

**Chapter 17.124**  
**SPECIAL USE PERMITS**

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**17.124.010 General.**

Certain uses listed in the zone districts are permitted only with approval of a special use permit. Such uses shall be subject to all applicable property development standards of the district in which they are to be located. Any such use may be subject to the submission of a site plan. (Ord. 617 § 1.1 Exh. A (part), 1996)

**17.124.020 Application.**

The following procedure shall apply to all uses permitted subject to approval of a special use permit:

A. Applications shall be filed with the planning department and shall be accompanied by the fee as provided in Section. 17.12.050.

B. Application for a special use permit may be made by the owner, purchaser under contract, or lessee of the property for which the permit is sought, or his agent duly authorized in writing.

C. The application must be submitted on forms furnished by the planning department requesting information as prescribed to assist in determining the validity of the request.

D. The director of planning may require the applicant to submit a site plan. (Ord. 617 § 1.1 Exh. A (part), 1996)

**17.124.030 Notice of public hearing.**

As required by NRS 278. (Ord. 617 § 1.1 Exh. A (part), 1996)

**17.124.040 Hearing, findings and conditions.**

The planning commission before granting a special use permit shall find as follows:

A. The site for the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls, fences, parking, loading, landscaping and other features required by this title to adjust the use with the land and uses in the neighborhood;

B. The site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use;

C. The proposed use will have no adverse effect on abutting property or the permitted use thereof;

D. The conditions stated in the resolution are deemed necessary to protect the public health, safety and general welfare. Such conditions may include:

1. Special yards, spaces and buffers, fences and walls
2. Surfacing of parking areas subject to specifications
3. Requiring street dedications and improvements including service roads, and alleys, where practical,
4. Regulations of points of vehicular egress and ingress,
5. Regulations of signs,
6. Requiring landscaping and maintenance of grounds,
7. Regulations of noise, vibration, odors, etc.,
8. Regulations for time of certain activities,
9. Time period within which the proposed use shall be developed,
10. A bond for removal of such use within a specified period of time,
11. A request for a site plan for purposes of review, said site plan to be submitted by the applicant,
12. Such other conditions as will make possible the development of the city in an orderly and efficient manner in conformity with the intent and purposes set forth in the zoning ordinance. (Ord. 641 § 3.2, 1998: Ord. 617 § 1.1 Exh. A (part), 1996)

**17.124.050 Effective date of decision.**

A. The planning commission shall issue its decision by resolution prior to the conclusion of the public hearing.

B. The decision resolution shall set forth the findings and any recommended or required conditions, including time limit deemed necessary to protect the health, safety and welfare of persons in the neighborhood and the community as a whole.

C. Notification of the planning commission action, including any conditions imposed, shall be mailed to the applicant at the address shown on the application after five working days of the planning commission decision.

D. The decision shall become effective five working days after the planning commission action. (Ord. 641 § 3.3, 1998: Ord. 617 § 1.1 Exh. A (part), 1996)

**17.124.060 Time Limit for Development.**

A. The planning commission may establish a time limit in which the subject property and the use or any stage or phase thereof shall be commenced and completed.

B. The time limit set by the planning commission shall be reasonable based on the size and nature of the proposed development.

C. The time limit may be extended by the planning commission for good cause. (Ord. 641 § 3.4, 1998: Ord. 617 § 1.1 Exh. A (part), 1996)

**17.124.070 Revocation of Special Use Permit.**

A. A special use permit shall be automatically revoked if not exercised within one year, unless a longer period is specified in the approval.

B. The planning commission, on its own motion at public hearing, may revoke any special use permit for noncompliance with the conditions as set forth in granting said permit.

C. The permittee shall be given written notice at least ten days prior to a public hearing on any proposed revocation. (Ord. 641 § 3.5, 1998; Ord. 617 § 1.1 Exh. A (part), 1996)

**17.124.080 Appeal.**

See Chapter 17.126. (Ord. 641 § 3.6, 1998)