on such uses that limit operations to designated areas. This use may be permitted in accordance with the following standards:

(1) All Districts

- i. Equines and bovines shall not run free and shall be maintained in a permanently fenced yard, corral, or other enclosure constructed in accordance with the requirements of a fence permit issued by the Building Department.
- ii. Where a yard is surrounded by a fence constructed and inspected subject to a fence permit, inspection of portable corrals within the yard is not required.
- iii. The parcel must be occupied by a residential dwelling.
- iv. All parcels shall be evaluated on actual net lot area.

- v. Must properly maintain and dispose of animal waste materials on a regular basis so as not to cause an odor problem or health hazard.
- vi. The keeping of fowl is permitted as an ancillary use to the keeping of equines or bovines except that roosters are prohibited.
- vii. Keeping equines or bovines shall comply with the standards in Section 19.5.7.D.1, *Barns, Stables, and Corrals*.

(2) RS-1, RS-2, and DH Districts – Equines

- i. A maximum of one horse and one foal up to the age of one year may be kept for each 10,000 square feet of site area.
- ii. For the purposes of this section, regardless of actual square footage, any RS-2 zoned parcel that is less than 20,000 square feet in area, but that is one-tenth or more of the net area of what was originally a government-created five-acre parcel, shall be considered to contain 20,000 square feet; and any RS-1 zoned parcel that is less than 40,000 square feet in area, but that is one-fifth or more of the net area of what was originally a government created five-acre parcel, shall be considered to contain 40,000 square feet. All other parcels shall be evaluated based on actual net lot area.

(3) RS-1 and DH Districts – Bovines

- i. The keeping of bovines requires approval of a conditional use permit.
- ii. One bovine is allowed per 40,000 square feet of site area.
- iii. A maximum of two bovines per lot/parcel is allowed.
- iv. Bovines shall be kept within a fenced or walled enclosure at all times.

- v. Enclosures shall be a minimum of six feet in height.
- vi. Open fencing shall not be permitted, unless screen material is installed.
- vii. At no time shall a conditional use permit allow an increase in the number of bovines.

(4) CT District

The keeping of equines is permitted only as a conditional use in conjunction with a resort hotel or similar tourist destination-type use.

(c) Off-Street Parking Requirement

No additional minimum requirement beyond the residential use requirement.

(d) Off-Street Loading Group

None.

7. Stable or Riding Academy

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
C	C									C		
COMMERCIAL					INDUSTRIAL				MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	

(a) Definition

Establishments offering facilities for the care and exercise of equines (horses), and for use in providing instructional or recreational activities in horseback riding for persons other than occupants of the premises. This use category also includes related equestrian activities, rings, stables, and exercise areas.

(b) Standards

- (1) The maximum number of horses shall be determined as part of the conditional use permit but in no case shall the maximum number exceed one animal per 4,000 square feet of lot area. Location to existing residential dwellings and

compatibility with the surrounding neighborhood shall be considered.

- (2) The owner shall properly maintain and dispose of animal waste materials on a regular basis so as not to cause an odor problem or health hazard.
- (3) The keeping of fowl as an ancillary use to the keeping of horses is subject to the restrictions set forth in HMC Title 7, *Animals*.
- (4) Keeping horses shall comply with the standards set forth in Section 19.5.7.D.1, *Barns, Stables, and Corrals*.

(c) Off-Street Parking Requirement

1 parking space per 4 stalls.

(d) Off-Street Loading Group

None.

8. **Veterinary Clinic/Hospital**

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
C		S	S						C	C	C	

(a) Definition

Establishments where animals receive dental, medical, and surgical treatment as well as shelter and care during the time of such treatments. This use may include incidental grooming and boarding services.

(b) Standards

(1) All Districts

- i. All animals shall be confined within an enclosed area or on a leash at all times.

- ii. Uses shall be entirely enclosed, properly ventilated, and provide sound barriers (when attached to other tenants) and odor protection to adjacent properties and users within the same development.
- iii. The property owner/operator shall maintain a 100–square–foot or greater landscape area with turf (or artificial turf), shrubs, and at least one tree for animal use within 20 feet of the entrance.
- iv. Rooms containing cages or pens are not permitted to have operable windows, doors, or other penetrations on exterior walls adjacent to existing residences.
- v. Incidental grooming and boarding of animals for up to 30 days may be permitted.
- vi. All boarding shall take place within the interior of the structure, and outdoor boarding is prohibited.
- vii. Outdoor daytime activity areas (e.g. walking areas, pens, dog runs) shall be allowed when a minimum of 50 feet away from any residential land use.
- viii. The property owner/operator must comply with all applicable requirements of HMC Title 7, *Animals*, and obtain a Professional Animal Handler permit.

(2) CC and CH Districts

Such uses may only be permitted by right in a freestanding single-use building, or as “end” or “corner” uses in multi-tenant buildings.

(c) Off–Street Parking Requirement

All Districts: 1 space per 250 square feet.

(d) Off–Street Loading Group

Group One (Section 19.7.4.D)

9. Household Pets

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
A	A	A	A	A	A	A	A	A	A	A	A	A
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
				A					A	A	A	

(a) Definition

Animals or birds ordinarily permitted in the house and kept for company or pleasure, such as dogs, cats, ferrets, birds, potbellied pigs, hamsters, parakeets, rabbits, non-venomous reptiles and amphibians not more than six feet in length but not including their young less than three months old.

(b) Standards

(1) All Districts

- i. Except as otherwise provided in HMC Title 7, *Animals*, or any other section of this Code, in conjunction with any residential use, no person shall keep more than three dogs, three cats, and/or three ferrets over three months of age, at any place, or premises, or in any one residence.
- ii. Any outdoor enclosure shall be located in an interior side or rear yard and set back at least five feet from the property line.
- iii. Keeping wild and exotic animals, as defined by this Title and HMC Title 7, *Animals*, is prohibited.

(2) Potbellied Pigs

- i. Potbellied pigs are only permitted in the RS-1 and RS-2 zoning districts.
- ii. The keeping of potbellied pigs must be in conjunction with a single-family detached dwelling.

(a) Definition

Nontraditional animal species bred and kept in captivity and utilized as pets. These animals that qualify under this definition are: emus, rheas, llamas, and alpacas.

(b) Standards

(1) The permitted number of animals shall be five per acre up to a maximum of ten on a lot or parcel.

(2) The use shall comply with the following standards:

- i.** Must be in conjunction with a single-family detached dwelling.
- ii.** Animals shall be kept within a fenced or walled enclosure at all times.
- iii.** Enclosures shall be a minimum of six feet in height.
- iv.** All non-domestic companion animals shall be kept in such a way that they are not visible to the public from any city street or alleyway. A solid wall or visual barrier must surround the property boundary. All nondomestic companion animals shall be corralled or fenced within the area surrounded by the visual barrier or solid wall. Open fencing shall not be permitted, unless screened material is installed.
- v.** All adjoining property owners must sign an approval statement that includes the proposed use and number of animals. The statements must be provided to Community Development.
- vi.** A design review application shall be submitted. The review of this application is necessary to ensure compliance with the above-listed requirements.
- vii.** If the above requirements are not met, a conditional use permit shall be required. At no time shall a conditional use permit allow an increase in the number of animals.

viii. The property owner must comply with all application requirements of HMC Title 7, *Animals*.

(c) Off-Street Parking Requirement

No additional requirement, beyond the required residential use.

(d) Off-Street Loading Group

None.

11. Backyard Chickens

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
S	S	S	S	S	S				S	S		
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	

(a) Definition

Hens (not roosters) kept outdoors as household pets and/or for the production of eggs for personal consumption.

(b) Standards

- (1) May only be located on the lot of a single-family detached dwelling.
- (2) May only be kept on a lot with a minimum size of 6,000 square feet.
- (3) A maximum of 7 hens may be kept on a single lot.
- (4) The hens must be kept in a predator-proof coop with a fenced-in run. Coops larger than 120 square feet require a building permit and must meet all requirements for accessory structures.
- (5) The coop must be separated by a minimum of 20 feet from any dwelling on an adjacent lot.

- (6) The coop must be located at least 5 feet from any property line.
- (7) The coop may not be located in a front yard.
- (8) Coops must be maintained and cleaned at all times to minimize odors and other nuisances.
- (9) Chickens may not be raised for slaughter or bred for sale.
- (10) Per Title 7, roosters are not permitted in any zoning district.
- (11) These standards do not apply to fowl kept in accordance with 19.5.5.D.6, *Equines/Bovines*.

(c) Off-Street Parking Requirement

No additional requirement beyond the residential use requirement.

(d) Off-Street Loading Group

None.

E. ARTS AND CRAFTS: ARTISTS' STUDIO

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
P	P	P	P	P		P	P	P	P	P	P	

1. Definition

Work space for artists and artisans, including individuals practicing one of the fine arts or performing arts or skilled in an applied art or craft.

2. Off-Street Parking Requirement

All Districts: 1 space per 500 square feet.

3. Off-Street Loading Group

None.

F. BAIL-BOND BROKER

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
						P						

1. Definition

Person or establishment offering bonds in lieu of confinement by judicial courts.

2. Off-Street Parking Requirement

All Districts: 1 space per 400 square feet.

3. Off-Street Loading Group

None.

G. BANQUET FACILITY

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
	C	P	P						P	C	P	

1. Definition

An establishment that is rented by individuals or groups to accommodate private functions such as banquets, weddings, anniversaries, and other similar celebrations. Such a use may or may not include: 1) kitchen facilities for the preparation or catering of food; 2) the sale of alcoholic

beverages for on-premises consumption only during an event; and 3) outdoor gardens or reception facilities.

2. Standards

All Districts: Live entertainment uses shall be permitted accessory to banquet facilities, provided they comply with the following standards:

- (a) Exits and entrances shall not be located opposite a residential district immediately adjoining the site. This provision does not apply to emergency entrances and exits.
- (b) All live entertainment activities shall occur within the banquet facility building or tenant space.
- (c) Banquet facilities hours of operation shall be from 8 AM to 2AM.
- (d) Any of these standards may be waived or modified through the conditions use permit process to ensure compatibility with surrounding uses and zoning districts.
- (e) Banquet facilities shall comply with 19.5.5.A.1.
- (f) Additional restrictions may be added through the conditional use permit process to ensure compatibility with surrounding uses and zoning districts.

3. Off-Street Parking Requirement

Schedule "C" (Section 19.7.4.C.3)

4. Off-Street Loading Group

Group Two (Section 19.7.4.D)

H. BREW PUB/MICROBREWERY/CRAFT DISTILLERY

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
		C	C	C		S		S	C	C	C	

1. Definition

An establishment that manufacturers malt beverages and sells those malt beverages at retail; or manufactures distilled spirits (per NRS Chapter 597). Sample products made on site may be offered at no cost to visitors.

2. Standards

(a) All Districts

(1) Defining Operating Characteristics

i. Brew pubs/microbreweries/craft distilleries that operate and meet the standards of a tavern, see Section 19.5.5.O.3, are subject to the minimum separation requirements for taverns. See Section 19.5.5.O.3, *Eating And Drinking Establishment: Tavern*.

ii. Brew pubs/microbreweries/craft distilleries that operate and meet the standards of a restaurant with bar, see Section 19.5.5.O.2, *Eating and Drinking Establishment: Restaurant with Bar*, are subject to the minimum separation requirements for Category II liquor uses.

(2) Any proposed brew pub/microbrewery/craft distillery operating as defined above shall comply with Section 19.5.5.A.1, *Distance Limitations for Alcohol and Liquor Uses*, and all Title 4 requirements for the subject use.

- (3) Brew pubs/microbreweries/craft distilleries located in and owned or operated by a nonrestricted or limited gaming licensee shall be covered under the licensee's nonrestricted/limited gaming establishment's liquor license.
- (4) A freestanding brew pub/microbrewery/craft distillery or independently owned brew pub/microbrewery/craft distillery located within a nonrestricted or limited gaming location shall be licensed as required per Title 4.
- (5) A brew pub/microbrewery/craft distillery establishment may provide accessory outdoor food service and seating areas, including tables and chairs, for the use of their customers, provided they comply with the standards for such accessory uses in Section 19.5.7.D.8.
- (6) Any use that includes live entertainment shall comply with the standards for live entertainment uses in Section 19.5.5.A, *General Standards for Alcohol and Liquor Uses and Live Entertainment*.
- (7) Distance separations and exemptions for taverns shall also apply to brew pubs/microbreweries/craft distilleries that meet the requirements of 19.5.5.H.2(a)(1)(i). See Section 19.5.5.O.3(b)(2).
- (8) Any use that includes Restricted Gaming shall comply with the standards in Section 19.5.5.S.2, *Restricted Gaming* and Title 4.32. An applicant shall demonstrate compliance with these standards through the Conditional Use Permit for a Brew Pub/Microbrewery/Craft Distillery.

(b) CT District

Brew pubs/microbreweries/craft distilleries are allowed only as part of a mixed-use project.

(c) IP District

- (1) Brew pubs/microbreweries that manufacture malt beverages shall produce no more than 15,000 barrels on an annual basis.

- (2) Brew pubs/microbreweries/craft distilleries must be located in a stand alone building or end unit of a multi-tenant building.
- (3) Brew pubs/microbreweries/craft distilleries must provide sound-proofing and odor abatement.

3. Off-Street Parking Requirement

Nonresidential districts: 1 space per every ~~100~~ 75 square feet of indoor and outdoor customer service area.

4. Off-Street Loading Group

Group One (Section 19.7.4.D)

I. BREWERY

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
						C	P	S				

1. Definition

An establishment that manufactures malt beverages, but does not sell those beverages at retail.

2. Standards

(a) IL District

A brewery may be permitted with a conditional use permit. Unless otherwise specified in the IL (limited industry) use classifications, no other general industry uses are allowed. All warehousing and manufacturing processes must be conducted within a totally enclosed building, and all outside storage of materials and equipment must be behind a minimum eight-foot-high cinder block or comparable masonry fence approved by the City. All storage must be completely screened from view from all neighboring properties and the public rights-of-way.

(b) IP District

General warehousing and the manufacture of products from raw materials are permitted. Unless otherwise specified in the industrial park classifications, no other general industry uses are allowed. All warehousing and manufacturing processes must be conducted within a totally enclosed building, and all storage of materials and equipment, except vehicles used for transporting the warehoused or manufactured products, must be within a totally enclosed building. Vehicles used for transporting and warehoused or manufactured products must be screened from view from all neighboring properties and internal and external streets with masonry fencing and landscaping, berms and landscaping, or other comparable screening method approved by the City.

3. Off-Street Parking Requirement

Schedule “B” (Section 19.7.4.C.2)

4. Off-Street Loading Group

Group Three (Section 19.7.4.D)

J. BUILDING MATERIALS AND SERVICE

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
		C	C			S	S		C		C	

1. Definition

Retailing, wholesaling, or rental of building supplies or equipment, or the provision of building construction-related services. This use type includes lumber yards, tool and equipment sales or rental establishments, and building contractors’ yards, but excludes establishments exclusively devoted to retail sales of paint and hardware, and activities classified under “Vehicle/Equipment Sales and Services,” including vehicle towing services.

2. Standards

Except for live plants, all outdoor storage shall be screened from public view. Screening shall consist of an opaque wall or fence with a minimum height of eight feet, constructed in accordance with the standards in

COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
		S	S	S		C	C	C	C		C	

(a) Definition

Provision of participant or spectator recreation or entertainment. This use type includes theaters (movies, performing arts, etc.), sports stadiums and arenas, amusement parks, bowling alleys, billiard parlors, ice/roller skating rinks, miniature golf courses, scale-model courses, shooting galleries, sports courts, recreation clubs (as defined in Title 4, Section 4.36.010), and pinball arcades or electronic game centers having more than three coin-operated game machines.

(b) Standards

- (1) In commercial districts, any outdoor commercial recreation and entertainment use requires a conditional use permit.
- (2) Any use that includes live entertainment shall comply with the standards for live entertainment uses in Section 19.5.5.A.2, *Live Entertainment*.

(c) Off-Street Parking Requirement

- (1) Bowling alleys: 3 spaces per alley in nonresidential districts.
- (2) Electronic game centers: 1 space per 250 square feet.
- (3) Skating rinks: 1 space per 5 fixed seats or 1 space per 60 square feet of seating area if no fixed seats plus 1 space per 200 square feet of floor area not used for seating.
- (4) Sports courts: 3 spaces per court.
- (5) Indoor theaters: 1 space per 3 fixed seats or 1 space per 60 square feet of seating area if no fixed seats.
- (6) Miniature golf courses: 3 spaces per hole.
- (7) All other commercial recreation/entertainment uses: see Schedule "C" (Section 19.7.4.C.3).

(d) Off-Street Loading Group

Group One (Section 19.7.4.D)

2. Limited

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
											C	
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
C		P	P	P					P	C	P	

(a) Definition

Provision of participant or spectator recreation or entertainment as accessory uses occupying less than ten percent of the gross floor area of the primary building. This use type includes indoor movie theaters, performing arts theaters, and establishments with nonrestricted gaming and electronic game centers.

(b) Off-Street Parking Requirement

Schedule "C" (Section 19.7.4.C.3)

(c) Off-Street Loading Group

Group One (Section 19.7.4.D)

3. Teenage Dancehall

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
		C		C					C		C	

(a) Definition

An establishment in which social dances, attended by teenagers, are regularly held or conducted as a substantial part of the business, whether admission is by a set admission charge, the donation of money, or at no charge. Teenage dancehall does not include dance schools, places operated by government entities, schools, religious institutions, or any other place used by an

establishment, association or organization which might occasionally host or sponsor a social dance for teenagers incidental to the entity's purpose.

(b) Standards

The purpose of regulating teenage dancehalls and teenage nightclubs is to ensure compatibility with surrounding uses and properties and to protect the welfare of both teenagers and the public generally. A conditional use permit is required subject to but not limited to the following criteria:

(1) Hours of Operation

The permittee's hours of operation shall end at 10:00 p.m. on any evening preceding a day in which the public middle or high schools in the City of Henderson are open for classes and 12:00 midnight on any other day. No patron shall be permitted to enter or remain on the permittee's premises after closing.

(2) Parking

Parking spaces and parking lot shall comply with all applicable standards in this Code regarding lighting, required parking spaces, parking lot material, and landscaping.

(3) Distance Requirement

- i. No teenage dancehall establishment may be located closer than 2,000 feet from any other teenage dancehall or teenage nightclub establishment, as measured by the shortest line between the space to be occupied by the proposed teenage dancehall establishment and the occupied space of the nearest established or approved teenage dancehall or teenage nightclub establishment.
- ii. No teenage dancehall establishment may be located closer than 1,000 feet from any parcel where a school, park, library, liquor store, tavern, or smoke/tobacco shop are established or approved, and from any parcel with a residential land use category as designated by the Comprehensive Plan. This separation requirement is measured by the shortest line between the space to be occupied by the proposed teenage dancehall establishment and the property line of the nearest established or

approved school, park, library, liquor store, tavern, smoke/tobacco shop, and residential land use category as designated by the Comprehensive Plan.

The foregoing distance requirements may be waived through the use permit only if it can be shown by clear and convincing evidence by the applicant that a waiver of such distance requirements will not compromise the aforesaid purpose and the general intent of this Code to protect the public health, safety, and general welfare of the citizens of the City. Demonstration of existing adequate physical barriers may be considered as such evidence. Adequate barriers include but are not limited to such things as an improved drainage facility, freeway, other major roadway with a minimum width of 150 feet, or a topographical feature that prevents vehicular and pedestrian access.

(4) Other Requirements

- i. Additional conditions may be required as part of the conditional use permit.
- ii. The use shall conform to the requirements of HMC 4.60 for Teenage Dancehalls and Teenage Nightclubs.
- iii. There shall be no outside speakers or outside sound systems related to the use.

(c) Off-Street Parking Requirement

1 space per 100 square feet of customer service and assembly area.

(d) Off-Street Loading Group

Group One (Section 19.7.4.D)

4. Teenage Nightclub

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
		C		C					C		C	

(a) Definition

An establishment providing live entertainment as a substantial part of the business in which teenagers regularly gather, whether admission is by a set admission charge, the donation of money, or at no charge. Teenage nightclub does not include places operated by government entities, schools, religious institutions, or any other place used by an establishment, association or organization which might occasionally host or sponsor live entertainment for teenagers incidental to the entity's purpose.

(b) Standards

The purpose of regulating teenage dancehalls and teenage nightclubs is to ensure compatibility with surrounding uses and properties and to protect the welfare of both teenagers and the public generally. A conditional use permit is required subject to but not limited to the following criteria:

(1) Hours of Operation

The permittee's hours of operation shall end at 10:00 p.m. on any evening preceding a day in which the public middle or high schools in the City of Henderson are open for classes and 12:00 midnight on any other day. No patron shall be permitted to enter or remain on the permittee's premises after closing.

(2) Parking

Parking spaces and parking lot shall comply with all applicable standards of this Code regarding lighting, required parking spaces, parking lot material, and landscaping.

(3) Distance Requirement

i. No teenage nightclub establishment may be located closer than 2,000 feet from any other teenage dancehall or teenage nightclub establishment, as measured by the shortest line between the space to be occupied by the proposed teenage nightclub establishment and the occupied space of the nearest established or approved teenage dancehall or teenage nightclub establishment.

ii. No teenage nightclub establishment may be located closer than 1,000 feet from any parcel where a school, park, library, liquor store, tavern, or smoke/tobacco shop are established or approved; and from any parcel with a residential land use

category as designated by the Comprehensive Plan. This separation requirement is measured by the shortest line between the space to be occupied by the proposed teenage nightclub establishment and the property line of the nearest established or approved school, park, library, liquor store, tavern, smoke/tobacco shop, and residential land use category as designated by the Comprehensive Plan.

The foregoing distance requirements may be waived through the use permit only if it can be shown by clear and convincing evidence by the applicant that a waiver of such distance requirements will not compromise the aforesaid purpose and the general intent of this Code to protect the public health, safety, and general welfare of the citizens of the City. Demonstration of existing adequate physical barriers may be considered as such evidence. Adequate barriers include but are not limited to such things as an improved drainage facility, freeway, other major roadway with a minimum width of 150 feet, or a topographical feature that prevents vehicular and pedestrian access.

(4) Live Entertainment for Teenage Nightclub

- i. Exits and entrances shall not be located opposite an “R” zoning district immediately adjoining the site. This provision does not apply to required emergency entrances and exits.
- ii. The conditional use permit shall include a request for the types of live entertainment. The types of live entertainment shall be included in the description for the advertisement of the conditional use permit.
- iii. The conditional use permit shall apply to the type of live entertainment approved, and a different type of live entertainment shall require approval of a new conditional use permit.

(5) Other Requirements

- i. Additional conditions may be required as part of the conditional use permit.

- ii. The use shall conform to the requirements of HMC 4.60 for Teenage Dancehalls and Teenage Nightclubs.
- iii. There shall be no outside speakers or outside sound systems related to the use.

(c) Off-Street Parking Requirement

1 space per 100 square feet of customer service and assembly area.

(d) Off-Street Loading Group

Group One (Section 19.7.4.D)

M. CONVENTION

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
											P	P
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
		A	A	A	A				A		A	

1. Definition

Meetings of professional, fraternal, business, or other organizations that last for five days or less.

2. Standards

Except in the DP and PS districts, conventions are allowed only as an accessory use to a hotel or hotel/casino.

3. Off-Street Parking Requirement

Schedule “C” (Section 19.7.4.C.3)

4. Off-Street Loading Group

Group Three (Section 19.7.4.D)

N. DAILY LABOR SERVICE

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
		C	C			C			C		C	

1. Definition

Any building or premises that serves as a staging point or gathering place for persons who are seeking immediate employment in daily labor activities and who accept or are assigned such employment in accordance with whatever employment is available on that particular day. For purposes of this definition, “daily labor” means manual labor, including, without limitation, construction cleanup, garbage pickup and removal, demolition, convention setup and takedown, landscaping, planting, and digging.

2. Standards

- (a) The use shall be located on a major collector or minor arterial as designated on the Master Transportation Plan.
- (b) The use shall not be located within 400 feet of any religious facility, school, general day care facility, city park, or residential zoning district.
- (c) The hours of operation shall be limited to the hours between sunrise and sunset.
- (d) Signage shall be posted on the premises indicating that loitering on the premises is not allowed. The signage may not exceed four square feet in size.
- (e) Persons who are seeking employment must wait for employment within a fully enclosed structure or an area screened from public view.

3. Off-Street Parking Requirement

1 space for each 250 square feet of gross floor area.

4. Off-Street Loading Group

None.

O. EATING AND DRINKING ESTABLISHMENT

1. Restaurant

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
											S	
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
P	C	P	P	P	P	S		S	P	P	P	

(a) Definition

A place or space in a suitable building kept, used, maintained, advertised and/or held out to the public to be a place in which the primary business is to serve meals for onsite or offsite consumption and where only a service bar is allowed. See HMC 4.36.

(b) Standards

(1) All Districts

- i. Any use that includes outdoor seating and outdoor food service areas shall comply with 19.5.7.D.8, *Outdoor Seating/Outdoor Food Service*.
- ii. Any proposed alcohol or liquor use shall comply with Section 19.5.5.A.1, *Distance Limitations for Alcohol and Liquor Uses*, and all Title 4 requirements for the subject use.
- iii. Any use that includes live entertainment shall comply with the standards for live entertainment uses in Section 19.5.5.A.2, *Live Entertainment*.

(2) CO District

A restaurant may be allowed by right and is not required to obtain a conditional use permit subject to the following conditions:

- i. The primary purpose of the use is to serve employees of the office development in the district.
- ii. The use shall not be the principal use in any freestanding building.
- iii. The use shall not occupy more than 5,000 square feet in gross floor area or five percent of the principal office structure, whichever is less.
- iv. The use shall not have an entrance leading directly to the outside.
- v. No freestanding sign shall be allowed in connection with the use.

(3) Limited to an Accessory Use

i. IL and IP Districts

A restaurant may only be permitted as an accessory use with a maximum size of 25 percent of a building's gross floor area.

ii. PS District

A restaurant may only be permitted as an accessory use in a cultural, educational, medical, civic institution, or recreational facility, provided the accessory use portion of the primary establishment does not exceed 5,000 gross square feet.

(c) Off-Street Parking Requirement

Nonresidential districts: 1 space per 100 square feet of indoor and outdoor customer service area.

(d) Off-Street Loading Group

Group One (Section 19.7.4.D)

2. Restaurant with Bar

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
											S	
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
C	C	S	S	S	S			C	S	C	S	

(a) Definition

A place or space in a suitable building kept, used, maintained, advertised and/or held out to the public to be a place in which the primary business is to serve meals for onsite or offsite consumption and has food available for service during all times that alcoholic beverages are sold, and wherein there is a fixed or permanent barrier to ensure separation between the bar/lounge area and the dining area sufficient to exclude minors from the bar/lounge area. See HMC 4.36.

(b) Standards

(1) All Districts

- i. The hours of operation shall be limited to between 6:00 a.m. and 2:00 a.m. Extended hours of operation beyond the limits stated above may be requested through a Conditional Use Permit. Residential compatibility shall be considered when extended hours of operation are requested. The following items may be considered, but not limited to: location of building ingress and egress, setbacks, parking locations, and loading zones.
- ii. A minimum of 50 percent of the net floor area of the premises occupied by the restaurant with bar (excluding cooking, food preparation, office, storage, restroom, and outdoor seating areas) shall be designated as dining area.

- iii. The actual seating available at all times within the indoor dining area must be able to accommodate at least one hundred persons.
- iv. The use shall conform to the requirements of Title 4.36 for Restaurants with Bar.
- v. Any use that includes outdoor seating and outdoor food service areas shall comply with 19.5.7.D.8, *Outdoor Seating/Outdoor Food Service*.
- vi. Any proposed alcohol or liquor use shall comply with Section 19.5.5.A.1, *Distance Limitations for Alcohol and Liquor Uses*, and all Title 4 requirements for the subject use.
- vii. Any use that includes live entertainment shall comply with the standards for live entertainment uses in Section 19.5.5.A.2, *Live Entertainment*.
- viii. The bar area may not be fully enclosed (by use of full walls or other separation methods) with only an access door provided between it and the dining area. A maximum 42-inch tall wall may be utilized to separate the bar from the dining area, or other height to accommodate seating areas as determined by the Community Development and Services Director.
- ix. Any use that includes Restricted Gaming shall comply with the standards in Section 19.5.5.S.2, *Restricted Gaming*, and Title 4.32.

(2) CO District

A restaurant with bar may be allowed by right and is not required to obtain a conditional use permit subject to the following conditions:

- i. The primary purpose of the use is to serve employees of the office development in the district.
- ii. The use shall not be the principal use in any freestanding building.

- iii. The use shall not occupy more than 5,000 square feet in gross floor area or five percent of the principal office structure, whichever is less.
- iv. The use shall not have an entrance leading directly to the outside.
- v. No freestanding sign shall be allowed in connection with the use.

(3) Limited to an Accessory Use

i. IP District

A restaurant with bar may only be permitted as an accessory use with a maximum size of up to 25 percent of a building's gross floor area.

ii. PS District

A restaurant with bar may only be permitted as an accessory use in a cultural, educational, medical, civic institution, or recreational facility, provided the accessory use portion of the primary establishment does not exceed 5,000 gross square feet.

(c) Off-Street Parking Requirement

Nonresidential districts: 1 space per 100 square feet of indoor and outdoor customer service area, plus additional parking may be required if live entertainment is permitted.

(d) Off-Street Loading Group

Group One (Section 19.7.4.D)

3. Tavern

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
		C	C	C					C		C	

(a) Definition

An establishment primarily engaged in selling or serving alcoholic beverages at retail by the drink to the general public for on-premises consumption, with the ability to request approval for the following ancillary activities: a dance hall, live entertainment, food service, and/or restricted gaming.

(b) Standards

(1) All Districts Standards

- i. Any proposed alcohol or liquor use shall comply with Section 19.5.5.A.1, *Distance Limitations for Alcohol and Liquor Uses*, and all Title 4 requirements for the subject use.
- ii. Any use that includes live entertainment shall comply with the standards for live entertainment uses in Section 19.5.5.A.2, *Live Entertainment*.
- iii. Any use that includes Restricted Gaming shall comply with the standards in Section 19.5.5.S.2, *Restricted Gaming* and Title 4.32. An applicant shall demonstrate compliance with these standards through the Conditional Use Permit for a Tavern.

(2) Proximity of Taverns

i. Objective

The health, safety, morals, and welfare of the inhabitants of the City are best promoted and

protected by requiring a separation between individual taverns and established residential areas.

ii. Separation Distance Requirements

1. Unless exempted, a tavern use shall not be located within 2,000 feet as measured by the shortest line between the space to be occupied by the proposed tavern and the occupied space of another existing or approved tavern use, regardless of the jurisdiction where located.
2. Residential compatibility shall be considered when a tavern is located within 500 linear feet of any developed residential zoning district with an "R" designation. This distance shall be measured from the occupied space of the proposed tavern to the property line of the closest existing residential dwelling unit. The following items may be considered, but not limited to: location of building ingress and egress, setbacks, parking locations, and loading zones.
3. Nothing in this subsection shall be construed to authorize a proposed tavern use simply because a proposed tavern use may comply with the minimum separation requirements. The City retains all discretion to approve or disapprove a tavern use.

iii. Exemptions

The following taverns are exempted from the standards of this subsection:

1. Lawfully-established taverns in existence prior to July 3, 2001, unless the use is discontinued for a period of six months or more;

2. Taverns located within a resort village or a nonrestricted casino/gaming establishment.

(c) Off-Street Parking Requirement

Nonresidential districts: 1 space per 100 square feet of indoor and outdoor customer service area, plus additional parking may be required if live entertainment is provided.

(d) Off-Street Loading Group

Group One (Section 19.7.4.D)

4. Eating and Drinking Establishment with Drive-Through Service

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
		C	C	C	C				C	C	C	

(a) Definition

A restaurant with or without seating for patrons that includes service from a building to persons in vehicles through an outdoor service window.

(b) Standards

(1) All Districts

- i. Outdoor speakers or other public-address systems that emit sound shall not be located within 500 linear feet of an existing residential dwelling unit. Face-to-face service is required within 500 feet of an existing residential dwelling unit. An automated volume control system is required beyond 500 feet from residential dwelling units.
- ii. Drive-through facilities (including the drive lanes and stacking spaces) are discouraged between a building and any adjacent street unless it can be

demonstrated that the facilities are integrated into the site, screened from view of the adjacent street, and does not create negative impacts on pedestrian movement. Screening methods include landscaping, landscaping with a berm, a low screen wall with landscaping, or other similar feature(s).

- iii. The drive-through use may be subject to conditions imposed by the approving body to ensure compatibility with surrounding uses, efficient vehicular travel, efficient pedestrian movement, and architectural compatibility with the principal structure and development.
- iv. The above listed conditions may be modified or waived through a request as part of the conditional use permit.

(2) MC, MR, and MN Districts

- i. Design of the drive-through facility (including the drive lanes and stacking spaces) shall demonstrate integration with the site, screening, coordination with pedestrian movement along sidewalks and through areas intended for public use, and architectural compatibility with the principal structure, and shall demonstrate how the drive-through will not be a negative impact on the pedestrian environment of the overall development.
- ii. Applicants are encouraged to locate usable building space above any drive-through facility where feasible.

(3) MC District

Drive-through lanes and stacking spaces are prohibited within any build-to zone setback.

(4) MN District

- i. Drive-through lanes and stacking spaces are prohibited within the 20-foot front or corner-side

setback when within 50 feet of a residential land use designation (Section 19.3.17).

- ii. Drive-through facility shall be designed as an integrated part of an in-line building or mixed-use building. Freestanding drive-through facilities are not permitted.

(5) MR District

A conditional use permit shall not be required if the drive-through use was approved through the Master Plan for the subject site.

(c) Off-Street Parking Requirement

Nonresidential districts: 1 space per ~~75~~100 square feet of indoor and outdoor customer service area plus vehicle stacking spaces required by Section 19.7.4.H.

(d) Off-Street Loading Group

Group One (Section 19.7.4.D)

5. Wine Lounge

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL					INDUSTRIAL				MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
		C		C					C	C	C	

(a) Definition

A place where the primary business is the service or sale of wine and similar beverages (but not including alcoholic liquors) at retail either by the glass or the bottle to the general public for consumption in a lounge setting. The sale of beer is permitted as an accessory use. Retail sale of wine for off-premises consumption is permitted as an accessory use.

(b) Standards

- (1) Any proposed alcohol or liquor use shall comply with Section 19.5.5.A.1, *Distance Limitations for Alcohol and*

Liquor Uses, and all Title 4 requirements for the subject use.

- (2) The hours of operation shall be limited to between 11:00 a.m. and 2:00 a.m.
- (3) Slot machines are prohibited in the wine lounge.
- (4) Service to tables/lounge area is required.
- (5) A bar area with seating is prohibited.
- (6) Incidental food service is permitted.
- (7) Self-service wine dispensers are permitted.
- (8) Any use that includes outdoor seating and outdoor food service areas shall comply with 19.5.7.D.8, *Outdoor Seating/Outdoor Food Service*.
- (9) Any use that includes live entertainment shall comply with Section 19.5.5.A.2, *Live Entertainment*.

(c) Accessory Use to a Primary Business

A wine lounge is permitted as an accessory use to an approved Category I or II use, or a use approved by the Planning Commission, subject to the following:

- (1) Total square footage to be used for serving wine shall be limited to 25% of the net floor area (not including offices, restrooms and storage area) or 1000 square feet, whichever is less.
- (2) Standards in Section (b) above shall be met, with the exception of (2).
- (3) The accessory use shall be operated during the hours of operation of the primary business.

(d) Off-Street Parking Requirement

Nonresidential districts: 1 space per 75 square feet of indoor and outdoor customer service area.

(e) Off-Street Loading Group

Group One (Section 19.7.4.D)

P. FINANCIAL INSTITUTION

1. General

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
P	P	P	P	P	P	P			P	P	P	

(a) Definition

Establishments that provide retail banking services, mortgage lending, and similar financial services to individuals and businesses. This use type includes those institutions whose primary service is the exchange of currency, including banks, credit unions, and other establishments engaged in the onsite circulation of cash money, but does not include bail-bond brokers or check-cashing services.

(b) Off-Street Parking Requirement

Nonresidential districts: 1 space per ~~300~~ 250 square feet.

(c) Off-Street Loading Group

Group Two (Section 19.7.4.D)

2. Financial Institution with Drive-Through Service

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
C		C	C	C	S			S	C	C	C	

(a) Definition

Establishments that provide retail banking services, mortgage lending, and similar financial services to individuals and businesses, and that include one or

more automobile lanes accessible to persons who remain in their automobiles. This use includes stand-alone automated teller machines.

(b) Standards

(1) All Districts

- i. Stand-alone automated teller machines not located on the same property as the primary financial institution shall require separate design review approval. The design shall be compatible with adjacent buildings.
- ii. A conditional use permit is required if the use will be located within 300 linear feet of a residential district boundary unless an intervening building or a major collector or minor arterial as shown on the Master Transportation Plan, is located between the drive-through service and the residential district boundary.
- iii. Drive-through facilities (including the drive lanes and stacking spaces) are discouraged between a building and any adjacent street unless it can be demonstrated that the facilities are integrated into the site, screened from view of the adjacent street, and does not create negative impacts on pedestrian movement. Screening methods include landscaping, landscaping with a berm, a low screen wall with landscaping, or other similar feature(s).
- iv. The drive-through use may be subject to conditions imposed by the approving body to ensure compatibility with surrounding uses, efficient vehicular travel, efficient pedestrian movement, and architectural compatibility with the principal structure and development.
- v. The above-listed conditions may be waived or modified through a request as part of a conditional use permit.

(2) MC, MR, and MN Districts

- i. Design of the drive-through facility (including the drive lanes and stacking spaces) shall demonstrate integration with the site, screening, coordination with pedestrian movement along sidewalks and through areas intended for public use, and architectural compatibility with the principal structure, and shall demonstrate how the drive-through will not be a negative impact on the pedestrian environment of the overall development.
- ii. Applicants are encouraged to locate usable building space above any drive-through facility where feasible.

(3) MC District

Drive-through lanes and stacking spaces are prohibited within any build-to zone setback.

(4) MN District

- i. Drive-through lanes and stacking spaces are prohibited within the 20-foot front or corner-side setback when within 50 feet of a residential land use designation (Section 19.3.17).
- ii. Drive-through facility shall be designed as an integrated part of an in-line building or mixed-use building. Freestanding drive-through facilities are not permitted.

(5) MR District

A conditional use permit shall not be required if the drive-through use was approved through the Master Plan for the subject site.

(c) Off-Street Parking Requirement

Nonresidential districts: 1 space per ~~300~~250 square feet plus required vehicle stacking spaces. (Section 19.7.4.H)

(d) Off-Street Loading Group

Group Two (Section 19.7.4.D)

3. Check-Cashing, Deferred-Deposit Service, and/or Vehicle Title Loan Facility

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
C		C	C			S		S			C	

(a) Definition

- (1) “Check Cashing” is any person(s) or establishment engaged in the business of cashing checks or accepting deferred deposits for a fee, service charge, or other consideration. Such uses are not licensed banks, trust companies, savings and loan associations, credit unions, development corporations, mortgage brokers, thrift companies, pawn brokers, or insurance companies.
- (2) “Deferred Deposit” is any person or establishment offering a transaction in which, pursuant to a written agreement: 1) a customer tenders to a person a personal check drawn upon the account of the customer; and 2) the service provides to the customer an amount of money that is equal to the face value of a check, less any fee charged for the transaction, and agrees not to cash the check for a specified period. Deferred-deposit services are not licensed banks, trust companies, savings and loan associations, credit unions, development corporations, mortgage brokers, thrift companies, pawn brokers, or insurance companies.
- (3) “Vehicle Title Loan” is a business whose primary function is to lend money on the security of the title to a motor vehicle rather than on the security of the vehicle itself.

(b) Purpose

The purpose of regulating such uses is to ensure compatibility with surrounding uses and properties and to avoid an unchecked proliferation of check-cashing, deferred-deposit, and/or vehicle title loan services that may result in the displacement of other necessary commercial and financial services.

(c) Standards

The building or portion thereof that is dedicated to the check-cashing, deferred-deposit service, and/or vehicle title loan use shall have a minimum size of 1,500 square feet of building floor area.

(1) Separation Requirements

The following distance requirements shall be applied to all locations:

- i. No such use may be located closer than 1,000 linear feet to any other check-cashing, deferred-deposit service, and/or vehicle title loan use, as measured by the shortest line between the occupied spaces of the existing or approved use and the proposed facilities.
- ii. No such use may be located closer than 200 feet to any parcel with a residential land use designation as depicted in the Comprehensive Plan. This 200-foot separation shall be measured as the shortest line between the space to be occupied by the proposed check-cashing, deferred-deposit service, and/or vehicle title loan facility and the property line of the nearest parcel with a residential land use designation.
- iii. In cases where the check-cashing, deferred-deposit, and/or vehicle title loan use is located at a counter or space within another business (e.g. convenience store, grocery store, executive office), the term “facility” shall mean the entire space of the businesses combined.
- iv. These distance requirements may be reduced through the conditional use permit review process based on the provision of compensating public benefits and evidence from the applicant that the reduction will not compromise the aforementioned purpose and the general intent of this Code to

protect the public health, safety, and general welfare of the City.

(2) Building Requirements

- i. The building design shall be subject to review by the Community Development Department to ensure that it will be compatible with the surrounding area in terms of building materials, massing, and architectural style. Bright and/or fluorescent colors are prohibited as a principal exterior building color, but may be used as accent colors.
- ii. Temporary signs are only permitted as described within Section 19.8.9, *Temporary Signs*, and must receive prior approval.
- iii. The use shall comply with all applicable requirements of HMC Title 4.

(3) Vehicle Title Loan Facilities

No vehicles may be stored at the location of a vehicle title loan facility.

(d) Off-Street Parking Requirement

Nonresidential districts: 1 space per ~~300~~250 square feet.

(e) Off-Street Loading Group

Group One (Section 19.7.4.D)

Q. FOOD AND BEVERAGE SALES

1. General

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
P	C	P	P	P	P				P	P	P	

(a) Definition

Groceries, delicatessens, and similar commercial establishments engaged in retail sales of food and beverages for offsite preparation and consumption.

(b) Standards

Any proposed alcohol or liquor use shall comply with Section 19.5.5.A.1, *Distance Limitations for Alcohol and Liquor Uses*, and all Title 4 requirements for the subject use.

(c) Off-Street Parking Requirement

Nonresidential districts: 1 space per 250 square feet.

(d) Off-Street Loading Group

Group One (Section 19.7.4.D)

2. Liquor Store

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
		C	C	C					C	C	C	

(a) Definition

Retail establishments that sell alcoholic beverages for consumption off-premises as a primary use.

(b) Standards

Any proposed alcohol or liquor use shall comply with Section 19.5.5.A.1, *Distance Limitations for Alcohol and Liquor Uses*, and all Title 4 requirements for the subject use.

(c) Off-Street Parking Requirement

Nonresidential districts: 1 space per 250 square feet.

(d) Off-Street Loading Group

Group One (Section 19.7.4.D)

R. FUNERAL AND INTERMENT SERVICE

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
											S	
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
			C	C		P	P					

1. Definition

Establishments primarily engaged in the provision of services involving the care, preparation, or disposition of human dead other than in cemeteries or religious assembly uses. This use includes mortuaries, which are facilities in which dead bodies are prepared for burial or cremation, crematoriums, and columbariums.

2. Standards

- (a)** Within the commercial districts, funeral and interment service uses are limited to mortuaries.
- (b)** They may be allowed as an accessory use to a cemetery in the PS district.
- (c)** Crematoriums must be separated a minimum of 1,500 feet from residentially zoned property.

3. Off-Street Parking Requirement

Nonresidential districts: 1 space per 35 square feet of seating area.

4. Off-Street Loading Group

Group One (Section 19.7.4.D)

S. GAMING ESTABLISHMENT

1. Nonrestricted Gaming

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
			C	C					C		C	

(a) Definition

The operation of 16 or more slot machines, gaming devices, or live games. This license is limited to a resort hotel or other specific nonconforming establishments as defined in Title 19 and Title 4 of the HMC.

(b) Standards

(1) All Districts

Nonrestricted gaming establishments shall comply with the following standards:

- i. New nonrestricted gaming establishments may only be established as part of a resort hotel (as defined in Title 19).
- ii. Existing casino establishments and those approved for development by the City Council prior to July 21, 1998, may only be altered subject to a conditional use permit, requirements in HMC Section 4.32.350.B, and design review.

(2) CT District

Gaming establishments may be up to 100 feet in height, and may exceed 100 feet in height if approved through a conditional use permit, provided minimum setbacks abutting residential zoning districts or lots occupied by residential uses be increased by at least one foot for each one foot increase in height above 100 feet.

(c) Off-Street Parking Requirement

~~[Nonresidential districts:—] space per 30 square feet of gaming and seating area. Also, additional parking shall be provided for all accessory, non-gaming uses within the nonrestricted gaming establishment (such as bowling alleys, convention spaces, and movie theaters) at the minimum ratios established in this chapter.~~ [Schedule "C" \(Section 19.7.4.C.3\).](#)

(d) Off-Street Loading Group

Group One (Section 19.7.4.D)

2. Restricted Gaming

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
S	S	S	S	S	S	S	S	S	S	S	S	

(a) Definition

The operation of 15 or fewer slot machines that are incidental to the primary business at the establishment wherein the slot machines are to be located regardless of ownership of the slot machines; or as may be amended from time to time by the State in NRS Chapter 463. Restricted gaming facilities must comply with Title 4.32.

(b) Standards

(1) Any use that includes live entertainment shall comply with the standards for live entertainment uses in Section 19.5.5.A.2, *Live Entertainment*.

(2) An establishment which is licensed to sell alcoholic beverages at retail by the drink to the general public shall comply with the following:

i. 1–5 slot machines

1. Restaurant with Bar use shall be subject to the standards as required in Title 19.5.5.O.2 with the addition that all slot machines must be embedded in the bar top;
2. All other restricted gaming locations shall be required to comply with the minimum State standards as stated in NRS 463.161 (regardless of the effective date) with the addition that all slot machines must be embedded in the bar top.

ii. 6–15 slot machines

1. The establishment shall be primarily engaged in the service of meals with selling or serving alcoholic beverages at retail by the drink to the general public for on–premises consumption;
2. Contain a permanent physical bar per NRS 463.161 (regardless of the effective date);
3. Minimum eight (8) slot machines must be embedded in the bar top. If less than eight (8), all slot machines must be embedded in the bar top;
4. Contain a restaurant which:
 - a. Serves meals ordered by patrons from tables or booths;
 - b. Includes an indoor dining area with seating for at least 75 persons (25 of the seats may include table or booth seating within the bar area) in a room

separate from the on-premise kitchen. The stools or chairs at the bar and outdoor dining area may not be counted;

- c. Includes a kitchen which is operated between the hours of 6 a.m. and 2 a.m.;
- d. Complies with Title 4.36.

5. The bar area may not be fully enclosed (by use of full walls or other separation methods) with only an access door provided between it and the dining area. A maximum 42-inch tall wall may be utilized to separate the bar from the dining area, or other height to accommodate seating areas as determined by the Community Development and Services Director.

(c) Off-Street Parking Requirement

Parking shall be based upon the requirements of the primary use.

(d) Off-Street Loading Group

Loading shall be based upon the requirements of the primary use.

T. GOLF COURSE OR DRIVING RANGE

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
											C	
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
				C								

1. Definition

A tract of land, either public or private, laid out for at least nine holes for playing the game of golf and improved with tee boxes, greens, fairways,

and hazards. This use also includes a driving range, which is a limited area on which golf players drive golf balls from a central driving tee. Such uses may include related facilities such as clubhouses, golf schools, and accessory uses such as a restaurant or restaurant with a bar, pro shops, and related facilities.

2. Standards

- (a) Any proposed alcohol or liquor use shall comply with Section 19.5.5.A.1, *Distance Limitations for Alcohol and Liquor Uses*, and all Title 4 requirements for the subject use.
- (b) The use shall comply with applicable turf restrictions in HMC Titles 14 and 19.
- (c) If a golf course and/or driving range discontinues operation, see 19.7.8.L *Operation and Maintenance Closure Plan*.

3. Off-Street Parking Requirement

- (a) Golf course: 4 spaces per hole plus spaces provided for accessory uses.
- (b) Driving range: 1 space per tee.

4. Off-Street Loading Group

Group One (Section 19.7.4.D)

U. HOOKAH LOUNGE

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
		C	C	C		C		C				

1. Definition

Any business which primarily serves tobacco or non-tobacco products (e.g., fruit, vegetables) whereby patrons, who are 18 years of age or

older, share the tobacco or non-tobacco products from a communal hookah, water pipe, or similar device. The business may also sell non-alcoholic beverages and snacks. A hookah, water pipe, or similar device may not be used as a primary or ancillary use where minors are allowed. A Hookah, hooka, or shisha is a single- or multi-stemmed water pipe for smoking.

2. Standards

The sale of alcohol shall be allowed only as part of an approved restaurant with service bar, restaurant with bar, or tavern. Must comply with Clark County Health Department requirements.

3. Off-Street Parking Requirement

1 space per 250 square feet.

4. Off-Street Loading Group

Group One (Section 19.7.4.D)

V. HORTICULTURE

1. General

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
										C		
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
							C					

(a) Definition

The raising of vegetables, flowers, ornamental trees, and shrubs as a commercial enterprise, including the storage of nursery equipment and materials and the erection of nursery structures.

(b) Off-Street Parking Requirement

1 parking space per 2 acres. Also, if open to the public, 1 space per 375 gross square feet of sales area.

(c) Off-Street Loading Group

Group One (Section 19.7.4.D)

2. Limited

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
C	C	C								C		
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
C		S				S	S					

(a) Definition

The raising of vegetables, flowers, ornamental trees, and shrubs as a commercial enterprise, provided that no nursery equipment or materials shall be stored.

(b) Standards

- (1) No permanent structures shall be erected.
- (2) Storage of nursery equipment or materials is prohibited.
- (3) Retail sale of plants or plant materials is not permitted within residential base zoning districts.

(c) Off-Street Parking Requirement

1 parking space per 2 acres. Also, if open to the public, 1 space per 375 gross square feet of sales area.

(d) Off-Street Loading Group

Group One (Section 19.7.4.D)

W. LABORATORY

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
											A	
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
P	P	P	P	P		P	P	P	P	C	P	

1. Definition

Establishments providing medical or dental laboratory services or small-scale establishments providing photographic, analytical, or testing services within a building or portion of a building of 5,000 square feet or less. Other laboratories are classified as “Industry, Research and Development.”

2. Standards

PS District

Laboratories are permitted as an accessory use to a hospital.

3. Off-Street Parking Requirement

Nonresidential districts: 1 space per 500 square feet.

4. Off-Street Loading Group

Group One (Section 19.7.4.D)

X. MAINTENANCE AND REPAIR SERVICE

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
C	C	P	P	P		P	P		P		P	

1. Definition

Establishments providing appliance repair, office machine repair, furniture upholstery, or building maintenance services, but not including maintenance and repair of vehicles.

2. Off-Street Parking Requirement

Schedule "B" (Section 19.7.4.C.2)

3. Off-Street Loading Group

Group One (Section 19.7.4.D)

Y. MARIJUANA ESTABLISHMENTS

1. Purpose and Intent

The purpose and intent of this section is to provide a procedure for the regulations of marijuana establishments within the City of Henderson. These regulations are in addition to the regulations of Title 4 of the Henderson Municipal Code and provide all land use regulations for marijuana establishments.

2. Distance Limitations for Marijuana Establishments

Table 19.5.5-2 Minimum Separation [1]				
Marijuana Establishment	Protected Uses			Separation between Marijuana Dispensaries (feet)[3]
	Separation to School (feet)[2]	Separation to Community Facility (feet)	Separation to public park or public playground (feet)[4]	
Cultivation Facility	1,000	300	1,000	
Dispensary	1,000	300	1,000	5,280 [5]
Infusion or Manufacturing	1,000	300	1,000	
Independent Testing Laboratory	1,000	300	1,000	

Note: The separation from a marijuana establishment to a protected use is for a protected use that existed or occupied on the date on which the application for the marijuana establishment was submitted to the State of Nevada.

[1] Distance shall be measured as the shortest straight line between the front door of the building of the proposed marijuana establishment to the property line of the protected use. If both the proposed marijuana establishment and the protected use are tenants within a commercial or industrial development and located on the same parcel of property, the distance shall be measured as the shortest straight line distance between the front door of

the building of the proposed marijuana establishment to the closest exterior wall(s) of the building or portion thereof of the protected use.

[2] Means a public or private school that provides formal education traditionally associated with preschool through grade 12.

[3] Distance separation between marijuana dispensaries shall be measured as the shortest straight line between the closest exterior walls of the building or portion thereof of the proposed marijuana dispensary to the closest exterior walls of the building or portion thereof of the established marijuana dispensary. This distance may be waived by City Council, if it can be shown by clear and convincing evidence by the applicant that a waiver or reduction of such separation requirements will not compromise the general intent of this Code to protect the public health, safety and general welfare of the citizens of the City.

[4] For purposes of this section, “public park or public playground” includes privately owned and/or maintained parks that are made available for public purposes.

[5] This distance separation does not apply to medical and recreational dispensaries under the same ownership, within the same tenant space.

3. Marijuana, Cultivation Facility

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
						C	C	C				

(a) Definition

Means an enclosed facility that acquires, possesses, cultivates, delivers, transfers, transports, supplies or sells marijuana and related supplies to marijuana dispensaries; facilities for the production of edible marijuana products or marijuana-infused products; or other marijuana cultivation facilities, as defined in NRS Chapter 453A, as may be amended or renumbered.

(b) Standards

- (1) Shall comply with all H.M.C. Title 4 regulations.
- (2) Shall comply with the distance separation requirements of 19.5.5.Y.

- (3) There shall be no emission of dust, fumes or vapors into the environments from the facility. The air filtration system shall be designed by a Nevada licensed engineer and shall be installed prior to certificate of occupancy. The ventilation system shall be designed so that the odor of marijuana cannot be detected by a person with normal sense of smell at the exterior of the marijuana business or at any adjoining use or property. The existence of a detectable odor shall be determined by measuring the concentration of cannabis terpenes in accordance with the City's marijuana odor policy.
- (4) Shall be located in a permanent building and shall not be located in a trailer, cargo/shipping container or motor vehicle.
- (5) There shall be no outdoor storage, including the use of cargo/shipping containers for on-site storage.
- (6) There shall be no retail sales at the cultivation facility.
- (7) Shall be a minimum of 5,000 gross square feet.
- (8) Signs shall meet the following regulations:
 - i. Shall be limited to wall signs only.
 - ii. Maximum sign area shall be 25 square feet.
 - iii. Wall signs shall be constructed only of pan channel letters (no cabinet or can signs).
 - iv. Wall signs shall be internally illuminated. No exposed lighting sources are permitted.
 - v. No animation or electronic message unit signs are permitted.
 - vi. Color and design, including lettering shall complement the architecture of the building.
 - vii. Sign regulations or master sign criteria shall apply in addition to the above regulations. The most restrictive regulations apply.

viii. Signage shall be professional, and be consistent with the traditional style of signage for pharmacies and medical offices.

(9) Approval of a conditional use permit does not guarantee approval of a business license.

(10) The conditional use permit shall lapse without further action if the use ceases for a period exceeding 90 days.

(c) Off-Street Parking Requirement

Schedule "B" (Section 19.7.4.C.2)

(d) Off-Street Loading Group

Group Two (Section 19.7.4.D.)

4. Medical Marijuana, Dispensary

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
C	C	C	C			C	C	C				

(a) Definition

A business that is registered with the State of Nevada Department of Taxation pursuant to NRS 453A.322, as may be amended or renumbered; and acquires, possesses, delivers, transfers, transports, supplies, sells or dispenses marijuana or related supplies and educational materials to the holder of a valid registry identification card or to another medical marijuana dispensary.

(b) Standards

(1) Shall comply with all H.M.C. Title 4 regulations.

- (2) Shall comply with the distance separation requirements of 19.5.5.Y.
- (3) Shall have operating hours between the hours of 8:00 am and 11:00 pm, unless extended through the conditional use permit approval.
- (4) Drive-through services are prohibited.
- (5) There shall be no emission of dust, fumes or vapors into the environment from the facility.
- (6) Shall be a minimum of 1,400 gross square feet.
- (7) Shall not provide outdoor seating.
- (8) There shall be no outdoor display of merchandise or merchandise visible from the outside of the establishment.
- (9) Shall be located in a permanent building, and shall not be located in a trailer, cargo/shipping container or motor vehicle.
- (10) There shall be no outdoor storage, including the use of cargo/shipping containers for on-site storage.
- (11) Windows in common customer space must remain unobstructed, allowing visibility into the facility. Window tint, decals and signage of any kind shall be strictly prohibited.
- (12) If signage is installed, signs shall meet the following regulations:
 - i. Shall be limited to wall signs, monument or freestanding signs;
 - ii. Maximum sign area shall be 25 square feet;
 - iii. A maximum of 25% of the wall sign or tenant panel of a freestanding sign may include a logo;
 - iv. Wall signs shall be constructed only of pan channel letters (no cabinet or can signs);

- v. Wall signs shall be internally illuminated. No exposed lighting sources are permitted;
- vi. No animation or electronic message unit signs are permitted;
- vii. Color and design, including lettering shall complement the architecture of the building;
- viii. Signage shall be professional, and be consistent with the traditional style of signage for pharmacies and medical offices; and
- ix. Sign regulations or master sign criteria shall apply in addition to the above regulations. The most restrictive regulations apply.

(13) The conditional use permit shall lapse without further action if the use ceases for a period exceeding 90 days.

(14) Approval of a conditional use permit does not guarantee approval of a business license.

(c) Industrial Districts

(1) Dispensaries may be permitted in the same building in conjunction with a cultivation site under the same ownership or management.

(2) Stand-alone medical dispensaries shall only be permitted within buildings that contain multiple tenant spaces designed with retail/office storefronts, located on arterial roadways as designated by the Master Transportation Plan.

(d) Off-Street Parking Requirement

One space per 250 square feet.

(e) Off-Street Loading Group

Group Two (Section 19.7.4.D.)

5. Retail Marijuana, Dispensary

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
C	C	C	C			C	C	C				

(a) Definition

A business that is registered with the State of Nevada Department of Taxation to purchase marijuana from marijuana cultivation facilities, to purchase marijuana and marijuana products from marijuana product manufacturing facilities and retail marijuana stores, and to sell marijuana and marijuana products to consumers.

(b) Standards

- (1) A retail dispensary shall only be in conjunction with a medical marijuana dispensary at the same location.
- (2) Shall comply with all H.M.C. Title 4 regulations.
- (3) Shall comply with the distance separation requirements of 19.5.5.Y.2.
- (4) Shall have operating hours between the hours of 8:00 am and 11:00 pm, unless extended through the conditional use permit approval.
- (5) Drive-through services are prohibited.
- (6) There shall be no emission of dust, fumes or vapors into the environment from the facility.
- (7) Shall be a minimum of 1,400 gross square feet of combined dispensary area.
- (8) Shall not provide outdoor seating.

- (9) There shall be no outdoor display of merchandise or merchandise visible from the outside of the establishment.
- (10) Shall be located in a permanent building, and shall not be located in a trailer, cargo/shipping container or motor vehicle.
- (11) There shall be no outdoor storage, including the use of cargo/shipping containers for on-site storage.
- (12) Windows in common customer space must remain unobstructed, allowing visibility into the facility. Window tint, decals, and signage of any kind shall be strictly prohibited.
- (13) If signage is installed, signs shall meet the following regulations:
 - i. Shall be limited to wall signs, monument or freestanding signs;
 - ii. Maximum sign area shall be 25 square feet;
 - iii. A maximum of 25% of the wall sign or tenant panel of freestanding sign may include a logo;
 - iv. Wall signs shall be constructed only of pan channel letters (no cabinet or can signs);
 - v. Wall signs shall be internally illuminated. No exposed lighting sources are permitted;
 - vi. No animation or electronic message unit signs are permitted;
 - vii. Color and design, including lettering, shall complement the architecture of the building;
 - viii. Signage shall be professional, and be consistent with the traditional style of signage for pharmacies and medical offices; and
 - ix. Sign regulations or master sign criteria shall apply in addition to the above regulations. The most restrictive regulations apply.

(14) The conditional use permit shall lapse without further action if the use ceases for a period exceeding 90 days.

(15) Approval of a conditional use permit does not guarantee approval of a business license.

(c) Industrial Districts

(1) Dispensaries may be permitted in the same building in conjunction with a cultivation site under the same ownership or management.

(2) Dispensaries shall only be permitted within buildings that contain multiple tenant spaces designed with retail/office storefronts, located on arterial roadways as designated by the Master Transportation Plan.

(d) Off-Street Parking Requirement

One space per 250 square feet.

(e) Off-Street Loading Group

Group Two (Section 19.7.4.D.)

6. Marijuana, Infusion or Manufacturing Facility

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
						C	C	C				

(a) Definition

An enclosed facility and entity licensed by the State of Nevada Department of Taxation to purchase marijuana, manufacture, process, and package marijuana and marijuana products, and sell marijuana and marijuana products to other marijuana product manufacturing facilities and to retail marijuana stores, but not to consumers.

(b) Standards

- (1)** Shall comply with all H.M.C. Title 4 regulations.
- (2)** Shall comply with the distance separation requirements of 19.5.5.Y.
- (3)** Shall be a minimum of 1,400 gross square feet.
- (4)** There shall be no retail sales at the facility.
- (5)** Shall be located in a permanent building and shall not be located in a trailer, cargo/shipping container or motor vehicle.
- (6)** There shall be no outdoor storage, including the use of cargo/shipping containers for on-site storage.
- (7)** If signage is installed, signs shall meet the following regulations:
 - i.** Shall be limited to wall signs only;
 - ii.** Maximum sign area shall be 25 square feet;
 - iii.** A maximum of 25% of the wall sign may include a logo;
 - iv.** Wall signs shall be constructed only of pan channel letters (no cabinet or can signs);
 - v.** Wall signs shall be internally illuminated. No exposed lighting sources are permitted;
 - vi.** No animation or electronic message unit signs are permitted;
 - vii.** Color and design, including lettering shall complement the architecture of the building;
 - viii.** Signage shall be professional, and be consistent with the traditional style of signage for pharmacies and medical offices;

ix. Sign regulations or master sign criteria shall apply in addition to the above regulations. The most restrictive regulations apply.

(8) Approval of a conditional use permit does not guarantee approval of a business license.

(9) The conditional use permit shall lapse without further action if the use ceases for a period exceeding 90 days.

(c) Off-Street Parking Requirement

1 space per 500 square feet.

(d) Off-Street Loading Group

Group Two (Section 19.7.4.D.)

7. Marijuana, Independent Testing Laboratory

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
						S	S	S				

(a) Definition

An entity licensed by the State of Nevada Department of Taxation to test marijuana and marijuana products, including for potency and contaminants.

(b) Standards

(1) Shall comply with all H.M.C. Title 4 regulations.

(2) Shall comply with the distance separation requirements of 19.5.5.Y.

(3) There shall be no emission of dust, fumes or vapors into the environments from the facility.

- (4) There shall be no retail sales at the facility.
- (5) Shall be located in a permanent building and shall not be located in a trailer, cargo/shipping container or motor vehicle.
- (6) There shall be no outdoor storage, including the use of cargo/shipping containers for on-site storage.
- (7) If signage is installed, signs shall meet the following regulations:
 - i. Shall be limited to wall signs only;
 - ii. Maximum sign area shall be 25 square feet;
 - iii. A maximum of 25% of the wall sign may include a logo;
 - iv. Wall signs shall be constructed only of pan channel letters (no cabinet or can signs);
 - v. Wall signs shall be internally illuminated. No exposed lighting sources are permitted;
 - vi. No animation or electronic message unit signs are permitted;
 - vii. Color and design, including lettering shall complement the architecture of the building;
 - viii. Signage shall be professional, and be consistent with the traditional style of signage for pharmacies and medical offices;
 - ix. Sign regulations or master sign criteria shall apply in addition to the above regulations. The most restrictive regulations apply.

(c) Off-Street Parking Requirement

1 space per 500 square feet.

(d) Off-Street Loading Group

Group Two (Section 19.7.4.D.)

Z. MINI-STORAGE FACILITY

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
					C	C	C					
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
C		P	P			P	P	C				

1. Definition

Provision of storage space for household or commercial goods within an enclosed building with direct public access to individual storage spaces. This use classification may include limited vehicle storage and quarters for one or more persons employed by and residing at the mini-storage facility for the purpose of onsite management and security.

2. Standards

(a) All Nonresidential Districts

- (1) Mini-storage facilities shall comply with all development regulations listed for the zoning district or planned unit development in which the facility is located.
- (2) All mini-storage facilities shall provide minimum 32-foot-wide drive aisles between all buildings and adjacent to all building walls with storage compartment access doors.
- (3) Resident manager’s quarters, where provided, shall be incorporated into and occupy space on the premises of the mini-storage facility. No freestanding manager’s quarters are permitted within the IP district.
- (4) Mini-storage facility shall include a single 500-square-foot (minimum) landscaped private recreation area within the mini-storage project adjacent to the caretaker’s quarters for exclusive use by resident manager/caretaker. The landscaped recreation area shall include a minimum of one large shade tree installed at 24-inch-box size, shrubs, and

recreation equipment as approved by the Community Development and Services Director. Recreation equipment shall consist of picnic table and barbecue facilities or other comparable equipment for use by the resident manager.

- (5) All buildings in the mini-storage facility shall be architecturally compatible with the surrounding uses. Architectural compatibility shall be measured as follows:
 - i. Projects constructed abutting residential or public/semipublic zoning shall employ sloped concrete tile or clay roofs and shall display wall relief features and colors commonly found in residential construction;
 - ii. Projects abutting commercial or industrial zoning districts may employ more rigid lines and features;
 - iii. Where a project abuts a residential or public/semipublic zoning district, the residential compatibility requirement shall control;
 - iv. For facilities proposed within existing commercial/shopping centers, the design standards of 19.7.6.D shall control, with special attention given to adhering to any established architectural styles or themes within the center, which may negate the requirement for a sloped/tile roof.
- (6) Hours of public access to mini-storage units abutting one or more residential zoning districts shall be restricted to the period from 6:00 a.m. to 10:00 p.m. daily.
- (7) All setbacks abutting residentially-zoned parcels shall be landscaped.
- (8) Rear and side building setbacks may be reduced to zero feet for single-story buildings when adjacent to commercial or industrial districts.
- (9) Mini-storage uses shall provide a decorative perimeter wall with a maximum height of eight feet, up to 12 feet under

certain circumstances where additional height is required to secure storage areas.

- (10) Perimeter walls shall comply with the fence/wall appearance standards in Section 19.7.5.I, *Dumpster Screening*.
- (11) This use may include outdoor vehicle storage not to exceed a maximum of 20 percent of the site. Where greater than 20 percent of the site is allocated to vehicle storage, the vehicle storage must be treated as a separate use.
- (12) All outdoor storage shall be screened from public view. Screening shall consist of an opaque wall or fence with a minimum height of eight feet, constructed in accordance with the standards in Section 19.7.5.I, *Dumpster Screening*. Except for operational recreational and construction vehicles, stored materials and equipment shall not exceed the height of the screening fence or wall.
- (13) The storage of hazardous materials shall comply with the standards in Section 19.7.8.D, *Hazardous Material Storage*.

(b) CC and CH Districts

The following additional standard applies: A conditional use permit is required for mini-storage facilities without a resident manager or with more than one resident manager living unit.

(c) CN District

The following additional standards apply:

- (1) Mini-storage buildings shall be limited to one story, except for the office and caretaker's quarters.
- (2) No outdoor vehicle storage shall be permitted.
- (3) No storage or rental of vehicles or equipment utilized for moving shall be permitted.

(d) RM-16, RH-24, and RH-36 Districts

- (1) Prohibited in developments that include single-family detached and single-family attached dwelling units.

- (2) Mini-storage facilities within multifamily developments shall be allowed only in locations that meet the following criteria:
 - i. The development is located within one-half (1/2) mile of a college and/or university as defined by NRS Section 394.103 and NRS Section 385.007; or
 - ii. The development has at least 500 feet of frontage along a right-of-way with a width of 200 feet or greater.
- (3) Shall be prohibited when adjacent to a lower-density residential zoning district.
- (4) Mini-storage facility shall be limited to a maximum height of 8 feet if the roof is flat and 12 feet if roof is pitched unless exempted from the height requirement in this Code.
- (5) A manager or security official shall remain onsite 24-hours, seven days a week. A manager/security quarters may be permitted within a unit of the multifamily buildings.
- (6) A maximum of 5 percent of the site may be allocated for all mini-storage facility buildings and accessory storage uses.
- (7) Mini-storage facilities shall be compatible in design, materials, scale, and roofline architecture with the multifamily buildings.
- (8) The development shall have frontage along an arterial or collector street as identified in the Master Transportation Plan.
- (9) Mini-storage uses shall be setback a minimum 5-feet from all property lines, and a minimum of 25-feet from residential buildings.
- (10) A minimum 5-foot landscape buffer shall be provided between the mini-storage uses and multifamily buildings, unless separated by a private drive aisle.
- (11) Hours of public access to mini-storage units shall be restricted to the period from 9:00 a.m. to 5:00 p.m. daily.

(12) No outdoor vehicle storage shall be permitted.

3. Off-Street Parking Requirement

- (a) ~~[1 space per 100 lockers/units on the inside of fenced area and at least five spaces outside the fenced area.]~~ 5 spaces on the exterior side of the security fence for customers. If truck or trailer rental is conducted as an accessory use, one space for each rental vehicle shall be provided in addition to the number required.
- (b) Must include one covered parking space for exclusive use by each resident manager quarters.

4. Off-Street Loading Group

Group One (Section 19.7.4.D)

AA. OFFICE

1. Business and Professional

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
												P
COMMERCIAL					INDUSTRIAL				MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
P	P	P	P	P	S	S	S	S	P	P	P	

(a) Definition

Offices of firms or organizations providing professional, executive, management, or administrative services, such as architectural, computer software consulting, data management, engineering, interior design, graphic design, real estate, insurance, investment, and legal offices, but not including banks and savings and loan associations. This includes establishments providing travel information and travel reservations to individuals and businesses, but not car-rental agencies and reservation services that do not make travel arrangements as a primary function of their operation.

(b) Standards

(1) CA District

Office uses are only allowed on the site of and when directly associated with a car dealership.

(2) IL and IP Districts

Office uses are limited to a maximum of 50 percent of each business’s leased area.

(3) IG District

Offices shall only be allowed as an accessory use.

(c) Off-Street Parking Requirement

Residential and Nonresidential Districts

(1) Business and professional offices: 1 space per 300 square feet.

(2) Mixed office uses (combination of business/professional and medical/dental offices): 1 space per 250 square feet.

(d) Off-Street Loading Group

Group Two (Section 19.7.4.D)

2. Medical

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
												P
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
P	P	P	P	P					P	P	P	

(a) Definition

Offices for physicians and dentists, medical clinics, outpatient surgical centers, surgical recovery centers, and holistic or alternative health services (including hypnotherapy, reiki, and other similar uses), but not including emergency health care.

(b) Standards

(1) Surgical Recovery Centers: All Districts

Surgical recovery centers are considered an ancillary use to medical office since they contain suites where medically stable guests can recover after surgical procedures for a short time (typically 2–3 days) with medical supervision. Family members may visit without visiting hour restrictions unless restricted through the project’s entitlement approvals. Surgical recovery centers shall be limited to:

- i. Six or fewer suites
- ii. Maximum length of stay of five days
- iii. One overnight guest per patient

(2) Medical Clinic: PS District

Medical clinics are allowed as conditional uses only when ancillary to a primary use, except that they are permitted by right when ancillary to a hospital. Clinics located on the site of a school shall:

- i. Be open only to students and faculty/staff, and not the general public; and
- ii. Be open no more than two hours before and/or after scheduled school times.

(c) Off-Street Parking Requirement

Nonresidential Districts

- (1) Medical offices: 1 space per 200 square feet.
- (2) Mixed office uses (combination of medical and business/professional offices): 1 space per 250 square feet.

(d) Off-Street Loading Group

Group Two (Section 19.7.4.D)

BB. PAWNSHOP

1. General

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-	RM-	RH-	RH-	RMH	DH	PS	DP

					10	16	24	36				
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
		C	C			S	S				C	

(a) Definition

Establishments engaged in the buying or selling of new or secondhand merchandise, and offering loans secured by personal property. This category does not include used autos (auto pawn).

(b) Standards

(1) All Districts

Pawnshops shall be licensed in accordance with requirements in HMC Section 4.64.

(2) CC and CH Districts

Pawnshops shall obtain a conditional use permit subject to, but not limited to, the following requirements:

- i. At least 50 percent of the public space in the store shall be dedicated to the display of items for sale.
- ii. Sale or display of firearms is prohibited.
- iii. A maximum of one pawnshop is allowed within any single commercial center, which must be located at the intersection of two or more major arterial streets.

(c) Off-Street Parking Requirement

1 space per 250 square feet.

(d) Off-Street Loading Group

Group One (Section 19.7.4.D)

2. Pawnshop with Vehicles

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP

COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
						S	S					

(a) Definition

Businesses dealing exclusively in offering loans secured by automobiles, trucks, motorcycles, recreational vehicles, travel trailers, and similar vehicles, the storage of which requires one or more large parking areas.

(b) Standards

- (1) Pawnshops shall be licensed in accordance with requirements in HMC Section 4.64.
- (2) A maximum of one pawnshop is allowed within any single industrial center, which must be located at the intersection of two or more major arterial streets.
- (3) A dealer may sell unredeemed pawned vehicles, but the sale of new vehicles is prohibited.
- (4) The applicant must demonstrate that the minimum amount of off-street parking required by this Code will be provided for all uses, and a plan must be submitted to show the location for stored pawned vehicles.

(c) Off-Street Parking Requirement

1 space per 250 square feet plus one space for each pawned vehicle proposed to be kept on site.

(d) Off-Street Loading Group

Group One (Section 19.7.4.D)

CC. PERSONAL IMPROVEMENT SERVICE

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
											S	
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
P	S	P	P	S	S	C	C	C	P	P	P	

1. Definition

Provision of instructional services or facilities including photography, fine arts, crafts, dance or music studios, driving schools, hypnotherapy (not in conjunction with a medical office), palmistry and fortune telling, karate schools and similar instructional services, diet centers, fitness studios, health clubs, spas, and weight-reduction establishments.

2. Standards

(a) Commercial Districts

- (1) CO and CT Districts: Personal improvement services shall be limited to health clubs, spas, and weight-reduction establishments.
- (2) CA District: Only automobile driving schools, motorcycle driving schools, and auto-related trade schools are permitted. Auto body classes shall require approval of a conditional use permit, unless operated on the premises of an existing auto body shop. The classes must operate in accordance with the existing conditions of approval for that location.

(b) Industrial Districts

Personal improvement service uses require a conditional use permit. The applicant must demonstrate that such uses will not adversely affect the health, safety, and welfare of surrounding industrial uses.

(c) PS District

Such uses may be allowed as an accessory use in conjunction with a school, park, or religious assembly.

3. Off-Street Parking Requirement

- (a) Personal improvement service uses in nonresidential districts in developments less than 25,000 square feet: 1 space per 175 square feet.
- (b) Personal improvement service uses in nonresidential districts in developments of 25,000 square feet or larger: 1 space per 250 square feet.

4. Off-Street Loading Group

Group One (Section 19.7.4.D)

DD. PERSONAL SERVICE

1. General

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
				A	A	A	A				C	
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
P	S	P	P	S		C	C	C	P	P	P	

(a) Definition

Provision of frequently needed services of a personal nature, such as: barber and beauty shops, tanning booths/salons, photographic studios, seamstresses, tailors, shoe repair shops, laundry and dry-cleaning drop-off/pick-up facilities (no dry cleaning performed on the premises), and self-service laundries (laundromats).

(b) Standards

(1) All Districts

Please see Section 19.5.7.D.4 for standards for a drive-through/drop-off window accessory use.

(2) Residential Districts

If all criteria below are met, the use shall be allowed as an accessory use:

- i. The use shall comply with the standards in Section 19.7.6.D.6, *Residential Compatibility Standards*;
- ii. Personal service uses shall be limited to residents of the development and shall not be open to the general public;
- iii. No exterior signage shall be visible to the public; and
- iv. No more than three individual personal services use types within a development shall be allowed.

(3) PS District

- i. Personal services use types may be provided as an accessory use to the uses in the “Institutional Housing” use classification.
- ii. Personal services uses shall be limited to residents of the institutional housing and shall not be open to the general public.
- iii. No exterior signage shall be visible to the public.

(4) CO, IL, IG, IP, and PS Districts

Self-service laundries (laundromats) are not an allowed use.

(5) CT Districts

Self-service laundries (laundromats) require approval of a conditional use permit.

(c) Off-Street Parking Requirement

- (1) Nonresidential districts in developments 25,000 square feet or larger: 1 space per 250 square feet.
- (2) Nonresidential districts in developments less than 25,000 square feet: 1 space per 175 square feet.
- (3) Vehicle stacking spaces shall be required for any drive-up use (Section 19.7.4.H).

- (d) Off-Street Loading Group
Group One (Section 19.7.4.4)

2. Dry-Cleaning Agency

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
S	C	S	S	S					P	P	P	

(a) Definition

Dry-cleaning agencies perform dry cleaning on the premises for retail customers only. Such use types do not include commercial laundries.

(b) Standards

(1) All Districts

Please see Section 19.5.7.D.4 for standards for a drive-through/drop-off window accessory use.

(2) CN, CC, CH and CT Districts

Dry-cleaning agencies may be permitted by right only in freestanding buildings. Conditional use approval is required if located in a building with attached lease space on one or more sides.

(3) CO District

A dry-cleaning agency may be allowed by right and is not required to obtain a conditional use permit subject to the following conditions:

- i. The primary purpose of the use is to serve employees of the office development in the district.
- ii. The use shall not be the principal use in any freestanding building.
- iii. The use shall not occupy more than 5,000 square feet in gross floor area or five percent of the principal office structure, whichever is less.

- iv. The use shall not have an entrance leading directly to the outside.
- v. No outside signs shall be allowed in connection with the use.

(c) Off-Street Parking Requirement

Nonresidential districts: 1 space per ~~250~~500 square feet.

(d) Off-Street Loading Group

Group One (Section 19.7.4.D)

3. **Massage**

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
		C	C		C				C		C	

(a) Definition

Any fixed place of business where any individual, firm, association, partnership, corporation, or combination of individuals, engages in, conducts, carries on, or permits to be engaged in or conducted, for money or any other consideration, any massage or health treatments involving massages including, but not limited to, those businesses that provide massage accessory to their principal permitted use. The definition of massage and the regulations set forth in this section do not apply to massage therapy performed by a person specified in NRS 640C.100(1)(a) if the massage therapy is performed in the course of the practice for which the person is licensed.

(b) Standards

(1) All Districts

i. HMC Requirements

All massage establishments shall conform to the requirements of Title 4.84 of the HMC for Massage Establishments.

ii. Hours of Operation

Massage establishment hours of operation shall be limited from 8:00 a.m. to 10:00 p.m.

iii. Location Requirements

1. No massage establishment may be located closer than 1,000 feet from any other massage establishment, as measured by the shortest line, without regard to intervening obstacles, between the space to be occupied by the proposed massage establishment and the occupied space of the nearest established or approved massage establishment.
2. The foregoing distance requirement may not be waived at any time.
3. Nothing in this subsection shall be construed to authorize a proposed massage establishment simply because a proposed massage establishment may comply with the minimum separation requirement. The City retains all discretion to approve or disapprove a massage establishment use.

iv. Building Design

1. Exterior windows shall not be tinted, covered, or blocked in such a manner to impede a view inside the massage establishment from the exterior. Establishment must comply with Title 4 standards regarding window tint and exterior reflectance percentages.
2. The establishment shall provide a waiting area for patrons separate from any area wherein massages are provided. There shall be direct access to this area from the main entrance or from the hallway connected only to the main entrance.

3. Any cubicle, room, booth, or area within the massage establishment in which a massage may be given may not be fitted with a door capable of being locked.

v. Conditional Use Permits

1. Additional conditions may be required as part of the conditional use permit.

2. All massage establishments must comply with approval criteria for a conditional use permit as listed in Section 19.6.6.A.

(2) Accessory Use – Resort Hotels

Massage may be permitted by right as an accessory use to a resort hotel, subject to the following:

i. The use shall conform to the building design requirements for massage set forth in 19.5.5.DD.3(b)(1)(iv).

ii. A detailed floor plan shall be submitted to Community Development at the time of licensing and building permit to show compliance with all requirements of Title 19.

iii. The use shall conform to the requirements of HMC Title 4.

(c) Off-Street Parking Requirement

Nonresidential districts: 1 space per 250 square feet.

(d) Off-Street Loading Group

None.

(e) Enforcement Authority

(1) Any authorized representative of the City shall have access to every part and portion of the premises for which a conditional use permit is issued under the provisions of this section, at any time when such business is open for the transaction of business, and after regular business hours if

business is still being conducted, for the purpose of determining that the provisions of this Chapter and Title 4 are being complied with. It shall be unlawful for any person to fail to allow any authorized city representative access to the premises or to hinder such representative in any manner.

- (2) The conditional use permit may be subject to revocation pursuant to Chapter 19.11, *Enforcement*, in the event the massage establishment business license expires, is revoked, or is otherwise terminated.

4. Reflexology

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
S	S	S		S					S	S	S	

(a) Definition

Any establishment that involves the application of specific pressure by the use of the licensed practitioner’s hands, thumbs, and fingers to reflex points in the client’s hands, feet, or ears using alternating pressure, and such techniques as thumb walking, finger walking, hook and back up, and rotation on a reflex. This practice does not involve the removal of any clothes other than shoes or socks.

(b) Standards

The following standards apply in all districts:

(1) HMC Requirements

- i. All reflexology establishments shall conform to the requirements of Title 4.85 of the HMC for *Reflexology*.

(2) Hours of Operation

- i. Reflexology establishment hours of operation shall be limited to 8:00 a.m. to 10:00 p.m. or the hours of operation for the specific development, whichever is more restrictive. A conditional use permit is required if requesting different hours of operation, and the applicant shall demonstrate how the modified hours are consistent and compatible to other uses within the same development and with uses on the surrounding properties.
- ii. The primary business of reflexology must be provided during all times the business is open.

(3) Location Requirements

- i. No reflexology establishment may be located closer than 1,000 feet from any other reflexology establishment, as measured by the shortest line, without regard to intervening obstacles, between the space to be occupied by the proposed reflexology establishment and the occupied space of the nearest established or approved reflexology establishment.
- ii. The foregoing distance requirements may be waived through the conditional use permit only if it can be shown by clear and convincing evidence by the applicant that a waiver of such distance requirements will not compromise the purpose and the general intent of this Code and the HMC to protect the public health, safety, and general welfare of the citizens of the City. Demonstration of existing adequate physical barriers may be considered as such evidence. Adequate barriers include, but are not limited to, such things as an improved drainage facility, freeway, other major roadway with a minimum width of 150 feet, or a topographical feature that prevents vehicular and pedestrian access.

- iii. Nothing in this subsection shall be construed to authorize a proposed reflexology establishment simply because a proposed reflexology establishment may comply with the minimum separation requirement. The City retains all discretion to approve or disapprove a reflexology establishment use.

(4) Building Design Requirements

- i. Exterior windows shall not be tinted, covered, or blocked in such a manner to impede a view inside the reflexology establishment from the exterior. Establishment must comply with Title 4 standards regarding window tint and exterior reflectance percentages.
- ii. The establishment shall provide a waiting area for patrons separate from any area wherein reflexology is provided. There shall be direct access to this area from the main entrance or from the hallway connected only to the main entrance.
- iii. Reflexology shall not take place within an enclosed room. Individual reflexology areas may be defined by walls not taller than three feet in height, as measured from the finished floor.
- iv. A detailed floor plan shall be submitted to Community Development for review and approval at the time of licensing and building permit to show compliance with all requirements of Title 19.

(5) Conditional Use Permit

If a conditional use permit is required, the following additional standards shall apply:

- i. All reflexology establishments must comply with approval criteria for a conditional use permit as listed in Section 19.6.6.A.

- ii. Additional conditions may be required as part of the conditional use permit.

(6) CN, CC, CH, CT, CA, MC and MR Districts

Reflexology establishments may be permitted by right as an accessory use to a personal service use, hotel, resort hotel, beauty shop, fitness club, country club, golf course clubhouse, public or private recreation center, or a massage establishment, subject to the following:

- i. Reflexology as an accessory use is limited to hours of operation between 8:00 a.m. to 10:00 p.m. A conditional use permit is required if requesting different hours of operation and the applicant can demonstrate how the modified hours are consistent and compatible with the other uses within the same development and on the surrounding properties.
- ii. The use shall conform to the building design requirements for reflexology set forth in 19.5.5.DD.4(b)(4).
- iii. The use shall conform to the requirements of HMC Title 4.

(c) Off-Street Parking Requirement

Nonresidential districts: 1 space per 250 square feet.

(d) Off-Street Loading Group

None.

(e) Enforcement Authority

- (1)** Any authorized representative of the City shall have access to every part and portion of the premises for which a conditional use permit is issued under the provisions of this section , at any time when such business is open for the transaction of business, and after regular business hours if business is still being conducted, for the purpose of determining that the provisions of this Chapter and Title 4 are being complied with. It shall be unlawful for any person

to fail to allow any authorized city representative access to the premises or to hinder such representative in any manner.

- (2) The conditional use permit may be subject to revocation pursuant to Chapter 19.11, *Enforcement*, in the event the reflexology establishment business license expires, is revoked, or is otherwise terminated.

5. Tattoo and Body Alteration Studio

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
		C	C	C		C			C		C	

(a) Definition

Establishments offering permanent body art or coloring, establishments where decorations are inserted in human skin, and similar businesses whose primary function is permanent body alteration for nonsurgical purposes. Establishments engaged solely in ear piercing, establishments that provide permanent facial make-up, and medical offices are not included in this use type.

(b) Standards

(1) All Districts

- i. A Tattoo and Body Alteration Studio shall not be located within 500 feet of another Tattoo and Body Alteration Studio. The distance shall be measured as the closest straight line from exterior wall of proposed use to exterior wall of existing use. This standard may be modified through the conditional use permit process.
- ii. A Tattoo and Body Alteration Studio hours of operation shall be limited to the hours between 8:00 a.m. and 10:00 p.m.

- iii. No alcohol may be sold, consumed or purchased in any Tattoo and Body Alteration Studio.
- iv. Storefront doors and windows shall not be tinted, covered or blocked in such a manner to impede a view inside the Tattoo and Body Alteration Studio from the exterior.

(2) CC District

- i. A conditional use permit shall be required for any Tattoo and Body Alteration Studio.
- ii. Tattoo and Body Alteration Studios located within a regional mall shall be limited to the hours of operation for the regional mall and shall only have a storefront that is located facing internally to the regional mall.

(3) MC, MR Districts

A Tattoo and Body Alteration Studio shall only be located on the first floor of a vertical mixed-use building.

(c) Off-Street Parking Requirement

1 space per 250 square feet.

(d) Off-Street Loading Group

None.

EE. PLANT NURSERY

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
		C	P			P	P					

1. Definition

Establishments selling plants and garden supplies in which all merchandise other than plants is kept within an enclosed building or a fully screened enclosure, and fertilizer of any type is stored and sold in package form only.

2. Standards

All outside storage of materials, products, and equipment shall be screened from neighboring properties and internal and external streets by a minimum eight-foot-tall decorative block or comparable masonry wall. Alternative screening, if approved through an entitlement application, may consist of masonry wall with landscaping, a berm with landscaping, or other comparable screening method that achieves the same level of screening.

3. Off-Street Parking Requirement

Schedule “B” (Section 19.7.4.C.2)

4. Off-Street Loading Group

Group Two (Section 19.7.4.D)

FF. RECREATIONAL VEHICLE RESORT

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
			C	C								

1. Definition

A commercial establishment providing individual spaces and facilities for recreational vehicles for the purpose of transient lodging or recreation purposes. Such use types may include accessory retail sales, outdoor recreation, and limited personal services establishments for use by resort patrons.

2. Off-Street Parking Requirement

1 space per each recreational vehicle plus one guest space per ten recreational vehicles.

3. Off-Street Loading Group

Group One (Section 19.7.4.D)

GG. RETAIL SALES AND SERVICE

1. General

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
P	C	P	P	P		S	S	S	P	P	P	

(a) Definition

The retail sale or rental of merchandise not specifically listed under another use classification. This use type includes department stores, clothing stores, video rental stores, furniture stores, and businesses retailing the following goods: toys, hobby materials, handcrafted items, jewelry, cameras, photographic supplies, electronic equipment, records, sporting goods, kitchen utensils, hardware, appliances, art, antiques, art supplies and services, paint and wallpaper, carpeting and floor covering, office supplies, bicycles, and new automotive parts and accessories (but not including service and installation).

(b) Standards

(1) All Districts

Any proposed alcohol or liquor use shall comply with 19.5.5.A.1, *Distance Limitations for Alcohol and Liquor Uses*, and all Title 4 requirements for the subject use.

(2) CO District

A general retail sales and services use may be allowed by right and is not required to obtain a conditional use permit subject to the following conditions:

- i. The primary purpose of the use is to serve employees of the office development in the district.
- ii. The use shall not be the principal use in any freestanding building.
- iii. The use shall not occupy more than 5,000 square feet in gross floor area or five percent of the principal office structure, whichever is less.
- iv. The use shall not have an entrance leading directly to the outside.
- v. No outside signs shall be allowed in connection with the use.

(3) IL, IG, and IP Districts

Limited to sale of products manufactured or processed on the subject premises. Permitted for areas up to 15 percent of the gross floor area of onsite buildings directly associated with the manufacturing, processing, and administration of the retailed products. A conditional use permit is required for exceptions to this use requirement.

(c) Off-Street Parking Requirement

- (1) Furniture, appliances, and other large consumer goods: 1 per 500 square feet.
- (2) All other retail sales uses in nonresidential districts in developments over 25,000 square feet: 1 space per 250 square feet.
- (3) All other retail sales uses in nonresidential districts in developments less than 25,000 square feet: 1 space per 175 square feet.

(d) Off-Street Loading Group

Group One (Section 19.7.4.D)

2. Auction Facility

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
			S			S	S					

(a) Definition

An activity where goods or livestock are sold by auction within an enclosed building or structure or conducted outdoors.

(b) Standards

(1) CH and IL Districts

All activities shall be conducted within an enclosed building.

(2) IG District

Outdoor auctions are only permitted with approval of a conditional use permit.

(c) Off-Street Parking Requirement

1 space per 250 square feet.

(d) Off-Street Loading Group

Group One (Section 19.7.4.D)

3. Convenience Market

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
S	C	S	S	S	S	S	S	S	S	S	S	

(a) Definition

A small retail self-service store selling a limited line of fast-moving food and nonfood items, usually with extended hours of operation and usually with a high volume of customer traffic comprised of quick transactions of a small number of items.

(b) Standards

(1) All Districts

- i. Any use that includes outdoor seating and outdoor food service areas shall comply with 19.5.7.D.8, *Outdoor Seating/Outdoor Food Service*.
- ii. Any proposed alcohol or liquor use shall comply with Section 19.5.5.A.1, *Distance Limitations for Alcohol and Liquor Uses*, and all Title 4 requirements for the subject use.
- iii. Windows shall face all adjacent parking areas.
- iv. All exterior doors shall be provided with individual light sources.
- v. Parking areas shall remain lit from dusk to dawn, subject to the lighting standards of Section 19.7.8.E, *Glare and Lighting*.

(2) CO District

A convenience market use may be allowed by right and is not required to obtain a conditional use permit subject to the following conditions:

- i. The primary purpose of the use is to serve employees of the office development in the district.
- ii. The use shall not be the principal use in any freestanding building.
- iii. The use shall not occupy more than 5,000 square feet in gross floor area or five percent of the principal office structure, whichever is less.
- iv. The use shall not have an entrance leading directly to the outside.
- v. No outside signs shall be allowed in connection with the use.

(c) Off-Street Parking Requirement

Residential and nonresidential districts: 1 space per ~~[200-square feet of convenience store/food sales area]~~ 250 square feet of gross floor area plus any vehicle stacking spaces required by Section 19.7.4.H.

(d) Off-Street Loading Group

None.

4. Pharmacy

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
P	C	P	P	P		S			P	P	P	

(a) Definition

Stores or shops licensed by the Nevada Board of Pharmacy where drugs, controlled substances, poisons, medicines or chemicals are stored or possessed, dispensed or sold at retail, displayed for sale at retail, or where prescriptions are compounded or dispensed. This classification includes pharmacies owned or

COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
C	C	C	C	C					C	C	C	

(a) Definition

A pharmacy that includes service from a building to persons in vehicles through an outdoor service window.

(b) Standards

(1) All Districts

- i. A conditional use permit is required if the use will be located within 300 linear feet of a residential district boundary unless an intervening building or a major collector or minor arterial as shown on the Master Transportation Plan, is located between the drive-through service and the residential district boundary.
- ii. Drive-through facilities (including the drive lanes and stacking spaces) are discouraged between a building and any adjacent street unless it can be demonstrated that the facilities are integrated into the site, screened from view of the adjacent street, and does not create negative impacts on pedestrian movement. Screening methods include landscaping, landscaping with a berm, a low screen wall with landscaping, or other similar feature(s).
- iii. The drive-through use may be subject to conditions imposed by the approving body to ensure compatibility with surrounding uses, efficient vehicular travel, efficient pedestrian movement, and architectural compatibility with the principal structure and development.
- iv. The above-listed conditions may be waived or modified through a request as part of a conditional use permit.

(2) MC, MR, and MN Districts

- i. Design of the drive-through facility (including the drive lanes and stacking spaces) shall demonstrate integration with the site, screening, coordination with pedestrian movement along sidewalks and through areas intended for public use, and architectural compatibility with the principal structure, and shall demonstrate how the drive-through will not be a negative impact on the pedestrian environment of the overall development.
- ii. Applicants are encouraged to locate usable building space above any drive-through facility where feasible.

(3) MC District

Drive-through lanes and stacking spaces are prohibited within any build-to zone setback.

(4) MN District

- i. Drive-through lanes and stacking spaces are prohibited within the 20-foot front or corner-side setback when within 50 feet of a residential land use designation (Section 19.3.17).
- ii. Drive-through facility shall be designed as an integrated part of an in-line building or mixed-use building. Freestanding drive-through facilities are not permitted.

(5) MR District

A conditional use permit shall not be required if the drive-through use was approved through the Master Plan for the subject site.

(c) Off-Street Parking Requirement

1 space per ~~250~~400 square feet plus stacking spaces per Section 19.7.4.H.

(d) Off-Street Loading Group

Group One (Section 19.7.4.D)

6. Printing Service

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
P	P	P	P	P					P	P	P	

(a) Definition

A commercial establishment providing custom reproduction of written or graphic materials on a custom order or self-service basis. These use types typically provide photocopying, blueprint, and photo reproduction services, but do not include bulk or large-scale printing on presses, which is categorized as “limited industry.”

(b) Off-Street Parking Requirement

Nonresidential districts: 1 space per ~~250~~ 400 square feet.

(c) Off-Street Loading Group

Group One (Section 19.7.4.D)

7. Rental Service

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
S		S	S						C	S	S	

(a) Definition

The rental of general merchandise and equipment primarily intended for homeowner use, including but not limited to clothing, electronics, videos, tools and garden equipment, furniture, household appliances, special occasion or seasonal items, and similar consumer goods. This use category does not include

the rental, storage, or maintenance of large construction equipment; such vehicles are restricted to the broader use category of “Vehicle/Equipment Sales and Rentals.”

(b) Standards

- (1) The net site area shall not exceed two acres.
- (2) All maintenance of equipment must be conducted within a building.
- (3) All equipment shall be stored within an enclosed area or building.

(c) Off-Street Parking Requirement

Nonresidential districts: 1 space per ~~250~~ 400 square feet.

(d) Off-Street Loading Group

Group One (Section 19.7.4.D)

8. Secondhand Goods

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
C		C							C	C	C	

(a) Definition

The retail sale or rental of used appliances, furniture, clothing, video games, and other merchandise by secondhand dealers. This use type does not include antique shops primarily engaged in the sale of used furniture and accessories, other than appliances, that are at least 60 years old, jewelry shops whose primary business is the sale of newly manufactured jewelry, auto dealers, pawnshops, used-book stores, used-baseball-card stores, and stamp- and similar-collectibles stores.

(b) Standards

No outdoor display, sales, or storage of any merchandise shall be permitted unless otherwise permitted through the conditional use permit.

(c) Off-Street Parking Requirement

Nonresidential districts: 1 space per 250 square feet.

(d) Off-Street Loading Group

Group One (Section 19.7.4.D)

9. Smoke/Tobacco Shop Establishment

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
C		C	C	C		C	C	C	C	C	C	

(a) Definition

Establishment in which sales of tobacco products such as cigarettes, cigars, chewing tobacco, snuff, pipe tobacco, dipping tobacco, bidis, and tobacco paraphernalia and accessories consist of ten percent or more of the product display, sales, and storage areas of the space. Smoke/tobacco shop establishments include any person or business that operates a store, stand, booth concession, or other place at which the sales of tobacco products are made to purchasers for personal consumption. Smoke/tobacco shops shall prohibit minors to enter or remain upon the premises, unless the minor is accompanied by the minor's parent/guardian.

(b) Purpose

The purpose of regulating smoke/tobacco shops is to ensure compatibility with surrounding uses and properties and to avoid an unchecked proliferation of smoke/tobacco shop establishments that may result in the displacement of other necessary commercial services.

(c) Standards

A conditional use permit is required subject to, but not limited to, the following standards:

- (1) No smoke/tobacco shop establishment may be located within 2,000 feet of any other smoke/tobacco shop establishment. This separation requirement is measured by the shortest line between the space to be occupied by the

proposed smoke/tobacco shop establishment and the occupied space of the nearest existing or approved smoke/tobacco shop establishment.

- (2) No smoke/tobacco shop establishment may be located within 1,000 feet of any parcel where a school, park, or library are established or approved; and 500 feet from any parcel with a residential land use category as designated by the Comprehensive Plan. This separation requirement is measured by the shortest line between the space to be occupied by the proposed smoke/tobacco shop establishment and the property line of the nearest established or approved school, park, library, or residential land use category as designated by the Comprehensive Plan.
- (3) Waivers or reductions of the minimum separation requirements may be considered through the conditional use permit only if it can be shown by clear and convincing evidence by the applicant that a waiver or reduction of such separation requirements will not compromise the aforesated purpose and the general intent of this Code to protect the public health, safety, and general welfare of the citizens of the City. Demonstration of existing adequate physical barriers may be considered as such evidence. Adequate barriers include, but are not limited to, a freeway, railroad, or other major roadway with a minimum width of a minor arterial, or a drainage facility or topographical feature that prevents vehicular and pedestrian access.
- (4) A Smoke/Tobacco Shop Establishment may not be located within the same shopping center or development as a use that provides primarily child-oriented services or goods (i.e. doctors office, day care, recreational centers, retail stores, etc.). Such previously established smoke/tobacco shop establishments shall be exempt.

(d) Off-Street Parking Requirement

1 space per 250 square feet.

(e) Off-Street Loading Group

10. Swap Meet

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
		C	C				S					

(a) Definition

A location in which multiple vendors, dealers, sellers, or traders have rented, leased, purchased, or otherwise obtained an area from an operator or sponsor for the purpose of selling, bartering, exchanging, or trading new or used articles of personal property. The sale of merchandise may include secondhand items, specialty items, and hand-crafted items where the aggregate value of all such property exceeds the amount of one thousand dollars.

(b) Standards

- (1) No outdoor display, sales, or storage of any merchandise or equipment is permitted, except if outdoor activities have been approved through the conditional use permit or in connection with temporary activities that have been authorized by means of a temporary use permit.
- (2) All signage, including any temporary signage, shall comply with Chapter 19.8, *Signs*.
- (3) The swap meet operation shall comply with all applicable requirements of HMC Title 4.

(c) Off-Street Parking Requirement

- (1) Indoors: 1 space per 175 square feet.
- (2) Outdoors: 4 spaces for each retail stall or unit.

(d) Off-Street Loading Group

HH. SEXUALLY ORIENTED BUSINESS

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
						C	C	C				

1. Definition

“Sexually oriented business” means adult bookstores, adult novelty businesses, adult video stores, adult motion picture theaters, adult video arcades, adult clubs, commercial adult establishments, escort services, nude modeling agencies, nude modeling studios, outcall promoters, and sex clubs. The terms within this definition are defined in HMC Title 4.

2. Standards

(a) All Districts

Separation Requirements

(1) The applicant shall provide evidence certified by a professional land surveyor licensed in the State of Nevada that the proposed sexually oriented business will be separated a minimum of 1,000 feet from the following, except iii, which requires a minimum 1,500 foot separation:

- i. A child care facility;
- ii. A religious assembly use;
- iii. A property with a residential land use category as designated by the Comprehensive Plan;
- iv. A property designated with a mixed-use zoning designation;
- v. A hospital;
- vi. A school (public or private);

- vii. A governmental office;
- viii. A public park;
- ix. A Teenage Dancehall;
- x. A Teenage Nightclub;
- xi. Another sexually oriented business.

(2) All Districts

Measurement of the required 1,000 foot separation:

- i. The separation requirement is measured by the shortest line, without regard to intervening obstacles, between the space to be occupied by the proposed sexually oriented business establishment and the property line of the above-listed items (except for another sexually oriented business).
- ii. The separation requirement for another sexually oriented business is to be measured by the shortest line, without regard to intervening obstacles, between the space to be occupied by the proposed sexually oriented business establishment and the occupied space of the nearest established or approved sexually oriented business establishment.
- iii. The foregoing distance requirements may be waived, except for 2(a)(1)iii - *A property with a residential land use category as designated by the Comprehensive Plan*, through the conditional use permit only if it can be shown by clear and convincing evidence by the applicant that a waiver of such distance requirements will not compromise the purpose and the general intent of the HMC to protect the public health, safety, and general welfare of the citizens of the City. Demonstration of existing adequate physical barriers may be considered as such evidence. Adequate barriers include, but are not limited to, such things as an improved drainage facility, freeway, other major roadway with a

minimum width of 150 feet, or a topographical feature that prevents vehicular and pedestrian access.

(3) IP and IG Districts

Only adult bookstores, adult novelty businesses, and adult video stores as defined in HMC 4.110.010 may be considered within these zoning districts with approval of a Conditional Use Permit.

(b) Other Requirements

All Districts

- (1)** The use must comply with all approval criteria for a conditional use permit as listed in Section 19.6.6.A.
- (2)** Additional conditions may be required as part of the conditional use permit process.
- (3)** The use shall conform to the requirements of HMC 4.110 for Sexually Oriented Businesses.
- (4)** Businesses known as "outcall promoter and outcall entertainer" and "escort and escort service" shall also be subject to the requirements and regulations imposed by the provisions of HMC Chapter 4.110.
- (5)** Nothing in this Title pertaining to sexually oriented businesses is intended to make legal any business or activity that is expressly declared illegal under any other provisions of the Municipal Code or under any state or federal laws.

(c) Exemptions

The provisions of this section do not apply to those businesses that:

- (1)** Operate a manufacturing or wholesale business, licensed in accordance with HMC Chapter 4.04, Section 4.05.010;
- (2)** Are prohibited from conducting retail sales;
- (3)** Prohibit public access to the premises; and

- (4) Meet all zoning requirements pursuant to HMC Title 19; or
- (5) Personal introduction businesses.

3. Off-Street Parking Requirement

- (a) Adult clubs: 1 space per 100 square feet.
- (b) All other adult uses: 1 space per 250 square feet.

4. Off-Street Loading Group

None.

COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
		S	S		S				S		S	

(a) Definition

An establishment providing wash functions controlled manually by a car-wash employee where vehicle interiors and exteriors are cleaned and a customer's vehicle is automatically moved through the car wash.

(b) Standards

(1) All Districts

- i. Site layout should include screening and buffering to help avoid adverse impacts on properties in the surrounding area.
- ii. The location of display racks and vending machines shall be specified on the site plan as part of the design review application.

(2) Mixed-Use Districts

- i. Car washes are permitted only accessory to a service station.
- ii. All car-washing activities shall be carried on within an enclosed building.
- iii. Vacuuming equipment shall be set back at least 50 feet from any adjacent residential uses.
- iv. Design of the car wash drive lanes and stacking spaces shall demonstrate integration, screening, coordination with pedestrian movement along sidewalks and through areas intended for public use, architectural compatibility with the principal structure, and demonstrate how the drive through will not be a negative impact on the overall development.

(c) Off-Street Parking Requirement

~~[1 space per 200 square feet of sales, office, or lounge area]~~ 2 spaces plus 1 per employee plus vehicle stacking spaces required by Section 19.7.4.H.

- (d) Off-Street Loading Group
Group One (Section 19.7.4.D)

3. Car Wash, Unattended

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
		C	P		S				C		C	

(a) Definition

An unattended or automatic establishment providing car wash functions automatically controlled or controlled by the customer where the customer drives the vehicle through the wash equipment. The car wash is for the vehicle exterior only but equipment for cleaning the interior may be available.

(b) Standards

(1) All Districts

- i. Site layout should include screening and buffering to help avoid adverse impacts on properties in the surrounding area.
- ii. The location of display racks and vending machines shall be specified on the site plan as part of the design review application.
- iii. Openings to the wash bays shall not face public right-of-way and shall be designed to minimize the visual intrusion into adjoining properties.

(2) Mixed-Use Districts

- i. Car washes are permitted only accessory to a service station.

- ii. All car-washing activities shall be carried on within an enclosed building.
- iii. Vacuuming equipment shall be set back at least 50 feet from any adjacent residential uses.
- iv. Design of the car wash drive lanes and stacking spaces shall demonstrate integration, screening, coordination with pedestrian movement along sidewalks and through areas intended for public use, architectural compatibility with the principal structure, and demonstrate how the drive through will not be a negative impact on the overall development.

(c) Off-Street Parking Requirement

~~{1 space per 200 square feet of sales, office, or lounge area}~~² plus vehicle stacking spaces required by Section 19.7.4.H.

(d) Off-Street Loading Group

None.

4. Commercial (Retail) Fueling Center

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
C		C	C	C	C	C	C	C	C		C	

(a) Definition

Any building, land or other premises used for the retail dispensing or sales of vehicular fuels or oils and accessories for the motor-vehicle trade.

(b) Standards

- (1) All activities and operations shall be conducted entirely within an enclosed structure, except as follows:

- i. The dispensing of petroleum products, water, and air from pump islands; and
 - ii. The sale of items from a vending machine which shall be located next to the main structure.
- (2) No automotive repair may take place on the premises or within any building.
 - (3) No vehicle shall be parked on the premises for the purpose of offering the vehicle for sale.
 - (4) Noise from bells or loudspeakers shall not be audible beyond the property line at any time.
- (c) Off-Street Parking Requirement
Vehicle stacking spaces required by Section 19.7.4.H.
 - (d) Off-Street Loading Group
None.

5. Commercial Parking Facility

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
												C
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
	C	C	C					C	C		C	

- (a) Definition
Surface parking lot or parking structure offering short- or long-term vehicle parking services to the public for a fee.
- (b) Standards
 - (1) CO District
Commercial parking facilities are allowed only in conjunction with an office principal use.
 - (2) DP Districts

To maintain an active street presence, the ground-floor perimeter space within commercial parking facilities that face Water Street, Pacific Avenue, or Basic Road shall not include parking and shall be reserved for commercial uses.

(3) MC District

When located within the Boulder Highway Corridor, commercial parking facilities shall only be permitted within 1,500 feet of a transit stop if contained within a parking structure.

(c) Off-Street Parking Requirement

None.

(d) Off-Street Loading Group

None.

6. Fleet Fueling Station

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
			C			P	P	C				

(a) Definition

An unmanned facility for the fueling of vehicle fleets that may include fuel for certain gasoline vehicles. This use type is primarily intended to serve diesel trucks, taxicabs, and similar fleet-type vehicles employing charge account fuel billing. This use type does not include service stations, convenience stores, or other retail services except vending machines.

(b) Off-Street Parking Requirement

Schedule "B" (Section 19.7.4.C.2)

(c) Off-Street Loading Group

None.

7. Service Station

RESIDENTIAL	PUBLIC
-------------	--------

RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
		C	S	C	S	C	C		C		C	

(a) Definition

Any building, land area or other premises used for the retail dispensing or sales of vehicular fuels, minor servicing and maintenance of automobiles, and including as an accessory use the sale and installation of lubricants, tires, batteries, and similar vehicle accessories. This use type also includes express oil-change facilities. This use type does not include auto body or repair of heavy trucks or vehicles.

(b) Standards

(1) All Districts

i. Vehicle Repair

In the CC, IL, IG, and MC districts, major vehicle repairs, including drivetrain, engine, transmission, and differential repair and installation may be allowed as a conditional use in conjunction with the primary use of dispensing vehicular fuels, if specifically indicated in the public hearing notice and if approved by the Planning Commission and/or City Council.

ii. Site Layout

1. Site layout shall include screening and buffering to help avoid adverse impacts on properties in the surrounding area.
2. Openings to the service bays shall not face public rights-of-way and shall be designed to minimize their visibility from adjoining residential or lower-intensity zoned properties, as determined through the

conditional use permit or design review application.

3. The location of display racks and vending machines shall be specified on the site plan as part of the entitlement review process.

iii. All automotive repairs shall take place within the building.

iv. No vehicle shall be parked on the premises for the purpose of offering the vehicle for sale.

v. No used or discarded automotive parts or equipment; or disabled, junked, or wrecked vehicles shall be located in any open area outside the main structure.

(2) Mixed-Use Districts

i. All car-washing and repair activities shall be carried on within an enclosed building.

ii. Vacuuming equipment shall be set back at least 50 feet from any adjacent residential uses.

iii. Design of the drive lanes and stacking spaces shall demonstrate integration with the site, screening, and coordination with pedestrian movement along sidewalks and through areas intended for public use, architectural compatibility with the principal structure, and shall demonstrate how the drive lanes and stacking spaces will not be a negative impact on the pedestrian environment or the overall development.

(c) Off-Street Parking Requirement

1 space per 200 square feet of ~~[convenience store/food sales area]~~gross floor area plus ~~[1-space]~~0.5 spaces service bay and vehicle stacking spaces required by Section 19.7.4.H.

(d) Off-Street Loading Group

Group One (Section 19.7.4.D)

COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
		A	C	C	A	C	C					

(a) Definition

Auction of automobiles, motorcycles, trucks, construction or agricultural equipment, recreational vehicles, boats, and similar equipment, including incidental storage and incidental maintenance.

(b) Standards

(1) CC and CA Districts

Vehicle auctions may only be permitted as an accessory use to vehicle/equipment sales establishments.

(2) IL and IG Districts

All outdoor storage shall be screened from public view. Screening shall consist of an opaque wall or fence with a minimum height of at least eight feet, constructed in accordance with the standards in Section 19.7.5.K, *Fences and Walls*. Except for operational recreational and construction vehicles, stored materials and equipment shall not exceed the height of the screening fence or wall.

(c) Off-Street Parking Requirement

Schedule "B" (Section 19.7.4.C.2)

(d) Off-Street Loading Group

None.

10. Vehicle Dispatch

RESIDENTIAL											PUBLIC		
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP	
COMMERCIAL						INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR		
S	S	S	S	S	S	S	S	S	C	C	C		

(a) Definition

An area or facility used for the dispatching of vehicles with the incidental storage of dispatch vehicles only.

(b) Standards

(1) No more than 2 dispatch vehicles may be stationed on-site in commercial or mixed-use districts. To station more than 2 dispatch vehicles requires approval of a Conditional Use Permit.

(2) In all districts, the screening or indoor storage of dispatch vehicles stationed on-site may be required as part of a Conditional Use Permit.

(c) Off-Street Parking Requirement

One space per employee, plus one space for each vehicle that is stationed at the facility.

(d) Off-Street Loading Group

Group One (Section 19.7.4.D)

11. Vehicle/Equipment Rental

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
	A	C	C	A	P	C	C		C		A	

(a) Definition

Rental of automobiles, motorcycles, trucks, construction or agricultural equipment, recreational vehicles, boats, and similar equipment, including incidental storage and incidental maintenance.

(b) Standards

(1) All Districts

- i. All outdoor storage shall be screened from public view. Screening shall consist of an opaque wall or fence with a minimum height of at least eight feet, constructed in accordance with the standards in Section 19.7.5.K, *Fences and Walls*. Except for operational recreational and construction vehicles, stored materials and equipment shall not exceed the height of the screening fence or wall.
- ii. Required customer parking spaces shall not be used for vehicle/equipment rental display.

(2) CO, CT, and MR Districts

Freestanding vehicle/equipment rental uses are prohibited. Automobile and motorcycle rental uses may only be permitted as an accessory use to a hotel, motel, or parking structure.

(3) CC, CH, and MC Districts

The use is limited to the rental of automobiles and motorcycles only.

(c) Off-Street Parking Requirement

- (1)** Automobile and truck rental uses: 1 space per 400 square feet plus 1 space for each rental vehicle.
- (2)** All other rental uses: 1 space per 400 square feet plus 1 space per 500 square feet of outdoor display area.

(d) Off-Street Loading Group

Group One (Section 19.7.4.D)

12. Vehicle/ Equipment Repair

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
		C	S		S	S	S		C		C	

(a) Definition

Repair of automobiles, trucks, motorcycles, recreational vehicles or boats, including the sale, installation, and servicing of related equipment and parts. This use type includes auto repair shops, body and fender shops, vehicle upholstery shops, wheel and brake shops, and tire sales and installation, but does not include vehicle dismantling or salvage and tire retreading or recapping.

(b) Standards

(1) All Districts

- i. The location of display racks and vending machines shall be specified on the site plan as part of the entitlement review process.
- ii. Only one display rack of automobile products is allowed per street frontage, and such rack shall be no more than four feet wide and located within three feet of the principal building.
- iii. Storage of unlicensed or inoperable vehicles shall be prohibited.
- iv. Site Layout:
 1. Site layout shall include screening and buffering to help avoid adverse impacts on properties in the surrounding area.
 2. Openings to the service bays shall not face public rights-of-way and shall be designed to minimize their visibility from adjoining

residential or lower-intensity zoned properties, as determined through the conditional use permit or design review application.

(2) CC and MC Districts

Body and fender shops are prohibited.

(3) CH and CA Districts

Body and fender shops shall obtain a conditional use permit.

(4) MC District

i. When located along Boulder Highway, bays may not face the public right-of-way unless there is an intervening building between the proposed use and the public right-of-way.

ii. Design of the drive-through facilities (including the drive lanes and stacking spaces) shall demonstrate integration, screening, coordination with pedestrian movement along sidewalks and through areas intended for public use, architectural compatibility with the principal structure, and demonstrate how the drive through will not be a negative impact on the overall development.

(5) MR District

i. Body and fender shops are prohibited.

ii. No building, structure, canopy, gasoline pump, or storage tank shall be located within 300 feet of a residential zoning district, unless otherwise approved through a conditional use permit.

iii. The following activities and equipment are permitted only within an enclosed building:

1. Lubrication equipment;

2. Motor vehicle washing equipment;

3. Hydraulic hoists and pits; and

4. Tire repair and installation.

iv. Bays shall not face a local, collector, or arterial street, but may face an alley or rear lot line.

(c) Off-Street Parking Requirement

See Schedule "B" (Section 19.7.4.C.2) plus vehicle stacking spaces required by Section 19.7.4.H.

(d) Off-Street Loading Group

Group One (Section 19.7.4.D)

13. Vehicle Sales

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
		C	C	C	S	C	C		S		S	

(a) Definition

Sales of automobiles, motorcycles, trucks, or recreational vehicles, including incidental storage and incidental maintenance.

(b) Standards

(1) All Districts

Establishments engaged in the retail sale of used vehicles shall include at least one area for the display of vehicles for sale. The Community Development and Services Director may limit this area to one vehicle based on site conditions and the proposed use's ability to comply with the standards in this Code.

(2) Commercial Districts

i. New car sales are prohibited in all commercial districts except the CA district.

ii. All such uses in the CA district shall comply with all District Specific Standards for the CA District. See Section 19.7.7.F.

iii. In all commercial districts except the CO and CN districts, sale of used vehicles may be permitted with a conditional use permit, subject to the following standards:

1. Vehicle display and sales occurring outdoors shall be located on a site with a minimum size of 200,000 square feet, or all vehicle display and sales shall take place within an enclosed structure;
2. Required customer parking spaces shall not be used for vehicle display;
3. Vehicle display shall not be located within required landscaping areas;
4. Exterior lighting shall be configured and shielded so as to not pose a safety hazard, shine directly onto residential land, or otherwise negatively impact surrounding uses;
5. A master sign plan shall be required, and banners, balloons, pennants, festoons, rooftop signs, or displays shall be prohibited; and
6. Materials, supplies, and equipment associated with operation of the use (including delivery trucks) shall be enclosed within a building or screened from all views from adjacent streets.

iv. IL and IG Districts

Sales of vehicles on lots in the IL and IG districts shall be limited to the following:

1. Used vehicle sales made between licensed dealers with no sales made directly to the general public;

2. Used vehicle sales as an accessory to an automobile dismantling/wrecking use;
3. Used vehicle sales as an accessory to an automobile salvage or towing use; and
4. Sales of classic, custom, and antique vehicles provided vehicles are displayed and stored indoors.

v. MC and MR Districts

The use is limited to the sale of motorcycles or similar small vehicles. All storage, display, and sales shall be contained within an enclosed building.

(c) Off-Street Parking Requirement

1 space per ~~[400]~~500 square feet plus 1 space per ~~[500-square feet-of-outdoor display area.]~~25 vehicle display spaces provided.

(d) Off-Street Loading Group

Group One (Section 19.7.4.D)

14. Equipment Sales

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
		C	C			C	C					

(a) Definition

Sales of all-terrain vehicles, boats, construction or agricultural equipment, and similar equipment, including incidental storage and incidental maintenance.

(b) Standards

- (1) CC, CH, IL, and IG Districts

- i. Establishments engaged in the retail sale of equipment shall include at least one area for the display of equipment for sale. The Community Development and Services Director may limit this area to one vehicle based on site conditions and the proposed use's ability to comply with the standards in this Code.
- ii. Sale of equipment may be permitted with a conditional use permit, subject to the following standards:
 - 1. Equipment display and sales occurring outdoors shall be located on a site with a minimum size of 200,000 square feet, or all equipment display shall take place within an enclosed structure;
 - 2. Required customer parking spaces shall not be used for equipment display;
 - 3. Equipment display shall not be located within required landscaping areas;
 - 4. Exterior lighting shall be configured and shielded so as to not pose a safety hazard, shine directly onto residential land, or otherwise negatively impact surrounding uses;
 - 5. A master sign plan shall be required, and banners, balloons, pennants, festoons, rooftop signs, or displays shall be prohibited; and
 - 6. Materials, supplies, and equipment associated with operation of the use (including delivery trucks) shall be enclosed within a building or screened from all views from adjacent streets.

(c) Off-Street Parking Requirement

1 space per 400 square feet plus 1 space per 500 square feet of outdoor display area.

(d) Off-Street Loading Group

15. Vehicle Storage

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
		S	C		S	C	C					

(a) Definition

Storage of parking tow-aways, impound yards, and storage lots for automobiles, trucks, buses, and recreational vehicles.

(b) Standards

(1) CC and CA Districts

Vehicular storage may only be permitted as an accessory use to vehicular sales establishments.

(2) CH District

Recreational vehicle storage is limited to lots in the CH district, and shall comply with the following standards:

- i. Recreational vehicle storage uses shall obtain a conditional use permit; and
- ii. Recreational vehicle storage shall take place within an enclosed structure, or screened from all offsite views by a solid, decorative, masonry wall of at least eight feet in height.

(3) IL and IG Districts

All outdoor storage shall be screened from public view. Screening shall consist of an opaque wall or fence with a minimum height of at least eight feet, constructed in accordance with the standards in Section 19.7.5.K, *Fences and Walls*. Except for operational recreational and construction vehicles, stored materials and equipment shall not exceed the height of the screening fence or wall.

(c) Off-Street Parking Requirement

Schedule "B" (Section 19.7.4.C.2)

(d) Off-Street Loading Group

None.

JJ. VISITOR ACCOMMODATION

1. Hotel/Motel

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL					INDUSTRIAL				MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
	C	P	P						P		P	

(a) Definition

(1) "Hotel" means every building or other structure kept, maintained, advertised, or held out to the public to be a place where sleeping accommodations are offered at daily rates to transient guests on a less-than-weekly basis. Hotels must have a minimum of 90 rooms used for sleeping accommodations in a single or connected structure where access to the sleeping rooms is through a foyer and hallways. A hotel may also contain a restaurant and personal-service shops.

(2) "Motel" means every building or other structure kept, maintained, advertised, or held out to the public to be a place that provides five or more rooms as sleeping accommodations offered at a daily rate to transient guests on a less-than-weekly basis where access to the rooms used for sleeping accommodations in a single or connected structure is through a foyer and enclosed hallways. A motel may also contain incidental food service.

(3) This use category does not include bed-and-breakfast, residential hotel/motel uses, or hostel facilities.

(b) Standards

(1) All Districts

Any use that includes live entertainment shall comply with the standards for live entertainment uses in Section 19.5.5.A.2, *Live Entertainment*.

(2) CT District

Hotels and motels may be up to 100 feet in height, and may exceed 100 feet in height if approved through a conditional use permit, provided minimum setbacks abutting residential zoning districts or lots occupied by residential uses be increased by at least one foot for each one foot increase in height above 100 feet.

(c) Off-Street Parking Requirement

Nonresidential districts: 0.75 space per guest room.

(d) Off-Street Loading Group

Group One (Section 19.7.4.D)

2. Resort Hotel

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
				C					C		C	

(a) Definition

(1) A building or group of buildings kept, used, maintained, advertised, and held out to the public to be a hotel or motel where sleeping accommodations are offered to transient guests, in which more than 200 rooms are used for sleeping accommodations, and the premises on which the building or group of buildings are located are a minimum of 25 acres

or more, and that has a minimum of the following amenities, all of which are directly connected to the building or group of buildings upon the premises.

- i. One main bar with more than 30 permanent seats wherein alcoholic liquors are dispensed by the drink to customers at such bar;
- ii. One service bar wherein alcoholic liquors are prepared for service only at tables and not direct to customers at such bar;
- iii. Entertainment that includes at least one of the following:
 1. One facility with at least 25 seats wherein live entertainment is provided by at least one professional entertainer (musician or variety artist) on a regularly scheduled basis; or
 2. One facility with at least 300 seats wherein live entertainment is provided by at least one professional entertainer (musician or variety artists) on a semi-regular basis (at least six times per year).
- iv. One restaurant open for service to the public 24 hours per day, seven days per week, which is used, kept, maintained, advertised or held out to the public to be a place where meals are served and that has a seating capacity of more than 60 persons at one time at tables;
- v. Room service to all rooms including, without limitation, service of meals;
- vi. A recreational facility that includes at least one of the following:
 1. Four regulation tennis courts with locker rooms and attendant facilities;

2. One swimming pool that is swimmable and adequate in relationship to the size of the resort hotel as approved by the City Council;
3. One regular golf course consisting of at least nine holes comprising at least 50 acres;
4. One gymnasium with dimensions of at least 40 feet in width, 60 feet in length, and 20 feet in height and equipped with exercise equipment.

(2) When determining whether a particular applicant complies with the resort hotel definition, the City Council may consider: (1) the physical layout of buildings and facilities, (2) the unity of title and ownership of the buildings or group of buildings, (3) the operation and management relationship of gaming to hotel administration, and (4) the proximity of the proposed resort hotel to residential development.

(3) When determining whether a particular applicant complies with the requirement of the resort hotel definition that the premises on which the building or group of buildings are located are a minimum of 25 acres or more, the City Council may exempt from this requirement those premises within a master-planned development provided that all other requirements of the resort hotel definition shall continue to apply to the particular applicant.

(b) Standards

Resort hotels shall comply with all applicable standards in Title 4.32 of the HMC and this Code.

(c) Off-Street Parking Requirement

Schedule "C" (Section 19.7.4.C.3)

(d) Off-Street Loading Group

Group One (Section 19.7.4.D)

3. Time-Share Project

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
				C					C		C	

(a) Definition

A project or building in which a purchaser receives the right, for a specified duration, to the recurrent, exclusive use or occupancy of a lot, parcel, unit, room, or segment of real property. This right of use or occupancy may be annually or on some other seasonal or periodic basis. This use type may include time-share estates, interval ownership establishments, vacation licenses or leases, club membership, time-share uses, and hotel/condominium structures operating on a time-share basis.

(b) Standards

(1) CT District

- i. Time-shares may be up to 100 feet in height, and may exceed 100 feet in height if approved through a conditional use permit, provided minimum setbacks abutting residential zoning districts or lots occupied by residential uses are increased by at least one foot for each one-foot increase in height above 100 feet.
- ii. Such uses are allowed only as part of a mixed-use project, shall obtain a conditional use permit, and shall comply with the following standards:
 - 1. All time-share units must be affiliated with and located within a resort complex containing at least one hotel with 200 rooms or more;
 - 2. No time-share unit shall serve as a primary residence;

3. Conversion of one or more individual time-share units to permanent residential use is prohibited unless all time-share units are being converted and the project complies with all the use-specific standards for multifamily development.

(2) MC and MR Districts

- i. No time-share unit shall serve as a primary residence.
- ii. Conversion of one or more individual time-share units to permanent residential use is prohibited unless all time-share units are being converted and the project complies with all the use-specific standards for multifamily development.

(c) Off-Street Parking Requirement

~~[1 space for each time-share unit plus 10 spaces for each 1,000 square feet of accessory uses.]~~ 1 space per guestroom up to 500 plus 1 space per 2 guestrooms over 500 up to 1,000 plus 1 space per 4 guestrooms over 1,000.

(d) Off-Street Loading Group

None.

KK. WEDDING CHAPEL

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL						INDUSTRIAL			MIXED-USE			
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
		P	P	P					P	C	P	

1. Definition

Establishments performing marriage or wedding services for a fee. This use type does not include religious assembly uses.

2. **Off-Street Parking Requirement**

Nonresidential districts: 1 space per 60 square feet of seating area.

3. **Off-Street Loading Group**

Group One (Section 19.7.4.D)

LL. WINERY

RESIDENTIAL											PUBLIC	
RS-1	RS-2	RS-4	RS-6	RS-8	RM-10	RM-16	RH-24	RH-36	RMH	DH	PS	DP
COMMERCIAL					INDUSTRIAL			MIXED-USE				
CN	CO	CC	CH	CT	CA	IL	IG	IP	MC	MN	MR	
				C		C	C	C			C	

1. **Definition**

An establishment that produces, bottles, blends, or ages wine, or that imports wine or juice from a winery located in another state to be fermented into wine. A winery may also include a tasting room and retail outlet as secondary uses within the winery, subject to standards set forth in NRS 597.240.

2. **Standards**

(a) **All Districts**

- (1) Any proposed alcohol or liquor use shall comply with Section 19.5.5.A.1, *Distance Limitations for Alcohol and Liquor Uses*, and all Title 4 requirements for the subject use.
- (2) A winery may provide accessory outdoor food service and seating areas, including tables and chairs, for the use of its customers, provided it complies with the standards for such accessory uses in Section 19.5.7.D.8.
- (3) Any use that includes live entertainment shall comply with the standards for live entertainment uses in Section

19.5.5.A, *General Standards for Alcohol and Liquor Uses and Live Entertainment.*

- (4) No more than twenty percent of the overall winery square footage may be allocated to a tasting room and/or retail outlet.

3. Off-Street Parking Requirement

(a) Nonresidential districts:

- (1) 1 space per every 100 square feet of indoor and outdoor customer service area.
- (2) 1 space per every 500 square feet of manufacturing or warehouse space.

4. Off-Street Loading Group

Group One (Section 19.7.4.D)

19.5 Use Regulations

Use	Current Off-Street Parking Requirement	Updated Off-Street Parking Requirement
Dwelling, Mansion Apartment	1.5 parking spaces per unit.	[1.5] <u>1.25</u> parking spaces per unit.
Dwelling, Multifamily	i. 1.5 spaces per 1-bedroom unit ii. 2 spaces per 2-bedroom unit iii. 2.5 spaces per 3-bedroom unit iv. 3 spaces per 4-bedroom unit v. Plus additional 0.25 space per unit for guest parking	i. 1.5 spaces per 1-bedroom unit ii. 2 spaces per 2-bedroom unit <u>and above</u> iii. 2.5 spaces per 3-bedroom unit iv. 3 spaces per 4-bedroom unit v. Plus additional 0.25 space per unit for guest parking
Senior Apartments and Condominiums	1 space per unit plus a minimum of 1 space per 50 square feet of assembly area.	[1] <u>0.75</u> spaces per unit [plus a minimum of 1 space per 50 square feet of assembly area.]
Facility for Transitional Living for Released Offenders	In addition to the required residential parking standard, off-street parking shall be provided on the basis of at least 1 space per 2 residents.	[In addition to the required residential parking standard, off-street parking shall be provided on the basis of at least 1 space per 2 residents.] <u>2 per unit plus 1 space per 4 residents</u>
Mobile Home Park or Subdivision	1 space per dwelling unit, plus 0.5 guest space per unit, within each park or subdivision.	1 space per dwelling unit, plus <u>0.25</u> guest space per unit, within each park or subdivision.
Day Care Facility	A minimum of 1 space per 6-person capacity, including staff, is required based on maximum allowable capacity under state regulations and the Building Code. Adequate drop-off and pick-up lanes and areas must be provided.	[A minimum of 1 space per 6-person capacity, including staff, is required based on maximum allowable capacity under state regulations and the Building Code.] <u>1 space per 500 square feet.</u> Adequate drop-off and pick-up lanes and areas must be provided.

19.5 Use Regulations

Use	Current Off-Street Parking Requirement	Updated Off-Street Parking Requirement
Group Child Care	A minimum of 1 space per 6-person capacity, including staff, is required based on maximum allowable capacity under state regulations and the Building Code. Adequate drop-off and pick-up lanes and areas must be provided.	[A minimum of 1 space per 6-person capacity, including staff, is required based on maximum allowable capacity under state regulations and the Building Code.] <u>1 space per 500 square feet.</u> Adequate drop-off and pick-up lanes and areas must be provided.
Congregate Housing	0.7 space per bed or dwelling unit.	0. [7] <u>5</u> spaces per [bed or] dwelling unit.
Continuing Care Retirement Community	1 space per bed or dwelling unit, or alternate amount as approved through a parking study conducted by a certified professional engineer.	[1] spaces per [bed or] dwelling unit, or alternate amount as approved through a parking study conducted by a certified professional engineer.
Assisted Living Facility	0.7 space per bed or dwelling unit.	0. [7] <u>5</u> spaces per [bed or] dwelling unit.
Group Living - General	Residential and nonresidential districts: 1 space per bed or dwelling unit.	Residential and nonresidential districts: [1 space per bed or dwelling unit.] <u>0.5 spaces per room or 200 square feet of gross floor area, whichever is greater.</u>
Religious Assembly	All Districts: 1 space per 50 square feet of seating/assembly area.	All Districts: [1 space per 50 square feet of seating/assembly area.] <u>Whichever is greater between (those that apply): 1 space per 4.5 affixed seats plus 1 space per 50 square feet of assembly area with non-fixed seats or; 1 space per 50 square feet of assembly area with non-fixed seats or; 1 space per 100 square feet of gross floor area.</u>

19.5 Use Regulations

Use	Current Off-Street Parking Requirement	Updated Off-Street Parking Requirement
School, Public or Private	<p>(a) Elementary and middle schools: 1 space per teacher/employee plus all required drop-off/pick-up spaces in accordance with Section 19.7.4.K.10.</p> <p>(b) High schools: 1 space per teacher/employee plus 1 space per 5 students plus all required drop-off/pick-up spaces in accordance with Section 19.7.4.K.10.</p> <p>(c) Colleges and universities: 1 space per 2 employees plus 1 space per 3 students based on maximum enrollment.</p>	<p>(a) Elementary and middle schools: {1 space per teacher/employee} <u>2 spaces per classroom</u> plus all required drop-off/pick-up spaces in accordance with Section 19.7.4.K.10.</p> <p>(b) High schools: 1 space per teacher/employee plus {1 space per 5 students} <u>8 spaces per classroom plus 1 space per 250 square feet of administrative office space</u> plus all required drop-off/pick-up spaces in accordance with Section 19.7.4.K.10.</p> <p>(c) Colleges and universities: 1 space per 2 employees plus 1 space per 3 students based on maximum enrollment.</p>
School, Business, Trade or Vocational	All Districts: 1 space for each staff member, plus 1 space for every 2 students in class when the school is at maximum capacity.	All Districts: {1 space for each staff member, plus 1 space for every 2 students in class when the school is at maximum capacity.} <u>1 space per 500 square feet of classroom area plus 1 space per 250 square feet of administrative office space.</u>
Animal Retail Sales	All Districts: 1 space per 250 square feet.	All Districts: 1 space per {250} <u>500</u> square feet.
Brew Pub/Microbrewery/Craft Distillery	Nonresidential districts: 1 space per every 100 square feet of indoor and outdoor customer service area.	Nonresidential districts: 1 space per every {100} <u>75</u> square feet of indoor and outdoor customer service area.
Building Materials and Service	1 space per 400 square feet plus 1 space per 1,000 square feet of outdoor storage/display area.	1 space per {400} <u>500</u> square feet plus 1 space per {1,000} <u>2,500</u> square feet of outdoor storage/display area.

19.5 Use Regulations

Use	Current Off-Street Parking Requirement	Updated Off-Street Parking Requirement
Catering Service	1 space per 400 square feet.	1 space per 400 500 square feet.
Eating and Drinking Establishment with Drive-Through Services	Nonresidential districts: 1 space per 75 square feet of indoor and outdoor customer service area plus vehicle stacking spaces required by Section 19.7.4.H.	Nonresidential districts: 1 space per 75 100 square feet of indoor and outdoor customer service area plus vehicle stacking spaces required by Section 19.7.4.H.
Financial Institution – General	Nonresidential districts: 1 space per 300 square feet.	Nonresidential districts: 1 space per 300 250 square feet.
Financial Institutions with Drive-Through Service	Nonresidential districts: 1 space per 300 square feet plus required vehicle stacking spaces (Section 19.7.4.H)	Nonresidential districts: 1 space per 300 250 square feet plus required vehicle stacking spaces (Section 19.7.4.H)
Check-Cashing, Deferred-Deposit Service, and/or Vehicle Title Loan Facility	Nonresidential districts: 1 space per 300 square feet.	Nonresidential districts: 1 space per 300 250 square feet.
Nonrestricted Gaming	Nonresidential districts: 1 space per 30 square feet of gaming and seating area. Also, additional parking shall be provided for all accessory, non-gaming uses within the nonrestricted gaming establishment (such as bowling alleys, convention spaces, and movie theaters) at the minimum ratios established in this chapter.	Nonresidential districts: 1 space per 30 square feet of gaming and seating area. Also, additional parking shall be provided for all accessory, non-gaming uses within the nonrestricted gaming establishment (such as bowling alleys, convention spaces, and movie theaters) at the minimum ratios established in this chapter. <u>Schedule "C" (Section 19.7.4.C.3).</u>

19.5 Use Regulations

Use	Current Off-Street Parking Requirement	Updated Off-Street Parking Requirement
Mini-Storage Facility	<p>(a) 1 space per 100 lockers/units on the inside of fenced area and at least five spaces outside the fenced area.</p> <p>(b) Must include one covered parking space for exclusive use by each resident manager quarters.</p>	<p>(a) [1 space per 100 lockers/units on the inside of fenced area and at least five spaces outside the fenced area.] <u>5 spaces on the exterior side of the security fence for customers. If truck or trailer rental is conducted as an accessory use, one space for each rental vehicle shall be provided in addition to the number required.</u></p> <p>(b) Must include one covered parking space for exclusive use by each resident manager quarters.</p>
Dry-Cleaning Agency	Nonresidential districts: 1 space per 250 square feet.	Nonresidential districts: 1 space per [250] <u>500</u> square feet.
Convenience Market	Residential and nonresidential districts: 1 space per 200 square feet of convenience store/food sales area plus any vehicle stacking spaces required by Section 19.7.4.H.	Residential and nonresidential districts: 1 space per [200 square feet of convenience store/food sales area] <u>250 square feet of gross floor area</u> plus any vehicle stacking spaces required by Section 19.7.4.H.
Pharmacy	Nonresidential districts: 1 space per 250 square feet.	Nonresidential districts: 1 space per [250] <u>400</u> square feet.
Pharmacy with Drive-Through Service	1 space per 250 square feet plus stacking spaces per Section 19.7.4.H.	1 space per [250] <u>400</u> square feet plus stacking spaces per Section 19.7.4.H.

19.5 Use Regulations

Use	Current Off-Street Parking Requirement	Updated Off-Street Parking Requirement
Printing Service	Nonresidential districts: 1 space per 250 square feet.	Nonresidential districts: 1 space per [250] <u>400</u> square feet.
Rental Service	Nonresidential districts: 1 space per 250 square feet.	Nonresidential districts: 1 space per [250] <u>400</u> square feet.
Car Wash Attended	1 space per 200 square feet of sales, office, or lounge area plus vehicle stacking spaces required by Section 19.7.4.H.	[1 space per 200 square feet of sales, office, or lounge area] <u>2 spaces plus 1 per employee</u> plus vehicle stacking spaces required by Section 19.7.4.H.
Car Wash, Unattended	1 space per 200 square feet of sales, office, or lounge area plus vehicle stacking spaces required by Section 19.7.4.H.	[1 space per 200 square feet of sales, office, or lounge area] <u>2</u> plus vehicle stacking spaces required by Section 19.7.4.H.
Service Station	1 space per 200 square feet of convenience store/food sales area plus 1 space service bay and vehicle stacking spaces required by Section 19.7.4.H.	1 space per 200 square feet of [convenience store/food sales area] <u>gross floor area</u> plus [1 space] <u>0.5 spaces</u> service bay and vehicle stacking spaces required by Section 19.7.4.H.
Vehicle Sales	1 space per 400 square feet plus 1 space per 500 square feet of outdoor display area.	1 space per [400] <u>500</u> square feet plus 1 space per [500 square feet of outdoor display area.] <u>25 vehicle display spaces provided.</u>

19.5 Use Regulations

Use	Current Off-Street Parking Requirement	Updated Off-Street Parking Requirement
Time-Share Project	1 space for each time-share unit plus 10 spaces for each 1,000 square feet of accessory uses.	[1 space for each time share unit plus 10 spaces for each 1,000 square feet of accessory uses.] <u>1 space per questroom up to 500 plus 1 space per 2 questrooms over 500 up to 1,000 plus 1 space per 4 questrooms over 1,000.</u>