

# Elko County, Nevada

## Spring Creek / Lamoille Master Plan

### 2012



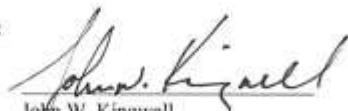
**Elko County Planning Commission Recommendation**

The Elko County Planning Commission hereby approves the Spring Creek / Lamoille master Plan. The Master Plan is to be submitted to the Elko County Board of Commissioners with a recommendation that the governing body hold hearings thereon and adopt said plan as the Official Spring Creek / Lamoille Master Plan for Elko County.

Adopted the 19<sup>th</sup> day of April, 2012.

  
Mike Judd, Chairman  
Elko County Planning Commission

Attest:

  
John W. Kingwell  
Assoc. Planner, Elko County

**Board of Commissioners Certification**

The Elko County Board of Commissioners hereby adopts the Spring Creek / Lamoille Master Plan, including the Land Use Plan Maps, as a long term guide for orderly growth and development of lands within the Plan area.

As adopted the 7<sup>th</sup> of November, 2012

Board of Elko County Commissioners

By:   
Jeff Williams, Chairman

Attest:

  
Carol Fosno, Elko County Clerk



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## **Spring Creek / Lamoille Master Plan, Section I**

### **Introduction to the Spring Creek / Lamoille Master Plan**

The Elko County General plan was prepared in accordance with NRS 278.150 through 278.265 inclusive. It provides a basis for regulating development within the plan boundaries, protecting the resources, and implementing other measures necessary for effective land use planning through the enforcement of zoning ordinances. Changes in development trends, public demands, and physical changes in the land may, from time to time, cause a need for the development of plans for specific areas.

The Spring Creek / Lamoille area has grown steadily over the last 16 years primarily by the development of existing subdivisions and continued minor subdivisions. To ensure continued compatible planned growth to this area, the development and implementation of the Spring Creek / Lamoille Master Plan was necessary.

The geographical boundary for the plan area was established and accepted by the Planning Commission. The Planning Commission adopted the idea of dividing the total plan area into four phases in order to have more manageable areas to concentrate on areas of concern. The four phases were adopted and development of the plan began.

Each of the four phases was the subject of at least three public hearings and workshops held by the Elko County Planning Commission. At a public hearing held on the 5th day of February, 1997 this Master Plan was officially adopted by the Board of County Commissioners.

### **Spring Creek Marina**

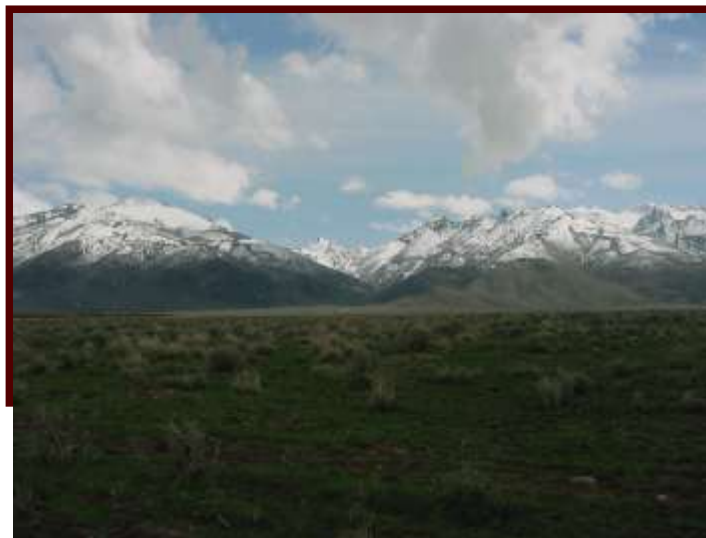


## General Disclosure of the Spring Creek / Lamoille Master Plan

**This general disclosure advises the reader that:**

1. The Master Plan Document and maps represents a consensus of the people and land owners in the plan area of appropriate land-uses. The reader is advised that some properties in the plan area are encumbered by **Deed Restrictions, Covenants, Conditions, and Restrictions, (C.C.& R.'s) or Declaration of Reservations, (D.O.R.'s)**, that may prohibit the development of those properties as designated herein. In the event Deed restrictions, C.C.& R.'s, or D.O.R.'s are **Recorded**, they shall **prevail** over any designation or proposed uses shown or listed herein. Where said Deed Restrictions, C.C.& R.'s or D.O.R.'s exceed the projected **five (5)** year life of this document, no warranties are made that the designations shown herein shall apply to future Master Plans.
2. The Elko County Planning Commission shall, within one year of the final acceptance of this document, review all **current applicable** Elko County Zoning Ordinances. Following completion of this review, the Elko County Planning Commission shall make formal recommendations to the Elko County Board of Commissioners regarding appropriate additions and/or deletions.
3. The Master Plan **does not** vest any right to receive a zone change for any properties which has not applied for and received a zone change pursuant to the designations contained herein within the projected **five (5)** year life of this document. Once the **five (5)** year life has expired Elko County shall have the right to modify, by increasing or decreasing the land use intensity contained herein as the Planning Commission and Board of County Commissioners deem appropriate at that time.
4. During the Zone Change application process the Elko County Planning Commission shall require pertinent documentation of intended uses of the properties to be re-zoned. The Planning Commission may restrict the use to that specific use represented during the application process.
5. A Master Plan designation is a proposed or indication that the affected property has a potential to be zoned to the specific designation. The designation does not preclude the *requirements* of Title 4 of the Elko County Code or any other local or state statute that may apply. All requirements of Elko County Code and applicable state statutes must be fulfilled prior to final action on any zone change, conditional use or variance.

### **Ruby Mountains**



## **History of the Spring Creek / Lamoille Master Plan Area**

### **Earliest Inhabitants**

Existing archaeological information indicates that the presumed earliest inhabitants were during the Paleo-Indian stage. While no Paleo-Indian sites are known in the area, their major characteristic was that they were primarily big game hunters. During the same period, there were people in the Great Basin who used various types of large stemmed points. Archaeologists proposed the name of "Western Pluvial Lakes Tradition" for the flaked stone artifacts, and associated the users of these artifacts as Proto-Archaic. The Western Pluvial Lake Tradition represented a hunting-foraging based economy practiced by people who may have camped on or near the shores of receding lakes and along the rivers much of the time.

The Archaic stage, which began about 6,000 years ago, was a long and highly successful period of adaption to the Great Basin environment. Commonly divided in to two or three time periods by the changes in subsistence, material culture, or settlement patterns, the people of the archaic stage ranged from sedentary villages in the Owens Valley to small hunting groups that foraged over a large territory. Archaeologists postulate a settlement pattern adapted to a foraging / collecting economy, often consisting of a winter base camp, sometimes a secondary summer base camp, and numerous small temporary camps. The arrival of the Euro-American brought the Archaic stage to an end, however their presence is commonly associated with the ancestors of the Western Shoshone and other Numic-speakers.

The Western Shoshone's presence in the area has been postulated by linguists to have been from a rapid spread of Numic-speaking peoples from the southwest. These people have inhabited the regions for approximately 1,000 years. Throughout the Great Basin, Numic-speaking groups such as the Western Shoshone were known to use various techniques to modify wild plant harvest in addition to hunting and gathering. Today, a branch of the Te-Moak Western Shoshone resides on the South Fork Indian Reservation South of the Plan area.

The first white man to see any portion of what is now Nevada was a company of some fur trappers led by the noted mountaineer, Jedediah Smith in the 1820's. The route of that expedition was through a portion of what is known now as western Wyoming, down the Humboldt River country to the Walker River, out through Walkers Pass into California.

During this time the Hudson Bay Company claimed the region between the Rockies and Sierra Nevada Mountains as their exclusive grounds for trapping. Peter S. Ogden began trapping the region in 1831 and traveled down the Humboldt River following the same route as Smith. Captain B.L. Bonneville and Joseph Walker also took trapping and exploration trips into Nevada and traveled the area around the Humboldt River during the 1830's. In 1833 Kit Carson along with the Hudson Bay Company expedition also visited the region of the Humboldt River. These were the first explorers who opened the way across the Great Basin to California, and were followed by emigrants who sought the western coast as their home.

The first emigrant party to cross Nevada passed through the South Fork area in 1841. The Bidwell - Bartleson party crossed the Ruby Mountains at Harrison Pass and proceeded down the South Fork Canyon to the Humboldt River Valley.

This trail known as the Hastings Cut-off of the California Emigrant Trail, was also used by the Reed-Donner party. Ironically almost 30 days of travel time was lost, sowing the seeds for the disaster which overtook them in the Sierras in December of that year.

History within the Spring Creek / Lamoille Master Plan area is as diverse as the Master Plan itself. The origins of the Town of Lamoille originate in the 1800's revolving around the rich wet soils. The acceptance of this area by early settlers was for farming and ranching. The proximity of the nearby Ruby Mountain Range offered shelter from the sweltering heat in the summer and a break from the mountainous winds during the cold bitter winters. The area also gave a haven for various types of wildlife, creating an eco-system that would sustain human life.

The Lamoille Valley was settled in the late 1860's by ranchers and farmers primarily from the east coast. The name Lamoille was give to the valley by John P. Walker, because the valley reminded him of his home in Lamoille County, Vermont. The name Lamoille is a result of a notable typographical error. The word Lamoille was originally given to Lamoille, Vermont by Champlain in 1609, however he gave it the name La Moutte meaning water fowl. The name was mis-spelled in the Maps of Discovery of North America published in 1764 where it was listed as Riviere la Mouelle. The transcriber failed to cross the ll's to make them t's. So in essence the town of Lamoille, as we know it today could have very well been called La Moutte.

The valley was primarily farming country producing grain and truck garden freighted by teams to be sold in mining camps. Most settlers ran a few cattle and as herds increased, ranchers shifted from grain to raising cattle. Over the years the valley also produced dairy products and honey as well as butchered meat for sale in the nearby Town of Elko.

The Town of Lamoille had its beginning in 1869 when John P. Walker built a log store, saloon, blacksmith shop, and the Cottonwood Hotel. In 1906 the Lamoille Mercantile Company was formed by George F. Talbot. The company constructed a two story hotel with 20 beds, dining room, kitchen, and billiard hall. Over the years other stores had been created, many of them with saloons. During prohibition these saloons provided whiskey under the counter that had been produced by numerous bootleg stills located in the valley. The valley was known as a bootlegger's haven.

Lamoille was the first among agricultural valleys to fulfill educational needs. A school was opened by private subscription in the Walker-Waterman cabin in 1871. Fifty students from the Lamoille, Pleasant Valley and Halleck area attended the six month summer school.

In 1905 the first service was held at the newly dedicated Lamoille Presbyterian Church that had been built by generous donations from Reverend George Greenfield. The Church, as it stands today, is known to be Nevada's oldest standing Presbyterian Church.

A post office was established August 27, 1872, at Walkers cross-roads and operated until it was discontinued October 21, 1874. Reestablished on May 10, 1880, it functioned until August 2, 1882, after which mail was secured in Elko. May 14, 1883, the post office was reestablished and still serves Lamoille today. The town was surveyed, platted, and streets named in 1924.

Access to the Valley from the Elko area was a dirt road known as the Hamilton Stage route that traversed over the Elko Mountains, through the Spring Creek Valley, and Pleasant Valley to Lamoille. The trip to and from Lamoille to Elko was generally an all day and possibly an overnight trip. In 1947, an oiled road was completed connecting the Elko and Lamoille areas. This access afforded the development of recreation for tourists throughout the state and nation. The Lamoille Valley, in addition to the continued ranching and farming, now offers many types of outdoor recreation including helicopter skiing in the Ruby Mountain range, guided hunts, as well as fine restaurants, and hotels. The Valley still maintains much of its pristine beauty, as it did for the settlers of the Valley.

The Spring Creek area was primarily a valley or flat that was used by the Lamoille ranchers for grazing land. Several smaller ranches were located within the flat area along the Ten Mile Creek and Spring Creek. The earliest ranches in this area were very secluded and did not expand as much as the Lamoille Ranches. Today, operation of the Whear Ranch located along the Ten Mile Creek in the geographic center of the Plan area continues to provide some memory of the historical use of this land over the past 150 years. Several small ranches still are in operation including what we now know as the animal farm, located in Spring Creek. This was one of the first ranches settled within the area.

In the late 1960's, a large portion of the ranch land was sold to a developer from Texas. The intention was to develop a 6,000 unit subdivision including a 18 hole golf course and reservoir along Spring Creek. As we know it today, the Spring Creek subdivision is developed into four major areas, the 100, 200, 300, and 400 Tracts. The 200 Tract is commonly known as the Mobile Home Section while the other tracts are predominantly comprised of stick built homes.

The 100 Tract is comprised of 2,034 lots and is developed to within 75% with 1,522 occupied lots and 512 vacant lots. The 200 Tract is comprised of 1,469 lots and is developed to within 97% with 1,422 occupied lots and 47 vacant lots. The 300 Tract is comprised of 397 lots and is developed to within 65% with 260 occupied lots and 137 vacant lots. The 400 Tract is comprised of 1,520 lots and is developed to within 68% with 1,036 occupied lots and 484 vacant lots. The Spring Creek subdivision as a whole is comprised of a total of 5,420 lots and is developed to within 78% with 4,240 occupied lots and 1,180 vacant lots. (Revised 2012) (Spring Creek Association Data Nov.2011)

Several smaller subdivisions have been created throughout the Valley. The creation of these subdivisions has provided diverse types of dwelling possibilities in the area ranging from semi-metropolis housing to the full development of large ranching companies, as well as the development of Commercial and Industrial corporations within the Valley. The Spring Creek / Lamoille area has become an area that Elko County residents are proud of due to the diversity of planned development and the beauty of the area which includes panoramic views of the Elko and Ruby Mountain Ranges.

## **Statutory Provisions of the Spring Creek / Lamoille Master Plan**

Chapter 278 of the Nevada Revised Statutes sets forth statutory provisions for the local governments to carry out their role in the planning process. Chapter 278 includes procedures for the adoption of a long term general plan to serve as a master plan for the development of a specific area as well as implementation of the plan, by the local government through zoning districts and ordinances.

Chapter 278 of the Nevada Revised Statutes provides the following in relation to the regulatory authority of local governments:

Goals and guidelines used during the Master Plan process included the following;

- 1) It is in the public interest to place the primary authority for the planning process with the local government;
- 2) Unregulated growth and development of the state will result in harm to the public safety, health, comfort, convenience, resources, and general welfare;
- 3) Local governments have a responsibility for guiding the development of areas within their respective boundaries for the common good;
- 4) Planning must be done in harmony to insure orderly growth and preservation of the state.

## **Physical Characteristics of the Spring Creek / Lamoille Master Plan**

### **Climate**

The Spring Creek / Lamoille Master Plan area varies in elevation from approximately 5200 feet above m.s.l. to 6200 above m.s.l.

The climate is semi-arid, with sub-zero winter temperatures and hot dry summers. January is the coldest month with an average high of 23° F. The warmest month is July reaching an average daily temperature high of 90° F. Extremes of -43° F and 102° F have been recorded.

The average annual snowfall precipitation is 9 inches, with the heaviest amounts falling as snow during the winter months. Average annual snowfall is approximately 36 inches. December is the wettest month with an average snowfall of approximately 9 inches. Summer precipitation occurs mostly in the form of showers and does not contribute greatly to vegetation growth. July is the driest month with an average of less than ½ inch of precipitation.

The average number of days with clear skies is 131, 100 days are partly cloudy, and 134 days are cloudy. The prevailing wind is from the southwest and is the strongest in late winter and spring. The average wind speed is 6.0 miles per hour.

The average rainfall of this area is approximately 8 inches. The average air temperature is 48 degrees Fahrenheit. The average frost free season is approximately 110 days per year.

**Climate Information:** Source: National Weather Service Forecast Office, Elko WB Airport, NV

<b>Monthly Temperature (F)</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>Average</b>
January	16.2	17.4	28.1	<b>20.6</b>
February	33.0	26.1	32.1	<b>30.4</b>
March	42.8	36.5	37.9	<b>39.1</b>
April	46.5	40.9	44.2	<b>43.9</b>
May	56.0	52.7	57.2	<b>55.3</b>
June	65.1	61.6	61.7	<b>62.8</b>
July	75.8	71.5	71.6	<b>73.0</b>
August	70.5	70.3	67.5	<b>69.4</b>
September	58.8	60.4	63.7	<b>61.0</b>
October	46.1	47.6	43.6	<b>45.8</b>
November	35.8	41.6	34.6	<b>37.3</b>
December	25.5	24.3	16.0	<b>21.9</b>
<b>Average</b>	<b>47.7</b>	<b>45.9</b>	<b>46.5</b>	<b>46.7</b>

<b>Monthly Snowfall (inches)</b>	<b>2006-2007</b>	<b>2007-2008</b>	<b>2008-2009</b>	<b>Average</b>
July	0.00	0.00	0.00	<b>0.00</b>
August	0.00	0.00	0.00	<b>0.00</b>
September	0.00	0.00	0.00	<b>0.00</b>
October	0.00	1.10	0.00	<b>0.37</b>
November	2.80	0.10	0.10	<b>1.00</b>
December	7.30	8.20	12.30	<b>9.27</b>
January	4.50	28.00	5.00	<b>12.50</b>
February	7.50	11.00	7.80	<b>8.77</b>
March	3.40	2.80	6.50	<b>4.23</b>
April	0.10	1.20	8.50	<b>3.27</b>
May	0.00	0.00	0.00	<b>0.00</b>
June	0.00	0.00	0.00	<b>0.00</b>
<b>Average</b>	<b>2.13</b>	<b>4.37</b>	<b>3.35</b>	<b>3.28</b>

<b>Monthly Precipitation (inches)</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>Average</b>
January	0.27	1.75	1.28	<b>1.10</b>
February	1.05	0.79	0.59	<b>0.81</b>
March	0.48	0.39	0.78	<b>0.55</b>
April	0.61	0.15	1.83	<b>0.86</b>
May	0.17	1.13	0.47	<b>0.59</b>
June	0.37	0.57	2.94	<b>1.29</b>
July	0.08	0.13	0.20	<b>0.14</b>
August	0.14	0.25	0.68	<b>0.36</b>
September	0.17	0.01	0.27	<b>0.15</b>
October	1.05	0.43	0.49	<b>0.66</b>
November	0.32	1.54	0.01	<b>0.62</b>
December	1.02	0.91	1.68	<b>1.20</b>
<b>Average</b>	<b>0.48</b>	<b>0.67</b>	<b>0.94</b>	<b>0.69</b>

## **Vegetation**

Types of brush and grass vegetation include, Basin Sagebrush, Basin Wild Rye, Willow, Black Greasewood, Wheatgrass, Spiny Hop Sage, Douglas Rabbit Brush, Indian Rice Grass, and Sandberg Bluegrass.

Types of tree and bush vegetation include, Service Berry, Wild Rose, Quaking Aspen, Choke Cherry, Mountain Mahogany, Juniper Evergreen, Pinion Pine, and Elderberry. Several different types of non-indigenous plants grow in the Master Plan area. These plants have primarily been imported to the area and require both irrigation and plant feeding. These plants have been primarily raised by developers, home, and land owners of the area.

## **Soil Limitations**

Characteristics and limitations of the 44 major soil associations within the Spring Creek / Lamoille Master Plan area are very diverse and therefore cannot be readily summarized. For purposes of developing the Master Plan Area, information regarding soils was obtained from the Soil Conservation Service of the Department of Agriculture. This information was separated into various categories that include physical location, soil depth, and soil characteristics for each major soil association.

The survey from which this information was obtained is referred to as an Order III survey. This type of survey is classified as a reconnaissance report prepared primarily from photo interpretations and soil associations that have been grouped with other soil of similar characteristics. More specific information would have to be obtained through on-site investigations of specific areas.

According to the Soils Conservation Service rating system, a “Severe” rating is given to soils that have one or more properties unfavorable for the rated use. These properties include, steep slopes, bedrock near the surface, flood zones, high shrink or swell potential, a seasonal high water table, or low strength. This degree of limitation generally requires major soil reclamation, special design, or intensive maintenance.

When ratings are made by the Soil Conservation Service in relation to septic tank absorption fields, only the soil between the depths of 24 and 60 inches are considered. Consideration is given to the affect of soil limitations and site features on the absorption of the effluent, construction and maintenance of the system, and public health.

Limitations and site features that affect the absorption of the effluent are permeability, depth of seasonal high water, depth to bedrock, cemented pan, and a susceptibility to flooding. Stones, boulders, and a shallow depth to bedrock or a cemented pan interfere with the installation. Excessive slope may cause lateral seepage and surfacing of effluent in down slope areas. Erosion is also a hazard where absorption fields are installed in sloping soils.

Percolation tests used to evaluate soil suitability for septic absorption fields should be performed during the seasons when the water table is at its highest and the soil is at minimum absorptive capacity.

Experience indicates that soils that have a percolation rate of faster than 45 minutes per inch function satisfactorily, soils that have a rate of 45 to 60 minutes per inch have moderate limitations, and soils that have a rate slower than 60 minutes per inch have severe limitations.

### **Drainage and Flood Plains**

Drainage within the Spring Creek / Lamoille Master Plan area is collected by Ten Mile Creek, Mitchell Creek, Rabbit Creek, and Lamoille Creek. All of which except Ten Mile Creek flow directly into the Humboldt River. Ten Mile Creek flows to the South Fork of the Humboldt River.

Approximately 2,000 acres along these drainage collectors have been identified by the Federal Emergency Management Agency (FEMA) as being flood prone and have been designated on the official flood maps of that agency as "Areas of Special Flood Hazards".

As set forth in Title 44 of the Code of Federal Regulations, the Federal Emergency Management Agency (**FEMA**) administers the National Flood insurance Program. This program provides a means of making flood insurance available to owners of property that has been identified as being prone to flooding.

In order for the flood insurance to be available, the community in which the property identified as flood prone is located must participate in the program. Elko County does actively participate in the FEMA program. All building permit and zoning applications are reviewed for flood plain location.

One of the stipulations that Federal Emergency Management Agency (**FEMA**) places on a participating community is the promotion of better flood plain management through ordinances and building codes that meet certain criteria as set forth by federal regulations. The purpose of the National Flood Insurance Program is to carry out national goals of minimizing the loss of lives, property, and natural resources due to flooding.

## **Public Facilities and Services within the Spring Creek / Lamoille Master Plan**

The demand for public facilities and service within the Spring Creek / Lamoille plan area is increasing as development and population expands. Facilities and services such as schools, recreation, police, fire protection, utilities and waste disposal are addressed below.

### **Education / Schools**

At the present time, school age children living within the plan area are attending one of two elementary schools, a junior high school and a high school. The Elko County School District is proposing a new Elementary School to be located near the Spring Creek Horse Palace in the future. However at this time the demand is being met by the existing public schools. As the plan area develops the expansion of these facilities will be necessary. The Master Plan has allowed for a provision for non-designation of Public Districts to accommodate for the future demands.

### **Recreation**

Opportunities within the plan area are oriented toward outdoor activities such as hiking, bicycling, fishing, boating, camping and rafting. The nearby South Fork State Recreation Area accommodates for much of the desired activities. The Lamoille Canyon area is also well utilized for a great deal of outdoor recreation. Areas of Recreational designation have also been planned within the Town of Lamoille area, to accommodate for bed and breakfast establishments, helicopter ski operations, and possible hunting lodge facilities. Planned recreation facilities within the plan area will maintain the ideas, to maintain the historic values, scenic values, natural features, and key wildlife habitat. The Nevada Department of Transportation is developing a Statewide Bicycle Plan for the state highway system in Nevada which may provide future paths and routes within the master plan area.

### **Fire Protection**

The Spring Creek / Lamoille Master Plan area is currently served by a fire protection district that is administered by the Nevada Division of Forestry in accordance with NRS 473. This fire district was formed in order to provide fire protection for the un-incorporated portions of Elko County. The Board of County Commissioners serves as the board of directors for this district. There are four existing fire station locations located within the master plan area. The Spring Valley Parkway location within plan area I, the Licht Parkway location near the intersection with the Lamoille Highway within plan area III and the Town of Lamoille location within plan area II have active fire stations. The North Engle Dr. location in plan area 1 does not have an active fire station.

The existence of volunteer fire departments have aided in fulfilling the fire protection needs of the plan area. As development expands the need for further fire stations is eminent, however the placement of these facilities can be accommodated within designated or existing Agricultural - Residential and Open Space zoning by the use of conditional use permits. Therefore the need for Public Zoning Designations to accommodate the future fire stations was not needed.

### **Law Enforcement / Police Protection**

Police protection for the Spring Creek / Lamoille plan area is provided by the Elko County Sheriff's Department. Currently a Substation is in use by the Sheriff's Department for service to the expanding community.

As expansion occurs it will become necessary for this facility to expand as well. The development of future substations and possible incarceration facilities has been planned for in the existing and designated industrial and commercial zoning areas.

### **Solid Waste Disposal**

Currently the plan area is serviced for solid waste disposal by Elko Sanitation. The closest sanitary landfill is in the City of Elko. The use of individual sewage disposal systems is the primary method of sanitary sewerage and is the responsibility of the individual property owners. The presence of isolated community sanitary sewer systems is being utilized by the Spring Creek Subdivision for use by multiple family dwellings and some commercial uses. As development occurs, alternative avenues of waste disposal both liquid and solid will be explored so as to guarantee the safe levels of ground water and soil contamination.

### **Utilities**

Public Utilities within the Spring Creek / Lamoille plan area are currently provided by Citizen Telcom (telephone), Wells Rural Electric (electricity), and Sierra Pacific Power (electricity). A small area encompassing Spring Creek Subdivision tracts 201 and 202 are serviced by T.C.I. (cable television). Spring Creek Utilities serves the Spring Creek Subdivisions and the Brentwood Subdivision adjacent to the tract 301 for domestic water service.

The utilities are constantly being expanded within minor and major subdivisions. These utilities are accommodated during the subdivision process by method of review and will serve affidavits. The continued development of the Spring Creek / Lamoille plan area will make it necessary for the continued expansion and upgrade of the current utilities. The facilities that will become necessary can be accommodated within any of the represented designations and or current zoning.

## **Public Development of the Spring Creek / Lamoille Master Plan**

The Spring Creek Lamoille Master Plan as presented is a representation of ideas, views, opinions, and thoughts taken from numerous public workshops and public meetings held by the Elko County Planning Commission. These concepts were prepared by the Elko County Planning and Zoning Department from the public input in order to provide the Planning Commission an overview of Public opinion and needs for development of land uses within the Master Plan area.

The Master Plan process was started in January of 1995, with the goal of completing the Master Plan by August of 1996. The total Master Plan area is approximately 110 square miles. The Plan area was divided into four phases to allow for a more manageable workshop and public input process. This process also allowed for certain areas of overlapping phases to be addressed by the impacted public.

The total Master Plan area encompasses diverse types of uses ranging from Agricultural uses to Heavy Industrial uses. The Lamoille Highway (S.R. 227) is the major access arterial and therefore, this corridor was a primary center of attention. Many different opinions were recorded as to the future development of Lamoille Highway. The idea of designating Lamoille Highway as a scenic highway was reviewed and discussed at length. However, as the community expands and develops, the idea of limiting the types of access from the Lamoille Highway was abandoned.

This Master Plan will allow for a better understanding of how the public perceives the expansion of their community. The Public Workshops and Hearings held were within the community itself to allow for the best accessibility to the affected public.

The creation of the Master Plan was developed with a minimum of three hearings held for each Phase. Four workshops / hearings were held at the Spring Creek High School Library for each of Plan area I and Phase III. Five workshops / hearings were held in the Town of Lamoille at the Lamoille Church for Phase II. An extension of approximately six months was granted to the owners of several local ranches in Phase II for the purpose of consulting private planners.

Phase II was adopted in March of 1996. Two hearings were held for Phase IV at the Elko County Court House, Room 106, and no significant public comment was received on this Phase.

The Master Plan was opened to the public for review and amendment by the Elko County Planning Commission in September of 2005. Final actions by the Elko County Commission for approval of amendments to the document were approved in April of 2006. Revisions and amendments are documented in the 2006 Revised Spring Creek Lamoille Master Plan.

The Master Plan was again opened for public for review and amendment by the Elko County Planning Commission in November of 2011. Final actions by the Elko County Commission for approval of amendments to the document were approved on April 19, 2012. Revisions and amendments are documented in the 2012 Revised Spring Creek Lamoille Master Plan.

## **Lamoille Church**



## **Master Plan Boundaries**

**Plan Area - I** is an area encompassing the Spring Creek 200 tracts, a portion of Last Chance Ranches Unit No.1, Area West Development, and the Whear Ranch. This Phase also encompassed approximately 6 square miles of land currently under management by the Bureau of Land Management to the south and east. The majority of this Plan Area is Residential, with Commercial, Industrial and Agricultural uses present. The total area of Plan Area - I is approximately 24.40 square miles in area.

### **Plan Area - I Boundary:**

Commencing at the northeast corner of Section 22, T. 34 N., R. 56 E., M.D.B.& M., The Point of Beginning;

thence south along east section lines of Section 22, and 27 to the southeast corner of said Section 27;  
thence east along the north section lines of Section 35, and 36 to the northeast Corner of said Section 3, being the line common to Range 56 East and Range 57 East;  
thence south along said range line to the southeast corner of said Section 36, being the line common to township 34 North and Township 33 North;  
thence continuing south along said range line to its intersection with the most northerly boundary of Spring Creek Subdivision Tracts 102 and 104;  
thence west and south along the boundary of Spring Creek Subdivision to its intersection with State Route 227 easterly right of way;  
thence south easterly along said State Route 227 easterly right of way to a point of intersection with Spring Creek Parkway and Licht Parkway extended;  
thence south westerly along the northerly right of way of said Licht Parkway to its intersection with the most easterly right of way of Culley Road;  
thence north to its intersection with the most northerly boundary of the industrial / residential development known as Culley Development;  
thence westerly along said boundary and the most northerly boundary of Brentwood Estates Units 1 and 2 to its intersection with the northerly right of way of Springfield Parkway;  
thence westerly along the northerly right of way of said Springfield Parkway to its intersection with the Spring Creek Subdivision Tract 304;  
thence westerly, northerly and southerly along the boundary of said Spring creek Subdivision, Tract 304 to the southwest Corner of said Section 16;  
thence north along the west section line of said Section 16 to the west 1/4 Corner of said Section 16;  
thence west along the center 1/4 Section line of south section line of Section 17, to the east 1/4 Section Corner of said Section 17;  
thence north along the west section lines of Sections 17, 8, and 5 to the northwest Corner of said Section 5, being the Township line common to Township 33 North and Township 34 North;  
thence north along the west section lines of Sections 32, 29, and 20, to the northwest Corner of Said Section 20;  
thence east along the north section lines of sections 20, 21, and 22, to the northeast Corner of said Section 22, the Point of Beginning.

**Plan Area - II** is an area encompassing the Lamoille area including Ruby Home Ranch, Sarman Ranch, Dysart Ranches, Sustacha Ranch, Ruby Dome Ranch, Maggie Creek Ranch, Pleasant Valley Subdivision, the Town Proper of Lamoille, Nevada and an approximate 2 mile diameter around the town of Lamoille. This Plan Area encompasses primarily Open Space Zoning, some existing Agricultural-Residential, and a limited Commercial area within the Town of Lamoille. The total area of Plan Area - II is approximately **19.20** square miles in area.

### **Plan Area - II Boundary:**

Commencing at the northeast Corner of Section 17, T. 33 N., R. 58 E., M.D.B.& M., The Point of Beginning;

thence south along east section lines of Sections 17, 20, to the southeast Corner of said Section 20;  
thence easterly along the north section line of Section 28 to the northeast Corner of said Section 28;  
thence south along the east section line of said section 28 to the southeast Corner of said Section 28;  
thence west long the south section line of said Section 28 to the southwest Corner of said Section 28 and northeast Corner of Section 32;

thence west along the south section lines of Sections 31, and 32 to the southwest Corner of said Section 31, being the line common to Range 57 East and Range 58 East;  
thence west along the north section line of Section 36, to the northeast Corner of Section 1, T. 32 N. R. 57 E., M.D.B.& M.;  
thence south along the east section line of said Section 1 to the southeast Corner of said Section 1;  
thence west along the south section line of Section 1 and 2 to the southwest Corner of said Section 2;  
thence north along the west section line of said Section 2 to the northwest Corner of said Section 2, being the line common to Township 32 North and Township 33 North;  
thence north along the west section lines of Sections 35, 26, 23, and 14, to the northwest Corner of said Section 14;  
thence east along the north section lines of sections 14, and 13, to the northeast Corner of said Section 13, being the line common to Range 57 East and Range 58 East;  
thence east along the north section lines of Sections 18, and 17 to the northeast Corner of said Section 17, the Point of Beginning.

### Spring Creek Golf Course



**Plan Area - III** is an area encompassing primarily the Spring Creek Subdivision, 100's, 300's and 400 Tracts also including privately owned ranches to the south and north, Ruby Mountain Estates, Lipparelli Estates and a small portion of Area West Development. An area of approximately 8 square miles of land is currently under management by the Bureau of Land Management. This Plan Area encompassed primarily residential, with limited Commercial uses, some Agricultural and Industrial uses present. The total area of Plan Area - III is approximately **45.90** square miles in area.

#### **Plan Area - III Boundary:**

Commencing at the northeast corner of Section 3, T. 33 N., R. 57 E., M.D.B.& M., The Point of Beginning;

thence south along east section lines of Sections 3, 10, 15, 22, 27, and 34 to the southeast Corner of said Section 34, being the line common to Township 33 North and Township 32 North;

thence south along the east section line of Section 3, to the southeast Corner of said Section 3;

thence west along the south section lines of Sections 3, 4, 5, and 6 the southwest Corner of said Section 6, being the line common to Range 56 East and Range 57 East;

thence west along the south section lines of Sections 1, 2, and 3 to the southwest Corner of said Section 3;

thence north along the west section line of Section 3, to the northwest Corner of said Section 3, being the line common to Township 32 North and Township 33 North;

thence west along the south section line of Section 33, to the southwest Corner of said Section 33;

thence north along the west section lines of Sections 33, 28, and 21, to the northwest Corner of Said Section 21;

thence east along the north section line of said Section 21 to its intersection with the Spring Creek Subdivision Tract 304, being the Northeast Corner of Said Section 21;

thence northerly, easterly and southerly along the boundary of said Spring creek Subdivision, Tract 304 to its intersection with the most northerly right of way of Springfield Parkway;

thence easterly along the northerly right of way of said Springfield Parkway to its intersection with the boundary of Brentwood Estates Subdivision Unit No 1;

thence easterly and southerly along the northerly boundary of said Brentwood Estates Unit No. And Brentwood Estates Unit No. 2 to its intersection with the northerly boundary of Culley Development;

thence easterly along the north boundary of said Culley Development to its intersection with the easterly right of way of Culley Road;

thence south along the easterly right of way of said Culley Road to its intersection with the northerly right of way of Licht Parkway;

thence east along the northerly right of way of said Licht Parkway extended to the most easterly right of way of State Route 227;

thence northerly and westerly along the most easterly right of way of said State Route 227 to its intersection with the Spring Creek Subdivision Tract 104 and 102;

thence easterly along the boundary of said Spring Creek Subdivision to its intersection with the west section line of 7;

thence north along the west section lines of section 6 and 7 to the northwest Corner of said Section 6;

thence east along the north section lines of Sections 6, 5, 4, and 3 to the northeast Corner of said Section 3, the Point of Beginning.

**Plan Area - IV** is an area encompassing west from the 200 Tracts, to the current City of Elko serviceable high water contour elevation. This Plan area encompasses primarily Open Space lands with some residential uses along Lamoille Highway. This Plan Area is primarily undeveloped. Some subdivision has been created including Elko Summit Estates, Government tracts, and Parcel Map subdivisions. Also included is an area of approximately 8 square miles of land currently under management by the Bureau of Land Management. The total area of Plan Area - IV is approximately 20.95 square miles in area.

**Plan Area - IV Boundary:**

Commencing at the northeast Corner of Section 19, T. 34 N., R. 56 E., M.D.B.& M., The Point of Beginning; thence south along east section lines of Sections 19, 30, and 31 to the southeast Corner of said Section 31, being the line common to Township 33 North and Township 34 North;

thence south along the east section lines of Sections 6, and 7 to the southeast Corner of said Section 7;

thence west along the south section line of said Section 7, to the southwest Corner of said Section 7, being the line common to Range 55 East and Range 56 East;

thence west along the south section lines of Sections 11, 10, and 9 to the southwest Corner of said Section 9;

thence north along the west section lines of Sections 9, and 4 to the southwest Corner of said Section 33, being the line common to Township 33 North and Township 34 North;

thence north along the west section line of Section 33, and Section 28 to the northwest 1/16 Corner of Section 28;

thence east along the north 1/16 line of Section 28 to the northeast 1/16 Corner of Section 28;  
thence north along the east line of Section 28 to the northeast Corner of said Section 28;  
thence east along the north section line of said Section 27 and Section 26 to the northeast Corner of said Section 26;  
thence north along the west section line of Section 24 to the west 1/4 section Corner of said Section 24;  
thence east along the center 1/4 section line of said Section 24 to its intersection with the City of Elko Boundary;  
thence southerly, easterly and northerly along said City of Elko Boundary to the northwest Corner of Said Section 19;  
thence east along the north section line of said Section 19 to the northeast Corner of Said Section 19, the Point of Beginning.

### **Spring Creek / Lamoille**



#### **Overall Spring Creek / Lamoille Master Plan Boundary**

Commencing at the northeast corner of Section 22, T. 34 N., R. 56 E., M.D.B.& M., The Point of Beginning;

thence south along the east section lines of Section 22, and 27 to the southeast Corner of said Section 27;

thence east along the north section lines of Section 35, and 36 to the northeast Corner of said Section 36, being the line common to Range 56 East and Range 57 East;

thence south along said range line to the southeast corner of said Section 36, being the line common to Township 34 North and Township 33 North;

thence continuing south along said range line to the Northeast corner of Section 1;

thence east along the north section line of Sections 6,5, 4 and 3, Township 33 North Range 57 East, M.D.B.& M.;

thence south along the east section line of said Section 3 and Section 10 to the southeast Corner of said Section 10;

thence east along the north section lines of Sections 14, and 13, to the northeast Corner of said Section 13, being the line common to Range 57 East and Range 58 East;

thence east along the north section lines of Sections 18, and 17 to the northeast Corner of said Section 17;  
 thence south along east section lines of Sections 17, 20, to the northwest corner of said Section 28;  
 thence east along the north section line of said Section 28 to the northeast corner of said Section 28;  
 thence south along the east section line of said Section 28 to the southeast Corner of Said Section 28;  
 thence west along the south section line of said Section 28 to the southwest Corner of said Section 28;  
 thence south along the west section line of Section 33 to the southwest Corner of Section 33;  
 thence west along the north section line of said Section 33 and Section 32 to the northwest Corner of Section 32 being the line common to Range 57 East and Range 58 East;  
 thence west along the said common range line to the northeast Corner of Section 1;  
 thence west along the south section lines of Sections 1, 2, 3, 4, 5, and 6 to the southwest Corner of said Section 6, being the line common to Range 56 East and Range 57 East;  
 thence west along the south section lines of Sections 1, 2, and 3 to the southwest Corner of said Section 3;  
 thence north along the west section line of Section 3, to the southwest Corner of said Section 3, being the line common to Township 32 North and Township 33 North;  
 thence west along the south section line of Section 33, to the southwest Corner of said Section 33;  
 thence north along the west section lines of Sections 33, 28, 21, and 16 to the west 1/4 Corner of Section 16;  
 thence west along the center 1/4 section line of Section 17 to the west 1/4 Corner of said Section 17;  
 thence north along the west section line of said Section 17 to the northwest Corner of Said Section 17;  
 thence west along the north section line of Section 18 to the northwest Corner of said Section 18, being the line common to Range 55 East and Range 56 East;  
 thence west along the south section lines of Sections 12, 11, 10, and 9 to the Southwest Corner of said Section 9;  
 thence north along the west section lines of Sections 9, and 4 to the southwest Corner of said Section 33, being the line common to Township 33 North and Township 34 North;  
 thence north along the west section line of Section 33, and Section 28 to the northwest 1/16 Corner of Section 28;  
 thence east along the north 1/16 line of Section 28 to the northeast 1/16 Corner of Section 28;  
 thence north along the east line of Section 28 to the northeast Corner of said Section 28;  
 thence east along the north section line of said Section 27 and Section 26 to the northeast corner of said Section 26;  
 thence north along the west section line of Section 24 to the west 1/4 section Corner of said Section 24;  
 thence east along the center 1/4 section line of said Section 24 to its intersection with the City of Elko Boundary;  
 thence southerly, easterly and northerly along said City of Elko Boundary to the Northwest Corner of Said Section 19;  
 thence east along the north section line of Section 19, to the northeast Corner of Section 19;  
 thence east along the north section lines of Sections 19, 20, 21, and 22, to the Northeast Corner of Said Section 22, the Point of Beginning.

Total Spring Creek / Lamoille Master Plan area is approximately **110.45** square miles.

## Spring Creek Campgrounds, Ruby Mountains



### Summary of Workshops and Public Hearings of the Spring Creek / Lamoille Master Plan

Each of the Workshops and Public Hearings held are summarized as follows:

**April 19, 1995, Workshop (Phase I)** - A presentation of the overall Master Plan boundary was made which included the proposed four phases and boundaries. The information consisted primarily of existing zoning within Phase I. Phase I was the subject of this workshop to gather information that would be useful in the preparation of drafting plan goals, objectives and policies from the public. A conceptual map depicting the different types of land uses and projected land uses was also presented.

**May 10, 1995, Workshop (Phase I)** - The purpose of this workshop was to present a conceptual map depicting changes and information supplied during the workshop on April 19, 1995. A presentation was made by the Nevada Department of Transportation in regards to the future development of the Lamoille Corridor.

**May 31, 1995, Public Hearing (Phase I)** - This Public Hearing was set to accept the Conceptual Map for approval. Items discussed were the depth of proposed commercial designations, roadway re-alignments of Corral Lane and Trescartes Drive, residential designations and access to the Lamoille Highway. These provisions are further discussed under the designation for each zoning. A special provision was also made to re-examine a portion of Phase I at the Phase III workshops due to the potential impact to both Phase areas I and II.

**July 26, 1995, Regular Meeting, Public Hearing (Phase I)** At the regular meeting of the Elko County Planning Commission, Phase I of the Spring Creek / Lamoille Master Plan was adopted.

**July 27, 1995, Workshop (Phase II)** - This workshop was held in order to gather public comment and input on the Phase II conceptual plan. Public comment was offered primarily on the proposed designations concerning commercial and recreation land use development. Concerns about future development patterns involved the types of architecture that were to be allowed. The density of Residential designations was also discussed.

**August 16, 1995, Workshop (Phase II)** - This workshop was held to discuss the information compiled from the July 27, 1995 workshop as well as to collect further public comment. Concern for future residential development was made. Architectural Restriction was discussed, as well as acreage restrictions. A Cluster Housing concept was discussed, in particular, allowable densities favored by the community. A presentation of the second conceptual map was made and further information was given as to changes that the community would like to make.

**September 6, 1995, Public Hearing (Phase II)** - A conceptual plan was presented at this workshop. The 3rd conceptual plan was developed using information received from the previous two workshops. The general idea presented in the conceptual plan was to allow for more residential, recreational, and commercial designations. Several concerns arose in response. The residential over growth of the area was discussed and cluster types of development were advised. Commercial development was a topic of concern for several of the local, long time residents. Access problems relating to the Lamoille Highway as well as an alternative Route were also discussed.

**September 20, 1995, Public Hearing (Phase II)** - A presentation of the fourth conceptual map was made at this Public Hearing. Several opposing viewpoints were presented by the public. A proposal by the larger property owners was made to grant a time extension for Phase II approval in order to provide for the retention of Private Professional Planners to prepare land use plan alternatives for the individual larger ranches in the area. A motion was made and passed by the Elko County Planning Commission to grant a six month extension. However monthly status reports were required and finalization of Phase II would be called for in February of 1996.

**November 8, 1995, Workshop (Phase III)** - A conceptual plan for Phase III was presented followed by an invitation for public input and response. A split was evident concerning the designation of commercial and industrial property within this Phase. A general consensus approved the use of planned residential developments.

**December 5, 1995, Workshop (Phase III)** - A presentation of the 2nd conceptual map was made showing the prior workshop information. Again primary concerns were the commercial and industrial designations within the phase. The concerns centered on the future safety on interior roads due to increased traffic flows. The consensus of the Planning Commission was to provide these commercial and residential designations while maintaining the safety and welfare of the residential area.

**January 10, 1996, Public Hearing (Phase III)** - This Public Hearing was scheduled to present the 3rd conceptual plan for Phase III. Finalizations of special commercial and industrial zoning designations within Phase III were also scheduled. Both positive and negative comments were made by the public concerning these designations. The Planning Commission opted to extend the Public Hearing to allow for more time to consult with staff and the general public.

**January 29, 1996, Public Hearing (Phase III)** - The 4th conceptual plan was presented during this Public Hearing. This concept adopted the designation of commercial and industrial areas as discussed at the last hearing. Further public comment was given, both positive and negative. Phase III of the Spring Creek / Lamoille Master Plan was adopted by the Elko County Planning Commission.

**March 13, 1996, Public Hearing (Phase II)** - The purpose of this meeting was the final presentation of Phase II of the Spring Creek / Lamoille Master Plan. This presentation included findings from the Private planners. The plan was amended to the concept as shown on the Phase II Master Plan Map. The plan was accepted and adopted by the Planning Commission, unanimously.

**May 8, 1996, Regular Meeting, Workshop (Phase IV)** - A presentation of a conceptual map for Phase IV was made. Discussion ensued as to the designations. Several suggestions were made from the Planning Commissioners. At this workshop no public comment was offered due to the lack of public participation. Information was taken and compiled and would be presented at the next public hearing.

**June 26 1996, Regular Meeting, Public Hearing (Phase IV)** - Presentation of the 2nd conceptual map, reflecting changes made by the Planning Commission at the last workshop were included on the conceptual map. The Elko County Planning Commission accepted the Plan with the noted changes, unanimously.

## **Review, 2005/2006**

**September 15<sup>th</sup>, 2005 Regular Meeting, Public Hearing “2005 Review”** - Presentation of the changes to the Master Plan boundaries. Alternate methods of access to the Spring Creek / Lamoille / South Fork area to the City of Elko. Regional Transportation Commission (R.T.C.) interest in identifying alternate access. Planning Commission concerns of maintenance of existing and future subdivision roads. One specific request for “Special Lands” Designation adjacent to Spring Creek Tract 201. Other issues of discussion and concern:

- 1) Road maintenance
- 2) Home Owners’ associations
- 3) Impact fees and Gas taxes
- 4) Densities and impacts thereof
- 5) Water / Water rights issues
- 6) Recreational designations
- 7) Commercial designations and Commercial hubs
- 8) Lamoille Highway Scenic Corridor architectural restrictions

**October 20<sup>th</sup>, 2005 Regular Meeting, Public Hearing 2005 Review** - Presentation of up-dated 2005 inventories. Phase IV Boundaries adjacent to the City of Elko and all boundaries were discussed. Discussion considering the implementation of the R-3 Overlay on Sage Lake Subdivision, Valley Vista Subdivision, Rolling Hills Subdivision, Government Track on Elko Summit and the Cold Creek Area near Rabbit Creek Road. Discussion, Scenic Corridor along SR 227 and SR 228. Architectural restrictions and or tax credits within the scenic corridor. The KRL Special Lands Zoning Designation was discussed.

**November 17<sup>th</sup>, 2005 Regular Meeting, Public Hearing 2005 Review** - Presentation of information concerning a Scenic Corridor was provided with a staff recommendation that the Scenic Corridor not be pursued at this time. Discussion of self imposed architectural restrictions at the SR 227 and Lamoille Canyon Roads was reviewed.

A request, consideration and approval of Commercial Designation and Special Lands Designation by Dorothy A. Stonier in portions of Section 8 & 17 T. 33 N., R. 56 E., M.D.B.& M. were discussed and approved.

***Concept and Designations of Commercial and Special Lands on the above referenced lands as shown on the Master Plan Map approved by the Elko County Planning Commission November 17, 2005. Motion made by Mr. Galyen, second by Mr. Rice, with a vote of 5 yes, 0 no. Motion approved.***

A letter from the Spring Creek Association requesting existing Commercial designations within the Spring Creek Subdivision at the intersections of Spring Creek Parkway, Palace Parkway and SR 227 be removed from the Master Plan was received and set for public hearing December 15<sup>th</sup>, 2005.

**December 15<sup>th</sup>, 2005 Regular Meeting, Public Hearing 2005 Review** - Final actions were made on the following issues concerning the 2005 review of the Spring Creek / Lamoille Master Plan.

**Master Plan Boundaries**, changes to:

- a) Phase I and Phase III common boundary.
- b) Phase II boundary to include all of Dysart and Sustacha Subdivisions.
- c) Phase IV boundary reflecting City of Elko annexation.
- d) Phase IV addition of City of Elko boundary of influence.
- e) Phase I common boundary with South Fork Master Plan area along SR 228.

*Concept discussed, reviewed and approved September 21, 2005. On December 15<sup>th</sup>, 2005, the Planning Commission adopted the revised boundaries with a motion by Mr. Judd and second by Mr. Grisham with a vote of 7 yes, 0 no. Motion approved.*

Place **R-3 Conservation Reserve District** overlay on existing Agricultural -Residential Zoning to limit parcel sizes to 2.5 acre minimum or existing parcel size as per Elko County Code 4-3-4.

- a) Areas to be included within the existing R-3 overlay:
  - 1) Government Tracks Section 30, T.34 N., R.56 E., M.D.B.& M.
  - 2) Rabbit Creek area
  - 3) Rolling Hills Subdivision
  - 4) Valley Vista Subdivision Special Provision of 2.0 acre minimum parcels

*Concept approved by the Planning Commission with a 5-0 Vote November 17, 2005. On December 15<sup>th</sup>, 2005, the Planning Commission motion made by Mr. Galyen to establish the R-3 overlay on the above referenced subdivisions and areas was seconded by Mr. Grisham. The vote was 7 yes - 0 no. Motion approved.*

Develop **AR-CRD 1, Conservation Reserve District 2.50 - 5.0** acre minimum zoning ordinance.

- a) 1997 Master Plan designated areas with minimum parcels size between 2.50 and 5.0 acres to match existing development patterns. The 2005 proposed is to develop an addition of the Agriculture - Residential District as a Conservation Reserve District to include parcels sizes between two and one half (2.5) acres and five (5.0) acres minimum to be known as AR-CRD 1 2.5 to 5.0 acre minimum parcel size. Proposed to be an amendment to Elko County Code as 4-2-5.

Develop **AR-CRD 2, Conservation Reserve District 5.0 - 10.0** acre minimum zoning ordinance.

- a) 1997 Master Plan designated areas with minimum parcels size between 5.0 and 10.0 acres to match existing development patterns. The 2005 proposed is to develop an addition of the Agriculture - Residential District as a Conservation Reserve District to include parcels sizes between five (5.0) acres and ten (10.0) acres minimum to be known as AR-CRD 2 5.0 to 10.0 acre minimum parcel size. Proposed to be an addition to Elko County Code as 4-2-6.

*December 15<sup>th</sup>, 2005, A Planning Commission motion to create the AR-CRD 1 and AR-CRD 2 Zoning Districts as part of Title 4 of the Elko County Code was made by Mr. Galyen and second by Mr. Rice. The vote was 7 yes, 0 no. Motion approved.*

Review, develop and implement a **Scenic Corridor along SR 227 and SR 228** within the Master Plan boundaries from the Elko City Limits to the Town of Lamoille.

*Mr. Galyen made the motion to abandon the concept of a scenic corridor on State Route 227 & SR 228 and revisit it at the next review of the master plan. Mr. Krohn seconded the motion. The vote was 4 yes, 1 no. Mr. Rice voted “no” and the “Motion Failed”. Five (5) of the seven (7) Planning Commissioners were present, as per NRS, master plan actions require a super majority 2/3 or five (5) of total Planning Commission Members. This item is to be heard by the full Planning Commission 12/15/05.*

*December 15<sup>th</sup>, 2005, A Planning Commission motion to abandon the Scenic Corridor concept along SR 227 and SR 228 made by Mr. Judd and seconded by Mr. Galyen. The vote was 6 yes, 1 no. Motion approved.*

Designation of **Special Lands** on those portions of Sections 19, 29, 30, 31 & 32 T. 34 N., R. 56 E., M.D.B.& M. as shown on the Master Plan Maps.

*Mr. Krohn made a motion to allow the area a Special Lands Designation with no further division below ten acres. Mr. Galyen second the motion, the vote was 4-1. Mr. Grisham voted “no” and Mr. Hough “abstained”. Motion Failed”. Six (6) of the seven (7) Planning Commissioners were present, as per NRS, master plan actions require a super majority 2/3 or five (5) of total Planning Commission Members. This item is to be heard by the full Planning Commission 12/15/05.*

*December 15<sup>th</sup>, 2005, A Planning Commission motion by Mr. Galyen to establish a Special Lands Designation on the KRL Lands described above was seconded by Mr. Judd. The vote was 6 yes, 1 no. Motion approved.*

Spring Creek Association” request for **removal** of **Commercial Designation**:

- 1) APN 057-001-001 Lot 1, Block 1, Tract 104
- 2) APN 053-006-001 Lot1, Block 6, Tract 103
- 3) APN 053-004-021 Lot 21, Block 4, Tract 103
- 4) APN 043-002-001 Lot 1, Block 2, Tract 401
- 5) APN 043-002-002 Lot 2, Block 2, Tract 401

*December 15<sup>th</sup>, 2005, the Planning Commission finalized the action to by a failed vote to remove the Commercial Designation from the above referenced Spring Creek Lots. The motion was to remove the designation made by Mr. Hough, second by Mr. Rice. The Vote was 3 to 3 with Mr. Galyen abstaining due to his association with the Spring Creek Committee of Architecture. Motion failed.*

**March 2<sup>nd</sup>, 2006 Special Hearing by the Elko County Board of Commissioners 2005 Review** - The Board of County Commissioners held the Special Meeting at the Spring Creek High School Gym. Final actions were made on the 12 issues concerning the 2005 review of the Spring Creek / Lamoille Master Plan reviewed by the Elko Planning Commission.

- 1) Master Plan Boundaries, changes to:
  - a) Phase I and Phase III common boundary.
  - b) Phase II boundary to include all of Dysart and Sustacha Subdivisions.
  - c) Phase IV boundary reflecting City of Elko annexation.
  - d) Phase IV addition of City of Elko boundary of influence.
  - e) Phase I common boundary with South Fork Master Plan area along SR 228

*The Action of the Planning Commission was up-held by the Elko County Board of Commissioners March 2<sup>nd</sup>, 2006 with a5 yes, 0 no vote.*

- 2) Place **R-3 Conservation Reserve District** overlay on existing Agricultural -Residential Zoning to limit parcel sizes to 2.5 acre minimum or existing parcel size as per Elko County Code 4-3-4.
  - a) Areas to be included within the existing R-3 overlay:
    - 1) Government Tracks Section 30, T.34 N., R.56 E., M.D.B.& M.
    - 2) Rabbit Creek area
    - 3) Rolling Hills Subdivision
    - 4) Valley Vista Estates

*The Action of the Planning Commission was up-held by the Elko County Board of Commissioners March 2<sup>nd</sup>, 2006 with a5 yes, 0 no vote.*

- 3) Develop **AR-CRD 1, Conservation Reserve District 2.50 - 5.0 acre minimum zoning ordinance.**
  - a) 1997 Master Plan designated areas with minimum parcels size between 2.50 and 5.0 acres to match existing development patterns. The 2005 proposed is to develop an addition of the Agriculture - Residential District as a Conservation Reserve District to include parcels sizes between two and one half (2.5) acres and five (5.0) acres minimum to be known as AR-CRD 1, 2.5 to 5.0 acre minimum parcel size. Proposed to be an amendment to Elko County Code as 4-2-5.

*The Action of the Planning Commission was up-held by the Elko County Board of Commissioners March 2<sup>nd</sup>, 2006 with a 5 yes, 0 no vote.*

- 4) Develop **AR-CRD 2, Conservation Reserve District 5.0 - 10.0 acre minimum zoning ordinance.**
  - a) 1997 Master Plan designated areas with minimum parcels size between 5.0 and 10.0 acres to match existing development patterns. The 2005 proposed is to develop an addition of the Agriculture - Residential District as a Conservation Reserve District to include parcels sizes between five (5.0) acres and ten (10.0) acres minimum to be known as AR-CRD 2, 5.0 to 10.0 acre minimum parcel size. Proposed to be an addition to Elko County Code as 4-2-6.

*The Action of the Planning Commission was up-held by the Elko County Board of Commissioners March 2<sup>nd</sup>, 2006 with a 4 yes, 1 no vote.*

- 5) Approve, adopt and implement **R-3, AR-CRD 1 and AR-CRD 2** Conservation Reserve District overlays as shown on the Spring Creek / Lamoille Master Plan Map.

*The Action of the Planning Commission was up-held by the Elko County Board of Commissioners March 2<sup>nd</sup>, 2006 with a 5 yes, 0 no vote.*

- 6) **Review, develop and implement a “Scenic Corridor”** along SR 227 and SR 228 within the Master Plan boundaries from the Elko City Limits to the Town of Lamoille.

*The Action of the Planning Commission was up-held by the Elko County Board of Commissioners March 2<sup>nd</sup>, 2006 with a 5 yes, 0 no vote.*

7) **Designation of “Special Lands” on those portions of Sections 19, 29, 30, 31 & 32 T. 34 N., R. 56 E., M.D.B.& M.** (KRL Properties) as shown on the Master Plan Maps.

*Approved with the contingency that KRL is to create a written agreement with Spring Creek for road maintenance of roads located within the Spring Creek Subdivision by the Elko County Board of Commissioners March 2<sup>nd</sup>, 2006 with a 5 yes, 0 no vote.*

8) **Review current inventories and potential density increases.** (Presentation no action required)

9) **Review existing designations and impacts.** (Presentation no action required)

10) **Review proposed changes to designations as shown on the Master Plan Maps.**

a) **Spring Creek Association” request for removal of Commercial Designation:**

- 1) APN 057-001-001 Lot 1, Block 1, Tract 104
- 2) APN 053-006-001 Lot1, Block 6, Tract 103
- 3) APN 053-004-021 Lot 21, Block 4, Tract 103
- 4) APN 043-002-001 Lot 1, Block 2, Tract 401
- 5) APN 043-002-002 Lot 2, Block 2, Tract 401

*The action of the Planning Commission was overturned and the Commercial Designations were removed by the Elko County Board of Commissioners March 2<sup>nd</sup>, 2006 with a 5 yes, 0 no vote.*

11) **Review and remove dual Light Industrial / Agriculture - Residential Designation** SR 227 near Lipparelli Lane - APN 006-52C-002 Lot 1, W1/2 NE1/4 NW1/4 Section 30, T. 33 N., R. 57 E., M.D.B.& M.

*The Action of the Planning Commission was up-held by the Elko County Board of Commissioners March 2<sup>nd</sup>, 2006 with a 5 yes, 0 no vote.*

12) **“Property owner Dorothy A. Stonier” request for “Commercial” and “Special Lands” Designations:**

- a) Request for Commercial Designation along frontage of SR 228 near 10 Mile Ranch (LDS Ranch) in portions of Sections 8 and 17, T. 33 N., R. 56 E., M.D.B.& M.
- b) Request for Special Lands Designation near 10 Mile Ranch (LDS Ranch) in portions of Sections 9, 16 and 17, T. 33 N., R.56 E., M.D.B.& M.

*The Action of the Planning Commission was up-held by the Elko County Board of Commissioners March 2<sup>nd</sup>, 2006 with a 5 yes, 0 no vote.*

**March 16<sup>th</sup>, 2006 Regular Meeting, Public Hearing 2005 Review** - Hearing to review amendments made by the Elko County Board of Commissioners March 2<sup>nd</sup>, 2006. The Planning Commission is to report back to the County Commissioners on said changes with recommendations. A report was prepared and offered to the Elko County Board of Commissioners. The report offered suggestions related to the two changes made by the County Commissioners. The first was the action of the contingency concerning the land use designation of Special Lands on the KRL development.

The Planning Commission offered an explanation of events during the Tentative and Final maps approvals of the KRL development.

The Planning Commission felt that KRL had included the Spring Creek Association and agreed to pay road impact fees to Spring Creek until such time an access road was developed specifically to the KRL development area. The report offered all pertinent information and minutes from the public hearings. The Board of County Commissioners agreed and removed the contingency with a provision that the KRL CC& R's agreement be written into the Master Plan (See Page 37 "M" & Page 48 "7") . The second item of the removal of the Commercial designations was ratified "as is" by the Planning Commission without any comment.

**April 19<sup>th</sup>, 2006 Special Hearing by the Elko County Board of Commissioners 2005 Review** - Review of reports and recommendations submitted by the Elko County Planning Commission. Final action on the Spring Creek / Lamoille Master Plan 2005 review. See Page 37 "M" & Page 48 "7".

## **Review, 2011/2012**

**November 17<sup>th</sup>, 2011 Regular Meeting, Public Hearing, 1st of a series of public hearings to review and amend the Spring Creek Lamoille Master Plan** – Review and presentation of changes to the Spring Creek Lamoille Master Plan Area including the proposed Redstone Development, changes in commercial and residential zoning districts within Redstone, The abandonment of the Corral Lane alignment for a round-about intersection located across from Boyd Kennedy road, and other zone changes that have taken place within the plan. Comments and suggestions were solicited from the board and the public. State bicycle plan was asked to be included within the plan.

**December 15<sup>th</sup>, 2011, Regular Meeting, Public Workshop Hearing, 2nd of a series of public hearings to review and amend the Spring Creek Lamoille Master Plan** – Comments and suggestions were solicited from the board and the public with no input in any of the phases 1-4.

**January 19<sup>th</sup>, 2012, Regular Meeting, Public Workshop Hearing, 3rd of a series of public hearings to review and amend the Spring Creek Lamoille Master Plan** – Review and action taken, Inclusion of S1/2 of Sec. 28 and the S1/2 of the N1/2 of Sec. 28, T.34 N., R.55 E. into the master plan. Inclusion of the designations of A-R and AR-CRD-1 within Sec. 33, T.34 N., R.55E.

**February 16<sup>th</sup>, 2012, Regular Meeting, Public Workshop Hearing, 4<sup>th</sup> of a series of public hearings to review and amend the Spring Creek Lamoille Master Plan** – No public comment offered. Discussion and representation of changes and updates to Plan and topics discussed:

- 1) Verbiage change, phases are now represented as Plan Areas throughout the document.
- 2) Relinquishment of water rights statement placed in document.
- 3) Big W. Ranch, Whear Ranch now represented in the document as Redstone Development.
- 4) The Spring Creek Subdivision areas of development are referred to in the document by their assigned Tract Numbers.
- 5) The revision to the number of lots that have been developed and the number of lots remaining undeveloped within each of the Tracts updated from the Spring Creek Association data of November 2011.
- 6) Changes to Plan inventories, designations, population, water wells and water inventories.
- 7) In the Recreation section a note about the Nevada Department of Transportation developing a statewide bicycle plan, which may provide future paths and routes within the master plan area was added.
- 8) The Plan Area 4 boundary has changed where the Jordanelle Development was included. 480 acres changed to agriculture residential and includes the agriculture residential CRD1 in section 33.

**March 15<sup>th</sup>, 2012, Regular Meeting, Public Workshop Hearing, 4<sup>th</sup> of a series of public hearings to review and amend the Spring Creek Lamoille Master Plan** – No public comment received. Topics discussed:

- 1) A review of Commercial designations along SR 227.
- 2) Potential parcel counts with the Redstone Development proposal.

**April 19<sup>th</sup>, 2012, Regular Meeting, Public Workshop Hearing, 5<sup>th</sup> of a series of public hearings to review and amend the Spring Creek Lamoille Master Plan** –

- 1) Ram Enterprises approximately 25 acres of an 84.59 requested for a designation of R-2 and the remainder R-1.

***Motion by Commissioner Hartley to approve and second by Commissioner Larason. Approved unanimously with a 7-0 vote.***

- 2) Completion of review and changes to Plan Area 1 including change made April 19<sup>th</sup>, 2012 RE Ram Enterprises.

***Motion by Commissioner Larason to approve Plan Area I with changes made and second by Commissioner Hough. Approved unanimously with a 7-0 vote.***

- 3) Completion of review and changes to Plan Area 2 and approval.

***Commissioner Hartley moved to approve Plan Area II with changes made. Seconded by Commissioner Larason. Motion passed unanimously with a 7-0 vote.***

- 4) Completion of review and changes to Plan Area 3.

***Commissioner Hartley made a motion to approve Plan Area III with no changes, seconded by Commissioner Wilson. Motion passed unanimously with a 7-0 vote.***

- 5) Completion of review and changes to Plan Area IV. Changes made for the Jordanelle development.
  - a) Changes to the boundary including the S ½ , S ½ N ½ Section 28 T34N R55E.
  - b) Changes to the map show the existing agriculture residential zoning within the S ½ , S½ N ½ of Section 28 Section 28 T34N R55E.
  - c) Change to the boundary was a 500 strip of land along the entire west boundary of Section 33 has been conveyed to the city of Elko to meet infiltration pond setbacks.
  - d) Change to the map depicting the boundary change of the 500 foot strip along the entire west boundary of Section 33.
  - e) Change of designation to Section 33 T34N R55E, designation of agriculture residential on an 88.18 acre parcel of land located within Section 33 T34N R55E.
  - f) Designation of ARCD 1 on approximately 488 acres in Section 33 T34N R55E

g) Changes in the map to show the ARCD1 designation.

*Commissioner Larason moved based upon the information we have received tonight and the pending the change on the buffer zone and the activity of the City of Elko and related parties that we approve the map as presented at this time seconded Commissioner Hough. Motion passed unanimously.*

*Commissioner Hartley made a motion to approve Plan Area IV also known as Phase IV with all the changes a-g on page 55 & 56 of the report, seconded by Commissioner Larason. Motion passed unanimously with a 7-0 vote.*

6) Completion of the Spring Creek Lamoille Master Plan review and update of 2012, recommendation of approval by the Elko County Planning Commission.

*Commissioner Hough made a motion to accept the Spring Creek/Lamoille Master Plan as written and forward it to the Elko County Commissioners with a recommendation for approval, seconded by Commissioner Hartley. Motion passed unanimously with a 7-0 vote.*

**July 19<sup>th</sup>, 2012, Regular Meeting, Public Workshop Hearing, 6<sup>th</sup> of a series of public hearings to review and amend the Spring Creek Lamoille Master Plan.**

1) A public hearing to review/amend a portion of land located within Phase 1 of the Spring Creek / Lamoille Master Plan Phase. Further review / amendment of the Master Plan for a change of designation from Light Industrial to Residential -2 at 73 Licht Parkway.

*Commissioner Galyen moved to update Plan Area 1 by designating APN# 006-30E-007 l Residential 2. Seconded by Commissioner Hartley. Motion passed with a 5-0 vote.*

**Note:** The Summary of Workshops and Public Hearings of the Spring Creek / Lamoille Master Plan as shown above is a general history of the events that had taken place during the Workshops and Public Hearings. These summaries do not represent a verbatim documentation of said Workshops and Public Hearings.

## **Spring Creek Commercial & Residential Areas**



## **Public Concerns Presented During the Public Workshops and Hearings of the Spring Creek / Lamoille Master Plan**

**General concerns:** expressed during the Public Workshops and Hearings, were as follows;

- 1) Maintain the highest possible speed on Lamoille Highway.
- 2) Commercial properties should be developed at existing road intersections.
- 3) Maintain non-commercial designations at SR 227 and the Spring Creek housing sections intersections. (Revised 2012)
- 4) Commercial development should be accessed by the development of secondary collector streets.
- 5) The entire Lamoille corridor should be considered when determining traffic relation to the Master Plan.
- 6) Planned Population Densities for the Master Plan Area.

**Specific Concerns and Ideas:** expressed during the public workshops and hearings were as follows;

- 1) Spring Creek controlled intersection location changed from Corral Lane location to alignment with the Boyd Kennedy Road with a round-a-bout to control traffic.
- 2) Commercial and residential zoning designation changes within the proposed Redstone Ranch Development to support the round-a-bout location.
- 3) Inclusion of S1/2 of Sec. 28 and the S1/2 of the N1/2 of Sec. 28, T.34 N., R.55 E. into the master plan. (Revised 2012)
- 4) Inclusion of the designations of A-R and AR-CRD-1 within Sec. 33, T.34 N., R.55E.
- 5) Maintain non-commercial designations at SR 227 and the Spring Creek housing sections intersections.
- 6) Commercial designation of the west side of Spring Valley Court in Phase I is desired.
- 7) Commercial designation on the east side of Spring Valley Parkway in Phase I should be prohibited.
- 8) Commercial designation on the west side of Jiggs highway and south side of the Lamoille Highway along Jiggs Highway to a minimum depth of 400 feet should be provided.
- 9) The Intersection of Lamoille Highway and Trescartes should be designated as Commercial.
- 10) The Intersection of Martin Ave. and Lamoille Highway within Valley Vista Acres should be designated as Commercial with restrictions of low or non-traffic types of businesses.
- 11) A Commercial and Industrial district should be designated at the intersection of Lamoille Highway and Lower Lamoille road.
- 12) The intersection of Spring Creek Parkway and Lamoille Highway should be reviewed for public comment in the Phase III portion of the Master Plan for possible Commercial designation.
- 13) Alternate traffic routes due to increased traffic congestion on Lamoille Highway, should be planned for in the future.
- 14) Commercial Development in proportion to the residential and agricultural areas in and around the Town of Lamoille.
- 15) Density of residential septic system developments within the Lamoille area as well as all other Phases.
- 16) Will Cluster Housing Concepts in the Lamoille area, affect future development?
- 17) Acreage restrictions within Agricultural - Residential Zones should be developed taking existing and future development of existing Agricultural Ranches into account.

- 18) Provide for the Creation of Architectural Review committees for new development along the Lamoille Highway Corridor and the Lamoille Area.
- 19) Allow for Planned Unit Developments - with Deed Restrictions for limitation of Parcel sizes.
- 20) Provide for Commercial Zoning within the Spring Creek Subdivision Housing Section.
- 21) Provide for Industrial Zoning along the Lamoille Highway frontage with (restricted uses) near the Lipparelli Estates area.
- 22) Allow for the Expansion of existing gravel mining operations adjacent to residential areas within the Spring Creek Subdivision.
- 23) Effect of water rights relinquishment required for parceling within the Basin 048 – Dixie Creek/Ten Mile and Basin 049- Elko Segment. (Revised 2012)

## **Spring Creek / Lamoille Master Plan, Section II**

### **Master Plan Policies**

#### **Agricultural**

Continued agricultural use of meadows, irrigated pastures, and public lands and open space for livestock grazing is encouraged.

#### **Residential**

Residential development is needed for the continued expansion of the plan area with restriction to minimum parcel size to be maintained at one acre to insure the rural estate presentation.

Considerations should be given to existing subdivision and development patterns of the plan area. The type and parcel size of existing development patterns of an area should be considered when new proposals for development have been made. Restrictions and limits of densities of residential areas should be reviewed to be commensurate with the existing development pattern of an individual area. Special considerations should be given to the following:

- 1) Slopes in excess of 25 percent
- 2) Fragile land forms
- 3) Severe soil limitations
- 4) Earthquake fault lines
- 5) Flood Plain areas

The density of residential development should be consistent with the land use designations of the Spring Creek / Lamoille Master Plan Map and Document.

Single and Multiple family dwellings should only be allowed in the designations and zoning that are appropriate for this type of development. Single Family dwellings should be in separate ownership on an individual lot or parcel in accordance with Chapter 4, of the Elko County Code.

## Lamoille Canyon



### **Recreation**

Areas of recreational use accommodate low density types of use. The Recreation areas designated within the plan area are primarily in the Lamoille area. They are to be primarily for outdoor types of activities such as "base" locations for outdoor activities. No overall plan has been prepared or adopted for the recreation areas adopted within the plan area. The Nevada Department of Transportation is developing a Statewide Bicycle Plan for the state highway system in Nevada which may provide future paths and routes within the master plan area. Generally, uses for recreation are to be reviewed on a case by case basis.

### **Public**

Public land use within the plan area is primarily local and state government. The continued expansion of public facilities within the plan area should be encouraged as the plan area expands and develops.

The Bureau of Land Management and US Forest Service have responsibility for management of several square miles within the plan area. Management of these lands should continue under the multiple use concept.

### **Traffic Circulation**

As the residential density of the plan area increases, air quality, public health and safety will be impacted by dust generated from traffic on the unpaved roads. Consideration by the Elko County Planning and Zoning Department should be given to addressing this problem by oiling, paving, or the application of magnesium chloride or the like, to the most heavily traveled roads as the area develops.

New roads that are developed within the plan area should be constructed in consideration of natural topography and soil constraints in order to avoid the potential for excessive erosion. Future roads should relate to existing maintained roads whenever possible in order to provide a functional pattern of circulation.

The circulation pattern of the Spring Creek / Lamoille Master plan should address the possibility of a secondary access in relief of the Lamoille Highway. Exploration of development of the Lower Lamoille Road and new development of future Major collector roads should be a high priority to the Elko County Planning and Zoning Department during the subdivision review process. The development of the major collectors should be considered with the development of high density Commercial, Industrial, and Residential projects.

Maintain highest possible vehicular speed limit on Lamoille Highway by limitation of direct accesses to future residential, commercial, or industrial developments. This is to be insured by the development of primary or major collectors from the highway and secondary or minor collector street networks within the interiors of the developments themselves.

### **Public Facilities**

The need for public facilities and services within the plan area, as well as their respective locations, must be determined by the rate and location that growth actually occurs. Currently, the dense development of Spring Creek dictates the need for additional Public Facilities and services. The Master Plan has adopted the method of no designation of Public Zoning with the option of reviewing each proposed Public Zone on a case by case basis.

Public Facilities and Services that should be considered in a review process include at a minimum, Police, Fire Protection, water supply, Solid and liquid waste disposal, utilities, and Educational facilities. These facilities and services should be considered on a case by case basis during the review process.

### **Population**

If all privately owned land is developed according to the land use designations of the Land Use Master Plan Map for the Spring Creek / Lamoille Master Plan area, there will be a potential population from approximately 2,900 single family dwellings to (19,000 in 2005) and (23,590 in 2012) single family dwelling units. This has been an increase of 4,590 potential single family dwelling units that have been added to the master plan during the last 7 years a majority of which are from the proposed Redstone Development. These numbers depend on minimum parcel sizes allowed for each individual development. Population figures in this plan area are in accordance with the U.S. Bureau of the Census - 2010, which indicates that the average number of persons per dwelling unit in this area is approximately 3.5.

Population and density figures are outlined, with each designation in the Zoning and Designation portion of this document. The figures are based on projected parcel sizes and minimum county code for parcel acreage.

### **General**

Residential development should occur in a manner that will minimize impairment to the resource and promote the health, safety and welfare of the public. Consideration should be given to the following when reviewing development proposals.

- 1) Protection of Natural features, cultural resources, rural characteristics, visual resources and open space.
- 2) Topography and other land features.
- 3) Protection of livestock and wildlife through signing, fencing, and/or cattleguards as necessary.
- 4) Minimize soil erosion and vegetative disturbances.
- 5) Minimize stream sedimentation in order to protect resource values, including groundwater recharge, riparian areas and wildlife habitat, recreational opportunities and aesthetic values.
- 6) Seek additional professional research in relation to hydrology, drainage, soil characteristics, geology, archaeology, and other fields as may be necessary in order to meet plan objectives, when a proposed development appears to be detrimental to the resources, fragile or sensitive areas, or to the health, safety, and general welfare of the public.
- 7) Water supply and sewage disposal systems that comply with the State Laws.
- 8) Provision of a continuous supply of water that is of an acceptable quality.
- 9) Drainage designs that will prevent damage to properties as well as the resources.
- 10) Easements for drainage and public purposes such as utilities and access.
- 11) Design standards for lots, streets, and roads that will minimize negative impacts.
- 12) Adequate legal access through the dedication of right-of-ways or easements.
- 13) Limited or prohibited development in areas known to be subject to natural hazards unless safe mitigation measures can be taken.
- 14) Method of assuring that sufficient funds are available to complete all necessary improvements and that the completion of those improvements will be timely.
- 5) Flexibility to enter into development agreements with land owners in order to minimize impairment to the resources and promote the health, safety, and general welfare of the public as set forth in the plan policies.

### **Elko County Subdivision Regulations**

The arrangement of land uses within the Spring Creek / Lamoille Master Plan area will involve the application of Title 5, of the Elko County Code, Subdivision Regulations. Effective use of these regulations should provide the following;

- 1) Lots of sufficient size and appropriate design for the use intended.
- 2) Preservation of the environmental assets.
- 3) Densities of land uses commensurate with the natural capabilities of the land.
- 4) An aesthetically pleasing environment.
- 5) Streets and highways with adequate width, location, and design.
- 6) The necessary improvements to protect the health, safety, and general welfare of the public.

**Consistency.** The subdivision regulations and the plan policies of the Spring Creek / Lamoille Master Plan are generally consistent. Therefore, only minor if any change in those regulations would be necessary for proper implementation of the plan.

**General Implementation.** Depending on the type of development that is proposed within the plan area, zoning and subdivision regulations may not thoroughly provide an avenue for the implementation that is intended in the plan. If this occurs, implementation should be made with reference to the Spring Creek / Lamoille Master Plan Document whenever possible.

## **Plan Implementation of the Spring Creek / Lamoille Master Plan**

**Zoning Regulations.** The principal means of implementing the plan proposals will be through the use and application of Title 4, Zoning Regulations of the Elko County Code. The zoning districts and the regulations of each district will largely determine the uses that will occur on the lands within the Spring Creek / Lamoille Master Plan area. With the exception of specific areas addressed within the land use forum. Therefore, it is important to establish zoning districts that are consistent with the land use designations indicated on the Spring Creek / Lamoille Master Plan.

**Guidelines.** For effective implementation of the plan, the following guidelines shall be followed:

- 1) Establish zoning districts that will be consistent with the land use designations reflected in the Spring Creek / Lamoille Master Plan.
- 2) Re-Zone, where appropriate, the areas where existing zoning districts are inconsistent with the designations proposed within the Spring Creek / Lamoille Master Plan; and
- 3) Retain consistency between zoning districts and the designations within the plan area.

**Land use Designations and Zoning Districts.** The following is a summary of the land use designations and zoning districts that would be appropriate in order to attain the consistency with each designation. In addition to the zoning districts and designations, special designations and provisions were approved as part of the Spring Creek / Lamoille Master Plan. The following is a list the special zoning designations and zoning provisions:

### **Special Designations and Provisions of the Spring Creek / Lamoille Master Plan**

**Special Designations and Provisions** set forth in the Master Plan were incorporated to help restrict Commercial and Industrial uses within residential areas as well as to maintain minimum Residential Parcel sizes. These Special Designations and Provisions were used to provide the necessary Commercial Development for the continued growth of the residential areas. The minimum Parcel sizes were implemented to maintain the current types of development patterns already proven to be successful within the Master Plan Area. These Designations were also needed to address the referenced specific concerns made during the public workshops and meetings. The following list of Special Designations and Provisions is proposed to be added to the Elko County Zoning Code.

#### **A) Commercial Zoning; (Restricted Uses) through the frontage of Valley Vista Acres Subdivision in Phase I shown as Commercial (Restricted Use).**

- 1) The restricted uses that were listed were as follows:
  - a) Commercial (Restricted) low Vehicular and Pedestrian Traffic flow;  
Examples of Business types are:
    - 1) Real Estate Office
    - 2) Contractor Services' Office
    - 3) Engineering / Surveying Services' Office
    - 4) Plumbing / Electrical Shop
    - 5) Accounting / Tax Service Office
    - 6) Attorney's Office
    - 7) Architect's Office
    - 8) Travel Agency

- 2) Frontage Road shall be designated along the highway right-of-way in order to restrict Commercial Traffic within a Subdivision.
  - a) Goal: to prohibit internal commercial traffic as well as provide a buffer zone between Commercial and Residential.
- 3) The Elko County Planning Commission is to review each re-zone request to this special designation on a "Case by Case" basis.

**B).Commercial Designation of Property Located at the Intersection of Lamoille Highway and Jiggs Highway should be restricted to a minimum depth of 400 feet.**

- 1) Goal: to allow for an interior street network and restrict the amount of direct accesses to highways (SR 227 and SR 228).
  - a) No designation of C-1 or C-2 specified, adjacent to existing C-1 and C-2.
  - b) Goal: Review of uses on case by case basis during the re-zone process.

**C) All Commercial adjacent to the Lamoille Highway must maintain a minimum depth that would allow for the development of secondary internal roadway system.**

- 1) Goal: to maintain the integrity of the current speed limits for the Lamoille Highway by limiting the need for additional direct access from the highway itself.
  - a) Exception to this restriction shall be granted at the Intersection of Lamoille Highway/Spring Valley Parkway, Lamoille Highway/ Spring Creek Parkway and Licht Parkway, Lamoille Highway and Boyd Kennedy Road, Lamoille Highway and South Spring Creek Parkway and Palace Parkway, within the Town of Lamoille and within the Spring Creek High and Middle School Sage elementary zones along Lamoille Highway.

**D) The Planned re-alignment of Corral Lane as indicated within the 2006 revised edition of this Plan to intersect with Lamoille Highway at the front entrance of the Spring Creek High School has been abandoned. The proposed commercial development and zoning designations have been moved north and access to the commercial properties will be from a proposed round-a-bout aligned with Boyd Kennedy Road.**

**E) The Round-a-bout Location at Boyd Kennedy Road provides for a safer access to the Spring Creek High and Middle Schools and adjacent commercial and residential property uses. Other contributing issues were unresolved wetlands issues preventing development in the Corral Lane location.**

- 1) Goal: to provide for the placement of a round-a-bout intersection at the time development of commercial property is made.
  - a) Goal: to provide a controlled access from the highway to the Commercial developments.
  - b) Goal: To provide a safe controlled ingress, egress to the Spring Creek High and Middle Schools and adjacent commercial and residential property uses.

**F) Encourage the Adoption of Architectural Restrictions along the Lamoille Highway Corridor and within Individual Subdivisions.**

1) Architectural Restrictions are desirable, therefore, the consensus of the Planning Commission was that Architectural Restrictions should be encouraged using the following vehicles:

- a) Encourage Voluntary Deed Restrictions.
- b) Encourage the formation of Individual Architectural Review Committees by subdivision groups.
- c) Review of Future Development during Re-zone, Conditional use or Variance Process.
- d) Encouragement during the Tentative and Final Subdivision Review.

1) Public Input process

2) The implementation of a "Scenic Corridor" was discussed to be part of the Master Plan. Various methods were researched. The final consensus reached by the Planning Commission was to abandon the "Scenic Corridor" concept. (Reviewed 2005/2012) Concept abandoned for the following reasons:

- a) Lack of available funding for the purchase of lands within the Corridor.
- b) Existing development patterns included within the proposed Corridor.
- c) Public opposition to the "Scenic Corridor" concept.
- d) De-Valuation of the Private Property within the Proposed Corridor, resulting in a "takings" issue".

**G) Provision allowing for the designation of Industrial zoning for the continued use of a Cemetery in the Lamoille Area, in an area with an industrial zoning designation, specifically restricted to Cemetery Use. (Reviewed and Revised 2005)**

1) Goal: To Provide a location in the Lamoille area to be used specifically for a cemetery.

**H) Acreage Restriction of Agricultural - Residential Designations adjacent to the Spring Creek Subdivisions and Lamoille Area.**

1) Goal: to restrict the minimum parcel size to be compatible with the existing development patterns of parcels in the existing Spring Creek and other adjacent subdivisions.

a) This Provision would insure the continued type of development that has proven to work within individual areas of the Spring Creek Subdivisions.

1) This restriction is limited to the terrain and soil limitations existing and unique to each individual parcel.

2) This may not be conducive to each Parcel designated Agriculture-Residential therefore the use of other Zoning such as Agricultural-Recreation or Special Lands may be substituted.

2) The Goal is to encourage the type of rural environment now existing in the Lamoille area through the use of Voluntary Deed Restrictions and or the above described method.

**I) Encourage individual deed restrictions that would in some cases result in the form of the Planned Cluster Housing Developments.**

1)Goal: to allow for higher density of development and maintain the Open Space environment that is now part of or now enjoyed by the Ranching Community.

a) Example: The development of a 120 acre parcel to a density of approximately 1 dwelling to 10 acres of land. The developments would be in a cluster of approximately 20 units developing approximately 1 or 2 acres per unit. These individual communities would be supported by community water or sanitary sewer systems. The remaining acreage would be left to Open Space as common areas to be administered by the cluster housing community.

**J) Light Industrial (Restricted) / Agricultural - Residential Dual Zoning on a single parcel. (Reviewed 2005/2012) Concept retained**

1) The one parcel under this designation is located in the Northwest 1/4 of Section 30, T.33 N., R. 57 E., M.D.B.& M. known as A.P.N. 006-52C-002. This property is adjacent to the Lipparelli Estates area, the Dual Designation was provided to allow for Specific Light Industrial Uses as listed below, as well as providing a residential site for the business operation and residential dwelling of an individual owner.

a) Provision for Light Industrial Uses with Residence on Same Parcel

- 1) Contractor Services / Residential
- 2) Electrician Shop
- 3) Plumbing Shop
- 4) Nurseries (Retail)
- 5) Restricted to uses not requiring exterior storage of building supplies and or equipment.

**K) General Industrial**

1) A special provision for General Industrial Zoning is a parcel of land located in the East 1/2 of Section 26, T. 33 N., R. 56 E., M.D.B.& M., adjacent to the Spring Creek Subdivision Tract 401 accessed from Chimney Creek Road, known as A.P.N. 006-300-034.

a) The current zoning of the existing gravel pit is General Industrial. The owners of this land proposed a maximum of 40 acre expansion of the general industrial.

1) The expansion was approved with the following provisions.

a) The equal area of recovery of the existing Gravel Pit operation must be made before expansion is to be approved.

2) **Example:** if 10 acres is to be expanded an equal 10 acres of the existing pit must be recovered.

3) The owner/operator must comply with any existing access use limitations or regulations.

**L) Public Zoning Designation (Phase IV)**

1) Currently within Phase IV of the Master Plan area a portion of land is owned by Elko County, Nevada. The land is Located in S 1/2 of Section 24, Township34 North, Range 55 East, M.D.B.& M.

a) A portion of the property is under lease to a Non-Profit Organization operating a automobile race track. (Elko Summit Raceway Inc.)

- 1) The Elko County Planning Commission has stipulated that this property remain for recreational uses within Public Zoning.
- b) A portion of the property is under lease to a Non-Profit Organization operating an Archery Range. (Elko Archery Club)

**M) Special Subdivision Provision Valley Vista Estates Subdivision (Phase I)**

- 1) Existing zoning of the Valley Vista Estates Subdivision is Agriculture-Residential. The Special Provision adopted and approved by the Elko County Planning Commission during the 2005 review permits:
  - a) Existing lots / parcels within the subdivision may subdivide to a 2.0 acre minimum lot/ parcel size.

**N) KRL development CC & R's requirement to pay impact fees to Spring Creek Association**

- 1) As approved by the Elko County Planning Commission during public hearings concerning the KRL Development Division of Land into Large Parcels, tentative and the final map filed at the Office of the Elko County Recorder October 5th, 2005 as file No. 541627.
- 2) Any future zone change / subdivision action or building construction will require that said developer / property owner acquire a written agreement with Spring Creek Association and pay said impact fees equal to that of Spring Creeks new road construction and maintenance assessments until such time a road of equal quality is developed to the KRL development area.

**O) Redstone Ranch Development, commercial development and zoning designations have been moved north and access to the commercial properties will be from a proposed round-a-bout aligned with Boyd Kennedy Road.**

- 1) Goals include:
  - a) Provide safer access to the Spring Creek High and Middle Schools and adjacent commercial and residential property uses by use of a round-a-bout controlled intersection.
  - b) Limit ingress and egress from the Spring Creek High School by limiting turning movements to right hand turning movements.
  - c) Allow development and access to SR 227 without wetland issues along Ten Mile Creek.

**P) Cully Pit 22.27 acres R-2 & 62.30 acres R-1Designations.**

- 1) The old Cully Gravel Pit has been mined and the resource is exhausted . Area is conducive to more intensive housing development. Zoning designations are 22,27 acres R-2 & 62.30 acres R-1Designations.

## Zoning Districts and Designations

### **Agricultural - Residential (Existing and Designated Zoning)**

The Agricultural-Residential areas of approximately 8,620 acres in 2012 as depicted on the Spring Creek / Lamoille Master Plan concept are shown to allow for residential development in areas adjacent to existing residential uses. In the review of 2005, there were approximately 7,500 acres.

These areas represent a marked increase of density, as shown using minimum parcel sizes of 1.0 acre, 2.5 acre, and 5.0 acre respectively.

#### **Existing Zoning:**

- 1) Existing 1.0 acre parcels \_\_\_\_\_ 6,425 possible additional units
- 2) Existing 2.5 acre parcels \_\_\_\_\_ 2,730 possible additional units
- 3) Existing 5.0 acre parcels \_\_\_\_\_ 1,400 possible additional units

The below increases by zoning Designation would be in addition to existing Ag-Res zoning densities.

#### **Designated Zoning:**

- 1) Designated 1.0 acre parcels \_\_\_\_\_ 3,000 possible additional units
- 2) Designated 2.5 acre parcels \_\_\_\_\_ 1,300 possible additional units
- 3) Designated 5.0 acre parcels \_\_\_\_\_ 700 possible additional units

The total densities created by Agricultural - Residential in the Spring Creek / Lamoille Master Plan:

#### **Total of Existing and Designated Zoning:**

- 1) 1.0 acre parcels \_\_\_\_\_ 9,425 possible additional units
- 2) 2.5 acre parcels \_\_\_\_\_ 4,030 possible additional units
- 3) 5.0 acre parcels \_\_\_\_\_ 2,100 possible additional units

Using the density of 2.65 persons per dwelling unit the following increases in population for Ag-Res would be:

#### **Total Possible Population of Existing and Designated Zoning:**

- 1) 1.0 acre parcels \_\_\_\_\_  $9,425 \times 2.65 = 24,976$  increased Population
- 2) 2.5 acre parcels \_\_\_\_\_  $4,030 \times 2.65 = 10,679$  increased Population
- 3) 5.0 acre parcels \_\_\_\_\_  $2,101 \times 2.65 = 5,567$  increased Population

These densities represent the use of individual septic systems and water well supply. These densities shown are the maximum allowable, however further restrictions could be developed as proposed subdivision and parcel maps are presented to Elko County for review.

An alternative to review restrictions could be the extension of the R-3 Overlay to cover proposed and existing zoning within Spring Creek / Lamoille Master Plan. Another method that could be used would be the requirement of Community Water and Sanitary Sewer service.

As the Spring Creek / Lamoille Master Plan incorporates The 100, 200, 300 and 400 Tracts of the Spring Creek subdivision, Pleasant Valley and the Lamoille area, additional lands need to be Designated Agricultural - Residential to accommodate the need for new development. These lands should follow the example of 2.5 to 10 acre parcel sizes currently in use by the Spring Creek Subdivisions.

Historically the types of subdivision developments that have been proposed in this area are 2.5 to 10 acre parcels. These developments have incorporated the use of individual septic systems and domestic water wells. The developments that have implemented this method are Valley Vista Acres, Rolling Hills Subdivision, Last Chance Ranches Unit No.1, Sage Lake Subdivision, Ruby Home Ranch, Dysart Ranch, Area West, Ruby Mountain Estates, Pleasant Valley Estates, and Lipparelli Estates, as well as several Minor Subdivisions by Parcel Map.

The Spring Creek Subdivisions have developed a municipal water system in conjunction with the use of the individual septic system. This system also services the Brentwood Estates subdivision, as well as a public school and fire station and in the future, the Redstone Development. This water system has become quite expansive. The possibility of further expansion to incorporate new subdivision within the service area should be reviewed on a "case by case" basis as to the feasibility of future development incorporating into the system.

Some other concerns that must be addressed in future development of residential areas are; Fire Protection, Septic System design, Domestic Water Well use, Subdivision C.C.& R.'s restricting further subdivision of existing parcels, Access Roads and secondary collector streets, and Population densities.

### **Special - Lands (SL) Designation**

The Special Lands Designation of approximately 14,800 acres as revised in 2012 is an area currently zoned Open Space with minimum 40 acre parcels. There were 15,400 acres designated SL in the review of 2005. The Special Lands Designation would allow for the subdivision of these parcels to 10 acre minimum. However the minimum required property width of 500 feet may restrict the subdivision in many cases to 20 acre parcels. 20 acre parcels would in essence double the density of this area as compared with the minimum 40 acre requirement of Open Space.

The following densities labeled (1) relate the maximum number of parcels allowed by acreage. The label (2) relates the maximum number of densities using 20 acre parcels.

- (1) 10.0 acre parcels \_\_\_\_\_ 1,490 possible additional units
- (2) 20.0 acre parcels \_\_\_\_\_ 745 possible additional units

Using the density of 2.65 persons per dwelling unit the following increases in population for Special Lands:

- (1) 10.0 acre parcels \_\_\_\_\_ 1,490 x 2.65 = 3,948 increased Population
- (2) 20.0 acre parcels \_\_\_\_\_ 745 x 2.65 = 1,974 increased Population

The Special Lands Designation is used to allow for development of larger parcels. Due to the depth, length and original design of existing Special Land parcels, additional Ag-Res type development would not be feasible. The further development of these parcels would create problems with roads, namely the establishment of dead end roads and / or Cul-de-Sacs. If too many of these are created without secondary access the concept of rural type living could be endangered.

**Residential - 1 (R-1) and Residential – 2 (R-2)**

The Residential - 1 (R1) and Residential - 2 (R2) designations and current zoning represented in Spring Creek / Lamoille Master Plan are located in the areas adjacent to an existing residential area namely Brentwood Estates, the Town of Lamoille, and within the proposed Redstone Ranch Development. R-1 and R-2 designations shown are adjacent to Commercial zoning designations, Industrial zoning designations, existing Industrial zoning, and actually intermingled between Industrial zones. This allows the R-1 and R-2 zoning to act as buffer zones between existing Ag-Res zones and the Industrial and Commercial zones. As per the Elko County Planning Commission all zoning change applications within the R-1 and R-2 designations must comply with all State, County, and Local codes concerning sewer and water requirements. The total area for existing zoning and designated zoning for R-1 and R-2 is approximately 1350 acres as revised 2012. There were 300 acres of R-1 and R-2 in total as shown in the review of 2005.

Calculations used:

**Existing R-1 Zoning:**

R-1 - 6,000 \_\_\_\_\_ 2,093 possible additional units  
R-1 - 8,000 \_\_\_\_\_ 1,006 possible additional units  
R-1 - 10,000 \_\_\_\_\_ 538 possible additional units  
R-1 - 0.5 acre \_\_\_\_\_ 101 possible additional units  
  
Total R-1 \_\_\_\_\_ 3,738 possible additional units

**Designated R-1 Zoning:**

R-1- 0.5 acre \_\_\_\_\_ 87 possible additional units

**The total densities created by R-1 would be as follows:**

Total R-1, \_\_\_\_\_ 5,023 possible additional units

**Existing R-2 Zoning, 10,000.**

Total Existing R-2, 10,000 \_\_\_\_\_ 1,779 possible additional units

**Designated R-2 Zoning, 10,000**

Total Designated R-2, 10,000 \_\_\_\_\_ 305 possible additional units

**The total densities created by R-2, 10,000 would be as follows:**

Total R-2 - 10,000 \_\_\_\_\_ 2,084 possible additional units

**Using the density of 2.65 persons per dwelling unit, the following increases in population for R-1 and R-2 would be:**

Total R-1&R-2, \_\_\_\_\_ 18,833 increased Population

These densities represent the use of Community Sanitary Sewer and Water Systems. Densities will vary with multiple living unit structures in the R-1 and R-2 zoning districts.

### **Open Space Designations and Existing Zoning**

The Open Space Zoning shown within the overall master plan area is acreage that has not had another zoning district classification assigned. They are generally parcels with a minimum of 40 acres.

The approximate acreage shown is approximately 7,959 acres in 2012, down from the 9,160 acres shown in the review of 2005. Primarily, the decrease is due to the proposed Redstone Development. Approximately 86% of the Open Space shown is currently under the management by the B.L.M. Approximately 1,500 acres of Open Space within the Master Plan area is adjacent to a portion of the South Fork Master Plan near the Ten Mile Creek basin.

Currently the minimum parcel size represented in the South Fork Master Plan is 40 acres due to the availability of existing water sources. The areas depicted in the Spring Creek / Lamoille Master Plan that are adjacent to the South Fork Master Plan are shown to be Open Space both in current zoning and future designation.

**The total maximum densities created by Open Space in Plan Area I would be as follows:**

1) OS - 40 acres \_\_\_\_\_ 199 possible additional units

**Using the density of 2.65 persons per dwelling unit, the following increases/decreases in population for Open Space are:**

1) OS - 40 acres \_\_\_\_\_  $199 \times 2.65 = 527$  increased Population

### **Spring Creek Equestrian Trails & Marina**



## Agricultural and Residential Density Totals

The density totals shown below represent unit densities within the following zoned districts; Open - Space, Agricultural - Residential, R-1, R-2, and Special Lands. These densities represent A-R with 1.0 acre min. parcels, AR-CRD 1, 2.5 acre min. parcel sizes, AR-CRD 2, with 5.0 acre min. parcel sizes, Special Lands with a 10.00 acre min. parcel size and Special Lands with a 20.00 acre min. parcel size.

### Existing Zoning, Number of Units:

A-R, 1.0 acre	6,425
AR-CRD 1, 2.5 acres	2,730
AR-CRD 2, 5.0 acres	1,400
SL, 10.0 acres	1,490
SL, 20.0 acre min.	745
OS	199
R-1	3,738
R-2	717

The density totals shown below represent total possible population densities within zoned and designated Open - Space, Agricultural - Residential, R-1, R-2, and Special Lands. These densities represent A-R with 1.0 acre min. parcels, AR-CRD 1, 2.5 acre min. parcel sizes, AR-CRD 2, with 5.0 acre min. parcel sizes, Special Lands with a 10.00 acre min. parcel size and Special Lands with a 20.00 acre min. parcel size.

### Existing and Designated Zoning, Total units:

A-R, 1.0 acre	9,425
AR-CRD 1, 2.5 acres	5,525
AR-CRD 2, 5.0 acres	2,101
SL, 10.0 acres	1,480
SL, 20.0 acre min.	740
OS	199
R-1	3,738
R-2	717

### Total Populations @ 2.65 persons per household:

A-R Zoned and Designated, 1.0 acre,	24,976
AR-CRD 1 Zoned and Designated, 2.5 acres,	14,641
AR-CRD 2 Zoned and Designated, 5.0 acres ,	5,567
SL Designations, 10.0 acres,	3,922
SL Designations, 20.0 acre min.,	N/A
OS Zoned, Existing,	527
R-1 Designations, 6,000 & 8,000	9,905
R-2 Designations, 10,000	1,900

**Total Population:** 61,438

## “Spring Creek”



### **Commercial District Designations**

Commercial designations are represented in the Spring Creek / Lamoille Master Plan in several locations along the Lamoille Highway corridor. These areas are restricted to no more than one access to the Lamoille Highway per area with secondary collector streets required for development.

This would allow for the traffic on Lamoille Highway to maintain a speed of between 45 MPH and 55 MPH. Round-a-bout intersections, turning lanes and/or slow down lanes may be required, by the Nevada Department of Transportation. Exceptions to the secondary access would be areas designated Commercial at existing intersections within the Spring Creek Subdivision as well as the Town of Lamoille area.

The master plan does not designate C-1, C-2, or C-3, zoning. The implementation of commercial uses will be examined by the Planning Commission as to the classification and use on a "case by case" basis. At present four areas are zoned Commercial primarily for the development of "Retail Sale" type of businesses. The addition of commercial zones along the corridor would allow for the expansion of more service oriented businesses and retail sales businesses to be located in the Spring Creek / Lamoille Area.

Commercial Designations located in Sections 2, 3, and 10 Township 33 North, Range 56 East, (Plan area 1) utilize the shown Zone “C” flood plain as a buffer between residential uses and the Lamoille Highway. Interior commercial designations lying within the proposed Redstone Development are located adjacent to Residential-1 and Residential-2 designations. A two hundred foot no build zone is shown between agricultural - Residential and Commercial districts where applicable within the plan. This zone would provide a buffer zone between commercial and residential areas.

Commercial Designations shown are located at proposed or existing intersections of primary collector streets. This was done to help protect the useable traffic speed of the Lamoille Highway.

1) The (2006 Plan as Revised) depicts the re-alignment of two major collector roads. The realignment planning creates easier access to and from the commercial and residential areas. The two roads are Trescartes Ave. and Corral Lane. The relocation of Corral Lane would create an intersection with the entrance to the Spring Creek High School and Lamoille Highway. The creation of this intersection may warrant the use of Electric Traffic Control Devices as indicated by the Nevada Department of Transportation.

2) The 2012 Plan as Revised depicts the abandonment of aligning Corral Lane with the front of the Spring Creek High School due partly to difficulties with construction within the flood plain and the ability to locate to the more favorable location of alignment with Boyd Kennedy Road which met with approvals from area residents, businesses, the Elko County School District and the Nevada Department of Transportation. An extension of the Corral Lane Roadway to the frontage of Lamoille Highway in alignment with Boyd Kennedy Road is planned for a round-a-bout controlled intersection. The intersection will collect traffic from business, residential areas and churches both present and future, the Spring Creek Schools and the proposed Redstone Ranch. The collection of "High", "Middle", and "Grammar School" traffic will alleviate the problems associated with merging busses and vehicle traffic across travel lanes on Lamoille Highway. A right hand turning movement for ingress and egress from the southeast travel direction is planned for the High School frontage. All other turning movements will be controlled by the Round-a-bout intersection.

The construction of Trescartes Ave. would allow for a secondary access to the Spring Creek 200 Tracts, as well as a primary access for the proposed Commercial development shown. Traffic control for this intersection will be at the discretion of the Nevada Department of Transportation. Kennedy Avenue along the northerly boundary of the Commercial district provides access to Valley Vista Acres to the west and Boyd-Kennedy Road to the east.

### **Maximum Commercial Densities**

The densities calculated are based on 10,000 s.f. building sites. The approximate area of Commercial designations is 625 acres as revised in 2012. The total Commercial densities created by Commercial Designation in Phase I would be as follows:

Commercial 10,000 \_\_\_\_\_ 2722 possible additional sites

As stated above, this density relates to the maximum number of units represented by the use of a 100'x 100' parcel. It also excludes the development criteria and street construction requirements that may affect the minimum parcel size.

In many cases, the 10,000 s.f. parcel size will not be sufficient to allow for required off-street parking. A minimum of 1 parking space per 400 s.f. of floor space is required as per Elko County Zoning Ordinances. This standard is a minimum for general Commercial and this increases to 1 unit per 300 s.f. for C-1 group 2, C-2, and C-3 zoning designations.

## **Commercial Review**

The development of new commercial zones shall also be reviewed on a case by case basis by the Planning Commission. As development of these areas takes place, the commercial standards included in the Elko County Codes shall be adhered to with each development.

These uses should be well defined as per Elko County Code and possibly the adoption of an additional Zoning Designation. These uses should also be required to conform to U.B.C. standards for commercial buildings as well as Elko County Commercial development criteria.

The **Commercial (restricted use)** area shown as the frontage of Valley Vista Acres Subdivision, is restricted to allow for the use of service oriented businesses that create low vehicular and pedestrian traffic flow such as Office Space for: Income Tax Preparation, Real Estate Office, Business Office for Construction Companies, Accountants, Travel Agency, Civil Engineering / Surveying Company, Architects, etc.

Currently a small one lot area at the intersection of Lamoille Highway and Spring Creek Parkway is zoned Commercial - 1, restricted to the use of an existing Real-Estate Office. The 2005 Elko County Planning Commission review of the Spring Creek area designated the intersection of the Spring Creek Parkway, Light Parkway as Commercial. The intersection of Spring Creek Parkway, Palace Parkway and Lamoille Highway were also designated as Commercial. However the Plan as adopted in 2005 by the Elko County Commission without the Commercial designations on these Spring Creek properties due to overwhelming protest by Spring Creek property owners.

There are currently two Commercial designated areas located on SR 228 within Sections 8 & 17 of T. 33N., R.56 E. of the Old LDS Ranch which are undeveloped.

Within the proposed Redstone Ranch Development there are three Commercially designated areas located within Sec. 3 of T. 33N., R.56 E.

## **Industrial District Designations**

The Industrial Zones shown in the Spring Creek / Lamoille Master Plan are primarily existing zoning. 15.7 acres have been zoned Light Industrial within Redstone Development. Additionally, approximately 250 acres has been designated for new Industrial Zoning primarily for the development of Gravel mining.

Approximately 20 acres of the industrial designation is for the use of M-1 type business with a dual zoning of Agricultural-Residential on the same Parcel. The existing zoning includes an Industrial Subdivision, Ruby Mountain Industrial Subdivision. The uses of the subdivision fall into the M-1 General Industrial uses. A large portion of the existing Industrial uses are for the mining of gravel.

The other uses for the Industrial Zones are for the location of Construction Companies including storage of equipment and building materials, Propane Gas storage and distribution, Recycling facility, Storage for various types of equipment including automobiles and Freeport Storage Building.

The development of the Industrial areas is becoming imperative to the continued development of Residential areas. The development of these industrial zones are not always popular in the public view. Due to the location of many of the zones adjacent to existing Residential areas, the use of the zones can be controlled if reviewed by the Planning Commission during the Re-Zone or Conditional Use application process.

Areas of concern expressed during the 2005 public input process were the expansion of the Rabe Trust Gravel Pit. The designation of an additional 80 acres was contingent upon the reclamation of the original gravel mining operation prior to any future development. Designations of two separate Sustacha mining operations were made along the Lamoille Highway. These designations were for the development and operation of Gravel Mining for the continued development of the Lamoille Highway as well as residential development. During the Public meeting process these designations were discussed extensively as to the need and value of the proposed operation of the Gravel Mines. The Elko County Planning Commission granted the designation on the grounds that the operation is needed for the continued growth and expansion of the Master Plan Area.

### **Industrial Densities**

The Densities calculated are based on 20,000 s.f. building site. The approximate area of Industrial and Light Industrial designations is as follows:

Total Industrial Acreage \_\_\_\_\_ 521 acres

The total Industrial and Lt. Industrial densities created by Industrial Designation in the Master Plan area, would be as follows:

Light Industrial and M-1 Industrial 20,000 s.f. \_\_\_\_\_ 1,134 possible units

As stated previously, this density relates to the maximum number of units represented by the use of a 141'x 141' parcel. It also excludes the development criteria and street construction requirements that may affect the minimum parcel size. In many cases this size parcel will not be sufficient to allow for required off-street parking that a developer must create, as outlined "per use" in the Elko County Zoning Ordinances.

### **Public District Designations**

Public Areas exist within the Spring Creek / Lamoille Master Plan for education purposes. They are occupied by the Spring Creek High School, Spring Creek Middle School, Spring Creek Elementary and Sage Elementary Schools. Within the proposed Redstone Development, public areas have been set aside for a water treatment plant, future school, fire station, and other public facilities. These public areas are located within Sections 3 and 4, Township 33 North, Range 56 East. The Spring Creek Land Fill is one other public area in the Spring Creek / Lamoille Master Plan which is no longer active.

No additional Public Area has been specifically designated within the Spring Creek / Lamoille Master Plan Area, however additional Public Areas should be provided as part of future development.

A Public zoning designation should be treated as an area that may be created exclusive of any Master Plan as the need presents itself for additional Schools or Public facilities.

The Elko County School District and Elko County should have the authority to add areas that may be required to develop School and Government Facilities as community development occurs.

As development occurs within the Master Plan area, considerations should be given to the development of Public Parks. This development would be administered by the Elko County Planning and Zoning Department during subdivision review process.

Elko County currently owns two properties within the Master Plan area. Elko County owns and maintains the property located south of and adjacent to the North Eastern Nevada Regional Hospital. The property is currently leased by two separate non-profit organizations for recreation, Summit Raceway and the Elko Archery Club. Land is available for future recreational development. The second property is located across from Valley Vista Estates and has been designated solely for future recreation purposes by the Elko County Board of Commissioners. As the property has not been utilized for recreation purposes, the parcel has been leased and is now being utilized for a park and ride lot. This property remains available for future development of recreational purposes to the Spring Creek / Lamoille communities.

### **Spring Creek / Lamoille Master Plan, Section III**

#### **Proposed New Roads, Road Re-Alignments, & Road Up-Grades**

The improvements proposed within the Spring Creek / Lamoille Master Plan is an attempt to maintain the traffic speed of the Lamoille Highway at 45-55 MPH. One idea that has been presented was to limit the access directly to the Lamoille Highway from major and minor collectors. In order to achieve this, access to Lamoille Highway must be limited.

The (2012 Plan as Revised) depicts the abandonment of aligning Corral Lane with the front of the Spring Creek High School. This was due partly to difficulties with proposed construction within the flood plain and the ability to locate to the more favorable location of alignment with Boyd Kennedy Road. The new location met with approvals from area residents and businesses, the Elko County School District and the Nevada Department of Transportation. An extension of Corral Lane to the frontage of Lamoille Highway in alignment with Boyd Kennedy Road is planned for a round-a-bout controlled intersection. The intersection will collect traffic from business, residential areas and churches both present and future, the Spring Creek Schools and the proposed Redstone Ranch. The collection of "High", "Middle", and "Grammar School" traffic will alleviate the problems associated with merging busses and vehicle traffic across travel lanes on Lamoille Highway.

A right hand turning movement for ingress and egress from the southeast travel direction is planned for the High School frontage. All other turning movements will be controlled by the round-a-bout intersection.

Trescartes Avenue a Major Collector currently accesses to Lamoille Highway by way of the frontage road. Although portions of Trescartes Avenue are not developed, the Future plan for this road is to become the primary access for Valley Vista Estates as well as the secondary access for the Spring Creek 200 Tracts. The Gustin Commercial and Light Industrial properties now have primary accesses by both Kennedy Avenue and Trescartes Avenue.

Trescartes Avenue would access to a frontage road directly south of Valley Vista connecting the west with Martin Avenue.

Kennedy Avenue is developed and connects Trescartes and Boyd Kennedy Road. The Boyd Kennedy Road accesses Lamoille Highway currently and is a proposed round-a-bout controlled intersection.

The Existing Martin Avenue that currently accesses Lamoille Highway at some point in time would be excluded from access to Lamoille Highway. This would be necessary to accommodate the use of an Electric Traffic Control Device at the intersection of Trescartes Avenue and Lamoille Highway.

All of this development would be introduced at the time deemed necessary and contingent to development of the Gustin Commercial and Light Industrial property.

Other proposed concepts were to provide a second access from the City of Elko to the Spring Creek, Lamoille area. This concept presented several problems as to the actual alignment of a second "Highway". The Planning Commission is unable to address this problem of future access to the area due to the lack of funds and the lack of a feasible alignment of any proposed highway.

A second access road or highway between the City of Elko and the Spring Creek / Lamoille area must be provided in the future. This access road, while not specifically identified in the Spring Creek / Lamoille Master Plan, shall be addressed as development extends towards Elko City.

### **Secondary access between the City of Elko and Spring Creek / Lamoille:**

The Regional Transportation Commission has researched and developed three specific potential roads for development of the “**Secondary Access**” as follows:

- 1) **Burner Basin Road:** this road is identified on the Master Plan maps. The Burner Basin Roads would provide all weather access to and through a residential area that is currently very difficult to reach. Development of this road will permit for feasible residential development of approximately 300 Agriculture - Residential Lots. The development of these roads is potentially the most viable method of secondary access due to its potential for future development to include access to the Spring Creek 100, 300, and 400 Tracts and the Town of Lamoille by Lower Lamoille Road and Hog Tommy Road.
- 2) **KRL / Spring Creek Tracts 201 & 202 to the City of Elko:** This road is identified on the Master Plan maps. The development of this particular road could provide an emergency access corridor to and from the 200 Tracts of the Spring Creek subdivision and Elko. Daily use of this road would be most feasible by the private property owners of the specific area due to the limited access it will have to other major collectors.
- 3) **Hamilton Stage road from the upper SouthFork area to the City of Elko Errecart Boulevard fronting the Northern Nevada Regional Hospital:** This road is identified on the Master Plan maps. The development of this particular road could provide an emergency access corridor to and from South Fork / Spring Creek and Elko. Daily use of this road would be most feasible by the private property owners of the specific area due to the limited access it will have to other major collectors.

## **Elko County Zoning Regulations:** **(Appendix VII)**

Chapter 4 of the Elko County Codes, Zoning regulations are applicable to all **Zoning Change, Conditional Use, and Variance applications** within the Spring Creek / Lamoille Master Plan area as well as Elko County in general.

The intent of this document does not waiver from applicable Elko County Code nor is it intended to change any applicable Elko County Code in effect on the day of its acceptance. This Master Plan document shall conform to any and all Zoning Code, Subdivision Code, and any other applicable Elko County Code, current or future. A copy of the Zoning Regulations and Subdivision Regulations can be acquired in detail from the Elko County Planning and Zoning Department at 540 Court Street, Suite 104, Elko Nevada.

## **Spring Creek / Lamoille / Ruby Mountains**



### **“2005” Spring Creek / Lamoille Master Plan Review and Revisions**

The 2005 review of the Spring Creek / Lamoille Master Plan began in August 2005 by the Elko County Planning and Zoning Division. The Planning and Zoning Division prepared 2005 inventories, population estimates and projections.

A minimum of three public hearings were scheduled before the Elko County Planning Commission.

#### **“2005” Plan Revision Proposals:**

- 1) Master Plan Boundaries, changes to:
  - a) Phase I and Phase II common boundary.
  - b) Phase II boundary to include all of Dysart and Sustacha Subdivisions.
  - c) Phase IV boundary reflecting City of Elko annexation.
  - d) Phase IV addition of City of Elko boundary of influence.
  - e) Phase I common boundary with South Fork Master Plan area along SR 228.

*Concept discussed and reviewed September 21, 2005.*

*Mr. Judd made a motion to approve changes to Master Plan Boundaries, second by Mr. Grisham, the vote was 7 yes - 0 no “Motion Approved”.*

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2) Place R-3 Conservation Reserve District overlay on existing Agricultural -Residential Zoning to limit parcel sizes to 2.5 acre minimum or existing parcel size as per Elko County Code 4-3-4.

a) Areas to be included within the existing R-3 overlay:

1. Government Tracks Section 30 T.34 N., R.56 E., M.D.B.& M.
2. Rabbit Creek area
3. Rolling Hills Subdivision
4. Valley Vista Estates

*Concept Approved by Planning Commission 5-0 Vote November 17, 2005.*

*Mr. Galyen made a motion to place R-3 overlay 2.5 acre minimum parcel size on Government Tracts, Rabbit Creek Area, Rolling Hills Subdivision & Valley Vista Estates with a special provision on Valley Vista Estates to permit parcels to be subdivided to a minimum parcel size of 2.0 acres, second by Mr. Grisham, the vote was 7 yes - 0 no "Motion Approved".*

---

3) Develop **AR-CRD 1 Conservation Reserve District**, 2.5 - 5.0 acre minimum zoning ordinance.

a) 1997 Master Plan designated areas with minimum parcels size between 2.5 and 5.0 acres to match existing development patterns. The 2005 proposed is to develop an addition of the Agriculture Residential District as a Conservation Reserve District to include parcels sizes between two and one half (2.5) acres and five (5.0) acres minimum to be known as AR-CRD 1, 2.5 to 5.0 acre minimum parcel size. Proposed to be an amendment to Elko County Code as 4-2-5.

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4) Develop **AR-CRD 2 Conservation Reserve District**, 5.0 - 10.0 acre minimum zoning ordinance.

a) 1997 Master Plan designated areas with minimum parcels size between 5.0 and 9.99 acres to match existing development patterns. The 2005 proposed is to develop an addition of the Agriculture - Residential District as a Conservation Reserve District to include parcels sizes between five (5.0) acres and ten (10.0) acres minimum to be known as AR-CRD 2 5.0 to 10.0 acre minimum parcel size. Proposed to be an addition to Elko County Code as 4-2-6.

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5) Approve, adopt and implement R-3, **AR-CRD 1** and **AR-CRD 2** Conservation Reserve District overlays as shown on the Spring Creek / Lamoille Master Plan Map as shown on the Official Master Plan Maps herein.

*Mr. Galyen made a motion to approve AR-CRD 1 and AR-CRD 2 Conservation Districts and implement them into the Master Plan, second by Mr. Rice, the vote was 7 yes - 0 no, "Motion Approved".*

---

6) Review, develop and implement a Scenic Corridor along SR 227 within the Master Plan boundaries from the Elko City Limits to the Town of Lamoille.

*Mr. Judd made a motion to abandon the Scenic Corridor concept with "no" provision to revisit in 2010, second by Mr. Galyen, the vote was 6 yes - 1 no, "Motion Approved".*

7) Designation of Special Land on those portions of Sections 19, 29, 30, 31 & 32 T. 34 N., R. 56 E., M.D.B. & M. as shown on the Master Plan Maps.

*Mr. Galyen made a motion to approve the Special Lands designation with no division less than 10 acres, second by Mr. Judd, the vote was 6 yes - 1 no, "Motion Approved".*

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**8) KRL development, CC & R's requirement to pay impact fees to Spring Creek Association.**

As approved by the Elko County Planning Commission during public hearings concerning the KRL Development Division of Land Into Large Parcels tentative and the final map filed in to Office of the Elko County Recorder October 5<sup>th</sup>, 2005 as file No. 541627.

Any future zone change / subdivision action or building construction will require that said developer / property owner acquire a written agreement with Spring Creek Association and pay said impact fees equal to that of Spring Creeks new road construction and maintenance assessments until such time a road of equal quality is developed to the KRL development area.

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8) Review current inventories and potential density increases. *Reviewed September 21 & October 20, 2005.*

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9) Review existing designations and impacts. *Reviewed September 21 & October 20, 2005.*

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10) Review proposed changes to designations as shown on the Master Plan Maps.

**a) "Spring Creek Association" request for removal of Commercial Designation:**

1. APN 057-001-001 Lot 1, Block 1, Tract 104
2. APN 053-006-001 Lot 1, Block 6, Tract 103
3. APN 053-006-001 Lot 21, Block 4, Tract 103
4. APN 043-002-001 Lot 1, Block 2, Tract 401
5. APN 043-002-002 Lot 2, Block 2, Tract 401

*Mr. Hough made a motion to remove the Commercial Designations on the five (5) above referenced parcels and return them to Agriculture-Residential, second by Mr. Rice, the was vote 3 yes - 3 no - 1 abstention, "Motion Failed".*

---

11) Review and remove dual Light Industrial / Agriculture - Residential Designation **SR 227 near Lipparelli Lane - APN 006-52C-002** Lot 1, W1/2 NE1/4 NW1/4 Section 30, T. 33 N., R. 57 E., M.D.B.& M.

*Public Hearing held November 17, 2005 "Designation to remain in effect". Motion made by Mr. Rice, second by Mr. Galyen the vote was 5-0 vote, "Motion Approved."*

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12) **“Property owner Dorothy A. Stonier” request for “Commercial” and “Special Lands”**

**Designations:**

- a) Request for Commercial Designation along frontage of SR 228 near 10 Mile Ranch (LDS Ranch) in portions of Sections 8 and 17, T. 33 N., R. 56 E., M.D.B.& M.. APN 006-300-004
- b) Request for Special Lands Designation near 10 Mile Ranch (LDS Ranch) in portions of Sections 9, 16 and 17, T.33 N., R.56 E., M.D.B.& M. APN 006-300-004

*Mr. Galyen made a motion to approve Commercial and Special Lands Designation on the above referenced lands as shown on the Master Plan Map, second by Mr. Rice, the vote was 5 yes - 0 no “Motion Approved”.*

**June 16<sup>th</sup>, 2011 Spring Creek / Lamoille Master Plan Review and Revisions**

1) **Ruby Vista Ranch (Redstone) zoning district modifications to correspond with proposed roundabout.**

- a) Ruby Vista Ranch, relocation of proposed intersection of Corral Lane and SR 227 to Boyd Kennedy Road at SR 227.
- b) Ruby Vista Ranch review and amendment request in relocation of Commercial areas to the Boyd Kennedy & SR227 intersection.
- c) Ruby Vista Ranch review and amendment request in relocation of Residential areas to the Boyd Kennedy & SR227 intersection.

*Mr. Brough moved to approve with staff’s recommendations. Commissioner Larason 2<sup>nd</sup> the motion. Motion passed unanimously 5-0.*

**“2012” Spring Creek / Lamoille Master Plan Review and Revisions**

The 2011/2012 review of the Spring Creek / Lamoille Master Plan and subsequent revisions began in November 2011 by the Elko County Planning & Zoning Division. The Planning & Zoning Division prepared 2012 year inventories, population estimates and projections.

A minimum of three public hearings were schedule before the Elko County Planning Commission.

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**“2012” Plan Revision Proposals:**

1) Changes to Master Plan Boundaries and concepts:

- a) Plan Area I,
  - 1. Inclusion of Redstone Development & zoning districts.
  - 2. Round-a-bout location moved to Boyd Kennedy Rd. location.
  - 3. Designations of R-1 (60 acres) and R-2 (20 acres) applied on 80+ acres, (Abandoned Gravel Pit).
- b) Plan Area II, No changes to boundary or designations.

c) Plan Area III, No changes to boundary, designation of R-2 applied on 1.19 acre LI zoned parcel (006-30E-007).

d) Plan Area IV boundary change to include the S1/2; S1/2N1/2 Section 28, T. 34N., R. 55E.

***Concepts discussed and reviewed December 15, 2011, no action taken.***

2) Discussion of abandonment of the Corral Lane realignment moving the location to Boyd-Kennedy Road and the Redstone Development Private Master Plan

***Concepts discussed and reviewed January 19, 2012, no action was taken.***

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3) Plan Area I:

a) Plan Area I review of changes to Redstone development and proposed round-a-bout.

b) Realignment of commercial districts to coincide with realignment with Boyd Kennedy Road.

c) Kennedy Avenue, Trescartes connect Boyd-Kennedy Road.

d) Right hand turn movement restrictions proposed for Spring Creek High School. All other turning movements will be controlled through round-a-bout eliminating cross traffic turning movements.

***Commissioner Galyen moved to approve Plan Area I of the Spring Creek/Lamoille Master Plan at this time with the amendments that have been made through previous meetings; with no additional input given. Commissioner Larason seconded. The motion passed unanimously.***

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4) Plan Area II:

a) Update to APN 007-08B-031 to show current zoning within the plan area.

***Commissioner Larason made a motion to accept the changes that have been made during the previous meetings up to this date for Phase II of the Spring Creek/Lamoille Master Plan. Seconded by Commissioner Galyen. Motion passed unanimously.***

5) Plan Area III:

a) Designation of R-2 on 1.19 acre, Sec. 14, T. 33 N., R. 56 E.

***Commissioner Galyen made a motion to approve Phase III of the Spring Creek/Lamoille Master Plan. Commissioner Larason seconded. The motion passed unanimously.***

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6) Plan Area IV:

a) A change to this boundary now includes the S1/2; S1/2N1/2 Section 28, T. 34N., R. 55E.

b) A change to the Map showing existing Agricultural – Residential zoning within the S1/2; S1/2N1/2 Section 28, T. 34N., R. 55E.

c) A change to this boundary where a 500 foot strip of land along the entire westerly boundary of Section 33 has been conveyed to the City of Elko to meet infiltration pond setbacks.

d) A change to the Map depicting the boundary change of a 500 foot strip of land along the entire westerly boundary of Section 33

e) A change of designation to Section 33, T.34 N., R. 55 E.:

1. Designation of Agricultural – Residential on an 88.18 acre parcel of land located within Section 33, Township 34 North, Range 55 East, M.D.B.&M., Elko County, Nevada, more particularly described as follows:

Commencing at the northwest corner of said Section 33, a point from which the north 1/4 corner common to Section 28 and said Section 33 bears North 89°58'05" East, a distance of 2588.38 feet; thence North 89°58'05" East, along the northerly line of said Section 33, a distance of 500.00 feet to Corner Number 1, the point of beginning;

thence North 89°58'05" East, continuing along the northerly line of said Section 33 a distance of 1100.00 feet to Corner Number 2;

thence south 14°07'55" East, a distance of 3607.33 feet to corner Number 3;

thence North 90°00'00" West, a distance of 1560.00 feet to Corner Number 4;

thence North 5°23'04" East, a distance of 1755.92 feet to Corner Number 5;

thence North 2°58'15" West, a distance of 628.63 feet to Corner Number 6;

thence North 26°14'35" West, a distance of 1250.48 feet to Corner Number 1,

the Point of Beginning.

f) Designation of AR-CRD-1 on approximately 488 acres within Section 33, Township 34 North, Range 55 East.

g) Change to Map depicting AR-CRD-1 within Section 33, Township 34 North, Range 55 East.

***Commissioner Larason moved, based upon the information we have received and the pending change on the buffer zone and the activity of the City of Elko and related parties that we approve the map as presented at this time. Second by Commissioner Hough. Motion passed unanimously.***

***Concepts discussed and reviewed February 16, 2012.***

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7) General changes to text, populations and lot counts.

a) The term "Phase" replaced with the term "Plan Area"

b) Inclusion of ECC 5-2-3(C).

c) Updates to pictures within the Plan.

d) The Spring Creek sections will be referred to by their prospective Track Numbers.

e) Revisions to parcel development and population numbers within the Spring Creek Tracts.

f) Revisions to parcel development and population numbers within the Plan.

g) Development of State Bicycle Plan mentioned in Plan.

***No action was taken at this meeting.***

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8) Designation of R-1 & R-2 at the old Culley pit near Brentwood Estates.

a) Concept of R-1 and R-2 discussed for the old Cully pit, a 84.59 acre parcel once used for gravel mining. The Board and Staff agree that designations of R-1 and R-2 are preferable to the M-1 designation due to the need for additional inexpensive housing alternatives and because of the heavy traffic generated near the Spring Creek Grammar School. Approximately sixty (60) acres of the western most portion of the parcel is to be designated R-1 with the remainder designated as R-2.

*Concepts discussed and reviewed April 19, 2012.*

*Commissioner Hartley made a motion to approve the Spring Creek Lamoille Master Plan. Second by Commissioner Larason, vote was (7 ) yes – (0 ) no. Motion Passed.*

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9) Designation of R-2 placed on APN 006-30E-007, an 8 acre parcel.

*Concept discussed and reviewed July 19, 2012.*

*Commissioner Galyen moved to designate this lot APN# 006-30E-007 from a Light Industrial to a Residential 2 designation, seconded by Commissioner Hartley, vote was 5 yes, 1 abstention and 1 member absent.*

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On November 7th, 2012, a special hearing by the Elko County Board of Commissioners was held to approve the 2011/2012 review, revision and recommendations of the Spring Creek Lamoille Master Plan as submitted by the Elko County Planning Commission. Final action to approve was taken on the Spring Creek / Lamoille Master Plan 2011/2012 as submitted without modification.

## **Spring Creek / Lamoille Master Plan, Section IV**

### **Upper Lamoille Canyon**



**Spring Creek / Lamoille Master Plan Inventories**  
**“Residential” (R1 & R2) & “Agriculture Residential Districts”**  
**(2012 Review) Land Use Inventory**

<u>Subdivision / Area</u>	<u>Zoning</u>	<u>Total Lots</u>	<u>Dev.</u>	<u>Un-Dev.</u>	<u>%Build out</u>
Brentwood	(R1, R2)	55	54	1	98%
* Government Tracks	(AR)	32	6	26	19%
Lamoille Rural Area	(AR)	78	66	12	85%
Lamoille Town	(AR, R1)	85	68	17	80%
* Last Chance Ranches	(AR)	60	0	60	0%
Pleasant Valley	(AR)	307	159	148	52%
Rabbit Creek Area	(AR)	14	7	7	50%
Rolling Hills	(AR)	14	11	3	79%
Sage Lake	(AR)	22	20	2	91%
Valley Vista	(AR)	41	29	12	71%
Spring Creek 100's	(AR, R1, R2)	2,034	1,522	512	75%
Spring Creek 200's	(AR, R1, R2)	1,469	1,422	47	97%
Spring Creek 300's	(AR, R1, R2)	397	260	137	65%
Spring Creek 400's	(AR, R1, R2)	1,520	1,036	484	68%
Jordanelle Development	(AR)	360	43	317	12%
Redstone Development	(R1, R2)	3,992	0	3,992	0%
		<b><u>Total Lots</u></b>	<b><u>Dev.</u></b>	<b><u>Un-Dev.</u></b>	<b><u>%Build out</u></b>
<b>Spring Creek Total</b>		<b>5,420</b>	<b>4,240</b>	<b>1,180</b>	<b>78%</b>
<b>Master Plan Total AR, R1, R2</b>		<b>10,480</b>	<b>4,703</b>	<b>5,777</b>	<b>45%</b>

\*- Area of low development due to lack of an all weather access.

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## Spring Creek / Lamoille Area



<u>Subdivision / Area</u>	<u>Zoning</u>	<u>Total Lots</u>	<u>Developed</u>	<u>Un-Developed</u>	<u>% Build out</u>
Area West	(OS)	38	22	16	58%
Dysart Area	(OS, SL)	72	37	35	51%
Elko Summit Estates	(SL)	58	27	31	47%
*KRL	(OS, SL)	44	0	42	0%
# Lipparelli Estates	(OS)	25	24	1	96%
# Other Rural	(OS, SL)	24	12	12	50%
Rabbit Creek Area	(SL)	15	7	8	47%
# Ruby Home Ranch	(SL)	34	12	22	35%
# Ruby Mtn. Estates	(OS)	31	21	10	68%
Stonier 10 Mile Ranch		33	0	33	0%
		<b><u>Total Lots</u></b>	<b><u>Dev.</u></b>	<b><u>Un-Dev.</u></b>	<b><u>%Build out</u></b>
<b>(2012) Total OS &amp; SL</b>		<b>374</b>	<b>162</b>	<b>212</b>	<b>43%</b>

# - Subdivided area Open Space and Special Lands zoning with SL designation no request for higher densities

\* - Area currently Open Space zoning requested Special Lands designation

## Totals of Master Plan Area Inventories

### Totals Master Plan Area

AR, R1, R2, OS & SL

<b>Total Master Plan Area</b>	<b><u>Total Lots</u></b>	<b><u>Developed</u></b>	<b><u>Un-developed</u></b>	<b><u>% Build out</u></b>
	10,854	4,865	5,989	45%

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### “Commercial” Land Use Inventory

#### Commercial 1 / Commercial 2 / Commercial 3

<b><u>Area</u></b>	<b><u>Total Lots</u></b>	<b><u>Developed</u></b>	<b><u>Un-developed</u></b>	<b><u>% Build out</u></b>	<b><u>Acreage</u></b>
Gustin / Valley Vista	6	3	3	50%	40
Lamoille Rural	4	2	2	50%	10
* Lamoille Town	30	21	9	70%	19
Lower Lamoille Road	2	0	2	0%	56
Rabbit Creek	1	1	0	100%	12
* Spring Creek Central	32	13	19	41%	65
* Spring Creek North	23	17	6	74%	58
* Spring Creek South	10	2	8	20%	8
Redstone Development	457	0	431	0%	105
Stonier 10 Mile Ranch	326	0	326	0%	75
	<b><u>Total Lots</u></b>	<b><u>Developed</u></b>	<b><u>Un-developed</u></b>	<b><u>% Build out</u></b>	<b><u>Acreage</u></b>
<b>Total Master Plan Area</b>	<b>891</b>	<b>59</b>	<b>832</b>	<b>6.6%</b>	<b>448</b>

**Total Potential Commercial lots using 10,000 s.f. minimum = 618 commercial lots**

\* - existing lots cannot be further subdivided.

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**“2012” “Industrial” Use Inventory**

**(M1) General Industrial / (LI) Light Industrial**

<u>Area</u>	<u>Total Lots</u>	<u>Developed</u>	<u>Un-developed</u>	<u>% Build out</u>	<u>Acreage</u>
Chimney Ck. (M1)	1	1	0	100%	160
Culley / Area West (M1)	15	12	4	80%	179
Gustin / Valley Vista (LI)	8	5	3	63%	54
Rabbit Creek (LI)	1	1	0	100%	18
* Ruby Mtn. Ind. Park (LI)	23	6	17	26%	20
**Redstone Dev. (LI)	1	0	1	0%	15.7
	<u>Total Lots</u>	<u>Developed</u>	<u>Un-developed</u>	<u>% Build out</u>	<u>Acreage</u>
<b>Total Master Plan Area</b>	<b>49</b>	<b>25</b>	<b>25</b>	<b>51%</b>	<b>446.7</b>

**Total Potential Industrial lots using 20,000 s.f. minimum = 972 industrial lots**

\* - existing lots cannot be further subdivided

\*\* Lot to be developed for water treatment plant

**“2012” Proposed Designations  
Spring Creek / Lamoille Master Plan**

**Proposed “Residential” Zone Designations Includes:**

- Agriculture – Residential, (A-R), (AR-CRD-1), (AR-CRD-2)**
- Agricultural-Recreation District, (A)**
- Residential-1, (R1)**
- Residential-2, (R2)**

**Agriculture – Residential, (A-R)**

**Minimum parcel size 1.0 acre**

<u>Area</u>	<u>Existing Designation</u>	<u>Acreage</u>	<u>Potential Lots</u>	<u>Increase</u>
N/A				
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**Agriculture-Residential Conservation Reserve District, (AR-CRD 1)**

**Parcel size 2.5 - 5.0 Acres**

<u>Area</u>	<u>Existing Designation</u>	<u>Acreage</u>	<u>Potential Lots</u>	<u>Increase</u>
Area West	1	108	21- 43	20 - 42
Lamoille Rural	7	620	124 - 247	114 - 240
Lipparelli Estates Area	1	43	8 - 17	7 - 16
Lower Lamoille Road	4	775	155 - 310	151 - 306
Sage Lake Area	5	884	176 - 353	171 - 348
Spring Creek Central	6	1,380	276 - 552	270 - 546
<b>Totals</b>	<b>24</b>	<b>3,810</b>	<b>762 - 1,524</b>	<b>733 - 1,498</b>

Normal font = Minimum allowable density by designation

*Italic font = Maximum allowable density by designation*

**Agriculture -Residential Conservation Reserve District-2, (AR-CRD 2)**

**Minimum Parcel Size 5.0 - 7.5**

<u>Area</u>	<u>Existing Designation</u>	<u>Acreage</u>	<u>Potential Lots</u>	<u>Increase</u>
Lamoille Rural	11	5,650	753 - 1,130	742 - 1,119
Spring Creek South	11	4,355	580 - 871	569 - 860
Spring Creek North	10	1,590	212 - 318	202 - 308
<b>Totals</b>	<b>32</b>	<b>11,595</b>	<b>1,545 - 2,319</b>	<b>1,513 - 2,287</b>

Normal font = Minimum allowable density by designation

*Italic font = Maximum allowable density by designation*

**Agriculture – Recreation, (A)**

**Minimum parcel size 5 Acres**

<u>Area</u>	<u>Existing Designation</u>	<u>Acreage</u>	<u>Potential Lots</u>	<u>Increase</u>
Lamoille	25	1,025	205	180
<b>Total</b>	<b>25</b>	<b>1,025</b>	<b>205</b>	<b>180</b>

**Residential-1**  
**10,890 s.f. minimum -1/2 acre**

<u>Area</u>	<u>Existing Designations</u>	<u>Acreage</u>	<u>Potential Lots</u>	<u>Increase</u>
Lamoille	50	95	375	325
Spring Creek / Brentwood	121	105	285	285
<b>Totals</b>	<b>171</b>	<b>200</b>	<b>660</b>	<b>610</b>

**Residential-1**  
**6,000 s.f. minimum**

<u>Area</u>	<u>Existing Designations</u>	<u>Acreage</u>	<u>Potential Lots</u>	<u>Increase</u>
N/A	0	0	0	0

**Residential-2**

<u>Area</u>	<u>Existing Designations</u>	<u>Acreage</u>	<u>Potential Lots</u>	<u>Increase</u>
Spring Creek / Brentwood	2	5.8	11	11

**Totals:**

Agriculture – Residential, (A-R), (AR-CRD-1), (AR-CRD-2)  
 Agricultural-Recreation District, (A)  
 Residential-1, (R1)  
 Residential-2, (R2)

<u>Master Plan Area</u>	<u>Existing Designations</u>	<u>Acreage</u>	<u>Potential Lots</u>	<u>Increase</u>
<b>TOTAL</b>	<b>254</b>	<b>16,636</b>	<b>3,183 - 4,719</b>	<b>3,047 - 4,586</b>

**“Special Lands” Zone Designation, (SL)**  
**Minimum parcel size 10 acres**

<u>Area</u>	<u>Acreage Not Subdivided</u>	<u>Potential Parcels</u>
Area West	1,420	142
Dysart Area	530	53
Elko Summit Area	5,760	576
KRL	1,260	126
Lamoille Rural	300	30
Rabbit Creek	130	13
Spring Creek Central	280	28
<b>Total Master Plan Area</b>	<b>9,680 acres</b>	<b>968 parcels</b>

**“Open Space” Zone Designation, (OS)**

**Minimum parcel size 40 acres**

<u>Area</u>	<u>Acreage Not Subdivided</u>	<u>Potential Parcels</u>
Lamoille Rural	775	19
Ruby Home Ranch	675	17
Spring Creek North	1,270	31
Stonier 10 Mile Ranch	586	14
<b>Total Master Plan Area</b>	<b>3,306</b>	<b>81</b>

**“Agriculture - Recreation” Zone Designation, (A)**

**Minimum parcel size 5.00 acres**

<u>Area</u>	<u>Acreage Not Subdivided</u>	<u>Potential Parcels</u>
Lamoille Rural	1,025	205
<b>Total</b>	<b>1,025</b>	<b>205</b>

**Total Proposed Designations of Master Plan Area**

**Residential-1, (R1) / Residential-2, (R2)**

**Agriculture – Residential, (A-R), (AR-CRD-1), (AR-CRD-2)**

**Agricultural-Recreation District, (A) / Special Lands / Open Space**

<u>Area</u>	<u>Minimum Lots</u>	<u>Maximum Lots</u>
R1&R2	671	671
AR	88	88
A	205	205
AR-CRD-1	762	1,524
AR-CRD-2	1,545	2,319
SL	968	968
OS	81	81
<b>Total</b>	<b>4,320</b>	<b>5,856</b>

**“Commercial” Zone Designation (C1, C2, C3)**

**Minimum parcel size 10,000 s.f.**

<u>Area</u>	<u>Acreage Not Subdivided</u>	<u>Potential Lots</u>
Lamoille Rural	104 acres	453 lots
Lower Lamoille Road	58 acres	254 lots
Rabbit Creek	35 acres	152 lots
Spring Creek Middle	2 acres	9 lots
Spring Creek North	20 acres	87 lots
Spring Creek South	13 acres	58 lots
Valley Vista	10 acres	43 lots
<b>Total Master Plan Area</b>	<b>242 acres</b>	<b>1,056 lots</b>

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**Proposed “Industrial” Zone Designation, (M1, LI)**

**Minimum parcel size 20,000 s.f.**

<u>Area</u>	<u>Acreage Not Subdivided</u>	<u>Potential Lots</u>
Area West	60 acres	131lots
Rabbit Creek	121 acres	263 lots
<b>Total Master Plan Area</b>	<b>181 acres</b>	<b>394 lots</b>

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**Lamoille Canyon**



## “2012” Population Estimates

Population Data 2010 Census  
 (2012) Multiplier as per 2010 Census = 2.65 per Housing Unit

<u>Area</u>	<u>Units</u>	<u>Population Estimate</u>	<u>Housing</u>
Spring Creek		11,236	4,240

<u>Area</u>	<u>Population Estimate</u>	<u>Units</u>	<u>Housing</u>
Spring Creek / Lamoille Master Plan Area	12,534		4,703

### “2012” Elko County School District Enrollment

Spring Creek High School	-	858
Spring Creek Middle School	-	664
Spring Creek Elementary	-	686
Sage Elementary	-	524
<b>Total</b>	-	<b>2,732</b>

Estimated students living outside Master Plan area 100

**Total Master Plan Area** 2,632  
 Estimated 0.47 school aged children per home within the Master Plan area

### Population Estimates

<b>Estimated Population at Total Build-Out of Existing Parcels</b>	<i>10,480 @ 2.65 = 27,772</i>
<b>Projected Additional Population at Total Build –Out (Minimum Density)</b>	<i>4,320 @ 2.65 = 11,448</i>
<b>Projected Additional Population at Total Build –Out (Maximum Density)</b>	<i>5,856 @ 2.65 = 15,518</i>
<b>Combined Total Population Estimate at (Minimum Density). (Existing parcels and Proposed Designations)</b>	<i>14,800 @ 2.65 = 39,220</i>
<b>Combined Total Population Estimate at (Maximum Density).</b>	<i>16,336 @ 2.65 = 43,290</i>

**“2012” Water Use & Consumption Estimates  
(Existing parcels and Proposed Designations)**

**Residential / Ag-Residential / Agriculture - Recreation / Special Lands / Open Space**

**Current Estimated Domestic Water Consumption**

**Estimated Average Daily Residential Consumption      450 g.p.d.**

<u>Area</u>	<u>Developed Lots</u>	<u>g.p.d</u>	<u>a.f.d.</u>	<u>g.a.</u>	<u>a.f.a.</u>
Spring Creek	4,240	1,908,000	5.855	696,420,000	2,137.08
Remainder of Plan Area	463	208,350	0.639	76,047,750	233.38
<b>Total Consumption</b>	<b>4,703</b>	<b>2,116,350</b>	<b>6.494</b>	<b>772,467,750</b>	<b>2370.46</b>

**Estimated Additional Potential Domestic Water Consumption**

**Total Build-Out of Existing Lots / Parcels**

**Estimated Average Daily Consumption = 450 g.p.d.**

<u>Area</u>	<u>Un-Dev. Lots</u>	<u>g.p.d</u>	<u>a.f.d.</u>	<u>g.a.</u>	<u>a.f.a.</u>
Spring Creek	1,180	531,000	1.63	193,815,000	595.0
Remainder	5,777	2,599,650	7.98	948,872,250	2,912.7
<b>Total Consumption</b>	<b>6,957</b>	<b>3,130,650</b>	<b>9.61</b>	<b>1,142,687,250</b>	<b>3,507.0</b>

**Inventories at Total Build-Out.**

<u>Un-Dev. Lots</u>	<u>g.p.d</u>	<u>a.f.d.</u>	<u>g.a.</u>	<u>a.f.a.</u>
<b>11,660</b>	<b>5,247,000</b>	<b>16.10</b>	<b>1,915,155,000</b>	<b>5,877.46</b>

**Estimated Additional Potential for Domestic Water Consumption  
Proposed Increase of Density by Designations.**

<u>Area</u>	<u>Un-Dev. Lots</u>	<u>g.p.d</u>	<u>a.f.d.</u>	<u>g.a.</u>	<u>a.f.a.</u>
A-R	0	0	0.00	0	0.00
AR-CRD-1	733	329,850	1.01	120,395,250	369.48
	1,498	674,100	2.07	246,046,500	755.09
AR-CRD-2	1,513	680,850	2.09	248,510,250	762.65
	2,287	1,029,150	3.16	375,639,750	1152.80

(continued)

<u>Area</u>	<u>Un-Dev. Lots</u>	<u>g.p.d</u>	<u>a.f.d.</u>	<u>g.a.</u>	<u>a.f.a.</u>
A	180	81,0000	.25	29,565,000	90.73
R-1	610	274,500	0.84	100,192,500	307.48
R-2	11	4,950	0.02	1,806,750	5.54
*S L	892	892,000	2.74	325,580,000	999.17
*Open Space	81	81,0000	.25	29,565,000	90.73
<b>Total</b>	<b>4,021</b>	<b>2,344,150</b>	<b>7.19</b>	<b>855,614,750</b>	<b>2,625.78</b>
	<b>3,785</b>	<b>1,703,250</b>	<b>5.23</b>	<b>621,686,250</b>	<b>1,907.88</b>

\* - Large Parcels (SL & OS) pose a potential for increased water consumption Average Daily Use Estimated at 1,000 g.p.d.

## Potential Domestic Well Development & Water Right Requirements

### Elko County Code 5-2-3(C) Water Rights Requirements

A parcel map creating new parcels shall be required to have adequate water resources of a minimum of 2.0 acre-feet for each new parcel created. Prior to the approval of the parcel map, the water right shall be relinquished to the Nevada division of water resources. The applicant is responsible for completing all Nevada division of water resources requirements and for paying all fees to the Nevada division of water resources.

The relinquishment of 2.02 acre-feet of water right in good standing and certificated for each new parcel shall be required in the following hydrographic basins:

- Basin 048 - Dixie Creek/Tenmile
- Basin 049 - Elko Segment
- Basin 153 - Diamond Valley (Ord. 01-2008, 5-21-2008, eff. 7-11-2008)

### (A-R), (AR-CRD-1), (AR-CRD-2), (A), SL, OS

**Note:** The above districts permit the development of an individual domestic well for each parcel. Each parcel is allocated 2.02 Acre feet annually for domestic purposes without a certificated water right.

<u>Zoning Districts</u>	<u>Total Potential Lots</u>	<u>Acre Feet</u>
A-R, AR-CRD-1, AR-CRD-2, A,	3,072 / 4,820	6,205 / 9,736
SL	892	1,802
OS	81	164
<b>Total</b>	<b>4,045 / 4,820</b>	<b>8,171 / 9,736</b>

## Total Build-Out for Existing Parcels & Proposed Parcels by Zoning Designation Estimated Water Consumption

Existing Residential Lots / Parcels	10,480 (1)	10,480	450 g.p.d.
Existing Lots / Parcels, OS / SL	374 (2)	374 (2)	1,000 g.p.d.
Proposed Lots / Parcels, Residential Use	3,183 (1)	4,719 (1)	450 g.p.d.
Proposed Large Parcels, OS / SL	968 (2)	968 (2)	1,000 g.p.d.

**Total** **17,316** **18,928**

	<u><b>g.p.d.</b></u>	<u><b>a.f.d.</b></u>	<u><b>g.a.</b></u>	<u><b>a.f.a.</b></u>
	(1) 4,716,000	17.62	1,721,340,000	5,283
	(1) 1,432,350	4.40	522,807,750	1,604
	(2) 374,000	2.97	136,510,000	419
	(2) 968,000	1.15	353,320,000	1,084
<b>Total</b>	<b>6,058,000</b>	<b>21.74</b>	<b>2,211,170,000</b>	<b>6,786</b>
	<b>7,490,350</b>	<b>26.14</b>	<b>2,733,977,750</b>	<b>8,390</b>

## State of Nevada Hydrographic Water Basin Information

<u><b>Basin</b></u>	<u><b>Master Plan Area</b></u>	<u><b>Perennial Yield</b></u>	<u><b>Active Annual Duty</b></u>	<u><b>Muni / Quasi</b></u>
* Dixie Creek	63 sq. mi.	8,000 afa	16,329 afa	7,203 af
Elko Segment	18 sq. mi.	13,000 afa	26,968 afa	18,000 af
# Lamoille Basin	19 sq. mi.	20,000 afa	6,439 afa	240 af
*South Fork	9 sq. mi.	8,000	N/A	N/A

\* - The State of Nevada Division of Water Resources combines the perennial yield and all pertinent data for Huntington Valley, South Fork and Dixie Creek / 10 Mile Creek area as 25,000 a.f.a.

# - The State of Nevada Division of Water Resources combines the perennial yield and all pertinent data for Lamoille Valley, Mary's River, Starr Valley and North Fork areas as 83,000 a.f.a.

**Spring Creek / Lamoille Master Plan Appendix**

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## **Appendix I**

### **Nevada Revised Statutes Chapter 278.150 - 278.265 Inclusive**



## Nevada Revised Statutes 278.150 through 278.265 Inclusive

**NRS 278.150** Master plan: Preparation and adoption by planning commission; adoption by governing body of city or county.

1. The planning commission shall prepare and adopt a comprehensive, long-term general plan for the physical development of the city, county or region which in the commissions judgment bears relation to the planning thereof.
2. The plan must be known as the master plan, and must be so prepared that all or portions thereof, except as otherwise provided in subsections 3 and 4, may be adopted by the governing body, as provided in NRS 278.010 to 278.630, inclusive, as a basis for the development of the city, county or region for such reasonable period of time next ensuing after the adoption thereof as may practically be covered thereby.
3. In counties whose population is 100,000 or more but less than 400,000, if the governing body of the city or county adopts only a portion of the master plan, it shall include in that portion a conservation plan, a housing plan and a population plan as provided in NRS 278.160.
4. In counties whose population is 400,000 or more, the governing body of the city or county shall adopt a master plan for all of the city or county that must address each of the subjects set forth in subsection 1 of NRS 278.160.

[Part 8:110:1941; A 1947, 834; 1943 NCL § 5063.07]—(NRS A 1973, 1241; 1979, 530; 1995, 2225; 2001, 1679)

**NRS 278.160**, Subject matter of master plan.

1. Except as otherwise provided in subsection 4 of NRS 278.150 and subsection 3 of NRS 278.170, the master plan, with the accompanying charts, drawings, diagrams, schedules and reports, may include such of the following subject matter or portions thereof as are appropriate to the city, county or region, and as may be made the basis for the physical development thereof:
  - (a) Community design. Standards and principles governing the subdivision of land and suggestive patterns for community design and development.
  - (b) Conservation plan. For the conservation, development and utilization of natural resources, including, without limitation, water and its hydraulic force, underground water, water supply, forests, soils, rivers and other waters, harbors, fisheries, wildlife, minerals and other natural resources. The plan must also cover the reclamation of land and waters, flood control, prevention and control of the pollution of streams and other waters, regulation of the use of land in stream channels and other areas required for the accomplishment of the conservation plan, prevention, control and correction of the erosion of soils through proper clearing, grading and landscaping, beaches and shores, and protection of watersheds. The plan must also indicate the maximum tolerable level of air pollution.
  - (c) Economic plan. Showing recommended schedules for the allocation and expenditure of public money in order to provide for the economical and timely execution of the various components of the plan.
  - (d) Historical properties preservation plan. An inventory of significant historical, archaeological and architectural properties as defined by a city, county or region, and a statement of methods to encourage the preservation of those properties.
  - (e) Housing plan. The housing plan must include, without limitation:
    - (1) An inventory of housing conditions, needs and plans and procedures for improving housing standards and for providing adequate housing.
    - (2) An inventory of affordable housing in the community.
    - (3) An analysis of the demographic characteristics of the community.

- (4) A determination of the present and prospective need for affordable housing in the community.
- (5) An analysis of any impediments to the development of affordable housing and the development of policies to mitigate those impediments.
- (6) An analysis of the characteristics of the land that is the most appropriate for the construction of affordable housing.
- (7) An analysis of the needs and appropriate methods for the construction of affordable housing or the conversion or rehabilitation of existing housing to affordable housing.
- (8) A plan for maintaining and developing affordable housing to meet the housing needs of the community.

(f) Land use plan. An inventory and classification of types of natural land and of existing land cover and uses, and comprehensive plans for the most desirable utilization of land. The land use plan may include a provision concerning the acquisition and use of land that is under federal management within the city, county or region, including, without limitation, a plan or statement of policy prepared pursuant to NRS 321.7355.

(g) Population plan. An estimate of the total population which the natural resources of the city, county or region will support on a continuing basis without unreasonable impairment.

(h) Public buildings. Showing locations and arrangement of civic centers and all other public buildings, including the architecture thereof and the landscape treatment of the grounds thereof.

(i) Public services and facilities. Showing general plans for sewage, drainage and utilities, and rights-of-way, easements and facilities therefore, including, without limitation, any utility projects required to be reported pursuant to NRS 278.145.

(j) Recreation plan. Showing a comprehensive system of recreation areas, including, without limitation, natural reservations, parks, parkways, trails, reserved riverbank strips, beaches, playgrounds and other recreation areas, including, when practicable, the locations and proposed development thereof.

(k) Rural neighborhoods preservation plan. In any county whose population is 400,000 or more, showing general plans to preserve the character and density of rural neighborhoods.

(l) Safety plan. In any county whose population is 400,000 or more, identifying potential types of natural and man-made hazards, including, without limitation, hazards from floods, landslides or fires, or resulting from the manufacture, storage, transfer or use of bulk quantities of hazardous materials. The plan may set forth policies for avoiding or minimizing the risks from those hazards.

(m) School facilities plan. Showing the general locations of current and future school facilities based upon information furnished by the appropriate local school district.

(n) Seismic safety plan. Consisting of an identification and appraisal of seismic hazards such as susceptibility to surface ruptures from faulting, to ground shaking or to ground failures.

(o) Solid waste disposal plan. Showing general plans for the disposal of solid waste.

(p) Streets and highways plan. Showing the general locations and widths of a comprehensive system of major traffic thoroughfares and other traffic ways and of streets and the recommended treatment thereof, building line setbacks, and a system of naming or numbering streets and numbering houses, with recommendations concerning proposed changes.

(q) Transit plan. Showing a proposed multimodal system of transit lines, including mass transit, streetcar, motor coach and trolley coach lines, paths for bicycles and pedestrians, and related facilities.

(r) Transportation plan. Showing a comprehensive transportation system, including, without limitation, locations of rights-of-way, terminals, viaducts and grade separations. The plan may also include port, harbor, aviation and related facilities.

2. The commission may prepare and adopt, as part of the master plan, other and additional plans and reports dealing with such other subjects as may in its judgment relate to the physical development of the city, county or region, and nothing contained in NRS 278.010 to 278.630, inclusive, prohibits the preparation and adoption of any such subject as a part of the master plan.

[Part 8:110:1941; A 1947, 834; 1943 NCL § 5063.07]—(NRS A 1973, 141, 1242, 1825; 1989, 149; 1991, 954, 1402; 1995, 2226; 1997, 3249; 1999, 2471, 3367; 2001, 742, 1680)

**NRS 278.170** Coordination of master plans; adoption of all or parts.

1. Except as otherwise provided in subsections 2 and 3, the commission may prepare and adopt all or any part of the master plan or any subject thereof for all or any part of the city, county or region. Master regional plans must be coordinated with similar plans of adjoining regions, and master county and city plans within each region must be coordinated so as to fit properly into the master plan for the region.

2. In counties whose population is 100,000 or more but less than 400,000, if the commission prepares and adopts less than all subjects of the master plan, as outlined in NRS 278.160, it shall include, in its preparation and adoption, the conservation, housing and population plans described in that section.

3. In counties whose population is 400,000 or more, the commission shall prepare and adopt a master plan for all of the city or county that must address each of the subjects set forth in subsection 1 of NRS 278.160.

[Part 8:110:1941; A 1947, 834; 1943 NCL § 5063.07]—(NRS A 1973, 1243; 1979, 530; 1995, 2228; 2001, 1682)

**NRS 278.180** School sites: Commission to notify school boards of preparation of plans for community and public buildings. The county and city planning commission shall, during the formulation of plans for community design and public buildings, notify the governing boards of school districts having jurisdiction of the areas considered of the preparation of such plans to the end that adequate and properly located school sites may be provided for.

[Part 8:110:1941; A 1947, 834; 1943 NCL § 5063.07]

**NRS 278.185** Notice of plan for future construction of school. When the board of trustees of a school district develops a plan for the future construction of one or more schools, it shall notify each city, county or regional planning commission any part of whose territory will be served by a proposed school. The notice must include the grades to be taught, the number of pupils to be accommodated, and the area to be served. The board shall notify each commission of any change in or abandonment of its plan.

(Added to NRS by 1977, 1498; A 1979, 705; 1981, 1707; 1987, 659; 1989, 499; 1993, 2564)—(Substituted in revision for part of NRS 278.349)

**NRS 278.190** Commission to promote public interest in master plan: Powers.

1. The commission shall endeavor to promote public interest in and understanding of the master plan and of official plans and regulations relating thereto. As a means of furthering the purpose of a master plan, the commission shall annually make recommendations to the governing body for the implementation of the plan.

2. It also shall consult and advise with public officials and agencies, public utility companies, civic, educational, professional and other organizations, and with citizens generally with relation to the carrying out of such plans.

3. The commission, and its members, officers and employees, in the performance of their functions, may enter upon any land and make examinations and surveys and place and maintain necessary monuments and marks thereon.

4. In general, the commission shall have such power as may be necessary to enable it to fulfill its functions and carry out the provisions of NRS 278.010 to 278.630, inclusive.

[Part 8:110:1941; A 1947, 834; 1943 NCL § 5063.07]—(NRS A 1973, 1826)

**NRS 278.200** Form of master plan. The master plan shall be a map, together with such charts, drawings, diagrams, schedules, reports, ordinances, or other printed or published material, or any one or a combination of any of the foregoing as may be considered essential to the purposes of NRS 278.010 to 278.630, inclusive.

[9:110:1941; 1931 NCL § 5063.08]—(NRS A 1973, 1827)

**NRS 278.210** Adoption of master plan and amendments by commission: Notice; hearing; resolution; frequency of certain amendments; attested copies; certification by electronic means.

1. Before adopting the master plan or any part of it in accordance with NRS 278.170, or any substantial amendment thereof, the commission shall hold at least one public hearing thereon, notice of the time and place of which must be given at least by one publication in a newspaper of general circulation in the city or county, or in the case of a regional planning commission, by one publication in a newspaper in each county within the regional district, at least 10 days before the day of the hearing.
2. The adoption of the master plan, or of any amendment, extension or addition thereof, must be by resolution of the commission carried by the affirmative votes of not less than two-thirds of the total membership of the commission. The resolution must refer expressly to the maps, descriptive matter and other matter intended by the commission to constitute the plan or any amendment, addition or extension thereof, and the action taken must be recorded on the map and plan and descriptive matter by the identifying signatures of the secretary and chairman of the commission.
3. No plan or map, hereafter, may have indicated thereon that it is a part of the master plan until it has been adopted as part of the master plan by the commission as herein provided for the adoption thereof, whenever changed conditions or further studies by the commission require such amendments, extension or addition.
4. Except as otherwise provided in this subsection, the commission shall not amend the land use plan of the master plan set forth in paragraph (f) of subsection 1 of NRS 278.160, or any portion of such a land use plan, more than four times in a calendar year. The provisions of this subsection do not apply to a change in the land use designated for a particular area if the change does not affect more than 25 percent of the area.
5. An attested copy of any part, amendment, extension of or addition to the master plan adopted by the planning commission of any city, county or region in accordance with NRS 278.170 must be certified to the governing body of the city, county or region. The governing body of the city, county or region may authorize such certification by electronic means.
6. An attested copy of any part, amendment, extension of or addition to the master plan adopted by any regional planning commission must be certified to the county planning commission and to the board of county commissioners of each county within the regional district. The county planning commission and board of county commissioners may authorize such certification by electronic means.

[10:110:1941; 1931 NCL § 5063.09]—(NRS A 2001, 1682, 2805, 2816)

**NRS 278.220** Adoption of master plan by governing body: Notice; hearing; procedure for changes in plan. Except as otherwise provided in subsection 4 of NRS 278.150:

1. Upon receipt of a certified copy of the master plan, or of any part thereof, as adopted by the planning commission, the governing body may adopt such parts thereof as may practicably be applied to the development of the city, county or region for a reasonable period of time next ensuing.

2. The parts must thereupon be endorsed and certified as master plans thus adopted for the territory covered, and are hereby declared to be established to conserve and promote the public health, safety and general welfare.

3. Before adopting any plan or part thereof, the governing body shall hold at least one public hearing thereon, notice of the time and place of which must be published at least once in a newspaper of general circulation in the city or counties at least 10 days before the day of hearing.

4. No change in or addition to the master plan or any part thereof, as adopted by the planning commission, may be made by the governing body in adopting the same until the proposed change or addition has been referred to the planning commission for a report thereon and an attested copy of the report has been filed with the governing body. Failure of the planning commission so to report within 40 days, or such longer period as may be designated by the governing body, after such reference shall be deemed to be approval of the proposed change or addition.

[Part 11:110:1941; A 1947, 834; 1943 NCL § 5063.10]—(NRS A 2001, 1683)

**NRS 278.230** Governing body to put adopted master plan into effect.

1. Except as otherwise provided in subsection 4 of NRS 278.150, whenever the governing body of any city or county has adopted a master plan or part thereof for the city or county, or for any major section or district thereof, the governing body shall, upon recommendation of the planning commission, determine upon reasonable and practical means for putting into effect the master plan or part thereof, in order that the same will serve as:

(a) A pattern and guide for that kind of orderly physical growth and development of the city or county which will cause the least amount of natural resource impairment and will conform to the adopted population plan, where required, and ensure an adequate supply of housing, including affordable housing; and

(b) A basis for the efficient expenditure of funds thereof relating to the subjects of the master plan.

2. The governing body may adopt and use such procedure as may be necessary for this purpose.

[Part 11:110:1941; A 1947, 834; 1943 NCL § 5063.10]—(NRS A 1973, 1243; 1995, 2228; 2001, 1683)

**NRS 278.240** Approval required for certain dedications, closures, abandonments, construction or authorizations. Whenever the governing body of a city, county or region has adopted a master plan, or one or more subject matters thereof, for the city, county or region, or for a major section or district thereof, no street, square, park, or other public way, ground, or open space may be acquired by dedication or otherwise, except by bequest, and no street or public way may be closed or abandoned, and no public building or structure may be constructed or authorized in the area for which the master plan or one or more subject matters thereof has been adopted by the governing body unless the dedication, closure, abandonment, construction or authorization is approved in a manner consistent with the requirements of the governing body, board or commission having jurisdiction over such a matter.

[12:110:1941; 1931 NCL § 5063.11]—(NRS A 1997, 2419)

**NRS 278.243** City or county authorized to represent own interests in certain matters if governing body has adopted master plan. A city or county whose governing body has adopted a master plan pursuant to NRS 278.220 may represent its own interests with respect to land and appurtenant resources that are located within the city or county and are affected by policies and activities involving the use of federal land.

(Added to NRS by 1999, 1421)

**NRS 278.246** City or county authorized to enter into certain actions if governing body has adopted master plan.

1. Except as otherwise provided in subsection 2, a city or county whose governing body has adopted a master plan pursuant to NRS 278.220 may:

- (a) On its own initiative bring and maintain an action in its own name and on its own behalf; or
- (b) Intervene on behalf of or bring and maintain an action on the relation of, any person in any meritorious case, in any court or before any federal agency, if an action or proposed action by a federal agency or instrumentality with respect to the lands, appurtenant resources or streets that are located within the city or county impairs or tends to impair the traditional functions of the city or county or the carrying out of the master plan.

2. A city or county may not:

- (a) Bring and maintain an action pursuant to subsection 1 that would request a court to grant relief that would violate a state statute;
- (b) Participate in any proceeding of a federal agency pursuant to subsection 1 to request the federal agency to take any action that would violate a state statute; or
- (c) Bring or maintain an action pursuant to subsection 1 on behalf of this State or as representative of the interests of this State or any of its agencies.  
(Added to NRS by 1999, 1421)

**NRS 278.250** Zoning districts and regulations.

1. For the purposes of NRS 278.010 to 278.630, inclusive, the governing body may divide the city, county or region into zoning districts of such number, shape and area as are best suited to carry out the purposes of NRS 278.010 to 278.630, inclusive. Within the zoning district it may regulate and restrict the erection, construction, reconstruction, alteration, repair or use of buildings, structures or land.

2. The zoning regulations must be adopted in accordance with the master plan for land use and be designed:

- (a) To preserve the quality of air and water resources.
- (b) To promote the conservation of open space and the protection of other natural and scenic resources from unreasonable impairment.
- (c) To provide for recreational needs.
- (d) To protect life and property in areas subject to floods, landslides and other natural disasters.
- (e) To conform to the adopted population plan, if required by NRS 278.170.
- (f) To develop a timely, orderly and efficient arrangement of transportation and public facilities and services, including facilities and services for bicycles.
- (g) To ensure that the development on land is commensurate with the character and the physical limitations of the land.
- (h) To take into account the immediate and long-range financial impact of the application of particular land to particular kinds of development, and the relative suitability of the land for development.
- (i) To promote health and the general welfare.
- (j) To ensure the development of an adequate supply of housing for the community, including the development of affordable housing.
- (k) To ensure the protection of existing neighborhoods and communities, including the protection of rural preservation neighborhoods.

3. The zoning regulations must be adopted with reasonable consideration, among other things, to the character of the area and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the city, county or region.

4. In exercising the powers granted in this section, the governing body may use any controls relating to land use or principles of zoning that the governing body determines to be appropriate, including, without limitation, density bonuses, inclusionary zoning and minimum density zoning.

5. As used in this section:

(a) “Density bonus” means an incentive granted by a governing body to a developer of real property that authorizes the developer to build at a greater density than would otherwise be allowed under the master plan, in exchange for an agreement by the developer to perform certain functions that the governing body determines to be socially desirable, including, without limitation, developing an area to include a certain proportion of affordable housing.

(b) “Inclusionary zoning” means a type of zoning pursuant to which a governing body requires or provides incentives to a developer who builds residential dwellings to build a certain percentage of those dwellings as affordable housing.

(c) “Minimum density zoning” means a type of zoning pursuant to which development must be carried out at or above a certain density to maintain conformance with the master plan.

[13:110:1941; 1931 NCL § 5063.12]—(NRS A 1973, 1244, 1828; 1977, 1016; 1991, 2232; 1995, 2228; 1999, 2128, 3369)

**NRS 278.260** Determination, establishment, enforcement and amendment of zoning districts, regulations and restrictions: Notice and hearing; transmittal of information regarding application for recommendations to town board, citizens’ advisory council or town advisory board of certain unincorporated towns; signs; additional prerequisites for approval of certain applications in larger counties.

1. The governing body shall provide for the manner in which zoning regulations and restrictions and the boundaries of zoning districts are determined, established, enforced and amended.

2. A zoning regulation, restriction or boundary, or an amendment thereto, must not become effective until after transmittal of a copy of the relevant application to the town board, citizens’ advisory council or town advisory board pursuant to subsection 5, if applicable, and after a public hearing at which parties in interest and other persons have an opportunity to be heard. The governing body shall cause notice of the time and place of the hearing to be:

(a) Published in an official newspaper, or a newspaper of general circulation, in the city, county or region; and

(b) Mailed to each tenant of a mobile home park if that park is located within 300 feet of the property in question, at least 10 days before the hearing.

3. If a proposed amendment involves a change in the boundary of a zoning district in a county whose population is less than 100,000, the governing body shall, to the extent this notice does not duplicate the notice required by subsection 2, cause a notice of the hearing to be sent at least 10 days before the hearing to:

(a) The applicant;

(b) Each owner, as listed on the county assessor’s records, of real property located within 300 feet of the portion of the boundary being changed;

(c) The owner, as listed on the county assessor's records, of each of the 30 separately owned parcels nearest to the portion of the boundary being changed, to the extent this notice does not duplicate the notice given pursuant to paragraph (b); and

(d) Any advisory board which has been established for the affected area by the governing body.

The notice must be sent by mail or, if requested by a party to whom notice must be provided pursuant to paragraphs (a) to (d), inclusive, by electronic means if receipt of such an electronic notice can be verified, and must be written in language which is easy to understand. The notice must set forth the time, place and purpose of the hearing and a physical description of or a map detailing the proposed change, must indicate the existing zoning designation and the proposed zoning designation of the property in question, and must contain a brief summary of the intent of the proposed change. If the proposed amendment involves a change in the boundary of the zoning district that would reduce the density or intensity with which a parcel of land may be used, the notice must include a section that an owner of property may complete and return to the governing body to indicate his approval of or opposition to the proposed amendment.

4. If a proposed amendment involves a change in the boundary of a zoning district in a county whose population is 100,000 or more, the governing body shall, to the extent this notice does not duplicate the notice required by subsection 2, cause a notice of the hearing to be sent at least 10 days before the hearing to:

(a) The applicant;

(b) Each owner, as listed on the county assessor's records, of real property located within 750 feet of the portion of the boundary being changed;

(c) The owner, as listed on the county assessor's records, of each of the 30 separately owned parcels nearest to the portion of the boundary being changed, to the extent this notice does not duplicate the notice given pursuant to paragraph (b);

(d) Each tenant of a mobile home park if that park is located within 750 feet of the property in question; and

(e) Any advisory board which has been established for the affected area by the governing body.

The notice must be sent by mail or, if requested by a party to whom notice must be provided pursuant to paragraphs (a) to (e), inclusive, by electronic means if receipt of such an electronic notice can be verified, and must be written in language which is easy to understand. The notice must set forth the time, place and purpose of the hearing and a physical description of or a map detailing the proposed change, must indicate the existing zoning designation and the proposed zoning designation of the property in question, and must contain a brief summary of the intent of the proposed change. If the proposed amendment involves a change in the boundary of the zoning district that would reduce the density or intensity with which a parcel of land may be used, the notice must include a section that an owner of property may complete and return to the governing body to indicate his approval of or opposition to the proposed amendment.

If an application is filed with the governing body and the application involves a change in the boundary of a zoning district within an unincorporated town that is located more than 10 miles from an incorporated city, the governing body shall, at least 10 days before the hearing on the application is held pursuant to subsection 2, transmit a copy of any information pertinent to the application to the town board, citizens' advisory council or town advisory board, whichever is applicable, of the unincorporated town. The town board, citizens' advisory council or town advisory board may make recommendations regarding the application and submit its recommendations before the hearing on the application is held pursuant to subsection 2. The governing body or other authorized person or entity conducting the hearing shall consider any recommendations submitted by the town board, citizens' advisory council or town advisory board regarding the application and, within 10 days after making its decision on the application, shall transmit a copy of its decision to the town board, citizens' advisory council or town advisory board.

6. In a county whose population is 400,000 or more, if a notice is required to be sent pursuant to subsection 4:

(a) The exterior of a notice sent by mail; or

(b) The cover sheet, heading or subject line of a notice sent by electronic means, must bear a statement, in at least 10-point bold type or font, in substantially the following form:

**OFFICIAL NOTICE OF PUBLIC HEARING**

7. In addition to sending the notice required pursuant to subsection 4, in a county whose population is 400,000 or more, the governing body shall, not later than 10 days before the hearing, erect or cause to be erected on the property at least one sign not less than 2 feet high and 2 feet wide. The sign must be made of material reasonably calculated to withstand the elements for 40 days. The governing body must be consistent in its use of colors for the background and lettering of the sign. The sign must include the following information:

(a) The existing zoning designation of the property in question;

(b) The proposed zoning designation of the property in question;

(c) The date, time and place of the public hearing;

(d) A telephone number which may be used by interested persons to obtain additional information; and

(e) A statement which indicates whether the proposed zoning designation of the property in question complies with the requirements of the master plan of the city or county in which the property is located.

8. A sign required pursuant to subsection 7 is for informational purposes only and must be erected regardless of any local ordinance regarding the size, placement or composition of signs to the contrary.

9. A governing body may charge an additional fee for each application to amend an existing zoning regulation, restriction or boundary to cover the actual costs resulting from the mailed notice required by this section and the erection of not more than one of the signs required by subsection 7, if any. The additional fee is not subject to the limitation imposed by NRS 354.5989.

10. The governing body shall remove or cause to be removed any sign required by subsection 7 within 5 days after the final hearing for the application for which the sign was erected. There must be no additional charge to the applicant for such removal.

11. If a proposed amendment involves a change in the boundary of a zoning district in a county whose population is 400,000 or more that would reduce the density or intensity with which a parcel of land may be used and at least 20 percent of the property owners to whom notices were sent pursuant to subsection 4 indicate in their responses opposition to the proposed amendment, the governing body shall not approve the proposed amendment unless the governing body:

(a) Considers separately the merits of each aspect of the proposed amendment to which the owners expressed opposition; and

(b) Makes a written finding that the public interest and necessity will be promoted by approval of the proposed amendment.

12. The governing body of a county whose population is 400,000 or more shall not approve a zoning regulation, restriction or boundary, or an amendment thereof, that affects any unincorporated area of the county that is surrounded completely by the territory of an incorporated city without sending a notice to the governing body of the city. The governing body of the city, or its designee, must submit any recommendations to the governing body of the county within 15 days after receiving the notice.

The governing body of the county shall consider any such recommendations. If the governing body of the county does not accept a recommendation, the governing body of the county, or its authorized agent, shall specify for the record the reasons for its action.

[14:110:1941; 1931 NCL § 5063.13]—(NRS A 1973, 1828; 1977, 1017; 1989, 962; 1991, 370; 1993, 2204; 1997, 2420; 1999, 785, 911, 2078, 2080; 2001, 1446, 1683; 2003, 70, 2338)

**NRS 278.261** Rural preservation neighborhoods. Expired by limitation. (See chapter 619, Statutes of Nevada 1999, at page 3376.)

**NRS 278.262** Hearing examiners: Power of governing body to appoint. The governing body of any county or city may appoint as many full-time or part-time hearing examiners as are necessary or appropriate to assist the planning commission and the governing body in acting upon proposals for changes in zoning classification, zoning districts, special use permits, variances and other matters affecting zoning.

(Added to NRS by 1973, 337; A 1977, 1017; 1979, 371)

**NRS 278.263** Hearing examiners: Compensation; qualifications; removal.

1. Hearing examiners appointed under the authority of NRS 278.262 are entitled to receive such compensation as is considered necessary by the governing body and shall possess qualifications similar to those of a licensed architect, attorney, engineer or a member of the American Institute of Certified Planners.

2. Hearing examiners serve at the pleasure of the governing body in accordance with any appropriate personnel ordinance or regulation.

(Added to NRS by 1973, 337; A 1995, 453)

**NRS 278.264** Hearing examiners: Rules of procedure. Upon the determination of any governing body that a hearing examiner is to be employed and before any hearings are conducted utilizing his services, an ordinance shall be enacted setting forth rules of procedure for the processing and hearing of applications which are to be considered by a hearing examiner. (Added to NRS by 1973, 338)

**NRS 278.265** Hearing examiners: Notice and hearing; duties and powers; final action on certain matters; appeal of final action.

1. Any ordinance enacted pursuant to the provisions of NRS 278.264 must provide, in substance, the same notice of hearing and conduct of hearing safeguards required by NRS 278.315 or 278.480, whichever is applicable.

2. The governing body shall, by ordinance, set forth the duties and powers of the hearing examiner, including a statement of whether the hearing examiner may take final action on any matter assigned to him by the governing body.

3. Except as otherwise provided in subsection 4, the governing body may authorize the hearing examiner to take final action on matters relating to a variance, vacation, abandonment, special use permit, conditional use permit and other special exception or application specified in the ordinance.

4. The governing body shall not authorize the hearing examiner to take final action on:

(a) Matters relating to a zoning classification, zoning district or an amendment to a zoning boundary.

(b) An application for a conditional use permit that is filed pursuant to NRS 278.147.

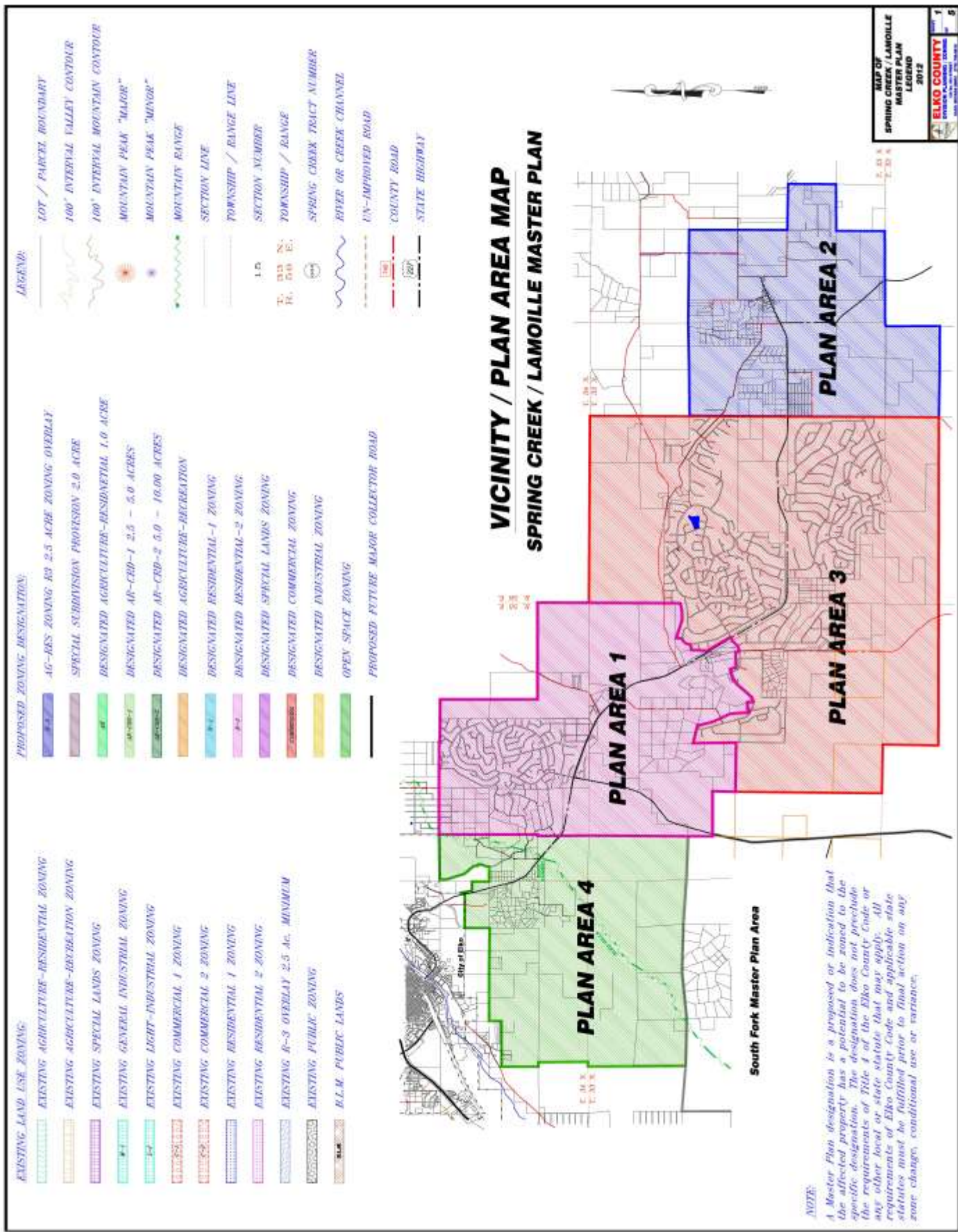
5. An applicant or protestant may appeal any final action taken by the hearing examiner in accordance with the ordinance adopted pursuant to NRS 278.3195.

(Added to NRS by 1973, 338; A 1995, 453; 1997, 2422; 1999, 1137; 2001, 2805)



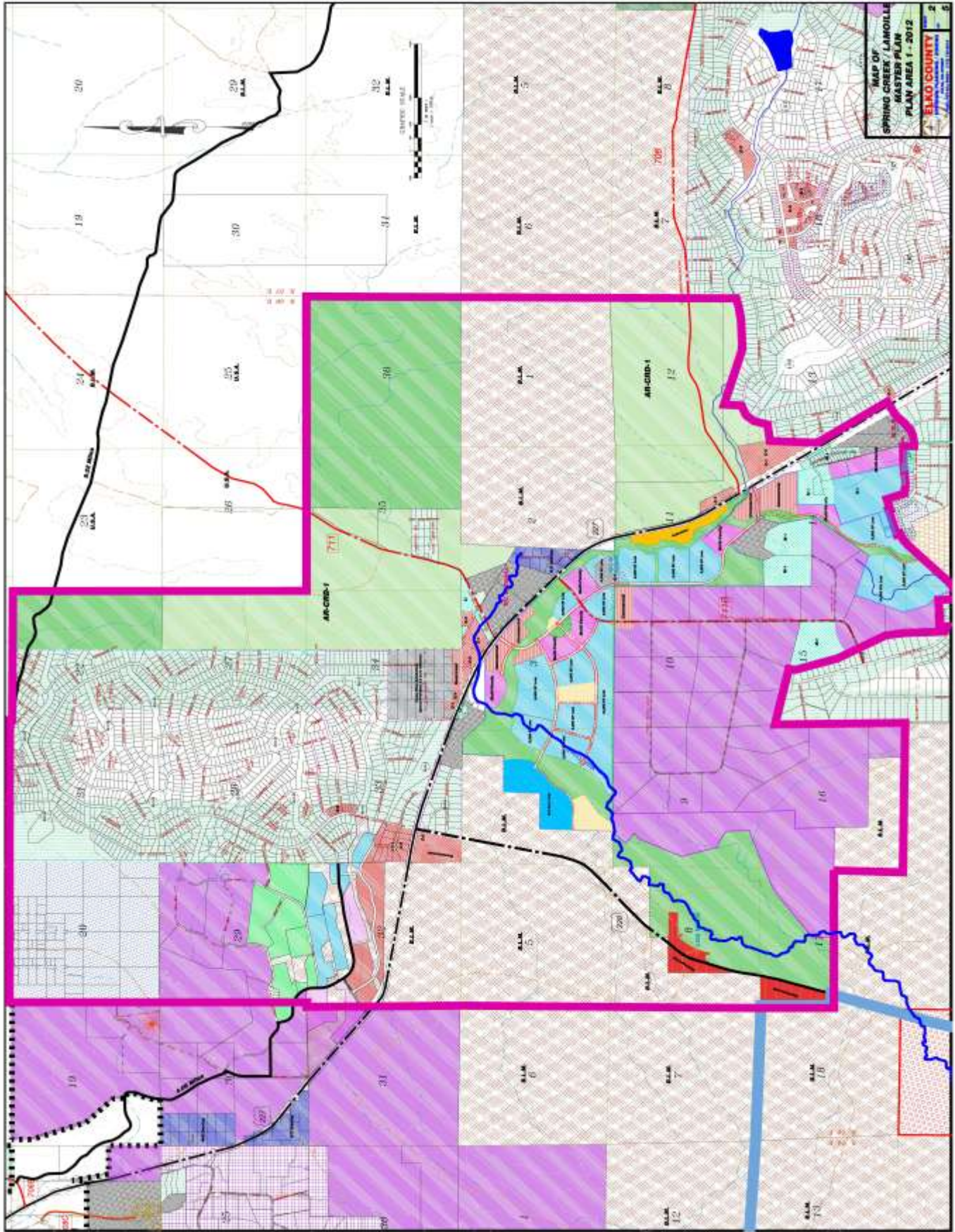
**Appendix II**  
**2012**  
**Spring Creek / Lamoille**  
**Phase Boundary Map**





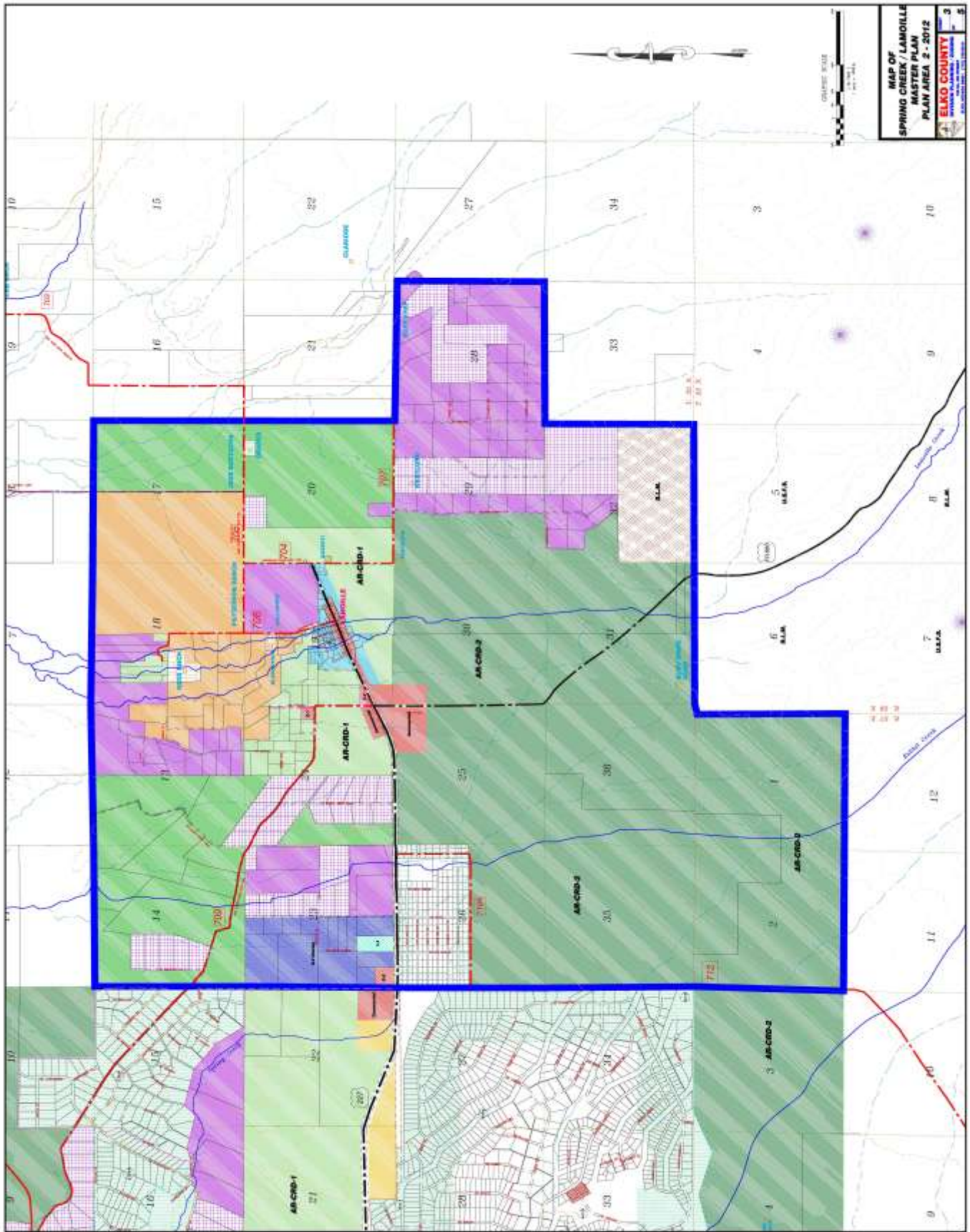
**Appendix III**  
**2012**  
**Spring Creek / Lamoille**  
**Master Plan**  
**Plan Area I Map**





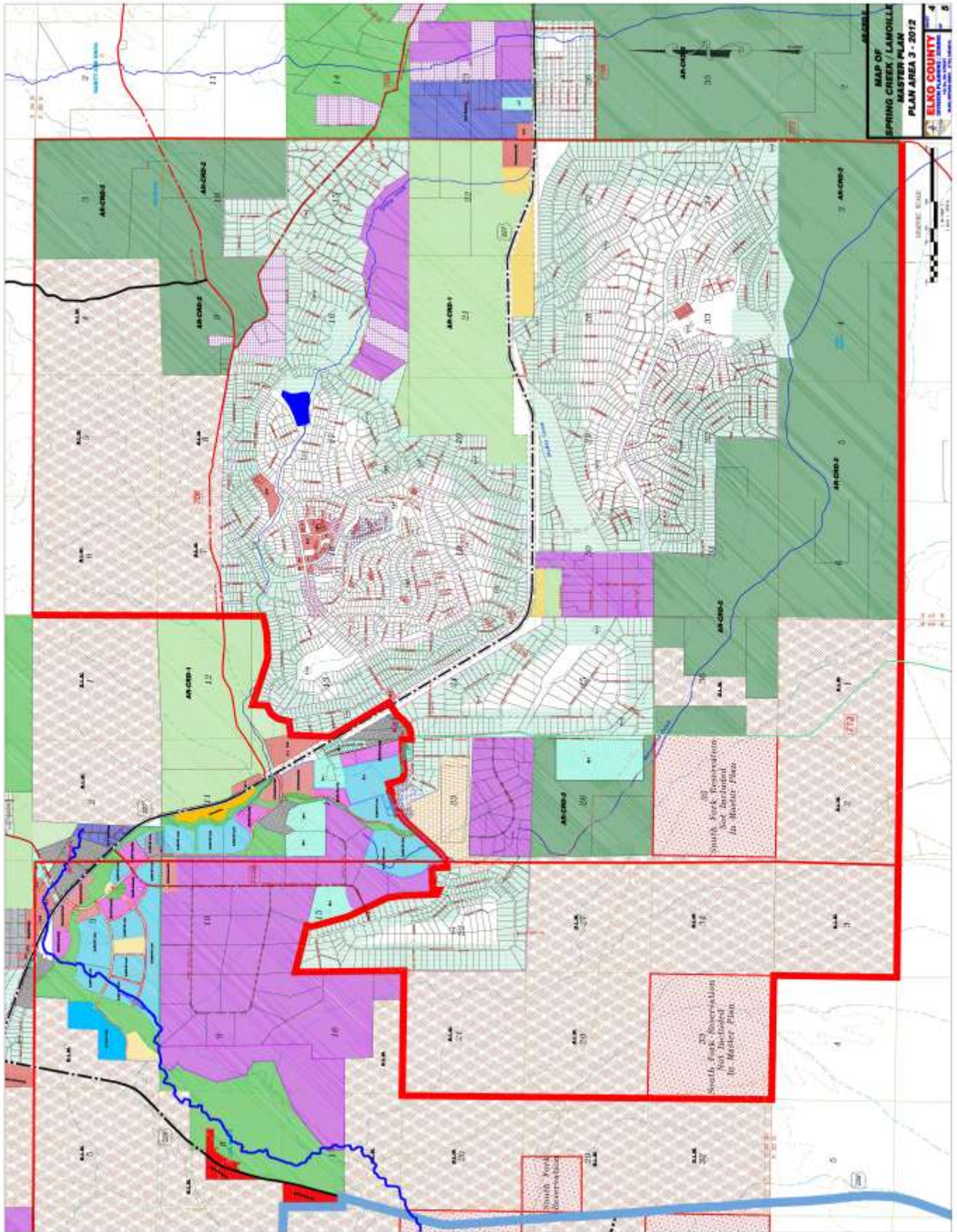
**Appendix IV**  
**2012**  
**Spring Creek / Lamoille**  
**Master Plan**  
**Plan Area II Map**





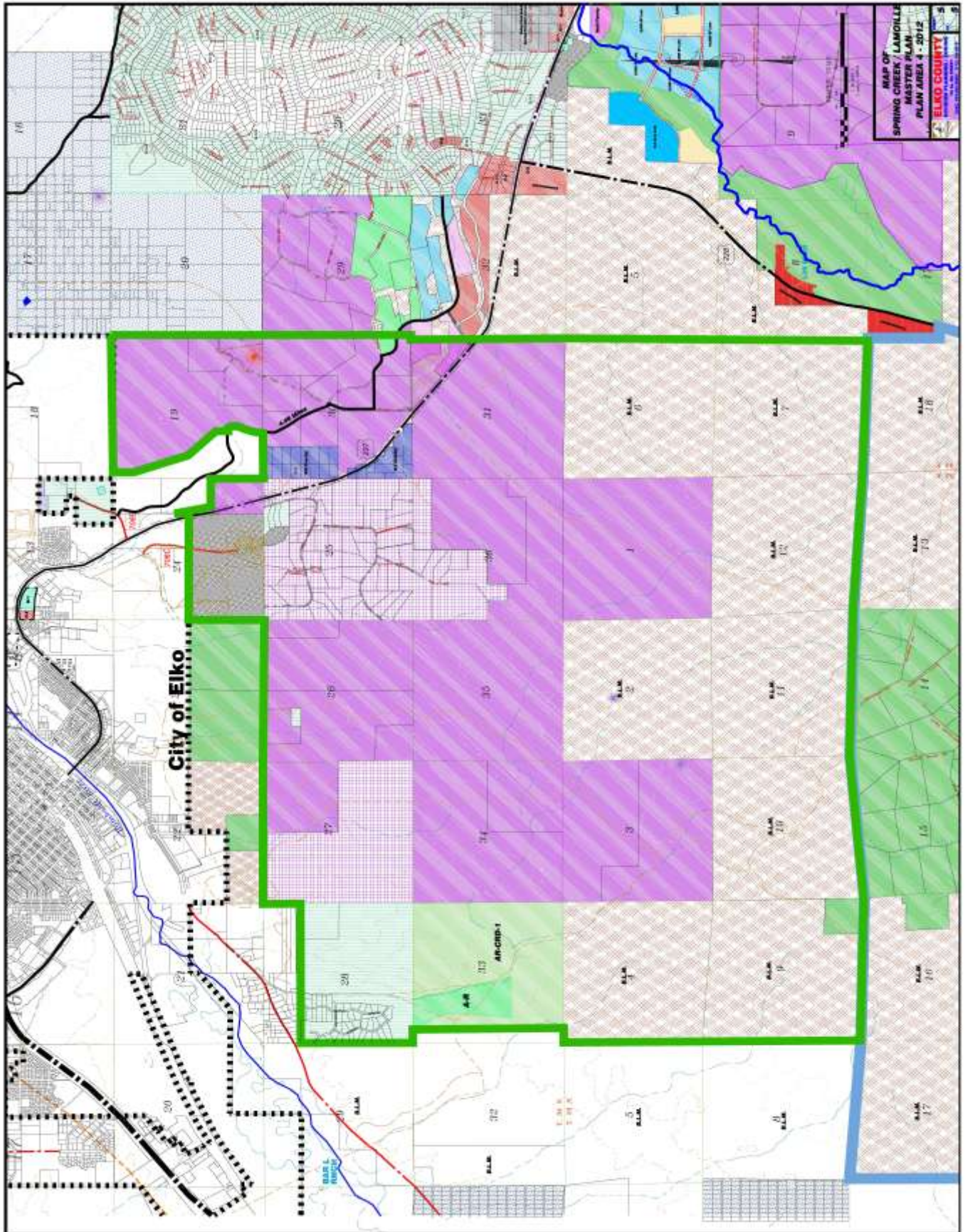
**Appendix V**  
**2012**  
**Spring Creek / Lamoille**  
**Master Plan**  
**Plan Area III Map**





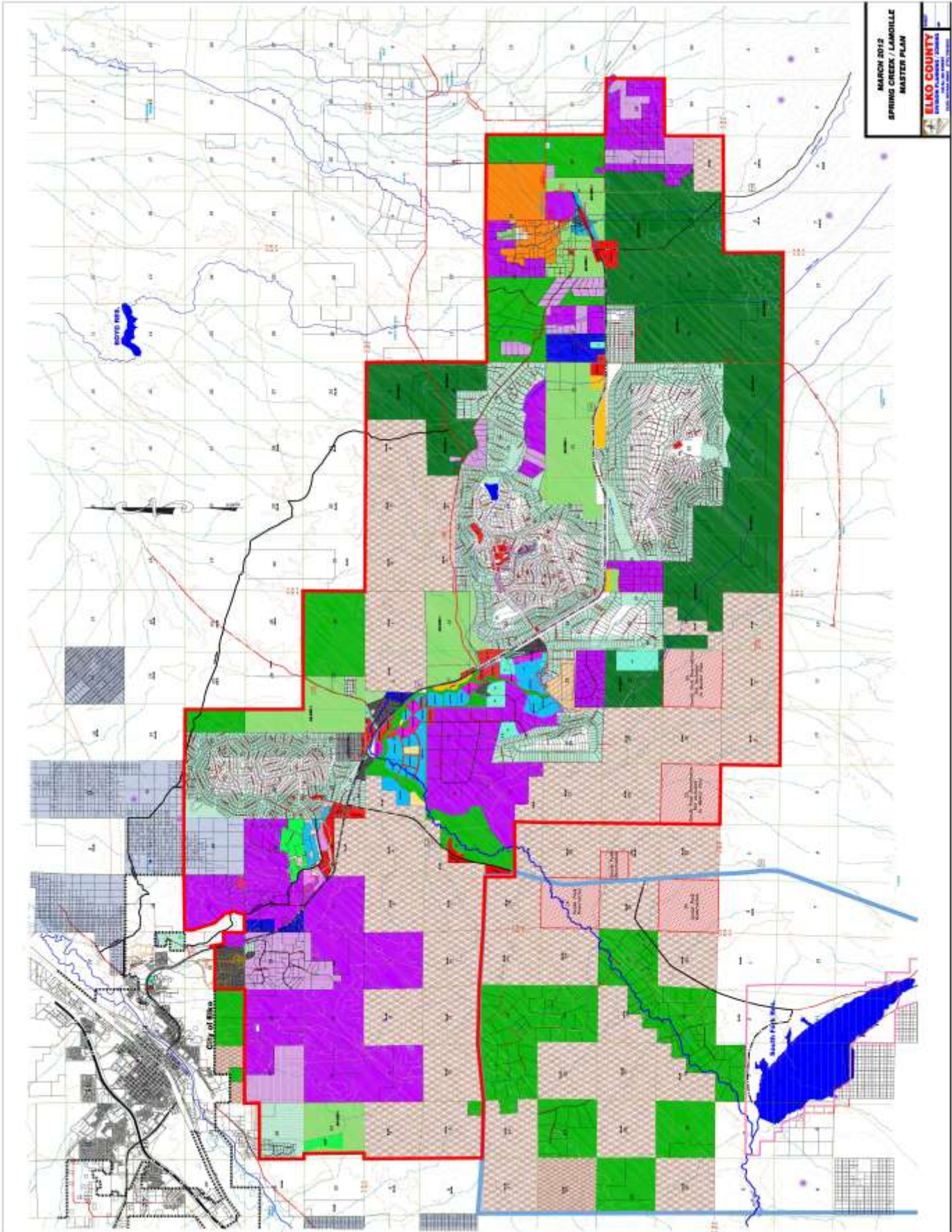
**Appendix VI**  
**2012**  
**Spring Creek / Lamoille**  
**Master Plan**  
**Plan Area IV Map**





**Appendix VII**  
**2012**  
**Master Plan**  
**Overall Boundary**





# Appendix VIII

## 2012

### Elko County Code Title 4

### Zoning Districts

#### ELKO COUNTY ZONING

#### TITLE 4

#### CHAPTER 2

#### AGRICULTURAL DISTRICTS

**4-2-1: OS, OPEN SPACE DISTRICT:** The Open Space exclusive district is intended to provide protection for agricultural areas from urban development of residential subdivisions, and to serve as an open space area around the more intensive urban uses of the County of Elko. Noncommercial seasonal recreation activities not requiring fixed improvements including hunting, fishing, camping, horseback riding, ballgames, archery, picnicking, snowmobiling, skiing and similar uses allowed. (Ord. 1975-A, 3-5-75, eff. 4-1-75)

**(A) Permitted Uses:** The following principal uses are permitted in the OS District provided there is full compliance with the definition of agriculture:

1. Botanical conservatory
2. Field and truck crops
3. Orchards and vineyards
4. Nurseries and greenhouses
5. Crop drying
6. Dairies and the processing of dairy products
7. Animal breeding and raising, including horses, swine, sheep, goats, cattle, rabbits and similar animals
8. Aviary
9. Riding academies and stables
10. Poultry raising, eggs and hatcheries
11. Hay and straw sale and storage
12. Pasture
13. Livestock ranches
14. Vegetable or flower farms
15. Necessary housing for farm workers whose employment is necessary to agricultural operations conducted on the same parcel of land
16. Apiary (beehives)
17. Home occupations

**(B) Conditional Uses:** The following are conditional uses in the OS District, permitted only when authorized by the Planning Commission:

1. Recreational lodge
2. Church
3. School, attendance at which satisfies the requirements of the compulsory education laws of the State
4. Utility or public service facility, when operating requirements necessitate its location within the District
5. Park, playground or community recreation area operated by a governmental agency or nonprofit community organization

- 6. Golf course
- 7. Permanent farm labor camp
- 8. Bed and breakfast (Ord. 1975-A, 3-5-75, eff. 4-1-75; amd. Ord. 1993-U, 1-6-94, eff. 1-24-94)

(C) **Accessory Uses:** Subject to the above provisions, uses customarily incidental to any of the listed permitted uses may be maintained, and specifically the following:

- 1. Residence of the owner, owners, lessee or lessor of the kind upon which use is conducted
- 2. Residence of bona fide employees
- 3. Approved incidental uses pertaining to conditional uses when authorized by the Planning Commission
- 4. All necessary farm storage, administration or other buildings or enclosures customarily required for the efficient operation of any of the permitted uses (Ord. 1975-A, 3-5-75, eff. 4-1-75)

(D) **Minimum Parcel Size:** The minimum parcel size of land in an open space zoning district shall be forty (40) acres. No parcel shall have an average width of less than five hundred feet (500'). (Ord. 1994-H, 7-7-94, eff. 8-1-94)

(E) **Yards:** The minimum requirements for yards shall be as follows:

- Front yard.....50 feet
- Rear yard.....30 feet
- Side yard.....20 feet

(Ord. 1975-A, 3-5-75, eff. 4-1-75)

**4-2-2: SL, SPECIAL LANDS DISTRICT:** The Special Lands District is intended for application to open space zoned rural and rural-urban lands that no longer meet the agricultural land classification use. Special lands are acreage land. Such land is identifiable by location, sales price or use, including rural-urban lands which are subdivided into lots or parcels outside the city or town limits. Special lands are not a part of a platted townsite or platted and approved subdivision that has a final map on file with Elko County designating specific lots and/or parcels.

The Special Lands District is intended to provide the proper zoning for Open Space District land that no longer meets the agricultural land classification. Special Lands Districts will provide permitted uses of land that would be nonconforming under Open Space District zoning. The Special Lands District is intended to provide areas primarily for rural or estate-type living, but allowing certain hobby and/or recreational-agricultural pursuits to be maintained on land parcels of at least ten (10) acres. Parcels that would be less than ten (10) acres shall be considered for AR, Agricultural-Residential District zoning. (Ord. 1975-A, 3-5-75, eff. 4-1-75)

(A) **Permitted Uses:** The following uses are permitted in the SL District:

- 1. Single-family dwellings not to exceed one unit on each parcel of land
- 2. Orchards
- 3. Vegetable crops
- 4. Public parks and campgrounds
- 5. Nurseries and greenhouses
- 6. Private stables
- 7. Home occupations
- 8. Small animal raising
- 9. Agricultural uses that are not in full compliance with the definition of agriculture because the income derived from the operation is supplemental rather than a full-time commercial operation, as follows:
  - (a) Gardens
  - (b) Pasture
  - (c) Field and truck crops
  - (d) Hay and forage crops
  - (e) Vegetable or flower farms
  - (f) Aviary
  - (g) Apiary (beehives)

**(B) Conditional Uses:** The following are conditional uses in the SL District, permitted only when authorized by the Planning Commission:

1. Schools
2. Libraries
3. Museums
4. Churches
5. Retreats
6. Monasteries
7. Convents
8. Riding academies
9. Noncommercial clubs (Ord. 1993-U, 1-6-94, eff. 1-24-94)

**(C) Minimum Parcel Size:** The minimum land parcel size for any permitted use shall be ten (10) acres. No parcel shall have an average width of less than five hundred feet (500').

**(D) Yards:** The minimum requirements for yards shall be as follows:

Front yard	50 feet
Rear yard	30 feet
Side yard	20 feet

**(E) Building Height:** No building or structure shall have more than three (3) stories or a height in excess of forty feet (40'). No accessory building shall have a height in excess of twenty feet (20').

**(F) Automobile Parking:** For each dwelling unit, two (2) off-street parking spaces shall be provided. For other permitted or conditional uses, parking shall be as approved by the Planning Commission.

**(G) Signs:** No sign or nameplate for residences shall exceed three (3) square feet in size. For conditional uses, signs shall be controlled by the requirements of Chapter 8 of this Title.

**(H) Maintenance of Animals:** The permanent maintenance of not more than a reasonable number of horses, sheep, cows or fowl per one acre and on a lot occupied by a dwelling shall be a permitted accessory use so long as such maintenance is for hobby or family use and is in no way a full-time commercial operation. Animals other than those designated shall require Planning Commission approval. The following limitations shall apply:

1. No accessory building used as a stable for any animals shall be located less than thirty five feet (35') from any dwelling or less than twenty feet (20') from any lot line, or less than sixty feet (60') from any front lot line, any school grounds or any public park or open space.

2. No paddock or other open space set off for use by horses shall occupy any part of a required front yard, or sheds, corrals or barns for any other animals.

**(I) Implementation:** Special Lands Districts will be zoned on a per case basis. When a land owner intends to develop or improve open space land that meets the special lands definition, the land owner shall apply for a change of zoning. The application for a change of zoning on land use shall be approved by the Planning Commission. (Ord. 1975-A, 3-5-75, eff. 4-1-75)

**4-2-3: AR, AGRICULTURAL-RESIDENTIAL DISTRICT:** The Agricultural-Residential District is intended to provide areas primarily for rural or estate-type living, but allowing certain "hobby and/or recreation" agricultural pursuits to be maintained on land parcels of at least one acre.

**(A) Permitted Uses:** The following uses are permitted in the AR District:

1. Single-family dwellings not to exceed one unit on each parcel of land
2. Orchards
3. Vegetable crops

4. Gardens
5. Rodeo and roping arenas
6. Public parks and campgrounds
7. Nurseries and greenhouses
8. Private stables
9. Home occupations

**(B) Conditional Uses:** The following are conditional uses in the AR District, permitted only when authorized by the Planning Commission:

1. Schools
2. Libraries
3. Museums
4. Churches
5. Retreats
6. Monasteries
7. Convents
8. Riding academies
9. Resort hotels
10. Noncommercial clubs
11. Golf courses
12. Country clubs
13. Riding and polo fields
14. Invalid or invalid caretaker secondary housing. A secondary independent living unit on a lot or parcel already developed to the maximum density allowed in the District, for the housing of an invalid family member or a caretaker of an invalid family member residing in the primary residence on the parcel, subject to the following:
  - (a) The dwelling may be attached or detached from the primary residence. A mobile home may not be attached to the primary residence.
  - (b) The floor area of the secondary dwelling may not exceed that of the primary dwelling.
  - (c) The conditional use permit must be reviewed within two (2) years and every two (2) years thereafter.
  - (d) The secondary dwelling must be removed if it is a mobile structure when it is no longer used for invalid or invalid caretaker housing. In the case of an attached or conventionally constructed dwelling where removal is impractical, the unit may not be utilized as rental housing. (Ord. 1993-U, 1-6-94, eff. 1-24-94)

**(C) Minimum Parcel Size:** The minimum land parcel size for any permitted use shall be one acre. No parcel shall have an average width of less than one hundred fifty feet (150').

**(D) Yards:** The minimum requirements for yards shall be as follows:

- Front yard.....50 feet
- Rear yard.....30 feet
- Side yard.....20 feet

**(E) Building Height:** No building or structure shall have more than three (3) stories or a height in excess of forty feet (40'). No accessory building shall have a height in excess of twenty feet (20').

**(F) Automobile Parking:** For each dwelling unit, two (2) off-street parking spaces shall be provided. For other permitted or conditional uses, parking shall be as approved by the Planning Commission.

**(G) Signs:** No sign or nameplate for residences shall exceed three (3) square feet in size. For conditional uses, signs shall be controlled by the requirements of Chapter 8 of this Title.

**(H) Maintenance of Animals:** The permanent maintenance of not more than a reasonable number of horses, sheep, cows or fowl per one acre and on a lot occupied by a dwelling shall be a permitted accessory use so long as such maintenance is for hobby or family use only and is in no way a full-time commercial operation. Animals other than those designated shall require Planning Commission approval. The following limitations shall apply:

1. No accessory building used as a stable for any animals shall be located less than thirty five feet (35') from any dwelling or less than twenty feet (20') from any lot line, or less than sixty feet (60') from any front lot line, any school grounds or any public park or open space.

2. No paddock or other open space set off for use by horses shall occupy any part of a required front yard, or sheds, corrals or barns for any other animals. (Ord. 1975-A, 3-5-75, eff. 4-1-75)

**4-2-4: A, AGRICULTURAL-RECREATION DISTRICT:** The A, Agricultural-Recreational District is intended to provide for commercially operated dude ranching, resorts and other commercial recreation activities, but also including agricultural operations, farming and animal raising. It is also intended to provide areas for the development of "residential ranches" or vacation homes in a primarily ranch-type setting. (Ord. 1975-A, 3-5-75, eff. 4-1-75)

**(A) Permitted Uses:** The following uses are permitted in the A District:

1. Single-family dwelling not to exceed one unit on each parcel of land
2. Lodge, with gaming and entertainment
3. Dude ranches
4. Ski facilities
5. Golf courses
6. Parks, playgrounds, campgrounds
7. Customary accessory uses and buildings
8. Home occupations (Ord. 1993-U, 1-6-94, eff. 1-24-94)

**(B) Conditional Uses:** The following are conditional uses in the A District, permitted only when authorized by the Planning commission:

1. Mobile home park
2. Churches
3. Schools, libraries, museums
4. Utility or public service facilities
5. Motels or hotels
6. Eating and drinking establishments
7. Single-family dwellings of a permanent nature
8. Convents, monasteries, retreats
9. Similar uses to those permitted which in the judgment of the Planning Commissioners are allowable as a conditional use
10. Livestock ranches
11. Skeet and trap range
12. Invalid or invalid caretaker secondary housing. A secondary independent living unit on a lot or parcel already developed to the maximum density allowed in the District, for the housing of a invalid family member or a caretaker of an invalid family member residing in the primary residence on the parcel subject to the following:
  - (a) The dwelling may be attached or detached from the primary residence. A mobile home may not be attached to the primary residence.
  - (b) The floor area of the secondary dwelling may not exceed that of the primary dwelling.
  - (c) The conditional use permit must be reviewed within two (2) years and every two (2) years thereafter.
  - (d) The secondary dwelling must be removed if it is a mobile structure when it is no longer used for invalid or invalid caretaker housing. In the case of an attached or conventionally constructed dwelling where removal is impractical, the unit may not be utilized as rental housing. (Ord. 1975-A, 3-5-75, eff. 4-1-75; amd. Ord. 1993-U, 1-6-94, eff. 1-24-94)

**(C) Minimum Parcel Size:** The minimum land parcel size for any permitted use shall be five (5) acres. No parcel shall have an average width of less than three hundred fifty feet (350').

**(D) Yards:** The minimum requirements for yards shall be as follows:

Front yard..... 50 feet  
Rear yard..... 30 feet  
Side yard..... 20 feet

**(E) Building Height Limits:** None.

**(F) Parking Requirements:** None. (Ord. 1975-A, 3-5-75, eff. 4-1-75)

**4-2-5: AR-CRD-1 AGRICULTURE - RESIDENTIAL CONSERVATION RESERVE DISTRICT:** The

Agricultural-Residential Conservation Reserve District 1 is intended to provide areas primarily for rural or estate-type living, but allowing certain "hobby and/or recreation" agricultural pursuits to be maintained on land parcels of at least two and one half (2.5) acres. The AR-CRD-1 District is intended to identify outlying lands that may be developed, but where the character of the land is suitable for moderate density development due to, but not limited to such factors as water availability, fire protection / emergency services and topography.

**(A) Permitted Uses:**

1. Single-family dwellings not to exceed one unit on each parcel of land
2. Orchards
3. Vegetable crops
4. Gardens
5. Rodeo and roping arenas
6. Public parks and campgrounds
7. Nurseries and greenhouses
8. Private stables
9. Home occupations

**(B) Conditional Uses:**

1. Schools
2. Libraries
3. Museums
4. Churches
5. Retreats
6. Monasteries
7. Convents
8. Riding academies
9. Resort hotels
10. Noncommercial clubs
11. Golf courses
12. Country clubs
13. Riding and polo fields
14. Invalid or invalid caretaker secondary housing. A secondary independent living unit on a lot or parcel already developed to the maximum density allowed in the District, for the housing of an invalid family member or a caretaker of an invalid family member residing in the primary residence on the parcel, subject to the following:
  - (a) The dwelling may be attached or detached from the primary residence. A mobile home may not be attached to the primary residence.
  - (b) The floor area of the secondary dwelling may not exceed that of the primary dwelling.
  - (c) The conditional use permit must be reviewed within two (2) years and every two (2) years thereafter.
  - (d) The secondary dwelling must be removed if it is a mobile structure when it is no longer used for invalid or invalid caretaker housing. In the case of an attached or conventionally constructed dwelling where removal is impractical, the unit may not be utilized as rental housing. (Ord. 1993-U, 1-6-94, eff. 1-24-94)

**(C) Accessory Uses, AR-CRD-1 Districts:** In addition to the general regulations governing accessory uses, the following specific limitations and special regulations shall apply in an AR-CRD-1 district: (*same as R3*)

1. Not more than one room in a dwelling unit shall be rented to a lodger, and no room shall be rented to more than two (2) persons.
2. Recreational Vehicles / Camper Units / Boats owned and licensed by the property owner may be stored on any lot interior as to meet all setback limits. Recreational Vehicles / Camper Units / Boats not owned and licensed by the property owner shall not be stored on any portion of the lot.
3. Childcare as a home occupation is permitted for not more than three (3) children other than members of the resident family.
4. A non-permanentized accessory building may occupy part of the rear half of a required interior side yard or part of a required rear yard; provided that an equal area of open space exclusive of required yard space is provided elsewhere on the lot, and that no such non-permanentized building be distant less than three feet (3') from any lot line.

**(D) Minimum Parcel Size:** The minimum land parcel size in an AR-CRD-1 district shall have an area between two and one half (2.5) and five (5.0) acres”, and a minimum width of three hundred feet (300').

**(E) Yards:** The minimum requirements for yards in AR-CRD-1 districts shall be as follows:

Depth of front yard	50 feet
Depth of rear yard	30 feet
Width of side yards	20 feet

In no event shall any structure be located closer than fifty feet (50') from the right of way of any state, county or federal highway.

**(F) Height:** No building shall have a height of more than forty feet (40').

**(G) Signs:** No sign shall have an area in excess of nine (9) square feet.

**(H) Parking:** All vehicles must be parked off the street. (Ord. 1981-E, 7-9-1981, eff. 8-1-1981)

**(I) Maintenance of Animals:** The permanent maintenance of not more than a reasonable number of horses, sheep, cows or fowl per two and one half (2.5) acre parcel and on a lot occupied by a dwelling shall be a permitted accessory use so long as such maintenance is for hobby or family use only and is in no way a full-time commercial operation. Animals other than those designated shall require Planning Commission approval. The following limitations shall apply:

1. No accessory building used as a stable for any animals shall be located less than thirty five feet (35') from any dwelling or less than twenty feet (20') from any lot line, or less than sixty feet (60') from any front lot line, any school grounds or any public park or open space.
2. No paddock or other open space set off for use by horses shall occupy any part of a required front yard, or sheds, corrals or barns for any other animals. (Ord. 1975-A, 3-5-75, eff. 4-1-75)

**4-2-6: AR-CRD-2 AGRICULTURE - RESIDENTIAL CONSERVATION RESERVE DISTRICT:** The

Agricultural-Residential Conservation Reserve District 1 is intended to provide areas primarily for rural or estate-type living, but allowing certain "hobby and/or recreation" agricultural pursuits to be maintained on land parcels of at least five acres. The AR-CRD-2 District is intended to identify outlying lands that may be developed, but where the character of the land is suitable for moderate to low density development due to, but not limited to such factors as water availability, fire protection / emergency services and topography.

**(A) Permitted Uses:**

1. Single-family dwellings not to exceed one unit on each parcel of land
2. Orchards
3. Vegetable crops
4. Gardens
5. Rodeo and roping arenas

6. Public parks and campgrounds
7. Nurseries and greenhouses
8. Private stables
9. Home occupations
10. Agricultural uses that are not in full compliance with the definition of agriculture because the income derived from the operation is supplemental rather than a full-time commercial operation, as follows:
  - (a) Gardens
  - (b) Pasture
  - (c) Field and truck crops
  - (d) Hay and forage crops
  - (e) Vegetable or flower farms
  - (f) Aviary
  - (g) Apiary (beehives)

**(B) Conditional Uses:**

1. Schools
2. Libraries
3. Museums
4. Churches
5. Retreats
6. Monasteries
7. Convents
8. Riding academies
9. Resort hotels
10. Noncommercial clubs
11. Golf courses
12. Country clubs
13. Riding and polo fields
14. Invalid or invalid caretaker secondary housing. A secondary independent living unit on a lot or parcel already developed to the maximum density allowed in the District, for the housing of an invalid family member or a caretaker of an invalid family member residing in the primary residence on the parcel, subject to the following:
  - (a) The dwelling may be attached or detached from the primary residence. A mobile home may not be attached to the primary residence.
  - (b) The floor area of the secondary dwelling may not exceed that of the primary dwelling.
  - (c) The conditional use permit must be reviewed within two (2) years and every two (2) years thereafter.
  - (d) The secondary dwelling must be removed if it is a mobile structure when it is no longer used for invalid or invalid caretaker housing. In the case of an attached or conventionally constructed dwelling where removal is impractical, the unit may not be utilized as rental housing. (Ord. 1993-U, 1-6-94, eff. 1-24-94)

**(C) Accessory Uses, AR-CRD-2 Districts:** In addition to the general regulations governing accessory uses, the following specific limitations and special regulations shall apply in an AR-CRD-2 district:

1. Not more than one room in a dwelling unit shall be rented to a lodger, and no room shall be rented to more than two (2) persons.
2. Recreational Vehicles / Camper Units / Boats owned and licensed by the property owner may be stored on any lot interior as to meet all setback limits. Recreational Vehicles / Camper Units / Boats not owned and licensed by the property owner shall not be stored on any portion of the lot.
3. Childcare as a home occupation is permitted for not more than three (3) children other than members of the resident family.
4. A non-permanentized accessory building may occupy part of the rear half of a required interior side yard or part of a required rear yard; provided that an equal area of open space exclusive of required yard space is provided elsewhere on the lot, and that no such non-permanentized building be distant less than three feet (3') from any lot line.

**(D) Minimum Parcel Size:** The minimum land parcel size in an AR-CRD-2 district shall have an area between five (5) and ten (10.0) acres”, and a minimum width of four hundred feet (400’).

(E) **Yards:** The minimum requirements for yards in AR-CRD-2 districts shall be as follows:

Depth of front yard      50 feet  
Depth of rear yard        30 feet  
Width of side yards       20 feet

In no event shall any structure be located closer than fifty feet (50') from the right of way of any state, county or federal highway.

(F) **Height:** No building shall have a height of more than forty feet (40').

(G) **Signs:** No sign shall have an area in excess of nine (9) square feet.

(H) **Parking:** All vehicles must be parked off the street. (Ord. 1981-E, 7-9-1981, eff. 8-1-1981)

(I) **Maintenance of Animals:** The permanent maintenance of not more than a reasonable number of horses, sheep, cows or fowl per five (5) acre parcel and on a lot occupied by a dwelling shall be a permitted accessory use so long as such maintenance is for hobby or family use only and is in no way a full-time commercial operation. Animals other than those designated shall require Planning Commission approval. The following limitations shall apply:

1. No accessory building used as a stable for any animals shall be located less than thirty five feet (35') from any dwelling or less than twenty feet (20') from any lot line, or less than sixty feet (60') from any front lot line, any school grounds or any public park or open space.
2. No paddock or other open space set off for use by horses shall occupy any part of a required front yard, or sheds, corrals or barns for any other animals. (Ord. 1975-A, 3-5-75, eff. 4-1-75)

### CHAPTER 3

#### RESIDENTIAL DISTRICTS

**4-3-1: RESIDENCE DISTRICTS:** Certain districts, designated herein by the primary symbol "R", are established to provide a means of regulating the distribution and density of population. The specific regulations for each of them are subject to all the general provisions of Chapter 6 of this Title. (Ord. 1975-A, 3-5-75, eff. 4-1-75)

**4-3-2: R1 ONE- AND TWO-FAMILY RESIDENCE DISTRICTS:** The one- and two-family residence districts, designated herein by the primary symbol R1, dwellings, and to provide space in suitable locations for additional development of this kind, with appropriate community facilities.

The R1 Districts may be divided into several density categories and the suffix number shall indicate the minimum lot area in each density class according to the following system:

R1-6,000            = 6,000 square feet lot area minimum  
R1-8,000            = 8,000 square feet lot area minimum  
R1-10,000          = 10,000 square feet lot area minimum  
R1-15,000          = 15,000 square feet lot area minimum  
R1-0.5              = One half acre lot area minimum  
R1-1.0               = One acre lot area minimum

(A) **Permitted Uses, R1 Districts:** The following principal uses are permitted in an R1 District:

1. One one-family dwelling on a lot or one two-family dwelling on a lot
2. Garden, orchard, field crop; where no building is involved. (Ord. 1975-A, 3-5-75, eff. 4-1-75)

(B) **Conditional Uses, R1 Districts:** The following are conditional uses in an R1 District; permitted only when authorized by the Planning Commission:

1. Church
2. School, attendance at which satisfies the requirements of the compulsory education laws of the State
3. Utility or public service facility, when operating requirements necessitate its location within the District, but not including a storage garage, machine shop or corporation yard
4. Recreation facility owned and maintained by an agency of any city, the County, the State or Federal agencies
5. Community clubhouse
6. Parking lot, when established to fulfill the parking space requirements of a use occupying abutting property
7. Invalid or invalid caretaker secondary housing. A secondary independent living unit on a lot or parcel already developed to the maximum density allowed in the District, for the housing of an invalid family member or a caretaker of an invalid family member residing in the primary residence on the parcel, subject to the following:
  - (a) The dwelling may be attached or detached from the primary residence. A mobile home may not be attached to the primary residence.
  - (b) The floor area of the secondary dwelling may not exceed that of the primary dwelling.
  - (c) The conditional use permit must be reviewed within two (2) years and every two (2) years thereafter.
  - (d) The secondary dwelling must be removed if it is a mobile structure when it is no longer used for invalid or invalid caretaker housing. In the case of an attached or conventionally constructed dwelling where removal is impractical, the unit may not be utilized as rental housing. (Ord. 1975-A, 3-5-1975, eff. 4-1-1975; amd. Ord. 1993-U, 1-6-1994, eff. 1-24-1994)

**(C) Accessory Uses, R1 Districts:** In addition to the general regulations governing accessory uses, the following specific limitations and special regulations shall apply in an R1 district:

1. Not more than one room in a dwelling unit shall be rented to a lodger, and no room shall be rented to more than two (2) persons.
2. Not more than one mobile home or sports camper shall be stored on any lot, and no vehicle so stored shall be occupied or be stored in the open except in an area where accessory buildings are permitted.
3. Childcare as a home occupation is permitted for not more than three (3) children other than members of the resident family.
4. An accessory building may occupy part of the rear half of a required interior side yard or part of a required rear yard; provided that an equal area of open space exclusive of required yard space is provided elsewhere on the lot, and that no such building be distant less than three feet (3') from any lot line.

**(D) Building Site Area, R1 Districts:** Except as otherwise specified in the case of density classes, every building site in an R1 district shall have an area not less than six thousand (6,000) square feet and an average width not less than sixty feet (60').

**(E) Yards, R1 Districts:** The minimum requirements for yards in R1 districts shall be as follows:

Depth of front yard, subject to the exceptions set forth by the General Regulations, Chapter 6..... 20 feet

Depth of rear yard.....20 feet

Width of side yard along the street lot line of a corner lot.....10 feet

(Ord. 1975-A, 3-5-1975, eff. 4-1-1975)

Width of side yard along interior side lot line.....5 feet

(Ord. 2000-H, 12-7-2000, eff. 12-26-2000)

**(F) Height of Buildings, R1 Districts:** No dwelling in an R1 district shall have more than two and one-half (2 ½) stories or a height in excess of thirty five feet (35'). No accessory building shall have a height in excess of fifteen feet (15').

- (G) **Signs, R1 Districts:** No nameplate in an R1 district shall have an area in excess of four inches by sixteen inches (4" x 16"). Not more than two (2) sale or lease signs shall be placed on any lot, nor shall any such sign have an area in excess of nine (9) square feet.
- (H) **Extension Of Dwelling, R1 Districts:** In an R1 district, an existing dwelling may be enlarged by an extension so as to occupy not more than thirty percent (30%) of the area of a required rear yard; provided that the coverage limitation is not exceeded, and that no such extension shall exceed one story in height or be less than five feet (5') from any lot line. An existing garage located in a side or rear yard may be connected to a main building by an addition if it is located not less than three feet (3') from any lot line and is used exclusively to provide automobile parking space.
- (I) **Parking Requirements, R1 Districts:** Two (2) spaces are required for each dwelling unit. (Ord. 1975-A, 3-5-1975, eff. 4-1-1975)

**4-3-3: R2 MULTI-FAMILY RESIDENTIAL DISTRICT:** The medium density multi-family residential district, designated herein by the symbol R2, is intended to protect established neighborhoods of such dwellings and to provide space suitable in appropriate locations for additional housing developments of this kind such as garden apartments, townhouses, duplexes and similar dwellings, including condominium developments.

(A) **Permitted Uses:** The following principal uses are permitted in an R2 district:

1. One-family dwelling, two-family dwelling.
2. Multiple dwelling.
3. Garden, orchard, field crop; where no building is involved. (Ord. 1975-A, 3-5-1975, eff. 4-1-1975)

(B) **Conditional Uses; R2 Districts:** The following are conditional uses in an R2 district, permitted only when authorized by the planning commission:

1. Church, school, recreational, utility or service facility, all as limited and regulated in R1 districts.
2. Community clubhouse.
3. Parking lot.
4. Boarding house.
5. Rest home.
6. Mobile home park.
7. Fraternal clubs.
8. Invalid or invalid caretaker secondary housing. A secondary independent living unit on a lot or parcel already developed to the maximum density allowed in the district, for the housing of an invalid family member or a caretaker of an invalid family member residing in the primary residence on the parcel, subject to the following:
  - (a) The dwelling may be attached or detached from the primary residence. A mobile home may not be attached to the primary residence.
  - (b) The floor area of the secondary dwelling may not exceed that of the primary dwelling.
  - (c) The conditional use permit must be reviewed within two (2) years and every two (2) years thereafter.
  - (d) The secondary dwelling must be removed if it is a mobile structure when it is no longer used for invalid or invalid caretaker housing. In the case of an attached or conventionally constructed dwelling where removal is impractical, the unit may not be utilized as rental housing. (Ord. 1975-A, 3-5-1975, eff. 4-1-1975; amd. Ord. 1993-U, 1-6-1994, eff. 1-24-1994)

(C) **Accessory Uses:** Same as R1.

(D) **Building Site Area:** Every building site in the R2 district shall have an area of not less than ten thousand (10,000) square feet. The minimum width of a lot shall be seventy five feet (75').

(E) **Yards:** The minimum requirements for yards in the R2 district shall be as follows:

- Depth of front yard.....15 feet
- Depth of rear yard.....10 feet
- Width of side yard.....5 feet

(F) **Height of Building:** No building in an R2 district shall have more than four (4) stories or a height in excess of fifty feet (50').

(G) **Signs:** Same as R1.

(H) **Parking:** Off-street parking spaces shall be provided on a parking lot or within a garage or carport at the ratio of one and one-half (1.5) spaces per dwelling unit. (Ord. 1975-A, 3-5-1975, eff. 4-1-1975)

**4-3-4: R3 CONSERVATION RESERVE DISTRICT:** The one-family residence districts, designated herein by the symbol R3, intended to identify outlying lands that may be developed, but where the character of the land is unsuitable for intensive development.

(A) **Permitted Uses:**

1. One one-family dwelling on a lot.
2. Garden, orchard, field crop. (Ord. 1981-E, 7-9-1981, eff. 8-1-1981)

(B) **Conditional Uses:**

1. Church.
2. School, attendance at which satisfies the requirements of the compulsory education laws of the state.
3. Recreation facility owned and maintained by an agency of any city, the county, the state or federal agencies.
4. Invalid or invalid caretaker secondary housing. A secondary independent living unit on a lot or parcel already developed to the maximum density allowed in the district, for the housing of an invalid family member or a caretaker of an invalid family member residing in the primary residence on the parcel, subject to the following:
  - (a) The dwelling may be attached or detached from the primary residence. A mobile home may not be attached to the primary residence.
  - (b) The floor area of the secondary dwelling may not exceed that of the primary dwelling.
  - (c) The conditional use permit must be reviewed within two (2) years and every two (2) years thereafter.
  - (d) The secondary dwelling must be removed if it is a mobile structure when it is no longer used for invalid or invalid caretaker housing. In the case of an attached or conventionally constructed dwelling where removal is impractical, the unit may not be utilized as rental housing. (Ord. 1981-E, 7-9-1981, eff. 8-1-1981; amd. Ord. 1993-U, 1-6-1994, eff. 1-24-1994)

(C) **Accessory Uses:** Same as R1.

(D) **Building Site Area:** Every building site in an R3 district shall have an area not less than two and one-half (2 ½) acres, and a minimum width of two hundred feet (200').

(E) **Yards:** The minimum requirements for yards in R3 districts shall be as follows:

- Depth of front yard.....50 feet
- Depth of rear yard.....50 feet
- Width of side yards.....20 feet

In no event shall any structure be located closer than fifty feet (50') from the right of way of any state, county or federal highway.

(F) **Height:** No building shall have a height of more than forty feet (40').

(G) **Signs:** No sign shall have an area in excess of nine (9) square feet.

- (H) **Parking:** All vehicles must be parked off the street. (Ord. 1981-E, 7-9-1981, eff. 8-1-1981)

## CHAPTER 4

### COMMERCIAL DISTRICTS

**4-4-1: COMMERCIAL DISTRICTS:** Certain classes of districts, designated herein by the primary symbol "C" and collectively referred to as Commercial or "C" Districts, are established to provide for the various types of shopping, service and business facilities. The specific regulations set forth for each in the following Sections are subject to all the general regulations of Chapter 8 of this Title.

**4-4-2: C1 GENERAL COMMERCIAL-RETAIL DISTRICTS:** The primary purpose of and application of this District shall be to provide suitable lands and locations of various retail, service and commercial activities, including gaming (Group I) and for the location of offices for professional services and for business activities which involve a relatively low volume of direct consumer contact; and to regulate such development (Group II).

#### **4-4-3: C1 GENERAL COMMERCIAL-RETAIL DISTRICTS; GROUP I:**

(A) **Permitted Uses:** The following principal uses are permitted in the C1 Group I category, when entirely conducted within an enclosed building:

1. Retail stores, including:

- Bakery
- Book or stationery store
- Confectionery store
- Drugstore, pharmacy
- Dry goods or notions store
- Florist or gift shop
- Grocery, fruit or vegetable stores
- Hardware or electrical appliance store
- Jewelry store
- Meat market or delicatessen store
- Apparel and department stores
- Amusement enterprises
- Antique stores
- Automobile and trailer sales provided that repair work be conducted wholly within a building
- Furniture stores
- Secondhand stores, if conducted wholly within completely enclosed building
- Bar, cocktail lounge and eating and drinking establishments
- Gaming and gambling establishments

2. Services:

- Bank
- Barber shop and beauty parlor
- Café or restaurant (including dancing or entertainment)
- Church
- Clothes cleaning agency and/or pressing establishment
- Club or lodge (non-profit), fraternal or religious association Community Center
- Dressmaker or millinery shop
- Clinic (human or animal)
- Laundry
- Photographer
- Post Office
- Shoe store and repair

- Tailor
- Motion picture theater
- Blueprinting or photostating
- Cleaning and pressing establishment
- Carpenter shop, if conducted wholly within a completely enclosed building and no more than five (5) persons are employed on the premises
- Conservatory of music
- Drive-in business
- Fortune telling, clairvoyance or astrology
- Interior decorating store
- Locksmith shop
- Massage
- Medicine and dental laboratories
- Mortuary
- Newspaper plants
- Public garage, including automobile repairing and incidental body work, painting or upholstering, if all operations are conducted wholly within a completely enclosed building. Provided, however, that where a public garage is located on a lot which does not abut an alley and is within sixty five feet (65') of a lot in any "R" District, the garage wall which parallels the nearest line of such district shall have no opening other than stationary windows
- Public services, including electric distributing substation, fire or police station, telephone exchange and similar uses
- Theater
- Wedding Chapel

3. Other uses similar to above if approved by the Planning Commission

**(B) Conditional Uses:** The following are conditional uses in the Group I category and shall be permitted only if approved by the Planning Commission:

- Frozen food locker plants (excluding wholesale processing or cold storage)
- Plumbing shop
- Printing, lithographing, publishing or reproducing
- Distributors of petroleum products if location is approved by Planning Commission
- Furniture warehouse, for storing personal household goods, provided the ground floor front is devoted to stores.
- Ice storage house if not more than five (5) ton capacity
- Trade school, if location is approved by the Planning Commission
- Stadium and commercial recreation enterprise (Ord. 1975-A, 3-5-75, eff. 4-1-75)
- Outdoor advertising signs (Ord. 1982-J, 9-8-82, eff. 10-1-82)

**(C) Parking:** One parking space shall be provided for each four hundred (400) square feet of usable floor area for all permitted and conditional uses in the Group I category.

**(D) Yards:** No requirements.

**(E) Height Limitations:** No building shall have a height in excess of fifty feet (50') or four (4) stories, or in excess of twenty feet (20') when located within fifty feet (50') of a Residential ®) District.

**(F) Building Site Area:** The minimum building site area or lot in this Group shall be ten thousand (10,000) square feet; the minimum width of a lot shall be seventy five feet (75').

#### 4-4-4: C1 GENERAL COMMERCIAL-RETAIL DISTRICTS; GROUP II:

**(A) Permitted Uses:** The following principal uses are permitted in a Group II category:

1. Office or office building for the conduct of business, professional or administrative services
2. Bank, loan agency
3. Church, library, exhibit hall, art gallery

4. Clinic, hospital
5. Clubhouse or rooms used by members of a lodge, union or society
6. Medical or dental laboratory

**(B) Conditional Uses:** The following are conditional uses and shall be permitted only if approved by the Planning Commission:

1. Pharmacy, limited to the sale of drugs and medical supplies
2. Restaurant or store needed to serve the occupants or existing buildings
3. Parking lot
4. Public utility substation or facility, not including any service yard or repair shop
5. Mortuary establishment (Ord. 1975-A, 3-5-75, eff. 4-1-75)
6. Outdoor advertising signs (Ord. 1982-J, 9-8-82, eff. 10-1-82)

**(C) Accessory Uses:** In a Group II category, a dwelling unit within a business building may be qualified as an accessory use if it is for occupancy by the owner or a lessee of business premises therein, or by a caretaker or watchman.

**(D) Yards:** The minimum yard requirements shall be as follows:

- Depth of front yard.....15 feet
- Depth of rear yard.....10 feet
- Width of side yard abutting any  
R District or on the street side  
of a corner lot.....10 feet  
(otherwise).....5 feet

No required yard shall be used as a parking space.

All yards shall be landscaped or provided with growing ground cover, except for access driveways and walks.

**(E) Height Of Building:** No building in a Group II category shall have a height in excess of fifty feet (50') or four (4) stories.

**(F) Signs:** In a Group II category, the aggregate of identifying business signs on any one building site, or alternatively for each ten thousand (10,000) square feet of a building site containing two (2) or more separate main buildings, shall not exceed six (6) in number or fifty (50) square feet in area. No sign shall have any moving parts or extend more than four feet (4') above the roof or cornice line of any main building on the site. No sale or lease sign shall exceed nine (9) square feet in area.

**(G) Building Site Area:** The minimum building site area or lot in a Group II category shall be seven thousand five hundred (7,500) square feet. The minimum width of a lot shall be seventy five feet (75').

**(H) Parking:** One parking space shall be provided on site for each two hundred (200) square feet of usable floor area. (Ord. 1975-A, 3-5-1975, eff. 4-1-1975)

**4-4-5: C2 HIGHWAY SERVICES AND TOURIST COMMERCIAL DISTRICTS:** The C2 Highway Services and Tourist Commercial District is established to provide space for highway and tourist related enterprises adjacent to major routes of travel so regulated as to prevent the impairment of safe and efficient movement of traffic and to encourage attractive development, compatible with adjacent residential land uses.

**(A) Permitted Uses:** The following principal uses are permitted when conducted entirely within a completely enclosed building:

1. Store for the sale at retail of books, confectionery, dairy products, drugs, flowers, food, stationery, toys or variety household goods, excluding secondhand stores.

2. Barber shop, beauty parlor.
3. Tailor dressmaking or shoe repair shop.
4. Office, bank, rental agency.
5. Laundry, or dry cleaning pick-up agency, self-service automatic laundry.
6. Eating establishment, including liquor and gaming.
7. Commercial recreation facility.
8. Social, cultural, religious or philanthropic institution.
9. Liquor stores.
10. Motel, motor hotel, with gaming. (Ord. 1975-A, 3-5-1975, eff. 4-1-1975)
11. Outdoor advertising signs. (Ord. 1982-J, 9-8-1982, eff. 10-1-1982)

**(B) Conditional Uses:** The following are conditional uses and shall be permitted only if approved by the Planning Commission:

1. Any of the uses permitted when combined with or involving any outdoor display of goods or outdoor business activity.
2. Automobile service station, including facilities for general repair or mechanical washing.
3. Plant nursery, greenhouse, garden supply store.
4. Sale at retail of new or used automotive vehicles, trailers or boats.
5. Drive-in restaurant.
6. Establishment where liquor is sold for consumption on the premises.
7. Clinic, hospital (human or animal).
8. Recreational vehicle park. (Ord. 1975-A, 3-5-1975, eff. 4-1-1975)
9. Mobile home park. (Ord. 1979-AA, 11-8-1979, eff. 12-1-1979)
10. Truck service station, including services for general repair or mechanical washing. (Ord. 1980-I, 6-5-1980, eff. 6-25-1980)
11. Post offices. (Ord. 1997-B, 3-19-1997, eff. 4-3-1997)

**(C) Accessory Uses:** In a C2 District, a dwelling unit within a business building may be qualified as an accessory use if it is for occupancy by the owner or lessee of business premises therein, or by a caretaker or watchman.

**(D) Yards:** The minimum requirements for yards shall be as follows:

- Depth of front yard..... 30 feet
- Depth of rear yard..... 20 feet
- Side yards..... 10 feet

**(E) Height Limitations:** No building shall have a height in excess of fifty feet (50') or four (4) stories, or in excess of twenty feet (20') when located within fifty feet (50') of an "R" District.

**(F) Building Site Area:** The minimum building site area or lot in the C2 District shall be ten thousand (10,000) square feet; the minimum width of a lot shall be seventy five feet (75').

**(G) Parking:** One parking space shall be provided for each three hundred (300) square feet usable floor area for all permitted and conditional uses in the C2 District. (Ord. 1975-A, 3-5-75; eff. 4-1-75)

**4-4-6: C3 HIGH RISE GENERAL COMMERCIAL-TOURIST COMMERCIAL DISTRICTS:** The C-3 High Rise General Commercial and Tourist Commercial District is established to provide space for office, general commercial, and tourist related enterprises adjacent to major arteries of travel within an unincorporated town so regulated to prevent the overtaxing of Municipal facilities and encourage attractive development compatible with adjacent land uses.

**(A) Permitted Uses:** The following principal uses when conducted within a completely enclosed building:

1. Retail stores for the sale of books, confectionery, dairy products, drugs, flowers, food, stationery, toys or variety household goods, excluding secondhand stores.
2. Services:

Barber shops, beauty parlor  
 Tailor, dressmaker  
 Bank  
 Office  
 Real estate office  
 Laundry or dry-cleaning pick-up or agency  
 Eating establishment, including liquor and gaming  
 Gaming and gambling establishments  
 Medical facilities, including clinic or hospital  
 Establishment where liquor is sold for consumption on the premises  
 Wedding Chapel

3. Public Buildings:

Theaters, live or motion picture  
 Conservatory of music  
 Churches, library or art gallery  
 Club or lodge, fraternal or religious association  
 Automobile parking structures used only for parking and not for the sale or repair of automobiles

4. Hotels, motels, motor hotels with gaming

5. Other uses similar to above if approved by the Planning Commission.

**(B) Conditional Uses:** The following are conditional uses and shall be permitted only if approved by the Planning Commission:

1. Automobile service station, including facilities for general repair or mechanical washing.
2. Animal Clinic
3. Parking Lot
4. Public utility substation or facility, not including any service yard or repair shop
5. Printing, lithographing, publishing, or reproducing plant
6. Stadium and commercial recreation enterprise
7. Schools, if location is approved by the Planning Commission (Ord. 1980-0, 2-7-80, eff. 3-1-80)
8. Outdoor advertising signs. (Ord. 1982-J, 9-8-82, eff. 10-1-82)

**(C) Accessory Uses:** In a C3 District a dwelling unit within a business building may be qualified as an accessory use if it is for occupancy by the owner or lessee of the business premise therein, or by a caretaker or watchman.

**(D) Yards:** The minimum requirements for yards shall be as follows:

Depth of front yard	30 feet
Depth of rear yard	20 feet
Side yards	10 feet

**(E) Height Limitations:** No restrictions up to two hundred forty feet (240') or twenty (20) stories. Buildings in excess of these limits must be individually approved by the Planning Commission.

**(F) Building Site Area:** The minimum building site area or lot in the C3 District shall be one acre; the minimum width of a lot shall be two hundred feet (200').

**(G) Parking:** One parking space shall be provided for each three hundred (300) square feet of usable floor and for all permitted and conditional uses in the C3 District. Reduction of this requirement requires Planning Commission approval. (Ord. 1980, D, 2-7-80, eff. 3-1-80)

## CHAPTER 5

### INDUSTRIAL DISTRICTS

**4-5-1: INDUSTRIAL AND EXTRACTIVE DISTRICTS:** Certain classes of districts designated herein by the primary symbol "M" and collectively referred to as "Industrial" or "M" Districts, are established to provide for the various types of manufacturing, warehousing, processing and mineral extraction activities of Elko County.

NOTE: Inasmuch as Elko County is dotted with many old nonworking mine sites any future mineral extraction and/or milling shall require appropriate zoning or a variance if more than years have elapsed since the mine and/or mill was last operative. Last operative year shall be the last calendar year in which a net "proceeds of mines" report was filed.

**4-5-2: M1 GENERAL INDUSTRIAL AND EXTRACTIVE DISTRICTS:** The M1 General Industrial and Extractive District is intended to provide space in suitable locations in Elko County for all types of manufacturing, warehousing, processing, mining, ore reduction and mineral development activities.

**(A) Permitted Uses:** The following listed uses are permitted uses within the M1 District:

1. Agricultural uses of any kind including animal and fowl raising in a situation where the feeds for such living animal or fowl are not grown by the animal or fowl raiser, but imported to the site from elsewhere.
2. Retail and wholesale establishment for the sale or distribution of products manufactured or produced by the industry on the same site.
3. Commercial establishments provided as a service to employees of the plant or industry on the same site.
4. Dwellings to be limited to lots or parcels on which permitted factories manufacturing plants or industrial uses are located, such dwelling to be used exclusively by the caretaker or superintendent of such enterprise and his family.
5. Mining, including milling
6. Oil well drilling
7. Steam electric generating station
8. Railroad yards
9. Airports and landing fields
10. Manufacturing uses, as listed:
  - a. Food and kindred products:
    - (1) Sugar
    - (2) Beverage industries
    - (3) All other types of food and kindred products
  - b. Textile mill products:
    - (1) Scouring and combing plants
    - (2) Carpets, rugs and other floor coverings
    - (3) Miscellaneous textile goods:
      - (a) Felt goods
      - (b) Processed waste
      - (c) Linen goods
      - (d) Jute goods
      - (e) Cordage and twine
  - c. Lumber and wood products:
    - (1) Logging camps and logging contractors
    - (2) Sawmills and planing mills
    - (3) Millwork, plywood and prefabricated structural wood products
    - (4) Miscellaneous wood products
  - d. Chemicals and allied products:
    - (1) Drugs and medicines
  - e. Products of petroleum and coal:
    - (1) Coke and by-products
    - (2) Paving and roofing materials
    - (3) Miscellaneous petroleum and coal products
  - f. Rubber products: All types
  - g. Leather and leather products:
    - (1) Industrial leather belting and packing
    - (2) Boot and shoe cut stock and findings
  - h. Stone, clay, and glass products: All types
  - I. Primary metal industries: All types
  - j. Fabricated metal products: All types
  - k. Machinery and electrical machinery: All types
  - l. Transportation equipment: All types

m. Miscellaneous manufacturing industries:

- (1) Candles
- (2) Mortician's goods
- (3) Beauty and barber shop equipment
- (4) Furs, dressed and dyed (Ord. 1975-A, 3-5-75, eff. 4-1-75)

**(B) Conditional Uses:** The following manufacturing and industrial uses shall be permitted if the location and development plan is approved by the Planning Commission:

1. Ammunition
2. Meat packing and slaughtering
3. Dyeing and finishing textiles
4. Canning and curing of sea foods
5. Pulp goods and miscellaneous converted paper products
6. Pulp, paper and paperboard mills
7. Chemicals and allied products
8. Petroleum refinings
9. Leather-tanned, curried and finished
10. Matches
11. Fireworks and pyrotechnics
12. Rendering or reduction plant
13. Salvage yard
14. Junk Yard
15. Open storage of used building, used building materials and used fixtures
16. Blast furnace or coke oven
17. Rocket propellants manufacturing and testing
18. Explosives
19. Permanent asphalt plant
20. Livestock feed and sales yard
21. Stockyards
22. Sandblasting plants
23. Tank farm for petroleum products
24. Cement, lime, gypsum, potash or plaster of paris manufacture
25. Drop forge industries manufacturing forgings with power hammers
26. Iron, steel, brass or copper foundry or fabrication plant, including rolling mill and boiler works
27. Ore reduction, including refining and smelting of metals
28. Outdoor advertising signs

Auto wrecking, salvage yards, junk yards, and open storage of used buildings, used building materials, and used fixtures, must be completely enclosed within a neat, painted, solid six foot (6') fence which shall be constructed in accordance with requirements of the County Building Official and maintained in good repair and painted at all times.

Any of the above uses legally existing at the time this Section became effective, shall be deemed to have been approved by the Planning Commission and nothing in this Section shall be construed to prevent the enlargement and expansion of existing buildings and facilities for such uses if all other regulations of this Chapter are complied with, including the condition of any exception or variance heretofore granted authorizing such use.

All existing yards and open storage noted in the above paragraph shall be required to be fenced. Existing facilities shall have two (2) years from the effective date of this Title to meet this requirement.

**(C) Accessory Buildings:** Any accessory building customarily incidental to any of the above uses when located on the same lot.

**(D) Similar Uses M1 District:** Any use similar to those listed specifically for the M1 District if the use, location and development plan is approved by the Planning Commission.

(E) **Abatement of Fumes and Odors:** Uses in the M1 District shall be planned, developed, conducted and operated so that smoke, fumes, dust, odors, liquids and other waste of any kind is confined and/or purified to control pollution of air, soil or water to meet the standards and requirements of the Planning Commission and in such manner as to provide no threat to public health and welfare.

(F) **Parking and Loading:** One parking space for each full-time employee shall be provided, plus guest parking and loading space as deemed appropriate by the Planning Commission for the particular use.

(G) **Yards:** The minimum requirements for yards in the M1 District shall be as follows:

Front yard.....25 feet  
Rear yard.....15 feet  
Side yards..... 10 feet

(H) **Height Limitations:** None, except where the M1 District abuts an "R" or "C" District, no building, structure, chimney, or other facility within five hundred feet (500') of an "R" or "C" District boundary shall exceed thirty five feet (35') and two and one-half (2 ½) stories in height.

1. Area of Building Site Requirements: Every lot or building site in an M1 District shall have an area not less than twenty thousand (20,000) square feet, and a width of not less than one hundred feet (100'). (Ord. 1975-A, 3-5-75; eff. 4-1-75; amd. Ord. 1982-J, 9-8-82, eff. 10-1-82)

**4-5-3: "LI", LIGHT INDUSTRIAL DISTRICT:** Certain areas of the County are or shall be zoned as Light Industrial to provide suitable locations for various types of clean, light industrial, construction or commercial use of property. These districts shall be designated as "LI" Districts.

(A) **Permitted Uses:** The following primary uses are permitted in a Light Industrial (LI) District:

1. Ambulance service.
2. Animal boarding (enclosed).
3. Appliance repair.
4. Assembly of products and materials.
5. Automobile parking lot.
6. Bakery.
7. Bottling plant.
8. Business machine service.
9. Cemetery.
10. Community clubhouse, social clubs.
11. Contractor services.
12. Corporate offices.
13. Electrician shop.
14. Fabricating of products and materials, provided that such fabrication does not result in fumes and/or debris being emitted into the air or any odor-causing agents or toxicants being released into the public sewer system, public water system or under the ground.
15. Fire station.
16. Freeport storage of goods and/or parts.
17. Funeral home and/or mortuary.
18. Government administration offices (including equipment and storage).
19. Health and sports clubs.
20. Individual family residential uses, including mobile homes, provided that such mobile homes qualify and constitute real property as established by chapter 361 of the Nevada Revised Statutes.
21. Laboratories (medical, dental, optical, veterinary, chemists).
22. Libraries.
23. Manufacturing of products and materials provided, however, that such manufacturing does not result in noxious fumes and/or debris being emitted into the air, or any odor-causing agents or toxicants being released into the public sewer system, public water system or under the ground.
24. Medical office.

25. Medical or dental type clinic.
26. Municipal building.
27. Museum.
28. Parks and playing fields.
29. Plumbing shop.
30. Post office.
31. Professional offices.
32. Storage units.
33. Trade and industrial schools for skills associated with the uses hereunder.
34. Utility companies and buildings, including necessarily related structures, storage yards and related uses, but not power plants.

**(B) Conditional Uses:** The following uses may be allowed within a Light Industrial District only if permitted, and only under the conditions specified by the Planning Commission in a conditional use permit:

1. All other commercial and industrial uses which compliment and are of no more objectionable character than the listed permitted Light Industrial uses as determined by the Planning Commission and particularly, commercial services such as banks, gasoline service stations and food and beverage services and businesses designed to serve the district, or residential use as a mobile home park.

**(C) Accessory Permitted Uses:** The accessory permitted uses in the Light Industrial District are:

1. Automobile parking.
2. Uses incidental to utility companies.
3. Accessory Buildings Permitted: Any accessory building customarily incidental to any of the above stated uses and located on the same parcel, and meeting all set-back requirements and Building Code regulations.

**(D) Screen Walls:** When the Light Industrial District abuts a residential district, or the light industrial use will occur within one hundred fifty feet (150') of a residential district, or a lot used for residential purposes, a screen wall not less than six feet (6'), nor more than eight feet (8'), in height above the grade, will be required to be constructed by the nonresidential user as approved by the Planning Commission provided, however, such wall shall extend no closer to a public thoroughfare than the minimum set-back requirement or as required for visibility on the public thoroughfare.

**(E) Minimum Parcel Size:** Ten thousand (10,000) square feet.

**(F) Minimum Set-back Requirements:** Required minimum yard set-backs in the Light Industrial District shall be as follows:

1. Front Yard.....10 feet.
2. Rear Yard.....20 feet.
3. Side Yard.....20 feet.

**(G) Maximum Building Height:** Maximum allowable building height in Light Industrial Districts shall not exceed allowable elevation indications in applicable airport master plans or Federal aviation administration regulations; and where the Light Industrial District abuts on a residential or commercial district, no building or structure within five hundred feet (500') of the residential or commercial district boundary shall exceed thirty five feet (35') in height, nor two and one-half (2 ½) stories in height.

**(H) Property Owner Responsibility:** It shall be the duty and responsibility of the property owner to plan and develop his property in such a way that:

1. On-street space will not be used to satisfy parking or loading space needs;
2. Points of access from the public street will be minimized; and
3. Driveway openings will be so located and dimensioned as to minimize the disruption of passing traffic and the creation of traffic hazards.

**(I) Regulations Pertaining to Traffic:** Every use shall conform to the following general standards in addition to the special standards for certain specific uses as set forth in this Chapter.

1. Traffic Visibility: No obstructions to visibility at any street intersection including, but not limited to, structures, parked vehicles or vegetation, shall be allowed or permitted to remain in the District between the heights of two and one-half feet (2 ½') and eight feet (8') above the ground and within fifteen feet (15') of the intersection of the street right-of-way lines. In the case of an arterial street intersecting another arterial street or a railroad at grade, the vision clearance space shall be increased to twenty five feet (25').

2. Driveways: All driveways installed, altered, changed, replaced, or extended after the effective date of this Chapter shall comply with the following requirements:

(a) Driveway openings shall not be less than thirty feet (30') and shall not exceed forty feet (40') in width measured at the curb line.

(b) Vehicular entrances and exits, public amusement uses, parks, funeral homes, Municipal buildings or similar uses generating very heavy periodic traffic, shall be located not closer than two hundred feet (200') to any pedestrian entrance or exit to a school, college, university, church, hospital, public emergency shelter or other place of public assembly.

3. Access:

(a) No direct private access shall be permitted to the existing or proposed right-of-way of any freeway, interstate highway, expressway or controlled-access or arterial street without the express permission of the agency having access control jurisdiction.

(b) No direct public or private access shall be permitted to the existing or proposed rights-of-way of:

(1) Freeways or interstate highways, nor to their interchanges or turning lanes, nor to their intersecting or interchanging streets, within one thousand five hundred feet (1,500') of the most remote end of the taper of the turning lanes.

(2) Arterial streets intersecting another arterial street, within forty feet (40') of the intersection of right-of-way lines.

(3) Local or collector streets intersecting an arterial street, within twenty five feet (25') of the intersection of right-of-way lines.

(c) The driveway of every interior lot fronting on an arterial street shall have a paved turning area allowing vehicles to turn around and head into the arterial street. Under no circumstances shall any parking lot be so arranged as to necessitate backing a vehicle onto an arterial street.

**(J) Off-Street Parking Regulations:** Off-street parking facilities shall be provided in an amount not less than hereinafter specified, for the parking of self-propelled motor vehicles used by occupants, employees, patrons, members and clients of establishments or uses erected or established after the effective date of this Chapter, and of existing establishments or uses which are thereafter extended, enlarged or changed.

1. Mobile Home Parks and Subdivisions.	A minimum of two (2) off-street parking spaces per mobile home.
2. Offices:	
a. Offices, banks, savings and loan agencies.	1 per 300 s.f. of usable floor area.
b. Medical and dental offices and clinics.	1 per 100 s.f. of waiting room + 1 per examination room or dental chair, + 1 per 2 employees.
3. Places of Public Assembly: Social Clubs such as Elks, Moose, VFW, etc.	1 per 200 s.f. of usable floor area
4. Commercial Recreation:	
a. Skating rinks, dance halls, dance studios capacity permitted by fire regulations.	1 per 3 persons of maximum
b. Bowling alleys.	4 per bowling lane, + 1 per 2 employees.
c. Gymnasiums, health clubs.	1 per 400 s.f. of usable floor area, + 1 per 2

d. Private golf clubs swimming clubs, tennis clubs, and similar sport club type uses.	employees. 1 per 2 memberships, (families or individuals.)
e. Restaurants, bars, cocktail lounges.	1 per 100 s.f. of usable floor area, +1 per 2 employees.
f. Drive-in food or drink lounges.	1 per 150 s.f. of usable floor area, + 1 per 2 employees.
g. Mortuaries, funeral homes.	1 per 3 fixed chapel seats, or 1 per 50 s.f. of assembly room area, whichever is greater + 1 per employee, + 1 per commercial funeral vehicle.
h. Gas service stations.	1 per 2 gasoline pumps, + 2 per service bay.
i. Manufacturing, fabricating and assembling.	1 per 500 sq. ft. of gross floor area or 1 per employee, whichever is greater
j. Freeport ware- housing or storage uses	1 per 1700 sq. ft. of usable floor area, or 1 per employee, whichever is greater, + 1 per company-owned motor vehicle.

**(K) Parking Lot Access:**

1. Access From an Alley: An alley may not be used for principal access to any parking lot, nor for direct access to parking spaces.
2. Access From a Street: No entrance or exit to a parking lot shall be located closer than fifteen feet (15') to any abutting residential district.
3. Drainage: Every parking lot shall be:
  - (a) Properly graded to prevent impoundment of surface water.
  - (b) Required Screen Walls: Where the interior side lot line or rear lot line of a parking lot abuts a residential district and is not separated therefrom by an alley, or the parking lot will be within one hundred fifty feet (150') of a lot used for residential purposes, a screen wall not less than six feet (6'), nor more than eight feet (8'), in height above the grade, will be required to be constructed and maintained by the nonresidential user as approved by the Planning Commission prior to construction; provided, however, that such wall shall extend no closer to the street line than the minimum required setback for residential properties in the same block.

**(L) Plans Required for Off-Street Parking and Loading Spaces:** Site plans are required for off-street parking and loading and shall show how the required parking and loading spaces are to be located and arranged on the site. In addition, such plans shall show how drives and parking lots are to be graded and drained as well as the location and design of all screen walls, landscaping and lighting. Such plans must be reviewed and approved by the Planning Commission.

1. The owner or occupant of any building or use subject to off-street parking requirements under this Chapter shall not discontinue or reduce any existing required parking lot without first having established other parking space in replacement thereof and having submitted satisfactory evidence to the Planning Commission that such replacement space meets all requirements of this Chapter.
2. Off-street parking space required under this Chapter shall not be used for the storage of merchandise, nor for the sale, rent, repair, dismantling, storage or servicing of vehicles or equipment.

3. Required off-street parking shall be located within three hundred feet (300') of the building or use it is intended to serve, the distance being measured along the sidewalk from the nearest point of the building or use to the nearest point of the parking lot; provided, however, that parking facilities for a stadium, auditorium, outdoor sports arena, or similar use, may be located not further than one thousand three hundred feet (1,300') from the nearest point of such building or use.

4. Whenever the use of a separate lot or parcel is proposed for fulfillment of minimum parking requirements, the owner shall submit as a part of his application, satisfactory assurance that the separate lot or parcel is permanently committed to parking use by deed restriction or other enforceable legal measure.

**(M) Methods of Providing Required Off-Street Parking:** Required off-street parking may be provided by any one, or combination, of the following methods:

1. By providing the required parking space on the same lot as the building or use being served.
2. By the collective provision of required parking for two (2) or more buildings or uses, whereupon the total of such parking shall be not less than the sum of the requirements for the several buildings or uses computed separately; provided, however, that if two (2) or more such buildings or uses have operating hours which do not overlap, the Planning Commission may grant a reduction of the collective requirement based upon the special circumstances involved. A written agreement for joint use of such facilities shall be executed between the parties concerned and a copy shall be filed with the Building Inspector. (Ord. 1987-G, 9-3-87, eff. 9-21-87)

## CHAPTER 6

### P, PUBLIC DISTRICTS

**4-6-1: PUBLIC DISTRICTS:** Public Districts are created to apply to land that is owned by a governmental agency and is in some form of public use, including open space, parks, schools and other public buildings and facilities. The purpose of designating such land as a "P" District on the Zoning Map is to relate the Zoning Map to major elements of actual land use and the County-wide Master Plan.

**4-6-2: P, PUBLIC DISTRICT:** The Public Use District is intended to provide zoning regulation for such land and building as may be used for public purposes, but which may in the future be released for private purposes or which may be developed for more intensive public purposes.

**(A) Permitted Uses:** The following principal uses are permitted in the "P" District:

1. Buildings and uses of governmental agencies not subject to regulation by this Code.
2. Public building and uses of the County and other governmental agencies that are subject to regulation by this Code, when in conformity with the Master Plan and the provisions of other applicable laws.

**(B) Conditional Uses:** The following are conditional uses in the "P" District, permitted only when authorized by the Planning Commission:

1. Parochial or private elementary or secondary schools, either nonprofit or operated for a profit, attendance at which satisfies the requirement of the compulsory education laws of the State of Nevada.
2. Church (Ord. 1975-A, 3-5-75; eff. 4-1-75)

## Spring Creek Lamoille Master Plan Acknowledgments

### Elko County Planning Commission Members

#### 1997 Master Plan

#### 2005 / 2006 Master Plan Review

<b>Ms. Debbie Smith, Chairperson</b>	<b>Mr. John Patrick Rice, Chairman</b>
<b>Mr. Al Horrigan, Vice Chairman</b>	<b>Mr. Mike Judd, Vice Chairman</b>
<b>Mr. Jeoff Dahl</b>	<b>Mr. Dave Galyen</b>
<b>Mr. Milt Grisham</b>	<b>Mr. Milt Grisham</b>
<b>Mr. Chris Johnson</b>	<b>Mr. David Hough</b>
<b>Mr. Norm Mahlberg</b>	<b>Mr. William Krohn</b>
<b>Mr. Mark Wetmore</b>	<b>Mr. Norm Mahlberg</b>

#### 2011 / 2012 Master Plan Review

<b>Mike Judd, Chairman (2011)</b>	<b>Mike Judd, Chairman (2012)</b>
<b>Dena M. Hartley, Vice Chairman (2011)</b>	<b>David A. Galyen, Vice Chairman (2012)</b>
<b>David L Hough, PLS (2011)</b>	<b>David L Hough, PLS (2012)</b>
<b>Jack D. Larason (2011)</b>	<b>Dena M. Hartley (2012)</b>
<b>David A. Galyen (2011)</b>	<b>Jack D. Larason (2012)</b>
<b>Wilde Brough (2011)</b>	<b>Richard Genseal (2012)</b>
<b>Richard Genseal (2011)</b>	<b>Norlene Wilson (2012)</b>

### Elko County Board of Commissioners

#### 1997 Master Plan

#### 2005 / 2006 Master Plan Review

<b>Mr. Royce Hackworth, Chairman</b>	<b>Mr. Warren Russell, Chairman</b>
<b>Mr. Mike Nannini, Vice Chairman</b>	<b>Mr. John Ellison, Vice Chairman</b>
<b>Mr. Llee Chapman</b>	<b>Ms. Sheri Eklund-Brown</b>
<b>Mr. Tony Lesperance</b>	<b>Mr. Charlie Myers</b>
<b>Ms. Roberta Skelton</b>	<b>Mr. Mike Nannini</b>

## 2012 Master Plan Review

<b>Mr. Demar Dahl, Chairman</b>
<b>Mr. Jeff Williams, Vice Chairman</b>
<b>Mr. Warren Russell</b>
<b>Mr. Charlie Myers</b>
<b>Mr. Glen Guttry</b>

### **Spring Creek Subdivision Association**

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#### **Spring Creek Association Board Members:**

Mr. Doug Nelson  
Mr. Terry Lister - Chairman  
Mr. William Graunke  
Ms. Paddy Lagarza  
Mr. Bob Collyer – Vice Chairman  
Mr. Travis Mahlke  
Mr. Michael McFarlane

#### **Spring Creek Committee of Architecture:**

Ms. Diane Quenell  
Ms. Linda Maclaren  
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