

BILL NO. 2020-9

ORDINANCE NO. 6731

AN ORDINANCE TO UPDATE LVMC CHAPTER 19.09, RELATING TO FORM-BASED CODE, TO REFINED AND ADJUST VARIOUS PROCEDURES AND STANDARDS PERTAINING TO PROPERTY AND APPLICATIONS THAT ARE GOVERNED BY THAT CHAPTER, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Robert Summerfield, Director of Planning

Summary: Updates LVMC Chapter 19.09, relating to Form-Based Code, to refine and adjust various procedures and standards pertaining to property and applications that are governed by that Chapter.

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

SECTION 1: Ordinance No. 6289 and the Unified Development Code adopted as Title 19 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended as set forth in Sections 2 to 66, inclusive, of this Ordinance. The amendments are deemed to be amendments to Ordinance No. 6289 and to the Unified Development Code adopted as Title 19.

SECTION 2: Section 19.09.030.I, including Tables 1 and 2 appearing therein, are amended to read as follows:

19.09.030.I [Minor Modifications] Exceptions and Post-Approval Adjustments

1. Purpose

Pre-Entitlement [Minor Modifications] Exceptions and Post-Approval Adjustments are intended to provide administrative-level discretion over minor deviations from the standards in Chapter 19.09 (Form-Based Code). Pre-Entitlement [Minor Modifications] Exceptions set forth standards for deviations during the review and approval of the project. Post-Approval Adjustments set forth standards for deviations after the entitlement of the project but before the issuance of the Certificate of Occupancy. [Other deviations may be allowed in compliance with LVMC Section 19.16.120 (Administrative Deviation).]

2. Pre-Entitlement [Minor Modification] Exceptions

a. The Pre-Entitlement [Minor Modifications] Exceptions in Table 1 (Pre-Entitlement [Minor

Modifications] Exceptions) are allowed in all transect zones in order to allow prescribed flexibility during the review and approval of the project, prior to entitlement.

[b. Findings and Decision

The Director shall approve, with or without conditions, a Minor Modification application, only after the following findings are made:

i. There are special circumstances applicable to the property (e.g., size, shape, topography, location, surroundings, etc.);

ii. The special circumstances applicable to the property are not self-imposed by any person presently having an interest in the property;

iii. Approval of Minor Modification will not grant special privileges inconsistent with the limitation upon other properties in the vicinity and the zone in which the property is located;

iv. The requested Minor Modification will not allow the establishment of a use that is not allowed in the zone;

v. Granting the Minor Modification will not be materially detrimental to the public health, safety, or welfare and will not impair an adequate supply of light and air to adjacent property; and

vi. The proposed project is consistent with all other applicable standards in Chapter 19.09 (Form-Based Code).

c. Review Procedures

The review processes for Pre-Entitlement Minor Modifications are set forth in LVMC Section 19.16.120 (Administrative Deviation).]

b. Review Procedures

A request for Exception must be submitted in writing to the Director in connection with the submittal of a pre-application conference request. In order for an Exception to be eligible for consideration, the applicant must show through convincing and substantial evidence that the Exception furthers the goals of the 2045 Downtown Master Plan and does not detrimentally affect the public health, safety or general welfare. Any such Exception shall be considered for endorsement by the Director prior to the submittal of an application

for Site Development Plan Review. In cases where the Director does not endorse a requested Exception, the relief sought is available only by means of a Waiver pursuant to LVMC 19.16.130.

Table 1 Pre-Entitlement [Minor Modifications] Exceptions

Type of [Minor Modification] <u>Exception</u> Allowed		Additional Findings	Required	Maximum [Modification] <u>Exception</u>
Building Placement Standards	An increase or decrease of the minimum or maximum required setback for primary buildings.	Existing building(s) on adjacent lots on the same block face is/are greater or less than the required setback; and the variation will allow the proposed project to blend in with the adjacent buildings).		2 ft.
	A decrease of the minimum façade zone standards.	The building is consistent with the intent of the zone and all other applicable standards of the zone.		10%
Building Form Standards	An increase of the maximum lot coverage standard.	The project is consistent with the intent of the zone and all other applicable standards of the zone.		5%
Building Type Standards	An increase or decrease of the minimum or maximum building, or a portion of a building, width or depth.	The building is consistent with the intent of the zone and all other applicable standards of the zone.		10%
Frontage Type Standards	An increase or decrease of the standards for building frontages.	The building is consistent with the intent of the zone and all other applicable standards of the zone; and may not be combined with any modification to the façade zone.		10%
<u>Encroachments into Façade Zone Standards</u>	<u>Alternative driveway access to the property.</u>	<u>The preferred access point is not a feasible alternative due to site constraints, and the alternate driveway access does not compromise public safety.</u>		<u>Front or corner side driveway access</u>
<u>Parking Standards</u>	<u>An increase or decrease of the minimum or maximum required setback for parking.</u>	<u>The parking is screened by a building frontage, open space, or landscaping features, all as approved by Department staff.</u>		<u>2 ft.</u>
	<u>An increase or decrease of the minimum or maximum parking requirement percentages as identified in LVMC 19.19.100.G,</u>	<u>N/A</u>		<u>15%</u>

	<u>Table 1.</u>		
<u>Other</u>	A reasonable deviation from the prescribed standards where necessary to install features that facilitate access and mobility of disabled persons with limited mobility.	The building is consistent with the intent of the zone and all other applicable standards of the zone.	[10%] <u>20%</u>

3. Post-Approval Adjustment

a. Post-Approval Adjustments Allowed

To avoid penalizing applicants for minor, inadvertent, and unforeseen [errors in construction,] circumstances post-entitlement, this Subsection allows administrative-level [de minimis] adjustments to specific standards after entitlement of the project, but before issuance of the Certificate of Occupancy. The Post-Approval Adjustments in Table 2 (Post-Approval Adjustments) are allowed in all transect zones.

b. Findings and Decision

The Director shall approve, with or without conditions, a Post-Approval Adjustment [application,] request, but only after the following findings are made:

i. The Adjustment is the minimum amount necessary to address [construction errors made inadvertently and in good faith,] a code deficiency that is due to unforeseen site conditions or other circumstances beyond the applicant's control;

ii. Granting the Adjustment will not be materially detrimental to the public health, safety, or welfare; and [will not impair an adequate supply of light and air to adjacent property; and]

iii. The proposed project [is consistent with all other applicable standards in Chapter 19.09 (Form-Based Code).] remains in substantial conformance with the original approved Site Development Plan Review.

c. Review Procedures

i. [The review processes for Post-Approval Adjustments are set forth in LVMC Section 19.16.120 (Administrative Deviation), unless otherwise indicated in this Subsection.] A request for Post-Approval Adjustment must be submitted in writing to the Director prior to the issuance of any related

off-site permit, building permit, or combination thereof. In order for a Post-Approval Adjustment to be eligible for consideration, the applicant must demonstrate conformance with Subparagraphs b.i through b.iii above (regarding Findings and Decision). The granting of any such Post-Approval Adjustment by the Director shall be in conjunction with the approval of the related off-site permit or building permit, as applicable.

ii. [The Director may not grant an Adjustment under this Subsection in connection with approval of a building permit or site plan. An Adjustment may only be approved to address errors in construction as follows:

1. The error was performed under an approved building permit or site plan;
and

2. The error was discovered during an inspection required under the LVMC for issuance of a Certificate of Occupancy.] Post-Approval Adjustments not specified in Table 2 below shall be reviewed in accordance with the process for amending Site Development Review Plans set forth in LVMC 19.16.100(H).

Table 2 Post-Approval Adjustments

Type of [Minor Modification] <u>Post-Approval Adjustments Allowed</u>		<u>Maximum [Modification] Adjustment</u>
Building Placement Standards	An increase or decrease of the minimum or maximum required setback for primary buildings.	10%
Building Form Standards	An increase of the maximum height limit.	8 ft.
	An increase of the maximum lot coverage standard.	5%
	<u>A decrease in minimum floor-to-floor heights.¹</u>	<u>1 ft.</u>

Notes: ¹ Must comply with all applicable building code and fire code requirements.

4. Prerequisite to Waiver or Variance

If a deviation from the standards in LVMC Chapter 19.09 (Form-Based Code) falls within the scope of relief set forth by this Subsection, an applicant must request a Pre-Entitlement [Minor Modification] Exception or a Post-Approval Adjustment before seeking approval of a Waiver or Variance.

SECTION 3: Section 19.09.030.J is amended to read as follows:

19.09.030.J Waiver

An applicant may apply for a Waiver pursuant to LVMC 19.16.130 if it is determined that specific development standards cannot be met. The Planning Commission may approve, approve with conditions, or deny an application for a Waiver in compliance with LVMC Section 19.16.130 (Waiver).

SECTION 4: Section 19.09.030.K is amended to read as follows:

19.09.030.K Variance

The Planning Commission and the City Council may act upon a Variance application in compliance with LVMC Section 19.16.140 (Variance). A Variance application is required to allow an increase of the maximum height.

SECTION 5: Section 19.09.030.O is amended to read as follows:

19.09.030.O Nonconformities

[Reinvestment in nonconforming structures and associated uses in Transect Zones to achieve public safety, environmental, economic, or fiscal benefits in concert with the goals of the Downtown Master Plan is encouraged. Additionally, compliance with the number of parking spaces required shall not be prioritized over other standards during the review for nonconforming structures and associated uses in Transect Zones.

1. Uses, structures, parcels, and lots that were lawful before the adoption or amendment of the FBC, and which become nonconforming by reason of the adoption of the FBC, shall be permitted to renovate provided any such expansion, enlargement or improvement will decrease the nonconformity to Title 19.09 standards. Renovations may extend to the maximum amount allowed by the applicable Transect Standards. In addition, such renovations may only be approved in addition to the following findings by the Department of Planning (LVMC Section 19.16.100.F.2 Minor Review Process):

a. A least one of the following benefits is provided to the community: demonstrable economic, fiscal, public health, safety, or environmental benefits;

b. The change does not result in a significant increase in the overall intensity of the existing nonconforming use(s);

1 c. Any expansion or extension in the life of any nonconforming use results solely from
2 the improved operational efficiency and is incidental to the primary purpose of improving public health and
3 safety or providing economic, fiscal, or environmental benefit; and

4 2. Any use or structure that was established in violation of the applicable zoning regulations at
5 the time of the establishment or construction is not nonconforming, and remains in violation of all Title 19
6 zoning regulations.

7 3. If an applicant seeks to reduce the building footprint by more than 10%, a Major Site
8 Development Plan Review (LVMC Section 19.16.100) shall be required.]

9 Reinvestment in nonconforming structures and associated uses in Transect Zones to achieve public safety,
10 environmental, economic, or fiscal benefits in concert with the goals of the Downtown Master Plan is
11 encouraged. However, within Transect Zones established pursuant to this Chapter, there may exist lots,
12 structures and uses of land which were lawful before the effective date of this Chapter or an amendment
13 thereto and which would be prohibited, regulated, or restricted under the terms of this Chapter, as amended.
14 It is generally the intent of this Chapter to permit these nonconformities to continue until they are removed
15 or abandoned, or until such earlier time as they are ordered to be removed, but not to encourage their survival.
16 Notwithstanding that general intent, the provisions of this Chapter, rather than any inconsistent general
17 nonconforming provisions of this Title, shall govern lots, structures and uses which became or become
18 nonconforming by reason of the adoption of this Chapter or an amendment thereto. The application of this
19 Chapter to govern nonconformities pursuant to the preceding sentence shall be effective as of the date of the
20 adoption of this Chapter or the amendment thereto (as applicable), whichever action created the
21 nonconformity.

22 1. Renovations may extend to the maximum amount allowed by the applicable Transect
23 Standards in accordance with this Chapter, but no renovation may increase the extent of nonconformity to
24 the standards set forth in this Chapter.

25 2. Except as otherwise provided in this Chapter, the continuation, expansion or relocation of
26 nonconforming uses shall be subject to Chapter 19.14.

3. Any use or structure that was established or constructed in violation of the then-applicable zoning regulations at the time of the establishment or construction is deemed not to be a nonconforming use recognized as such under this Chapter and Chapter 19.14, and remains in violation of the applicable zoning regulations set forth in this Title.

SECTION 6: Section 19.09.050.E.004.D is amended by amending that portion of the table pertaining to "Additional Standards for a Lined Building" so that the entry for "Access Standards" reads as follows:

Access Standards

Ground floor units facing a street or alley must be accessed from the street or alley by an allowed frontage type.

[Vehicle access to the interior building must be from an alley or a min. of 150 ft from an intersection if no alley is present.]

SECTION 7: Section 19.09.050.E.004.E is amended by deleting from the table the entire entry pertaining to "Miscellaneous." Using brackets to show the language so deleted:

[Miscellaneous

A building form with a chamfered corner is only allowed on corner lots and only if a corner entry is provided.]

SECTION 8: Section 19.09.050.E.004.F is amended to read as follows:

F. Building Form [Standards]		
Building Height¹	Stories	N
Primary Building	5-20 max.	
Primary Building		
[Ground-Floor Finish Level^{2,3}]		[O]
[Residential]	[1.50 ft min. above curb]	
[Service or Retail Uses]	[0.50 ft max. above curb]	
[Ground floor lobbies and common areas in multi-unit buildings may have a ≤0.50 ft ground floor finish level]		
[Floor-to-Ceiling] Floor-to-Floor		
Ground floor	[14] 13 ft min.	P
Upper floors	9 ft min.	Q
Footprint		
Lot coverage	95% max.	
Depth		

Ground floor space	[30] 20 ft min.	R
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Notes:

¹ Additional setbacks may be required for buildings with 5+ stories. Refer to Table E for setback distance.

² Buildings existing at the time of adoption of the FBC and additions to those buildings less than 50% of the existing GFA are exempt.

³ Primary buildings located on lots sloping down and away from the street are exempt.]

SECTION 9: Section 19.09.050.E004.H is amended by amending the entry for Driveways as follows, with all other contents of the table remaining unchanged:

Encroachment Type	Front (max.)	Corner Side (max.)	Interior Side (max.)	Rear (max.)
Driveways ³	A ³	A ³	A ³	A ³

SECTION 10: Section 19.09.050.E004.J is amended to read as follows:

J. Parking Standards				
Setback from Lot Line (min.)	Front ¹	Corner Side ¹	Interior Side	Rear
	W	X	Y	Z
[Ground Floor] Surface Lots	[40] 10 ft	10 ft	0 ft	0 ft
[Upper Floor]	[40 ft]	[40 ft]	[0 ft]	[0 ft]
Parking Driveway	One-way		Two-way	
Width	12 ft min. – 14 ft max.		32 ft min. – 34 ft max.	
Miscellaneous				
Where feasible, driveways must be shared between adjacent parcels.				
[No new surface parking lots are allowed adjacent to primary or side street frontages.]				
Covered parking in parking areas established before the effective date is allowed with a setback of 10 ft to a primary street or side street.				
When a lot has an adjoining side street, parking must be accessed only from the side street.				
Minimum driveway width for gated lots or structures shall be determined by the Department of Public Works.				
Above ground parking structures shall conform to the building form standards for this Transect. Parking structures shall have ground level retail, office and/or restaurant space incorporated into the design of the structure when adjacent to primary or secondary frontages. Where ground level retail or commercial is not provided, ground level facade enhancements that simulate shopfronts or serve to activate the street frontage shall be incorporated, as approved by staff of the Department.				
Required Parking				
Refer to LVMC Section 19.09.100.G (Parking Standards) for vehicular and bicycle parking standards.				
Required parking may be reduced as set forth in LVMC Section 19.18.030.D.4 (Parking Alternatives)				

Notes:

¹ [No vehicle parking in the front or corner side yard is allowed.] Surface lots along front and corner side

setbacks shall include a 10-foot landscaping buffer between the parking and sidewalk area, with 24-inch box trees placed every 15 feet on center and four five-gallon shrubs for every required tree.

SECTION 11: Section 19.09.050.E004.K is amended to read as follows:

K. Required Street Trees	
[Infill or Replacement Street Trees] Improvements Threshold	Min. [No.] Number of Trees
Addition, Renovation, or New Building ^[1]	Refer to LVMC Section 19.09.020.D (Applicability) and 19.09.090.C (Thoroughfare Standards)
[< 5,000 sf]	[2]
[≥ 5,000 sf - < 10,000 sf]	[4]
[≥ 10,000 sf - < 20,000 sf]	[8]
[≥ 20,000 sf]	[As required on all street frontages]
Miscellaneous	
All street trees must be planted in accordance with the species as listed in LVMC Section 19.09.040 (Specific to Districts) and the planting requirements of LVMC Section 19.04.060 (Amenity Zone). In the case of a conflict, Section 19.09.040 (Specific to Districts) applies.	
All street trees must be planted and maintained to avoid conflicts with large trucks and fire/emergency vehicles. The min. canopy clearance at maturity is 14 ft.	

[Note:

¹ Refer to LVMC Section 19.09.020.D (Applicability)]

SECTION 12: Section 19.09.050.E.008.D is amended by amending that portion of the table pertaining to “Additional Standards for a Lined Building” to delete in its entirety the second entry listed under Access Standards. Using brackets to show the language so deleted:

[Vehicle access to the interior building must be from an alley or a min. of 150 ft from an intersection if no alley is present.]

SECTION 13: Section 19.09.050.E.008.E is amended by deleting from the table the entire entry pertaining to “Miscellaneous.” Using brackets to show the language so deleted:

[Miscellaneous

A building form with a chamfered corner is only allowed on corner lots and only if a corner entry is provided.]

SECTION 14: Section 19.09.050.E.008.F is amended to read as follows:

F. Building Form [Standards]		
Building Height	Stories	P
Primary Building	4 min. 12 max.	

Accessory Structure	2 max.	
Primary Building		
[Ground-Floor Finish Level ^{1,2}]		[Q]
[Residential]	[1.50 ft min. above curb]	
[Service or Retail Uses]	[0.50 ft max. above curb]	
[Ground floor lobbies and common areas in multi-unit buildings may have a ≤0.50 ft ground floor finish level]		
[Floor-to-Ceiling] Floor-to-Floor		
Ground floor	[14] 13 ft min.	R
Upper floors	9 ft min.	S
Footprint		
Lot coverage	90% max.	
Depth		
Ground floor space	[30] 20 ft min.	T

[Notes:

¹ Buildings existing at the time of adoption of the FBC and additions to those buildings less than 50% of the existing GFA are exempt.

² Primary buildings located on lots sloping down and away from the street are exempt.]

SECTION 15: Section 19.09.050.E008.J is amended to read as follows:

J. Parking Standards				
Setback from Lot Line (min.)	Front ¹	Corner Side ¹	Interior Side	Rear
	Y	Z	AA	BB
[Ground Floor] <u>Surface Lots</u>	[40] <u>10 ft</u>	10 ft	0 ft	0 ft
[Upper Floor]	[40 ft]	[40 ft]	[0 ft]	[0 ft]
Parking Driveway	One-way		Two-way	
Width	12 ft min. – 14 ft max.		32 ft min. – 34 ft max.	
Miscellaneous				
Where feasible, driveways must be shared between adjacent parcels.				
[No new surface parking lots are allowed adjacent to primary or side street frontages.]				
Covered parking in parking areas established before the effective date is allowed with a setback of 10 ft to a primary street or side street.				
When a lot has an adjoining side street, parking must be accessed only from the side street.				
Minimum driveway width for gated lots or structures shall be determined by the Department of Public Works.				
Above ground parking structures shall conform to the building form standards for this Transect. Parking structures shall have ground level retail, office and/or restaurant space incorporated into the design of the structure when adjacent to primary or secondary frontages. Where ground level retail or commercial is not provided, ground level facade enhancements that simulate shopfronts or serve to activate the street frontage shall be incorporated, as approved by staff of the Department.				
Required Parking				

Refer to LVMC Section 19.09.100.G (Parking Standards) for vehicular and bicycle parking standards.
Required parking may be reduced as set forth in LVMC Section 19.18.030.D.4 (Parking Alternatives)

Notes:

¹ [No vehicle parking in the front or corner side yard is allowed.] Surface lots along front and corner side setbacks shall include a 10-foot landscaping buffer between the parking and sidewalk area, with 24-inch box trees placed every 15 feet on center and four five-gallon shrubs for every required tree.

SECTION 16: Section 19.09.050.E008.K is amended to read as follows:

K. Required Street Trees	
[Infill or Replacement Street Trees] Improvements Threshold	Min. [No.] Number of Trees
Addition, Renovation, or New Building ^[1]	Refer to LVMC Section 19.09.020.D (Applicability) and 19.09.090.C (Thoroughfare Standards)
[< 5,000 sf]	[2]
[≥ 5,000 sf - < 10,000 sf]	[4]
[≥ 10,000 sf - < 20,000 sf]	[8]
[≥ 20,000 sf]	[As required on all street frontages]
Miscellaneous	
All street trees must be planted in accordance with the species as listed in LVMC Section 19.09.040 (Specific to Districts) and the planting requirements of LVMC Section 19.04.060 (Amenity Zone). In the case of a conflict, Section 19.09.040 (Specific to Districts) applies.	
All street trees must be planted and maintained to avoid conflicts with large trucks and fire/emergency vehicles. The min. canopy clearance at maturity is 14 ft.	

[Note:

¹ Refer to LVMC Section 19.09.020.D (Applicability)]

SECTION 17: Section 19.09.050.E.012.D is amended by amending the entry pertaining to “Miscellaneous” to read as follows:

Miscellaneous

[The floorplate of any floor must not be larger than that of the floor below, except if an arcade frontage type is used.]

Allowed frontage types are described in Table G (Frontages).

SECTION 18: Section 19.09.050.E.012.D is amended by amending that portion of the table pertaining to “Additional Standards for a Lined Building” so that the entry for “Access Standards” reads as

follows:

Access Standards

Ground floor units facing a street or alley must be accessed from the street or alley by an allowed frontage type.

[Vehicle access to the interior building must be from an alley or a min. of 150 ft from an intersection if no alley is present.]

SECTION 19: Section 19.09.050.E.012.E is amended by deleting from the table the entire entry pertaining to "Miscellaneous." Using brackets to show the language so deleted:

[Miscellaneous

A building form with a chamfered corner is only allowed on corner lots and only if a corner entry is provided.]

SECTION 20: Section 19.09.050.E.012.F is amended to read as follows:

F. Building Form [Standards]		
Building Height	Stories	P
Primary Building	5 max.	
Accessory Structure	4 max.	
Primary Building		
[Ground-Floor Finish Level ^{1,2}]		[Q]
[Residential]	[1.50 ft min. above curb]	
[All other uses]	[2 ft max. above curb]	
[Ground floor lobbies and common areas in multi-unit buildings may have a ≤0.50 ft ground floor finish level]		
[Floor-to-Ceiling] Floor-to-Floor		
Ground floor	[14] 13 ft min.	R
Upper floors	9 ft min.	S
Footprint		
Lot coverage	90% max.	
Depth		
Ground floor space	[30] 20 ft min.	T

[Notes:

¹ Buildings existing at the time of adoption of the FBC and additions to those buildings less than 50% of the existing GFA are exempt.

² Primary buildings located on lots sloping down and away from the street are exempt.]

SECTION 21: Section 19.09.050.E.012.J is amended to read as follows:

J. Parking Standards				
Setback from Lot Line (min.)	Front ¹	Corner Side ¹	Interior Side	Rear
	Y	Z	AA	BB
[Ground Floor] Surface Lots	[40] 10 ft	10 ft	0 ft	0 ft
[Upper Floor]	[40 ft]	[40 ft]	[0 ft]	[0 ft]
Parking Driveway	One-way		Two-way	
Width	12 ft min. – 14 ft max.		32 ft min. – 34 ft max.	
Miscellaneous				
Where feasible, driveways must be shared between adjacent parcels.				
[No new surface parking lots are allowed adjacent to primary or side street frontages.]				
Covered parking in parking areas established before the effective date is allowed with a setback of 10 ft to a primary street or side street.				
When a lot has an adjoining side street, parking must be accessed only from the side street.				
Minimum driveway width for gated lots or structures shall be determined by the Department of Public Works.				
Above ground parking structures shall conform to the building form standards for this Transect. Parking structures shall have ground level retail, office and/or restaurant space incorporated into the design of the structure when adjacent to primary or secondary frontages. Where ground level retail or commercial is not provided, ground level facade enhancements that simulate shopfronts or serve to activate the street frontage shall be incorporated, as approved by staff of the Department.				
Required Parking				
Refer to LVMC Section 19.09.100.G (Parking Standards) for vehicular and bicycle parking standards.				
Required parking may be reduced as set forth in LVMC Section 19.18.030.D.4 (Parking Alternatives)				

Notes:

¹ [No vehicle parking in the front or corner side yard is allowed.] Surface lots along front and corner side setbacks shall include a 10-foot landscaping buffer between the parking and sidewalk area, with 24-inch box trees placed every 15 feet on center and four five-gallon shrubs for every required tree.

SECTION 22: Section 19.09.050.E.012.K is amended to read as follows:

K. Required Street Trees	
[Infill or Replacement Street Trees] Improvements Threshold	Min. [No.] Number of Trees
Addition, Renovation, or New Building ^[1]	Refer to LVMC Section 19.09.020.D (Applicability) and 19.09.090.C (Thoroughfare Standards)
[< 5,000 sf]	[2]
[≥ 5,000 sf - < 10,000 sf]	[4]
[≥ 10,000 sf - < 20,000 sf]	[8]
[≥ 20,000 sf]	[As required on all street frontages]
Miscellaneous	

All street trees must be planted in accordance with the species as listed in LVMC Section 19.09.040 (Specific to Districts) and the planting requirements of LVMC Section 19.04.060 (Amenity Zone). In the case of a conflict, Section 19.09.040 (Specific to Districts) applies.

All street trees must be planted and maintained to avoid conflicts with large trucks and fire/emergency vehicles. The min. canopy clearance at maturity is 14 ft.

[Note:

¹ Refer to LVMC Section 19.09.020.D (Applicability)]

SECTION 23: Section 19.09.050.E.016.D is amended by amending the entry pertaining to “Miscellaneous” to read as follows:

Miscellaneous

[The floorplate of any floor must not be larger than that of the floor below, except if an arcade frontage type is used.]

Allowed frontage types are described in Table G (Frontages).

SECTION 24: Section 19.09.050.E.016.D is amended by amending that portion of the table pertaining to “Additional Standards for a Lined Building” so that the entry for “Access Standards” reads as follows:

Access Standards

Ground floor units facing a street or alley must be accessed from the street or alley by an allowed frontage type.

[Vehicle access to the interior building must be from an alley or a min. of 150 ft from an intersection if no alley is present.]

SECTION 25: Section 19.09.050.E.016.E is amended by deleting from the table the entire entry pertaining to “Miscellaneous.” Using brackets to show the language so deleted:

[Miscellaneous

A building form with a chamfered corner is only allowed on corner lots and only if a corner entry is provided.]

SECTION 26: Section 19.09.050.E.016.F is amended to read as follows:

F. Building Form [Standards]		
Building Height	Stories	K
Primary Building	2 min. – 7 max. ^{1,2}	

1	Accessory Structure	2 max.	
2	Primary Building		
3	[Ground-Floor Finish Level ^{3,4}]		[L]
4	[Residential]	[1.50 ft min. above curb]	
5	[Service or Retail uses]	[0.50 ft max. above curb]	
6	[Ground floor lobbies and common areas in multi-unit buildings may have a ≤0.50 ft ground floor finish level]		
7	[Floor-to-Ceiling] Floor-to-Floor		
8	Ground floor	[14] 13 ft min.	M
9	Upper floors	9 ft min.	N
10	Footprint		
11	Lot coverage		
12	Mixed-use with residential uses	95% max.	
13	All other uses	85% max.	
14	Depth		
15	Ground floor space	[30] 20 ft min.	O

Notes:

¹ Max. 10 stories allowed for only the Flex High-Rise Building Type subject to Major Site Development Plan Review (Refer to LVMC Section 19.16.100.G (Major Review of Site Development Plans).

² The residential adjacency standards established in LVMC Section 19.08.040.H (Residential Adjacency Standards) will apply.

[³ Buildings existing at the time of adoption of the FBC and additions to those buildings less than 50% of the existing GFA are exempt.

⁴ Primary buildings located on lots sloping down and away from the street are exempt.]

SECTION 27: Section 19.09.050.E.016.J is amended to read as follows:

J. Parking Standards				
Setback from Lot Line (min.)	Front ¹	Corner Side ¹	Interior Side	Rear
	T	U	V	W
[Ground Floor] <u>Surface Lots</u>	[40] <u>10</u> ft	10 ft	0 ft	0 ft
[Upper Floor]	[40 ft]	[40 ft]	[0 ft]	[0 ft]
Parking Driveway	One-way		Two-way	
Width	12 ft min. – 14 ft max.		32 ft min. – 34 ft max.	
Miscellaneous				
[Driveways may be shared between adjacent parcels.] <u>Where feasible, driveways must be shared between adjacent parcels.</u>				
[No new surface parking lots are allowed adjacent to primary or side street frontages.]				

1	When a lot has an adjoining secondary street, parking must be accessed only from the secondary street.
2	<u>Minimum driveway width for gated lots or structures shall be determined by the Department of Public Works.</u>
3	<u>Above ground parking structures shall conform to the building form standards for this Transect. Parking structures shall have ground level retail, office and/or restaurant space incorporated into the design of the structure when adjacent to primary or secondary frontages. Where ground level retail or commercial is not provided, ground level facade enhancements that simulate shopfronts or serve to activate the street frontage shall be incorporated, as approved by staff of the Department.</u>
5	Required Parking
6	Refer to LVMC Section 19.09.100.G (Parking Standards) for vehicular and bicycle parking standards.
	Required parking may be reduced as set forth in LVMC Section 19.18.030.D.4 (Parking Alternatives)

Notes:

¹ [No vehicle parking in the front or corner side yard is allowed.] Surface lots along front and corner side setbacks shall include a 10-foot landscaping buffer between the parking and sidewalk area, with 24-inch box trees placed every 15 feet on center and four five-gallon shrubs for every required tree.

SECTION 28: Section 19.09.050.E016.K is amended to read as follows:

K. Required Street Trees	
[Infill or Replacement Street Trees] Improvements Threshold	Min. [No.] Number of Trees
Addition, Renovation, or New Building ¹	Refer to LVMC Section 19.09.020.D (Applicability) and 19.09.090.C (Thoroughfare Standards)
[< 1,000 sf]	[--]
[≥ 1,000 sf - < 2,500 sf]	[2]
[≥ 2,500 sf]	[4]
Miscellaneous	
All street trees must be planted in accordance with the species as listed in LVMC Section 19.09.040 (Specific to Districts) and the planting requirements of LVMC Section 19.04.060 (Amenity Zone). In the case of a conflict, Section 19.09.040 (Specific to Districts) applies.	
All street trees must be planted and maintained to avoid conflicts with large trucks and fire/emergency vehicles. The min. canopy clearance at maturity is 14 ft.	

[Note:

¹ Refer to LVMC Section 19.09.020.D (Applicability)]

SECTION 29: Section 19.09.050.E.020.D is amended by amending the entry pertaining to

“Miscellaneous” to read as follows:

Miscellaneous

[The floorplate of any floor must not be larger than that of the floor below, except if an arcade frontage type

is used.]

Allowed frontage types are described in Table G (Frontages).

SECTION 30: Section 19.09.050.E.020.E is amended by amending that portion of the table pertaining to “Additional Standards for a Lined Building” so that the entry for “Access Standards” reads as follows:

Access Standards

Ground floor units facing a street or alley must be accessed from the street or alley by an allowed frontage type.

[Vehicle access to the interior building must be from an alley or a min. of 150 ft from an intersection if no alley is present.]

SECTION 31: Section 19.09.050.E.020.E is amended by deleting from the table the entire entry pertaining to “Miscellaneous.” Using brackets to show the language so deleted:

[Miscellaneous

A building form with a chamfered corner is only allowed on corner lots and only if a corner entry is provided.]

SECTION 32: Section 19.09.050.E.020.F is amended to read as follows:

F. Building Form [Standards]		
Building Height	Stories	P
Primary Building	2 min. – 7 max.	
Accessory Structure	2 max.	
Primary Building		
[Ground-Floor Finish Level ^{1,2}]		[Q]
[Residential]	[1.50 ft min. above curb]	
[Service or Retail uses]	[0.50 ft max. above curb]	
[Ground floor lobbies and common areas in multi-unit buildings may have a ≤0.50 ft ground floor finish level]		
[Floor-to-Ceiling] Floor-to-Floor		
Ground floor	[14] 13 ft min.	R
Upper floors	9 ft min.	S
Footprint		
Lot coverage	90% max.	
Depth		
Ground floor space	[30] 20 ft min.	T

[Notes:

¹ Buildings existing at the time of adoption of the FBC and additions to those buildings less than 50% of the existing GFA are exempt.

² Primary buildings located on lots sloping down and away from the street are exempt.]

SECTION 33: Section 19.09.050.E.020.J is amended to read as follows:

J. Parking Standards				
Setback from Lot Line (min.)	Front ¹	Corner Side ¹	Interior Side	Rear
	Y	Z	AA	BB
[Ground Floor] Surface Lots	[40] 10 ft	10 ft	0 ft	0 ft
[Upper Floor]	[40 ft]	[40 ft]	[0 ft]	[0 ft]
Parking Driveway	One-way		Two-way	
Width	12 ft min. – 14 ft max.		32 ft min. – 34 ft max.	
Miscellaneous				
Where feasible, driveways must be shared between adjacent parcels.				
When a lot has an adjoining secondary street, parking must be accessed only from the secondary street.				
<u>Minimum driveway width for gated lots or structures shall be determined by the Department of Public Works.</u>				
<u>Above ground parking structures shall conform to the building form standards for this Transect. Parking structures shall have ground level retail, office and/or restaurant space incorporated into the design of the structure when adjacent to primary or secondary frontages. Where ground level retail or commercial is not provided, ground level facade enhancements that simulate shopfronts or serve to activate the street frontage shall be incorporated, as approved by staff of the Department.</u>				
Required Parking				
Refer to LVMC Section 19.09.100.G (Parking Standards) for vehicular and bicycle parking standards.				
Required parking may be reduced as set forth in LVMC Section 19.18.030.D.4 (Parking Alternatives)				

Note:

¹ [No vehicle parking in the front or corner side yard is allowed.] Surface lots along front and corner side setbacks shall include a 10-foot landscaping buffer between the parking and sidewalk area, with 24-inch box trees placed every 15 feet on center and four five-gallon shrubs for every required tree.

SECTION 34: Section 19.09.050.E020.K is amended to read as follows:

K. Required Street Trees	
[Infill or Replacement Street Trees] Improvements Threshold	Min. [No.] Number of Trees
Addition, Renovation, or New Building ^[1]	Refer to LVMC Section 19.09.020.D (Applicability) and 19.09.090.C (Thoroughfare Standards)
[< 2,500 sf]	[--]
[≥ 2,500 sf - < 5,000 sf]	[2]
[≥ 5,000 sf - < 10,000 sf]	[4]
[≥ 10,000 sf]	[As required on all street frontages]

Miscellaneous

All street trees must be planted in accordance with the species as listed in LVMC Section 19.09.040 (Specific to Districts) and the planting requirements of LVMC Section 19.04.060 (Amenity Zone). In the case of a conflict, Section 19.09.040 (Specific to Districts) applies.

All street trees must be planted and maintained to avoid conflicts with large trucks and fire/emergency vehicles. The min. canopy clearance at maturity is 14 ft.

[Note:

¹ Refer to LVMC Section 19.09.020.D (Applicability)]

SECTION 35: Section 19.09.050.E.024.D is amended by amending the entry pertaining to “Miscellaneous” to read as follows:

Miscellaneous

[The floorplate of any floor must not be larger than that of the floor below, except if an arcade frontage type is used.]

Allowed frontage types are described in Table G (Frontages).

SECTION 36: Section 19.09.050.E.024.E is amended by deleting from the table the entire entry pertaining to “Miscellaneous.” Using brackets to show the language so deleted:

[Miscellaneous

A building form with a chamfered corner is only allowed on corner lots and only if a corner entry is provided.]

SECTION 37: Section 19.09.050.E.024.F is amended to read as follows:

F. Building Form [Standards]		
Building Height	Stories	K
Primary Building	2 min. – 5 max.	
Accessory Structure	2 max.	
Primary Building		
[Ground-Floor Finish Level ^{1,2}]		[L]
[Residential]	[1.50 ft min. above curb]	
[Service or retail uses]	[0.50 ft max. above curb]	
[Ground floor lobbies and common areas in multi-unit buildings may have a ≤0.50 ft ground floor finish level]		
[Floor-to-Ceiling] Floor-to-Floor		
Ground floor (service or retail uses)	[14] 13 ft min.	M
Upper floors	8 ft min.	N
Footprint		
Lot coverage	85% max.	

Depth		
Ground floor space	[30] 20 ft min.	O

[Notes:

¹ Buildings existing at the time of adoption of the FBC and additions to those buildings less than 50% of the existing GFA are exempt.

² Primary buildings located on lots sloping down and away from the street are exempt.]

SECTION 38: Section 19.09.050.E.024.J is amended to read as follows:

J. Parking Standards				
Setback from Lot Line (min.)	Front ¹	Corner Side ¹	Interior Side	Rear
	T	U	V	W
[Ground Floor] Surface Lots	[35] 10 ft	10 ft	[5] 0 ft	[5] 0 ft
Parking Driveway	One-way		Two-way	
Width	12 ft min. – 14 ft max.		32 ft min. – 34 ft max.	
Miscellaneous				
Where feasible, driveways must be shared between adjacent parcels.				
Parking spaces may be enclosed, covered, or open.				
Tandem parking is allowed for off-street parking to meet the requirements for a residential unit.				
When a lot has an adjoining secondary street, parking must be accessed only from the secondary street.				
Minimum driveway width for gated lots or structures shall be determined by the Department of Public Works.				
<u>Above ground parking structures shall conform to the building form standards for this Transect. Parking structures shall have ground level retail, office and/or restaurant space incorporated into the design of the structure when adjacent to primary or secondary frontages. Where ground level retail or commercial is not provided, ground level facade enhancements that simulate shopfronts or serve to activate the street frontage shall be incorporated, as approved by staff of the Department.</u>				
Required Parking				
Refer to LVMC Section 19.09.100.G (Parking Standards) for vehicular and bicycle parking standards.				
Required parking may be reduced as set forth in LVMC Section 19.18.030.D.4 (Parking Alternatives)				

Notes:

¹ [No vehicle parking in the front or corner side yard is allowed.] Surface lots along front and corner side setbacks shall include a 10-foot landscaping buffer between the parking and sidewalk area, with 24-inch box trees placed every 15 feet on center and four five-gallon shrubs for every required tree.

SECTION 39: Section 19.09.050.E024.K is amended to read as follows:

K. Required Street Trees	
[Infill or Replacement Street Trees] Improvements Threshold	Min. [No.] Number of Trees

Addition, Renovation, or New Building ^[1]	Refer to LVMC Section 19.09.020.D (Applicability) and 19.09.090.C (Thoroughfare Standards)
[< 2,500 sf]	[--]
[≥ 2,500 sf - < 5,000 sf]	[2]
[≥ 5,000 sf - < 10,000 sf]	[4]
[≥ 10,000 sf]	[As required on all street frontages]
Miscellaneous	
All street trees must be planted in accordance with the species as listed in LVMC Section 19.09.040 (Specific to Districts) and the planting requirements of LVMC Section 19.04.060 (Amenity Zone). In the case of a conflict, Section 19.09.040 (Specific to Districts) applies.	
All street trees must be planted and maintained to avoid conflicts with large trucks and fire/emergency vehicles. The min. canopy clearance at maturity is 14 ft.	

[Note:

¹ Refer to LVMC Section 19.09.020.D (Applicability)]

SECTION 40: Section 19.09.050.E.028.D is amended by amending the entry pertaining to “Miscellaneous” to read as follows:

Miscellaneous

[The floorplate of any floor must not be larger than that of the floor below, except if an arcade frontage type is used.]

Allowed frontage types are described in Table G (Frontages).

SECTION 41: Section 19.09.050.E.028.E is amended by deleting from the table the entire entry pertaining to “Miscellaneous.” Using brackets to show the language so deleted:

[Miscellaneous

A building form with a chamfered corner is only allowed on corner lots and only if a corner entry is provided.]

SECTION 42: Section 19.09.050.E.028.F is amended to read as follows:

F. Building Form [Standards]		
Building Height	Stories	K
Primary Building	2 min. – 5 max. ^{1,2}	
Accessory Structure	2 max.	
Primary Building		
[Ground-Floor Finish Level ^{3,4}]		[L]
[Residential]	[1.50 ft min. above curb]	
[Service or Retail uses]	[0.50 ft max. above curb]	

[Ground floor lobbies and common areas in multi-unit buildings may have a ≤0.50 ft ground floor finish level]		
[Floor-to-Ceiling] Floor-to-Floor		
Ground floor	[14] 13 ft min.	M
Upper floors	9 ft min.	N
Footprint		
Lot coverage		
Mixed-use with residential uses	85% max.	
All other uses	75% max.	
Depth		
Ground floor space	[30] 20 ft min.	O

Notes:

¹ Max. 8 stories allowed for only the Flex Mid-Rise Building Type subject to Major Site Development Plan Review (Refer to LVMC Section 19.16.100.G (Major Review of Site Development Plans)).

² The residential adjacency standards established in LVMC Section 19.08.040.H (Residential Adjacency Standards) will apply.

³ Buildings existing at the time of adoption of the FBC and additions to those buildings less than 50% of the existing GFA are exempt.

⁴ Primary buildings located on lots sloping down and away from the street are exempt.]

SECTION 43: Section 19.09.050.E.028.J is amended to read as follows:

J. Parking Standards				
Setback from Lot Line (min.)	Front ¹	Corner Side ¹	Interior Side	Rear
	T	U	V	W
[Ground Floor] <u>Surface Lots</u>	[40] 10 ft	10 ft	0 ft	0 ft
[Upper Floor]	[40 ft]	[40 ft]	[0 ft]	[0 ft]
Parking Driveway	One-way		Two-way	
Width	12 ft min. – 14 ft max.		32 ft min. – 34 ft max.	
Miscellaneous				
[Driveways may be shared between adjacent parcels.] <u>Where feasible, driveways must be shared between adjacent parcels.</u>				
[No new surface parking lots are allowed adjacent to primary or side street frontages.]				
When a lot has an adjoining secondary street, parking must be accessed only from the secondary street.				
<u>Minimum driveway width for gated lots or structures shall be determined by the Department of Public Works.</u>				
<u>Above ground parking structures shall conform to the building form standards for this Transect. Parking structures shall have ground level retail, office and/or restaurant space incorporated into the design of the structure when adjacent to primary or secondary frontages. Where ground level retail or commercial is not provided, ground level facade enhancements that simulate shopfronts or serve to activate the street</u>				

frontage shall be incorporated, as approved by staff of the Department.

Required Parking

Refer to LVMC Section 19.09.100.G (Parking Standards) for vehicular and bicycle parking standards.

Required parking may be reduced as set forth in LVMC Section 19.18.030.D.4 (Parking Alternatives)

Notes:

¹ [No vehicle parking in the front or corner side yard is allowed.] Surface lots along front and corner side setbacks shall include a 10-foot landscaping buffer between the parking and sidewalk area, with 24-inch box trees placed every 15 feet on center and four five-gallon shrubs for every required tree.

SECTION 44: Section 19.09.050.E028.K is amended to read as follows:

K. Required Street Trees	
[Infill or Replacement Street Trees] Improvements Threshold	Min. [No.] Number of Trees
Addition, Renovation, or New Building ^[1]	Refer to LVMC Section 19.09.020.D (Applicability) and 19.09.090.C (Thoroughfare Standards)
[< 1,000 sf]	[--]
[≥ 1,000 sf - < 2,500 sf]	[2]
[≥ 2,500 sf]	[4]
Miscellaneous	
All street trees must be planted in accordance with the species as listed in LVMC Section 19.09.040 (Specific to Districts) and the planting requirements of LVMC Section 19.04.060 (Amenity Zone). In the case of a conflict, Section 19.09.040 (Specific to Districts) applies.	
All street trees must be planted and maintained to avoid conflicts with large trucks and fire/emergency vehicles. The min. canopy clearance at maturity is 14 ft.	

[Note:

¹ Refer to LVMC Section 19.09.020.D (Applicability)]

SECTION 45: Section 19.09.050.E.032.D is amended by amending the entry pertaining to

“Miscellaneous” to read as follows:

Miscellaneous

[The floorplate of any floor must not be larger than that of the floor below, except if an arcade frontage type is used.]

Allowed frontage types are described in Table G (Frontages).

SECTION 46: Section 19.09.050.E.032.E is amended by deleting from the table the entire

entry pertaining to "Miscellaneous." Using brackets to show the language so deleted:

[Miscellaneous

A building form with a chamfered corner is only allowed on corner lots and only if a corner entry is provided.]

SECTION 47: Section 19.09.050.E.032.F is amended to read as follows:

F. Building Form [Standards]		
Building Height	Stories	P
Primary Building	2 min. – 5 max.	
Accessory Structure	2 max.	
Primary Building		
[Ground-Floor Finish Level ^{1,2}]		[Q]
[Residential]	[1.50 ft min. above curb]	
[Service or Retail uses]	[0.50 ft max. above curb]	
[Ground floor lobbies and common areas in multi-unit buildings may have a ≤0.50 ft ground floor finish level]		
[Floor-to-Ceiling] Floor-to-Floor		
Ground floor	[14] 13 ft min.	R
Upper floors	9 ft min.	S
Footprint		
Lot coverage	85% max.	
Depth		
Ground floor space	[30] 20 ft min.	T

Notes:

¹ Buildings existing at the time of adoption of the FBC and additions to those buildings less than 50% of the existing GFA are exempt.

² Primary buildings located on lots sloping down and away from the street are exempt.]

SECTION 48: Section 19.09.050.E.032.J is amended to read as follows:

J. Parking Standards				
Setback from Lot Line (min.)	Front ¹	Corner Side ¹	Interior Side	Rear
	Y	Z	AA	BB
[Ground Floor] <u>Surface Lots</u>	[40] 10 ft	10 ft	0 ft	0 ft
[Upper Floor]	[40 ft]	[40 ft]	[0 ft]	[0 ft]
Parking Driveway	One-way		Two-way	
Width	12 ft min. – 14 ft max.		32 ft min. – 34 ft max.	
Miscellaneous				
Where feasible, driveways must be shared between adjacent parcels.				
When a lot has an adjoining secondary street, parking must be accessed only from the secondary street.				
<u>Minimum driveway width for gated lots or structures shall be determined by the Department of Public Works.</u>				

Above ground parking structures shall conform to the building form standards for this Transect. Parking structures shall have ground level retail, office and/or restaurant space incorporated into the design of the structure when adjacent to primary or secondary frontages. Where ground level retail or commercial is not provided, ground level facade enhancements that simulate shopfronts or serve to activate the street frontage shall be incorporated, as approved by staff of the Department.

Required Parking

Refer to LVMC Section 19.09.100.G (Parking Standards) for vehicular and bicycle parking standards.

Required parking may be reduced as set forth in LVMC Section 19.18.030.D.4 (Parking Alternatives)

Notes:

¹ [No vehicle parking in the front or corner side yard is allowed.] Surface lots along front and corner side setbacks shall include a 10-foot landscaping buffer between the parking and sidewalk area, with 24-inch box trees placed every 15 feet on center and four five-gallon shrubs for every required tree.

SECTION 49: Section 19.09.050.E032.K is amended to read as follows:

K. Required Street Trees	
[Infill or Replacement Street Trees] Improvements Threshold	Min. [No.] Number of Trees
Addition, Renovation, or New Building ¹	Refer to LVMC Section 19.09.020.D (Applicability) and 19.09.090.C (Thoroughfare Standards)
[< 2,500 sf]	[--]
[≥ 2,500 sf - < 5,000 sf]	[2]
[≥ 5,000 sf - < 10,000 sf]	[4]
[≥ 10,000 sf]	[As required on all street frontages]
Miscellaneous	
All street trees must be planted in accordance with the species as listed in LVMC Section 19.09.040 (Specific to Districts) and the planting requirements of LVMC Section 19.04.060 (Amenity Zone). In the case of a conflict, Section 19.09.040 (Specific to Districts) applies.	
All street trees must be planted and maintained to avoid conflicts with large trucks and fire/emergency vehicles. The min. canopy clearance at maturity is 14 ft.	

[Note:

¹ Refer to LVMC Section 19.09.020.D (Applicability)]

SECTION 50: Section 19.09.050.E.036.E is amended by deleting from the table the entire entry pertaining to "Miscellaneous." Using brackets to show the language so deleted:

[Miscellaneous

A building form with a chamfered corner is only allowed on corner lots and only if a corner entry is provided.]

SECTION 51: Section 19.09.050.E.036.F is amended to read as follows:

F. Building Form (Standards)		
Building Height	Stories	K
Primary Building	3 max.	
Accessory Structure	2 max.	
Primary Building		
[Ground-Floor Finish Level ^{1,2}]		[L]
[Residential]	[1.50 ft min. above curb]	
[Ground floor lobbies and common areas in multi-unit buildings may have a ≤0.50 ft ground floor finish level]		
[Floor-to-Ceiling] Floor-to-Floor		
Ground floor ^[3] ¹	9 ft min.	M
Upper floors	8 ft min.	N
Footprint		
Lot coverage	75% max	
Depth		
Ground floor space	[30] 20 ft min.	O

Notes:

¹ Buildings existing at the time of adoption of the FBC and additions to those buildings less than 50% of the existing GFA are exempt.

² Primary buildings located on lots sloping down and away from the street are exempt.]

³ 14] ¹ 13 ft minimum when ground floor is directly adjacent to sidewalk for commercial uses.

SECTION 52: Section 19.09.050.E.036.J is amended to read as follows:

J. Parking Standards				
Setback from Lot Line (min.)	Front ¹	Corner Side ¹	Interior Side	Rear
	T	U	V	W
[Ground Floor] Surface Lots	[20] 10 ft	[20] 10 ft	0 ft	0 ft
Parking Driveway	One-way		Two-way	
Width	12 ft min. – 14 ft max.		32 ft min. – 34 ft max.	
Miscellaneous				
Where feasible, driveways must be shared between adjacent parcels.				
Parking spaces may be enclosed, covered, or open.				
Tandem parking is allowed for off-street parking to meet the requirements for a residential unit[.], if approved by staff of the Department.				
When a lot has an adjoining secondary street, parking must be accessed only from the secondary street.				
Required Parking				
Refer to LVMC Section 19.09.100.G (Parking Standards) for vehicular and bicycle parking standards.				
Required parking may be reduced as set forth in LVMC Section 19.18.030.D.4 (Parking Alternatives)				

Notes:

¹ [No vehicle parking in the front or corner side yard is allowed.] Surface lots along front and corner side

setbacks shall include a 10-foot landscaping buffer between the parking and sidewalk area, with 24-inch box trees placed every 15 feet on center and four five-gallon shrubs for every required tree.

SECTION 53: Section 19.09.050.E036.K is amended to read as follows:

K. Required Street Trees	
[Infill or Replacement Street Trees] Improvements Threshold	Min. [No.] Number of Trees
Addition, Renovation, or New Building ^[1]	Refer to LVMC Section 19.09.020.D (Applicability) and 19.09.090.C (Thoroughfare Standards)
[< 1,000 sf]	[--]
[≥ 1,000 sf - < 2,500 sf]	[2]
[≥ 2,500 sf]	[4]
Miscellaneous	
All street trees must be planted in accordance with the species as listed in LVMC Section 19.09.040 (Specific to Districts) and the planting requirements of LVMC Section 19.04.060 (Amenity Zone). In the case of a conflict, Section 19.09.040 (Specific to Districts) applies.	
All street trees must be planted and maintained to avoid conflicts with large trucks and fire/emergency vehicles. The min. canopy clearance at maturity is 14 ft.	

[Note:

¹ Refer to LVMC Section 19.09.020.D (Applicability)]

SECTION 54: Section 19.09.050.E.040.F is amended to read as follows:

F. Building Form [Standards]		
Building Height	Stories	K
Primary Building	2 max.	
ADU or Accessory Structure ¹	2 max.	
Primary Building		
[Ground-Floor Finish Level ^{2,3}]		[L]
[Residential]	[1.50 ft min. above curb]	
[Floor-to-Ceiling] Floor-to-Floor		
Ground floor	8 ft min.	M
Upper floors	8 ft min.	N
Footprint		
Lot coverage	65% max.	

Notes:

¹ ADUs or accessory structures must not exceed the overall height of the primary building.

² Buildings existing at the time of adoption of the FBC and additions to those buildings less than 50% of the existing GFA are exempt.

³ Primary buildings located on lots sloping down and away from the street are exempt.]

SECTION 55: Section 19.09.050.E.040.J is amended to read as follows:

J. Parking Standards				
Setback from Lot Line (min.)	Front ¹	Corner Side ¹	Interior Side	Rear
	T	U	V	W
[Ground Floor] <u>Surface Lots</u>	[20] <u>10</u> ft	[20] <u>10</u> ft	0 ft	0 ft
Parking Driveway	One-way		Two-way	
Width	12 ft min. – 14 <u>ft</u> max.		32 ft min. – 34 ft max.	
Miscellaneous				
Where feasible, driveways must be shared between adjacent parcels.				
Parking spaces may be enclosed, covered, or open.				
Tandem parking is allowed for off-street parking to meet the requirements for a residential unit[.], <u>if approved by staff of the Department.</u>				
When a lot has an adjoining secondary street, parking must be accessed only from the secondary street.				
Required Parking				
Refer to LVMC Section 19.09.100.G (Parking Standards) for vehicular and bicycle parking standards.				
Required parking may be reduced as set forth in LVMC Section 19.18.030.D.4 (Parking Alternatives)				

Notes:

¹ [No vehicle parking in the front or corner side yard is allowed.] Where an alley is present, parking shall be accessed from the rear.

SECTION 56: Section 19.09.050.E040.K is amended to read as follows:

K. Required Street Trees	
[Infill or Replacement Street Trees] Improvements Threshold	Min. [No.] Number of Trees
Addition, Renovation, or New Building ¹	Refer to LVMC Section 19.09.020.D (Applicability) and 19.09.090.C (Thoroughfare Standards)
[< 1,000 sf]	[--]
[≥ 1,000 sf - < 2,500 sf]	[2]
[≥ 2,500 sf]	[4]
Miscellaneous	
All street trees must be planted in accordance with the species as listed in LVMC Section 19.09.040 (Specific to Districts) and the planting requirements of LVMC Section 19.04.060 (Amenity Zone). In the case of a conflict, Section 19.09.040 (Specific to Districts) applies.	
All street trees must be planted and maintained to avoid conflicts with large trucks and fire/emergency vehicles. The min. canopy clearance at maturity is 14 ft.	

[Note:

¹ Refer to LVMC Section 19.09.020.D (Applicability)]

SECTION 57: Section 19.09.070.K is amended by amending that portion of the table pertaining to “Shopfront” so that it reads as follows:

Shopfront		
2 Size		
Distance between Glazing	2 ft min	
Ground Floor Transparency	[75%] <u>50%</u> min.	
Depth of Recessed Entries ¹	5 ft max.	

SECTION 58: Section 19.09.090.C is amended by adding thereto two new Paragraphs 5 and 6, reading as follows:

5. Site Improvement Thresholds

a. For change of use, interior remodels, facade rehabs, or fire/life safety and ADA upgrades, the Complete Street standards of LVMC Chapter 19.04 and thoroughfare standards of LVMC Chapter 19.09 do not apply.

b. For modifications to an existing structure resulting in net floor area expansion not to exceed 10% or 5,000 SF (whichever is less) of floor area of the existing structure, the Complete Street standards of LVMC Chapter 19.04 and thoroughfare standards of LVMC Chapter 19.09 do not apply; however, a covenant running with the land is required to obtain property owner’s consent for future streetscape improvements.

c. For modifications to an existing structure resulting in net floor area expansion exceeding 10% or 5,000 SF (whichever is less) of floor area of the existing structure, the Complete Street standards of LVMC Chapter 19.04 and thoroughfare standards of LVMC Chapter 19.09 apply to development that exceeds the majority block frontage (50%). For partial block frontage (50% or less), a covenant running with the land is required to obtain property owner’s consent for future streetscape improvements.

d. For new development or development of a new principal structure on the site, the Complete Street standards of LVMC Chapter 19.04 and thoroughfare standards of LVMC Chapter 19.09 apply to development that exceeds the majority block frontage (50%). For partial block frontage (50% or less), a covenant running with the land is required to obtain property owner’s consent for future streetscape improvements.

6. Consistency with Adjacent Development

1 In locations where the required street improvements have been installed by an adjacent property owner as
2 specified by this Title, all future adjacent development shall match the dimensions of the existing
3 improvements for the remainder of the block. Continuity of landscape and hardscape materials is preferred;
4 however, an Exception to allow variation of materials may be considered by the Director by written request
5 at the time of the preapplication conference.

6 SECTION 59: Section 19.09.100.G is amended to read as follows:

7 19.09.100.G Parking Standards

8 1. Minimum and maximum on-site parking requirements for parcels mapped with a Transect Zone are
9 based on a combination of LVMC 19.12.060 (Parking Requirements), weighted by calculations using Table
10 1 (Form-Based Code Parking Requirements) below, and Figure 2 (Downtown Parking Load Map), which
11 indicate the estimated parking load based on neighborhood context, location, access, and current and future
12 infrastructure. The first 2,000 square feet of Gross Floor Area (GFA) of nonresidential uses (Refer to Section
13 19.09.050.I Tables) are exempt from this calculation.

14 2. Required parking calculated in LVMC Section 19.09.100.G.1 above may be further reduced as
15 established in LVMC Section 19.18.030.D.4 (Parking Alternatives).

16 3. The standards for the design and layout of parking areas for all commercial and multi-family
17 residential uses are established in LVMC Section 19.08.030.4.D (Commercial and Industrial Parking Design
18 Standards).

19 4. [If not compliant with the requirement, the project will need the approval of a Variance as established
20 in LVMC Section 19.16.140 (Variance). In the instance where the maximum parking requirement cannot be
21 met due the presence of parking stalls lawfully existing prior to June 15, 2019, and the requirement does not
22 deviate by more than 30%, no Variance is required.] If a project is not compliant with the parking
23 requirements of this Subsection G, a request for Exception must be submitted in writing to the Director in
24 connection with the submittal of a pre-application conference request. In order for an Exception to be eligible
25 for consideration, the applicant must show through convincing and substantial evidence that the Exception
26 furtheres the goals of the 2045 Downtown Master Plan and does not detrimentally affect the public health.

1 safety or general welfare. Any such Exception shall be considered for endorsement by the Director prior to
2 the submittal of an application for Site Development Plan Review. In cases where the Director does not
3 endorse a requested Exception, the relief sought is available only by means of a Waiver pursuant to LVMC
4 19.16.130.

5 5. A land use or building which is existing on the effective date of this Title and which complied with
6 the applicable parking standards at the time the use or building was established, but which does not comply
7 with the on-site parking requirements of this Chapter, shall not be considered a nonconforming use or non-
8 conforming building; but rather, it shall be considered a “parking-impaired development.” The following
9 rules shall apply to the remodeling, alteration, expansion or reuse of parking-impaired developments:

10 a. Building permits and certificates of occupancy may be issued for remodeling or structural
11 alterations of parking-impaired developments without requiring compliance with the on-site parking
12 requirements of this Chapter, provided that such work does not result in a change of use that will increase
13 the parking impairment.

14 b. For any remodeling, alteration, or expansion of a parking-impaired development that
15 requires an increase or decrease in the number of required parking spaces, only the net change in the number
16 of parking spaces shall be considered. If the parking provided, including the net change in the number of
17 parking spaces due to a change of use or building area on the site, falls outside of the parking maximum and
18 minimum range required by this Chapter and results in an increase in the parking impairment, an Exception
19 shall be required pursuant to Paragraph 4 of this Subsection.

20 SECTION 60: Section 19.09.100 is amended to add a new Subsection H, reading as
21 follows, with existing Subsections H, I and J being relettered I, J and K, respectively:

22 19.09.100.H Temporary Parking Lot Standards

23 A temporary parking lot is a parking lot that is developed as an interim use of land for a limited time period,
24 and is not intended to serve as required parking for a development. Approval for a temporary parking lot may
25 be for a period not to exceed three years. Any request to extend this time period shall be by means of an
26 Extension of Time application, as set forth in this Title, and shall be subject to review and approval by the

1 City Council. The lot shall have a paved surface and shall be striped. Bumpers or tire stops shall be provided
2 for all parking spaces directly abutting a sidewalk, landscape area, street, or alley. A minimum of two of the
3 following options must be provided to satisfy the landscaping and screening requirements for the parking lot:

4 a. Streetscape amenities in accordance with the applicable streetscape standards herein for the
5 street frontage(s) that immediately abut the site;

6 b. A 42-inch high ornamental screen fence installed along the street frontage line(s) in
7 conformance with the applicable parking screening standards herein;

8 c. A permanent artistic installation as approved by staff of the Department for the street
9 frontage(s) that immediately abut the site, to be properly maintained through the duration of the temporary
10 parking lot interim use;

11 d. A five-foot wide perimeter landscape buffer provided along the front and corner side yard
12 setback lines, planted with a minimum of five-gallon shrubs so as to form a continuous hedge along the
13 frontage lines of the property; or

14 e. A minimum of ten square feet of landscape area for each parking space, with a minimum of
15 one, 15-gallon sized shade tree for every six parking spaces with four 1-gallon sized shrubs per tree.

16 →Applications for temporary parking lots shall be reviewed and processed in accordance with the process
17 and standards for a Minor Review of Site Development Plan under this Title.

18 SECTION 61: Section 19.09.110 is amended by amending the definition of the term
19 “Downtown Retail” to read as follows:

20 **Downtown Retail.** Stores and shops selling many lines of merchandise to the ultimate consumer for any
21 purpose, [other than for resale,] including, for example, the following stores and lines of merchandise: Art
22 galleries, retail; Auction House; Banquet Facility; Copy Center; Desktop Publishing; General Retail Store,
23 Other Than Listed; Garden Supply/Plant Nursery; Internet/Catalogue Sales Office; Laundry, Self-Service;
24 Pet Shop; Rental Store; Secondhand Dealer; Shopping Center; Sound Stage; Thrift Shop.

25 SECTION 62: Appendix F of the Unified Development Code, which contains and is titled
26 Interim Downtown Las Vegas Development Standards, is amended as set forth in Sections 63 to 66, inclusive,

1 of this Ordinance.

2 SECTION 63: Section A of Appendix F is hereby amended by replacing Figure 2 with an
3 updated Figure 2 as depicted in the attached Exhibit A.

4 SECTION 64: Section C of Appendix F is hereby amended by replacing Figure 28 with an
5 updated Figure 28 as depicted in the attached Exhibit B.

6 SECTION 65: Section C of Appendix F is hereby amended by replacing Figure 33 with an
7 updated Figure 33 as depicted in the attached Exhibit C.

8 SECTION 66: Section D of Appendix F is hereby amended deleting in its entirety
9 Paragraph D.1.b. Using brackets to show the language so deleted:

10 [b. Requirements

11 Outdoor dining is only allowed within Area 1 of the DTLV-O (Downtown Las Vegas Overlay) (Fig. 3) in
12 conjunction with a licensed food or beverage establishment permanently located at the subject site. This
13 section does not apply to open air vendors, food carts, and food trucks.]

14 SECTION 67: For purposes of Section 2.100(3) of the City Charter, Sections 19.09.030,
15 19.09.050, 19.09.070, 19.009.090, 19.09.100 and 19.09.110 are deemed to be subchapters rather than
16 sections.

17 SECTION 68: The Department of Planning is authorized and directed to incorporate into
18 the Unified Development Code the amendments set forth in Sections 2 to 66, inclusive, of this Ordinance,
19 including, as deemed necessary or appropriate, making technical corrections, renumbering, relettering, or
20 making other nonsubstantive adjustments associated with codification and publication.

21 SECTION 69: If any section, subsection, subdivision, paragraph, sentence, clause or phrase
22 in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by
23 any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the
24 remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby
25 declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase
26 thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs,

1 sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

2 SECTION 70: All ordinances or parts of ordinances or sections, subsections, phrases,
3 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983
4 Edition, in conflict herewith are hereby repealed.

5 PASSED, ADOPTED and APPROVED this 15th day of April, 2020.

6 APPROVED:

7
8 By 
CAROLYN G. GOODMAN, Mayor

9 ATTEST:

10 
11 LUANN D. HOLMES, MMC
City Clerk

12 APPROVED AS TO FORM:

13  3-4-20
14 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 18th day of March, 2020, and referred to a committee for recommendation; hereafter
3 the committee reported favorably on said ordinance on the 15th day of April, 2020, which
4 as a regular meeting of said Council; that at said regular meeting, the proposed ordinance
5 was read by title to the City Council and adopted by the following vote:

6 VOTING "AYE": Mayor Goodman and Councilmembers Fiore, Anthony, Crear,
7 Knudsen, Seaman and Diaz

8 VOTING "NAY": None

9 EXCUSED: None

10 ABSTAINED: None

11
12
13 APPROVED:

14 
15 CAROLYN G. GOODMAN, Mayor

16 ATTEST:

17 
18 LUANN D. HOLMES, MMC City Clerk

Figure 2

DTLV-O Areas 1-3

City of Las Vegas

Printed: Tuesday, January 7, 2020

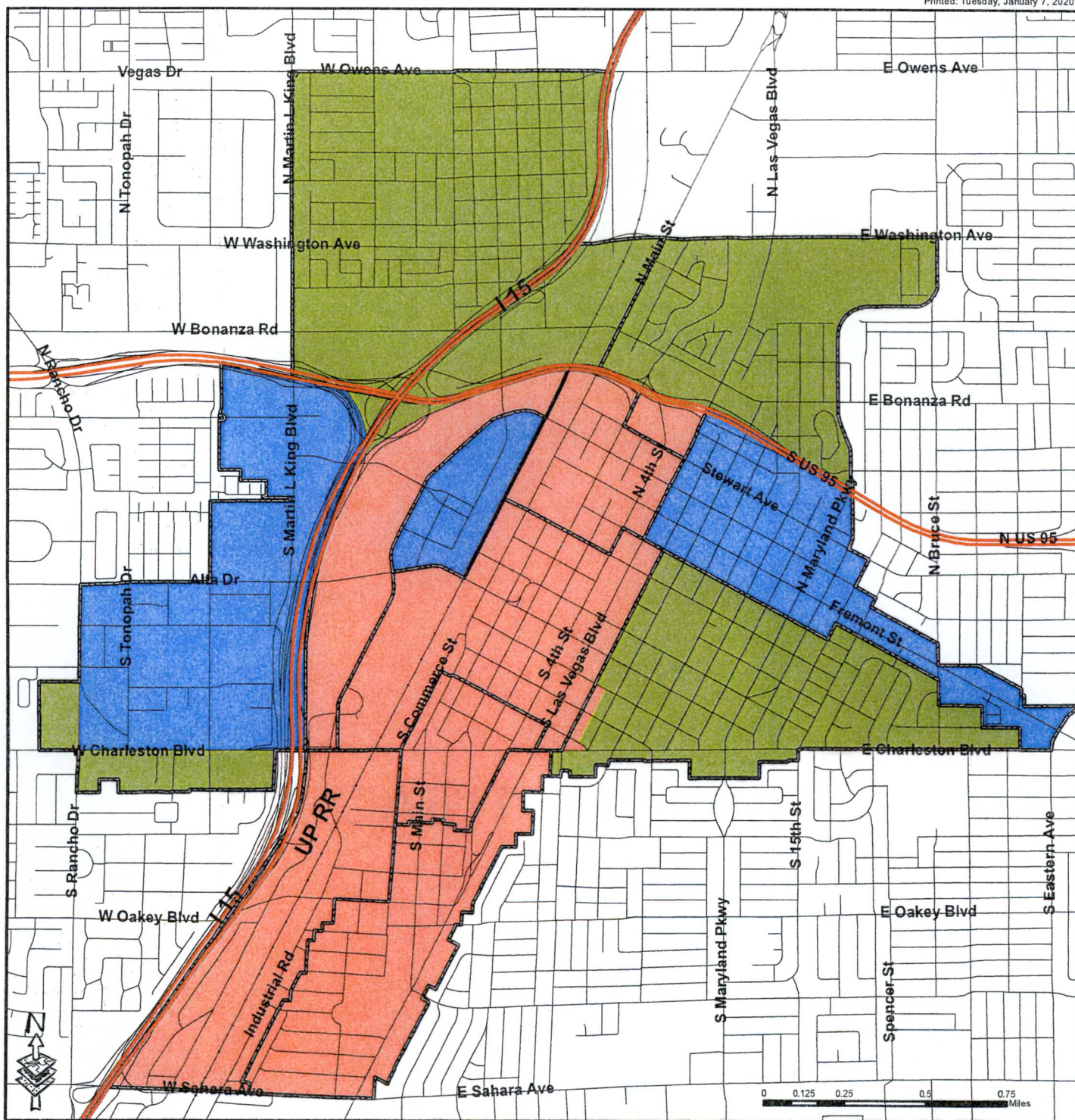


Exhibit A

Legend

- Area 1
- Area 2
- Area 3

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.

Geographic Information System
Planning & Development Dept.
702-226-6301

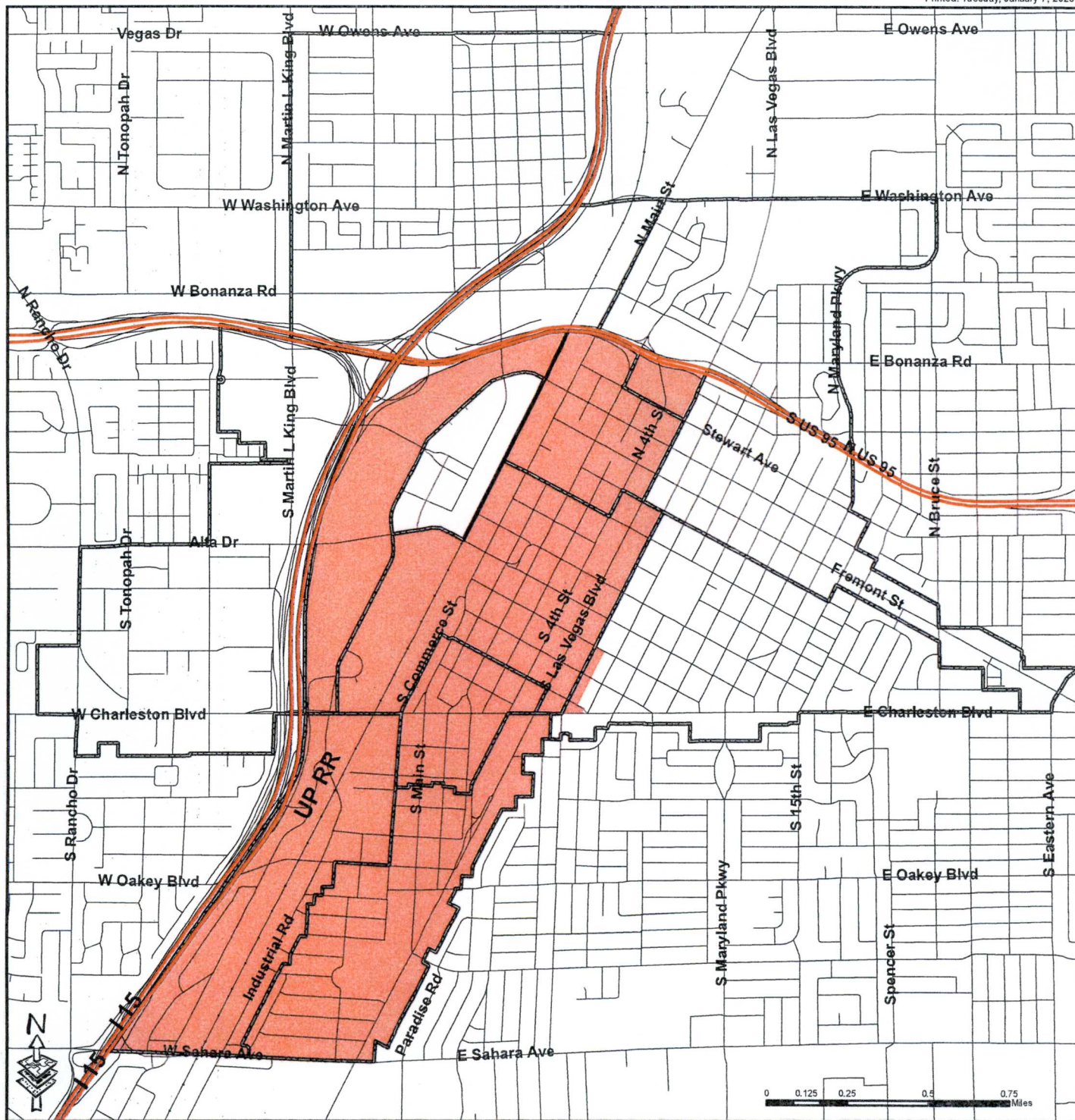


Figure 28

DTLV-O Area 1

City of Las Vegas

Printed: Tuesday, January 7, 2020



Legend

 Area 1

Exhibit B

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.

Geographic Information System
Planning & Development Dept.
702-229-6301

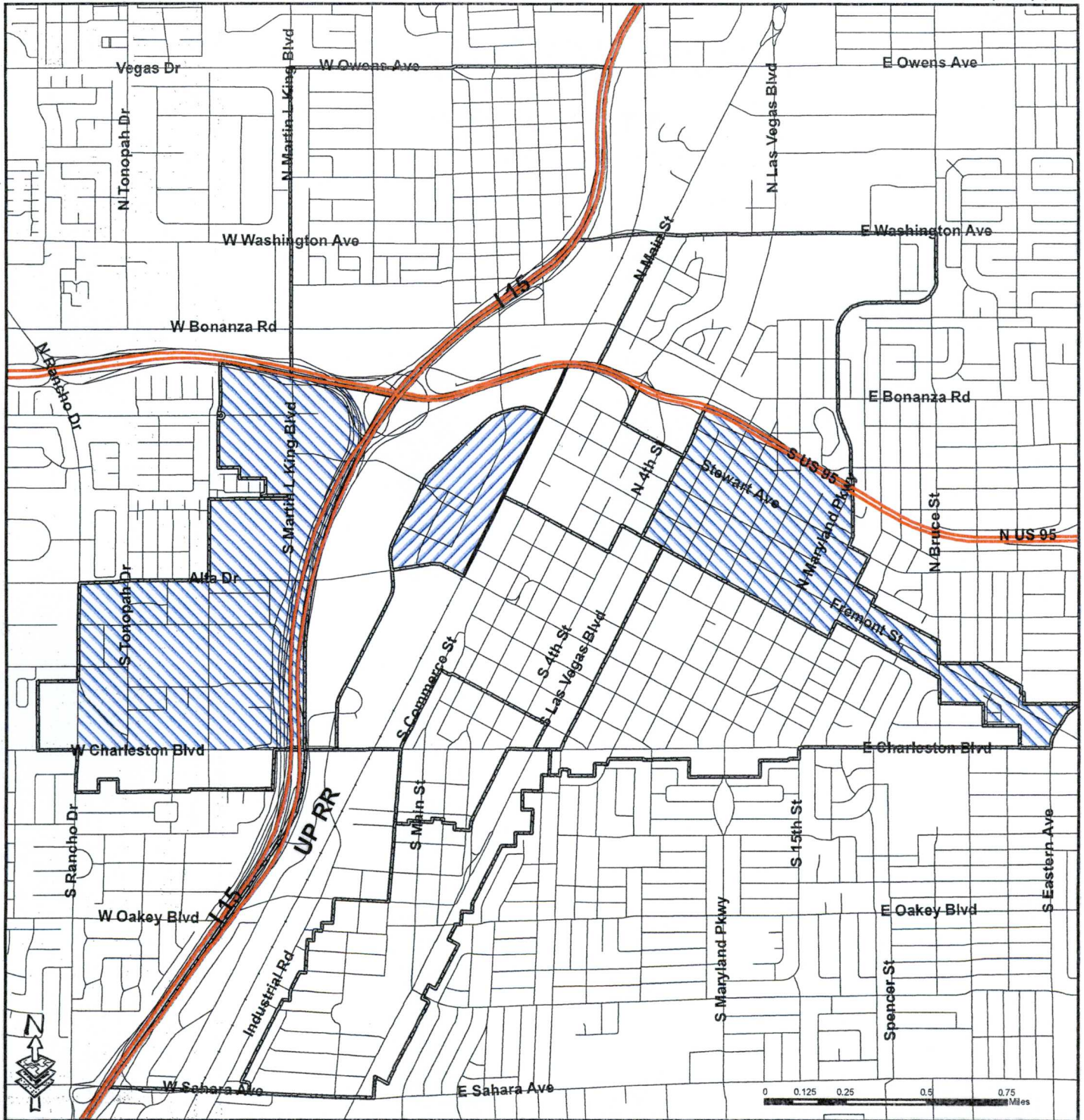


Figure 33

DTLV-O Area 3

City of Las Vegas

Printed: Tuesday, January 7, 2020



Legend

-  Area 3a
-  Area 3b

Exhibit C

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301



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 0001100692

2020 APR 15 P 4:03

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 04/02/2020 to 04/02/2020, on the following days:

04 / 02 / 20

BILL NO. 2020-9

AN ORDINANCE TO UPDATE LVMC CHAPTER 19.09, RELATING TO FORM-BASED CODE, TO REFINE AND ADJUST VARIOUS PROCEDURES AND STANDARDS PERTAINING TO PROPERTY AND APPLICATIONS THAT ARE GOVERNED BY THAT CHAPTER, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by:
Robert Summerfield,
Director of Planning

Summary: Updates LVMC Chapter 19.09, relating to Form-Based Code, to refine and adjust various procedures and standards pertaining to property and applications that are governed by that Chapter.

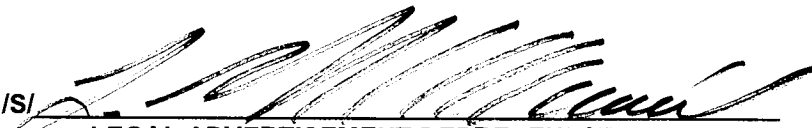
At the City Council meeting of
March 18, 2020

BILL NO. 2020-9 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

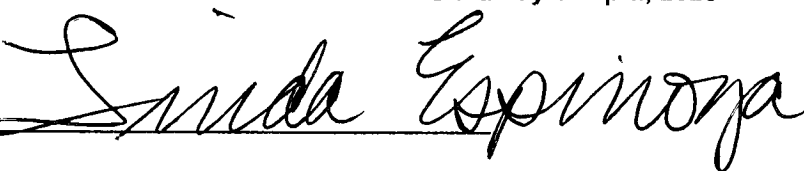
PUB: April 2, 2020
LV Review-Journal

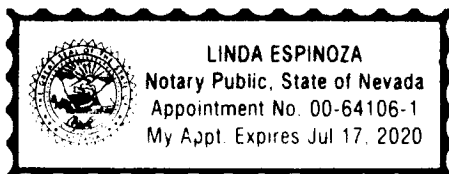
/s/


LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 3rd day of April, 2020

Notary





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 0001101840

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 04/18/2020 to 04/18/2020, on the following days:

04 / 18 / 20

**BILL NO. 2020-9
ORDINANCE NO. 6731**

AN ORDINANCE TO UPDATE LVMC CHAPTER 19.09, RELATING TO FORM-BASED CODE, TO REFINE AND ADJUST VARIOUS PROCEDURES AND STANDARDS PERTAINING TO PROPERTY AND APPLICATIONS THAT ARE GOVERNED BY THAT CHAPTER, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by:
Robert Summerfield,
Director of Planning

Summary: Updates LVMC Chapter 19.09, relating to Form-Based Code, to refine and adjust various procedures and standards pertaining to property and applications that are governed by that Chapter.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 18th day of March, 2020, and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 15th day of April, 2020, 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 Fiore, Anthony, Crear, Knudsen, Seaman and Diaz

VOTING "NAY": NONE

EXCUSED: NONE

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: April 18, 2020
LV Review-Journal

/S/

LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 20th day of April, 2020

Notary

