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|-----------|-------------------------------------|
| CM/ACM | <input checked="" type="checkbox"/> |
| Finance | <input checked="" type="checkbox"/> |
| DA | <input checked="" type="checkbox"/> |
| Risk Mgt. | <u>N/A</u> |
| HR | <u>N/A</u> |
| Other | <u>N/A</u> |

STAFF REPORT

BOARD MEETING DATE: September 13, 2016

DATE: September 2, 2016

TO: Board of County Commissioners

FROM: Kevin Schiller, Assistant County Manager
328-2008, kschiller@washoecounty.us

THROUGH: John Slaughter, County Manager,
328-2060, jslaughter@washoecounty.us

SUBJECT: Public hearing and possible action to approve the relocation of a medical marijuana dispensary within unincorporated Washoe County pursuant to section 3 of Senate Bill Number 276 as signed into law on June 9, 2015. The request is from Washoe Dispensary, LLC to move a medical marijuana dispensary location issued a State of Nevada provisional medical marijuana certificate at 290 S. U.S. Highway 395 (APN 050-220-34) to 275 S. U.S. Highway 395 (APN 046-080-04). If approved, direct staff to notify the State of Nevada Division of Public and Behavioral Health in writing of the Board's approval of the relocation request. (Commission District 2)

SUMMARY

Public hearing and possible action to approve the relocation of a medical marijuana dispensary within unincorporated Washoe County pursuant to section 3 of Senate Bill Number 276 as signed into law on June 9, 2015. The request is from Washoe Dispensary, LLC to move a medical marijuana dispensary location issued a State of Nevada provisional medical marijuana certificate at 290 S. U.S. Highway 395 (APN 050-220-34) to 275 S. U.S. Highway 395 (APN 046-080-04). If approved, direct staff to notify the State of Nevada Division of Public and Behavioral Health in writing of the Board's approval of the relocation request. (Commission District 2)

Washoe County Strategic Objective: Proactive Economic development and diversification.

PREVIOUS BOARD ACTION

On May 13, 2014, the Board discussed a request by the City of Reno to increase the City's medical marijuana dispensary allocation. The County Commissioners stated that it was premature at this time to consider increasing any one local government jurisdiction's allocation of dispensaries and the Commission would consider the matter at a future date

when appropriate. The Board of County Commissioners continued the item on June 17, 2014.

On June 24, 2014, the Board received an update and approved an ongoing process for updates from staff including a process to review potential dispensary locations within the County related to future action on dispensary allocation.

The Board received an update on July 8, 2014 and approved the continued process to review potential dispensary locations within the County related to future action on dispensary allocation, and requested a presentation on process for applicants.

The Board received an update on July 22, 2014 and approved the continued process to review potential dispensary locations within the County related to future action on dispensary allocation.

On August 12, 2014, the Board took action to direct staff to notify the State of Nevada of the request for an allocation of five dispensaries for Washoe County, three for the City of Reno, and two for the City of Sparks.

The Board of County Commissioners received an update on December 9, 2014 on medical marijuana establishment regulations and processes for the State of Nevada and for unincorporated Washoe County.

On July 14, 2015, the Board directed staff to contact the State of Nevada, Division of Public and Behavioral Health to request that the State issue a provisional registration certificate to the sixth ranked medical marijuana dispensary pursuant to the provisions of Senate Bill 276. The Board also discussed the public review process for future MME location changes as outlined in Senate Bill 276.

On September 22, 2015, the Board directed staff to amend Washoe County Code Chapter 25 to for compliance with State Law changes resulting from the 2015 Nevada State Legislative Session.

On December 8, 2015, the Board received a presentation and gave direction to staff on Recreational Marijuana Establishments and related matters in Washoe County; and acknowledged an update on Medical Marijuana Establishments and provided direction to staff on related matters within unincorporated Washoe County.

On January 26, 2016, the BCC approved the request for the relocation of a medical marijuana dispensary from 10 Stateline Road in Crystal Bay to 5105 Sun Valley Boulevard within unincorporated Washoe County pursuant to section 3 of Senate Bill Number 276 as signed into law on June 9, 2015.

BACKGROUND

During the 2015 Legislative Session, Senate Bill 276 was passed amending NRS 453A. The bill was signed into law and was effective on June 9, 2015. NRS.453A.350 (3) enables a medical marijuana dispensary with a current State provisional registration certificate to

request a move to another qualified location within unincorporated Washoe County. The Board may approve the move at a public meeting for which notice in writing is provided 7 working days prior to the approval. Staff is requesting direction on a process for approval of any requested moves from existing locations by an applicant.

NRS 453A.350(3) "A medical marijuana establishment may move to a new location under the jurisdiction of the same local government as its original location regardless of the distance from original location if the operation of the medical marijuana establishment at the new location has been approved by the local government. A local government may approve a new location pursuant to this subsection only in a public hearing for which written notice is given at least 7 working days before the hearing."

Regulatory Notice:

The Official Notice of Hearing was mailed to residents within the designated required notification area on August 25, 2016. The Official Notice of Hearing follows.

OFFICIAL NOTICE OF HEARING: WASHOE COUNTY BOARD OF COMMISSIONERS MEETING September 13, 2016

A request to move a medical marijuana dispensary with an approved State of Nevada provisional marijuana registration certificate from 290 S. Hwy 395 (050-220-34) to 275 S. Hwy 395 (046-080-04) has been received by Washoe County. The Washoe County Board of County Commissioners will hold a hearing to consider the relocation of the dispensary on September 13, 2016.

Who: Washoe County Board of County Commissioners Meeting
What: Consideration of a dispensary relocation in Washoe Valley between two parcels
When: 10 am, September 13, 2016
Where: 1001 E. 9th Street, Bld. A. Reno, Nevada 89512

Comments from previous community meetings in Washoe Valley will be shared with the County Commissioners at that hearing. To review the Board of Commissioners meeting agendas and learn more about participating please visit www.washoecounty.us/bcc or submit your comments online at www.washoecounty.us/contact.php

For additional information on regulating medical marijuana in Washoe County please visit www.washoecounty.us/mme

In addition to this required notification, Washoe County sent a courtesy hearing notification letter to residents who attended the Washoe Valley community meeting. (attached)

Washoe Dispensary, LLC has requested a move from the currently approved location issued a State of Nevada provisional medical marijuana certificate at 290 S. U.S. Highway 395 (APN 050-220-34) to a property zoned General Commercial (GC) at 275 S. U.S Highway 395 (APN 046-080-04). The newly requested location meets all County required regulatory zoning requirements pursuant to Washoe County Code (WCC) Chapter 25 (Business License Ordinance) and Chapter 110 (Development Code) as amended in April 2014 to regulate Medical Marijuana Establishments (MME) in unincorporated Washoe County. In addition, Healing Gardens Inc. currently has a State provisional certificate approved cultivation facility for 275 South Hwy 395, and Sensible Edibles Inc. has a provisional certificate approved for a production facility at 275 South

Hwy 395. Per previous direction from the Board, a public meeting was scheduled and held as follows:

- Location:** Washoe Valley Community Meeting
March 2, 2016
5:30 – 6:30 pm
Washoe County South Valleys Library
15650 Wedge Parkway, Reno, Nevada 89511
- Panel:** Ed Alexander, and Manuel Martinez representing Washoe Dispensary, LLC, Neil Duxbury representing, Healing Gardens, Inc., and Sensible Edibles, Inc., and Kevin Schiller, Assistant County Manager.
- Attendees:** 30 residents, plus applicant representatives and staff from Office of the County Manager, Community Services Department, Truckee Meadows Fire Protection District and Washoe Sheriff's Office
- Notice:** Noticing for the Neighborhood Meeting used the regulatory process outlined for special use permit as a guideline for noticing. In addition staff distributed information in county news email system, Washoe County Website and through local partners. Washoe County notified 190 residents by postcard, increased distribution through county news email distribution and notification to local citizen advisory board members.

Resident Concerns:

Resident concerns surrounded the increase in the total number of medical marijuana facilities in Washoe Valley and their impact on culture of the community as it relates to children, traffic and public safety. Specific questions and statements included:

- Financial viability of the new business and their contributions to the community
- Impact on Old US Highway 395 that will add additional traffic and surrounding traffic concerns in neighboring streets
- Process for obtaining a Medical Marijuana patient card and the potential for loop holes for individuals not in need
- Concerns regarding the location next to a residential neighborhood
- Safety and security concerns related to medical marijuana dispensaries in general and specifically access to large amounts of cash and marijuana plants
- Implications of moving from medical to recreation marijuana use
- Location of school bus stops in proximity to medical marijuana facilities
- Concerns related to combining cultivation, production and dispensary facilities and the combined impact on the community
- Environmental concerns related to water, erosion control and pesticide use
- Notification process for neighborhood meetings. Expressed that notification cards should have gone to all of Washoe Valley
- Concerns that the medical marijuana dispensary is not in compliance with the Area Plan

Additional meetings following the neighborhood advisory meeting were held with interested residents in small group and one on one basis (total of 3 small groups, 1 site visit and multiple individual meetings). Comments surrounded concerns regarding medical marijuana facilities as a whole and the outreach process to residents. The concerns included citing multiple applications in the Washoe Valley, Old Washoe City area for medical marijuana dispensaries, production and cultivation facilities and their effect on the community culture, safety concerns, traffic and increase in access/visibility for children. Representatives also expressed that they felt the medical marijuana use did not comply with the area plan.

The panel addressed general questions on the delivery of products, security, employment requirements, local review and State review processes specific to all regulations.

Area Plan Concerns

As noted, specific community concerns were brought forward regarding compliance with the South Valleys Area Plan. The analysis below addresses those concerns and provides guidance to the Board in making a decision on this item.

Community members have suggested that medical marijuana dispensaries are not allowed on General Commercial properties within the Old Washoe City Historic District Character Management Area of the South Valleys Area Plan, because marijuana dispensaries are not on the list of allowed uses in Table 2 of Appendix A of the Area Plan. On its face, that table, which applies to the character management area, imposes limits on allowed uses in the "GC" zone that are more restrictive than the generally applicable limits on allowed uses found elsewhere in the development code. Marijuana dispensaries are not on the list of allowed uses. Yet if this request were approved, it would result in the placement of marijuana dispensary on property zoned General Commercial and situated within the Old Washoe City Historic District Character Management Area. This, according to some community members, would result in a violation of the Area Plan. But this is only part of the analysis for two main reasons.

First, it is not clear that the county's creation of a list of allowed uses in the Area Plan in 2010, prior to the existence of the statutorily allowed medical marijuana use in 2013, means that once a new statutory use does come into existence, it is intended to be excluded. In fact, it is at least arguable that this would result, in a case such as this, in an area plan conflicting with the legislature's intent to create new allowed uses after the area plan's approval. Zoning is, after all, a prerogative of the Nevada Legislature. *Eagle Thrifty Drugs & Markets, Inc. v. Hunter Lake Parent Teachers Ass'n*, 85 Nev 162, 164 (1969). So in this way it would not make sense that an area plan could somehow bind the Nevada Legislature from exercising one of its core prerogatives---i.e., zoning---by enacting laws allowing new uses after a local area plan's passage.

In fact, the allowance of new uses other than those expressly contained in the table is provided for in Table 2's introductory paragraph. The director has the power to allow "other similar uses" so long as they are "similar in nature and impact" to the uses listed

and consistent with the community character as outlined in the area plan. The area plan itself therefore recognizes this possibility, provided the prerequisites are met.

Second, while it is impossible to say with absolute certainty that the area residents opposed to medical marijuana there are wrong in their interpretation, it does appear more likely than not that their interpretation is in fact not correct. The "GC" notation in Appendix A's Table 2 is probably a typographical error. This is because the introductory paragraph preceding Table 2 states that the uses listed in the table below are allowed in the Neighborhood Commercial (NC) and General Rural (GR) zones. Despite the introductory paragraph's references to the NC and GR zones, the table then goes on to use the notations "NC" and "GC," instead of "NC and "GR," as would be expected.

In a review, it has been determined that either the introductory paragraph or the table itself includes a typo. Under the former possibility, the introductory paragraph should read "General Commercial," not "General Rural." However, under the latter possibility, the table itself should read "GR," not "GC." Were Table 2 the only relevant text here, the question may have been extremely difficult to answer.

However, as its name suggests, Table 2 is preceded by Table 1 and is written in largely the same format as Table 2. Table 1 also has an introductory paragraph preceding it and, similar to Table 2, the introductory paragraph also states that the listed uses in the table are allowed in the GR and NC zones. But unlike Table 2, Table 1's actual list of allowed uses in the table tracks the zones mentioned in the introductory paragraph language: GR and NC. As a result, Table 1 is clearly meant to provide a generally exclusive list of allowed uses in the GR and NC zones in the Steamboat Valley Rural Transition Character Management Area. Hence, the reference to GR and NC in both the introductory paragraph and the table itself. Following almost the exact same format, Table 2 also begins by stating that it is meant to limit uses in the GR and NC zones. The similarity of structure, the similarity of language, and the location of both within the same area plan all combine to favor interpreting Table 2 consistently with Table 1. This would mean that the notation "GC" in the table itself in Table 2 is incorrect and should have read "GR". Under this interpretation, the list of allowed uses in Table 2 would apply to "GR" and "NC" zones, not to "GC" and "NC" zones. Thus, the absence of marijuana dispensaries from the list of allowed uses in Table 2 would be irrelevant to this application, because the property in question here is zoned GC, not GR or NC.

Washoe Dispensary, LLC has outlined their commitment to providing a sustainable business within the Washoe Valley area with a commitment to the local community to include addressing impacts and supporting continued growth to the neighboring areas.

FISCAL IMPACT

There is no fiscal impact associated with this item.

RECOMMENDATION

It is recommended that the Washoe County Board of County Commissioners hold a public hearing and possible action to approve the relocation of a medical marijuana dispensary within unincorporated Washoe County pursuant to section 3 of Senate Bill Number 276 as signed into law on June 9, 2015. The request is from Washoe Dispensary, LLC to move a medical marijuana dispensary location issued a State of Nevada provisional medical marijuana certificate at 290 S. U.S. Highway 395 (APN 050-220-34) to 275 S. U.S. Highway 395 (APN 046-080-04). If approved, direct staff to notify the State of Nevada Division of Public and Behavioral Health in writing of the Board's approval of the relocation request.

POSSIBLE MOTION

Should the Board agree with staff's recommendation, a possible motion would be:

"Move to take possible action to approve the relocation of a medical marijuana dispensary within unincorporated Washoe County pursuant to section 3 of Senate Bill Number 276 as signed into law on June 9, 2015. The request is from Washoe Dispensary, LLC to move a medical marijuana dispensary location issued a State of Nevada provisional medical marijuana certificate at 290 S. U.S. Highway 395 (APN 050-220-34) to 275 S. U.S. Highway 395 (APN 046-080-04). If approved, direct staff to notify the State of Nevada Division of Public and Behavioral Health in writing of the Board's approval of the relocation request."



WASHOE COUNTY BOARD OF COUNTY COMMISSIONERS

1001 E. 9th Street
P.O. Box 11130
Reno, Nevada 89520-0027
Phone: (775) 328-2000
Fax: (775) 328-2491
www.washoecounty.us

August 30, 2016

Dear Washoe Valley Residents,

On behalf of the Washoe County staff, thank you for taking the time to share your concerns regarding medical marijuana in northern Nevada and proposed facilities for the Washoe Valley area at Board of County Commissioner and community meetings.

Materials presented at community meetings are all available online at www.washoecounty.us/mme. We will be discussing future regulations regarding medical marijuana at the Board of County Commissioners meetings throughout the fall and winter including those related to fees, future legislation, and, if legalized in Nevada, resolutions addressing limitations to recreational marijuana.

The August 9, 2016 Board of County Commissioners meeting agenda included a review of a request to move a medical marijuana dispensary from 290 S. Hwy 395 to 275 S. Hwy 395 in Washoe Valley. As a result of concerns being brought forward regarding the specifics on the vote at that meeting and at the recommendation of the District Attorney, this item is scheduled to be placed on the September 13, 2016 Board of County Commissioners meeting agenda to clarify the vote on August 9, 2016.

Washoe County Board of County Commissioners
September 13, 2016, 10 a.m.
1001 E. 9th Street, Building A – Chambers
Reno, Nevada 89512
Video live and on demand: www.washoecounty.us/wctv
Comments: <http://www.washoecounty.us/contact.php>

This item is tentatively scheduled, 3 working days prior to the meeting, please review the final agenda online at Online Agenda: www.washoecounty.us/bcc

Thank you, again for the attending the Washoe Valley community meeting. We look forward to addressing your questions and concerns. Please feel free to contact the Washoe County Manager's Office at (775) 328-2000 for additional information and resources.

Sincerely,

Kevin Schiller

Assistant County Manager, Washoe County

Appendix A

Allowed Uses

Table One: Steamboat Valley Rural Transition Character Management Area.

The following uses are permitted in the Neighborhood Commercial and General Rural designated areas within the SVRTCMA. Permitted land uses within Washoe County's other regulatory zones are as defined in the Washoe County Development Code. Other similar uses may be permitted in these areas provided the Director of Community Development has determined that the proposed use is similar in nature and impact to the uses listed herein, and that the proposed use is consistent with the community character described in the area plan.

Residential Use Types

(See Sections 110.302.10 and 110.302.15 for explanation)

| Residential Use Types (Section 110.304.15) | NC | GR |
|---|----------------|----|
| Family Residential | | |
| Attached Accessory Dwelling | A | A |
| Detached Accessory Dwelling | P | P |
| Detached Accessory Structure | P | P |
| Duplex | A | A |
| Multi Family | S ₂ | -- |
| Single Family, Attached | A | A |
| Single Family, Detached | A | A |
| Manufactured Home Parks | -- | * |
| Residential Group Home | S ₂ | -- |

Civic Use Types

(See Sections 110.302.10 and 110.302.15 for explanation)

| Civic Use Types (Section 110.304.20) | NC | GR |
|---|----------------|----------------|
| Administrative Services | A | -- |
| Child Care | | |
| Family Daycare | P | -- |
| Large-Family Daycare | A | P |
| Child Daycare | P | S ₂ |
| Community Center | S ₂ | -- |
| Convalescent Services | S ₂ | -- |
| Cultural and Library Services | A | A |
| Education | S ₂ | S ₂ |
| Group Care | P | S ₂ |
| Hospital Services | -- | -- |
| Major Services and Utilities | | |
| Utility Services | S ₂ | S ₂ |
| Major Public Facilities | S ₂ | S ₂ |
| Nature Center | A | S ₂ |
| Parks and Recreation | | |
| Active Recreation | PR | PR |
| Passive Recreation | A | A |
| Postal Services | A | -- |
| Public Parking Services | A | -- |
| Religious Assembly | P | S ₂ |
| Safety Services | S ₂ | S ₂ |

Key: -- = Not allowed; A = Allowed; P = Administrative Permit; PR = Park Commission Approval pursuant to 110.104.40(c); S₂ = Board of Adjustment Special Use Permit.

Commercial, Industrial and Agricultural Use Types

(See Sections 110.302.10 and 110.302.15 for explanation)

| Commercial Use Types (Section 110.304.25) | NC | GR |
|---|----------------|----------------|
| Administrative Offices | A | -- |
| Adult Characterized Business (see Chapter 25, Washoe County Code) | -- | -- |
| Animal Sales and Services | | |
| Commercial Kennels | A | P |
| Commercial Stables | -- | P |
| Dog Training Services (see Article 330) | A | A |
| Grooming and Pet Stores | A | -- |
| Pet Cemeteries | -- | P |
| Veterinary Services, Agricultural | A | S ₂ |
| Veterinary Services, Pets | A | -- |
| Automotive and Equipment | | |
| Automotive Repair | A | -- |
| Automotive Sales and Rentals | A | -- |
| Cleaning | -- | -- |
| Commercial Parking | -- | -- |
| Equipment Repair and Sales | A | -- |
| Fabricated Housing Sales | -- | -- |
| Storage of Operable Vehicles | A | -- |
| Truck Stops | -- | -- |
| Building Maintenance Services | A | -- |
| Commercial Centers | | |
| Neighborhood Centers | A | -- |
| Community Centers | S ₂ | -- |
| Regional Centers | -- | -- |
| Commercial Educational Services | A | -- |
| Commercial Recreation | | |
| Commercial Campground Facilities/RV Park | -- | -- |
| Destination Resorts | -- | -- |
| Indoor Entertainment | P | -- |
| Indoor Sports and Recreation | S ₂ | -- |
| Limited Gaming Facilities | P | -- |
| Marinas | -- | -- |
| Outdoor Entertainment | -- | -- |
| Outdoor Sports and Recreation | P | P |
| Outdoor Sports Club | -- | S ₂ |
| Unlimited Gaming Facilities | -- | -- |
| Communication Facilities | | |
| Commercial Antennas | S ₂ | S ₂ |
| Satellite Dish Antennas | S ₂ | S ₂ |
| Wireless Communication Facilities | | |
| Construction Sales and Services | -- | -- |
| Convention and Meeting Facilities | P | -- |
| Custom Manufacturing | A | S ₂ |

| Commercial Use Types (Section 110.304.25) | NC | GR |
|--|----------------|----------------|
| Eating and Drinking Establishments | | |
| Convenience | A | -- |
| Full Service | A | -- |
| Financial Services | A | -- |
| Funeral and Internment Services | | |
| Cemeteries | -- | P |
| Undertaking | A | -- |
| Gasoline Sales and Service Stations | A | S ₂ |
| Helicopter Services | | |
| Heliport | -- | S ₂ |
| Helistop | -- | S ₂ |
| Liquor Sales | | |
| Off-Premises | A | -- |
| On-Premises | P | -- |
| Lodging Services | | |
| Bed and Breakfast Inns | A | S ₂ |
| Hostels | -- | -- |
| Hotels and Motels | S ₂ | -- |
| Vacation Time Shares | -- | -- |
| Medical Services | A | -- |
| Nursery Sales | | |
| Retail | A | -- |
| Wholesale | A | S ₂ |
| Personal Services | A | -- |
| Personal Storage | S ₂ | -- |
| Professional Services | A | -- |
| Recycle Center | | |
| Full Service Recycle Center | -- | -- |
| Remote Collection Facility | P | -- |
| Residential Hazardous Substance Recycle Center | -- | -- |
| Repair Services, Consumer | A | -- |
| Retail Sales | | |
| Convenience | A | -- |
| Specialty Stores | A | -- |
| Agricultural Processing | -- | -- |
| Agricultural Sales | P | -- |
| Energy Production | S ₂ | S ₂ |
| Animal Slaughtering, Agricultural | A | A |
| Animal Slaughtering, Commercial | -- | -- |
| Crop Production | A | A |
| Forest Products | S ₂ | S ₂ |
| Game Farms | S ₂ | S ₂ |
| Produce Sales | S ₂ | S ₂ |

Key: -- = Not allowed; A = Allowed; P = Administrative Permit; PR = Park Commission Approval pursuant to 110.104.40(c); S₂ = Board of Adjustment Special Use Permit.

Allowed Uses

Table Two: Old Washoe City Historic Commercial District Character Management Area.

The following uses are permitted in the Neighborhood Commercial and General Rural designated areas within the OWCHCD CMA. Permitted land uses within Washoe County's other regulatory zones are as defined in the Washoe County Development Code. Other similar uses may be permitted in these areas provided the Director of community Development has determined that the proposed use is similar in nature and impact to the uses listed herein, and that the proposed use is consistent with the community character described in the area plan.

Residential Use Types

(See Sections 110.302.10 and 110.302.15 for explanation)

| Residential Use Types (Section 110.304.15) | GC | NC |
|---|----------------|----------------|
| Family Residential | | |
| Attached Accessory Dwelling ** | S ₂ | S ₂ |
| Detached Accessory Dwelling | -- | -- |
| Detached Accessory Structure | -- | A |
| Duplex | -- | S ₂ |
| Multifamily | -- | -- |
| Single Family, Attached | -- | S ₂ |
| Single Family, Detached | -- | S ₂ |
| Manufactured Home Parks | -- | -- |
| Residential Group Home | -- | S ₂ |

Civic Use Types

(See Sections 110.302.10 and 110.302.15 for explanation)

| Civic Use Types (Section 110.304.20) | GC | NC |
|---|----------------|----------------|
| Administrative Services | A | A |
| Child Care | | |
| Family Daycare | S ₂ | S ₂ |
| Large-Family Daycare | S ₂ | S ₂ |
| Child Daycare | S ₂ | S ₂ |
| Community Center | S ₂ | S ₂ |
| Convalescent Services | S ₂ | S ₂ |
| Cultural and Library Services | A | A |
| Education | S ₂ | S ₂ |
| Group Care | P | P |
| Hospital Services | -- | -- |
| Major Services and Utilities | | |
| Utility Services | S ₂ | S ₂ |
| Major Public Facilities | | |
| Nature Center | S ₂ | S ₂ |
| Parks and Recreation | -- | -- |
| Active Recreation | PR | PR |
| Passive Recreation | A | A |
| Postal Services | A | A |
| Public Parking Services | -- | -- |
| Religious Assembly | P | P |
| Safety Services | S ₂ | S ₂ |

Key: -- = Not allowed; A = Allowed; P = Administrative Permit; PR = Park Commission Approval pursuant to 110.104.40(c); S₂ = Board of Adjustment Special Use Permit; ** Live/Work Units.

Commercial, Industrial and Agricultural Use Types

(See Sections 110.302.10 and 110.302.15 for explanation)

| Commercial Use Types (Section 110.304.25) | GC | NC |
|--|----------------|----------------|
| Administrative Offices | A | A |
| Adult Characterized Business (see Chapter 25, Washoe County Code) | -- | -- |
| Animal Sales and Services | | |
| Commercial Kennels | S ₂ | -- |
| Commercial Stables | -- | -- |
| Dog Training Services (see Article 330) | A | A |
| Grooming and Pet Stores | A | A |
| Pet Cemeteries | S ₂ | -- |
| Veterinary Services, Agricultural | -- | -- |
| Veterinary Services, Pets | A | A |
| Automotive and Equipment | | |
| Automotive Repair | P | S ₂ |
| Automotive Sales and Rentals | S ₂ | S ₂ |
| Cleaning | P | S ₂ |
| Commercial Parking | -- | -- |
| Equipment Repair and Sales | S ₂ | -- |
| Fabricated Housing Sales | -- | -- |
| Storage of Operable Vehicles | S ₂ | S ₂ |
| Truck Stops | -- | -- |
| Building Maintenance Services | A | A |
| Commercial Centers | | |
| Neighborhood Centers | A | A |
| Community Centers | S ₂ | -- |
| Regional Centers | -- | -- |
| Commercial Educational Services | S ₂ | S ₂ |
| Commercial Recreation | | |
| Commercial Campground Facilities/RV Park | S ₂ | -- |
| Destination Resorts | -- | -- |
| Indoor Entertainment | P | P |
| Indoor Sports and Recreation | S ₂ | S ₂ |
| Limited Gaming Facilities | P | P |
| Marinas | -- | -- |
| Outdoor Entertainment | -- | -- |
| Outdoor Sports and Recreation | P | P |
| Outdoor Sports Club | -- | -- |
| Unlimited Gaming Facilities | -- | -- |
| Communication Facilities | | |
| Commercial Antennas | S ₂ | S ₂ |
| Satellite Dish Antennas (see Article 324) | | |
| Wireless Communication Facilities (see Article 324) | | |
| Construction Sales and Services | S ₂ | -- |
| Convention and Meeting Facilities (in conjunction with another primary permitted use only) | S ₂ | S ₂ |
| Custom Manufacturing | A | A |

| Commercial Use Types (Section 110.304.26) | GC | NC |
|--|----------------|----------------|
| Eating and Drinking Establishments | | |
| Convenience | A | A |
| Full Service | A | A |
| Financial Services | P | S ₂ |
| Funeral and Internment Services | | |
| Cemeteries | -- | -- |
| Undertaking | S ₂ | S ₂ |
| Gasoline Sales and Service Stations | A | A |
| Helicopter Services | | |
| Heliport | -- | -- |
| Helistop | -- | -- |
| Liquor Sales | | |
| Off-Premises | A | A |
| On-Premises | P | P |
| Lodging Services | | |
| Bed and Breakfast Inns | P | P |
| Hostels | -- | -- |
| Hotels and Motels | S ₂ | S ₂ |
| Vacation Time Shares | -- | -- |
| Medical Services | P | S ₂ |
| Nursery Sales | | |
| Retail | A | A |
| Wholesale | A | A |
| Personal Services | A | A |
| Personal Storage | P* | S ₂ |
| Professional Services | A | A |
| Recycle Center | | |
| Full Service Recycle Center | -- | -- |
| Remote Collection Facility | -- | -- |
| Residential Hazardous Substance Recycle Center | -- | -- |
| Repair Services, Consumer | A | A |
| Retail Sales | | |
| Convenience | A | A |
| Specialty Stores | S ₂ | S ₂ |
| Comparison Shopping Centers | -- | -- |
| Secondhand Sales | S ₂ | S ₂ |
| Transportation Services | A | A |
| Agricultural Processing | -- | -- |
| Agricultural Sales | A | A |
| Energy Production | -- | -- |
| Animal Slaughtering, Agricultural | -- | -- |
| Animal Slaughtering, Commercial | -- | -- |
| Crop Production | S ₂ | S ₂ |
| Forest Products | -- | -- |
| Game Farms | -- | -- |
| Produce Sales | S ₂ | S ₂ |

Key: -- = Not allowed; A = Allowed; P = Administrative Permit; PR = Park Commission Approval pursuant to 110.104.40(c); S₂ = Board of Adjustment Special Use Permit. * For new uses (projects) as of the date of adoption of this plan.