



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 12, 2011

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS

**** STAFF RECOMMENDATION(S) ****

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
TXT-41987	Staff recommends APPROVAL.	

**** PROPOSED AMENDMENT(S) ****

1. Title 6.09.010 is hereby amended to read as follows:

6.09.010 Definitions

For purposes of this Chapter:

- (A) "Apartment house" means a structure which contains three or more apartment dwelling units and which does not qualify as a condominium, townhouse dwelling, co-op, tenants in common or residence hotel.
- (B) "Landlord training program" means a landlord training program offered by the Las Vegas Metropolitan Police Department in connection with its Las Vegas Crime Free Multi-Housing Program.
- (C) "Licensee" means a person who is licensed to manage, operate or conduct an apartment house.

2. Title 19.16.100(B)(3) is hereby amended to read as follows:

3. Certain Conversions. The conversion of any development from multi-family or apartment development to condominium or co-op status shall require a Site Development Plan Review.

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3. Title 19.18.010 is hereby amended by adding thereto, at the appropriate location, the following term, together with its corresponding definition:

Co-op. A multi-family dwelling owned and maintained by the residents. The entire structure and real property is under common ownership as contrasted to a condominium where individual units are under separate individual occupant ownership. The term includes “tenants in common,” “cooperative housing” or other similar terms.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

Discussion and possible action to amend LVMC 6.09 related to Apartment Houses and Apartment House Managers to update the definition of an Apartment House and to amend LVMC 19.16 and 19.18 to address the conversion of a multi-family development or apartment to a co-op and provide a definition for a co-op.

ANALYSIS

A co-op or cooperative housing is a legal entity, usually a corporation, which owns residential property, consisting of one or more residential units or buildings. Under this model of property ownership, each member of the corporation is entitled to occupy one of the residential units owned by the co-op. Similar to the CC&Rs of a typical residential subdivision an occupancy agreement, which specifies the co-op's rules, may also be required of the corporation members.

A “co-op” or “tenants in common” property ownership model is not differentiated from apartments under the city’s business licensing regulations. Further, a change from a multi-family development to a co-op is not currently contemplated under the Unified Development Code (UDC). There are provisions under both Title 6 (Business Licensing) and Title 19 (UDC) to address condominiums which are similar to co-ops in that they are multi-family buildings that are not rental apartments but instead condominium units are owned by individuals.

The proposed changes will make it clear that a co-op, or tenants in common, development is not considered an “apartment house” for purposes of business licensing. Additionally, the proposed changes will provide site development review should a multi-family development be proposed to convert to a co-op, which is in line with requirements for the conversion of multi-family development to condominium development. Finally, the proposed change will introduce a definition to the UDC for co-ops.

FINDINGS

The proposed text amendment will achieve the following:

- Exclude co-ops and tenants in common from the definition of “apartment house” under the city’s business licensing regulations.
- Provide for site development review when multi-family residential development is proposed for conversion into a co-op.
- Provide a definition for the term “co-op.”

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The following table summarizes all proposed changes:

Code Requirements	Existing Regulations	Proposed Regulations
6.09.010	Defines what is an apartment house under the city's business licensing code	Adds co-ops and tenants in common as exclusions to the apartment house definition
19.16.100(B)(3)	Addresses requirements for certain conversions	Adds the conversion from multi-family to co-op as a conversion that requires a site development review
19.18.010	n/a	Adds a definition for a "co-op"

NOTICES MAILED

NEWSPAPER ONLY

APPROVALS

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PROTESTS

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