

SUMMARY: A Bill proposing to amend Nye County Code Title 17, the Pahrump Regional Planning District Zoning Ordinance, pertaining to Model Homes; and other matters properly related thereto.

TITLE: A BILL PROPOSING TO AMEND NYE COUNTY CODE TITLE 17, THE PAHRUMP REGIONAL PLANNING DISTRICT ZONING ORDINANCE, PERTAINING TO MODEL HOMES; AND OTHER MATTERS PROPERLY RELATED THERETO.

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

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

WHEREAS, on July 18, 2000, the Board adopted Ordinance 229 establishing Title 17 of the Nye County Code and adding Section 17.04, which provides regulations concerning zoning districts, variances, special exceptions and conditional use permits within the Pahrump Regional Planning District (PRPD); and

WHEREAS, on June 16, 2004, the Board adopted Ordinance 285 amending Title 17, Section 17.04 of the Nye County Code, by establishing general development standards within the PRPD in order to comply with the Goals, Objectives and Policies of the November 19, 2003 Master Plan Update for the PRPD; and

WHEREAS, the Board hereby finds that establishing regulations related to model homes will result in further promoting the goals and objectives of the County in regards to land use and development;

NOW, THEREFORE, the Board of County Commissioners of the County of Nye, State of Nevada, does hereby adopt, promulgate and order compliance therewith within the Pahrump Regional Planning District, the following amendments and regulations:

NYE COUNTY CODE 17.04. IS HEREBY AMENDED AS FOLLOWS, with **Deletions** shown in strike-through red font, and **additions** shown in underscored blue font:

17.04.810 MODEL HOMES

- A. Scope.** This Chapter applies to all model homes within the Pahrump Regional Planning District.
- B. Purpose.** The purpose of this Chapter is to establish the regulations pertaining to the location and use of Model Homes.
- C. Requirements.** Model Homes shall be permissive in all Residential and Commercial Zones subject to the following requirements:

Residential Zones:

Conditions:

1. Maximum number: In a single-family residential subdivision, a maximum of six (6) model residences shall be allowed. For multi-family residential (condos or townhomes) or manufactured home developments, a maximum of eight (8) model residences shall be allowed.
2. Time limit: Model homes located within a subdivision must be converted to a residential use when the last unit in the subdivision has been sold. The time limit does not apply to models located in apartment complexes or manufactured home parks, provided the residential character of the model is maintained, and all manufactured homes are properly installed.
3. Model homes may be constructed prior to recordation of a final map provided that:
 - a. A final map is submitted showing the location where the residences will be located and where off-site improvements have been completed.
 - b. Paved access and adequate access controls must be provided to all structures.
 - c. The final map must record within one year from the date permits are issued for the homes.
 - d. The final map may not be revised after the permits for the models or units have been issued.
 - e. The model residences shall meet the minimum setbacks required from the future lot lines to be established by the subdivision as required by code.
 - f. The issuance of a building permit will not be construed as a commitment by the County to record the final map or to approve any zoning matter.
 - g. Block walls are permitted on the proposed lot lines.
 - h. A minimum of five on-site parking spaces, or suitable on-street parking, shall be provided, and the spaces shall be in compliance with ADA parking requirements and Nye County Code. The parking lot shall be paved or improved with an approved surface material per Nye County Code.
 - i. Landscaping of a drought tolerant variety must be provided within in the front yards in accordance with Nye County Code landscaping requirements.
 - j. Sanitary facilities shall be provided within the model residence. No outdoor facilities are allowed.
 - k. A temporary sales trailer may be used if permitted by the Planning Department and properly installed, provided that:
 - a. The trailer is not used for more than ninety (90) days;
 - b. The sales trailer is a “Gelco-style” modular unit with a finished exterior, no glaring surface, with walls made of T-111 plywood or comparable materials and composition roof or comparable material. Travel trailers, field office-type units, and motor homes are not acceptable;
 - c. The primary use of such temporary sales offices shall be to provide information concerning the initial approved subject subdivision. No other uses may be established at this facility.
4. Model homes not located within a subdivision or development must be converted to a residential use when no longer used as a model home.

Commercial Zones:

Conditions:

- a. Model homes must be in conjunction with a real estate, architect, developer, or home builder's (or similar) office.
- b. A minimum of five on-site parking spaces shall be provided, and the spaces shall be in compliance with ADA parking requirements and Nye County Code. The parking lot shall be paved or improved with an approved surface material per Nye County Code.

- c. Landscaping of a drought tolerant variety must be provided at a ratio of fifty square feet of landscaping for each 100 square feet of gross floor area.
- d. Sanitary facilities shall be provided within the model residence. No outdoor facilities are allowed.

Effective Date. This Ordinance shall be in full force and effect from and after passage, approval, and publication as required by law, to wit, from and after the _____ day of _____, 2010.

Proposed on the 16th day of March, 2010

Proposed by: Commissioner _____

Adopted on the _____ day of _____, 2010

Vote: Ayes: Commissioners:

Nays: Commissioners:

Absent: Commissioners:

BY: _____

Gary Hollis, Chairman
Nye County Board of
County Commissioners

ATTEST: _____

Sandra "Sam" Merlino
Clerk and Ex-Officio
Clerk of the Board