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PROPOSED FIRST AMENDMENT

BILL NO. 2010-34

ORDINANCE NO. _____

AN ORDINANCE TO UPDATE THE PROVISIONS REGARDING THE ON-SITE PARKING, STORAGE AND REPAIR OF VEHICLES IN RESIDENTIAL DISTRICTS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Steven D. Ross

Summary: Revises the provisions regarding the on-site parking, storage and repair of vehicles in residential districts.

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 by amending the Conditional Use Regulations for the use "Vehicle Parking, Storage or Repair in Residential Zoning Districts," as found in the "Auto and Marine Related" element of Table 2, to read as follows:

Conditional Use Regulations:

1. Except as otherwise provided in Regulations 2 to [13,] 14, inclusive, motor vehicles, including passenger cars, trucks and motorcycles which are not designed or used for racing or for purposes other than transportation, may be parked, stored or repaired on any property in a residential district, provided the same is accessory and incidental to the use of the property for residential purposes and does not constitute a nuisance, health or fire hazard offense under the provisions of this Code and do not have a detrimental effect on the neighborhood. Unless stored or parked within a completely enclosed building, [The] the motor vehicles shall be stored[:] or parked:
 - a. Within a completely enclosed structure;
 - b. In the front yard, either on an approved driveway, or on a surface of concrete or asphaltic paving that is adjacent and parallel to an approved driveway and that extends the full length and width of the vehicle; or
 - c. In the side yard, either obscured by a 6 foot-high fence to adequately screen the

Submitted at City Council

Date 10/6/10 Item 66

Staff

1 be stored at one time.

2 d. No stored vehicles may be utilized for storing items of personal property, and the area
3 under each vehicle must be kept free of debris and vegetation.

4 3. [In any residential district,] Unless stored or parked within a completely enclosed building, a
5 recreational vehicle or trailer, or combination thereof, may be stored or parked only as follows:

6 [a. Within an enclosed structure;

7 b. In a rear yard, if stored on a surface of concrete or asphaltic paving, gravel or chat
8 which extends the full length and width of the stored item;

9 c. In a front yard, provided that:

10 i. The side and rear yards are not reasonably accessible for storage purposes. A
11 corner lot shall be deemed to have reasonable access, and the existence of a
12 fence or block wall, by itself, shall not be deemed to prevent reasonable access
13 to the side or rear yards; or

14 ii. The recreational vehicle or trailer, or combination thereof, is stored entirely in
15 the yard area with no portion of the unit located closer than one foot from an
16 adjacent public street or sidewalk; and

17 iii. The recreational vehicle or trailer, or combination thereof, is stored on a
18 surface of concrete or asphaltic paving that is adjacent and parallel to an
19 approved driveway and that extends the full length and width of the stored
20 item.

21 d. In a side yard, if the recreational vehicle or trailer, or combination thereof, does not
22 extend closer to the street than the front of the main building on the property, and if it
23 is stored on a surface of concrete or asphaltic paving that is adjacent and parallel to an
24 approved driveway and that extends the full length of the stored item.]

25 a. In a rear yard, either:

26 i. On a surface of pavers or other blocks of uniform appearance that are at least
27 2 inches in thickness;

28 iii. On a surface of decomposed granite no less than 2 inches thick, defined with

- 1 vehicle;
- 2 d. If it is not connected to any electrical or sewer service for more than 24 consecutive
- 3 hours;
- 4 e. If it is not used for dwelling purposes;
- 5 f. If it is not used for the storage of goods, materials or equipment, other than those items
- 6 considered to be part of the recreational vehicle and are related to the immediate use
- 7 and enjoyment thereof; and
- 8 g. Its use is in full compliance with applicable provisions of the Fire Code and other
- 9 technical codes.
- 10 [4. Any vehicle being repaired, stored or parked for more than 4 hours on property in a residential
- 11 district shall have a manufacturers rated carrying capacity not to exceed one ton, and any
- 12 vehicle being repaired must be owned by a permanent resident at the location where the repair
- 13 takes place, except as provided in Regulation 9 below.]
- 14 4. Except as provided in Regulation 9 below:
- 15 a. No vehicle may be repaired, stored or parked for more than 4 consecutive hours if its
- 16 manufacturer's rated carrying capacity exceeds one ton.
- 17 b. No vehicle may be repaired unless it is owned by a permanent resident at the location
- 18 where the repair takes place.
- 19 c. On a parcel within a single-family residential district, not more than one passenger
- 20 vehicle with commercial advertising displayed thereon may be stored or parked.
- 21 5. Except as otherwise provided in Regulation 10 below:
- 22 a. Any vehicle that is [located in a residential district and is] in mechanically inoperable
- 23 condition shall be stored or repaired in a garage, shed or other enclosure; in a
- 24 driveway; or in a rear yard that is enclosed by a 6 foot[-]high fence to [adequately]
- 25 permanently screen the vehicle from view; provided, however, that if the abutting
- 26 property is undeveloped, the fencing shall not be required until the adjacent property
- 27 is developed.
- 28 b. [In a residential district, no] No repair outside of an enclosure may occur later than 9:00

1 for more than 4 hours,] the parking or standing of any vehicle whose primary function
2 is other than the transportation of passengers, including but not limited to forklifts,
3 backhoes, tractors, tow trucks and similar types of machinery, construction or
4 industrial equipment.

5 9. Nothing in Regulations 1 to [13,] 14, inclusive, shall be construed to permit the operation of
6 a business as defined in Title 6. There shall be no repair, restoration or modification of non-
7 owned vehicles for money or barter, [on residential property.] However, nothing in
8 Regulations 1 to [13,] 14, inclusive, prohibits the temporary emergency repair of owned or
9 non-owned vehicles which have become mechanically inoperable while on the property or in
10 the street.

11 10. On any [residential] lot owned by a member of a duly-recognized organization of automobile
12 collectors or restorers, the owner may exceed the limitations on vehicle storage and repair set
13 forth in Regulations 2, 5(a) and 6 above with respect to the restoration, refurbishing or
14 rebuilding of his or her own classic or antique vehicle if any such vehicle is covered with a
15 fitted full-vehicle pullover cover when it is not being worked on[.], the vehicle's tires are
16 inflated, and the area under the vehicle is kept free of debris and vegetation.

17 11. In order to facilitate vehicle inspection and enforcement under Regulations 1 to [13,] 14,
18 inclusive, any person responsible for or engaged in the parking, storage, repair, restoration or
19 modification of any vehicle shall, upon request, provide to any authorized enforcement officer:

- 20 a. Evidence regarding the operability of the vehicle, as well as the ownership of the
21 vehicle, such as current registration, title, bill of sale or other documentation[;] from
22 an authority responsible for motor vehicle regulation;
- 23 b. As applicable to the exception set forth in Regulation 10, evidence [sufficient to
24 indicate] regarding the person's membership in a duly-recognized organization of
25 automobile collectors or restorers; and
- 26 c. As applicable to the exception set forth in Regulation 10, evidence [sufficient to
27 indicate that] regarding the extent to which the vehicle or vehicles in question are
28 actually and currently in the process of being restored, refurbished or rebuilt.

1 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
2 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
3 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
4 invalid or ineffective.

5 SECTION 4: Whenever in this ordinance any act is prohibited or is made or declared
6 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is
7 required or the failure to do any act is made or declared to be unlawful or an offense or a
8 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall
9 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than
10 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such
11 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

12 SECTION 5: All ordinances or parts of ordinances or sections, subsections, phrases,
13 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
14 1983 Edition, in conflict herewith are hereby repealed.

15 PASSED, ADOPTED and APPROVED this ____ day of _____, 2010.

16 APPROVED:

17 By _____
18 OSCAR B. GOODMAN, Mayor

19 ATTEST:

20 _____
21 BEVERLY K. BRIDGES, MMC
City Clerk

22 APPROVED AS TO FORM:

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Date
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