

Ordinance No.25-09

An Ordinance to Amend the Municipal Code of the City of Las Vegas, Chapter 450 thereof entitled Zoning, to add a new section entitled Treatment Facilities, Halfway Houses, Community Residential Program Facilities to provide for zoning regulations and exemptions.

Be it enacted by the Council of the City of Las Vegas as follows:

Chapter 450 of the Municipal Code of the City of Las Vegas is hereby amended to add a new section following Article XIII Cannabis Zoning, §450-156, to be known as Article XIV. Zoning Regulation: Treatment Facilities, Halfway Houses, Community Residential Program Facilities as follows:

§450-157. Definitions

For the purpose of this regulation, a **Treatment Facility** is defined as any establishment, whether publicly or privately operated, that provides medical, psychological, or rehabilitative care, including but not limited to:

- Substance abuse treatment centers
- Mental health counseling centers
- Outpatient clinics (excluding standard medical or dental offices typically found in commercial zones)
- Rehabilitation centers (physical or occupational therapy facilities may be considered separate if explicitly defined elsewhere)
- Community Residential Program Facilities providing structured care for individuals requiring ongoing support and supervision related to a medical or behavioral condition.

This definition excludes facilities such as hospitals, emergency care centers, and general practitioners' offices, which are typically addressed under separate zoning classifications.

For the purpose of this regulation **Halfway House** is defined as a facility providing structured living arrangements, counseling, or rehabilitation services for individuals reentering society from correctional, institutional, or treatment settings.

For the purposes of this regulation **Community Residential Program Facility** is defined as a dwelling unit(s) providing to its residents a planned program of care consisting of full-time programmatic supervision, counseling and/or therapy, and assistance in the development of daily living skills; such residence and program is provided to persons who are physically disabled, developmentally disabled, psychiatrically disabled, have drug or alcohol problems, are under the legal custody of the state, are minors with social and/or behavioral problems; or persons who have disabilities associated with aging. A community residential program does not include

skilled nursing care, or persons currently in custody of, or recently released by, correctional authorities that are designed to offer an alternative to imprisonment and/or to facilitate ex-offender reintegration into community life, nor does it include facilities for persons who require such services by reason of the effects of alcohol or drug abuse.

§ 450-158. Residential Zoning Districts (RA, RR, R-1, R-2, R-3)

The establishment of **Treatment Facilities, Halfway Houses and Community Residential Program Facility** in any residential zoning district is **generally prohibited** due to the potential for incompatibility with the primary residential character and density, and to preserve the peace and quiet of residential neighborhoods.

Notwithstanding the general prohibition, a **Conditional Use Permit (CUP)** may be considered for certain types of small-scale, non-intensive treatment facilities, specifically **Community Residential Program Facility** for no more than ten (10) residents and staff, subject to the following stringent conditions:

1. **Purpose:** The Community Residential Program Facility must primarily serve as a residence with supportive services, not as an institutional or clinical facility.
2. **Location:** The facility must be located at least one thousand (1,000) feet from any other existing treatment facility, halfway house and residential community program facility, liquor store, liquor establishment licensed to sell alcohol for on-site consumption (e.g., bars, nightclubs), preschool, daycare, college campus, high school, middle school, or elementary school. Measurements shall be from the nearest property line of the facility to the nearest property line of the restricted use.
3. **Appearance:** The exterior appearance of the facility must be maintained to be compatible with the residential character of the neighborhood, and no external signage beyond what is typical for a residence shall be permitted.
4. **Operational Plan:** A detailed operational plan must be submitted prior to approval, outlining:
 - The maximum number of residents and staff.
 - Hours of operation for any on-site services.
 - Transportation and parking provisions.
 - Security protocols and measures.
 - A plan for neighborhood communication and complaint resolution.
2. **Operational Standards:**
 - Facilities shall maintain 24-hour on-site management.
 - Maximum occupancy shall be set at one resident per 200 square feet of habitable space not to exceed 10 residents and staff per facility.
 - Adequate off-street parking shall be provided at a minimum of one space per employee plus one space per four residents.
 - Facilities shall comply with all applicable building, fire, and health codes.
 - Facilities shall discourage and prohibit loitering on surrounding street.
3. **Staffing:** Adequate staffing levels must be maintained to ensure the safety and well-being of residents and minimize impacts on the neighborhood.
4. **Parking:** Adequate off-street parking must be provided to accommodate staff, visitors, and any on-site vehicles, as determined by the Planning Department.

5. **Licensure:** The facility must demonstrate compliance with all applicable Federal, State and City licensing and certification requirements.
6. **Public Hearing:** A public hearing shall be required for all Conditional Use Permit applications for treatment facilities in residential zones.
7. A CUP may be revoked if the facility fails to comply with performance standards or creates a documented nuisance.

§ 450-159. Commercial Zoning Districts (C-1, C-2, C-3)

Treatment Facilities, Halfway Houses and Community Residential Program Facilities are permitted in Commercial Zoning Districts, as a **Conditional Use** regardless of the intensity and specific type of facility, subject to the following conditions:

A. Conditional Use - (C-1 Neighborhood Commercial, C-2 General Commercial, C-3 Heavy Commercial)

Certain low-impact **outpatient counseling or therapy centers** that operate during normal business hours and do not involve overnight stays or extensive client turnover may be permitted by **Conditional Use** in designated commercial zones, provided they meet the following:

1. **Overnight Stays:** The Treatment facilities shall not provide overnight accommodations for clients. Halfway Houses and Community Residential Program Facilities are allowed overnight stays provided all city and state regulations and conditions are met..
2. **Parking:** Adequate off-street parking must be provided in accordance with the district's parking requirements.
3. **Signage:** All signage must comply with the commercial district's signage regulations.
4. **Hours of Operation:** Treatment Facilities are primarily limited to typical business hours, generally between 8:00 AM and 8:00 PM.

Other **Treatment Facilities**, including but not limited to substance abuse treatment centers, mental health clinics with extended hours, and rehabilitation centers, shall require a **Conditional Use Permit (CUP)**, subject to the following conditions:

1. **Compatibility:** The facility must demonstrate compatibility with surrounding commercial and any adjacent residential uses. Considerations include noise, traffic, and visual impact.
2. **Traffic Impact Analysis:** For facilities anticipating high client volume, a traffic impact analysis may be required to assess potential impacts on local roads and intersections.
3. **Parking:** Comprehensive off-street parking must be provided to accommodate staff, clients, and visitors, including any specialized transportation needs.
4. **Security Plan:** A security plan outlining measures to ensure the safety of clients, staff, and the public, including lighting, surveillance, and personnel, must be submitted.
5. **Waste Management:** A detailed plan for waste disposal, especially for medical waste, must be provided, adhering to all environmental regulations.
6. **Outdoor Areas:** Any outdoor waiting or recreational areas must be appropriately screened and located to minimize disturbance to adjacent properties.
7. **Hours of Operation:** If operations extend beyond typical business hours, a justification and impact mitigation plan must be included in the Conditional Use permit application.

8. **Licensure:** The facility must demonstrate compliance with all applicable state and federal and City licensing and certification requirements.
9. **Public Hearing:** A public hearing shall be required for all Conditional Use Permit applications for treatment facilities in commercial zones.

§ 450-160. General Provisions for All Permitted Treatment Facilities

1. **Compliance:** All treatment facilities, halfway house or community residential program facilities regardless of zoning district, must comply with all applicable federal, state, and local city laws, regulations, and licensing requirements.
2. **Nuisance:** No treatment facility, halfway house or community residential program facilities shall create a public nuisance through excessive noise, traffic, light, or other impacts detrimental to the public health, safety, or welfare. A CUP may be revoked if the facility creates a documented nuisance.
3. **Inspections:** The city reserves the right to conduct inspections to ensure ongoing compliance with these regulations and any conditions imposed by a Conditional Use Permit.
4. **Amendments:** This regulation may be amended from time to time by the City Council.

§450-161. Enforcement

Violation of any provision of this regulation or any condition of an approved Conditional Use Permit shall be subject to the enforcement procedures and penalties as outlined in the city's zoning ordinance.

This section will not apply to businesses that have a properly issued business license before the effective date. This includes any business whose license is properly issued and up for renewal, as long as the renewal is completed on time. Any business applying for a new business license or existing businesses that need to reapply for a business license after the effective date will be governed by this ordinance.

All businesses, new, existing or renewing, grant the City the right to enter the premises and inspect the facility unannounced, within reason, and no less frequently than once a year. Failure to allow access to the facility to an authorized representative of the city may result in revocation or suspension of a license or denial of an initial or renewal application and revocation of any conditional use permit.

Nonconforming Residential care facilities operating prior to the adoption of this chapter shall have six (6) months within the adoption date of this chapter to register with the city and to comply with the requirements herein. After the six (6) month grace period, all un-registered and/or non-state-licensed.

§450-162. Penalty

A. **Complaint.** Any person aggrieved by a violation or apparent violation of this chapter may file a written complaint with the City Community Development Department, who shall immediately investigate such complaint and take legal action, if such action is necessary and warranted, to have the violation penalized and removed, if such violation is found to exist.

8. **Licensure:** The facility must demonstrate compliance with all applicable state and federal and City licensing and certification requirements.
9. **Public Hearing:** A public hearing shall be required for all Conditional Use Permit applications for treatment facilities in commercial zones.

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Nonconforming Residential care facilities operating prior to the adoption of this chapter shall have six (6) months within the adoption date of this chapter to register with the city and to comply with the requirements herein. After the six (6) month grace period, all un-registered and/or non-state-licensed/registered Treatment Facilities, Halfway Houses and/or Community Residential Programs Facilities operating within the city shall be in violation of this chapter and shall be subject to the enforcement provisions contained in this chapter.

§450-162. Penalty

A. **Complaint.** Any person aggrieved by a violation or apparent violation of this chapter may file a written complaint with the City Community Development Department, who shall

immediately investigate such complaint and take legal action, if such action is necessary and warranted, to have the violation penalized and removed, if such violation is found to exist.

B. Notification. Whenever the City Community Development Department shall find probable cause to believe violation of any of the provisions of this chapter exists it shall notify the person responsible for the alleged violation in writing and shall order, where feasible and practical, the necessary correction to be made within a period of 30 days. Violations of this division may subject the permit holder to an immediate suspension pending any hearing on the revocation of the permit.

C. Penalty. Failure to comply with all the provisions of this chapter, upon conviction, shall be punishable by a fine of not more than Five Hundred dollars (\$500) , or imprisonment in jail for a period of not more than Thirty (30) days, or both such fine and imprisonment. Each day that such a violation continues to exist after conviction shall be considered as a separate offense.

D. Grounds for suspension or revocation of permit. A permit may be suspended or revoked, or an initial denied, after notification and/or hearing for any one of the following reasons:

- (1) Violation of any provision of this chapter, or state statute or regulation;
- (2) Failure to allow city representatives to inspect premises;
- (3) Misrepresentation or falsification of any information on application forms or other required documents.

If any section, subsection, or provision of this ordinance is held invalid, the remaining provisions shall not be affected and shall remain in full force and effect.

PASSED, ADOPTED and ENACTED this 18th day of February, 2026.



Mayor David Romero

ATTEST:



Casandra Fresquez, City Clerk

Reviewed and approved as to legal sufficiency only:

Signed by:
Ambrosio E. Castellano Jr.

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Ambrosio Castellano, City Attorney