

1 **BILL NO. 2015-105**

2 **ORDINANCE NO. 6495**

3 AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE TO UPDATE AND CLARIFY
4 THE REQUIREMENTS AND LIMITATIONS PERTAINING TO HOME OCCUPATION PERMITS,
AND TO PROVIDE FOR OTHER RELATED MATTERS.

5 Proposed by: Tom Perrigo, Director of Planning

Summary: Amends the Unified Development Code to update and clarify the requirements and limitations pertaining to home occupation permits.

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7
8 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS
9 FOLLOWS:

10 SECTION 1: Ordinance No. 6289 and the Unified Development Code adopted as Title
11 19 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended as set forth
12 in Section 2 of this Ordinance. The amendment is deemed to be an amendment to both Ordinance No.
13 6289 and the Unified Development Code adopted as Title 19.

14 SECTION 2: Title 19, Chapter 16, Section 180, Subsection (G), is hereby amended to
15 read as follows:

16 **G. Operational Standards**

17 1. In order to approve a Home Occupation Permit, the Director (or if appealed, the Planning
18 Commission) must be satisfied that the proposed Home Occupation can and will comply with the following
19 operational standards:

20 a. At or upon the property, [Only] only the occupants of the dwelling unit shall be engaged in the
21 business activity approved for the Home Occupation Permit;

22 b. No employees shall report to work at or be physically dispatched from the property;

23 c. There shall be no transacting of business or offers to transact business with customers or clients
24 who have come to the property except in connection with a cottage food operation that complies with the
25 following limitations:

26 i. Except as permitted as part of a garage or yard sale under Subsubparagraph (ii) below, no

1 more than two customers may be present on the property at any one time;

2 ii. The outdoor sale of food items may occur with no restriction on the number of customers
3 present, but only in accordance with the garage or yard sale provisions of LVMC 19.12.020(B)(1);

4 d. There shall be no signage or other advertising of any kind, whether on the property or elsewhere,
5 which advertises the address or physical location of the property or identifies the existence of a Home
6 Occupation on the property. A home telephone number or a post office box may be advertised by any
7 medium other than on-site signage;

8 e. [No repair, painting or body work pertaining to motor vehicles or trailers; sale of vehicles by a
9 vehicle dealer as defined in NRS Chapter 482; commercial preparation of food for service on the premises;
10 business related to or involving explosives, ammunitions or weapons; beauty parlor or barber shop; or
11 ambulance or related emergency services shall be permitted as a Home Occupation;] The following
12 activities are not permitted as a Home Occupation:

13 i. On-site repair, painting or body work pertaining to motor vehicles or trailers. Off-site repair
14 work performed by a mobile repair service is subject to the limitations contained in the Conditional Use
15 Regulations applicable to the use "Vehicle Parking, Storage or Repair in Residential Zoning Districts," as
16 found in Section 19.12.070;

17 ii. The sale or storage of vehicles by a vehicle dealer as defined in NRS Chapter 482;

18 iii. On-site commercial preparation of food for service on or off the premises, except as
19 permitted for a cottage food operation;

20 iv. The sale or storage of explosives, ammunition or firearms;

21 v. The sale or storage of tobacco products, tobacco paraphernalia or alcoholic beverages;

22 vi. A beauty parlor or barber shop; or

23 vii. An ambulance or related emergency service.

24 f. A Home Occupation shall not create pedestrian, automobile or truck traffic in excess of the
25 normal amount associated with residential uses in the district;

26 g. A Home Occupation shall be conducted exclusively within the main dwelling or within an

1 enclosed accessory structure which has been approved for the Home Occupation Permit, except for
2 horticultural activities[;]. No more than 25 percent of the total floor area of all enclosed structures may be
3 devoted to the home occupation activity, and no more than 5 percent of the total floor area of all enclosed
4 structures may be devoted to the storage of stock in trade. No outside storage related to the home
5 occupation activity is permitted;

6 h. No more than one vehicle[, with a maximum capacity of one-ton, shall be] and one trailer that are
7 used in connection with a Home Occupation Permit[.] shall be parked or stored at or near the residence.

8 The permitted vehicle and trailer are subject to the following additional limitations:

9 i. The permitted vehicle must be a passenger vehicle with a maximum capacity of one ton;

10 ii. Vehicles and trailers permitted by this Subparagraph (h) to be parked or stored at or near the
11 residence do not include vehicles or trailers designed or intended solely for commercial use, including
12 without limitation tow trucks, dump trucks, buses, taxis, limousines, food trucks or trailers, ice cream
13 trucks or trailers, forklifts, backhoes, concrete mixers and mobile sign trucks or trailers;

14 iii. The parking or storage of vehicles and trailers permitted by this Subparagraph (h) must
15 comply with the Conditional Use Regulations applicable to the use "Vehicle Parking, Storage or Repair in
16 Residential Zoning Districts," as found in Section 19.12.070;

17 i. The number of on-site parking spaces shall not be reduced to less than two;

18 j. There shall be no outdoor storage or use of any toxic chemicals or hazardous materials of any
19 type or in any amount not normally found in a residential structure;

20 k. There shall be no electrical or mechanical equipment which is not normally found in a residential
21 structure, and no equipment found on the premises shall cause a change in the fire safety or occupancy
22 classification of the dwelling unit; and

23 l. No Home Occupation shall create or cause noise, dust, light, vibration, gas, fumes,
24 toxic/hazardous materials, smoke, glare, electrical interference or other hazards or nuisances.

25 2. The following uses are uses that normally may be permitted by means of Home Occupation Permit if
26 they can be conducted in compliance with the Operational Standards in Paragraph (1) of this should be used

- 1 to establish appropriate types of uses for Home Occupations[.]:
- 2 a. [800 and] Toll-free or 900 number telephone services;
 - 3 b. Accounting, bookkeeping, tax preparation or related services;
 - 4 c. Appraisal, real estate or related services;
 - 5 d. Architectural, engineering, general contractor or related professional services;
 - 6 e. Artist, artisans, hobbyists, jeweler or related services;
 - 7 f. Computer based businesses, desktop publishing, drafting or related services;
 - 8 g. Consulting or related services;
 - 9 h. Employment services;
 - 10 i. Financial investment, brokerage or related services;
 - 11 j. Handicrafts, gift basket assembly, floral, ceramics or related services;
 - 12 k. Health fitness training services;
 - 13 l. Home improvement and repair services;
 - 14 m. Incidental office and telephone uses;
 - 15 n. Information services;
 - 16 o. Insurance services;
 - 17 p. Interior design and decorating services;
 - 18 q. Legal, court reporting or related services;
 - 19 r. Internet ordering, [Mail order and] mail order or catalog services;
 - 20 s. Mobile [serve] service businesses;
 - 21 t. Network marketing services;
 - 22 u. Janitorial, maintenance and repair services;
 - 23 v. Party planning services;
 - 24 w. Photography, video or related services;
 - 25 x. Secretarial, typing, answering or related services;
 - 26 y. Tailoring and sewing services;

- 1 z. Teaching or related services with a maximum of two students at any one time;
 - 2 aa. Travel services;
 - 3 bb. Vending machine businesses;
 - 4 cc. Writers, authors or related professionals; and
 - 5 dd. Cottage food operations.
- 6 3. Any Home Occupation Permit which is found to be similar to those enumerated in this Subsection and
7 which, in the opinion of the Director, is compatible with the intent of this Section, may be approved or
8 approved with conditions. If the Director determines that a proposed Home Occupation would be
9 detrimental to the public health, safety and welfare or injurious to the existing land uses on the property or
10 to the surrounding properties, or does not substantially conform to the Operational Standards contained in
11 this Section, the Director shall deny the Home Occupation Permit.

12 SECTION 3: For purposes of Section 2:100(3) of the City Charter, Section 19.16.180 is
13 deemed to be a subchapter rather than a section.

14 SECTION 4: The Department of Planning is authorized to incorporate into the Unified
15 Development Code the amendments contained in this Ordinance, including adjustments to the table of
16 contents and other non-substantive editorial adjustments as deemed necessary or appropriate.

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

24 ...
25 ...
26 ...

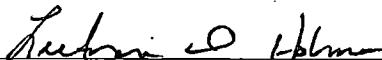
1 SECTION 6: All ordinances or parts of ordinances or sections, subsections, phrases,
2 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983
3 Edition, in conflict herewith are hereby repealed.

4 PASSED, ADOPTED and APPROVED this 20th day of January, 2016.

5 APPROVED:

6 By 
7 CAROLYN G. GOODMAN, Mayor

8 ATTEST:

9 
10 LUANN D. HOLMES, MMC
City Clerk

11 APPROVED AS TO FORM:

12  12-2-15
13 Val Steed, Date
Deputy City Attorney

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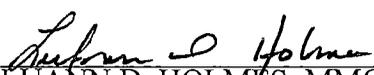
The above and foregoing ordinance was first proposed and read by title to the City Council on the 16th day of December, 2015, and referred to a committee for recommendation; hereafter the committee reported favorably on said ordinance on the 20th day of January, 2016, which as a regular meeting of said Council; 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 Pro Tem Ross, and Councilmembers, Tarkanian, Barlow Anthony, Coffin and Beers
- VOTING "NAY": None
- EXCUSED: Mayor Goodman
- ABSTAINED: None
- DID NOT VOTE: None

APPROVED:


CAROLYN G. GOODMAN, Mayor

ATTEST:


LUANN D. HOLMES, MMC City Clerk

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

RECEIVED
CITY CLERK

2016 JAN 11 P 12: 01

LV CITY CLERK
495 S MAIN ST
LAS VEGAS NV 89101

Account # 22515
Ad Number 0000703146

Eileen Gallagher, 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 01/07/2016 to 01/07/2016, on the following days:

01 / 07 / 16

BILL NO. 2015-105
AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE TO UPDATE AND CLARIFY THE REQUIREMENTS AND LIMITATIONS PERTAINING TO HOME OCCUPATION PERMITS, AND TO PROVIDE FOR OTHER RELATED MATTERS.
Proposed by: Tom Perrigo, Director of Planning
Summary: Amends the Unified Development Code to update and clarify the requirements and limitations pertaining to home occupation permits.
At the City Council meeting of December 16, 2015 BILL NO. 2015-105 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: Jan 7, 2016
LV Review-Journal

Eileen Gallagher
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 7th day of January, 2016

Notary *Mary Lee*

MARY A. LEE
Notary Public State of Nevada
No. 09-8941-1
My Appt. Exp. Nov. 13, 2016

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 0000714907

Eileen Gallagher, 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 01/23/2016 to 01/23/2016, on the following days:

01 / 23 / 16

BILL NO. 2015-105
ORDINANCE NO. 6495.
AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE TO UPDATE AND CLARIFY THE REQUIREMENTS AND LIMITATIONS PERTAINING TO HOME OCCUPATION PERMITS, AND TO PROVIDE FOR OTHER RELATED MATTERS.
Proposed by: Tom Perrigo, Director of Planning
Summary: Amends the Unified Development Code to update and clarify the requirements and limitations pertaining to home occupation permits.
The above and foregoing ordinance was first proposed and read by title to the City Council on the 16th day of December 2015, and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 20th day of January 2016, 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 introduced and was adopted by the following vote:
VOTING "AYE": Mayor Pro Tem Ross and Councilmembers Tarkanian, Barlow, Anthony, Coffin and Beers
VOTING "NAY": NONE
EXCUSED: Mayor Goodman
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: Jan. 23, 2016
LV Review Journal

Signature of Eileen Gallagher
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 25th day of January, 2016

Signature of Notary Mary A. Lee
Notary

