

BILL #371
CITY OF FERNLEY
ORDINANCE # 2026-002

AN ORDINANCE AMENDING TITLE 32, CHAPTER 6, SECTION 150-2 (USE TABLE) OF THE FERNLEY DEVELOPMENT CODE TO ALLOW THE USE OF “RECREATIONAL FACILITY, MAJOR” IN THE I (INDUSTRIAL) ZONING DISTRICT WITH A CONDITIONAL USE PERMIT.

THE CITY COUNCIL OF THE CITY OF FERNLEY, hereinafter “the Council”, DO HEREBY ORDAIN:

Section 1. Title 32, Chapter 6, Section 150-2 is hereby amended as follows:

Sec. 32.06.150. Unlisted uses and use table.

Purpose: The permitted, special and accessory uses within each zoning district are set out in the use table, below. The use table provides broad use categories, along with procedures for interpretation and ways to accommodate uses that are not specifically listed.

(a) *Generally.*

- (1) No uses are allowed in any zoning district except those specifically listed as a permitted or conditional use in the use table.
- (2) All uses are subject to the dimensional standards in each zoning district, any additional regulations established by the zoning district, any regulations applicable to the use (chapter 32.07), and the development standards (chapter 32.09).
- (3) The use table establishes the following use categories:

TABLE 32.06.150-1 - Use Categories

Notation	Category	Description
A	Accessory use	Permitted as an accessory use if the use meets the standards established in the zoning district.
P	Permitted by right	Permitted if the use meets the standards established in the zoning district.
C	Conditional use	Requires approval of a conditional use permit. This may involve additional conditions to mitigate impacts on the surrounding neighborhood, in addition to other applicable requirements of this title.
	Blank cell	Use is not permitted
AR	Administrative review	Administrative review is required as a prerequisite to the issuance of building permits, whenever a conditional use permit is not required for new commercial and industrial building construction/additions, new multiple-family residential, enlargement of a

		nonconforming use and for outdoor storage (see chapter 20.03).
L	Locational standards	Locational standards in the "I" district apply (see section 32.06.110).
T	Temporary use	Permitted as a temporary use if the use meets the standards established in the zoning district.

(b) *Unlisted uses.*

Purpose: The list of permitted uses is both broad and comprehensive. However, it is impossible to contemplate every possible use, or new uses that did not exist when this section was written. To ensure that all un contemplated uses have a path to approval, this subsection establishes procedures to obtain a conditional use permit for such a use.

(1) *Generally.* Uses not listed in the use table, are presumed to be prohibited. For uses not considered in the use table, a case can be made, the use is materially similar to uses permitted in the respective zoning district. The case will be considered by the planning commission through the conditional use permit process. conditional use findings will apply in addition to analysis pertaining to the following criteria:

- a. Provide rationale the proposed use is consistent with uses permitted in the respective zoning district by utilizing a nationally accepted land use classification manual, such as the North American Industry Classification System ("NAICS"), American Planning Association or Land-Based Classification Standards LBCS Tables;
- b. Document the actual or projected characteristics of the proposed use;
- c. Document the relative number of employees;
- d. Document hours of operation;
- e. Demonstrate types of vehicles used and a parking analysis;
- f. Provide a traffic analysis;
- g. Analyze the impacts on surrounding properties; and
- h. Provide analysis documenting the proposed use shall not generate average daily trips exceeding other uses proposed in the zoning district by more than ten percent (10%), as determined by the Institute of Transportation Engineers, Trip Generation or local traffic studies.

(c) *Use table.*

TABLE 32.06.150-2 - Use Table

Use Category	Use Type	Additional Use Standards	GR20	RR5	RR1	RR4	SF20	SF12	SF9	SF6	MDR14	MF21	MF30	MU	C1	C2	TC	EC	I	PF
Recreation, Entertainment and Arts																				
	Cultural institution												P		P	P				P
	Gaming establishment (non-restricted)													C		C	C			
	Entertainment facility/theater													P	C	P	P			P
	Health/fitness club													P	P	P	P	P		
	Park/open space		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P/L	P
	Recreation facility, minor													C	C	P	P	C	C/L	P
	Recreational facility, major															C	C		C	C

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. The City Clerk is instructed and authorized to publish the title of this ordinance as provided by law.

Section 4. This ordinance shall become effective upon passage, approval, and publication.

Section 5. The provisions of this ordinance shall be liberally construed to effectively carry out its purposes in the interest of the public health, safety, welfare, and convenience.

Section 6. In any subsection, phrase, sentence, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions.

Section 7. The City Council finds that this ordinance is not likely to impose a direct and significant economic burden upon a business or directly restrict the formation, operation, or expansion of a business, or is otherwise exempt from Nevada Revised Statutes Chapter 237.

BILL #371 BEING HEREBY PROPOSED on the 7th day of January, 2026.

BILL #371 BEING HEREBY PASSED, APPROVED, and ADOPTED this 21st day of January, 2026, by the following vote of the Council:

Ayes: 5 Nays: 0 Abstentions: 0 Absent: 0

FERNLEY CITY COUNCIL

By: Neal E. McIntyre
Neal E. McIntyre, Mayor

Date: 1/21/2026

Attest By: Kim Swanson
Kim Swanson, City Clerk

Date: 1/21/2026

