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1 **BILL NO. 2018-58**

2 **ORDINANCE NO. 6663**

3 AN ORDINANCE TO AMEND LVMC 19.12.070 TO LIMIT SHORT-TERM RESIDENTIAL RENTALS
4 TO DWELLING UNITS THAT ARE OWNER-OCCUPIED, HAVE NO MORE THAN THREE
5 BEDROOMS, AND ARE NOT CLOSER THAN 660 FEET TO ANOTHER SHORT-TERM
6 RESIDENTIAL RENTAL; ELIMINATING THE ABILITY TO OBTAIN RELIEF FROM THOSE
7 LIMITATIONS BY MEANS OF A SPECIAL USE PERMIT APPLICATION; PROVIDING FOR THE
CONTINUATION OF EXISTING USES THAT DO NOT CONFORM TO THE NEW LIMITATIONS,
SUBJECT TO THE LICENSING REQUIREMENTS OF LVMC TITLE 6 AND THE NONCONFORMING
USE PROVISIONS OF LVMC TITLE 19; AND PROVIDING FOR OTHER RELATED MATTERS.

8 Sponsored by: Councilwoman Lois Tarkanian

Summary: Amends LVMC 19.12.070 to limit
short-term residential rentals to dwelling units that
are owner-occupied, have no more than three
bedrooms, and are not closer than 660 feet to
another short-term residential rental; eliminate the
ability to obtain relief from those limitations by
means of a special use permit application; and
provide for the continuation of existing uses that
do not conform to the new limitations, subject to
the licensing requirements of LVMC Title 6 and
the nonconforming use provisions of LVMC Title
19.

15 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS
16 FOLLOWS:

17 SECTION 1: Ordinance No. 6289 and the Unified Development Code adopted as Title 19
18 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended as set forth in
19 Section 2 and 3 of this Ordinance. The amendments are deemed to be amendments to both Ordinance No.
20 6289 and the Unified Development Code adopted as Title 19.

21 SECTION 2: Title 19, Chapter 12, Section 70, is hereby amending the entry for the use
22 "Short-Term Residential Rental" so that the Conditional Use Regulations for that use read as follows:

23 **Conditional Use Regulations:**

- 24 1. The operator must obtain a business license to operate the use.
- 25 2. The use must comply on an ongoing basis with all governmental licensing and regulatory requirements,
26 including the payment of applicable room taxes and licensing fees.
- 7 ✓

- 1 3. The use must comply with the City's noise regulations as they apply to residential uses.
- 2 4. The use may not be located closer than 660 feet to any other Short-Term Residential Rental use
3 (measured from property line to property line).
- 4 5. Vehicle parking associated with the use shall comply with applicable parking regulations, and vehicles
5 of guests and invitees shall not obstruct traffic or access to other properties in the area.
- 6 6. In addition to and independent of any enforcement authority or remedy described in this Title, the
7 failure to comply with a Conditional Use Regulation associated with this use may be enforced as in the case
8 of a violation of Title 6 by means of a civil proceeding pursuant to LVMC 6.02.400 to 6.02.460, inclusive.
- 9 7. On any particular parcel, the use is limited to a single residential dwelling unit that is [occupied by its
10 owner] owner-occupied during each period the unit is rented and that has no more than three bedrooms, with
11 a maximum occupancy not to exceed the limits set forth in LVMC 6.75.090. [For purposes of the preceding
12 sentence, "owner" includes any person who is listed as an owner of record of the unit in the records of the
13 Clark County Assessor or, in the case of a unit that is owned by a trust or other corporate or legal entity, a
14 trustee or principal of that trust or entity.] The dwelling unit is presumed to have the number of bedrooms
15 indicated in the records of the Clark County Assessor's Office that pertain to that unit, but that presumption
16 may be rebutted by inspection or other competent evidence. For purposes of this Regulation 7:
- 17 a. "Owner" includes any person who is listed as an owner of record of the unit in the records of the
18 Clark County Assessor or, in the case of a unit that is owned by a trust or other corporate or legal entity, a
19 trustee or principal of that trust or entity.
- 20 b. A dwelling unit qualifies as "owner-occupied during each period the unit is rented" only if the
21 dwelling unit is the owner's primary residence, the owner continues to reside at the unit throughout the rental
22 period, and the owner's absence, if any, from the unit during the rental period is attributable only to
23 employment or to the running of typical personal or household errands.
- 24 8. The use is allowed in the P-O, O, C-1, C-2 and C-PB Zoning Districts only in connection with the
25 residential component of a mixed-use development or in a dwelling unit permitted as a legal nonconforming
26 use.

1 9. The Special Use Permit provisions of LVMC 19.12.040(B) do not apply to this use.

2 SECTION 3: Title 19, Chapter 12, Section 70, is hereby amending the entry for the use
3 "Short-Term Residential Rental" to delete in their entirety the Minimum Special Use Permit Requirements
4 for that use.

5 SECTION 4: For purposes of Section 2.100(3) of the City Charter, Section 19.12.070 is
6 deemed to be a subchapter rather than a section.

7 SECTION 5: The Department of Planning is authorized and directed to incorporate into
8 the Unified Development Code the amendments set forth in Sections 2 and 3 of this Ordinance.

9 SECTION 6: For purposes of determining the future availability of a short-term
10 residential rental use on property with an R-A zoning classification or another classification that is not listed
11 in the Land Use Tables that appear in LVMC 19.12.010:

12 (A) Property that is classified with an R-A classification shall be treated as if it had an
13 R-E classification.

14 (B) Property that is classified with another classification shall be treated as if it had the
15 nearest comparable classification, as determined by the Director.

16 SECTION 7: Short-term residential rental uses 1) that are existing on the effective date of
17 this Ordinance, 2) whose operators hold current business licenses under LVMC Chapter 6.75, and 3) that
18 would not otherwise be permitted under the provisions of this Ordinance are allowed to continue, subject to
19 the applicable provisions of LVMC Title 6 that govern the continued viability of business licenses, and the
20 applicable provisions of LVMC Title 19 that govern nonconforming uses.

21 SECTION 8: Section 18 of Ordinance No. 6585 (regarding the requirement for certain
22 existing uses to obtain special use permit approval within a specified time period) is hereby repealed.

23 SECTION 9: If any section, subsection, subdivision, paragraph, sentence, clause or phrase
24 in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by
25 any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the
26 remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby

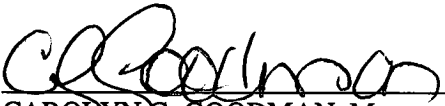
1 declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase
2 thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs,
3 sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

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

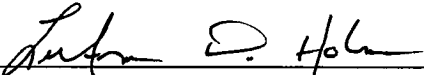
11 SECTION 11: All ordinances or parts of ordinances or sections, subsections, phrases,
12 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983
13 Edition, in conflict herewith are hereby repealed.

14 PASSED, ADOPTED and APPROVED this 5th day of December, 2018.

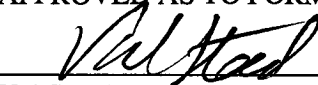
15 APPROVED:

16 By 
17 CAROLYN G. GOODMAN, Mayor

18 ATTEST:

19 
20 LUANN D. HOLMES, MMC
City Clerk

21 APPROVED AS TO FORM:

22  11-8-18
23 Val Steed, Date
Deputy City Attorney

1 The above and foregoing ordinance was first proposed and read by title to the City Council
2 on the 21st day of November, 2018, and referred to a committee for recommendation;
3 hereafter the committee reported favorably on said ordinance on the 5th day of December,
4 2018, which as a regular meeting of said Council; that at said regular meeting, the
5 proposed ordinance was read by title to the City Council as first introduced and adopted by
6 the following vote:

7 VOTING "AYE": Councilmembers, Tarkanian, Coffin, Seroka and Crear

8 VOTING "NAY": Mayor Goodman, and Councilmembers Anthony and Fiore

9 EXCUSED: None

10 ABSTAINED: None

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12
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14 APPROVED:

15 
16 CAROLYN G. GOODMAN, Mayor

17 ATTEST:

18 
19 LUANN D. HOLMES/MMC City Clerk
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AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

LV CITY CLERK
495 S MAIN ST
LAS VEGAS NV 89101

Account # 22515
Ad Number 0001019265

RECEIVED
CITY CLERK

2018 NOV 29 A 11: 59

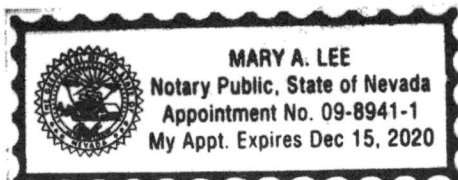
Leslie McCormick, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for, was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 11/24/2018 to 11/24/2018, on the following days:

11 / 24 / 18

/s/ 
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 26th day of November, 2018

Notary 



BILL NO. 2018-58

AN ORDINANCE TO AMEND LVMC 19.12.070 TO LIMIT SHORT-TERM RESIDENTIAL RENTALS TO DWELLING UNITS THAT ARE OWNER-OCCUPIED, HAVE NO MORE THAN THREE BEDROOMS, AND ARE NOT CLOSER THAN 660 FEET TO ANOTHER SHORT-TERM RESIDENTIAL RENTAL; ELIMINATING THE ABILITY TO OBTAIN RELIEF FROM THOSE LIMITATIONS BY MEANS OF A SPECIAL USE PERMIT APPLICATION; PROVIDING FOR THE CONTINUATION OF EXISTING USES THAT DO NOT CONFORM TO THE NEW LIMITATIONS, SUBJECT TO THE LICENSING REQUIREMENTS OF LVMC TITLE 6 AND THE NONCONFORMING USE PROVISIONS OF LVMC TITLE 19; AND PROVIDING FOR OTHER RELATED MATTERS.

Sponsored by: Councilwoman
Lois Tarkanian

Summary: Amends LVMC 19.12.070 to limit short-term residential rentals to dwelling units that are owner-occupied, have no more than three bedrooms, and are not closer than 660 feet to another short-term residential rental; eliminate the ability to obtain relief from those limitations by means of a special use permit application; and provide for the continuation of existing uses that do not conform to the new limitations, subject to the licensing requirements of LVMC Title 6 and the nonconforming use provisions of LVMC Title 19.

At the City Council meeting of
November 21, 2018

BILL NO. 2018-58 WAS READ BY
TITLE AND REFERRED TO A
RECOMMENDING COMMITTEE

COPIES OF THE COMPLETE
ORDINANCE ARE AVAILABLE FOR
PUBLIC INFORMATION IN THE
OFFICE OF THE CITY CLERK, 2ND
FLOOR, 495 SOUTH MAIN
STREET, LAS VEGAS, NEVADA

PUB: November 24, 2018
LV Review-Journal

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

LV CITY CLERK
495 S MAIN ST
LAS VEGAS NV 89101

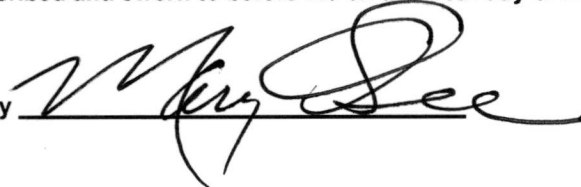
Account # 22515
Ad Number 0001022082

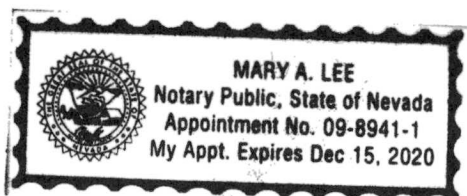
Leslie McCormick, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for, was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 12/08/2018 to 12/08/2018, on the following days:

12 / 08 / 18


/s/ _____
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 10th day of December, 2018

Notary 



RECEIVED
CITY CLERK

2018 DEC 17 P 3:23

BILL NO. 2018-58
ORDINANCE NO. 6663

AN ORDINANCE TO AMEND LVMC 19.12.070 TO LIMIT SHORT-TERM RESIDENTIAL RENTALS TO DWELLING UNITS THAT ARE OWNER-OCCUPIED, HAVE NO MORE THAN THREE BEDROOMS, AND ARE NOT CLOSER THAN 660 FEET TO ANOTHER SHORT-TERM RESIDENTIAL RENTAL; ELIMINATING THE ABILITY TO OBTAIN RELIEF FROM THOSE LIMITATIONS BY MEANS OF A SPECIAL USE PERMIT APPLICATION; PROVIDING FOR THE CONTINUATION OF EXISTING USES THAT DO NOT CONFORM TO THE NEW LIMITATIONS, SUBJECT TO THE LICENSING REQUIREMENTS OF LVMC TITLE 6 AND THE NONCONFORMING USE PROVISIONS OF LVMC TITLE 19; AND PROVIDING FOR OTHER RELATED MATTERS.

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The above and foregoing ordinance was first proposed and read by title to the City Council on the 21st day of November, 2018, and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 5th day of December, 2018, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE":
Mayor Goodman and
Councilmembers Tarkanian,
Coffin and Seroka

VOTING "NAY":
Councilmembers Anthony, Fiore
and Crear

EXCUSED: NONE

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ORDINANCE ARE AVAILABLE FOR
PUBLIC INFORMATION IN THE
OFFICE OF THE CITY CLERK, 2ND
FLOOR, 495 SOUTH MAIN
STREET, LAS VEGAS, NEVADA

PUB: December 8, 2018
LV Review-Journal