

**RENOvation Code Update
Technical Working Group
Code Amendment Review Sections
Updated January 14, 2020**

This working document began with a list of significant amendment topics in each chapter of the preliminary draft code, along with some initial staff suggestions for refinement based on public input received. The technical working group is reviewing the complete document and providing recommendations for changes, including other topics not listed.

Review will begin with module 1 (chapters 18.02 and 18.03), then proceed to module 2 (Chapters 18.04 through 18.07), then module 3 (Chapters 18.01 and 18.08). This review will continue through multiple meetings. The document will be updated as issues are identified or addressed.

For chapters reviewed by the technical working group, recommendations (including items requiring further discussion) are noted [in blue text](#). Draft ordinances and staff recommended changes not highlighted were generally supported by the technical working group.

December 17, 2019	Technical Working Group reviewed Chapters 18.02, 18.03 and 18.04 (Articles 1 through 5)
January 7, 2020	Technical Working Group reviewed Chapter 18.04 (Articles 6 through 8)
January 13, 2020	Technical Working Group reviewed Chapter 18.04 (Articles 9 through 15), Chapter 18.05, Chapter 18.06 and Chapter 18.07.
January 21, 2020	

Module 1 Zoning Districts and Uses:

Chapter 18.02: Zoning Districts:

Major Discussion Topics:

1. Simplified organization
 2. Zoning District reorganization and consolidation
 - a. Refine Powning District Standards
 - b. Refine building setback and separation standards
 - c. Refine height and setback encroachment standards
 3. Future map amendments
 - a. Pending property owner notifications and feedback
- 18.02.106: *Classification of Newly Annexed Land.*
 - Updated table 1.2 for land use and zoning upon annexation to reflect current City and County designations.
 - Article 2: *Residential Districts*
 - Process to consider updates post-update with neighborhood outreach
 - Updated naming for SF districts (density vs lot size)
 - Updated density minimum, but no change to lot sizes, setbacks, etc
 - Standardized accessory structure heights (29' / 16' / 12')
 - Standardized accessory structure setbacks (regular for 2 story, reduced for one story, zero setbacks allowed along alleys with 24 foot vehicle back up space)
 - Recommend refining language to clarify zero foot alley setbacks are allowed for primary buildings, not just accessory buildings.
 - Article 3: *Mixed Use Districts*
 - Conversion of overlay districts to primary districts
 - MU district consolidations
 - TWG Recommends revising building separation for all districts to 10 feet regardless of number of nits. Currently 20 foot separation is required between buildings with 50 units or more.
 - Side and rear setbacks – reduced from “zero or 10’ min” to “zero or 5’ min”
 - 18.02.306 MD-PD: *Downtown – Powning District*
 - Draft proposes reduced building height and density – significant public input to allow more, especially in transition areas to downtown standards.
 - Staff recommends height and density match MF-30 (45 feet / 30 du per ac), not MF-14 (35 feet / 14 du per ac)
 - Staff recommends transition area as follows:
 - 65 feet / 45 du per acre for parcels fronting Second Street

- 65 feet / 45 du per acre for parcels fronting and west of Ralston Street
 - 105 feet (no density max) between Ralston and Arlington Street with additional height allowed by site plan review
 - 18.02.307 *MU: Mixed Use Urban* – consolidated district
 - Review density and setback standards
 - Review height (85 feet, additional w/ discretionary review)
 - Suggest SPR process for increased height
 - Suggest replacing “abutting corridor” and “supporting corridor” standards with street names (corridors are Virginia, 4th and Mill St)
 - 18.02.307 *MS: Mixed Use Suburban* – consolidated district
 - Review density and setback standards
 - Review height (55 feet, additional w/ discretionary review)
 - Suggest SPR process for increased height
 - 18.02.3014 *Additional Standards for Mixed Use Districts* (Initial material - review topics with development standards)
- Article 4: *Nonresidential Districts*
 - 18.02.402 *IC: Industrial Commercial*
 - Height increase from 40 to 45 feet
 - 18.02.403 *ME: Mixed Employment* New district
 - Review development standards
 - Recommend side and rear setbacks of “zero or 10’ min”
 - Note height standard and note 2
- Article 5: *Special Purpose Districts*
 - 18.02.501 *PG: Park, Greenway and Open Space*
 - Recommend additional building height be allowed with site plan review and finding of compatibility
 - 18.02.502 *PF: Public Facility*
 - Recommend additional building height and stories be allowed with site plan review and finding of compatibility (vs special use permit)
 - [TWG recommends updating lot size and width standards with size waivers similar to the Washoe County process.](#)
 - 18.02.502-505 *UT districts: Unincorporated Transition*
 - Accessory building height changes from 29 feet to 35 feet to reflect county code.
 - 18.02.506 *PUD: Planned Unit Development*
 - Review with changes in 18.08 (module 3)
 - 18.02.507 *SPD: Specific Plan District*

- Add new section per module 3
- Article 6: *Overlay Districts*
 - 18.02.602 *General Overlay Districts*
 - (c) Cooperative Planning Area Overlay: Delete per Regional Plan and module 2
 - (d) Gaming Overlay District: Placeholder – review with module 2.
 - (e) Historic Overlay District: Placeholder – review with module 2
 - (f) Wellhead / Source Water Protection Overlay
 - Module 2 recommended general standards and no overlay district – delete
 - 18.02.603 *Neighborhood Plan Overlay Districts*
 - Neighborhood Overlays retained – address post-update with neighborhood outreach
- Article 7: *Measurements and Exceptions*
 - 18.02.702(b) *Affordable Housing Incentives*
 - To be reorganized
 - Expanded eligibility for density and parking incentives
 - 18.02.704 *Property Line Setbacks / Yards*
 - Public input: Recommend changes to (e) to be closer to current code (allow less setback encroachments)
 - 18.02.706 *Heights*
 - Public input: Recommend changes to (c) to be closer to current code (allow fewer height exceptions)
 - TWG recommends in making changes, to keep allowance for access enclosures for rooftop decks to not be considered a story.
 - 18.02.707 *Additional Setbacks and Stepbacks for Compatibility*
 - Relocate to and review with module 2, 18.04.8xx (residential district development standards)
- Any other discussion topics??

Chapter 18.03 Use Regulations

Major Discussion Topics:

1. Simplified organization
 2. Consolidated Land Use Table
 3. Use Regulations
 - a. Refine certain use regulations
- 18.03.207 *Table of Allowed Uses*
 - Format of Use Table
 - Changes to uses or permissions
 - 18.03.302 *Residential Uses*
 - New (a)(1) Duplex, Triplex and Fourplax
 - TWG Recommends updating use standards to provide additional design flexibility, especially (a) and (d)
 - New (a)(2) Live/Work dwelling
 - Section (a)(7)(b) Per Footnote 103, recommend development of incentives for improvements to existing mobile home parks.
 - 18.03.304 *Commercial Uses*
 - New (b)(4) Allow permanent urban farm with site plan review (currently temporary only)
 - New (c)(1) microbrewery size limit in certain districts
 - New (g)(2) banquet hall standards
 - New (i)(2)(b) consistent location standard for vehicle sales/rental in certain urban districts
 - New (i)(4)(b) consistent location standard for gas stations in certain urban districts
 - New (i)(5) allowance for permanent open parking lots (currently only temporary). Willow allow parking businesses.
 - TWG recommends deleting (i)(6)a.2.[f] related to LID concepts for truck stop projects.
 - 18.03.306 *Industrial uses*
 - Updated (b)(3) consolidated standards for outdoor storage
 - TWG recommends updating (b)(3)a.2 to reduce residential district screening from 750 feet to 300 feet, to address height limits for outdoor storage and consider landscape screening as an alternative.
 - 18.03.403 *Accessory Structure dimensional standards*
 - Table 1.7 Clarified accessory structure dimensions
 - TWG recommends further review of code organization and possible including these standards with each zone district.
 - 18.03.405 *Standards for certain accessory uses*
 - Updated (g)(1) standards for drive through facilities (food service)

- Consistent location standard in certain urban districts
 - Recommend correcting organization error (b-h should be applicable in all districts)
 - Recommend deleting e – addressed in 18.04.13xx (Residential Adjacency Standards)
 - TWG recommends also updating or deleting (h)(1)d for consistency.
- New (l)(17) allows expanded home occupations with site plan review
- New (m) standards for live entertainment use
 - TWG recommends modifying standards to not require a SUP for every situation (eg downtown)
- Updated (n) consistent standards for accessory outdoor storage.
 - TWG recommends updating (b)(3)a.2 to reduce residential district screening from 750 feet to 300 feet, to address height limits for outdoor storage and consider landscape screening as an alternative.
- 18.03.503 *Standards for Temporary Uses*
 - Updated (f)(1) consistent standards for temporary open lot parking
- Any other discussion topics??

Module 2 Development Standards:

Chapter 18.04 Development Standards

Article 1: Natural Resource Protection Standards

Major Discussion Topics:

1. Scope of Amendments considered in this process vs separate processes
 - a. Update flood hazard text to reflect current documents, but not initiate major regulatory change
- Scope of Amendments: Minor edits only. Other amendments may be considered through separate processes.
- 18.04.101 *General Environmental Standards*
 - TWG Recommends revisions to 18.04.101(c) *Shading of Parks and Residences* to provide design alternatives for infill development in conjunction with enhanced building design and compatibility standards.
- 18.04.102 *Flood Hazard Areas*
 - New (c)(7)(2) codifying 1.3:1 stormwater detention/retention requirement in closed drainage basin areas (Silver, Swan and Whites Lakes).
 - TWG recommends deleting “on site” from retention requirement to allow off site retention.
 - Cary Chisum to send proposed text changes to reflect current flood regulation documents.
- 18.04.106 *Wildland Interface / Fire Safety*
 - New text referencing applicable State requirements in the Wildland Urban Interface (WUI)
- 18.04.107 *Source Water Protection*
 - New section with notification standards to enable TMWA monitoring of potentially contaminating uses.
- Any other discussion topics??

Article 2: Grading: (draft proposes enhanced standards with streamlined review process)

Major Discussion Topics:

1. Streamlined process and additional standards for grading and hillside development.
- Note that Chapter 18.08 (module 3 procedures) removes special use permit requirement for 20 foot cuts / 10 foot fills.
- 18.04.202 *Limits on Grading (Cut and Fill)*
 - Updated (e)(2) references residential adjacency standards for grading

- New (e)(3) location limits for slopes. Subsection a facilitates maintenance by property owner. Subsections b and c address infrastructure maintenance issues for public works dept.
 - TWG recommends updating c to require access and flat ground around manholes, not the entire sewer or storm drain pipeline
- New (e)(4) codified typical condition of approval for noxious weed abatement
- New (e)(7) (missing footnote) applies hillside development slope treatment standards (18.04.309) to slopes exceeding four feet in height.
- Updated (e)(9) updates grading hours of construction near residential zoned properties (common condition of approval).
- Any other discussion topics??

Article 3: Hillside Development: (draft proposes enhanced standards with streamlined review process)

Major Discussion Topics:

1. Streamlined process and additional standards for grading and hillside development.
 - 18.04.302 *Applicability and Exemptions*
 - New (b) removes special use permit requirement for hillside developments less than ten acres in size.
 - 18.04.307 *Visually prominent ridgelines*
 - No change to code. Note map.
 - 18.04.309 *Slope Treatment* (consider side review with subdivision designer(s).)
 - Significant updates include:
 - New (a) slope height limits – Recommend update to refine for non-stabilized slopes (3:1 or less steep) and stabilized slopes (steeper than 3:1). For 3:1 slopes, allow cut slopes up to 60 feet and fill slopes up to 50 feet. For steeper slopes, allow cut slopes up to 40 feet and fill slopes up to 30 feet. Maintain option for larger slopes with major deviation and finding.
 - Updated (b) “contouring” standard – common condition of approval
 - New (c) slope variations – common condition of approval
 - New (f) through (i) – standards for retaining walls
 - New (j) exception provision for cuts into stable rock.
 - TWG recommends focused discussion of proposed 18.04.209 Slope Treatment standards. Cary Chisum, public works and community development staff. General concern that the standards are overly restrictive.
 - 18.04.3012 *Hillside Architecture*

- Updated with last sentence with more directive language for stepped foundations where major grading disturbances (cut slopes over 30 feet or fill slopes over 15 feet) are proposed.
 - TWG recommends continued review with designers.
- Any other discussion topics??
 - TWG recommends relaxation of density reduction formula for multi family units and clarification of requirements for natural and disturbed slopes.

Article 4 Streets, Utilities and Services

Major Discussion Topics:

1. Applicability of curb, gutter and sidewalk requirements and criteria for waivers.
 - 18.04.401: *Streets*
 - Intersection spacing removed to eliminate conflict with PWDM.
 - 18.04.402: *Sidewalks, Curb and Gutters*
 - TWG recommends clarifying in (a)(3) that the sidewalk determination is to occur at the tentative (not final) map stage.
 - Updated (a)(4) with clarified requirements for waivers to sidewalk, curb and gutter requirements
 - TWG recommends further discussion of sidewalks with articles 8-10.
 - Updated (b) sidewalk dimension standards:
 - Reconciled for consistency with the PWDM
 - Expanded residential sidewalks from 4' to 5' proposed together with PWDM updates to reduce street widths
 - Administrative modification provisions to address existing conditions
 - TWG recommends further review of proposed street sections. Public works to prepare drafts
 - 18.04.403: *Utilities and Services*
 - Redundant with PWDM. Plan to delete from Title 18 with consolidated draft.
 - Any other discussion topics??

Article 5: Access Connectivity and Circulation

Major Discussion Topics:

1. Requirements for traffic impact analysis
2. Connectivity standards / subdivision design
 - 18.04.501: *Vehicle Access/Circulation and Traffic Analysis*
 - Updated (c) with clarified Traffic Impact Analysis Requirements

- TWG recommends further discussion of traffic impact analysis standards.
 - New (d) with standards for street connectivity
 - TWG recommends changes to increase subdivision design flexibility.
- 18.04.502: *Pedestrian and Bicycle Connectivity*
 - Expanded and new material with standards for pedestrian and bicycle connectivity.
 - TWG recommends edits to (b)(2)c and d to minimize subjectivity
- Any other discussion topics??

Article 6: Off Street Parking and Loading

Major Discussion Topics:

1. Minimum parking rated
 - a. Downtown discretionary parking
 - b. Level 1 parking
 - c. Level 2 parking
 2. Maximum Parking
 3. On Street parking and shared
 4. Trip reduction ordinance
- 18.04.603: *General Standards*
 - Single family driveway/parking standard updated and moved to Article 8 (residential site and building design)
 - 18.04.604: *Calculation of Parking and Loading Requirements*
 - Updated (c) with options for shared parking (retain table of standard reductions and allow parking study)
 - TWG recommends clarification of (c)(1) and consolidation of this material with similar material for shared and off-site parking in 18.04.606(c).
 - New (e) project specific parking calculations for certain uses
 - 18.04.605: *Off-Street Parking Requirements*
 - New (a)(1) with three tiers of minimum parking and blended calculations in transition area.
 - TWG recommends inclusion of a map of parking tiers.
 - Note removal of “parking study” option, as ITE/APA recommended standards are proposed to be codified.
 - Recommend retaining the option (based on public input) for alternative parking rates or adjustments with a ITE-based parking demand study (existing 18.12.1102(a)(3)).
 - TWG recommends continuing to not require preparation by a licensed traffic engineer.
 - Updated (2) with recalibrated and relaxed maximum parking standards –
 - Recommend deleting (2) and not having maximum parking limits.
 - ***Updated Table 1.7*** Updated parking table
 - Recommend updates to not require parking in Level 1 areas for food and beverage and retail uses in structures constructed prior to adoption of this code update. This generally reflects the existing standard in the South Virginia Transit Corridor.
 - Other discussion of parking rates?

- TWG recommends investigation of further relaxation of level 2 parking rates. Reference City of Sparks rates.
 - TWG recommends clarifying that the rates listed in the table for certain residential uses are the “maximum minimum” requirement (ie requirement will not exceed the highest requirement listed).
 - Footnote on (b)(4) Suggestion to move design specs to an administrative manual.
 - TWG supports use of administrative manuals for technical requirements that are frequently updated..
 - New (c)(3) location and design standards for bicycle parking.
- 18.04.606 *Parking Alternatives, Credits and Adjustments*
 - Updated (b) with reduced on-street parking allowance reflecting generally lower rates (25% on-street vs 50%).
 - Recommend discussion and possible increased on-street parking.
 - TWG supports the 25% on-street allowance in conjunction with reduced parking rates.
 - TWG recommends requiring that the on street parking about a site (rather than adjacency, which allows parking on the other side of streets).
 - TWG recommends trying to not use employees as a measure for parking standards to the greatest extent feasible.
 - Require that accessible spaces be on site whenever feasible.
 - Updated (c) with expanded allowances for off-site and shared parking.
 - Updated (d) with expanded eligibility for affordable housing parking incentives
 - New (e) with trip reduction program for large employers.
 - TWG recommends changes to:
 - Focus on VMT (total travel distances) rather than number of trips.
 - Apply the program to all projects.
 - Provide a menu of compliance options from which projects could choose.
 - Allow centrally located projects to satisfy requirements with little or no additional requirements, while requiring additional measures for projects in auto-dependent areas.
- 18.04.607 *Off-Street Parking Layout and Design*
 - Clarified (a) standards for use of parking areas
 - New (d)(4) addressing pedestrian conflicts
 - TWG recommends standards for walkway accessibility from all spaces (no large rocks blocking access).
 - Updated (e) permitting additional modifications to parking design.
- 18.04.608 *Off-Street Loading and Stacking*
 - Updated and reorganized (b) vehicle stacking standards.

- TWG recommends clarifying requirements for each drive through window vs total stacking requirement. Suggest a base requirement, with additional spaces for each additional window.
- Any other discussion topics??

Article 7: Landscaping, Buffering, Screening and Fencing

Major Discussion Topics:

1. ASLA recommendations for changes to better promote tree growth.

Draft ordinances are listed below. Additional recommendations from a group of landscape architects is listed on the following page.

- 18.04.703 *Landscape Plan*
 - Updated (f) to expand allowance for landscape installation following Certificate of Occupancy and to increase bonding from 120% to 125% of cost.
 - TWG recommends possible relaxation of requirements for a preliminary landscape plan.
- 18.04.704 *Minimum Landscaping Required*
 - New (b) prioritizing shading of paved areas in landscaping plans.
 - Updated (c)(2) / Table 1.14 with refined landscape area standards for MS (Mixed Use Suburban), MU (Mixed Use Urban), MU-MC (Mixed Use Midtown Commercial) and MU-RES (Mixed Use Midtown Residential). Added 10% standard in all districts for moderate density projects (vs 5% or 20%). Removed 5% standard in MS.
 - Updated (d)(5), consistent with practice, to not include public right-of-way landscaping in the minimum landscaped area calculation, except in parkways or medians with maintenance arrangements.
 - Updated (e)(2)a.4 to require extra landscaping in large parking lots when parking exceeds minimums by 150% (current code is 100%). The change is to generally keep the standard, but adjust to reflect reduced minimum parking standards.
 - Recommend deleting this as part of a shift towards increased shared and off site parking. This would eliminate the penalty for “overparking”.
 - Note for (f)(1)c.3 to reference the updated Downtown Streetscape Master Plan.
 - Recommend change to reflect the new name “Downtown Streetscape Design Manual”.
 - TWG recommends clarification that work permits from the city are not required for regular maintenance and pruning of trees in landscaped parkways (City ROW).
 - Note for (f)(5) and other sections to potentially move the street tree species list and other material to an administrative manual.
 - Also need to update and reflect current updated list.
- 18.04.708 *Screening*

- Updated (b)(1) / Table 1.17 with targeted changes generally addressing discretionary review recommendations, including definition of “wall” screening reflecting “solid” screening standards, but with a masonry wall.
- New (c)(1)c.4 requiring recycling containers for certain projects per state law.
- Note (c)(2) (landscaping for outdoor storage) to be relocated to chapter 18.03 use standards for consistent organization.
- 18.04.709 *Fences and Walls*
 - New (c)(7) requiring city approval and maintenance agreement for any fences within public right-of-way. This reflects current practice.
 - Updated (c)(8) to clarify open view fencing adjacent to open space may be solid for portions of the fence less than 4 feet in height.
 - TWG recommends investigating if the fence code could be simplified and clarified, including addition of graphics.
- Any other discussion topics??

Recommendations of the Landscape Architect group are listed below. The TWG generally supported the proposals with further discussion of details.

- 18.04.701 *Purpose*
 - Expand purpose statement to include reduction of the urban heat island, encouraging low impact development (LID), and benefiting the pedestrian, bicycle and roadway environments.
- 18.04.703 *Landscape Plan*
 - Update (f)(2) to clarify the landscape inspection letter is to be prepared by a Nevada landscape architect except for projects where professional landscape plan preparation is not required.
 - Update (d)(3) *Sample Plant List* to differentiate “size at planting” from “size at maturity”.
- 18.04.704 *Minimum Landscaping Required*
 - Consider deleting (d)(3) landscape credit related to wetland preservation.
 - Update (e) *Parking Area Landscaping and Screening Requirements* to:
 - Require separation between parking lot light poles and parking lot trees so tree pruning won’t be needed to maintain lighting levels.
 - Update (e)(2)b.2 to require large canopy trees (or two medium canopy trees) in each parking lot island.
 - Consider updating (e)(2)b.2 parking lot tree placement to replace current requirement for *one tree per 10 spaces (which may include edge landscaping)* to instead require *no more than 12 spaces in a row without a tree island.*

- Consider updating (e)(2)b.4 to modify the minimum size of landscaped parking lot islands to approximate one parking space.
 - Update (f) *Street Tree Requirements* to:
 - Update street tree sizes to be 2 inches (vs 2 ½ inches). Update (f)(1)b.1 and (f)(1)c.3.[a]. Note same change is recommended for all trees.
 - Update (f)(5) / Table 1.16 *Street Tree List*.
- 18.04.705 *Landscaping Standards*
 - Update (c)(2)b to relax requirement for groundcover to achieve full coverage in three years.
 - Update (c)(2)c to increase allowances for inert material and require variability, including limits on the use of large rocks for mulch.
 - Update (c)(3) to update minimum tree sizes:
 - Eliminate small and large tree categories
 - Require 2 inch deciduous trees (vs 30% @ 1 inch and 70% @ 2 ½ inch).
 - Require 6 foot evergreen trees (vs 30% @ 10 feet and 70% @ 6 feet)
 - Suggestion for soil depth or volume standard for tree plantings. This would likely be an update to (c)(3)f to apply generally.
 - Update (c)(4) to eliminate the small and large shrub categories and allow all shrub and vine plantings to be 1 gallon pots (vs combination of four inch, one gallon and five gallon).
- Additional adjustments related to low impact development may be considered.

Article 8: Site and Building Standards for Residential Districts (**Significant Discussion Topic**)

Major Discussion Topics:

1. Site design standards
2. Circulation standards
3. Building design standards

- 18.04.802 *Applicability*
 - (a) Applies Article to all residential districts
 - (b) Provides small project (less than 500 sf) exemption - same as for sidewalk installation.
 - (b) Also applies NC district standards for mixed use and nonresidential projects in residential districts.
- 18.04.803 *General Standards for all Residential Development*
 - Recommend renaming to “General Standards for Residential Districts” to better reflect applicability.
 - (a) *Site layout and Development Pattern*
 - (a)(1) *Relationship with Major Roadways* requires 30 foot setback from freeway frontage and outlines design considerations for arterial streets.
 - (a)(2) *Streetscape Design* references general sidewalk standards (5 feet) and refines landscaped parkway requirements to apply to all residential districts (expanded from MF14, SF4, SF6 and SF9) and provides exceptions based on adjacent development.
 - TWG Recommends looking into the option of deferred installation in some cases with bonding (review Sparks approach and possible replicate).
 - Clarify allowed adjustments for hillside development.
 - Consider increased front setback standards where parkways are not provided (primarily for subdivisions)
 - Consider alternatives to parkway to include street trees.
 - (a)(3) *Parking and Garage Location* refines and generally increases flexibility for limitations for residential driveways and front yard parking.
 - Recommend updating c to clarify and also allow single family driveways up to 30 feet wide in the front setback area on parcels with 30 foot or wider garages.
 - TWG Recommends clarification and refinement of this standard.

- TWG Recommends lot width (90 feet) rather than lot size as the standard for circular or multiple driveways.
 - (a)(4) *Building Orientation* generally maintains current provisions.
 - (a)(5) *Setbacks and Building Location* updates current residential infill standards with increased flexibility for residential front setbacks.
 - TWG Recommends adjustments to focus this standard on the dominant front building elevation, which would allow front porches and similar features to extend closer to the street.
 - (a)(6) *Cluster Development* converts existing cluster development land use to a similar (optional) development standard.
 - (a)(7) *Site Compatibility and Adjacency Standards* is a new development standards applying some of the existing cooperative plan overlay standards city wide (which are proposed to be deleted). Standards address parcel size matching, buffering, yard width matching and building height matching.
 - Recommend correction to formatting so parcel size matching, buffering and yard matching and the three allowable options (1-3) under d.
 - Recommend update to Height Matching to only apply the limitation to buildings within 100 feet of a different adjacent district.
 - TWG Recommends clarification that density transferred to address this standard may be located in other zoning districts within a large project.
 - TWG Recommends maintenance of zoning maps to reflect adjustments.
- (b) *Circulation and Access*
 - (b)(1) *Cul-de-Sacs* limits cul de sacs to 25% of total street length with sidewalk connections and exception provisions.
 - Discuss changes per prior meeting discussion.
 - TWG Recommends deleting this standard.
 - (b)(2) *Pedestrian and Bicycle Connectivity* limits barriers that hinder access to abutting streets, sidewalks and trails.
 - TWG Recommends clarifying applicability and generally exclude connections to private (gated) streets and where topography or other features obstruct connectivity.
 - (b)(3) *Recreational Access* requires trailheads and public access to abutting public land trails.
- (c) *Building Design*

- (c)(1) *Wall Articulation* updates design standards to provide a certain number of articulation features from a menu of options.
- (c)(2) *Ground Level Interest* requires ground floor windows along 20 percent or street facing frontages.
- (c)(3) *Roof Planes* updates design standards to provide a certain number of distinct roof planes based on building type and size.
 - TWG Recommends increased design flexibility related to the number of required roof planes.
- (c)(4) *Exceptions* allows approval of alternative building designs for adaptive reuse or expansion of existing buildings.
- (c) *Building Design* standards should also include standards for *Additional Setbacks and Stepbacks for Compatibility*, which are currently located in 18.02.707 and 18.04.1305(e). A cross reference should remain in Article 13 Residential Adjacency. All standards apply in and adjacent to the MF-14 and lower intensity residential districts, with certain exceptions. Review 18.02.707 topics noted below:
 - Recommend relocating material to this section and removing MD-PD (Powning) district from applicability for all subsections.
- (1) *Front Setbacks* requires a 2:1 height/setback ratio from front property lines for building massing.
- (2) *Side Setbacks* require side setback matching, 1:1 additional side setback above 24 feet in height, 1:1 additional side setback above 12 feet in height for structures in the front or rear setback area, and provisions to waive standards with consent of the adjacent owner.
- (3) *Stepbacks and Height Limits* apply tiered building height limits of 60 feet within 75 feet of these districts and 100 feet within 150 feet of these districts.
- 18.04.804 *Supplemental Standards for Single Family Residential Structures*
 - (b) *Site Layout and Development Pattern* retains existing Street Image Standards
 - TWG Recommends clarification of “varied front setback” standard in relation to new site design standards for the same topic.
 - TWG Recommends referencing or relocating the RV parking standard in this section.
 - (c) *Circulation and Access* retains current limits for RV parking on single family lots.
 - Recommend changing title to “Recreational Vehicle Parking”.
- Any other discussion topics??

Article 9: Site and Building Standards for Mixed Use Districts

Major Discussion Topics:

1. Site design standards
2. Circulation standards
3. Building design standards

- 18.04.902 *Applicability*
 - (a) *District Applicability* applies Article to all mixed use districts
 - (b) provides small project (less than 500 sf) exemption - same as for sidewalk installation.
 - (b) *Project-Specific Applicability* also allows administrator approval for use of Article 8 residential design standards for residential development in mixed use districts.
 - (c) *Discretionary Review* generally maintains expedited processing provisions from the current Mixed Use zoning district, but not in the new MS district.
- 18.04.903 *General Standards for all Mixed Use Development (**Significant Discussion Topic**)*
 - Recommend renaming to “General Standards for Mixed Use Districts” to better reflect applicability.
 - (a) *Site layout and Development Pattern*
 - (a)(1) *Relationship with Major Roadways* requires orientation towards arterial and collector streets and design accommodations for planned roadway expansions.
 - TWG Recommends clarification that the standards refer to City (not RTC) roadway classifications.
 - (a)(2) *Setbacks* clarify that setbacks in downtown and higher intensity districts in measured from the curb, not property line. Provisions also allow setback reductions due to existing building locations and excess street right-of-way.
 - TWG Recommends change to measure from back of curb, not face of curb to better address use of sloped or rolled curbs.
 - (a)(3) *Minimum Lot Sizes* requires maintenance of alley access for land divisions under 6,000 square feet.
 - TWG Recommends changes to restrict new curb cuts and allow shared access from existing driveways (with possible driveway widening) in these situations.
 - (a)(4) *Densities* maintains and expands existing provisions allowing exceptions to minimum density and intensity standards.
 - Recommend adding the additional existing allowance for lower densities with SUP approval, modified to use a site plan review

process. This is consistent with Council direction and was a drafting omission.

- TWG Recommends clarification of intensity standards for projects that are partly new development and partly adaptive reuse.
- (a)(5) *Sidewalks* generally maintains the existing sidewalk/streetscape standards from existing mixed use districts with added provisions for site by site adjustments.
 - Recommend edits to specify locations for the 18 foot, 12 foot and 10 foot setback standards so readers don't need to cross reference with chapter 18.02.
 - TWG Recommends adding standards for utility boxes that are located in sidewalk areas (likely a case by case decision).
- (a)(6) *Pedestrian Amenities* maintains current standards for 1 percent of project cost to be applied to enhanced pedestrian amenities.
 - Recommend removing this requirement from the MS district to reflect reduced priority as a high intensity transit corridor. Also note that footnote 148 was carried forward from an initial staff draft – staff is not recommending these changes and did not propose the Common Open Spade article that is referenced.
- (a)(7) *Building Orientation* modifies existing standards to require building orientation toward the front property line, or pedestrian connections.
- (a)(8) *Street Frontage Requirements* generally maintains existing standards with added clarity establishing a quantifiable standard and allowances for pedestrian amenities in lieu of buildings along street frontages.
- (a)(9) *Loading and Service Areas* maintains current standards with added limitation against trash and loading facilities along the Truckee River.
- (b) *Circulation and Access*
 - (b)(1) *Site Connectivity* requires accommodations for off-street connections between mixed use development projects where feasible.
 - TWG Recommends clarifying that this applies to vehicular connections.
 - (b)(2) *Pedestrian and Bicycle Connectivity* limits barriers that hinder access to abutting streets, sidewalks and trails.
 - (b)(3) *Recreational Access* requires trailheads and public access to abutting public land trails.
- (c) *Building Design*
 - (c)(1) *Wall Articulation* updates design standards to provide a certain number of articulation features from a menu of options. Language expands design flexibility compared to current code.

- (b) maintains existing supplemental standards for the PO district.
- (c) maintains existing supplemental standards in portions of the MU district.
- (d) maintains existing supplemental standards for the Midtown districts with targeted edits to remove standards that duplicate new city-wide standards.
 - TWG Recommends clarification of hours of operation limits and maintenance of existing provisions.
- 18.04.906 *Supplemental Standards for Large Retail Establishments* maintains existing standards with targeted edits to reduce repetition.
 - TWG Recommends clarification of applicability (move from definitions) and inclusion of standards related to the subdivision of large retail establishments and reciprocal parking and access agreements.
- Any other discussion topics??

Article 10: Site and Building Standards for Nonresidential Districts

Major Discussion Topics:

1. Building design standards
 2. Standards for compatibility with residential districts
- 18.04.1002 *Applicability*
 - (a) *District Applicability* applies Article to nonresidential districts, including Mixed Use – Airport.
 - Note footnote 192 is incorrect – RTIA standards are included.
 - (b) *Project-Specific Applicability* provides small project (less than 500 sf) exemption - same as for sidewalk installation.
 - 18.04.1003 *General Standards for Nonresidential Districts* (**Significant Discussion Topic**)
 - (a) *Site layout and Development Pattern* includes general site design standards, which are considerably more flexible than in residential and mixed use districts.
 - TWG Recommends clarification of subjective language, including “framing streets”.
 - (b) *Circulation and Access*
 - (b)(1) *Use of Public Streets* limits truck loading from public streets
 - (b)(2) *Site Layout* requires a pedestrian access route from public sidewalks.
 - (b)(3) *Pedestrian and Bicycle Connectivity* limits barriers that hinder access to abutting streets, sidewalks and trails.
 - (b)(4) *Recreational Access* requires trailheads and public access to abutting public land trails.
 - (c) *Building Design*
 - (c)(1) *Building Articulation* retains current articulation standards with reduced applicability to only apply in nonresidential districts.
 - TWG Recommends changes to existing horizontal and vertical articulation standards to allow other forms of quality design, which may include materials, landscaping and other features. Consider a menu of options similar to the draft residential and mixed use standards, but with different design requirement standards more applicable to industrial and other nonresidential buildings.
 - (c)(2) *Integration of Architecture, Signage and Lighting* requires certain design features to maintain visual interest when viewed from public streets.

Article 11: Improvement Standards for New Development

- No substantive changes.
- Any discussion topics??
 - TWG Recommends technical revisions to better align existing code language with actual processes. For example, many subdivisions are approved by the Planning Commission, but code language only identifies the City Council as a deciding body. Changes may also relocate some technical design requirements to a technical manual.

Article 12: Exterior Lighting

Major Discussion Topics:

1. Unpermitted lighting
2. Light pole height
3. Color of lighting

- 18.04.1202 *Applicability*
 - (b) *Additions and Renovations* provides small project (less than 500 sf) exemption - same as for sidewalk installation.
 - (c) *Exemptions* provide certain exemptions for emergency lighting, seasonal lighting, lighting required by the FAA or FCC, special event lighting, lighting required by the building code, and lighting for outdoor recreation and entertainment facilities.
 - TWG recommends clarification of requirements related to unpermitted use of light strands and other lighting to attract attention to buildings. Consider not allowing.
- 18.04.1203 *Administration* requires a lighting plan submittal and allows administrative approval of alternatives.
- 18.04.1204 *General Exterior Lighting Standards* apply outside the Downtown districts (but within Powning)
 - (a) prohibits certain types of lighting
 - (b) requires shielding of light fixtures and limits light trespass onto other properties
 - (c) limits light outputs
 - (d) establishes limits for nighttime lighting and motion sensors
 - (e) establishes standards for floodlights and spotlights
 - (f) allows exceptions for nonrestricted gaming operations
- 18.04.1205 *Parking Area Lighting* establishes a 30 foot maximum height for parking lot lights and exempts lighting within parking structures from illumination limits.
 - TWG Recommends retaining the 30 foot height limit in the non-residential districts, and having a reduced 20 foot height limit in Mixed Use districts (and retaining the 18 foot limit near residential)
 - TWG Recommends a reference to proposed landscape code requirements to not locate parking lot light poles in tree islands (or a duplicate standard).
- 18.04.1206 establishes standards for *Outdoor Recreation and Entertainment Facility* lighting.
- 18.04.1207 outlines *Installation and Maintenance* standards
- Any other discussion topics??

- TWG Recommends consideration of standards for the tint (temperature) of lighting for increased consistency. In general, warmer shades that appear similar to incandescent lights are preferred over cold/blue shades.

Article 13: Residential Adjacency

Major Discussion Topics:

1. Grading adjacency standards
 2. Residential privacy provisions
 3. Noise standards
 4. Trash removal
-
- 18.04.1302 *Applicability* applies article 13 standards to nonresidential development within, adjacent to, and within 150 feet of residential zoning districts.
 - 18.04.1303 *Use Limitations* outlines limitations for public address systems, outdoor storage, drive through lanes, and hours of operation.
 - 18.04.1304 *Grading*
 - (a) establishes fill depth limits adjacent to residential districts with provisions for exceptions.
 - (b) maintains current (more restrictive) standard for grading adjacent to single family districts.
 - TWG Recommends refinements to applicability and allowed alternatives, including consideration of adjacent building locations and potential waivers if adjacent residences are a considerable distance from the development site and possible alternative compliance measures including increased landscaping.
 - 18.04.1305 *Site and Building Orientation*
 - (a) *Site Orientation* addresses orientation of higher activity areas away from residential areas where feasible.
 - TWG Recommends clarification to focus adjacency requirements on adjoining residential properties preferentially over residential properties that are adjacent across a street.
 - (b) *Building Configuration* calls for transitional/reduced building heights on portions of sites that adjoin residential districts.
 - Recommend deleting language at the end of (b)(1): “so that new structures...”. This conflicts with the new setback and stepback standards and may be too restrictive.
 - (c) *Outdoor Above Grade Spaces* requires design so that upper story balconies avoid direct views into rear yards of single family areas.
 - TWG Recommends changes to address privacy more broadly, noting that floor to ceiling windows can be more impactful than upper floor porches. Broader to require landscaping or other buffering to address residential district privacy concerns.
 - (d) *Building Facades* requires architectural treatments on all facades visible from public streets or residential districts.

- (e) *Additional Setbacks and Stepbacks for Compatibility* is to be relocated to Article 8 and was addressed in that section.
 - Replace with a reference to the Article 8 standards so applicable provisions also apply adjacent to and within 150 feet of residential districts.
- 18.04.1306 *Signage Adjacent to Residential*
 - (a) prohibits side or rear wall signage abutting residential districts.
 - (b) addresses the design of signage adjacent to residential areas and prohibits internally illuminated signs from being orientated towards residentially zoned property. Indirect illumination of signs may still be allowed.
- 18.04.1307 *Spillover Lighting* limits spillover light levels to 0.5 foot candles adjacent to certain residential districts (MF-14 and lower intensity), limits light fixture heights within 100 feet of residential districts to 18 feet in height, and allows administrative flexibility.
- 18.04.1308 *Noise* generally retains noise limitations with clarifications regarding sustained and recurring noise levels.
 - TWG Recommends refinements in coordination with noise experts, to include a review of other community ordinances, improved provisions for ambient noise levels and clarification of standards for single event, recurring and sustained noises.
- 18.04.1309 *Odor* clarifies nuisance limitations related to Odor and requires that garbage containers be located at least 25 feet from residential areas where feasible.
- 18.04.13010 *Off-Street Parking* outlines locational considerations for the location of off street parking for nonresidential uses adjacent to residential areas.
- 18.04.13011 *Cut-Through Traffic* seeks to prevent site designs that promote cut through traffic in adjacent residential areas.
- 18.04.13012 *Use of Alleys* prohibits use of residential alleys for commercial business deliveries at night.
- 18.04.13013 *Loading Activities* addresses the location, orientation and screening of commercial loading areas adjacent to residential areas.
- Any other discussion topics??
 - TWG Recommends investigation of authority (or voluntary agreements) with waste management to not collect trash during overnight hours in alleys that separate businesses from homes.

Article 14: Skyways

- No substantive changes.
- Any discussion topics?
 - TWG Recommends consideration of site plan reviews to replace special use permits for skyways (pending process discussion).

Article 15: Safe Scape Regulations

- No substantive changes.
- This section of code was written to address ongoing operational standards from a law enforcement perspective. The entire article may be relocated to a section of RMC not in Title 18 to better reflect the sue and applicability of these code provisions.
- Any discussion topics??

Chapter 18.05 Signs

Major Discussion Topics:

1. Consolidated limitations for real estate and political signs.

Updates to sign ordinances are generally outside the scope of this code update project. Substantive changes are limited to the minimum required for compliance with a recent supreme court ruling (Reed v Gilbert) involving content neutrality.

- 18.05.1010(b) is updated to consolidate existing standards for temporary real estate signs and temporary political signs. Where standards for size or duration differ, the more permissive standard is applied.
- 18.05.1003 / Table 1.22
 - Table note [6] is updated to remove allowance for one additional 16 q. ft. freestanding sign for gas stations price signs. Freestanding signs for all use types are limited to one per frontage in specified mixed use districts.
- Any other discussion topics??

Chapter 18.06: Land Division

- No substantive changes.
- Any discussion topics??
 - TWG Recommends technical corrections to reference current building codes and remove a redundant and inconsistent provisions related to townhomes.

Chapter 18.07 Historic Preservation

Major Discussion Topics:

1. Incentives for preservation
2. Demolition standards
3. Certificate of Appropriateness exemptions for certain maintenance activities.

Targeted changes were made per Master Plan implementation measures. These provisions apply to the locally designated historic resources, not the more common federally designated historic resources.

- 18.07.202 *Procedures for Nomination and Designation*
 - (f)(2) is amended to automatically apply the HL overlay district upon designation of a historic resource with approval of the property owner. This eliminates the need for a separate rezoning process.
 - (g) is amended to automatically rescind the HL overlay district upon approval of a demolition certificate, also eliminating the need for a separate rezoning process.
 - TWG Recommends clarification of historic features upon nomination to focus future review of proposed improvements on significant historic matters.
- 18.07.302 *Historical Resources Commission Recommendation on Related Zoning Applications*
 - (c) is added to call for HRC review of Planning Commission cases located adjacent to an historic resource.
- 18.07.303 *Demolition Certificate*
 - (b)(4) *Findings* are added
 - (c) *Mitigation of Historic Resource Loss or Alteration* is added to specify acceptable mitigation options for demolition if an historic resource, including a new process by which the HRC may initiate the relocation or salvage of historic resources proposed to be demolished without completing other mitigation actions. Some have proposed granting the HRC and City Council the right to deny demolition permits, but this document does not do that.
- 18.07.304 *Certificates of Appropriateness*
 - (c)(introduction) is added to administratively allow modifications determined to have no significant impact.
 - (c)(4) is added to establish an initial review by staff and two HRC members to determine if applications are significant enough to warrant review by the full HRC and to approve applications deemed to create no significant impact.
 - TWG recommendation for more meaningful streamlining to eliminate Certificate of Appropriateness requirements for maintenance activities

and minor improvements such as window replacement, painting and similar work.

- 18.07.305 *Maintenance Obligation and Demolition by Neglect* is a new section, drafted per Master Plan language, to establish maintenance obligations and a process for determination of “demolition by neglect”. Note that subsection (c)(5) ultimately allows the City to determine that demolition by neglect is occurring, which would trigger the mitigation measures required for demolition permits.
- 18.07.306 *Economic Hardship* includes expanded criteria whereby applicants may petition for approval of demolition permits or certificates of appropriateness based on economic hardship.
- 18.07.307 *Incentives for Historic Resource Preservation* is a new section calling for HRC development of an incentive package.
 - TWG recommends the development of actual incentives in accordance with Master Plan provisions, rather than a call for a future work program that may or may not occur. Incentives could include:
 - Eliminating on-site parking requirements
 - Allowances for minor improvements without HRC review
 - Members to research other City ordinances and may identify other topics to more effectively encourage preservation of historic resources..
- Any other discussion topics??

****Note that review by the Technical Working Group has been completed through Chapter 18.07. Further review of Chapter 18.08 (Administration and Procedures) is scheduled to occur on January 21. Input on the remaining topics will be summarized at the Planning Commission workshop.**

Module 3 Administration and Procedures

Chapter 18.01: General Provisions:

- 18.01.403: *Nonconforming Uses* (Generally allowed to continue and requires SUP to expand).
 - New subsection (b) allows expansion up to 20% in the same building administratively with finding
 - New subsection (d)(5) allows expansion up to 25% with site plan review and findings
 - New (d)(7) allows expansion of single family use by right
 - Revised (f) allows planning commission approval of SUP to reestablish a non-conforming use, except for gaming (revised from council approval).
- 18.01.404: *Nonconforming Structures* (Generally allowed to continue and requires SUP to expand).
 - Reorganized to be distinct from nonconforming uses
 - New (a) clarifies ongoing interpretations
 - Non-conforming buildings may be expanded in a conforming way
 - Non-conforming expansions may be allowed with SUP and findings
 - Updated (b) allows restoration within 18 months following calamity without limitations/conditions
- 18.01.504: *Enforcement, Remedies and Penalties*
 - Updated/new (b) and (c) clarify right to issue stop work orders, and withhold or deny permits for violations (vs revocation only).
- Article 6: *Transition from Prior Regulations*
 - In process applications may pick old or new code (not some of each)
- Any other discussion topics??

Chapter 18.08 Administration and Procedures

This chapter is generally based on existing Chapters 18.04, 18.05, and 18.06 with modifications to improve organization, streamline certain review procedures, establish additional processes for flexibility and relief, update findings and address PUDs and SPDs.

- Article 2 / Table 8.1 is an updated version of existing Section 18.06.108 Summary Table with new procedures (discussed later) included.
- Article 3 *Common Review Procedures*
 - 18.08.302 *Pre-Application Meeting* specifies procedures for (voluntary) pre-application meetings
 - 18.08.303 *Application Submittal and Handling*
 - New (a) outlining authorities to submit an application
 - New (b) referencing administrative fees and application forms
 - Updated (d) outlining concurrent review procedures reflecting current (new) practice allowing review of separate zoning and SUP applications (or similar) at the same meeting. Intended to provide a faster option for pre-development entitlements.
 - Updated (e) establishing intake dates twice per month and calling for site plan reviews and new application types to be submitted on intake dates. The change for site plan reviews is proposed in conjunction with increased use of site plan reviews instead of special use permits.
 - New (f) addressing state law requirements for determination of application completeness.
 - New (g) addressing withdrawal of applications and fee refunds.
 - Recommend adding a new (3) allowing Administrator to establish additional allowances for partial fee refunds.
 - 18.08.304 *Review and Action*
 - New (a) through (d) specifying typical procedures for review and action.
 - New (e) specifies approval criteria for all applications, covering some topics currently address in application specific findings.
 - New (f) authorizes conditions of approval with criteria for potential conditions generally reflecting legal requirements.
 - 18.08.305 *Scheduling and Notice of Public Hearings*
 - Updated (b)(2) outlining current practice for on site notification posting
 - Updated (c) with consolidated standards for mailed and posted notice (eliminates duplication).
 - New (f) addressing constructive notice, including minor notification defects and failure to receive notice.
 - 18.08.306 *Review and Decision*

- Expanded (a) and (b) include generally applicable review and decision criteria, allowing the removal of duplicative language in individual procedure sections.
 - 18.08.307 *Post-Decision Actions and Limitations*
 - New section consolidating and expanding generally applicable post-decision actions and limitations. This includes certain provisions that are currently specified for some applications, but should properly be applied to all applications (e.g. (e) Revocation of Approval, (f) extension of approval, (g) modification or amendment of approval, (h) compliance with plans, and (j) Temporary Certificates of Occupancy).
- Article 4 *Annexation, Interpretation and Master Plan Procedures*
 - Material is reorganized from Chapters 18.04 and 18.05, with few substantive changes.
 - Recommend moving 18.08.402 *Administrative Interpretations* to Article 5 and Renaming Article 5: *Ordinance Amendments and Interpretations*
 - Updated 18.08.404 (b) *Applicability* including NRS criteria for minor master plan amendments.
 - Updated 18.08.404 (c)(1) allowing Planning Commission initiation of Minor Master Plan Amendments. Planning Commission is already authorized to initiate major master plan amendments.
- Article 5 *Ordinance Amendments and Interpretations*
 - Material is reorganized and updated from Chapter 18.06 Article 4.
 - Updated 18.08.501(c) with procedures for *Code Text Amendments*
 - In 18.08.502 *Rezoning*, Footnote 85 indicates new review timelines have been established, but they have not.
 - Recommend adding procedures similar to SUP + appeal.
 - 18.08.503 *Rezoning to Planned Unit Development*
 - New (c)(7)b Minor Amendments to PUD Plans establishing administrative amendment procedure for PUDs allowing up to 10% increase.
 - Discuss scope – should this allow additional development as written or be limited to reconfigurations or land use conversions?
 - Recommending the authorization of conditions and making PUD approval findings applicable.
 - New (c)(7)c *Reconsideration and Expiration* establishing time limitations for development of PUDs. Applies to future approvals. Rezoning may be initiated if no development occurs in 10 years or less than 50% in 20 years.
 - New (c)(7)d specifies procedure to rezone a PUD to another district.

- New (d) *Findings* for PUDs. Findings address compatibility, public benefits and also codifies master plan language related to consistency of PUD land uses with the City Master Plan Map.
 - Article 6 *Development Permits*.
 - Updated 18.08.601 *Projects of Regional Significance* clarifies procedures for PRS review to reflect current practice.
 - Updates to 18.08.602 *Site Plan Review*
 - Updated (b)4 *Activities Subject to Site Plan Review* establishes site plan review procedures for adjacency to residentially zoned property and cluster / small lot development.
 - New (c) *Exemptions* expanded to allow small additions (updated and expanded from current SUP exemptions). Also exempts residential adjacency across a major arterial or freeway.
 - Recommend correction of drafting error – exemption (c)(2) should be the same as special use permit exemption 18.08.603(c)(2).
 - Updated (d)(2) *Public Notice* to establish major and minor site plan review noticing standards. Noticing radius reduced to 250 feet and ten owners for smaller projects.
 - Updated (e)(3) *Appeal* changes appeal procedure from hearings examiner to planning commission. Final appeals go to council.
 - Updated (f)(2) *Time Limitations and Extensions* with time extension allowances similar to SUPs.
 - Updated (g) *Findings* similar to SUP findings.
 - Updates to 18.08.603 *Special Use Permit*
 - Updated (b) *Applicability* to eliminate SUP review (now site plan review) for residential adjacency and cluster / small lot development.
 - Note footnote 109 regarding formatting with some duplication of SUP triggers.
 - Updated (b)(9) reflects grading and hillside development review changes.
 - Updated (c)(2) broadens applicability for additions to nonresidential facilities. Does not require that the project previously received an uncontested SUP. Keeps 20,000 sf limit, but increases allowed addition from 10% to 20%. Modifies compatibility language.
 - Updated (e) *Findings* with new general findings for approval.

- (e)(2) findings for hillside development to be relocated to 18.04.3xx to apply to all hillside development applications, including those not requiring SUP approval.
 - Note highlighted material suggested for relocation to applicable code sections.
- Article 7 *Other Development Permits and Approvals*
 - Note and correct drafting error in 18.08.604 (b) *Grading Permits* with general finding language inserted where existing language regarding permit requirements and findings should be. Intent is to not change current grading permit standards.
- Article 8 *Flexibility and Relief*
 - 18.08.801 *Variances*
 - Updated (c)(6) *Time Limitations* for consistency with SUP and tentative map procedures.
 - 18.08.802 *Major Deviations*. This is a new process allowing deviations up to 50% from quantifiable code standards. This is similar to a variance, but without a requirement for a “hardship” or “exceptional situation”.
 - Discuss option of public hearings before the planning commission vs land use hearings examiner (as specified in text). Following research, staff and consultants determined that NRS requirements for special exceptions (NRS 278.315) permit the use of an administrative hearings examiner for land use matters. This process involves an administrative public hearing with appeals to the city council. Alternatively, the process could include a planning commission hearing, similar to a variance. Another option is to standardize the process for variances, major deviations and alternative compliance applications and have review triggers based on project size. There are some new administrative duties associated with a new process and the value added may not be significant. If this process is established, it could also be used for site plan reviews.
 - If retained, recommend adding an alternative procedure available to applicants involving planning commission review similar to a variance or SUP.
 - (b) establishes applicability at 50% of quantifiable development standard.
 - Recommend edits clarifying that major deviations are not allowed for density or lot size standards.
 - (c) establishes the review process and introduces the Land Use Hearings Examiner

- (d) establishes findings for approval.
 - 18.08.803 *Alternative Equivalent Compliance* is a second new process, similar to major deviations, allowing deviations from other development standards.
 - Recommend keeping the process consistent with major deviations.
 - (b) establishes applicability limited to Chapter 18.04 Development Standards.
 - (c) establishes the review process and introduces the Land Use Hearings Examiner
 - (d) establishes findings for approval.
 - 18.08.804 *Minor Deviations*
 - Updated (b) *Applicability* to maximize use of the process as specified in NRS 278.319
 - Updated (c)(1) to use written consent language consistent with NRS.
 - 18.08.805 *Appeal*
 - New (a) *Appeal of Administrative Decisions to Planning Commission* establishes a new appeal process. This is for site plan reviews in the draft code.
 - Updated (c)(2)a, consistent with NRS, to provide options for scheduling appeals before the City Council based on meeting attendance or length of agenda
 - 18.08.806 *Development Agreement*.
 - Updated (b) to allow development agreements for projects not requiring PUS, SPD or SUP approval. Plan to further update (b), if permissible following further legal review, to allow development agreements for any project rather than only those projects qualifying as projects of regional significance.
- Article 9 *Review and Decision Making Bodies*
 - 18.08.903 *Planning Commission*
 - Updated (d) to be consistent with City Council resolution for appointments.
 - 18.08.904 *Hearings Examiner*
 - Updated (b) *Powers and Duties of the Historical Resources Commission* to clarify responsibilities.
 - Updated (c) *Composition* to have broader qualifications and attract a wider variety of professionals and increase the pool of potential candidates.
 - 18.08.906 *Land Use Hearings Examiner*

- New decision making process proposed for major deviations, alternative compliance and potentially other processes.
 - (c) requires the examiner be a licensed attorney or AICP planner to be appointed by the mayor and confirmed by the city council.
- Any other discussion topics??

Chapter 18.09: Rules of Construction and Definitions

Code construction and definitions are largely retained from the existing code with targeted updates made. Substantive amendments are addressed in prior review topics. Updated terms are footnoted in the draft code.

- Article 1 (Module 2) *Rules of Construction and Interpretation* includes expanded general provisions typical of modern codes.
- Article 2 (Module 1) *Definition of Use Categories and Use Types* includes definitions for new use categories, consolidation and certain use categories, and some targeted modernization and clarification.
- Article 3 (Module 2) *All Other Terms Defined* includes some targeted modernization and clarification.
- Any discussion topics??