UNIFIED DEVELOPMENT CODE

19.06 RESIDENTIAL DISTRICTS - PURPOSE AND DEVELOPMENT AND DESIGN STANDARDS
19.06.040 Development Standards

A. Tables
Except as otherwise noted, the minimum lot size, maximum unit density, minimum lot width, minimum building setbacks, maximum lot coverage, minimum building separation and maximum building height for uses in each district shall be governed by the dimensional standards in the tables listed for each district. Explanatory notes for provisions in the tables follow the tables as needed.

B. Building Placement
In addition to the dimensional standards and requirements listed for building placement in the tables provided for each district, development on any lot subject to the standards provided in this Chapter shall conform to the following:

1. Projections into Setback Area. The following structures are permitted to project into the established setback area for the lot or parcel as indicated:
   a. Architectural Features. Bay windows, fireplaces, roof eaves, cabinets designed to screen utility meters and similar architectural features may encroach no more than two feet into any required setback area, provided that the encroachments:
      i. Remain at least three feet from the property line; and
      ii. Do not increase the living space of the structure at the floor level.
   b. Other Architectural Embellishments. Architectural embellishments and institutional symbols for churches/houses of worship, public buildings and quasi-public buildings may extend into any required setback area, provided that they are clearly shown and approved as a part of a Special Use Permit, Site Development Plan or other required application.
   c. Lots Adjacent to Open Space. On any lot which adjoins a golf course, park area, common open space or similar open space, open balconies may extend up to five feet into the required setback for the dwelling and toward the open space; provided, however, that the projection extends no closer than three feet from the property line.
   d. Mechanical Equipment. Mechanical equipment such as air-conditioning units, pool filtering and heating equipment, water softeners, and similar mechanical equipment may occupy the required rear and side yard setback areas if totally screened from abutting lots and streets by fences, walls or landscaping, and if such mechanical equipment does not restrict required access through such setback areas as determined by the Department.

C. Accessory Structures
In addition to the standards listed for accessory structures in the tables provided for each district, accessory structures on any lot subject to the standards provided in this Chapter shall conform to the following:

1. No accessory structure shall be erected or moved onto any lot prior to construction of the main building unless a building permit has been issued for the construction of the main building.
2. No accessory structure is permitted in front of the primary structure unless the structure is a side-loaded garage that is used strictly as an ancillary use and does not encroach into the front setback area.
3. No setback is required for a detached accessory structure from a property line which abuts an alley.
4. Accessory structures must be aesthetically compatible with the principal dwelling unit.
5. Accessory structures may contain any type of room use but may not contain any kitchen except as otherwise specifically provided in this Title with respect to a Class I accessory structure.
6. The roof of an accessory structure may be attached to the main dwelling, if there is a minimum six foot separation between the walls of the accessory structure and the main building and provided that at least two sides of the breezeway are open. A gate or fence which is at least 50 percent open construction may be attached to one end of the breezeway.
D. Building Height

In addition to the standards listed for building height in the tables provided for each district, building heights for development on any lot subject to the standards provided in this Chapter shall conform to the following:

1. Roof-mounted solar panel units that are permitted as a conditional use pursuant to LVMC Chapter 19.12 shall not be considered as a part of the building height for purposes of this Chapter.

2. Chimneys, vent stacks and skylights may be erected above the required height limits, provided that in no case shall structures above the permitted height limit be constructed for the purpose of providing additional floor space.

E. Patio Covers

In addition to the standards listed for patio covers in the tables provided for each district, patio covers on any lot subject to the standards provided in this Chapter shall conform to the following:

1. Any patio cover extending into the established setback area for the lot or parcel may not be enclosed with any materials, including wood, metal, canvas, plastic, glass or any other screening material. An enclosed patio cover must conform to the setback standards applicable to the main dwelling.

2. The height of the patio cover shall not exceed twelve feet.

3. A detached patio cover shall conform to the applicable Accessory Structure standards for the lot or parcel.

F. Landscape Buffers and Turf Limitations

In addition to the standards listed for landscape buffers and turf limitations in the tables provided for each district, development on any lot subject to the standards provided in this Chapter shall conform to the following:

1. Landscape Required

   a. All multi-family development or single family developments with five or more lots adjacent to streets classified as major collectors or larger shall meet or exceed the minimum standards, and shall comply with any restrictions, established in this Title. All landscaping required by this Chapter shall also comply with
b. Except as otherwise permitted by the Director, all landscape and irrigation plans shall be prepared and stamped by a registered architect, landscape architect, residential designer or civil engineer.

c. The owner, developer and occupant of the property are jointly and severally responsible for maintaining or assuring the ongoing maintenance of installed landscaping so that the landscaping continues to thrive. Prior to the issuance of a building permit, the owner, developer or contractor shall post a performance bond or equivalent security to assure the performance of the maintenance obligation for a minimum of two years.

d. All revisions to an approved landscape plan must first be reviewed and approved by the Department prior to installation of the landscaping.

e. Where perimeter landscape buffers are indicated, the standard planting requirement is as set forth in Figure 1. Alternatives to the standard planting requirement are set forth in Figures 2 and 3.

2. **Additional Landscaping May Be Required**

Additional landscaping may be required by the Director or reviewing authority in order to respond to special site features, maintain an established landscape pattern created by existing landscaping in the surrounding area, or mitigate the impact of a particular development.

3. **Alternative Landscape Designs**

The Director or other reviewing authority may approve variations to the standards and designs set out in this Chapter if they respond more appropriately to a particular site and provide equivalent means of achieving the intent of this Chapter.

4. **Maintenance**

Property owners shall be responsible for:

a. Maintaining all walls in good structural and finish condition;

b. Maintaining all landscaping in a healthy and vigorous living condition and in accordance with LVMC 13.48.040 and 19.02.190;

c. Promptly replacing dead vegetation with healthy, living plants, in accordance with standard seasonal planting practices.

5. **Installation of Required Landscaping**

a. All required perimeter landscaping shall be installed in compliance with an approved landscape plan prior to occupancy.

b. Prior to the installation of any required landscaping, the developer shall demonstrate compliance with the approved landscape plan by providing the Department a complete bill of materials.

c. When applicable to a phased development plan, a phased landscape installation plan may be approved concurrently with a Site Development Plan Review.

6. **Irrigation of Landscaping**

a. All required landscaping shall be installed with an irrigation system designed to eliminate any run off of water into the public rights-of-way.

b. In order to minimize damage to buildings and solid walls from soil settling, expansion/contraction (cracked foundation), all overhead spray irrigation systems shall be a minimum of twenty-four (24) inches back from any building and solid walls with no overspray contacting any building or solid walls.

c. An automatic irrigation system is required for all planting areas, and shall include:

i. An electric automatic controller and multiple program capabilities;

ii. Multiple repeat cycle capabilities; and

iii. A flexible calendar program.
d. All irrigation water shall be retained on-site. When required, swales shall channel water to larger holding areas, catch basins, other planting areas, gravel sumps, dry-wells, or any combination thereof. Areas that accumulate system water shall be provided with underground drainage systems to carry water to holding or discharge areas. Nuisance flows shall not spill over the sidewalk and into any street.

7. Turf Limitations

a. The use of turf is subject to and limited by LVMC Chapter 14.11 and the provisions of this Paragraph (7), with the provisions that are most restrictive to govern in a particular case. No new turf shall be installed in residential front yard areas except as provided for in LVMC 14.11.150(B), or in the common areas of residential developments unless the common area is intended as usable open space. Additionally, turf shall be limited in the rear and side yard areas of residential lots as follows:

<table>
<thead>
<tr>
<th>Use</th>
<th>Use of Turf</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family</td>
<td>Limited to a maximum of 50% of the total side and rear yard areas or 100 square feet, whichever is greater (up to a maximum of 5,000 square feet) provided that no turf installation in a side or rear yard area has a dimension of less than 10 feet</td>
</tr>
<tr>
<td>Multi-family</td>
<td>Limited to a maximum of 30% of total landscapable area</td>
</tr>
<tr>
<td>Nonresidential</td>
<td>See LVMC 19.08.040 (F)(7)</td>
</tr>
</tbody>
</table>

b. The turf limitations contained in this Subsection are intended to increase the use of water efficient vegetation. Landscaping shall be designed, and the landscaping materials shall be chosen and installed, so as to ensure that, within three years of normal growth, at least 50 percent of the area covered by nonturf landscaping will consist of water efficient vegetation.

c. The maximum amount of turf allowable pursuant to Subparagraph (a) may be increased proportionally by the percentage of water used for irrigation that comes from a source to which the property owner has secured water rights.

8. Landscape Materials

Landscaping shall include drought-resistant and water efficient plant materials consistent with the Southern Nevada Regional Planning Coalition Regional Plant List and the turf limitations of Paragraph (7).

Where perimeter landscape buffers are indicated the following are the requirements for landscape material:

a. Trees shall be spaced within the required buffer zones in accordance with Table 2 below, with trees to be spaced on center.

<table>
<thead>
<tr>
<th>Use</th>
<th>Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family</td>
<td>1-24” box tree per 30 linear feet</td>
</tr>
<tr>
<td>Multi-family</td>
<td>1-24” box tree per 20 linear feet †</td>
</tr>
<tr>
<td>Nonresidential</td>
<td>See LVMC 19.08.040 (F)(8)</td>
</tr>
</tbody>
</table>

Footnotes:
1. Where adjacent to any right-of-way classified as a freeway, the spacing may be increased to 1-24” box tree per 30 linear feet.

b. Shrub Requirements. Shrubs are required in all buffer areas, with a minimum of four 5-gallon shrubs required for every required tree.

c. Ground Cover Requirements. Ground covers shall be installed in all landscaped areas. Nonvegetative ground covers shall include, without limitation, rocks and small stones, crushed rock and bark, installed to a minimum depth of two inches in all areas.
9. **Buffer Zone Encroachments**
   The following encroachments are permitted within required buffer zones:
   a. Driveways (curb cuts) that are located perpendicular or approximately perpendicular to the street right-of-way.
   b. Sidewalks that are located perpendicular or approximately perpendicular to the street right-of-way.

10. **Utility Boxes and Installations**
   a. Along streets that border a residential subdivision, all utility boxes and above-ground utility installations, other than utility poles, that are in excess of twenty-seven cubic feet in size and that are to be placed outside the right-of-way shall be installed with landscaping on two sides, with one side being available for access by utility companies. The landscaping must include tall grasses and/or shrubbery which, at maturity, will provide adequate screening of the utility structures.
   b. Within proposed trail corridors that are identified in the Master Plan Transportation Trails Element and the Master Plan Recreation Trails Element, no utility box or above-ground utility installation, other than a utility pole, that is in excess of twenty-seven cubic feet in size (excluding pad and concrete collars) shall be allowed. In addition, all utility boxes to be placed immediately adjacent to a trail corridor shall be placed so that the access doors open parallel to the trail corridor and are accessible without the need to cut down or reduce the effectiveness of the landscaping within the trail area.

11. **Deviations**
   a. The Planning Commission or City Council may grant a waiver to deviate from the standards set forth in Paragraphs (1) through (7) of this Subsection as part of a Site Development Plan Review if the applicant can show through convincing and substantial evidence that the waiver will not compromise the objective of the City in safeguarding the interests of the citizens of the City, the proposed project will substantially meet the intent of the standard, and the granting of the waiver will not detrimentally affect the public health, safety or general welfare.
   b. An exception or modification from the standards set forth in Paragraphs (8) through (10) of this Subsection may be approved upon the request of an applicant if the applicant can show through convincing and substantial evidence that the exception or modification will not compromise the objective of the City in safeguarding the interests of the citizens of the City, the proposed project will substantially meet the intent of the standard, and the granting of the exception or modification will not detrimentally affect the public health, safety or general welfare. Such an exception or modification may be granted by the Director in connection with the approval of a Site Development Plan Review. In cases where the Director does not approve a requested exception or modification, the request may be acted upon by the Planning Commission or City Council, the request for exception or modification need not be identified as a separate action item, and disposition of the request may be incorporated into the action on the Site Development Plan Review. Notice of action on the request for exception or modification may be incorporated into the notice of decision regarding the Site Development Plan Review.

G. **Parking**
   In additions to the standards listed for parking in the tables provided for each district, development on any lot subject to the standards provided in this Chapter shall conform to the following:
   1. Every building or land use established, every existing building enlarged and every existing use expanded shall provide off-street parking and loading spaces in accordance with the minimum parking requirements set forth in LVMC 19.12.070 and any other applicable requirements and standards of this Title. Existing parking and loading spaces shall not be reduced below the minimum required by this Title.
   2. All on-site parking shall be provided on the same parcel as the principal use, except as permitted by the off-site parking provisions of this Title. Parking on the public right-of-way may not be counted towards satisfying the requirement for on-site parking.
3. All parking and vehicle storage areas, including recreational vehicle parking in residential land use districts, shall occur on paved areas and conform to the conditions and requirements for “Vehicle Parking, Storage or Repair in Residential Zoning Districts” as outlined in LVMC Chapter 19.12, except that:
   a. Parking surfaces used for temporary real estate sales offices may consist of decomposed granite, chat, reclaimed asphalt paving or other material approved by the Department of Public Works.

4. Except as otherwise provided in LVMC 19.12.070 or some other provision of this Title, when more than one use is to be conducted on a site, parking shall be calculated and provided for each of the uses separately.

5. Driveways may be used to satisfy minimum on-site parking requirements for single family dwellings, provided that sufficient space is available to satisfy the minimum design standards and no parking space is located so as to require the moving of any vehicle on the premises in order to enter or leave any other space.

6. Multi-family residential uses shall provide handicapped parking at the rate of one space for each dwelling unit that is designed for occupancy by the handicapped. The number of spaces required for use by a vehicle with a side-loading wheelchair lift shall be in accordance with the requirements of LVMC 19.08.110(C)(3)(b).

H. Fences and Walls
In addition to the standards listed for fences and walls in the tables provided for each district, development on any lot subject to the standards provided in this Chapter shall conform to the following:
1. Front Yard Screen Wall Prohibition. No screen wall shall be built in the front yard of a residential property.
2. Perimeter and Screen Walls
   a. General. There is no requirement to construct a wall or fence. However, all perimeter or screen walls and fences must comply with applicable building code requirements. The height of a wall or fence shall be measured from the side with the greatest vertical exposure above finished grade.
3. Fences, Walls and Architectural Character
   a. Perimeter walls. Perimeter walls, end walls, return walls and common area walls shall be decorative and shall be installed by the developer. Acceptable decorative wall materials include, without limitation, stone, decorative block, slump, stone, and wrought iron, and shall have a minimum percentage of contrasting material as indicated for each district. The contrasting material requirement may be fulfilled by contrasting color, or a combination of contrasting material and contrasting color, if approved by the Department in its discretion. All walls shall include such detail variations as may be required by the Department, including pilasters, ornaments, decorative caps, decorative iron cutouts or fluted blocks. Any decorative materials or ironwork attached to the top of a perimeter wall shall not encroach into public rights-of-way or abutting properties. Pilasters, if used, shall have a maximum spacing of twenty-four feet on center. All perimeter walls shall:
      i. Match the design of abutting perimeter walls. The established wall design shall be continued until the next street intersection. In cases where the existing wall is considered by the Director to be of unacceptable design, the design shall not be carried beyond the next street intersection unless a transitional wall area designed to soften the differences between the walls is constructed; and
      ii. Be maintained by the property owner, the developer, a business association or other similar organization, or by such other means as may be approved by the City.
   b. Retaining Walls. Retaining walls which are visible from adjacent properties or rights-of-way shall be decorative and shall be installed by the developer. Acceptable materials for retaining wall construction include split-face block, decorative block, slump stone, stone, caliche rock, colored or exposed aggregate, and textured-finish concrete. All walls shall include detail variations such as pilasters, ornaments, decorative caps, or fluted blocks. All walls shall be maintained by the property owner, the developer, a business association or other similar organization, or by such other means as may be approved by the City. In cases where the height of a retaining wall exceeds four feet, a minimum of five shrubs of a five-gallon size, and five shrubs of a one-gallon size, for each twenty feet of linear planting area shall be planted in the area at the base of the wall. In
cases where there are multiple-stepped retaining walls, a minimum of five shrubs of a five-gallon size, and five shrubs of a one-gallon size, for each twenty feet of linear planting area shall be planted in the area between the walls and at the base of the lowest wall. A minimum planting area of four feet is required between the retaining walls.

c. **Wall Separation.** Where a screen or perimeter walls abuts another screen or perimeter wall, the separation shall either be:

i. A minimum of three feet from face of wall to face of wall, with access provided to the area between the walls for maintenance; or

ii. A maximum of eight inches, with the resulting gap between the walls to be filled and capped with a cementitious material that:
   A) Will not increase the load on the walls; and
   B) Has been approved by the Department and the Department of Building and Safety.

4. **Materials.** Unless otherwise approved as part of an overall development plan, the following materials shall not be acceptable for use as screen or perimeter walls:

a. Chain link or open wire fencing (except as temporary construction fencing);

b. Razor wire or barbed wire (except as may be approved under the procedures set forth in the City’s Building Code);

c. Corrugated metal;

d. Bright colored plastic; and

e. Untextured or unfinished concrete or block (CMU) walls.

I. **Residential Adjacency Standards**

1. **Applicability**

a. All property to be developed for multi-family residential or nonresidential use that is located adjacent to property which is zoned R-E, R-D, R-1, R-SL, or R-CL, unless such adjacent property is developed with a nonresidential use, shall conform to the residential adjacency standards set forth in this Subsection.

b. For purposes of this Subsection:

i. Property is “adjacent” to other property if the properties share a common property line or are separated only by a street right-of-way or easement.

ii. “Property subject to the standards for this Subsection” means the property that is described in Subparagraph (a) of this Paragraph (1) that must conform to the residential adjacency standards of this Section.

iii. “Protected property” means residential property that is developed for sale or designated for such development, and single family residential property, as those types of property are described in Subparagraph (a) of this Paragraph (1).

2. **Building Height And Setback Requirements** (see Figure 4)

a. **Proximity Slope**

i. Except as otherwise provided in this Paragraph (2), no building subject to the standards of this Subsection shall exceed the height of a line drawn from the property line of a protected property at a 3:1 slope directly into the property subject to the standards of this Subsection. For example, a 100-foot high building must be set back 300 feet from the property line of the protected property, if both the property line of that property and the grade of the building subject to the standards of this Subsection are at the same elevation. The Proximity Slope limitation contained in this Subparagraph (i) applies to architectural projections above rooflines.
ii. The Proximity Slope limitation contained in Subparagraph (a)(i) does not apply when nonresidential buildings, such as schools and churches/houses of worship, are built on the protected property.

iii. Notwithstanding the Proximity Slope limitation contained in Subparagraph (a)(i), a one story building up to 15 feet in height may be constructed to the applicable setback line that is established for the zoning district in which the property subject to the standards of this Subsection is located or which is established by Subparagraph (d) of this Paragraph (2).

b. Changes in Grade. Notwithstanding the Proximity Slope limitation contained in Subparagraph (a)(i) above, if the natural slope of the ground rises or falls from the point of origin of the slope line, the actual building height may be greater or lesser by the difference in grade.

c. Exceptions
   i. The following structures may project a maximum of 12 feet above the Proximity Slope:
      A) Chimney and vent stacks.
      B) Roof structures for the use of solar panel units, elevators, stairs, tanks, ventilation and similar necessary mechanical equipment.
      C) Visual screens which surround mounted mechanical equipment.
      D) Skylights.
      E) Whip and mounted antennas.
   ii. Church steeples, utility transmission lines and towers, wireless communication facilities when attached to a utility transmission line pole or tower, small wind energy systems, and municipal utility facilities such as water towers are exempt from the maximum height provisions.

d. Building Setback. In addition to the required building setback line, no building setback on property subject to the standards of this Subsection shall be less than the required building setback for the protected property.

e. Waiver. The requirements of this Paragraph (2) may be waived by the City Council for:
   i. Any multi-family residential project that is intended to meet the affordable housing objectives of the General Plan if the City Council determines that the waiver is critical to the viability of the project and that the intent of this Paragraph (2) can be achieved; or
   ii. Any mixed-use development that contains a significant residential element.

3. Spill-Over Lighting
   a. Lighting Standard. No lighting from a property subject to the standards of this Section shall create greater than 0.5 of one foot-candle at the property line of a protected property.
   b. Redirecting/Screening of Light Sources. All sources of light, including security lighting, illuminated signs, vehicular headlights and other sources, shall be directed away from protected property or screened so that the light level above is not exceeded.

4. Trash Receptacles
   Garbage storage areas for properties subject to the standards of this Subsection shall be screened and odor controlled, and trash pick up shall be scheduled to minimize any impact on protected properties. In addition, trash receptacles shall be located a minimum of 50 feet from any property line of a protected property.

5. Exclusions
   a. Higher Ambient Light Levels. Where existing ambient light levels from multiple sources already exceed the standards, the subject source may not increase the existing light levels, unless approved in connection with the approval of a Site Development Plan.
Figure 4 - Proximity Slope - 3:1 Slope Requirement

A refers to the Residential Property Line
B refers to the Residential Setback
C refers to the Multi-family Residential or Commercial Setback (must at minimum equal the residential setback)
D refers to the Multi-family Residential or Commercial Setback Area (may in part include parking, drive, road, alley or easement)

(Ord. 6323 § 5, 06/04/14)

J. Downtown Las Vegas Overlay District
   All structures located in Area 1 of the Downtown Las Vegas Plan Overlay District, as shown in Figure 2 of the Development Standards adopted in LVMC 19.10.110(B), are exempted from the automatic application of the building height, building setback and lot coverage provisions of this Chapter, including the Residential Adjacency Setback, provided, however, that this exemption does not prohibit the City Council from imposing a building height, setback or lot coverage requirement in connection with the approval of a Site Development Plan.

(Ord. 6608 § 3, 12/06/17)