BILL NO. 2026-12

NYE COUNTY ORDINANCE NO. 630

SUMMARY: An Ordinance amending Nye County Code Title 17, Comprehensive Land Use Planning and Zoning, by amending Chapter 17.04 entitled Pahrump Regional Planning District, relating to Section 17.04.110 Definitions by adding the definition of an Accessory Dwelling Unit (ADU); amending the definition of Dwelling, or dwelling unit, by removing "Or Dwelling Unit"; amending Section 17.04.210 RH-9.5 Rural Homestead Residential; Section 17.04.215 RH-4.5 Rural Homestead Residential; Section 17.04.220 RE-2 Rural Estates Residential; Section 17.04.225 RE-1 Rural Estates Residential; Section 17.04.230 SE Suburban Estates Residential; Section 17.04.240 VR-20 Village Residential and Section 17.04.245 VR-10 Village Residential by adding in Accessory Dwelling Units and standards to permissive uses, and removing mobile homes as temporary residences with a Temporary Use Permit; and providing for the severability, constitutionality and effective date thereof; and other matters properly relating thereto.

TITLE: AN ORDINANCE AMENDING NYE COUNTY CODE TITLE 17, COMPREHENSIVE LAND USE PLANNING AND ZONING, BY AMENDING CHAPTER 17.04 ENTITLED PAHRUMP REGIONAL PLANNING DISTRICT, RELATING TO SECTION 17.04.110 DEFINITIONS BY ADDING ACCESSORY DWELLING UNIT (ADU), AMENDING THE DEFINITION OF DWELLING OR DWELLING UNIT, BY REMOVING "OR DWELLING UNIT'; AMENDING SECTION 17.04.210 RH-9.5 RURAL HOMESTEAD RESIDENTIAL; SECTION 17.04.215 RH-4.5 RURAL HOMESTEAD RESIDENTIAL; SECTION 17.04.220 RE-2 RURAL ESTATES RESIDENTIAL; SECTION 17.04.225 RE-1 RURAL ESTATES RESIDENTIAL; SECTION 17.04.230 SE SUBURBAN ESTATES RESIDENTIAL; SECTION 17.04.240 VR-20 VILLAGE RESIDENTIAL AND SECTION 17.04.245 VR-10 VILLAGE RESIDENTIAL BY ADDING IN ACCESSORY DWELLING UNITS AND STANDARDS TO PERMISSIVE USES; AND REMOVING MOBILE HOMES AS TEMPORARY RESIDENCES WITH A TEMPORARY USE PERMIT; AND PROVIDING FOR THE SEVERABILITY, CONSTITUTIONALITY AND EFFECTIVE DATE THEREOF; AND OTHER MATTERS PROPERLY RELATING THERETO.

WHEREAS, pursuant to NRS 244.119, the Nye County Board of Commissioners ("Board") is authorized to amend the Nye County Code; and

WHEREAS, pursuant to NRS 278.020, for the purpose of promoting the health, safety, morals, or the general welfare of the community of Nye County, the Board is authorized and empowered to regulate and restrict the improvement of land and to control the location and soundness of structures; and

WHEREAS, any such regulation, restriction and control must take into account the potential impairment of natural resources and the total population which the available natural resources will support without unreasonable impairment;

NOW, THEREFORE, pursuant to NRS 244.110, the Board of County Commissioners of the County of Nye, State of Nevada, does ordain:

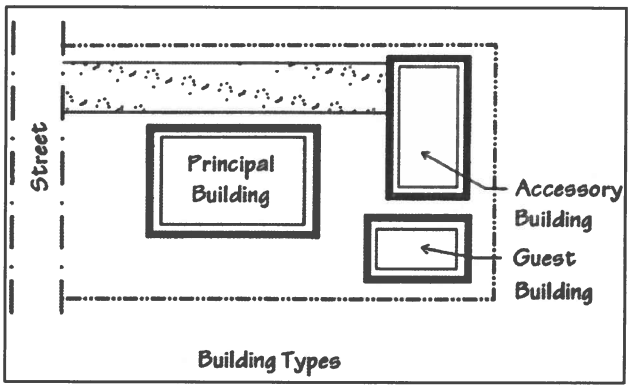
17.04.110: Definitions

ABANDONMENT: The relinquishment of property, or a cessation of the use of the property, by the owner or lessee without any intention of transferring rights to the property to another owner or of resuming the use of the property.

ABUT: To physically touch or border upon, or to share a common property line but not overlap.

ACCESS: Clear and unobstructed approach usable by motor vehicles to a legally granted access easement or dedicated public way.

ACCESSORY BUILDING: A subordinate building, the use of which is incidental to that of the principal building and located on the same lot as the principal building, which may be structurally attached to the principal building or detached. All accessory buildings whether attached to the principal building or detached must comply with the building setbacks for accessory buildings.



ACCESSORY DWELLING UNIT (ADU): Is a secondary, subordinate, independent residential dwelling unit which may be a site-built home or a manufactured home located on the same parcel as a legally established primary single-family residence that shall provide complete independent living facilities, including provisions for living, sleeping, eating, cooking, and sanitation. For the purpose of this title, a manufactured home or site-built home used as an ADU shall not be considered a second primary dwelling unit.

ACCESSORY USE: A use incidental to the principal use of the property, located on the same lot or parcel of land.

ACREAGE, GROSS: The total acreage of a lot or parcel including lands originally dedicated from the parcel for street right-of-way.

ACREAGE, NET: The acreage of a lot or parcel minus any land dedicated or otherwise reserved for any adjoining street(s).

ADULT USES: "Adult uses", because of their very nature, are recognized as having serious objectionable operational characteristics, particularly when located in areas near schools, churches, or residential land uses. The primary control or regulation is for the purpose of preventing proliferation of adult uses, and the location of adult uses near schools, churches, or residential land uses to safeguard youth and nonconsenting adults from exposure to adult uses.

Adult Bookstore: An establishment which merchandises printed material or movies which are intended to appeal to the prurient interest of the reader.

Adult Entertainment Cabaret: A public or private establishment which features nude or topless entertainers, bottomless entertainers, strippers, exhibitions, contests, or similar entertainment wherein T-shirts, blouses, or similar garments worn by participants are saturated with liquid so as to result in the exposure, highlighting or

outlining of the participant's "specified anatomical areas" as defined herein. Typical production shows offered by resort hotels that include topless entertainers shall not be considered as adult entertainment cabaret provided that a separation and/or barrier that prevent physical contact between performers and customers are maintained at all times during each performance.

Adult Mini-Motion Picture Theater: An enclosed area with a capacity for less than fifty (50) persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas, for observation by patrons therein, including closed circuit television viewings.

Adult Motion Picture Theater: A motion picture theater whose program, during the time of its operation, contains one or more motion pictures which are rated "X" by the Code Rating Administration of the Motion Picture Association of America, or are not rated, and whose program is intended to appeal to the prurient interests of the viewer.

Adult Picture Arcade Theater: Any premises where there is maintained one or more machines or contrivances to show still or motion pictures, or television sets, designated for viewing by one or more customers used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas, and for which any charge, consideration or payment is required. This definition includes peepshows which exhibit motion pictures by means of coin operated projection machine.

Commercial Nude Establishment: Any commercial business other than an adult entertainment cabaret that has persons who perform services and/or are visible to the public while displaying or failing to cover the "specified anatomical areas" defined herein.

Motion Picture: Includes television viewing, regardless of whether picture presentation originated with closed circuit, live broadcast, cassette, or other recording.

Sex Novelty Shop: An establishment selling sex articles, materials, items, or devices which are neither books, films nor pictures, tapes nor discs which are designed or sold for the stimulation of human genital organs or sexual gratification including, but not limited to, dildos, vibrators, marital aids and artificial vaginas. Specified Anatomical Areas:

1. Less than completely and opaquely covered:
    1. Human genitals/pubic region.
    2. Buttock.
    3. Female breast, or male breast if surgically augmented to appear as a female breast, below a point immediately above the top of the areola.
2. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified Sexual Activities:

1. Human genitals in a state of sexual stimulation or arousal.
2. Acts of human masturbation, sexual intercourse or sodomy.
3. Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

Theater - Nonadult: See definition of movie theater.

AGRICULTURAL COMMERCIAL USES (INDOOR): Facilities for agricultural related industries including the growing, raising, and processing of various types of agricultural products, completely contained and operated within an enclosed principal building and/or accessory structure. For purposes of this title, agricultural uses such as slaughterhouses, commercial meatpacking plants, commercial swine operations, commercial dairies, commercial poultry, rabbit, or goat operations, concentrated animal feeding facilities, livestock auction yards, and other similar high intensity indoor agricultural uses that may be conducted within buildings or structures are excluded from this definition.

AIRPORT RELATED USES: Include, but are not limited to, runways, taxiways, tarmacs, terminals, hangars, towers and parking areas.

ALLEY: A public thoroughfare or way which affords only a secondary means of access to abutting property not intended for general traffic.

AMUSEMENT PARK: A facility, primarily outdoors, that may include structures and buildings, where there are various devices for entertainment, including rides, booths for the conduct of games or sale of items, buildings for shows and entertainment, and restaurants and souvenir sales.

ANIMAL: Every wild or domesticated living creature, except members of the human race.

ANIMAL, AGRICULTURE CARE PROJECT: Must be sponsored and monitored by a multimember animal husbandry society that provides the participants with direction and guidance in the raising of animals and an opportunity to exhibit the animals at the end of the project.

ANIMAL, EXOTIC: Any animal not customarily confined or cultivated by humans for domestic or commercial purposes. This term includes, but is not limited to: antelope, anteaters, kangaroos, wallabies, as well as exotic domestic cattle such as ankole, gayal and yak.

ANIMAL RELATED BUSINESSES: Includes, but is not limited to, the following uses: animal rescues, animal sanctuaries, commercial kennels, commercial stables, grooming facilities, pet stores.

ANIMAL RESCUE: An establishment owned or operated by a licensed profit or nonprofit organization whose primary function is to provide temporary care and comfort to animals. Animal rescue operations existing prior to the adoption hereof, shall not be required to obtain a conditional use permit, under the following conditions:

1. Must comply with all Federal, State and County regulations.

2. Any Code Compliance Officer, animal control officer, Sheriff's officer, or other authorized representative of the County shall have the authority to enter upon the property or into the facility except by means of force when they have reason to believe that the provisions of any applicable State law or the regulations of Nye County are being violated.

3. Inspection of animals and their habitat shall be conducted annually by a nationally or regionally established organization or agency, as designated by the Nye County Animal Control Office. Copies of the inspection reports shall be maintained at the Nye County Animal Control Office.

ANIMAL SANCTUARY: An establishment owned or operated by a licensed profit or nonprofit organization whose primary function is to provide lifetime care and comfort to animals. Animal sanctuaries existing prior to the adoption hereof, shall not be required to obtain a conditional use permit, under the following conditions:

1. Must comply with all Federal, State and County regulations.

2. Any Code Compliance Officer, animal control officer, Sheriff's officer, or other authorized representative of the County shall have the authority to enter upon the property or into the facility except by means of force when they have reason to believe that the provisions of any applicable State law or the regulations of Nye County are being violated.

3. Inspection of animals and their habitat shall be conducted annually by a nationally or regionally established organization or agency, as designated by the Nye County Animal Control Office. Copies of the inspection reports shall be maintained at the Nye County Animal Control Office.

ANIMAL SHELTER, GOVERNMENT OPERATED: Any premises designated by the County for the purpose of impounding and caring for animals coming into the County's custody.

ANIMAL, SPECIAL CONDITIONS: Animals that, due to unique husbandry, handling, recapture and enclosure requirements, consist of the following: baboons (genus Papio), chimpanzees (genus Pan), drills and mandrillas (genus Mandrillus), gelada baboons (genus Theropithecus), gibbons (genus Hylobates), gorillas (genus Gorilla), macaques (genus Macaca), orangutans (genus Pongo), siamangs (genus Symphalangus), cheetahs (Acinonyx jubatus), clouded leopards (Neofelis nebulosa), cougars, panthers (Puma concolor), jaguars (Panthera onca), leopards (Panthera pardus), lions (Panthera leo), snow leopards (Panthera uncia), tigers (Panthera tigris), African wild dogs (Lycaon pictus), dingoes (Canus dingo), jackals (4 species: Canus aureus, mesomelas, simensis, adustus), maned wolf (Chysocyon brachyurus), wolves (Canus lupus, Canus rufus), wolf hybrids, bears (family Ursidae), elephants (family Eliphantidae), hyenas (family Hyaenidae), wolverines (Gulo gulo), wild hybrids of those listed.

Properties maintaining special conditions animal(s) that are existing prior to the adoption hereof, shall not be required to obtain a conditional use permit, under the following conditions:

1. Must comply with all Federal, State and County regulations.

2. Any Code Compliance Officer, animal control officer, Sheriff's officer, or other authorized representative of the County shall have the authority to enter upon the property or into the facility except by means of force when they have reason to believe that the provisions of the conditional use permit or any applicable State law or the regulations of Nye County are being violated.

3. All special conditions animals shall be registered with the Nye County Animal Control Office.

4. All permits issued through Nevada Wildlife Department or the USDA or any other agency shall be current and kept on file in the Nye County Animal Control Office.

5. Inspection of animals and their habitat shall be conducted annually by a nationally or regionally established organization or agency, as designated by the Nye County Animal Control Office. Copies of the inspections reports shall be maintained at the Nye County Animal Control Office.

ANIMAL, WILD: Any animal that is now or historically has been found in the wild, or in the wild state, within the boundaries of the United States. For example, this term includes, but is not limited to: deer, elk, skunk, opossum, raccoon, mink, armadillo, coyote, squirrel, fox, wolf, cougar, bobcat and lynx. This term does not include mustangs or burros.

APIARY: Bees and beekeeping.

APPROVED PLANS: On and off-site improvement plans that have been reviewed and approved by the Department of Public Works or its representative, or any required State agency. Approved plans include street, water, sewer, drainage, grading, lighting, parking, and any and all other plans as may be required.

ARTERIAL, COLLECTOR: Streets designed to collect traffic from residential and commercial developments, where direct lot access is limited.

ARTERIAL, LOCAL: Roadways designed to provide direct lot access to abutting properties as well as on street parking.

ARTERIAL, MAJOR: Streets that move high volumes of traffic quickly and efficiently, with limited access, where direct lot access is prohibited.

ARTERIAL, MINOR: Designed for mobility and access, where direct lot access is prohibited, however intersecting spacing is allowed more frequently than on major arterials.

ARTERIAL STREET: A higher order street than all residential streets (see streets and highways plan). Conveys traffic between population and business centers.

AUTOMOBILE REPAIR FACILITY: A building, or portion thereof, held out or used for the housing, servicing, repairing, performing bodywork and painting of motor vehicles, but not including the storage of dismantled or wrecked motor vehicles, parts thereof, or junk.

AUTOMOBILE SERVICE STATION: An establishment retailing motor fuels and lubricants directly to the public on the premises; including incidental sale of minor auto accessories, services, and maintenance, but not repair work.

AUTOMOBILE WRECKER/SALVAGE YARD: An establishment that cuts up, compresses, or otherwise disposes of motor vehicles. Should the establishment also store and sell salvaged auto parts, it functions as a junkyard.

BOCC: See definition of Board of County Commissioners.

BANK: A standard financial establishment for the custody, loan, exchange, or issue of money, for the extension of credit, and for facilitating the transmission of funds. Such establishments include savings and loans, credit unions, or other related facilities but do not include quick check cashing or similar agencies.

BAR: Premises used primarily for the sale or dispensing of liquor by the drink for on site consumption and where food may be available for consumption on the premises as accessory to the principal use. "Bar" also includes an area within a restaurant, casino, theater or any other area where liquor is sold accessory to the principal use. See also definition of liquor sales establishment.

BED AND BREAKFAST INNS: A house with a permanent resident and a subordinate use of up to eight (8) guestrooms which may be rented for short term overnight lodging with breakfast served to overnight guests only; some or all guestrooms may be in accessory living quarters.

BILLBOARD: See section 17.04.770 of this chapter for sign regulations.

BLOCK: A tract of land within a subdivision entirely bounded by streets, highways or ways, except alleys; and the exterior boundary or boundaries of the subdivision.

BOARD OF COUNTY COMMISSIONERS: The Nye County Board of County Commissioners.

BOARDING AND ROOMING HOUSE: A dwelling unit, or part thereof in which, for compensation, lodging and meals are provided.

BODY ART: The practice of physical body adornment by permitted establishments and practitioners using, but not limited to, the following: body piercing, tattooing, cosmetic tattooing, branding, and scarification. This definition shall not include the piercing of earlobes.

BREEDER: A dealer, operator or other person who is responsible for the operation of a commercial establishment engaged in the business of breeding dogs or cats for sale or trade. One who sells, trades, or gives away, twenty five (25) or more cats or dogs in one year, which were born and raised on his or her premises. The term does not include a person who breeds dogs or cats as a hobby.

BREEDER, HOBBY: A person who breeds dogs or cats as a hobby. One who sells, trades, or gives away, twenty four (24) or less cats or dogs in one year, which were born and raised on his or her premises.

BROTHEL: Any establishment having a source of income or compensation derived from the practice of "prostitution" as defined in this section, and which has a fixed place of business where any person engages in or carries on any of the activities as defined in the definition of "house of prostitution" of section 9.20.020 of this Code.

BUFFER: An area within a property or site, generally adjacent to and parallel with the property line, either consisting of natural existing vegetation or created by the use of trees, shrubs, fences, and/or berms, designed to limit the view of and/or sound from the site to adjacent sites or properties.

BUILDING: Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or materials of any kind.

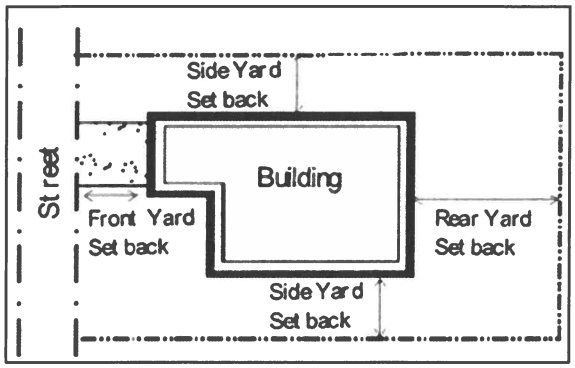
BUILDING, ACCESSORY: See definition of accessory building.

BUILDING DEPARTMENT: The officer, department or agency who is charged with the enforcement of the provisions of all ordinances and regulations pertaining to the erection, construction, reconstruction, alteration, conversion, movement, arrangement, or use of buildings or structures within the district.

BUILDING, GUEST: See definition of guest building.

BUILDING HEIGHT: The vertical distance from the finished grade to the top of the highest roof beams on a flat or shed roof, the deck level on a mansard roof, and the average distance between the eaves and the ridge level for gable, hip, and gambrel roofs. Mechanical equipment, chimneys, air conditioners, antennas, elevators, church spires and steeples, water towers, and similar appurtenances that are usually located on top of buildings are excluded from height restrictions. No excluded element can exceed a building height restriction by more than twenty five feet (25').
BUILDING, PRINCIPAL: A building in which is conducted the principal use of the lot upon which it is located.

BUILDING SETBACK: The distance between the property line and the nearest portion of a building on the property. See also definition of yard.



BULK FUEL STATION: A place where petroleum products and related materials are stored for subsequent resale to distributors or retail dealers or outlets.

BULK REGULATIONS: Standards and controls that establish the maximum size of buildings and structures on a lot and the buildable area within which the building can be located, including coverage, setbacks, height, floor area ratio, and yard requirements.

CC&Rs: See definition of protective covenants (deed restrictions).

CAMPING TRAILER: See definition of recreational vehicle.

CARPORT: An accessory building having one or more open sides, intended for vehicle parking.

CEMETERY: Land designated and used for the interment of the dead, including columbariums, crematoriums, mausoleums, and mortuaries when operated in conjunction with and within the boundary of such cemetery.

CHEMICAL MANUFACTURING: Establishments engaged in the transformation of materials or substances into new products using, in whole or in part, chemical processes. Chemical manufacturing includes the assembling of component parts, the creation of products, and the blending of materials, such as lubricating oils, plastics, resins, or liquors.

CHILDCARE FACILITY: An establishment operated and maintained for the purposes of furnishing care on a temporary or permanent basis, during the day or overnight, to five (5) or more children under eighteen (18) years of age, if compensation is received for the care of any of those children. Childcare facility does not include:

1. The home of a natural parent or guardian, foster home or maternity home;

2. A home in which the only children received, cared for and maintained are related within the third degree of consanguinity or affinity by blood, adoption or marriage to the person operating the facility; or

3. A home in which a person provides care for the children of a friend or neighbor for not more than four (4) weeks, or longer in cases of medical hardship, if the person who provides the care does not regularly engage in that activity.

CLASSIC CAR: See definition of vehicle, classic.

CLUSTER DEVELOPMENT: A development approach in which building lots may be reduced in size and buildings sited closer together, usually in groups or clusters, provided that the total development density does not exceed that which could be constructed on the site under conventional zoning and subdivision regulations. The additional land that remains undeveloped is then preserved as open space and recreational land.

COMMERCIAL COACH: A structure without motive power which is designed and equipped for human occupancy for industrial, professional, or commercial purposes.

COMMERCIAL FARMING: The growing or production of field crops or raising of livestock for the sole purpose of profit through sales.

COMMON INTEREST COMMUNITY: Real estate with respect to which a person, by virtue of his ownership of a unit within the community, is obligated to pay for real estate other than that unit. "Ownership of a unit" does not include holding a leasehold interest of less than twenty (20) years in a unit, including options to renew.

COMMON OPEN SPACE: Land within or related to a common interest community or planned unit development, not dedicated for public use, and not individually owned, which is designed and intended for the common use or enjoyment of the residents and/or owners of the community or development. Common open space may include complementary structures and improvements as are necessary and appropriate for the benefit and enjoyment of the residents or owners of the community or development.

CONDITIONAL USE: A use that has the potential to have adverse effects on adjacent, or local, properties. Conditional uses are permitted in a particular zoning district upon showing that such use in a specified location will comply with all the conditions and safeguards for the location or operation of the use as specified in the zoning ordinance and if it is authorized by the Planning Commission.

CONDITIONAL USE PERMIT: A permit issued by the Planning Commission stating that the conditional use meets all conditions set forth in all applicable ordinances and has met with the approval of the Planning Commission after a public hearing has been held.

CONDOMINIUM: A unit of real estate in a common interest community which is designated for separate ownership.

CONGREGATE LIVING FACILITY: Apartments and dwellings with communal dining facilities and services such as housekeeping, organized social and recreational activities, transportation services and other services appropriate for the residents.

CONVENTIONAL DEVELOPMENT: Development other than planned unit, cluster or common interest community development.

CORRECTIONAL FACILITY, PRISON: A facility for the confinement of persons convicted of a felony and sentenced to incarceration in excess of one year.

COTTAGE INDUSTRY: An industry where the creation of products and services is home-based, rather than factory-based. While products and services created by cottage industry are often unique and distinctive given the fact that they are usually not mass-produced, producers in this sector often face numerous disadvantages when trying to compete with much larger factory-based companies, an industry whose labor force consists of family units or individuals working at home with their own equipment.

CUL-DE-SAC: A local street with only one outlet that provides for an adequate turning area for vehicular traffic at its terminus.

DEED RESTRICTIONS: See definition of protective covenants (deed restrictions).

DENSITY: The permitted number of dwelling units per gross acre of land to be developed.

DEPARTMENT OF PLANNING: The Nye County Department of Planning, or as renamed.

DESIGN STANDARDS: The standards that set forth specific design requirements that deal with the arrangement and engineering of site details such as lot size and configuration, buildings, streets, utilities and plantings that must be adhered to.

DETENTION FACILITY (PRIVATE): A facility where persons are detained awaiting trial or sentence, or refugees or illegal immigrants are confined together temporarily pending administrative proceedings.

DEVELOPER: The legal or beneficial owner or owners of a lot or of any land included in a proposed development. Also, the holder of an option or contract to purchase, or any other person having enforceable proprietary interest in such land.

DEVELOPMENT: A planning or construction project involving substantial property improvement and, usually, a change of land use character within the site. Development includes the division of land.

DEVELOPMENT REGULATION: Zoning, land division, subdivision, site plan, official map, floodplain regulation, or other governmental regulation of the use and development of land.

DRIVEWAY: A paved or unpaved area used for ingress or egress of vehicles, and allowing access from a street to a building or other structure or facility.

DUPLEX: A building containing two (2) single-family dwelling units totally separated from each other by an unpierced wall extending from ground to roof.

DUST CONTROL PLAN: A plan to formalize a project specific fugitive Dust Control Program.

DWELLING, ATTACHED: A one-family dwelling attached to two (2) or more one-family dwellings by common vertical walls.

DWELLING, DETACHED: A dwelling that is not attached to any other dwelling by any means.

DWELLING,: A structure or the part of a structure that is occupied as, or designed or intended for occupancy as, a residence or sleeping place by one person who maintains a household or by two (2) or more persons who maintain a common household.

DWELLING UNIT: One or more rooms, designed, occupied, or intended for occupancy as a separate living quarter, with cooking, sleeping, and sanitary facilities provided within the dwelling unit for the exclusive use of a single family.

EASEMENT: A right-of-way granted, but not dedicated, for limited use of private land for a public or quasi-public purpose and within which the owner of the property shall not erect any permanent structures.

FACTORY BUILT HOUSING: A residential building, dwelling unit or habitable room thereof which is either wholly manufactured or is in substantial part manufactured at an off site location to be wholly or partially assembled on site, but does not include a mobile home.

FAMILY: A group of individuals not necessarily related by blood, marriage, adoption, or guardianship living together in a dwelling unit as a single housekeeping unit under a common housekeeping management plan based on an intentionally structured relationship providing organization and stability.

FAMILY BURIAL PLOT: A plot of land used for interments of family members without charge.

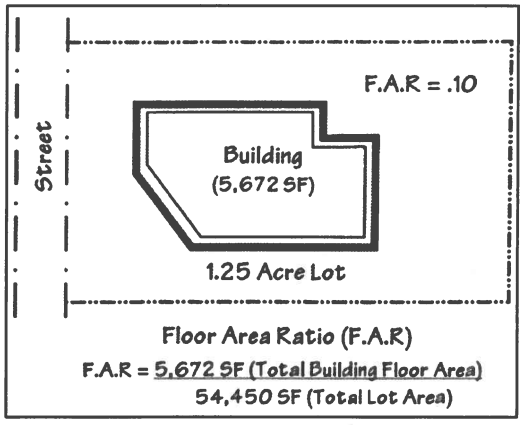
FAMILY RANCH: A property containing a single-family residence that may include, but is not limited to, a riding school, private arena, breeding, schooling, training, grooming and therapeutic riding for personal use, remuneration or exchange for not more than thirty (30) students or clients per month and typically not more than three (3) students or clients at any one time.

FARMERS MARKET: A public market where farmers and other vendors gather to sell various fresh fruit, vegetables, meat and other foods directly to consumers.

FARROWING PEN: A pen or pens used for the birthing of a litter of pigs.
FEEDLOT: A confined area or structure, pen or corral, used to fatten livestock prior to final shipment.

FLEA MARKET: An occasional or periodic market held in an open area or structure where groups of individual sellers offer goods, including commodities, wares, and portable personal property for sale to the public.

FLOOR AREA RATIO: The gross floor area of all buildings or structures on a lot divided by the total lot area.



FOOTLAMBERT: One footlambert is the luminance of a surface uniformly emitting, transmitting, or reflecting one lumen, a means of measuring the amount of illumination generated by light fixtures.

FOUNDRY: An establishment in which metal is melted and poured into molds.

FUEL DISPENSING FACILITY: An establishment retailing motor fuels and lubricants directly to the public on the premises. See also definition of automobile service station.

FUNERAL AND INTERMENT SERVICES: Establishments primarily engaged in the provision of services involving the care, preparation or disposition of human dead other than in cemeteries. Typical uses include crematories, columbariums, mausoleums or mortuaries. The term mortuary shall include preparation and temporary storage of the dead while awaiting interment. A place where only mourning and verbalizations of respect are performed, but where no preparation of the dead occurs shall be considered religious assembly.

GAMBLING ESTABLISHMENT, GAMING: Any place where gaming is operated and maintained. "Gaming" means and includes all games of chance or devices and any slot machines played for money or for checks or tokens redeemable in money, except, for the purposes of these regulations only, "gaming" shall not be construed to include slot machines when such slot machines are operated incidental or accessory to the conduct of a business permitted under the provisions of these regulations.

GARAGE, PRIVATE OR PARKING: A structure intended for the noncommercial storage of motor vehicles.

GARAGE, PUBLIC: A building for the storage of motor vehicles or boats as a commercial venture.

GARAGE SALE: The sales of household goods on one's property for a fixed amount of time.

GARBAGE: Animal and vegetable waste resulting from the handling, storage, sale, preparation, cooking, and serving of foods.

GRAFFITI: Any unauthorized inscription, word, figure or design that is marked, etched, scratched, drawn, painted on or affixed to the public or private property, real or personal, of another, which defaces the property.

GRANDFATHERING: A lawful nonconforming use.

GRAVEL PIT: An open land area where sand, gravel, and rock fragments are mined or excavated for sale or off tract use.

GROOMING FACILITY: A place where animals are cleaned and groomed.

GROSS FLOOR AREA: The total enclosed area of all floors in a building with a clear height of more than six feet (6'), measured to the outside surface of the exterior walls. Parking facilities, driveways and airspace above the atria ground floor are excluded from gross floor area calculations.

GROUP HOME (BUILDING): Any facility in which the licensee regularly provides care for no less than seven (7) and no more than twelve (12) children. (NAC 432A.110)

GUEST BUILDING: An accessory building on a residential lot with a principal residence, which is used for residential purposes. Guest buildings must be affixed to real property, no more than one thousand five hundred (1,500) square feet and do not include recreational vehicles.

HALFWAY HOUSE FOR RECOVERING ALCOHOLICS AND DRUG ABUSERS: A residence that provides housing and a living environment for alcohol and drug abusers and is operated to facilitate their reintegration into the community, but does not provide any treatment for alcohol or drug abuse.

HOME FOR INDIVIDUAL RESIDENTIAL CARE: A home in which a natural person furnishes food, shelter, assistance and limited supervision, for compensation, to not more than two (2) persons who are aged, infirm, mentally retarded or handicapped, unless the persons receiving those services are related within the third degree of consanguinity or affinity to the person providing those services. The term does not include a halfway house for recovering alcohol and drug abusers.

HOME OCCUPATION: Also known as a home based business, is any activity carried out for gain by a resident with no other headquarters location and is conducted as, an accessory use at the resident's dwelling unit. Home occupations are subject to article VI of this chapter.

HOSPITAL: A building used for the accommodation of the sick, injured, or infirm, including clinics, sanatoriums, convalescent and rest homes, boarding hospitals, and homes for children or the aged.

HOTEL OR RESORT HOTEL: Every building or structure kept as, used as, maintained as, or held out to the public to be, a place where sleeping or rooming accommodations are furnished to the transient public, whether with or without meals, including, without limitation, a lodging house or rooming house where transient trade is solicited.

INTERMEDIATE CARE FACILITY: A residential facility usually occupied by persons not requiring hospitalization or a skilled nursing facility, but who require rooms, meals, personal care, and health monitoring services under the supervision of a professional nurse. Intermediate care facilities may provide other services such as recreation, social, and cultural activities, financial services, and transportation.

JAIL: A city, town or county facility for the confinement of persons convicted of a misdemeanor or gross misdemeanor and sentenced to incarceration for a period of one year or less. Also, a facility where persons are detained awaiting trial or sentence.

JUNK: Old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber debris, waste or junked, dismantled or wrecked or abandoned motor vehicles, or parts thereof, iron, steel, and other old or scrap ferrous, or nonferrous material, and all other secondhand used or castoff articles or material of any kind.

JUNKYARD: An establishment or place of business which is maintained, operated, or used for storing, keeping, processing, buying, or selling junk, or for the maintenance or operation of an automobile graveyard or scrap metal processing facility, and the term shall include garbage dumps and sanitary fills.

KENNEL, BREEDER'S: Any enclosure, premises, building, structure, lot, or area where more than three (3) dogs of a recognized, registered breed over six (6) months of age are kept, harbored, or maintained as follows:

1. For showing in recognized dog shows, field or obedience trials.

2. For working or hunting.

3. For improving the variety or breed in temperament or conformation with a view to exhibition in shows or trials or for use as working dogs in hunting.

KENNEL, COMMERCIAL: A place where any number of dogs or cats are boarded and kept for commercial purposes, including breeding, boarding, and/or training. This term does not include State inspected veterinary hospitals, or the County Animal Control Shelter. Commercial kennels existing prior to the adoption hereof, shall not be required to obtain a conditional use permit, under the following conditions:

1. Must comply with all Federal, State and County regulations.
2. Any Code Compliance Officer, animal control officer, Sheriff's officer, or other authorized representative of the County shall have the authority to enter upon the property or into the facility except by means of force when they have reason to believe that the provisions of any applicable State law or the regulations of Nye County are being violated.

3. Inspection of animals and their habitat shall be conducted annually by the Nye County Animal Control Office or by a nationally or regionally established organization or agency approved by the Nye County Animal Control Office. Copies of the inspection reports shall be maintained at the Nye County Animal Control Office.

KITCHEN: A room used for cooking and for the preparation of food.

LANDFILL: A disposal site in which refuse and earth, or other suitable cover material, are deposited and compacted in accordance with an approved plan.

LIQUOR: Alcoholic or spirituous fluid, either distilled or fermented, such as brandy, wine, whiskey, beer, etc.

LIQUOR SALES ESTABLISHMENT: Liquor sales establishments shall be organized into the following classes:

1. Class I, Packaged Liquor Sales Establishment: Any establishment selling liquor to individuals in its original corked or unopened package for consumption off premises, and includes convenience-liquor-grocery stores and other similar types of stores.

2. Class II, Retail Liquor Sales Establishment - Bar: Any establishment selling at retail liquor by the drink for consumption on premises, and in a bar setting, which may or may not include a restaurant as an accessory use.

3. Class III, Special Club Liquor Sales Establishment: Any establishment dispensing liquor by the drink for consumption on premises only, and which is restricted in use to members and guest(s) accompanied by a member.

4. Class IV, Liquor Manufacturer: Any establishment that manufactures liquor for sale to the public which includes distilleries, wineries, meaderies and breweries.

LIVE/WORK: A residential occupancy, by a single housekeeping unit, of one or more rooms or floors in a building which includes: a) cooking space and sanitary facilities in conformance with County building standards; and b) adequate working space accessible from the living area, reserved for, and regularly used by, one or more persons residing therein.

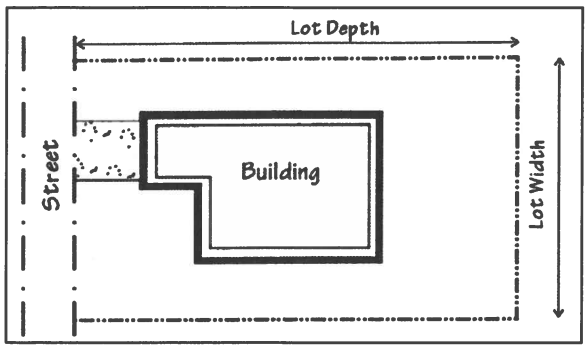
LIVESTOCK: All manner of farm or agricultural animals, including, but not limited to, horses, mules, mustangs, burros, cattle, buffalo, swine, goats, sheep, chickens, turkeys, and other farm fowl.

LOADING SPACE: An off street space or berth of not less than ten feet by forty five feet (10' x 45') on the same lot or contiguous to a building or group of buildings for temporary parking of vehicles while handling merchandise or materials.

LOT: A lot with fixed legal boundaries and a legal means of access; or a space within an approved manufactured home park or recreational vehicle park.

LOT DEPTH: The average distance between the front and rear lines.

LOT WIDTH: The average width of a lot.



MANUFACTURED BUILDING: Includes any modular building or any building constructed using one or more modular components, but does not include a recreational park trailer.

MANUFACTURED HOME:

1. A structure which is:
    1. Built on a permanent chassis;
    2. Designed to be used with or without a permanent foundation as a dwelling when connected to utilities;
    3. Transportable in one or more sections; and
    4. Eight feet (8') or more in body width or forty feet (40') or more in body length when transported, or, when erected on site, contains three hundred twenty (320) square feet or more.
2. The term includes:
    1. The plumbing, heating, air conditioning and electrical systems of the structure.
    2. Any structure:
        1. Which meets the requirements of subsections A1 through A3 of this definition, and with respect to which the manufacturer voluntarily files a certification required by the Secretary of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 USC section 5401 et seq.; or
        2. Built in compliance with the requirements of chapter 461 of Nevada Revised Statutes.
    3. The term does not include a recreational park trailer.

MASTER PLAN: A comprehensive long range plan intended to guide the growth and development of a community or region. A Master Plan includes analyses, recommendations, and proposals for the community's population, economy, housing, transportation, community facilities, land use and other subject matter as may be appropriate to the community.

MINING: The acts and processes involved in extracting ore from a mineral deposit and shall be deemed generally to include hauling, blasting, milling, and refining.

MIXED USE OR MIXED USE DEVELOPMENT: The combination of commercial, office, or residential uses on a single lot or within a single integrated development on multiple lots. A mixed use is a commercial development for the purpose of determining development standards.

MOBILE HOME:

1. A structure which is:
    1. Built on a permanent chassis;
    2. Designed to be used with or without a permanent foundation as a dwelling when connected to utilities; and
    3. Transportable in one or more sections.
2. The term includes the design of the body and frame and the plumbing, heating, air conditioning and electrical systems of the mobile home.
3. The term does not include a recreational park trailer, travel trailer, commercial coach or manufactured home or any structure built in compliance with the requirements of chapter 461 of Nevada Revised Statutes.

MOBILE HOME PARK: An area, parcel, or tract of land having a minimum of five (5) acres gross, and as its principal use the rental, leasing, or occupancy of space by three (3) or more mobile homes on a permanent or semipermanent basis, including accessory buildings, structures, or uses customarily incidental thereto.

MOBILE HOME SPACE: A portion of land within a mobile home park used or intended to be used for parking of one mobile home, including the land covered by the mobile home, required yards, building setbacks, and parking area and attached and/or detached accessory buildings and structures and open space.

MODULAR HOME: See definition of manufactured home.

MOTEL: A building containing two (2) or more accommodations for sleeping used mainly by travelers with an individual, private on site parking area attached or accessible to each unit.

MOTOR HOME: See definition of recreational vehicle.

MULTI-FAMILY DWELLING: A building containing two (2) or more dwelling units, including units that are located one over the other.

MULTIPET PERMIT: A residential property where a total of eleven (11) or more dogs and cats are kept by the owner for personal pleasure; the animals are not kept for commercial purposes. Dogs trained for search and rescue or service animals shall not be counted toward the number of dogs and cats for the purposes of multipet permit.

NRS: Nevada Revised Statutes.

NET LOT AREA: The area of a lot excluding easements.

NONCOMMERCIAL AGRICULTURE: The raising of livestock, small animals, poultry, and the farming of agriculture and horticulture for the use and enjoyment of the family residing on a lot or parcel, provided the use is not for commercial purposes. 4-H, FFA and other such organizations' project animals are noncommercial.

NONCONFORMING BUILDING OR STRUCTURE: A structure or portion thereof which was lawfully erected or altered, but which does not comply with the regulations applicable to new structures in the zoning district in which it is located.

NONCONFORMING USE, LAWFUL: A use which was lawfully established and maintained, but which does not comply with the use regulations applicable to new uses in the zoning district in which it is located; the use of any land, building or structure which does not conform with currently applicable use regulations, but which complied with use regulations in effect at the time the use was established.

NUISANCE: Shall be deemed to consist of permitting filth heaps, garbage, unprotected sewage or drainage pipes or boxes, cesspools, obstructions to the safe and convenient passage of vehicles and pedestrians through and over

the public highways, streets and alleys, anything that is injurious to health, or indecent and offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life and property.

OFF STREET PARKING SPACE: A parking space provided in a parking lot, parking structure, or a private driveway.

OPEN BURNING: Any fire from which the products of combustion are emitted into the atmosphere without passing through a stack or chimney.

OPEN SPACE: Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated, or reserved for the public or private use or enjoyment of owners and occupants of land adjoining or neighboring such open space.

OPERATOR: A person responsible for the operation of any animal related business.

ORE: A mineral or an aggregate of minerals from which a valuable constituent can be profitably mined or extracted.

OUTDOOR ADVERTISING STRUCTURE: See section 17.04.770 of this chapter for sign regulations.

OUTDOOR SALES DISPLAY AREA: A paved area for the display and sale of goods, including vehicles, manufactured and mobile homes and other small and large scale items.

OWNER: Any person owning, keeping, possessing, harboring, or having the care, custody or control of any animal.

PARCEL OF LAND: Any unit of land.

PARK MODEL RECREATIONAL DWELLING UNIT: A manufactured dwelling unit that is primarily designed to provide temporary or permanent living quarters for recreational or seasonal use, is built on a single chassis, has a gross trailer area not exceeding four hundred (400) square feet in the set up mode, and is certified by the manufacturer as complying with the American National Standard Institute (ANSI) standard A119.5 for recreational park trailers.

PARK MODEL RECREATIONAL VEHICLE PARK: A parcel or tract of land having as its principal use the transient rental or permanent occupancy of two (2) or more spaces which are designed, intended, approved, or used for park model recreational dwelling units, including any permissive accessory buildings, structures, or uses.

PARKING SPACE: A permanently maintained space on a lot or parcel, suitable for the parking of one automobile; and sized in accordance with the standard details and specifications.

PET STORE: An establishment where live animals are kept for wholesale or retail sale, barter or hire.

PLANNED COMMUNITY: A common interest community that is not a condominium or a cooperative. A condominium or cooperative may be part of a planned community.

PLANNED UNIT DEVELOPMENT: An area of land controlled by a landowner, which is to be developed as a single entity for a number of dwelling units, the plan for which does not correspond to lot size, bulk or type of dwelling, density or lot coverage and required open space to the regulations established in any one residential district created, from time to time, under the provisions of any zoning ordinance enacted pursuant to law.

PLANNING COMMISSION: The Governing Body of the Pahrump Regional Planning District as appointed by the Board of County Commissioners.

PROSTITUTION: Engaging in sexual conduct for a fee.

PROTECTIVE COVENANTS (DEED RESTRICTIONS): A list of restrictions and covenants of proper record in the County Recorder's Office, that runs with the land and is binding on all property owners in the protected area, for a stipulated period of time with extension provisions therefor, and which shall be enforced by the property owners in said protected area by appropriate civil action. The covenants may include, but are not limited to, the following: the establishment of minimum front, side, and rear yards; minimum dwelling sizes and types; the prohibition of multi-family dwellings, trailers, trade or business, and other activities obnoxious or offensive; the provision of street planting or watercourses; and the exclusion of signs and/or other matters related to or restricted in the protected area. Deed restrictions are not enforced by public agencies such as the County.

QUARRY, STONE: A place where rock, ore, stone, and similar materials are excavated for sale or for off tract use.

RPC: See definition of Regional Planning Commission.

RECREATIONAL VEHICLE: A vehicular structure primarily designed as temporary living quarters for travel, recreational, or camping use, which is self-propelled, mounted upon, or drawn by a motor vehicle. The term includes motor homes, conventional travel trailers, fifth wheel trailers, and other similar types of self-propelled or towable trailers, and camping type of units. The term recreational vehicle does not include the term park model recreational dwelling unit (see definition of park model recreational dwelling unit).

RECREATIONAL VEHICLE PARK: A parcel or tract of land having as its principal use the transient rental of two (2) or more spaces for recreational vehicles including accessory buildings, structures, or uses.

REFORMATORY: Facilities that work to rehabilitate young or first time offenders and help them learn a trade before their release.

RENEWABLE ENERGY: Energy which comes from natural resources such as sunlight, wind, rain, tides, and geothermal heat, which are naturally replenished.

RENEWABLE ENERGY GENERATING FACILITY: Any facility or installation such as a wind generator, hydroelectric unit or solar collecting or concentrating array, including the corresponding power generation, energy storage and transmission facilities, which is designed and intended to produce renewable energy for primarily off site use.

REQUIRED AREA: The minimum area of a lot or parcel necessary to permit its use under the provisions of this chapter.

REQUIRED WIDTH: The average width of a lot or parcel of land necessary to permit its use under the provisions of this chapter.

RESIDENTIAL INDUSTRY: The creation, construction, fabrication, or assembly of artwork or craftwork within a dwelling, or a permitted accessory building thereto.

1. Specific uses permitted: Pottery work, jewelry making, metalwork, woodworking, homemade clothing, leatherwork, lapidary, painting, sculpture, and similar uses.
2. Residential district; public display: No public display of stock in trade for sale shall be allowed outside the dwelling or accessory buildings, nor shall the use change the residential character of the dwelling.
3. Nuisances: The use shall not cause any sustained, unpleasant or unusual noises, vibrations, noxious fumes or odors, nor cause any parking or traffic congestion within the immediate area thereof.

RESTAURANT: An establishment where food and drink are prepared, served, and consumed primarily within the principal building. A restaurant shall be allowed to serve liquor to its guests without complying with the conditional use permit provisions of this chapter. A restaurant shall not be allowed a bar area without a conditional use permit.

ROADWAY: The actual road surface area from curb line to curb line, which may include travel lanes, parking lanes, and deceleration and acceleration lanes. Where there are no curbs, the roadway is that portion between the edges of the paved or hard surface width.

ROOM: A divided portion of the interior of a dwelling, excluding bathrooms, kitchen, closets, hallways, and porches.

SALVAGE: The utilization of materials saved from destruction or waste.

SANDPIT: See definition of gravel pit.

SANITARY STATION: A facility used for removing and disposing of wastes from recreational vehicle holding tanks.

SCHOOL: An educational institution which offers the kind of instruction required to be taught in the public schools of the State.

SERVICE, SEARCH AND RESCUE ANIMAL: An animal that is trained to alert a person with a variety of disabilities and medical conditions or an animal that is trained for search and rescue operations.

SERVICE STATION: See definition of automobile service station.

SEXUALLY ORIENTED BUSINESS (SOB): See definition of adult uses.

SIGHT TRIANGLE EASEMENT: A triangular shaped easement over a portion of land established at street intersections, in which nothing, with the exception of street hardware, is erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection.

SIGN: See section 17.04.770 of this chapter for sign regulations.

SINGLE-FAMILY RESIDENCE: A dwelling unit, including factory built housing, manufactured homes, residential facilities for groups with ten (10) or fewer unrelated persons with disabilities, halfway houses and homes for residential care, and residential establishments that have been built in compliance with the standards for single-family residential dwellings of the Building Code most recently adopted by the International Conference of Building Officials, or the National Manufactured Home Construction and Safety Standards Act (commonly known as the HUD Code), designed, occupied, or intended for occupancy as a separate living quarters, with cooking, sleeping, and sanitary facilities provided within the dwelling unit for the exclusive use of a single family.

SLAUGHTERHOUSE: A place where animals are butchered.

SOLAR PHOTOVOLTAIC FACILITY - TWENTY MEGAWATTS MAXIMUM: A facility which uses solar cells to convert solar radiation into electricity, generating a maximum of twenty (20) megawatts of power.

SPECIAL EXCEPTION: Permission to depart from design and/or improvement standards such as parking areas, street standards, etc. Special exceptions must be based on specific criteria such as hardship, special reasons, change of circumstances, etc., and the Planning Commission must make findings before granting exceptions.

SPECIAL USE: See definition of conditional use.

SPECIAL USE PERMIT: See definition of conditional use permit.

STABLE, COMMERCIAL: A facility where livestock are kept for commercial purposes such as auctions, riding academies, rental, roping and rodeo arenas, breeding, schooling, training and grooming for remuneration or exchange. The term shall not include a facility where the practice of veterinary medicine is performed. Commercial

stables existing prior to the adoption hereof, shall not be required to obtain a conditional use permit, under the following conditions:

1. Must comply with all Federal, State and County regulations.
2. Any Code Compliance Officer, animal control officer, Sheriff's officer, or other authorized representative of the County shall have the authority to enter upon the property or into the facility except by means of force when they have reason to believe that the provisions of any applicable State law or the regulations of Nye County are being violated.
3. Inspection of animals and their habitat shall be conducted annually by the Nye County Animal Control Office or by a nationally or regionally established organization or agency approved by the Nye County Animal Control Office. Copies of the inspection reports shall be maintained at the Nye County Animal Control Office.

STANDARD DETAILS AND SPECIFICATIONS: The document entitled "Standard Details and Specifications for Public Improvements Within the Pahrump Regional Planning District", as adopted by the Nye County Board of County Commissioners.

START OF CONSTRUCTION: Means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within one hundred eighty (180) calendar days of the permit date. The actual start of construction means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary structures; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

STREET: See definition of roadway.

STRUCTURE: Any construction except a fence, tent, trailer, or vehicle, including signs, but not fences or walls used as fences.

STRUCTURE, PERMANENT: A structure intended and installed to exceed one year's duration.

STRUCTURE, TEMPORARY: A structure intended and installed not to exceed one year's duration and to be removed entirely at the expiration thereof.

SUBDIVISION: The division of any land or portion thereof, vacant or improved, shown on the last preceding tax roll as a unit or contiguous units, which is divided or proposed to be divided, either immediately or in the future, into five (5) or more lots, parcels, sites, units, or plots of land for the purpose of any transfer, development, or proposed transfer or development unless exempted pursuant to Nevada Revised Statutes 278.320.

SUBSISTENCE FARMING: The growing of field crops or raising of livestock for food for household use, cottage industry or sale at a farmer's markets. This does not include the cultivation or production of hemp.

TEMPORARY LIVING FACILITY: Any structure including a recreational vehicle, travel trailer, mobile or manufactured home, or any such structure designed to be used as a dwelling unit, and that is not permanently affixed to a parcel.

TEMPORARY USE PERMIT: A permit issued by the Zoning Administrator stating that the temporary use meets all conditions set forth in all applicable ordinances and has met with the approval of the Zoning Administrator.

TOWNHOUSE: A one-family dwelling in a row of at least three (3) such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more vertical common fire resistant walls.

TRANSITIONAL PRISON TO COMMUNITY FACILITY: A supervised residential center where individuals who are completing a sentence, including prerelease programs, reside for a defined period of time for counseling, job placement assistance, and similar services to assist in transitioning from institutional to community living.

TRAVEL TRAILER: See definition of recreational vehicle.

VEHICLE: Except as otherwise provided in Nevada Revised Statutes 482.36348, "vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a public highway.

VEHICLE, ABANDONED: As used in Nevada Revised Statutes 487.220 to 487.300, inclusive, unless the context otherwise requires, "abandoned vehicle" means a vehicle:

1. That the owner has discarded; or
2. Which has not been reclaimed by the registered owner or a person having a security interest in the vehicle within fifteen (15) days after notification pursuant to Nevada Revised Statutes 487.250.

VEHICLE, CLASSIC: A motor vehicle manufactured at least twenty five (25) years before the current date, or because of its limited production or exceptional workmanship is a rarity or of historic interest and has been, or is in the process of being restored, maintained, or preserved by automobile enthusiasts.

VEHICLE, HISTORIC: A motor vehicle that is twenty five (25) or more years old or has unique technology, styling, or marketing significance such that it is sought after by automobile enthusiasts and collectors.

VEHICLE, INOPERABLE: Any motor vehicle that cannot be moved under its own power, or cannot be operated lawfully on a public street or highway due to removal of, damage to, or inoperative condition of, any component or part necessary for movement or lawful operation.

VEHICLE, JUNK: Any motor vehicle that is totally unusable as an operable vehicle or a source of parts for restoration of a classic or historic vehicle.

VEHICLE, UNREGISTERED: Any motor vehicle that is not registered with the State of Nevada.

VETERINARY FACILITY (Large And Small Animal): Any establishment operated by a veterinarian to provide dental, medical or surgical treatment, boarding, care and grooming for large and small animals. A veterinary hospital may have adjacent to it or in conjunction with it, or as an integral part of it, indoor and outdoor pens, stalls, cages, or kennels for quarantine or observation.

VETERINARY FACILITY (SMALL ANIMAL): Any establishment operated by a veterinarian to provide dental, medical or surgical treatment, boarding, care and grooming for small animals. A veterinary clinic may have adjacent to it or in conjunction with it, or as an integral part of it, indoor pens, cages, or kennels for quarantine or observation, in a completely enclosed building.

WAIVER, HARDSHIP: A departure from the bulk regulations of the zoning ordinance that, if such requirements were applied to a specific lot, would significantly interfere with the use of the property. The Planning Commission must make findings before granting hardship waivers, and waiver conditions must be met.

WAIVER, PLANNING: A waiver granted for relief from bulk regulations that would result in an opportunity for improved zoning and planning that would benefit the community. The Planning Commission must make findings before granting planning waivers and waiver conditions must be met.

WOLF HYBRID: Any canine which has had a wolf ancestor within the previous four (4) generations. This definition shall include a wolf or wolf hybrid as a sire or dam, grandsire or dam, great grandsire or dam or great great grandsire or dam. An animal shall also be considered a wolf hybrid if it has been advertised, registered or otherwise described or represented as a wolf-dog hybrid by its owner or former owner as having wolf ancestry.

YARD: An open space that lies between the principal or accessory building or buildings and the nearest lot line. The minimum required yard as set forth in this chapter is unoccupied and unobstructed from the ground upward except as otherwise allowed in this chapter.

YARD, FRONT: A yard lying between the foundation of the building and the front lot line and extending across the full width of the lot or parcel.

YARD, REAR: A yard between the foundation of building and the rear lot line and extending across the full width of the lot or parcel.

YARD SALE: See definition of garage sale.

YARD, SIDE: A yard lying between the side lot line and the foundation of building and extending from the front yard line to the rear yard line.

ZONING ADMINISTRATOR: The Nye County Planning Director or designee(s) acting in the capacity of Zoning Administrator.

ZONING ENFORCEMENT OFFICER: Empowered to perform advanced Code enforcement work to ensure compliance with ordinances and codes governing zoning violations. (Ord. 556, 2020: Ord. 531, 2018)

17.04.210: RH-9.5 Rural Homestead Residential

A. Scope: The following regulations shall apply to the RH-9.5 Rural Homestead Residential Zones. No new building or structure shall be erected, or parcel developed in an RH-9.5 Zone unless in conformance with the provisions identified herein.

B. Purpose: The RH-9.5 Rural Homestead Residential Zones are intended to provide low density uses with a minimum lot size of nine and one-half (9.5) gross acres, where animals may be kept as well as accessory buildings in a quiet, rural setting without maintaining a large agricultural operation. The RH-9.5 Rural Homestead Residential Zone is appropriate in rural areas where urban services will not be provided for an extended period of time.

C. Height, Lot And Setback Requirements:

Minimum lot size	9.5	gross acres
Minimum lot width	300	feet
Minimum lot depth	300	feet
Maximum building height	35	feet

MINIMUM BUILDING SETBACKS

Use	**Front**	**Side**	**Rear**	**Street Side**

Principal residential buildings	50 feet	25 feet	100 feet	50 feet
Principal buildings for nonresidential uses[1]	50 feet	50 feet	50 feet	50 feet
Accessory buildings	50 feet	10 feet	10 feet	50 feet

Note:
[1]Principal buildings include institutional uses, quasi-public, churches, etc.

D. Permissive Uses:

Accessory buildings not to be used for residential purposes provided that the floor area of any single accessory building, or combined floor area of multiple accessory buildings, shall not exceed one hundred thousand (100,000) square feet.

Buildings for the sale and display of products grown/raised on the premises.

Churches, temples, mosques and related facilities and accessory uses.

Family ranch.

Farms for the raising/growing of tree and bush crops and/or field crops for commercial or household use.

Hobby breeder.

Home occupations, home based businesses and residential industry (subject to the general provisions for residential zones section).

Keeping of livestock or other large animals for commercial or household use, not including commercial slaughtering.

One guest residence or an approved Accessory Dwelling Unit as defined in (17.04.110) not to exceed one thousand five hundred (1,500) square feet and subject to the following conditions:

1. a site-built home in compliance with all applicable adopted Nye County Building codes and residential standards; or
2. a manufactured home installed in compliance with all Nevada Manufacturing Housing Division standards; and
3. all applicable requirements of Chapter 17.04.820.

One single-family residence per lot.

Public, quasi-public and institutional uses.

Recreational vehicles as temporary residences subject to the issuance of a temporary use permit in article VIII of this chapter.

D. Uses Subject To A Conditional Use Permit: The following are subject to a conditional use permit as provided for in articles V and VIII of this chapter:

Adult daycare facilities.

Agricultural commercial uses (indoor).

Animal rescue. (see definitions in this chapter).

Animal sanctuary. (see definitions in this chapter).

Animal, special conditions (see definitions in this chapter). .

Apiary.

Bed and breakfast inns.

Breeder, commercial establishment.

Cemeteries.

Childcare facilities.

Family burial plots.

Farrowing pens.

Feedlots.

Gravel pit.

Intermediate care facilities.

Kennel, commercial (see definitions in this chapter).

Multipet permit.

Public or private recreation areas, including campgrounds.

Stable, commercial (see definitions in this chapter).

Temporary living facilities.

E. Uses Not Listed As Permissive Or Conditional: In those instances where a requested use is not listed above, the zoning administrator may determine whether the requested use meets the purpose and intent of the district, and is similar to other uses allowed in the district, as permitted uses, special uses or accessory uses. In those instances where the applicant disagrees with the director's determination, the applicant may appeal the decision to the planning commission. (Ord. 508, 2017)

17.04.215: RH-4.5 Rural Homestead Residential

A. Scope: The following regulations shall apply to the RH-4.5 rural homestead residential zones. No new building or structure shall be erected, or parcel developed in an RH-4.5 zone unless in conformance with the provisions identified herein.

B. Purpose: The RH-4.5 rural homestead residential zones are intended to provide low density uses with a minimum lot size of four and one-half (4.5) gross acres, where animals may be kept as well as accessory buildings in a quiet, rural setting without maintaining a large agricultural operation. The RH-4.5 rural

homestead residential zone is appropriate in rural areas where urban services will not be provided for an extended period of time.

C. Height, Lot And Setback Requirements:

Minimum lot size	4.5	gross acres
Minimum lot width	250	feet
Minimum lot depth	250	feet
Maximum building height	35	feet

MINIMUM BUILDING SETBACKS

Use	**Front**	**Side**	**Rear**	**Street Side**
Principal residential buildings	40 feet	25 feet	100 feet	40 feet
Principal buildings for nonresidential uses[1]	40 feet	40 feet	40 feet	40 feet
Accessory buildings	40 feet	10 feet	10 feet	40 feet

Note:
[1]Principal buildings include institutional uses, quasi-public, churches, etc.

D. Permissive Uses:

Accessory buildings not to be used for residential purposes provided that the floor area of any single accessory building, or combined floor area of multiple accessory buildings, shall not exceed fifty thousand (50,000) square feet.

Buildings for the sale and display of products grown/raised on the premises.

Churches, temples, mosques and related facilities and accessory uses.

Family ranch.

Farms for the raising/growing of tree and bush crops and/or field crops for commercial or household use.

Hobby breeder.

Home occupations, home based businesses and residential industry (subject to the general provisions for residential zones section).

Keeping of livestock or other large animals for commercial or household use, not including commercial slaughtering.

One guest residence or an approved Accessory Dwelling Unit (ADU) (as defined in 17.04.110) not to exceed one thousand five hundred (1,500) square feet and subject to the following conditions:

1. a site-built home in compliance with all applicable adopted Nye County building codes and residential standards; or
2. a manufactured home installed in compliance with all Nevada Manufacturing Housing Division standards; and
3. all applicable requirements of Chapter 17.04.820.

One single-family residence per lot.

Public, quasi-public and institutional uses.

Recreational vehicles as temporary residences subject to the issuance of a temporary use permit in article VIII of this chapter.

E. Uses Subject To A Conditional Use Permit: The following are subject to a conditional use permit as provided for in articles V and VIII of this chapter:

Adult daycare facilities.

Agricultural commercial uses (indoor).

Animal rescue (see definitions in this chapter).

Animal sanctuary (see definitions in this chapter).

Animal, special conditions (see definitions in this chapter).

Apiary.

Bed and breakfast inns.

Breeder, commercial establishment

Cemeteries.

Childcare facilities.

Farrowing pens.

Feedlots.

Independent Living Facilities

Intermediate care facilities.

Kennel, commercial (see definitions in this chapter).

Multipet permit.

Public or private recreation areas.

Public or private schools.

Stable, commercial

Temporary living facilities.

F. Uses Not Listed As Permissive Or Conditional: In those instances where a requested use is not listed above, the zoning administrator may determine whether the requested use meets the purpose and intent of the district, and is similar to other uses allowed in the district, as permitted uses, special uses or accessory uses. In those instances where the applicant disagrees with the director's determination, the applicant may appeal the decision to the planning commission. (Ord. 508, 2017)

17.04.220: RE-2 Rural Estates Residential

A. Scope: The following regulations shall apply to the RE-2 rural estates residential zones. No new building or structure shall be erected, or parcel developed in an RE-2 zone unless in conformance with the provisions identified herein.

B. Purpose: RE-2 rural estates residential zones are intended to provide and preserve low density single-family residential living areas with minimum lot sizes of two (2) gross acres, where livestock or other large animals may be kept as well as accessory buildings in a semirural setting. The RE-2 rural estates residential zone is transitional in relationship to more urbanized residential areas of higher density.

C. Height, Lot And Setback Requirements:

Minimum lot size	2	gross acres
Minimum lot width	150	feet
Minimum lot depth	150	feet
Maximum building height	35	feet

MINIMUM BUILDING SETBACKS

Use	**Front**	**Side**	**Rear**	**Street Side**
Principal residential buildings	25 feet	10 feet	40 feet	25 feet
Principal buildings for nonresidential uses[1]	25 feet	25 feet	40 feet	25 feet
Accessory buildings	25 feet	5 feet	5 feet	25 feet

Note:
[1]Principal buildings include institutional uses, quasi-public, churches, etc.

D. Permissive Uses:

Accessory buildings not to be used for residential purposes, provided that the floor area of any single accessory building, or combined floor area of multiple accessory buildings, shall not exceed twenty thousand (20,000) square feet.

Churches, temples, mosques and related facilities and accessory uses.

Family ranch.

Subsistence farming.

Hobby breeder.

Home occupations, home based businesses and residential industry (subject to the general provisions for residential zones section).

One guest residence or an approved Accessory Dwelling Unit (ADU) (as defined in 17.04.110) not to exceed one thousand five hundred (1,500) square feet subject to the following conditions:

1. a site-built home in compliance with all applicable adopted Nye County building codes and residential standards; or
2. a manufactured home installed in compliance with all Nevada Manufacturing Housing Division standards; and
3. all applicable requirements of Chapter 17.04.820.

One single-family residence per lot.

Public, quasi-public and institutional uses.

Recreational vehicles as temporary residences subject to the issuance of a temporary use permit.

E. Uses Subject To A Conditional Use Permit: The following are subject to a conditional use permit as provided for in articles V and VIII of this chapter:

Adult daycare facilities.

Animal rescue (see definitions in this chapter).

Animal sanctuary (see definitions in this chapter).

Animal, special conditions (see definitions in this chapter).

Bed and breakfast inns.

Breeder, commercial establishment.

Cemeteries.

Childcare facilities.

Commercial kennel.

Intermediate care facilities.

Multipet permit.

Public or private recreation areas, .

Public or private schools.

Stable, commercial (see definitions in this chapter).

Temporary living facilities.

17.04.225: RE-1 Rural Estates Residential

A. Scope: The following regulations shall apply to the RE-1 rural estates residential zones. No new building or structure shall be erected, or parcel developed in an RE-1 zone unless in conformance with the provisions identified herein.

B. Purpose: RE-1 rural estates residential zones are intended to provide and preserve low density single-family residential living areas with minimum lot sizes of one gross acre, where livestock or other large animals may be kept as well as accessory buildings in a semirural setting. The RE-1 rural estates residential zone is transitional in relationship to more urbanized residential areas of higher density.

C. Height, Lot And Setback Requirements:

Minimum lot size	1	gross acres[1]
Minimum lot width	100	feet
Minimum lot depth	100	feet
Maximum building height	35	feet

Note:
[1]Application for a planned unit development overlay can allow for minimum lot size to be reduced to 8,000 square feet (net) subject to conditions.

MINIMUM BUILDING SETBACKS

Use	**Front**	**Side**	**Rear**	**Street Side**
Principal residential buildings	25 feet	10 feet	40 feet	25 feet
Principal buildings for nonresidential uses[1]	25 feet	25 feet	40 feet	25 feet
Accessory buildings	25 feet	5 feet	5 feet	25 feet

Note:
[1]Principal buildings include institutional uses, quasi-public, churches, etc.

D. Permissive Uses:

Accessory buildings not to be used for residential purposes, provided that the floor area of any single accessory building, or combined floor area of multiple accessory buildings, shall not exceed ten thousand (10,000) square feet.

Churches, temples, mosques and related facilities and accessory uses.

Family ranch.

Subsistence farming.

Home occupations, home based businesses and residential industry (subject to the general provisions for residential zones section).

One guest residence or an approved Accessory Dwelling Unit (ADU) (as defined in 17.04.110) not to exceed one thousand five hundred (1,500) square feet subject to the following conditions:

1. a site-built home in compliance with all applicable adopted Nye County building codes and residential standards; or
2. a manufactured home installed in compliance with all Nevada Manufacturing Housing Division standards; and
3. all applicable requirements of Chapter 17.04.820.

One single-family residence per lot.

Public, quasi-public and institutional uses.

Recreational vehicles as temporary residences subject to the issuance of a temporary use permit

E. Uses Subject To A Conditional Use Permit: The following are subject to a conditional use permit as provided for in articles V and VIII of this chapter:

Adult daycare facilities.

Bed and breakfast inns.

Breeder, commercial establishment.

Cemeteries.

Childcare facilities.

Commercial kennel.

Intermediate care facilities.

Multipet permit.

Public or private recreation areas.

Public or private schools.

Stable, commercial (see definitions in this chapter).

Temporary living facilities.

17.04.230: SE Suburban Estates Residential

A. Scope: The following regulations shall apply to the SE Suburban Estates Residential Zones. No new building or structure shall be erected, or parcel developed in an SE Zone unless in conformance with the provisions identified herein.
B. Purpose: SE Suburban Estates Residential Zones are intended to provide and preserve areas of low density single-family residential living where keeping of livestock is prohibited. The minimum lot size in the SE Zone is one gross acre.
C. Height, Lot And Setback Requirements:

Minimum lot size	1	gross acres[1]
Minimum lot width	100	feet
Minimum lot depth	100	feet
Maximum building height	35	feet

Note:
[1]Application for a Planned Unit Development Overlay can allow for minimum lot size to be reduced to 8,000 square feet (net) subject to conditions.

MINIMUM BUILDING SETBACKS

Use	**Front**	**Side**	**Rear**	**Street Side**
Principal residential buildings	25 feet	10 feet	40 feet	25 feet
Principal buildings for nonresidential uses[1]	25 feet	25 feet	40 feet	25 feet
Accessory buildings	25 feet	5 feet	5 feet	25 feet

Note: [1]Principal buildings include institutional uses, quasi-public, churches, etc.

D. Permissive Uses:

Accessory buildings not to be used for residential purposes, provided that the floor area of any single accessory building, or combined floor area of multiple accessory buildings, shall not exceed ten thousand (10,000) square feet.

Churches, temples, mosques and related facilities and accessory uses.
Farms for the raising/growing of tree and bush crops and/or field crops for commercial or household use.

Home occupations, home based businesses and residential industry (subject to the general provisions for residential zones section).

One guest residence or an approved Accessory Dwelling Unit (ADU) (as defined in 17.04.110) not to exceed one thousand five hundred (1,500) square feet and subject to the following conditions:

1. a site-built home in compliance with all applicable adopted Nye County building codes and residential standards; or
2. a manufactured home installed in compliance with all Nevada Manufacturing Housing Division standards; and
3. all applicable requirements of Chapter 17.04.820.

One single-family residence per lot.

Public, quasi-public and institutional uses.

Recreational vehicles as temporary residences subject to the issuance of a temporary use permit.

E. Uses Subject To A Conditional Use Permit: The following are subject to a conditional use permit as provided for in articles V and VIII of this chapter:

Adult daycare facilities.

Bed and breakfast inns.

Breeder, commercial establishment.

Cemeteries.

Childcare facilities.

Commercial Kennel.

Intermediate care facilities.

Multipet permit.

Public or private schools.

Temporary living facilities.

17.04.240: VR-20 Village Residential

A. Scope: The following regulations shall apply to the VR-20 Village Residential Zones. No new building or structure shall be erected, or parcel developed in a VR-20 Zone unless in conformance with the provisions identified herein.

B. Purpose: The VR-20 Village Residential Zone is intended as an area for lower density residential uses in a suburban environment, the principal purpose is for single-family residential development, and to preclude incompatible uses. The minimum lot size in the VR-20 Zone is twenty thousand (20,000) square feet. The VR-20 Zone is appropriate where suburban characteristics are desired and full public services are available.

C. Height, Lot And Setback Requirements:

Minimum lot size	20,000	square feet[1]

Minimum lot width (interior lot)	70	feet
Minimum lot width (corner lot)	80	feet
Minimum lot depth	100	feet
Maximum building height	35	feet

[1]Application for a planned unit development overlay can allow for minimum lot size to be reduced to 8,000 square feet (net) subject to conditions.

MINIMUM BUILDING SETBACKS

Use	**Front**	**Side**	**Rear**	**Street Side**
Principal residential buildings	20 feet[2]	10 feet/5 feet[3]	20 feet	20 feet
Principal buildings for nonresidential uses[1]	25 feet	25 feet	35 feet	25 feet
Accessory buildings	20 feet	5 feet	5 feet	20 feet

Notes:
[1]Principal buildings include institutional uses, quasi-public, churches, etc.
[2]Front loading garages must be set back 25 feet.
[3]Minimum separation between buildings on adjacent lots shall be 15 feet.

D. Permissive Uses:

Accessory buildings not to be used for residential purposes, provided that the floor area of any single accessory building, or combined floor area of multiple accessory buildings, shall not exceed three thousand (3,000) square feet.

Home occupations, home based businesses and residential industry (subject to the general provisions for residential zones section).

One guest residence or an approved Accessory Dwelling Unit (ADU) (as defined in 17.04.110) not to exceed one thousand five hundred (1,500) square feet subject to the following conditions:

1. a site-built home in compliance with all applicable adopted Nye County building codes and residential standards; or
2. a manufactured home installed in compliance with all Nevada Manufacturing Housing Division standards; and
3. all applicable requirements of Chapter 17.04.820.

One single-family residence per lot.

E. Uses Subject To A Conditional Use Permit: The following are subject to a conditional use permit as provided for in articles V and VIII of this chapter:

Adult daycare facilities.

Bed and breakfast inns.

Childcare facilities.

Churches, temples, mosques and related facilities and accessory uses.

Intermediate care facilities.

Public or private recreation areas.

Public or private schools.

Public, quasi-public and institutional uses.

Temporary living facilities.

17.04.245: VR-10 Village Residential

A. Scope: The following regulations shall apply to the VR-10 Village Residential Zones. No new building or structure shall be erected, or parcel developed in a VR-10 Zone unless in conformance with the provisions identified herein, and no subdivision map application shall be submitted which proposes to divide land into lots smaller than twenty thousand (20,000) net square feet unless a Planned Unit Development (PUD) Zoning Overlay or a development agreement has been approved by the Board of County Commissioners.

B. Purpose: The VR-10 Village Residential Zone is intended as an area for moderate density residential uses in a suburban environment, the principal purpose is for single-family residential development, and to preclude incompatible uses. The minimum lot size in the VR-10 Zone is ten thousand (10,000) square feet. The VR-10 Zone is appropriate where suburban characteristics are desired and full public services are available.

C. Height, Lot And Setback Requirements:

Minimum lot size	10,000	square feet[1]
Minimum lot width (interior lot)	70	feet
Minimum lot width (corner lot)	80	feet
Maximum building height	35	feet

Note: [1]Application for a Planned Unit Development Overlay can allow for minimum lot size to be reduced to 8,000 square feet (net) subject to conditions.

MINIMUM BUILDING SETBACKS **Use**	**Front**	**Side**	**Rear**	**Street Side**
Principal residential buildings	20 feet[1]	10 feet/5 feet[2]	20 feet	20 feet
Principal buildings for nonresidential uses[3]	20 feet	15 feet	15 feet	20 feet

Residential and nonresidential accessory buildings	20 feet	5 feet	5 feet	20 feet

Notes:
[1]Front loading garages must be set back 25 feet.
[2]Minimum separation between buildings on adjacent lots shall be 15 feet.
[3]Principal buildings include institutional uses, quasi-public, churches, etc.

D. Permissive Uses:

Accessory buildings not to be used for residential purposes, provided that the floor area of any single accessory building, or combined floor area of multiple accessory buildings, shall not exceed one thousand five hundred (1,500) square feet.

Animal, agricultural care project.

Home occupations, home based businesses (subject to the general provisions for residential zones section).

One guest residence or an approved Accessory Dwelling Unit (ADU) (as defined in 17.04.110) not to exceed one thousand five hundred (1,500) square feet and subject to the following conditions:

1. a site-built home in compliance with all applicable adopted Nye County building codes and residential standards; or
2. a manufactured home installed in compliance with all Nevada Manufacturing Housing Division standards; and
3. all applicable requirements of Chapter 17.04.820.

One single-family residence per lot.

E. Uses Subject To A Conditional Use Permit: The following are subject to a conditional use permit as provided for in articles V and VIII of this chapter:

Adult daycare facilities.

Childcare facilities.

Churches, temples, mosques and related facilities and accessory uses.

Intermediate care facilities.

Public or private recreation areas.

Public or private schools.

Public, quasi-public and institutional uses.

Temporary living facilities. (Ord. 520, 2017)

SEVERABILITY. If any provision of this ordinance or amendments thereto, or the application there to any person, thing or circumstance is held to be invalid, such invalidity shall not affect the validity or provisions or applications of the ordinance or amendments thereto which can be given effect without the invalid provisions or applications, and to this end the provisions of this ordinance and amendments thereto are declared to be severable.

CONSTITUTIONALITY. If any section, clause or phrase of this ordinance shall be declared unconstitutional by a court of competent jurisdiction, the remaining provisions of this ordinance shall continue in full force and effect.

EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after passage, approval, and publication as required by law, to wit from and after the 21st day of September 2026.

Proposed on the 4th day of August 2026

Proposed by: Commissioner Strickland

Adopted on the 1st day of September 2026

Vote: Ayes: Commissioners: Boskovich, Koenig, Strickland, Jabbour, Bayne

Nays: Commissioners: Ø

Absent: Commissioners: Ø

BY: _____
Ron Boskovich, Chair
Nye County Board of
County Commissioners

ATTEST: _____
Cori Freidhof
Clerk and Ex-Officio
Clerk of the Board