

# COYOTE SPRINGS



Lincoln County, Nevada

**Planned Unit Development Code**

November, 2004

**CHAPTER ONE**  
General

**Summary:** An ordinance creating Title 15 of the Lincoln County Code establishing the Coyote Springs Planned Unit Development Code for the regulation and maintenance of planning and zoning within the Coyote Springs Planning Area.

BILL NO. 2004-\_\_

ORDINANCE NO. 2004-04

AN ORDINANCE CREATING TITLE 15 OF THE LINCOLN COUNTY CODE ESTABLISHING THE COYOTE SPRINGS PLANNED UNIT DEVELOPMENT CODE FOR THE REGULATION AND MAINTENANCE OF PLANNING AND ZONING WITHIN THE COYOTE SPRINGS PLANNING AREA AS AUTHORIZED UNDER NRS CH. 278 AND NRS CH. 278A, AND OTHER MATTERS PROPERLY RELATED THERETO

**WHEREAS**, the legislature has enacted NRS ch. 278A for the use of cities and counties in adopting necessary ordinances related to land development and use;

**WHEREAS**, Lincoln County finds it necessary to further the public health, safety, morals and general welfare in an era of increasing urbanization and of growing demand for housing of all types and design within the Coyote Springs Valley;

**WHEREAS**, it is necessary to develop commercial and industrial facilities conveniently located to that Coyote Springs Valley housing;

**WHEREAS**, Lincoln County recognizes the necessity to encourage the efficient use of land within the Coyote Springs Valley;

**WHEREAS**, the Commissioners desire to reflect changes in the technology of land development so that resulting economies may be made available to those who need homes within the Coyote Springs Valley;

**WHEREAS**, to insure that increased flexibility of substantive regulations over land development authorized in NRS 278A be administered in such a way as to encourage the disposition of proposals for Coyote Springs Valley land development be made without undue delay.

**THE BOARD OF COUNTY COMMISSIONERS OF THE  
COUNTY OF LINCOLN DO ORDAIN:**

**Title 15**

**COYOTE SPRINGS PLANNED UNIT DEVELOPMENT CODE**

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**CHAPTER 1**

**GENERAL**

**SECTION**

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**15-1-01: TITLE**

This Title shall be known as the Coyote Springs Planned Unit Development Code (CSPUDC) and is adopted under the authority of Chapter 278 (Planning and Zoning) and Chapter 278A (Planned Development) of the Nevada Revised Statutes and all amendatory and supplementary acts, and shall include any future amendments. If the provisions of this Title are in conflict with the Nevada Revised Statutes, Nevada Revised Statutes will prevail.

**15-1-02: PURPOSE**

The purpose of the Coyote Springs Planned Unit Development Ordinance Code is to:

- A. Enhance and protect public health, safety and general welfare as the Coyote Springs Planning Area is developed;
- B. Encourage innovations in residential, commercial and industrial development through a village development process providing opportunities for housing, recreation, shopping, and employment opportunities for Lincoln County residents;
- C. Encourage conservation of natural resources and protection of air quality;
- D. Provide for the harmonious development of uses, groupings of buildings, parking areas, traffic circulation, recreational facilities, and open spaces;
- E. Provide flexibility for the developer in response to community and market needs as the planning area is fully developed in phases over a number of years;
- F. Establish that the Coyote Springs Planning Area is to be developed as a single entity for one or more planned unit residential developments, one or more public, quasi-

public, commercial or industrial areas, or both is to be developed as a “Planned Unit Development” under the under the Planned Unit Development provisions of Nevada Revised Statutes Chapter 278A;

- G. Establish a Planned Village Zoning District (PVD) for the Planning Area in accordance with Nevada Revised Statutes;
- H. Establish Land Use Zones allowed within the Planned Village Zoning District;
- I. Establish permitted uses within Land Use Zones;
- J. Establish minimum standards of development;
- K. Establish minimum standards of design;
- L. Establish Planned Unit Development tentative and final plan approval processes, and;
- M. Establish Planning and Zoning fees that are unique to the Coyote Springs Planning Area.

**15-1-03: Applicability**

This Title 15, “Coyote Springs Planned Unit Development Code”, is applicable only to all development and use of property in the “Coyote Springs Planning Area”. The “Coyote Springs Planning Area” includes only those lands in Lincoln County described below:

**A. Township 11 South, Range 63 East, (Lincoln County, Nevada):**

All of Sections 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 32, 33, 34, and 35; Section 13, the South Half (S 1/2); Section 36, the West Half (W 1/2); Sections 19, 30 and 31, all except those portions lying West of the Centerline of U.S. Highway 93.

**B. Township 12 South, Range 63 East, (Lincoln County, Nevada):**

All of Sections 2, 3, 4, 5, 8, 9, 10, 11, 14, 15, 16, 17, 20, 21, 22, 23, 25, 26, 27, 28, 33, 34, 35, and 36; Sections 1, 13, and 24, the West Half (W 1/2); Section 12, the West Half (W 1/2) of the West Half (W 1/2); Sections 6, 7, 18, 19, 29, 30 and 32, all except those portions lying West of the Centerline of U.S. Highway 93.

**15-1-04: Authority.**

The authority to enact and administer a Planned Unit Development Ordinance is provided to the County Commission by NRS 278, “Planning and Zoning” and NRS 278A, “Planned Unit Development Law”.

**15-1-05: Summary of Authority.**

The County Bodies, Officials and Administrator listed below, in order from the entity with the most authority, have the responsibility for implementing and administering this Title in cooperation with all listed authorities and other governmental entities:

A. Responsibilities of the Board of County Commissioners (“Board”).

1. Approve, conditionally approve, or deny tentative and final PUD plans.
2. Approve, conditionally approve, or deny applications for subsequent limited land use zone approval.
3. Approve, conditionally approve, or deny any special use application within any land use zone.
4. Hear appeals of decisions made by the Planning Commission, or Administrator regarding any application for which they may have final authority to act.
5. Take any other action not delegated to other bodies or the Administrator that may be desirable and necessary.

B. Responsibilities of the Planning Commission (“Commission”).

1. Make recommendations to the Board concerning the approval or denial of any tentative or final PUD plan.
2. Make recommendations to the Board concerning the approval or denial of any application for subsequent limited land use zone approval.
3. Make recommendations to the Board concerning the approval or denial of any special use application within any land use zone.

C. Responsibilities of the District Attorney.

1. Provide legal advice concerning this Title to County Officials and the Administrator.
2. Represent Lincoln County in the prosecution of any action necessary to enforce the provisions of this Title.
3. Ensure compliance with Nevada Open Meeting Law in the administration of this Title.

D. Responsibilities of the Sheriff.

1. Enforce this Title as requested by the Board or Administrator.
- E. Responsibilities of the County Recorder.
1. Record all maps and required documents presented for recording.
  2. Enforce this Title with respect to the recording of documents.
- F. Responsibilities of the “Administrator” for planning, zoning, code enforcement, and building functions.
1. Administer this Title, including the acceptance, review and processing of tentative and final PUD plans, applications for subsequent limited land use zone approvals, land use applications, the maintenance of all records in compliance with Nevada Open Meeting Law, and rendering interpretations of the provisions of this Title in cooperation with other government entities.
  2. The Administrator has sole responsibility for administering the reviews and/or approvals of the following:
    - a. Review and approve or reject plans, technical studies and cost estimates for on-site improvements, that are not a responsibility of the District or Fire District, within 30 working days of complete application submittal and in conformance with this Title.
    - b. Approve or reject the amount of bonds or cash deposits related to construction and installation of required on-site facilities and improvements, which are not a responsibility of the District or Fire District, within 15 working days of submittal.
    - c. Claim bonds on defaulted on-site projects, which are not a responsibility of the District or Fire District, and deposit funds with the County Treasurer.
    - d. Prepare and have executed License and Maintenance Agreements for on-site improvements that may be established by this Title.
    - e. Issue building permits or provide notice to applicant as to why a building permit will not be issued within thirty working days of receiving complete submittals from the applicant. When plans submitted by the applicant require correction, the thirty (30) working day period for permit issuance shall be extended ten (10) working days, plus the number of working days required for the applicant to resubmit the corrected plans.
    - f. Issue certificates of occupancy (“COO”) or provide notice as to why a

COO will not be issued within seven (7) working days of construction completion or change of use notification and request for COO inspection by the owner, builder or occupant. The request for COO inspection shall include a letter from the General Improvement District (GID) indicating that the GID has accepted all offered easements or right-of-ways and required improvements, if any. When the building construction is found to be deficient for the intended use during the COO inspection, the seven (7) working day period for COO inspection shall be extended seven (7) working days, plus the number of working days occurring before the owner, builder or occupant notifies the Administrator that all deficiencies have been corrected and requests a COO re-inspection.

- g. Interpret the provisions related to accessible on-site parking, within fifteen (15) working days of receiving a request for interpretation.
  - h. Approve, conditionally approve, or deny conditional and temporary use permit applications, within fifteen (15) working days of receiving a permit request submittal.
  - i. Administer specifications and procedures relating to this Title.
  - j. Grant or deny requests for deviations from the requirements for land use established within an approved final PUD plan in accordance with Section 15-5-04.
  - k. Approve or deny requests for temporary and conditional use permits
2. In consultation and co-operation with affected elected officials, and other governmental entities, formulate recommendations for all applications to be considered by the Commission or the Board. These applications include those for:
- a. Tentative and final PUD plans.
  - b. Limited land use zone approvals.
  - c. Special Uses.

G. Responsibilities of the County Surveyor.

Review and certify, in accordance with Nevada Revised Statutes (“NRS”), maps and documents submitted to the County by professional land surveyors for any development pursuant to this Title.

**15-1-06: Coyote Springs General Improvement District.**

The Coyote Springs General Improvement District (District) has been formed to provide certain infrastructure and services within the Planning Area. The District shall:

- A. Participate in all pre-submittal conferences for tentative PUD plans, and;
- B. Review tentative and final PUD plans and other land use applications, within twenty two (22) working days of receipt from the Administrator, for compliance with District Standards and Regulations related to the authorities listed below and shall cooperatively develop recommendations, with the Administrator, for submission to the Commission and Board for their consideration.
  - 1. Electric light and power.
  - 2. Extermination and abatement of mosquitoes, flies, other insects, rats and liver fluke or fasciola hepatica.
  - 3. Streets and alleys.
  - 4. Facilities for storm drainage or flood control.
  - 5. Sanitary facilities for sewerage.
  - 6. Facilities for lighting streets.
  - 7. Facilities for the collection and disposal of garbage and refuse.
  - 8. Recreation facilities.
  - 9. Facilities for water.
  - 10. Control and eradication of noxious weeds.
  - 11. Establishment of area or zone for preservation of endangered or threatened wildlife.

**15-1-07: Coyote Springs Fire District.**

The Coyote Springs Fire District (Fire District) has been formed to provide fire protection and emergency medical services within the Planning area. The Fire District shall:

- A. participate in all pre-submittal conferences for tentative PUD plans, and;
- B. review tentative and final PUD plans and other land use applications, within twenty two (22) working days of receipt from the Administrator, for compliance with Fire

District Standards and Regulations related to the authorities listed below and shall cooperatively develop recommendations, with the Administrator, for submission to the Commission and Board for their consideration.

1. Fire protection.
2. Emergency Medical Services.

**15-1-08: All Development to be in Compliance with Lincoln County Code.**

- A. No structure, use of any structure or land, and lot of record shall be established, enlarged, extended, altered, moved, divided or maintained except as authorized by and in compliance with the provisions of this Title or other applicable provisions of the Lincoln County Code.
- B. Following approval of all appropriate applications and maps, all proper licenses and permits are required, as indicated in the Lincoln County Code, in order to establish the use or structure. Nothing in this Title, including the approval of a tentative or final PUD plan or land use application, shall be interpreted to replace such requirements.

**15-1-09: Interpretation.**

- A. In their interpretation and application, the provisions of this Title shall be the minimum requirements, adopted for the promotion of the general prosperity, health, safety, and welfare.
- B. More restrictive standards, or the provision of amenities in excess of required minimum standards, shall be permitted when required by the District, Fire District or Master Owners Association.

**15-1-10: Conflicts with Other Regulations or Agreements.**

- A. This Title is not intended to interfere with, abrogate or annul any easements, covenants, platted setback lines or other agreements between parties.
- B. Where the requirements of this Title conflict with the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions or covenants, the most restrictive, or those imposing higher standards, to the extent permitted by law, shall govern.
- C. Where the requirements of any imposed condition conflicts with any governmental regulation or law, compliance with the condition is not required.

- D. Where the requirements of imposed conditions conflict with conditions imposed upon a tentative or final PUD plan or by a separate land use, any condition imposed or waived by the Board during a public hearing shall supercede the conflicting condition.
- E. The County is not obligated to enforce private agreements.

**15-1-11: Legal Effect.**

This Title is predicated upon, and may only be enforced consistent with, the Constitutions of the United States of America and the State of Nevada. No provision or ordinance shall be enforced or mandated which would violate the Constitution of the United States or the State of Nevada.

**15-1-12: Severability.**

Should any section, subsection, paragraph, clause, word or provision of this Title be declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of this Title as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

**15-1-13: Repeal of Pre-Existing Titles.**

Upon this Title taking effect after publication, as required by law, the previous Titles relating to subdivision, land development, public improvement standards and zoning, as well as all amendments thereto applying to the Coyote Springs Planning Area, are repealed only to the extent that they apply to the Coyote Springs Planning Area, provided that such repeal shall not affect the liability of any person for a violation of those Titles, or amendments thereto, or the right of the County to prosecute for such violation.

**15-1-14: Penalties.**

- A. Any person violating any provision of this Title is guilty of a misdemeanor and is subject to the applicable penalties as provided under NRS 193.150 (Punishment of Misdemeanors). Any act that is prohibited, or the failure to perform required acts, shall constitute a violation of this Title.
- B. Any person is guilty of a separate offense for each and every day during any portion of which any violation of this Title is committed or continued.

**15-1-15: Enforcement Procedure.**

If the property owner has submitted an appropriate land use application to legalize the use and/or structure, which is the subject of an enforcement proceeding, the Administrator may suspend enforcement pending consideration of the land use application by the Board.

**15-1-16: Abatement Proceedings.**

- A. Any use of property, or the establishment of a building or structure contrary to the provisions of this Title or in violation of any condition attached to the granting of any land use application is unlawful and a public nuisance.
- B. Upon discovery of such a violation, the Administrator may commence proceedings for the abatement thereof in accordance with the provisions of the Lincoln County Code, or may pursue other remedies as provided by law.

**15-1-17: Grounds for Revocation of Certain Land Use Applications.**

- A. Failure to abide by and faithfully comply with the provisions of this Title, with any other requirement of Lincoln County Codes, and/or any and all conditions attached to the granting of any land use application is unlawful and a public nuisance, and shall constitute grounds for the revocation of the same.
- B. Upon discovery of any such violation, the Administrator may commence proceedings for the revocation thereof in accordance with the provisions of the Lincoln County Code, or may pursue other remedies as provided by law.
- C. If the Board determines that there is sufficient cause to revoke the permit, a public hearing shall be scheduled before the Board, at which time the property owner or other interested party may show cause as to why the permit should or should not be revoked.
- D. The hearing shall be noticed in accordance with the requirements for the original application type. If the Board revokes the permit, it shall specify for the record the reasons for its action.

**15-1-18: Cumulative Remedies.**

All remedies provided herein shall be cumulative and not exclusive.

**15-1-19: Records.**

- A. All records submitted with any tentative or final PUD plan or land use application, or at any hearing for the same, shall become a part of the records of the Board or Commission and be maintained in accordance with the provisions of Chapter 239 (Public Records) of the Nevada Revised Statutes.
- B. Any document within these records can be examined and reproduced by any person.

**15-1-20: DEFINITIONS**

Definitions applicable to this Title may be found in Appendix B, "Definitions".

**CHAPTER TWO**  
Planned Village  
Development District

## CHAPTER 2

### PLANNED VILLAGE DEVELOPMENT DISTRICT (PVD)

#### SECTION

- 15-2-01: Establishment of Planned Village Development District Zone
- 15-2-02: Intent
- 15-2-03: PVD Land Use Plan
- 15-2-04: Land Use Plan Flexibility
- 15-2-05: Village Types
- 15-2-06: Land Use Zones
- 15-2-07: Uses Allowed within Land Use Zones

#### **15-2-01: Establishment of Planned Village Development District Zone.**

Through the adoption of this Title 15, a Planned Village Development District (PVD) zone is established and applied to all lands within the Coyote Springs Planning Area.

#### **15-2-02: Intent.**

The intent of the PVD District is to establish the density and intensity of uses, promote diversity and integration of uses and structures through flexible design standards, utilizing the planned unit development (PUD) process authorized by Nevada Revised Statutes 278A, that:

- A. Create new communities that are livable, diverse, and sustainable;
- B. Promote efficient and economic uses of land;
- C. Provide flexibility to meet changing needs, technologies, economics, and consumer preferences;
- D. Promote development patterns and land uses which reduce transportation needs and which conserve energy and natural resources;
- E. Lower development and building costs by permitting efficient networks of utilities, scaled streets, and the use of shared facilities;
- F. Protect and enhance natural resources;
- G. Provide more parks, open spaces and scenic areas, either commonly owned or publicly-owned, than would otherwise be provided under historical land development procedures; and

- H. Encourage a variety of compatible architectural styles, building forms, and building relationships within a planned unit development.

### **15-2-03: PVD LAND USE PLAN**

#### **A. Purpose of Villages.**

The PVD district is designed to recognize and allow for various types of villages as general patterns of Planned Unit Development within the Planning Area. Villages are broadly characterized as communities generally having a predominant land zone use, other compatible allowable uses and varied densities of uses within the village.

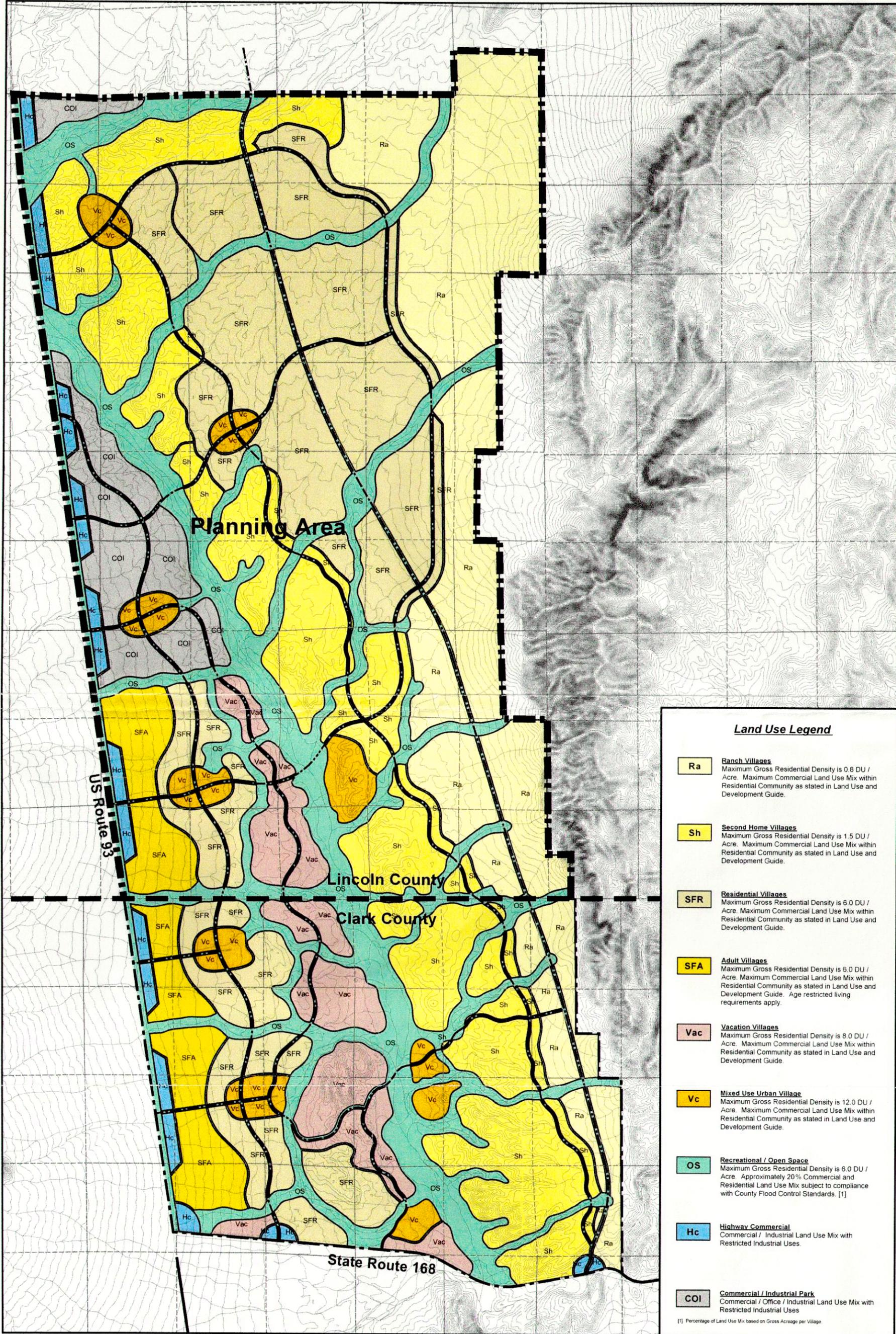
#### **B. PVD Zone Land Use Plan**

The development concept for Coyote Springs consists of the gradual, phased development of a series of neighborhoods, each with their own distinct character and related to a village core. The PVD Land Use Plan (The “Land Use Plan”) proposes a series of villages featuring a mix of uses with a range of unit types, lot sizes, densities, and amenities including golf courses, clubhouse facilities and a parks and open space network with an extensive pedestrian/bicycle pathway system linking different areas of the community.

Due to the size of the Planning Area, the Land Use Plan only depicts the general nature and relative intensity of residential and non-residential uses, while allowing sufficient flexibility to permit detailed planning and design at the time of actual development. The Land Use Plan accounts for differences in density by establishing village locations with respect to topography and environment.

Rather than establishing specific land uses and zoning districts, the Land Use Plan identifies nine (9) different village types with a mix of residential and non-residential uses and densities. These villages provide quality residential environments including large-lot ranch communities, primary and second home communities, active-adult communities, and vacation communities for the short and long term visitor. In addition, a series of business-oriented villages provide the opportunity for the growth of industry and economic stability within the Coyote Springs community.

A general overview of land uses anticipated in the Planning Area is illustrated in Figure 2:1 as follows.

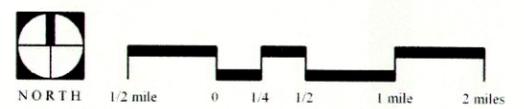


**Land Use Legend**

- Ra** **Ranch Villages**  
 Maximum Gross Residential Density is 0.8 DU / Acre. Maximum Commercial Land Use Mix within Residential Community as stated in Land Use and Development Guide.
- Sh** **Second Home Villages**  
 Maximum Gross Residential Density is 1.5 DU / Acre. Maximum Commercial Land Use Mix within Residential Community as stated in Land Use and Development Guide.
- SFR** **Residential Villages**  
 Maximum Gross Residential Density is 6.0 DU / Acre. Maximum Commercial Land Use Mix within Residential Community as stated in Land Use and Development Guide.
- SFA** **Adult Villages**  
 Maximum Gross Residential Density is 6.0 DU / Acre. Maximum Commercial Land Use Mix within Residential Community as stated in Land Use and Development Guide. Age restricted living requirements apply.
- Vac** **Vacation Villages**  
 Maximum Gross Residential Density is 8.0 DU / Acre. Maximum Commercial Land Use Mix within Residential Community as stated in Land Use and Development Guide.
- Vc** **Mixed Use Urban Village**  
 Maximum Gross Residential Density is 12.0 DU / Acre. Maximum Commercial Land Use Mix within Residential Community as stated in Land Use and Development Guide.
- OS** **Recreational / Open Space**  
 Maximum Gross Residential Density is 6.0 DU / Acre. Approximately 20% Commercial and Residential Land Use Mix subject to compliance with County Flood Control Standards. [1]
- Hc** **Highway Commercial**  
 Commercial / Industrial Land Use Mix with Restricted Industrial Uses.
- COI** **Commercial / Industrial Park**  
 Commercial / Office / Industrial Land Use Mix with Restricted Industrial Uses

[1] Percentage of Land Use Mix based on Gross Acreage per Village.

**Planned Village District  
 Land Use Plan**



#### **15-2-04: Land Use Plan Flexibility**

The Land Use Plan and Village Types contained herein are intended to depict the general nature and relative intensity of residential and non-residential development within the Planning Area, while allowing sufficient flexibility to permit detailed planning and design at the actual time of tentative and final PUD plan approval.

Because the PVD is projected to develop over a forty-year period, the Land Use Plan, at best, is a framework that translates current real estate market trends in a conceptual manner. The development densities shown for each land use category within the Planning Area do not necessarily reflect the actual densities that may be realized as a result of tentative and final PUD plan approvals. As market conditions change, the configuration of villages and phases may change from those shown in the Land Use Plan to accommodate detailed site conditions and revisions to the community's implementation strategy, as reflected in tentative PUD plan submittals, provided that the reconfiguration does not conflict with the general intent or specific conditions of the Development Agreement.

#### **15-2-05: Village Types**

The village types described within the Land Use Plan are provided solely for the purpose of (1) describing the overall character of development within Coyote Springs and (2) achieving an overall aggregate density for the Planning Area. Each village type consists of a broad range of land uses, with a central theme creating the predominant use, that when combined, establish density, use, and development standards for the village type. It is not the intent of the Land Use Plan to distinguish specific land uses within each village type, but rather to establish general locations for certain village types within the Planning Area. Specific zoning within a village type will be identified with the approval of each tentative PUD plan and established through approval of each final PUD plan. The village types described in the Land Use Plan are:

- A. **Ranch Villages.** These villages primarily provide the opportunity for larger residential lots, ranging from 0.5 – 10 acres or larger, with an equestrian/ranch environment. The aggregate residential density within these villages is estimated at 0.8 Dwelling Units per Acre (“DUA”) although densities will vary greatly within tentative PUD plan submittals.
- B. **Second Home Villages.** These villages primarily provide custom home sites, up to 2 acres in size, for weekend retreats, seasonal and year-round living within a highly amenitized recreational environment. The aggregate residential density within these villages is estimated at 1.5 DUA although densities will vary greatly within tentative PUD plan submittals.
- C. **Residential Villages.** These villages primarily provide quality affordable primary homes and communities with dwelling unit densities ranging from 2 to 20 DUA

for first time buyers and primary families. The aggregate residential density within these villages is estimated at 6.0 DUA although densities will vary greatly within tentative PUD plan submittals.

- D. **Adult Villages.** These villages primarily focus on providing senior active lifestyle communities with age restrictions within a highly amenitized environment with dwelling unit densities ranging from 2 to 20 DUA. The aggregate residential density within these villages is estimated at 6.0 DUA although densities will vary greatly within tentative PUD plan submittals.
- E. **Vacation Villages.** These villages primarily focus on providing a mix of year-round, seasonal and vacation living, and overnight stays with dwelling unit densities ranging from 2 to 40 DUA in particular locations. The aggregate residential density within these villages is estimated at 8.0 DUA although densities will vary greatly within tentative PUD plan submittals.
- F. **Mixed-Use Urban Villages.** These villages primarily provide an environment for allowing community service facilities, neighborhood commercial facilities, employment and residential living combined with a small town character setting. The aggregate residential density within these villages is estimated at 12.0 DUA although densities will vary greatly within tentative PUD plan submittals.
- G. **Open Space Fringe Development.** These villages border on the recreational open space corridor within the Pahranaagat wash and connect to a larger open space corridor that networks the community together. In general, twenty percent (20%) of the area within the open space network will be developed at densities ranging from 2 to 40 DUA in certain locations. The aggregate residential density within these villages is estimated at 6.0 DUA although densities will vary greatly within tentative PUD plan submittals.
- H. **Highway Commercial Villages.** These villages primarily focus on the need for a quality employment base that serves both the community and highway corridor allowing the growth of industry and economic stability within the planning area. The aggregate residential density within these villages is estimated at 8.0 DUA, for residential development exclusively, although densities will vary greatly within tentative PUD plan submittals.
- I. **Commercial/Industrial Park Villages.** These villages primarily focus on the need for a quality employment base allowing the growth of industry and economic stability within the community. While these villages are primarily commercial/industrial in use. Residential uses may be included for consideration in tentative PUD plan submittals.

## 15-2-06: Land Use Zones.

The following land use zones are allowed in the PVD district. Predominant use and density of use are broadly described by Village Type.

### A. Residential Land Use Zones.

1. **CS-R-U, Rural Open Land Zone.** This zone is established to provide for very low density residential dwellings, with a maximum development density of one-half (0.5) DUA, and other appropriate uses for large land parcels, including dwellings which do not conform to the design restrictions for single-family dwellings.
2. **CS-R-E, Rural Estates, Residential Zone.** This zone is established for areas particularly suited for low density residential use, with a maximum development density of one-half (0.5) DUA.
3. **CS-R-A, Residential Ranch Zone.** This zone is established for areas particularly suited for equestrian activities, including residential uses, with a maximum development density of one (1) DUA.
4. **CS-R-D, Suburban Estates Residential Zone.** This zone is established for areas particularly suited to low density, single-family residential use on lots of ten thousand (10,000) square feet or more in area.
5. **CS-R-1, Single Family Residential Zone.** This zone is established to provide for the development of single-family residential dwellings, with a development density range from three (3) to six DUA, and to prohibit the development of incompatible uses that are detrimental to the residential environment.
6. **CS-R-2, Medium Density Residential Zone.** This zone is established to provide for the development of compact single-family and two-family residential dwellings, with a development density range of six (6) to twelve (12) DUA and to prohibit the development of incompatible uses that are detrimental to the residential environment.
7. **CS-R-3, Multiple-Family Residential Zone.** This zone is established to provide for the development of medium density residential use, with a maximum development density of eighteen (18) DUA, including apartments, and to prohibit the development of incompatible uses that are detrimental to the medium density residential environment.
8. **CS-R-4, Multiple-Family Residential Zone.** This zone is established to provide for the development of high density residential use, with a

maximum development density of twenty five (25) DUA, including apartments, and to prohibit the development of incompatible uses that are detrimental to the high density residential environment.

9. **CS-R-5, Apartment Residential Zone.** This zone is established to provide for the development of high density apartment residential use, with a maximum development density of fifty (50) DUA, and to prohibit the development of incompatible uses that are detrimental to the high density residential environment.

B. Non-Residential Land Use Zones.

1. **CS-C-P, Office and Professional Zone.** This zone is established to provide for the development of office and professional services areas, and to provide a buffer through the establishment of low intensity uses between the more intensive commercial developments and the residential developments.
2. **CS-C-1, Local Business Zone.** This zone is established to provide for the development of retail businesses or personal services and to serve as a convenience within the village. The intent of the use is for developments which are typically on a site less than ten (10) acres.
3. **CS-C-2, General Commercial Zone.** This zone is established to accommodate a full range of commercial, or mixed commercial and residential areas within the village. The intent of the use is for developments which have a site area which is typically greater than ten (10) acres.
4. **CS-M-D Designed Manufacturing Zone.** This zone is established to provide areas suitable for the development of light manufacturing establishments with limited outside activity and to prohibit the development of incompatible uses. This use is intended for application to areas which are typically less than ten (10) acres in size.
5. **CS-M-1 Manufacturing Zone.** This zone is established to provide areas suitable for the development of light manufacturing establishments and to prohibit the development of incompatible uses. This use is intended for application to areas which are typically ten (10) acres or more in size.
6. **CS-M-2 Industrial Zone.** This zone is intended to provide areas suitable for the location and operation of the most intense manufacturing and industrial activities.
7. **CS-P-F Public Facility Zone.** This zone is established in order to provide for the location and development of sites suitable for necessary public

buildings, airports, structures, and associated activities, and related private buildings, structures, and associated activities.

8. **CS-O-S, Open Space Zone.** This zone is intended to provide for permanent open space in the development, to prevent irreversible environmental damage to sensitive areas, and to provide recreational opportunities, including qualified parks.
9. **CS-REC, Recreational Zone.** This zone is intended to provide for public or private programmed or non-programmed recreational areas, including qualified parks.
10. **CS-RVP, Recreational Vehicle Park Zone.** This zone is established to provide for the location and development of sites suitable for temporary or transient lodging in recreational vehicles.

C. Mixed Use Land Use Zones

1. **CS-M-U, Mixed-Use Zone.** This zone is established to provide for the development of combination commercial and residential uses on a single lot or within a single integrated development on multiple lots.
2. **CS-H-1, Resort Zone.** This zone is established to provide for the development of gaming enterprises, commercial, and mixed use and residential uses compatible with gaming enterprises, and to prohibit the development of incompatible uses that are detrimental to gaming enterprises.

**15-2-07: Uses Allowed within Land Use Zones.**

Appendix “A” contains the uses, including the permitted uses, allowed in the various “Land Use Zones”.

- A. All of the uses contained in Appendix “A” are subject to this Title.
- B. Should a proposed use not be included in Appendix “A”, the Administrator shall determine the appropriate approval process for the use.
- C. The following designations of uses, conditions and exceptions are utilized in this Appendix “A”:
  1. Permitted Uses “P”. The use is permitted as a principal use in that zoning district.
  2. Non-Permitted Uses “X”. The use is not permitted in that land use zone.

3. Accessory Uses "A". The use is permitted only as an accessory use to the principal use within the specified land use zone, but this does not exclude other land uses which are also considered accessory to the principal use, but not listed and may be approved by the Administrator.
4. Conditional Uses "C". The use is permitted in the land use zone subject to meeting stated conditions (this may be reviewed with a building permit, business license or design review; a separate land use application is not required). If stated conditions do not apply, the use is a permitted use in that land use zone. Conditional uses may require performance measures to mitigate possible negative impacts of the use. Conditional uses are approved or denied by the Administrator.
5. Temporary Uses "T". Temporary uses are permitted, for a stated period of time, in each zoning district subject to the performance conditions listed with an administrative temporary use. Temporary uses are approved or denied by the Administrator.
6. Special Uses "SC" or "SB". The use is permitted as a special use in the listed land use zone with a special use permit subject to a public hearing process. Some special uses require performance measures to mitigate possible negative impacts of the use. Special uses are approved or denied by either the Commission ("SC") or the Board ("SB") as determined by the Special Use type approval indicated ("SC" or "SB") for the proposed use in Appendix "A".
7. Conditions related to various uses. Most non-permitted uses require performance conditions to mitigate possible negative impacts of the use. Whenever the applicant cannot or does not desire to comply with a performance condition, relief may only be sought as follows:
  - a. Accessory Uses, Conditional Uses, Temporary Uses. A special use permit, type "SC", may be requested in order to waive a condition associated with these uses, unless the condition cannot be waived or varied.
  - b. Special Uses. An amendment to minimum design or development standards may be requested in addition to the special use permit, in order to amend a condition associated with a special use, unless the condition cannot be amended or varied. Certain conditions may be considered to be amended during the public hearing process of the special use permit, without the separate amendment of minimum design or development standards application.

PROPOSED on November 15, 2004.

PROPOSED by COMMISSIONER KEATON

PASSED .....December 20, 2004.

Vote:           Ayes:     Commissioner   Ronda Hornbeck  

                                  Commissioner   Hal Keaton  

                                  Commissioner   Spencer Hafen  

                                  Commissioner   Tommy Rowe  

                                  Commissioner \_\_\_\_\_

                  Nays:     Commissioner \_\_\_\_\_

                                  Commissioner \_\_\_\_\_

                                  Commissioner \_\_\_\_\_

                                  Commissioner \_\_\_\_\_

                                  Commissioner \_\_\_\_\_

                  Absent:  Commissioner \_\_\_\_\_

                                  Commissioner \_\_\_\_\_

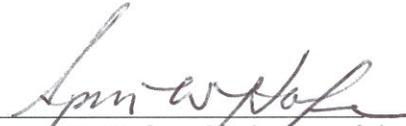
                  Abstain:  Commissioner   Tim Perkins  

Attest:

\_\_\_\_\_  
County Clerk



\_\_\_\_\_  
Spencer W. Hafen, Chairman of the Board



This ordinance shall be in force and effect from and after the First day of the month of July of the year 2005.