

BILL NO. 2007-73

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO CLARIFY THE ZONING TREATMENT OF MANUFACTURED HOMES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Steven D. Ross                      Summary: Clarifies the zoning treatment of manufactured homes.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to revise the name and description of the use “Manufactured Home (Qualifying for Treatment as Single Family Detached Dwelling)” so as to clarify its intent; to indicate that the use is allowed as a conditional use in the R-MH Zoning District; and to conform the conditional use regulations to State law. In order to reflect the amendment, the “Residential and Lodging” element of the Land Use Tables is amended by amending the entry for the use to read as follows:

USE	RESIDENTIAL												COMMERCIAL					INDUSTRIAL			
	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
Manufactured Home (Qualifying for Zoning Treatment as Single Family Detached Dwelling)	C	C	C	C	C	C	C	C	C	C	C										
	<p><b>Description:</b> A structure (as defined in NRS 489.113) that meets the Conditional Use Regulations listed below [.] in order to qualify for State-law zoning treatment as a Single Family Detached Dwelling.</p> <p><b>Conditional Use Regulations:</b></p> <p>1. In order to qualify for <u>State-law zoning</u> treatment as a Single Family Detached Dwelling, a manufactured home must:</p> <ul style="list-style-type: none"> <li>a. Have been constructed or manufactured within the [5] 6 years immediately preceding the date on which it is affixed to the residential lot;</li> <li>b. Consist of at least 1200 square feet of living area, unless the Director approves a reduction in size;</li> <li>c. Be permanently affixed to the residential lot;</li> <li>d. Have its foundation masked architecturally or by landscaping, berming or planters; and</li> <li>e. Be demonstrated to be compatible with homes in the immediate vicinity, in terms of siding material, roofing, color, building configuration, design features, etc.</li> </ul> <p><b>On-site Parking Requirement:</b> Two spaces per site.</p>																				

SECTION 2: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to revise the name and description of the use “Manufactured Home (Not Qualifying for Treatment as Single Family

1 Detached Dwelling)” so as to clarify its intent. In order to reflect the amendment, the “Residential and  
 2 Lodging” element of the Land Use Tables is amended by amending the entry for the use to read as  
 3 follows:

USE	RESIDENTIAL												COMMERCIAL					INDUSTRIAL			
	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
Manufactured Home (Not Qualifying for Zoning Treatment as Single Family Detached Dwelling)											P	C									
	Description: A structure (as defined in NRS 489.113) that does not qualify for State-law zoning treatment as a Single Family Detached Dwelling. The fact that a structure does not qualify for State-law zoning treatment as a Single Family Detached Dwelling does not preclude it from being so treated for other purposes, or from being permanently affixed to a residential lot.																				
	Conditional Use Regulations: 1. No sales or display of manufactured homes is permitted, except for: a. The sale in-place, by the owner or his agent, of a manufactured home that has previously been located and continuously occupied in that mobile home park by the owner. b. The sale in-place, by a manufactured home dealer, of a manufactured home that has previously been located and continuously occupied in that mobile home park by the owner of the home and that has been taken as a trade-in or purchased from the owner. c. The placement of a manufactured home within a mobile home park for the purpose of sale or display, or both, as a sales model only. For purposes of this Conditional Use Regulation 1, a financial institution that has succeeded to the interest in a manufactured home of its owner, through foreclosure, shall be deemed to be the agent of the owner.																				
	On-site Parking Requirement: Two spaces per site.																				

16 SECTION 3: Title 19, Chapter 8, Section 40, Subsection (C), of the Municipal Code of the  
 17 City of Las Vegas, Nevada, 1983 Edition, is hereby amended by amending Table 1 included therein,  
 18 with no amendment to the Table’s accompanying notes, to read as follows:

19 **Table 1. Single-Family Residential District Development Standards**

STANDARD	U	R-A	R-E	R-D	R-1	R-CL	R-MH	R-MHP
Min. Lot Size (s.f.)	20,000	40,000	20,000	11,000	6,500	3,500 <sup>2</sup>	6,500	4,000
Dwelling Units per Lot	1	1	1	1	1	1	1	1
Min. Lot Width (ft.)	100 <sup>6</sup>	100 <sup>6</sup>	100 <sup>6</sup>	90 <sup>6</sup>	65 <sup>6</sup>	35 <sup>3,6</sup>	65 <sup>6</sup>	45 <sup>6</sup>
Min. Front Yard Setback (ft.)	50 <sup>1</sup>	50 <sup>1</sup>	50 <sup>1</sup>	25	20	14 <sup>4</sup>	[20] 15	5
Min. Side Yard Setback (ft.)	10 <sup>7</sup>	10 <sup>7</sup>	10 <sup>7</sup>	10 <sup>7</sup>	5 <sup>7</sup>	10 <sup>5,7</sup>	5 <sup>7</sup>	5 <sup>7</sup>
Min. Corner Side Yard Setback (ft.)	15 <sup>7</sup>	15 <sup>7</sup>	15 <sup>7</sup>	15 <sup>7</sup>	15 <sup>7</sup>	10 <sup>7</sup>	10 <sup>7</sup>	5 <sup>7</sup>
Min. Rear Yard Setback (ft.)	35 <sup>7</sup>	35 <sup>7</sup>	35 <sup>7</sup>	30 <sup>7</sup>	15 <sup>7</sup>	10 <sup>7</sup>	[15] 10 <sup>7</sup>	5 <sup>7</sup>
Max. Lot Coverage	NA	NA	NA	NA	50%	50%	50%	NA
Max. Building Height (ft.)	2 stories or 35 feet, whichever is less							

1 SECTION 4: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of Las  
2 Vegas, Nevada, 1983 Edition, is hereby amended by amending the following term and its  
3 corresponding definition:

4 "Manufactured Home" means a structure as defined in NRS 489.113. A manufactured home may or  
5 may not qualify for State-law zoning treatment as a single-family detached dwelling pursuant to Table  
6 2, as adopted in Section 19.04.010.

7 SECTION 5: For purposes of Section 2.100(3) of the City Charter, LVMC 19.04.010,  
8 19.08.040 and 19.20.020 are deemed to be subchapters rather than sections.

9 SECTION 6: If any section, subsection, subdivision, paragraph, sentence, clause or phrase  
10 in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or  
11 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or  
12 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the  
13 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,  
14 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,  
15 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,  
16 invalid or ineffective.

17 SECTION 7: All ordinances or parts of ordinances or sections, subsections, phrases,  
18 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,  
19 1983 Edition, in conflict herewith are hereby repealed.

20 PASSED, ADOPTED and APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2007.

21 APPROVED:

22  
23 By \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

24 ATTEST:

25 \_\_\_\_\_  
26 BEVERLY K. BRIDGES, CMC  
City Clerk

27 APPROVED AS TO FORM:  
28 Val Steed 11-6-07  
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the  
2 \_\_\_\_ day of \_\_\_\_\_, 2007, and referred to the following committee composed of  
3 \_\_\_\_\_ and \_\_\_\_\_ for recommendation;  
4 thereafter the said committee reported favorably on said ordinance on the \_\_\_\_ day of  
5 \_\_\_\_\_, 2007, which was a \_\_\_\_\_ meeting of said Council; that at said  
6 \_\_\_\_\_ meeting, the proposed ordinance was read by title to the City Council  
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": \_\_\_\_\_

9 VOTING "NAY": \_\_\_\_\_

10 ABSENT: \_\_\_\_\_

11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

APPROVED:

By \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

ATTEST:

\_\_\_\_\_  
BEVERLY K. BRIDGES, CMC  
City Clerk