

1 **BILL NO. 2013-20**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE TO AUTHORIZE
4 NONRESIDENTIAL USES ABOVE GROUND FLOOR LEVEL IN MIXED-USE
5 DEVELOPMENTS, CLARIFY THE REQUIREMENTS FOR ENTRYWAYS TO SUCH USES,
6 AND PROVIDE FOR OTHER RELATED MATTERS.

6 Proposed by: Flinn Fagg, Director of Planning

Summary: Amends the Unified Development Code to authorize nonresidential uses above ground floor level in mixed-use developments and clarify the requirements for entryways to such uses.

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

11 SECTION 1: Ordinance No. 6190 and the Unified Development Code adopted as
12 Title 19 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended
13 as set forth in Section 2 of this Ordinance. The amendment is deemed to be an amendment to both
14 Ordinance No. 6190 and the Unified Development Code adopted as Title 19.

15 SECTION 2: Title 19, Chapter 12, Section 70, is hereby amended by amending the
16 entry for the use "Mixed-Use" to read as follows:

17 **Mixed-Use**

18 **Description:** The vertical integration of residential uses and commercial or civic uses within a single
19 building or a single development, where the uses share pedestrian access, vehicular access, parking
20 functions, or any combination thereof.

21 **Conditional Use Regulations:**

- 22 1. Residential uses permitted as of right in the R-3 and R-4 Zoning Districts are permitted as
23 conditional uses within a C-1 or C-2 Zoning District.
- 24 2. Commercial uses or civic uses shall at a minimum be located at the ground level fronting the
25 primary public rights-of-way[, and the] and may extend beyond the ground floor. The principal
26 entryway [for] to access those uses, whether individually or collectively, shall be directly accessed
27 from and oriented to the public sidewalk.
- 28 3. Residential uses shall not be permitted on the ground floor fronting on primary public rights-

1 of-way, but may be located at or above the second level of the building. Residential uses may be
2 located on the ground floor of any building or portion thereof that is located at the interior of the
3 development site and does not front on an arterial or collector street.

4 4. Surface parking lots shall be located to the side or the rear of the principal building(s) on the
5 site, and shall be screened from view of the adjacent rights-of-way by the principal building(s) or a
6 landscape buffer in conformance with the requirements of LVMC Chapter 19.08. Parking structures
7 shall not be located along the street frontages of the development site, but shall be screened from view
8 of the adjacent rights-of-way by the principal building(s).

9 **Minimum Special Use Permit Requirements:**

10 1. Residential uses permitted as of right in the R-3 and R-4 Zoning Districts may be permitted
11 by means of a Special Use Permit within a P-O or O Zoning District.

12 2. Nonresidential uses permitted as of right in the P-O, O and C-1 Zoning District may be
13 permitted by means of a Special Use Permit within an R-3 or R-4 Zoning District.

14 3. Commercial uses or civic uses shall at a minimum be located at the ground level fronting the
15 primary public rights-of-way[, and the] and may extend beyond the ground floor. The principal
16 entryway [for] to access those uses, whether individually or collectively, shall be directly accessed
17 from and oriented to the public sidewalk.

18 4. Residential uses shall not be permitted on the ground floor fronting on primary public rights-
19 of-way, but may be located at or above the second level of the building. Residential uses may be
20 located on the ground floor of any building or portion thereof that is located at the interior of the
21 development site and does not front on an arterial or collector street.

22 5. Surface parking lots shall be located to the side or the rear of the principal building(s) on the
23 site, and shall be screened from view of the adjacent rights-of-way by the principal building(s) or a
24 landscape buffer in conformance with the requirements of LVMC Chapter 19.08. Parking structures
25 shall not be located along the street frontages of the development site, but shall be screened from view
26 of the adjacent rights-of-way by the principal building(s).

27 **On-site Parking Requirement:** To be determined in accordance with the applicable parking
28 calculations for mixed-use developments that are set forth in LVMC 19.18.030.

1 SECTION 3: For purposes of Section 2.100(3) of the City Charter, Section 19.12.070
2 is deemed to be a subchapter rather than a section.

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

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

14 PASSED, ADOPTED and APPROVED this ____ day of _____, 2013.

15 APPROVED:

16 By _____
17 CAROLYN G. GOODMAN, Mayor

18 ATTEST:

19 _____
20 BEVERLY K. BRIDGES, MMC
City Clerk

21 APPROVED AS TO FORM:

22 Val Steed 4-3-13
23 Date

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1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2013, and referred to a committee for recommendation, the
3 committee being composed of the following members _____
4 _____; thereafter the said committee reported favorably on said ordinance on the
5 ____ day of _____, 2013, which was a _____ meeting of said
6 Council; that at said _____ meeting, the proposed ordinance was read by title
7 to the City Council as first introduced and adopted by the following vote:

8 VOTING "AYE": _____
9 VOTING "NAY": _____
10 ABSENT: _____

11 APPROVED:

12
13 By _____
14 CAROLYN G. GOODMAN, Mayor

15 ATTEST:

16 _____
17 BEVERLY K. BRIDGES, MMC
18 City Clerk
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