

1 **BILL NO. 2007-79**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO ALLOW SHORT-TERM VACATION RENTALS IN CERTAIN
4 RESIDENTIAL DISTRICTS AS A CONDITIONAL USE, AND TO PROVIDE FOR OTHER
5 RELATED MATTERS.

6 Sponsored by: Councilman Steve Wolfson

Summary: Allows short-term vacation rentals in
certain residential districts as a conditional use.

7
8 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
9 AS FOLLOWS:

10 SECTION 1: Ordinance No. 5943 and Title 19, Chapter 4, Section 80, of the
11 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended so that Section
12 80 reads as follows:

13 **19.04.080:** (A) Unlisted Uses. The uses permitted in this Chapter are classified on the basis
14 of common operational characteristics and land use compatibility. Uses not specifically listed in this
15 Chapter are prohibited. However, additional new and unlisted uses may be permitted by the Director
16 if the Director finds that the use is similar to other uses listed in the same zoning district.

17 (B) Appeals. An applicant who is aggrieved by the decision of the Director with
18 respect to the allowability of an unlisted use may appeal the decision to the City Council. The appeal
19 shall be filed in the office of the City Clerk, with a copy to be filed in the office of the Planning and
20 Development Department. Unless otherwise stated in the Council's action, the determination of the
21 Council with respect to the appeal shall constitute a permanent and consistent interpretative decision
22 which the Director shall apply in all future instances.

23 (C) Conditions. When considering requests to permit a new or unlisted land use
24 as being similar to a listed use, the Planning Director or City Council shall consider the potential
25 effects of the use on adjacent properties in terms of requirements for services, visual impact, traffic
26 generation, the extent to which the use is consistent with other uses allowed in the district, and other
27 issues they deem appropriate. Based upon such consideration, the Director or Council, in approving
28 a request under this Section, may impose appropriate and reasonable conditions designed to ensure

1 compatibility and consistency of uses.

2 (D) Authorization of New Uses. New uses which have been permitted by the
 3 Director or City Council, pursuant to the Section shall be added by ordinance amendment on a
 4 periodic basis.

5 (E) Uses Expressly Prohibited. Without limiting the general applicability of
 6 Subsection (A) of this Section, the [following uses are expressly prohibited in any residential zoning
 7 district:

8 (1) Short-term vacation rental.] commercial use of a residential dwelling
 9 unit for dwelling, lodging or sleeping purposes, wherein any individual guest rents or occupies the unit
 10 for a period of less than thirty-one consecutive calendar days, is prohibited except as otherwise
 11 permitted under this Title.

12 SECTION 2: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section
 13 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to
 14 allow the use "Short-Term Vacation Rental" in certain residential zoning districts as a conditional use.
 15 In order to reflect the amendment, a new entry for the use "Short-Term Vacation Rental" is added to
 16 the "Residential and Lodging" element of Table 2, 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
Short-Term Vacation Rental	C	C	C	C	C																
Description: The commercial use, or the making available for commercial use, of a residential dwelling unit for dwelling, lodging or sleeping purposes, wherein any individual guest rents or occupies the unit for a period of less than 31 consecutive calendar days.																					
Conditional Use Regulations: 1. The operator must obtain a permit from the Business Services Division on an annual basis to operate the use, and shall pay such fee as the Division may establish for the use. 2. The use must comply on an ongoing basis with all governmental licensing and regulatory requirements, including the payment of applicable room taxes and licensing fees. 3. The use must comply with the City's noise regulations as they apply to residential uses. 4. In connection with the issuance of a permit under Conditional Use Regulation 1, the Business Services Division may establish additional conditions on the use, including without limitation a time limit on outdoor activities and a limit on the number of occupants. In addition, at any time following issuance of the permit, the Division may impose additional conditions on the permit, and may revoke the permit for noncompliance. 5. Vehicle parking associated with the use shall comply with applicable parking regulations, and vehicles of guests and invitees shall not obstruct traffic or access to other properties in the area. 6. The operator must designate a property manager or agent of the owner who will be available at all times to respond to law enforcement authorities and to concerns from neighborhood residents, and who is authorized to take remedial action in the event of noncompliance with law or with permit conditions.																					
On-site Parking Requirement: No additional parking required beyond that which is required for the principal use on the site.																					

26 SECTION 3: For purposes of Section 2.100(3) of the City Charter, LVCM 19.04.010
 27 is deemed to be a subchapter rather than a section.

28 SECTION 4: If any section, subsection, subdivision, paragraph, sentence, clause or

1 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
2 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
3 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
4 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
5 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
6 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
7 invalid or ineffective.

8 SECTION 5: All ordinances or parts of ordinances or sections, subsections, phrases,
9 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
10 1983 Edition, in conflict herewith are hereby repealed.

11 PASSED, ADOPTED and APPROVED this ____ day of _____, 2008.

12 APPROVED:

13
14 By _____
OSCAR B. GOODMAN, Mayor

15 ATTEST:

16 _____
17 BEVERLY K. BRIDGES, CMC
City Clerk

18 APPROVED AS TO FORM:

19 Val Stead 12-6-07
20 _____
Date

21
22
23
24
25
26
27
28

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2008, 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 _____, 2008, 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 APPROVED:

13
14 By _____
OSCAR B. GOODMAN, Mayor

15 ATTEST:

16 _____
17 BEVERLY K. BRIDGES, CMC
City Clerk

18
19
20
21
22
23
24
25
26
27
28