

Chapter 18.05 – General Provisions (with proposed changes accepted)

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Chapter 18.05 - GENERAL PROVISIONS

Sections:

18.05.005 - Applicability.

The provisions of this chapter apply in all zoning districts to every building erected and land use established after the effective date of the ordinance codified in this chapter unless indicated otherwise for a particular district. Process-oriented standards are contained in this section. Design-oriented standards are contained in the development standards which are parallel in authority to this section. (Ord. 2001-23 § 2 (part), 2001).

18.05.025 - Storage containers.

1. Temporary construction containers. Temporary construction containers are permitted in conjunction with an active building permit in all zoning districts. Temporary construction containers must be directly associated with construction activity and must be shown on the site plan submitted for a building permit. Up to 3 containers per construction site may be utilized to house fixtures, materials or merchandise pertaining to the construction. On job sites exceeding 5 acres or 50,000 square feet of building area, the number of temporary construction containers may be increased at the discretion of the Director. Upon completion of the project and prior to issuance of a final certificate of occupancy, all construction containers must be removed from the construction site.

2. Except for storage containers used in conjunction with a permit for construction, storage containers or other similar enclosures are allowed in the commercial, industrial, and public zoning districts, subject to the following requirements:

(a) Storage containers may be utilized on a temporary basis, for a maximum of 90 days, once in any calendar year, subject to the approval of the Director;

(b) Within any industrial zoning district, the use of metal storage containers for more than 90 days within any calendar year is subject to the approval of the Director;

(c) Within the commercial or public zoning districts, excluding the neighborhood business (NB) zoning district, the use of metal storage containers for more than 90 days within any calendar year requires approval of a special use permit. No metal storage containers are allowed in the neighborhood business (NB) zoning district; and

(d) The storage containers must comply with the provisions of Division 1 (Storage Containers) of the Development Standards.

3. Metal storage containers may be used in residential zoning districts subject to the development standards contained in the Title 18 Appendix, Division 1.10.

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4. Items prohibited to be used for storage. Except as otherwise provided in this title, automobiles, recreational vehicles, tents, train cars, semi-truck trailers, passenger coaches, buses, streetcar bodies or similar enclosures or rolling stock may not be used for storage or occupied for living or sleeping purposes in any zoning district.

(Ord. 2005-25 § 1, 2005: Ord. 2001-23 § 2 (part), 2001).

18.05.030 –Manufactured homes, mobilehomes, recreational vehicles and commercial coaches.

1. A manufactured home or mobilehome may be used:

(a) For permanent living or sleeping quarters in a manufactured home or mobilehome park or a manufactured home or mobilehome subdivision;

(b) As living quarters during the construction of a residence on the same parcel, limited to the duration of the valid building permit for the main residence;

(c) As a temporary living quarters for miners or stockmen in Conservation Reserve and Agricultural zoning districts for up to 1 year upon approval by the Director, and subject to annual review and renewal by the Director; or

(d) As living quarters in any single-family residential zoning district subject to the following requirements:

(1) The placement of a manufactured home must meet the requirements of this section and the requirements of Division 1 of the Development Standards; and

(2) An application for Manufactured Home in Single Family Zoning must be submitted to the Planning Division concurrently with or prior to an application for a building permit being submitted. The following must be provided with the application:

(I) Written and photographic documentation showing that the manufactured home has siding, roof pitch and roofing materials consistent with what is used on at least 51 percent of other single-family residences within 300 feet of the property on which the manufactured home is to be placed;

(II) Documentation showing that the foundation of the manufactured home will be masked architecturally with materials used by at least 51 percent of other residential structures within 300 feet of the property on which the manufactured home is to be placed;

(III) A copy of the purchase agreement, with elevations and floor plans of the unit;

(IV) The application fee; and

(V) An attestation by the owner of the lot that the placement complies with all covenants, conditions and restrictions placed on the lot and that the lot is not located within a historic district.

2. A recreational vehicle may be used for temporary living or sleeping quarters only in a recreational vehicle park or where otherwise permitted by the Carson City Municipal Code.

3. A commercial coach may be used as an office with the approval of a special use permit. A special use permit is not required when a commercial coach is used:

(a) As a construction office only within 100 feet of the site of a construction project and for the duration of the building permit. The applicant must obtain all required building permits for the proposed construction prior to the placement of a construction office;

(b) As a temporary office space when accessory to an established business and:

(1) It will not be used for living quarters;

(2) The applicant must obtain all required building permits for the proposed construction prior to the placement of the temporary commercial coach;

(3) The authorization is only effective until permanent office space can be constructed and in no event longer than 1 year; and

(4) The placement of the temporary commercial coach must meet all setback requirements.

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4. Storage of unoccupied manufactured homes, mobilehomes, recreational vehicles and commercial coaches.

(a) The storage of an unoccupied manufactured home, mobilehome, commercial coach or recreational vehicle is permitted only on property zoned for outside storage.

(b) In addition to the permitted locations for recreational storage above, the owner of a recreational vehicle may store their recreational vehicle in residential zoning districts only on the property that they own or on which they reside.

(Ord. 2007-35 § 1, 2007; Ord. 2004-31 § 1, 2004; Ord. 2004-2 § 1, 2004; Ord. 2001-23 § 2 (part), 2001).

18.05.035 - Watchman's quarters.

In order to provide increased security within the industrial, commercial, agriculture and conservation reserve districts, a watchman's quarters may be provided as an accessory use under the following conditions:

1. The watchman's quarters must clearly be accessory to the main use;
2. The quarters are limited to 1 family;
3. The quarters may be required to be removed if not in compliance with any conditions of approval;
4. Additional conditions of approval may be required by the director to insure compatibility with adjacent uses; and
5. Watchman's quarters can be a manufactured home or a site constructed home. A recreational vehicle is not allowed to be used as a watchman's quarters.

(Ord. 2004-20 § 7, 2004; Ord. 2001-23 § 2 (part), 2001).

18.05.045 - Home occupation.

All home occupations shall be subject to and must comply with the following provisions of this Section:

1. Business license requirements. All home occupations must obtain a Carson City business license and meet the requirements of this Section.
2. Sale of merchandise. Sale of goods, samples, materials, equipment or other objects on the premises is not permitted. Home occupations shall not conduct business in person with clients at the home address, with the exception of federally licensed gun dealers, required by federal regulations to conduct firearm sales at their home location.
3. Size Limits. A home occupation must be accessory to the use of the property as a primary residence.
4. Employees. No on-site office staff or business personnel shall be permitted in any home occupation unless the employees are members of the resident family and reside on the premises.
5. Character. The characteristics of the structure shall not be altered, nor shall the occupation within the dwellings be conducted in a manner which would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting or by signs, or the emission sounds, noises, dust, odors, fumes, smoke, electrical disturbance or vibrations, or disturbs the peace and general welfare of the area.
6. Traffic. Pedestrian and vehicular traffic shall be limited to that normally associated with residential districts. Deliveries from commercial suppliers may not be made more than once each day and the deliveries shall not restrict traffic circulation.
7. There shall be no outside storage of materials or equipment; no storage of toxic or hazardous materials, including ammunition and gunpowder; not shall merchandise be visible from outside the dwelling.
8. Location. The home occupation shall be confined within the main building and/or accessory structure as a secondary use of the residential use. When conducted in a garage, the home occupation shall not permanently eliminate the use of the garage as a parking space for a car, nor shall the bay door be open while the home occupation is conducted within the garage.

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9. Use of facilities and utilities. The use of utilities and community facilities shall be limited to that normally associated with the use of the property for residential purposes.

10. Advertising. There must not be any public advertising which calls attention to the fact that the dwelling is being used for business purposes. Telephone listings, business cards, or any other advertising of the business, shall not include the dwelling address. The name, telephone, and purpose of the home occupation may be advertised on a vehicle which is operated by the resident or residents of the dwelling in conjunction with the business. The home address may appear on letterhead and invoices when the home address is also the business address.

11. Electromagnetic interference. Electrical or mechanical equipment which creates video or audio interference in customary residential electrical appliances or causes fluctuations in line voltage outside the dwelling unit is prohibited.

12. Fire safety. Activities conducted and equipment or material used or stored shall not adversely change the fire safety of the premises.

13. Parking. No parking or placement of commercial vehicles such as trucks, trailers, equipment or materials except 1 panel van or pickup truck, when used for personal transportation.

14. Food processing or packaging. The processing or packaging of food products is prohibited except as expressly permitted by NRS or Carson City health department regulations.

15. Vehicle repair. On-site repair and maintenance of vehicles not owned by the person conducting the home occupation is prohibited.

(Ord. 2004-20 § 8, 2004: Ord. 2001-23 § 2 (part), 2001).

([Ord. No. 2008-33, § X, 9-4-2008](#))

18.05.055 - Accessory structures.

1. It shall be unlawful to construct, erect or locate in any residential district, private garages or other accessory buildings without a permitted primary residence, except that a temporary building may be constructed and occupied pending the construction of a permanent residence providing that no permit shall be issued for such temporary structure unless a permit also be issued at the same time for the permanent residence. If it be proposed to convert said temporary structure to a permitted accessory use upon completion of the main structure, said conversion shall occur upon completion of the final structure or be removed at that time or within a period of 1 year from the date of issuance of original permit.

2. The following setbacks are required for accessory structures in all residential zoning districts:

Zoning district	Accessory structure size	Setbacks ¹
SF6, MH6, SF12, MH12, SF21	200 square feet or less in area and not more than 15 feet in overall height	Rear: 3 feet ² Side: 3 feet ² Front and Street Side: Per zoning ³
	More than 200 square feet and not more than 400 square feet, and not more than 15 feet in overall height	Rear: 5 feet ² Side: 5 feet ² Front and Street Side: Per zoning ³
	Any size, more than 15 feet in overall height	Rear: Per zoning ³ Side: Per zoning ³ Front and Street Side: Per zoning ³
SF6, MH6, SF12, MH12, SF21	More than 400 square feet in area	Rear: Per zoning ³ Side: Per zoning ³ Front and Street Side: Per zoning ³
SF1A, MH1A, SF2A, SF5A	Any size, any height	Rear: Per zoning ³ Side: Per zoning ³ Front and Street Side: Per zoning ³

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Footnotes:

(1) If an accessory building is connected to the main building by a breezeway or other roof structure open to the outside, each structure shall meet full yard setback requirements for the zoning district in which the property is located.

(2) Includes eaves and other building projections.

(3) See CCMC Chapter 18.04 required setback tables.

3. The following process-related regulations apply to accessory structures in all residential zoning districts:

Zoning district	Accessory structure size ¹	Required Approval ²
SF6, MH6, SF12, MH12, SF21	Not more than 500 square feet or 75% of the primary structure ³ , whichever is larger	Building permit
	More than 500 square feet, and more than 75% but not more than 100% of the primary structure	Administrative permit
	More than 500 square feet and more than 100% of the primary structure	Special use permit
SF1A, MH1A, SF2A, SF5A	Not more than 1,000 square feet or 75% of the primary structure, whichever is larger	Building permit
	More than 1,000 square feet, and more than 75% but not more than 100% of the primary structure	Administrative permit
	More than 1,000 square feet and more than 100% of the primary structure	Special use permit

Footnotes:

(1) Accessory structure size includes the size of all detached accessory structures combined, excluding detached trellis structures and excluding attached patio covers and breezeways that are not enclosed.

(2) All structures over 200 square feet require a building permit in addition to any required discretionary permit. Structures 200 square feet or smaller that are used exclusively for storage may be exempt from the requirement to obtain a building permit. See Title 15 for building permit requirements.

(3) Primary structure size includes the total floor area of the main residence, excluding basement, plus the area of any attached garage space.

4. The following design standards are applicable to all detached accessory structures over 500 square feet in area in all residential zoning districts:

(a) The architectural style, massing and proportion of a building should be compatible with and complement its surroundings and environmental characteristics of the neighborhood;

(b) Building materials and colors must match or complement the primary building materials and colors of the primary residence; and

(c) The required side-yard and rear-yard setbacks shall be increased by one foot for each foot of accessory structure height over 15 feet for any portion of the accessory structure that exceeds 15 feet in height.

(Ord. 2004-6 § 12, 2006: Ord. 2004-20 § 10, 2004: Ord. 2001-23 § 2 (part), 2001).

([Ord. No. 2008-37, § III, 12-4-2008](#))

18.05.080 - Private use wind energy conversion systems.

To balance the need for clean, renewable energy resources against the protection of the health, safety and welfare of the community, the purpose of this section is to regulate private use wind energy

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conversion systems (WECS) for the production of electricity for use on the subject site and for net metering through the power company.

1. Applicability.

(a) A private use wind energy conversion system is considered an accessory use in all zoning districts.

(b) All proposed private use wind energy conversion systems located within the Carson City Historic District must receive review and approval from the Historic Resources Commission, in addition to any other required approvals, prior to submission of a building permit.

2. Standards. All wind energy conversion systems are subject to and must comply with the following provisions:

(a) Location. A minimum parcel size of 1 acre is required for the placement of any horizontal axial wind turbine. Vertical axial wind turbines are permitted on any parcel. No part of a wind energy conversion system shall be located within or over drainage, utility or other established easements;

(b) Number per parcel. A maximum of 1 wind machine per parcel is permitted on parcels less than 1 acre in size; a maximum of 1 wind machine per acre is permitted on parcels greater than 1 acre in size;

(c) Setbacks. Minimum setbacks for private use wind machines shall be:

(1) A minimum of 1.1 times the total extended height from the project property lines adjacent to a residential, conservation reserve or agricultural zoning district;

(2) Guy wire anchors may not extend closer than 10 feet from any property line;

(3) A 10-foot minimum setback from any part of the machine, rotors or guy wires to the property line of any other non-residential zoning district; and

(4) Wind machines may not be located within the front yard or street-side yard setback area on any parcel within a residential zoning district; and

(d) Height. The total extended height of a wind energy conversion system must not exceed the maximum height allowed for a structure in the zoning district in which the system is located unless additional height is permitted by approval of a special use permit.

(1) Tower height shall mean the height above adjacent grade of the fixed portion of the tower, excluding the wind turbine itself.

(2) Total extended height shall mean the height above adjacent grade to a blade tip at its highest point of travel and including any other portion of the wind energy conversion system; and

(e) Lighting. Wind system towers shall not be artificially lighted unless required, in writing, by the Federal Aviation Administration (FAA) or other applicable authority that regulates air safety. When lighting of the tower is required, the lighting shall be the lowest intensity allowable under FAA regulations; the fixtures shall be shielded and directed to the greatest extent possible to minimize glare and visibility from the ground; and no strobe lighting shall be permitted unless expressly required by the FAA; and

(f) Access. All wind machine towers must comply with the following provisions:

(1) The tower shall be designed and installed so that there shall be no exterior step bolts or a ladder on the tower readily accessible to the public for a minimum height of 12 feet above the ground. For lattice or guyed towers, sheets of metal or wood or other barrier shall be fastened to the bottom tower section such that it cannot readily be climbed; and

(2) All ground-mounted electrical and control equipment shall be labeled or secured to prevent unauthorized access; and

(g) Rotor Safety. Each wind machine shall be equipped with both manual and automatic controls to limit the rotational speed of the blade within the design limits of the rotor. An external, manual shut-off switch shall be included with the installation. The minimum distance between the ground and any protruding blades utilized on a private wind machine shall be 10 feet as measured at the closest point of the arc of the blades; and

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(h) Noise. All wind machines shall comply with the noise requirements in this section. These levels, however, may be exceeded during short-term events such as utility outages and severe wind storms. A manufacturer's sound report shall be required with a building permit application.

(1) No wind machine or combination of wind machines on a single parcel shall create noise that exceeds a maximum of 25 decibels (dBA) at any property line where the property on which the wind machine is located or the abutting property is 1 acre or less or a maximum of 50 dBA at any other property line. Measurement of sound levels shall not be adjusted for, or averaged with, non-operating periods. Any wind machine exceeding these noise levels shall immediately cease operation upon notification by Carson City and may not resume operation until the noise levels have been reduced in compliance with the required standards and verified by an independent third party inspector, approved by Carson City, at the property owner's expense. Upon review and acceptance of the third-party noise level report, Carson City will allow operation of the affected wind machine.

(2) Sound below 20 Hertz. No wind machine or combination of wind machines shall be operated so that impulsive sound below 20 Hertz adversely affects the habitability or use of any off-site dwelling unit, hospital, school, library or nursing home; and

(i) Aesthetics and Maintenance.

(1) Appearance. Wind machines, unless subject to any applicable standards of the FAA, shall be a non-reflective, non-obtrusive color such as tan, sand, gray, black or similar colors. Galvanized steel or metal is acceptable for the support structures. Any painting or coating shall be kept in good repair for the life of the wind machine.

(2) Electrical Wires. All electrical wires leading from the tower to electrical control facilities shall be located underground.

(3) Maintenance. Wind machines shall be maintained in good repair, as recommended by the manufacturer's scheduled maintenance or industry standards, and shall be free from rust; and

(j) Signs/Labels. The only advertising sign allowed on the wind machine shall be a manufacturer's label, not exceeding 1 square foot in size, located on the generator housing; and

(k) Compliance with FAA Regulations. All wind machines shall comply with applicable FAA regulations, including any necessary approvals for installations; and

(l) Ice Throw. The potential ice throw or ice shedding from the proposed wind machine shall not cross the property lines of the site; and

(m) Certified Safe. Evidence shall be submitted with a building permit application that the wind machine has been constructed in accordance with accepted industry standards and certified safe.

3. Repair and Removal of Wind Machines.

(a) Any wind machine found to be unsafe by an official of the Carson City Building Division shall immediately cease operation upon notification by Carson City and shall be repaired by the owner to meet federal, state, and local safety standards or be removed within 6 months. Wind machines that are not operated for a continuous period of 12 months must be removed by the owner of the wind machine.

(b) When a wind machine is required to be removed from a site, all associated and ancillary equipment, batteries, devices, structures and supports for that system that do not otherwise meet building height and setback requirements must also be removed. For the purposes of this section, non-operation shall be deemed to include, but shall not be limited to, the blades of the wind machine remaining stationary so that wind resources are not being converted into electric or mechanical energy, or the wind machine is no longer connected to the public utility electricity distribution system.

4. Mounting of Wind Machines. Attachment of the wind machine, including any support or structural components, to any building or structure shall be in strict compliance with regulations of the Carson City Building Division.

5. Additional Safety Restrictions. An application for the issuance of a special use permit that is submitted pursuant to this Title for the installation of a private use wind energy conversion system:

(a) May not be denied solely because of the proposed height of the system; and

(b) May, in accordance with NRS 278.023077, be denied if it is determined, based on the size, height or configuration of the system, that installation of the system:

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- (1) Represents a danger to the health, safety or welfare of the public; or
- (2) Is not compatible with the character of the area in which the system is located.

6. Compliance with Regulations.

- (a) All systems shall comply with applicable fire and building codes.
- (b) All standards are absolute. Once wind machines are permitted, the owners have the option of compliance with the standards or discontinuation of operations. If the operation of the wind machine does not comply with the provisions of this article, the operator shall promptly take all measures necessary to comply with these regulations, including, but not limited to, discontinued operation of the wind machines.
- (c) Variations to the regulations and standards of this section may only be permitted by special use permit.

7. Enforcement of standards. The Director may require a wind energy conversion system to be shut down for any violation of the standards of this section upon written notification to the property owner of the violation.

([Ord. No. 2009-14, § III, 7-2-2009](#); Ord. No. 2017-30)