

ORDINANCE NO. 28XX

AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-07-17); BY AMENDING TITLE 17 (ZONING ORDINANCE) TO ALLOW ALTERNATIVE SETBACKS IN THE R-CL, SINGLE-FAMILY COMPACT LOT RESIDENTIAL DISTRICT, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

WHEREAS, the amendment is consistent with the Comprehensive Plan; and

WHEREAS, the Council determines that the amendment will not adversely affect the health and general welfare; and,

NOW THEREFORE, the City Council of the City of North Las Vegas does ordain:

SECTION 1: Chapter 24, Section 010, subsection A, subsection 2, subsection a, Table 17.24.010-2, of Title 17 of the North Las Vegas Municipal Code is hereby amended with the following:

TABLE 17.24.010-2: BUILDING SETBACK AND HEIGHT REQUIREMENTS FOR RESIDENTIAL ZONE DISTRICTS					
Use	Minimum Setbacks				Maximum Building Height (feet)
	Front (feet)	Interior Side (feet)	Corner Side/ Other ROW (feet)	Rear Yard (feet)	
O-L Open Land District					
Single-family dwelling	20	10	20	20	28
Structures accessory to single-family dwellings	30	3	20	3	28
Structures for all other principal, special, or accessory uses	20	50	20	50	28
R-E Ranch Estates District					
Single-family dwelling	20	10	10	20	28
Structures accessory to single-family dwellings	20	3	10	3	28
Structures for all other principal, special, or accessory uses	20	3	10	3	28
R-EL Ranch Estates Limited District					
Single-family dwelling	20	5	10	20	28
Structures accessory to single-family dwellings	20	3	10	3	12
Structures for all other principal, special, or accessory uses	20	3	20	3	28
R-1 Single-Family Low Density District					
Single-family dwelling – (Lot area of 6,000 square feet or more)	15[2]	5	10	15	35 [1]
Accessory structures	20	3	10	3	12
Structures for all other principal, special	20	3	20	3	35 [1]
Side-loading garages [3]	15	5	10	n/a	35 [1]

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Use	Minimum Setbacks				Maximum Building Height (feet)
	Front (feet)	Interior Side (feet)	Corner Side/ Other ROW (feet)	Rear Yard (feet)	
R-CL Single-Family Compact Lot Residential District					
Single-family dwelling	10[2][5]	5[4]	10	10[6]	35 [1]
Structures accessory to single-family dwellings	15	5	10	3	12
Structures for all other principal, special uses	15	5	10	3	35 [1]
Side-loading garages [3]	15	5	10	n/a	35 [1]
R-2 Single-Family Medium Density District					
Single-family dwelling	15[2]	5	10	15	35
Two-family dwelling	15[2]	5	10	15	35 [1]
Three-family, and four-family dwellings or townhouse clusters	20	5	10	15	35 [1]
Accessory structures	20	3	10	3	12
Structures for all other principal, special, or accessory uses	20	10	20	15	35 [1]
Side-loading garages [3]	15	5	10	n/a	35 [1]
Parking lots	5	5	5	5	n/a
R-3 Multi-Family Residential District					
Single-family dwelling	15 [2]	5	10	15	35
Two-family, three-family, four-family, and multiple-family dwellings, and townhouse clusters	20	5	10	15	35
Accessory structures	20	3	10	3	16
Structures for all other principal or special uses	20	10	20	15	35
Parking lots	5	5	5	5	n/a
R-4 High Density Residential District					
Two-family, three-family, four-family, and multiple-family dwellings, and townhouse clusters	20	5	10	15	60
Accessory structures	20	3	10	3	16
Structures for all other principal or special uses	20	10	20	15	60
Parking lots	5	5	5	5	n/a

NOTES:

[1] The maximum building height for lots located at the entry to the development, corner lots, or perimeter lots where the side yard or rear yard has frontage on a street, shall be 28 feet.

[2] Any attached or detached carport or garage shall maintain a 20-foot front setback.

[3] Reduced front setbacks for side loading garages may be permitted subject to the following conditions:

- No more than 30 percent of the dwellings within a subdivision shall be permitted to have reduced front setbacks for side loading garages;
- No more than two dwellings with side-loaded garages can be located next to each other or across from one another; and
- Side loaded garages with reduced front setbacks must have a minimum of one window, with a minimum size of 20 square feet, in the garage wall facing the street.

[4] Zero lot line development may be permitted that may result in the creation of a two-family dwelling; however individual lots shall be retained. Except for attached residential dwellings, all residential dwellings shall maintain at least a 10-foot building separation.

[5] Reduced front setback may be reduced to 5 feet for the first story of living area, including any porch, provided that the setback does not exceed 50% of the front exterior of the home. The minimum setback for any second story must be

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	Front (feet)	Interior Side (feet)	Corner Side/ Other ROW (feet)	Rear Yard (feet)	
<i>at least 10 feet.</i> <i>[6] Reduced rear setback may be reduced to 5 feet for the first story of living area, including any covered patio, provided that the setback does not exceed 50% of the rear exterior of the home. The minimum setback for any second story must be at least 10 feet.</i>					

SECTION 3: NON-INFRINGEMENT OF RIGHTS. The City Council of the City of North Las Vegas has been informed by the City Attorney as to the constitutionality of this ordinance and based upon such information we are adopting this ordinance in good faith with a reasonable belief that the actions taken by the City of North Las Vegas are not in violation of any rights, privileges, or immunities secured by the laws providing for equal rights of citizens or persons.

SECTION 4: SEVERABILITY. If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall in no way affect the validity and enforceability of the remaining provisions of this Ordinance.

SECTION 5: EFFECTIVE DATE. This Ordinance shall become effective after its passage by the City Council of the City of North Las Vegas. Publication once by title in a newspaper qualified pursuant to the provisions of Chapter 238 of NRS, as amended from time to time.

SECTION 6: PUBLICATION. The City Clerk shall cause this Ordinance, immediately following its adoption, to be published once by title, together with the names of the Councilmen voting for or against passage, in a newspaper qualified pursuant to the provisions of Chapter 238 of NRS, as amended from time to time.

PASSED AND ADOPTED THIS _____ day of _____, 2017.

AYES:

NAYS:

ABSTAIN:

ABSENT:

APPROVED:

 JOHN J. LEE, MAYOR

ATTEST:

CATHERINE A. RAYNOR, MMC, CITY CLERK

DRAFT