

1 **BILL NO. 2013-49**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE TO UPDATE THE
4 STANDARDS APPLICABLE TO LIVE/WORK UNITS WITHIN THE LIVE/WORK OVERLAY
DISTRICT, AND TO PROVIDE FOR OTHER RELATED MATTERS.

5 Sponsored by: Councilman Bob Coffin

Summary: Amends the Unified Development
Code to update the standards applicable to
live/work units within the Live/Work Overlay
District.

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

10 SECTION 1: Ordinance No. 6190 and the Unified Development Code adopted as
11 Title 19 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended
12 as set forth in Sections 2 to 6, inclusive of this Ordinance. The amendments are deemed to be
13 amendments to both Ordinance No. 6190 and the Unified Development Code adopted as Title 19.

14 SECTION 2: Title 19, Chapter 10, Section 170, Subsection (B), is hereby amended
15 to read as follows:

16 B. Intent

17 It is intended that Live/Work units will function as follows:

18 1. The owner or lessee of the [space] Live/Work unit will reside and work in the [Live/Work]
19 unit.

20 2. The commercial or nonresidential uses of the Live/Work unit will be limited to
21 [low-intensity commercial and arts-related uses.] the uses that are allowed within the underlying
22 zoning district pursuant to LVMC Chapter 19.12 or within any applicable special area plan, subject
23 to the requirements and limitations of that Chapter or plan.

24 3. No activity that uses hazardous materials or generates excessive noise will be permitted.

25 4. [The number of employees will be limited.

26 5. Clientele generally will arrive by appointment, with walk-in trade anticipated to be
27 minimal.] Live/Work units shall be designed to be compatible with the surrounding adjacent
28 development.

1 5. The use of Live/Work units shall comply with and be subject to applicable building and fire
2 safety codes.

3 6. The residential component of the use shall be accessory to the commercial or nonresidential
4 component.

5 7. Residents of Live/Work units will be presumed to acknowledge the existence and operation
6 of uses that are permitted on nearby parcels that are zoned for commercial and industrial uses.

7 SECTION 3: Title 19, Chapter 10, Section 170, Subsection (D), is hereby amended
8 to read as follows:

9 D. Approval Criteria.

10 All Live/Work units within the Live/Work Overlay District must meet the following criteria in order
11 to be approved:

12 1. Zoning. Live/Work units may be located in the P-O, C-1, C-2, C-M, M and PD Zoning
13 Districts only.

14 2. [Permissible Nonresidential Uses. Because of the residential component, only the following
15 nonresidential uses are permitted:

16 a. Office uses.

17 b. Desktop publishing.

18 c. Arts activities, including painting, sculpture, printmaking, ceramics, photography,
19 film, video, graphic design, jewelry, and textiles, but excluding any activity that involves welding or
20 open flame work. The sale of artwork is permitted as an ancillary use.]

21 Locational Criteria. Live/Work units shall not be allowed within a multi-family residential
22 building, unless approved as a mixed-use development. When so approved, such units shall comply
23 with the locational provisions of LVMC 19.12.070 for commercial and civic uses.

24 3. Nonresidential Use Criteria. Nonresidential activities [must generally] shall conform to the
25 intent of the Live/Work Overlay District as described in Subsection (B) of this Section.

26 4. Residential Use Criteria. The residential component of a Live/Work unit must contain
27 sleeping space; [, cooking facilities, and complete sanitary facilities.] a kitchen containing a
28 refrigerator, sink and cooking facility (such as a stove or microwave); and complete sanitary facilities

1 that include a sink, a toilet, and a shower or bathtub (or both). No more than fifty percent of the total
2 floor area of a Live/Work unit shall be designed or used for residential purposes[.], and no unit may
3 be used solely for residential purposes. [The residential occupancy of a Live/Work unit must include
4 at least one person who is employed or carries out an occupation in the unit.] At least one occupant
5 of the Live/Work unit must reside and work in the unit.

6 5. [Emergency Access and Parking. Live/Work units shall be clearly identified by signage in
7 order to facilitate access for emergency services. The amount of required on-site parking shall be
8 calculated in accordance with parking provisions of this Title, based upon the gross square footage
9 of the unit and the nonresidential use or uses occurring therein.] Parking. The amount of required
10 on-site parking shall be calculated in accordance with any and all applicable parking provisions of this
11 Title, or of any applicable special area plan or overlay district, in each case based upon the gross
12 square footage of the unit and the nonresidential use or uses occurring therein. A deviation or relief
13 from the applicable standard may be granted by means of a Variance pursuant to LVMC 19.16.140,
14 a parking alternative pursuant to LVMC 19.18.030(D)(4), or such other means as are specified in a
15 special area plan or overlay district, as applicable.

16 6. Signage. Permissible signage shall be in accordance with the requirements and limitations
17 of this Title and those that pertain to any other overlay district in which the property is located. A
18 deviation or relief from the applicable standard may be granted by means of a Variance pursuant to
19 LVMC 19.16.140 or by such other means as are specified in a special area plan or overlay district, as
20 applicable.

21 7. Access.

22 a. Each Live/Work unit shall be divided into separate designated residential and
23 nonresidential areas. Interior access between the residential use and the nonresidential use shall be
24 maintained at all times.

25 b. When approved as part of a mixed-use development, access to the nonresidential
26 use of the unit for the public, deliveries or other services shall be provided from the exterior of the
27 unit, or from corridors that do not provide direct access to other residential units. Access through
28 shared residential corridors shall be permitted to a Live/Work unit only when such access is solely for

1 the residential use.

2 c. Live/Work units shall be clearly identified by signage in order to facilitate access
3 for emergency services. For addressing purposes, the unit shall receive a single address in
4 conformance with the applicable provisions of LVMC 19.04.050.

5 SECTION 4: Title 19, Chapter 10, Section 170, Subsection (E), is hereby amended
6 to read as follows:

7 E. Approval Process.

8 [1. Arts District. Within the Arts District (as identified in the Las Vegas Downtown
9 Centennial Plan), a Live/Work unit proposed within a new structure may be approved as part of a Site
10 Development Plan Review. Live/Work units proposed within an existing structure may be approved
11 administratively, subject to compliance with this Section and all applicable building-related codes.

12 2. Other Locations. At locations other than the Arts District (as identified in the Las Vegas
13 Downtown Centennial Plan), a Live/Work unit proposed within a new or existing structure may be
14 approved only by means of a Special Use Permit.] A Live/Work unit shall be approved as part of a Site
15 Development Plan Review, subject to compliance with this Section and all applicable building and
16 fire safety codes. The approval process for nonresidential uses shall be in accordance with the
17 provisions of LVMC Chapter 19.12 for the underlying zoning district, or as provided for in any
18 applicable special area plan. Nonresidential uses are subject to the applicable provisions of Title 6.

19 SECTION 5: Title 19, Chapter 10, Section 170, Subsection (F), is hereby amended
20 to read as follows:

21 F. Applicability of Other [Provisions.] Standards.

22 1. This Section is intended to operate and apply independently of any other provision in this
23 Title that allows residential and nonresidential uses on the same parcel. An applicant may proceed
24 under this Section or under any other provision that applies to a proposed use.

25 2. Except as otherwise provided in this Section, the standards set forth in this Section are
26 minimum standards, and no deviation from those standards shall be permitted.

27 3. Notwithstanding any other provision of this Title, the provisions of LVMC 19.16.180
28 relative to home occupations shall not apply to Live/Work units.

1 SECTION 6: Title 19, Chapter 16, Section 100, Subsection (F), Paragraph (1), is
2 hereby amended to read as follows:

3 1. Minor Review Decisions. Site Development Plans requiring Minor Reviews may be
4 approved administratively by the Director. Minor Reviews include without limitation:

5 a. Alterations which affect the external dimensions of an existing building or structure
6 that complies with all applicable requirements of this Title and with any previous conditions or
7 discretionary approval.

8 b. New commercial or industrial construction of five thousand square feet or less that
9 complies with all applicable requirements of this Title.

10 c. New residential construction consisting of no more than four dwelling units that
11 complies with all applicable requirements of this Title and is not part of a sequential application for
12 additional units.

13 d. Live/Work units which comply with the provisions of LVMC 19.10.170, all other
14 applicable requirements of this Title, and any previous conditions or discretionary approval.

15 SECTION 7: For purposes of Section 2.100(3) of the City Charter, Sections 19.10.170
16 and 19.16.100 are deemed to be subchapters rather than sections.

17 SECTION 8: The Department of Planning is authorized and directed to:

18 (A) Incorporate into the Unified Development Code the amendments set forth in
19 Sections 2 to 6, inclusive, of this Ordinance.

20 (B) Apply the provisions of this Ordinance to properties within the Live/Work
21 Overlay District that are zoned P-R pending the rezoning of such properties to the P-O zoning
22 classification.

23 SECTION 9: If any section, subsection, subdivision, paragraph, sentence, clause or
24 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
25 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
26 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
27 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
28 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,

1 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
2 invalid or ineffective.

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

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

7 APPROVED:

8
9 By CAROLYN G. GOODMAN, Mayor

10 ATTEST:

11 BEVERLY K. BRIDGES, MMC
12 City Clerk

13 APPROVED AS TO FORM:

14 Val Steed 8-19-13
15 Date

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: _____

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12 APPROVED:

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14 By _____
CAROLYN G. GOODMAN, Mayor

15 ATTEST:

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17 BEVERLY K. BRIDGES, MMC
City Clerk

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