

# **Title 18 Text Amendment (TXT23-00001)**

(Cannabis, Package Alcohol, Live Entertainment, Adult Business)

*October 12, 2022*



# Zoning Code Update

Series of Title 18 text amendments

- ✓ Council priorities
- ✓ Zoning Code clean-up





# Zoning Code Update

- ✓ Cannabis
- ✓ Package Alcohol
- ✓ Live Entertainment
- ✓ Adult Business

## Chapter 18.03 Use Regulations

### Commentary

This chapter contains the standards related to land uses in Reno and is intended to be reviewed with Chapter 18.02: Zoning Districts and with the use definitions in Chapter 18.08: Definitions of Use Categories and Use Types. This chapter includes a table of allowed uses as recommended in the Code Targeted Assessment Report and Annotated Outline. Further discussion precedes that table.

Following the table of allowed uses are several use-specific standards applicable to specific land uses. Some of those standards were carried forward from the current Code and other standards are new to address issues raised by staff, identified in the Code Targeted Assessment Report, or based on Clarion's knowledge of planning trends and best practices. The standards follow the same organization as the table of allowed uses (beginning with residential and ending with industrial uses).

The final sections of this chapter address accessory and temporary uses and structures. Commentary is provided in each of those sections later in this document.

### Article 1: Purpose and Organization of this Article<sup>1</sup>

#### 18.03.101 Purpose

The article identifies the land uses allowed in Reno's zoning districts and establishes standards that apply to certain uses with unique characteristics or impacts.

#### 18.03.102 Organization

- (a) Article 2: *Table of Allowed Uses*, lists uses allowed by district and provides cross-references to applicable use-specific standards.
- (b) Article 3: *Use-Specific Standards*, establishes use-specific standards applicable to specific land uses.
- (c) Article 4: *Accessory Uses and Structures*, establishes standards applicable to accessory uses and structures.
- (d) Article 5: *Temporary Uses and Structures*, establishes standards applicable to temporary uses and structures.

### Article 2: Table of Allowed Uses<sup>2</sup>

Table 1.1 lists the uses allowed within each base zoning district. Each listed use is defined in Article 2: *Definitions of Use Categories and Use Types*.

#### 18.03.201 Explanation of Table Abbreviations

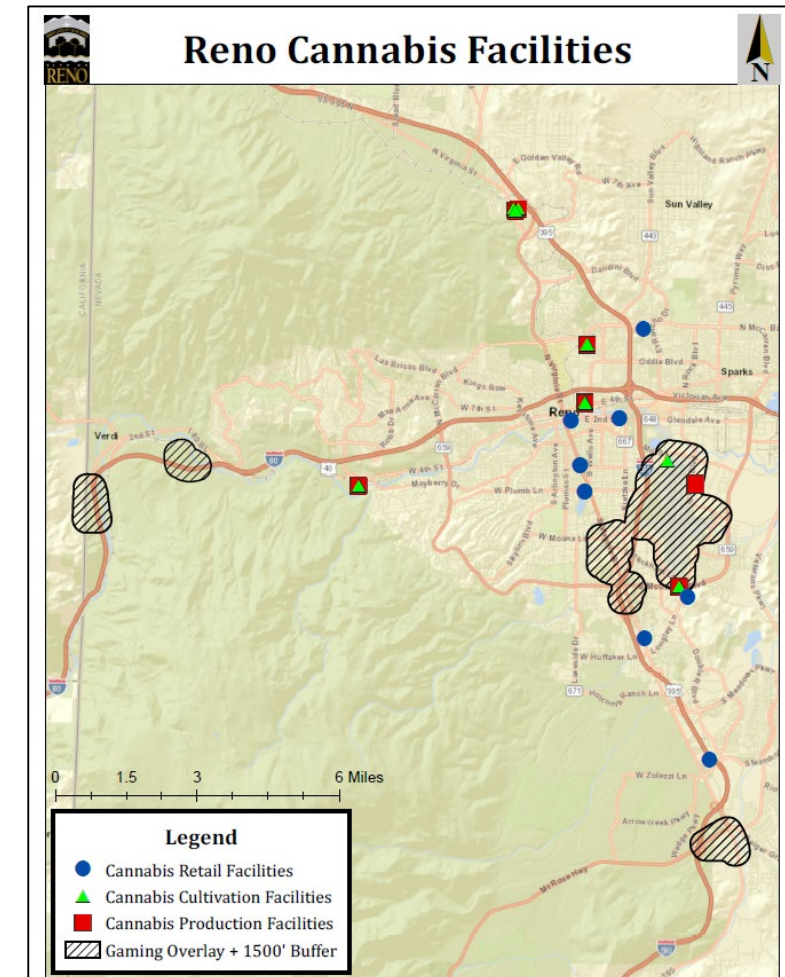
##### (a) Permitted Uses by Right

A "P" designation in a cell within Table 1.1 indicates that the use is allowed by right in the respective zoning district. Permitted uses are subject to all other applicable standards in this Code.

<sup>1</sup> New content.  
<sup>2</sup> New content.

# Cannabis

Issue to be Addressed	Solution
Spacing between dispensaries	Add a minimum spacing requirement of 2,500 feet between cannabis retail facilities.
Spacing between cannabis and gaming	<p>Remove the requirement that restricts cannabis facilities from being within 1,500 feet of the Gaming Overlay 1, 2, 3, and 5 district boundaries.</p> <p>This does not change the spacing requirement that <u>cannabis facilities cannot be within 1,500 feet from a facility with a non-restricted gaming license</u>, as described in NRS 463.0177.</p>



# Package Alcohol



Issue to be Addressed	Solution
Clean up wording to align with zoning code verbiage.	No changes proposed to package alcohol as a primary use, other than wordsmithing to better explain the use-standards.
Expand the zoning districts that allow accessory package alcohol zoning district.	Expand accessory package alcohol to MF21, MF-30, NC, PO, and MU-RES zoning districts.
Where is fresh food required?	<p>Uses that won't require fresh food:</p> <ul style="list-style-type: none"> <li>• Restaurants</li> <li>• Commercial kitchens</li> <li>• Bakeries</li> <li>• Bars</li> <li>• Microbreweries</li> </ul> <p>Uses that will require fresh food:</p> <ul style="list-style-type: none"> <li>• Hotels</li> <li>• General retail stores</li> <li>• Convenience stores</li> </ul>
Conditional Use Permit versus Minor Conditional Use Permit	<p>Minor Conditional Use Permit</p> <ul style="list-style-type: none"> <li>• Requires public noticing</li> <li>• Requires staff review and conditions of approval</li> <li>• Allows staff and the public to provide input on Safe Scape Standards</li> </ul>
When should accessory package alcohol be allowed by-right?	<p>Accessory package alcohol allowed by-right:</p> <ul style="list-style-type: none"> <li>• Restaurants</li> <li>• Commercial kitchens</li> <li>• Bakeries</li> <li>• Bars</li> <li>• Microbreweries</li> </ul> <p>Accessory package alcohol requires a use permit:</p> <ul style="list-style-type: none"> <li>• Hotels</li> <li>• General retail stores</li> <li>• Convenience stores</li> </ul>



# Live Entertainment



Issue to be Addressed	Solution
Live Entertainment that's accessory to a restaurant or bar should be allowed.	Allowed by-right with these standards: <ul style="list-style-type: none"> <li>• Outdoor – Limited to 10 p.m.</li> <li>• Outdoor – Can't be closer than 150' from residential zoning</li> <li>• Indoor – Limited to 11 p.m.</li> <li>• Close doors and windows after 9 p.m.</li> <li>• Keep doors oriented AWAY from residential property</li> <li>• Business has to provide a queuing plan for overflow lines outside</li> </ul>
Create a mechanism for a business to exceed regulations.	Conditional Use Permit <ul style="list-style-type: none"> <li>• Public input</li> <li>• Planning Commission approval</li> <li>• Staff review and conditions of approval</li> </ul>



# Adult Business

Issue to be Addressed	Solution
Spacing requirements from sensitive uses need to be updated to include Mixed Employment zoning.	Modify the use-standards and require that all adult businesses follow the same locational criteria within the Industrial, Industrial Commercial and <b>Mixed Employment</b> zoning districts.

## Locational Criteria

1. No adult business may be located within Redevelopment Areas 1 and/or 2 (RDA 1 and/or RDA 2)
2. No adult business may be located on a parcel which abuts a freeway, expressway, or major or minor arterial roadway.
3. No adult business may be located within 750 feet of any:
  - [a] Residentially zoned district;
  - [b] Public or private university, college, or school;
  - [c] Preschool or childcare facility licensed by the Washoe County Social Services Department; or
  - [d] Park or playground as measured from the building footprint of the adult business to the property line of the park or playground.
4. No adult business may be located within 500 feet of any other adult business.

# Recommended Motion

I move to uphold the recommendation of the Planning Commission and refer for a second reading and adoption, subject to City Council comments.