

[Bracketed] and/or ~~strike through~~ material is that portion being deleted or amended
Underlined material is that portion being added

Adopted: 5/07/08
Effective: 6/02/08

BILL NO. _____

SUMMARY - An Ordinance to amend the Unified Development Code to revise definition and mapping provisions for condominiums and townhouses. (T30-0466-08.PH.5.7.08.RIR.ORD)

ORDINANCE NO. 3634
(of Clark County, Nevada)

AN ORDINANCE TO AMEND TITLE 30, CHAPTERS 30.08 AND 30.44, SECTIONS 30.08.030, AND TABLE 30.44-1 TO REVISE DEFINITION AND MAPPING PROVISIONS FOR CONDOMINIUMS AND TOWNHOUSES AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CLARK, STATE OF NEVADA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Title 30, Chapter 30.08, Section 30.08.030, of the Clark County Code is hereby amended to read as follows:

Condominium “Condominium” means a common-interest community in which portions of the real estate are designated for separate ownership and the remainder of the real estate is designated for common ownership solely by the owners of those portions. A common-interest community is not a condominium unless the undivided interests in the common elements are vested in the units’ owners. ~~[Residential condominiums are multiple family dwellings.]~~(Ord. 3432 § 1(part), 10/2006)

Dwelling “Dwelling” means a building or portion thereof designed or used exclusively for residential occupancy and within which there is interior access to all habitable rooms. Dwellings include factory-built homes, manufactured homes, one-family, two-family and multiple-family dwellings, and community residences, but do not include any other building wherein human beings may be housed. Manufactured homes not meeting the standards established for single-family dwellings in this Title may only be used as dwellings in the zoning districts set forth in this Title. (Also see “Employee Housing”)

1. “Dwelling Unit” means a building or portion of a building having a minimum of three rooms, which must contain a living room, kitchen, bedroom, and bathroom, that is designed as a unit for occupancy by not more than one (1) family for

living or sleeping purposes, and does not have more than one (1) kitchen or set of fixed cooking facilities, whether or not designed for use of occupants such as janitors, caretakers, servants or guests.

2. "Two-Family Dwelling" means any building containing only two (2) dwelling units.
3. "Multiple-Family Dwelling," also known as an apartment or condominium, means a building containing three (3) or more dwelling units. (Also see "Accessory Apartment")
4. "Multiple-Family Dwelling Group" means one (1) or more buildings containing dwelling units arranged around two (2) or more sides of a court.
5. "Single-Family Attached Dwelling," also known as a one-family dwelling or residence, means any single family building which is permanently attached to another single family dwelling.
 - a. "Townhouse" means an arrangement of single-family dwellings joined by common walls on not more than two (2) opposite sides with the uppermost stories being a portion of the same dwelling located directly beneath at the grade or first floor level and having exclusive individual ownership and occupant rights of each dwelling unit [~~including, but not limited to, the land area directly beneath the dwelling~~].

SECTION 2. Title 30, Chapter 30.44, Table 30.44-1, of the Clark County Code is hereby amended to read as follows:

Table 30.44-1 Global Use Table																									
Uses	SLUCM CODE	Residential Districts											Commercial Districts				Manufacturing/Industrial Districts			Miscellaneous Districts					
		R-U	R-A	RE	R-D	R-1	R-T	R-2	RUD	R-3	R-4	R-5	CRT	C-P	C-1	C-2	M-D	M-1	M-2	O-S	H-2	P-F	RVP	U-V	H-1
Dwellings																									
<i>Condominium</i> <i>(Also see Chapter 30.24 for residential planned unit development)</i>	1130							C	S	C	C	C			S	S								C	S
		<p>Special Use in C-2 Subject to: permitted only in conjunction with a mixed use development with a maximum density of eighteen (18) units per acre and compliance with all MUD-4 subdistrict requirements established in Section 30.48.770(A)(B) and (C)(3-9). This condition cannot be waived or varied, and waivers to modify height or density shall not be permitted; however, the maximum height and density may be increased pursuant to Section 30.48.770(C)(1)(b) and compliance with all MUD-4 requirements in Table 30.48-J1, subject to special use permit and design review approval.</p> <p>Special Use in C-1 Subject to: minimum ten (10) acre parcel and location within three hundred thirty (330) feet of the intersection of two (2) arterial streets, or the intersection of one (1) arterial and one (1) collector street, and compliance with the conditions for C-2 (above).</p> <p>Special Use in H-1 Subject to: density requirements established in Table 30.40-7 or as permitted in Section 30.48.770(A)(B) and (C)(3-9). Waivers to modify density shall not be permitted. Conditions listed above can not be waived or varied.</p> <p>Conditional Use in R-2 Subject to: <ol style="list-style-type: none"> 1. Condominiums must be single family attached development only. This condition cannot be waived or varied. </p> <p>Special Use in RUD Subject to: <ol style="list-style-type: none"> 1. Up to a triplex only. 2. A major subdivision map for a condominium shall be recorded prior to issuance of building permits. 3. No increase in density (even if PUD). Conditions listed above cannot be waived or varied.</p> <p>Conditional Use in U-V must be part of a mixed use development (See Section 30.40.310 and Chapter 30.48, Part J).</p> <p>Conditional Use in R-3, R-4 and R-5 must conform to all district regulations; otherwise only permitted with a Planned Unit Development (See Chapter 30.24) (Ord. 3406 § 2 (part), 7/2006; Ord. 3219 § 5 (part), 5/2005; Ord. 3174 § 5 (part), 1/2005)</p>																							

SECTION 3. If any section of this ordinance or portion of thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not invalidate the remaining parts of this ordinance.

SECTION 4. All ordinances, parts of ordinances, chapters, sections, subsections, clauses, phrases or sentences contained in the Clark County Code in conflict herewith are hereby repealed.

SECTION 5. This ordinance shall take effect and be in force from and after its passage and the publication thereof by title only, together with names of the County Commissioners voting for or against its passage, in a newspaper published in and having a general circulation in Clark County, Nevada, at least once a week for a period of two (2) weeks; on 6/2/08. A land use application approved prior to the effective date of this ordinance may be developed per the plans approved with the application.

PROPOSED on the _____ day of _____, 2008

PROPOSED By : _____

PASSED on the _____ day of _____, 2008

VOTE:

AYES:

NAYS:

ABSTAINING:

ABSENT:

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, NEVADA

By _____
Chair

ATTEST:

SHIRLEY B. PARRAGUIRRE, County Clerk

This ordinance shall be in force and effect from and after the _____ day
of _____, 2008.