



LAS VEGAS CITY COUNCIL

CAROLYN G. GOODMAN  
MAYOR

STAVROS S. ANTHONY  
MAYOR PRO TEM

STEVE WOLFSON  
LOIS TARKANIAN  
STEVEN D. ROSS  
RICKI Y. BARLOW  
BOB COFFIN

ELIZABETH N. FRETWELL  
CITY MANAGER

March 14, 2012

Mr. Robert Summerfield  
City of Las Vegas  
Department of Planning  
333 North Rancho Drive, 3rd Floor  
Las Vegas, Nevada 89106

**RE: TXT-44570 - TEXT AMENDMENT  
PLANNING COMMISSION MEETING OF MARCH 13, 2012**

Dear Mr. Summerfield:

Your request to amend Section 4.B of the Town Center Development Standards to add Wearing Apparel to the items permitted for a Secondhand Dealer use, was considered by the Planning Commission on March 13, 2012.

The Planning Commission voted to recommend **APPROVAL** of your request.

This request will be forwarded to the City Council for consideration of adopting an ordinance to amend the Zoning Code.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Gebeke", is written over a horizontal line.

Steve Gebeke, AICP  
Planning Supervisor  
Case Planning Division

SG:clb

CITY OF LAS VEGAS  
DEPARTMENT OF PLANNING  
DEVELOPMENT SERVICES CENTER  
333 NORTH RANCHO DRIVE  
3RD FLOOR  
LAS VEGAS, NEVADA 89106

VOICE 702.229.6301

FAX 702.474.0352

TTY 702.386.9108

[www.lasvegasnevada.gov](http://www.lasvegasnevada.gov)





LAS VEGAS CITY COUNCIL

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CITY MANAGER

March 2, 2012

Mr. Robert Summerfield  
City of Las Vegas  
Department of Planning  
333 North Rancho Drive, 3rd Floor  
Las Vegas, Nevada 89106

**RE: TXT-44570 - TEXT AMENDMENT  
PLANNING COMMISSION MEETING OF MARCH 13, 2012**

Dear Mr. Summerfield:

Please be advised the City of Las Vegas Planning Commission at its regular meeting on **March 13, 2012** as referred to above, will consider your request. This meeting will be held at 6:00 P. M. at the Council Chambers of City Hall, 495 South Main Street, Las Vegas, Nevada.

A copy of staff's recommendations, any conditions related to your application and the **final agenda** will available on-line on **Wednesday, March 7, 2012** at [www.lasvegasnevada.gov](http://www.lasvegasnevada.gov). If you do not have access to the Internet and would prefer receiving hard copies of the documentation, please call the Case Planning Division at (702) 229-6301 or come into the Development Services Center at 333 North Rancho Drive, 3<sup>rd</sup> Floor, Las Vegas, Nevada 89106 to request your copies.

The Planning Commission requires that you or your representative be present at this meeting.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Gebeke", is written over a horizontal line.

Steve Gebeke, AICP  
Planning Supervisor  
Case Planning Division

SG:clb

CITY OF LAS VEGAS  
DEPARTMENT OF PLANNING  
DEVELOPMENT SERVICES CENTER  
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3/13/12 RC

Report Date 02/09/2012 09:20 AM

Submitted By Robert Summerfield

Page 1

A/P # 44570 TEXT AMENDMENT

Application Information

Stages

|           | Date / Time      | By     |            | Date / Time | By |
|-----------|------------------|--------|------------|-------------|----|
| Processed | 02/09/2012 08:47 | 983922 | Temp COO   |             |    |
| Approved  |                  |        | COO issued |             |    |
| Final     |                  |        | Expires    |             |    |

Associated Information

|                  |                                                  |            |                      |      |
|------------------|--------------------------------------------------|------------|----------------------|------|
| Type of Work     | # Plans                                          | 0          | Declared Valuation   | 0.00 |
| Dept of Commerce | # Plans                                          | 0          | Calculated Valuation | 0.00 |
| Priority         | <input checked="" type="checkbox"/> Auto Reviews | Bill Group | Actual Valuation     | 0.00 |

Description of Work

TXT-44570 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action to amend Section 4.B of the Town Center Development Standards to add Wearing Apparel to the items permitted for a Secondhand Dealer use.

Parent A/P #

Project # 44570 Project/Phase Name TOWN CENTER: SECONDHAND DEALER Phase #  
Size/Area 0.00 Size Description Subdivision Code  
Proposed Start Proposed Stop % Completed 0.00  
% Complete Formula

Property/Site Information

Parcel  
Location

Owner/Tenant

A/P Linked Addresses

No Addresses are linked to this Application

Linked Addresses

No Addresses are linked to this Application

A/P Addresses

No Other Addresses are associated to this Application

Linked Parcels

No Parcels are linked to this Application

A/P Linked Parcels

No Parcels are linked to this Application

Applicants/Contacts

No Applicant Contacts

Contractors

No Contractors

Item Description

Item Status

Check Fees Fees Successful  
Check Inspections Inspections Successful

Report Date 02/09/2012 09:20 AM

Submitted By Robert Summerfield

Page 2

| Item Description              | Item Status             |
|-------------------------------|-------------------------|
| Check Reviews                 | Reviews Successful      |
| Check Conditions              | Conditions Successful   |
| Check Alert Conditions        | Alert Conditions Failed |
| (NEWSPAPER NOTIFICATION ONLY) |                         |
| (STAFF RECOMMENDATION)        |                         |
| Check Licenses                | Not Checked             |
| Check Children Status         | Children Successful     |
| Check Open Cases              | 0                       |

| Review Activities | Review # | Comments | Review Type | # | Status | Waived | Issued | Started | Completed | Comp By |
|-------------------|----------|----------|-------------|---|--------|--------|--------|---------|-----------|---------|
|-------------------|----------|----------|-------------|---|--------|--------|--------|---------|-----------|---------|

#### Activity Review Details

Detail TEXT AMENDMENT INFO (TXT) Modified By RSUMMERFIELD Modified Date/Time 02/09/2012 09:20  
Comments  
No Comments

#### TEXT AMENDMENT INFO

Select what document this Text Amendment affect(s)

#### TTX Amendment Info Document

TOWN CENTER

| Check Conditions | Approval            | Approved By | Approved Date | Applied By | Applied Date | Assigned |
|------------------|---------------------|-------------|---------------|------------|--------------|----------|
| Condition        | Supervisor Required | Comments    |               |            |              |          |

No Conditions

| Planning Condition | Description | Effective | Expire | Comments |
|--------------------|-------------|-----------|--------|----------|
|--------------------|-------------|-----------|--------|----------|

There is no planning condition for this project.

#### TEXT AMENDMENT

#### Text Amendment Information

#### Staff Recommendation Meeting Info

| MEETING GRID | Meeting Type  | Meeting Status |
|--------------|---------------|----------------|
| Meeting Date | Add Date      | Modified By    |
| Comments     | Modified Date |                |
| Added By     |               |                |

03/13/2012 PC SCHEDULED

SGEBEKE 02/09/2012

Report Date 02/09/2012 09:20 AM

Submitted By Robert Summerfield

Page 3

## MEETING GRID

| Meeting Date | Meeting Type  | Meeting Status |
|--------------|---------------|----------------|
| Comments     | Add Date      | Modified By    |
| Added By     | Modified Date |                |

| Text Amendment Info | Subject           | Final PC Mtg           | Sent to Sponsor   | Sponsor               | Draft Ord to Planning |
|---------------------|-------------------|------------------------|-------------------|-----------------------|-----------------------|
| Enter A             |                   | Recommending Committee | CC Second Reading | Sent to City Attorney | CC First Reading      |
| Bill Number         | Ordinance Adopted | Ordinance Received     | Added By          | CC Adoption           | Ordinance Number      |
|                     |                   |                        |                   | Modified By           |                       |

There are no items in this list

| Template Type | A/P # | A/P Type | Status | Stage |
|---------------|-------|----------|--------|-------|
|---------------|-------|----------|--------|-------|

No children exist for this project

| Employee ID | Last   | First  | MI | Comments       |
|-------------|--------|--------|----|----------------|
| 983922      | GEBEKE | STEVEN | A  | Planning x5410 |

| Log Action | Description | Entered By | Start | Stop | Hours |
|------------|-------------|------------|-------|------|-------|
| Comments   |             |            |       |      |       |

No Log Entries

BILL NO. 2012-19 ORDINANCE NO. 6192 AN  
ORDINANCE TO AMEND THE TOWN CENTER  
DEVELOPMENT STANDARDS MANUAL REGARDING  
THE SPECIAL USE PERMIT STANDARDS  
APPLICABLE TO SECONDHAND DEALERS TO  
ALLOW THE SALE OF ALL TYPES OF JEWELRY ON A  
CONSIGNMENT BASIS; TO ALLOW THE SALE OF  
WEARING APPAREL ON BOTH A CONSIGNMENT  
AND NON-CONSIGNMENT BASIS, AS WELL AS THE  
PURCHASE AND EXCHANGE OF WEARING  
APPAREL; AND TO PROVIDE FOR OTHER RELATED  
MATTERS. Sponsored by: Councilman Steven D. Ross  
Summary: Amends the special use permit standards  
applicable to secondhand dealers in the Town Center District  
to allow the sale of all types of jewelry on a consignment  
basis, and to allow the sale of wearing apparel on both a  
consignment and non-consignment basis, as well as the  
purchase and exchange of wearing apparel. The above and  
foregoing ordinance was first proposed and read by title to  
the City Council on the 21st day of March 2012 and referred  
to a committee for recommendation; thereafter the committee  
reported favorably on said ordinance on the 2nd day of May  
2012, 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":Councilmembers  
Anthony, Tarkanian, Ross, Barlow and Coffin VOTING  
"NAY":NONE NOT VOTING:Mayor Goodman and  
Councilmember Beers 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: May 5, 2012 LV Review-Journal **Publish**  
**Dates:** 5/5/2012 1-5/19/2012



# Ordinance & Resolutions Transmittal Scanning & Separator Page

## RECORD TYPE: ORDINANCE

Date of Transfer: 5/15/2012

Page Count: 7

Retention: Permanent

Meeting Type: City Council<=>

File By: Meeting Date

Bill No: 2012-19

Ordinance No: 6192<=>

Date Read: 3/21/2012

Date Adopted: 5/2/2012

Ordinance Title: AN ORDINANCE TO AMEND THE TOWN CENTER DEVELOPMENT STANDARDS MANUAL REGARDING THE SPECIAL USE PERMIT STANDARDS APPLICABLE TO SECONDHAND DEALERS TO ALLOW THE SALE OF ALL TYPES OF JEWELRY ON A CONSIGNMENT BASIS; TO ALLOW THE SALE OF WEARING APPAREL ON BOTH A CONSIGNMENT AND NON-CONSIGNMENT BASIS, AS WELL AS THE PURCHASE AND EXCHANGE OF WEARING APPAREL; AND TO PROVIDE FOR OTHER RELATED MATTERS. <=>

Ordinance Summary: Amends the special use permit standards applicable to secondhand dealers in Town Center District to allow the sale of all types of jewelry on a consignment basis, and to allow the sale of wearing apparel on both a consignment and non-consignment basis, as well as the purchase and exchange of wearing apparel. <=>

Ordinance Sponsor: Councilman Steven D. Ross<=>



Prepared By: [Signature]

Scanned By: [Signature]

QC By: [Signature]

SCANNED

MAY 16 2012

1 **BILL NO. 2012-19**

2 **ORDINANCE NO. 6192**

3 AN ORDINANCE TO AMEND THE TOWN CENTER DEVELOPMENT STANDARDS MANUAL  
4 REGARDING THE SPECIAL USE PERMIT STANDARDS APPLICABLE TO SECONDHAND  
5 DEALERS TO ALLOW THE SALE OF ALL TYPES OF JEWELRY ON A CONSIGNMENT  
6 BASIS; TO ALLOW THE SALE OF WEARING APPAREL ON BOTH A CONSIGNMENT AND  
7 NON-CONSIGNMENT BASIS, AS WELL AS THE PURCHASE AND EXCHANGE OF  
8 WEARING APPAREL; AND TO PROVIDE FOR OTHER RELATED MATTERS.

9 Sponsored by: Councilman Steven D. Ross

Summary: Amends the special use permit standards applicable to secondhand dealers in the Town Center District to allow the sale of all types of jewelry on a consignment basis, and to allow the sale of wearing apparel on both a consignment and non-consignment basis, as well as the purchase and exchange of wearing apparel.

10 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN  
11 AS FOLLOWS:

12 SECTION 1: The Town Center Development Standards Manual, adopted under  
13 Section 19.10.060(B) of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
14 hereby amended as set forth in Section 2 of this Ordinance. Deletions are shown by bracketing and  
15 additions by underlining.

16 SECTION 2: Section B.4.B of the Manual is amended by amending Subdivision 51  
17 thereof to read as follows:

18 **51) SECONDHAND DEALER**

19 a. Except as otherwise provided in Paragraph (c), the use may be operated for  
20 consignment sales only and such consignment sales shall be limited to the following merchandise:  
21 jewelry (including Class III), furniture, fixtures, tableware, pictures, [and] paintings[.] and wearing  
22 apparel.

23 b. Payment to the consignor for consigned merchandise may not be made until after the  
24 merchandise has been sold.

25 c. The following (and only the following) secondhand merchandise may be sold on a  
26 non-consignment basis to, or purchased from or exchanged with, customers of the operation:  
27  
28



- 1 i. Personal computers;  
2 ii. Laptop computers; [and]  
3 iii Other similar computer devices[.]; and  
4 iv. Wearing apparel.  
5 d. No outdoor displays, sales or storage of any merchandise shall be permitted.  
6 e. The hours of operation shall be limited to the hours between 8:00 a.m. and 10:00 p.m.,  
7 unless otherwise specified by the City Council.  
8 f. The use shall comply with the applicable requirements of LVMC Title 6.  
9 g. The conditions listed above are not waivable development standards under the  
10 provisions of the Town Center Development Standards Manual.

11 SECTION 3: The Department of Planning is authorized and directed to incorporate  
12 into the Manual the amendments made by this Ordinance.

13 SECTION 4: If any section, subsection, subdivision, paragraph, sentence, clause or  
14 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or  
15 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or  
16 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the  
17 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,  
18 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,  
19 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,  
20 invalid or ineffective.

21 ...

22 ...

23 ...

24 ...

25 ...

26 ...

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1 SECTION 5: 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,  
3 1983 Edition, in conflict herewith are hereby repealed.

4 PASSED, ADOPTED and APPROVED this 2<sup>nd</sup> day of May, 2012.

5 APPROVED:

6 By Carolyn Goodman  
7 CAROLYN G. GOODMAN, Mayor

8 ATTEST:

9 Beverly K. Bridges  
10 BEVERLY K. BRIDGES, MMC  
City Clerk

11 APPROVED AS TO FORM:

12 Val Steed 3-26-12  
13 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council  
2 on the 21<sup>st</sup> day of March, 2012, and referred to a committee for recommendation;  
3 thereafter the committee reported favorably on said ordinance on the 2<sup>nd</sup> day of May,  
4 2012, which as a regular meeting of said Council; that at said regular meeting, the  
5 proposed ordinance was read by title to the City Council as first introduced and adopted by  
6 the following vote:

7 VOTING "AYE": Councilmembers Anthony, Tarkanian, Ross, Barlow and Coffin

8 VOTING "NAY": None

9 EXCUSED : None

10 ABSTAINED: None

11 DID NOT VOTE: Mayor Goodman and Councilmember Beers

12  
13 APPROVED:

14   
15 CAROLYN G. GOODMAN, Mayor

16 ATTEST:

17   
18 BEVERLY K. BRIDGES, MMC City Clerk

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

Stacey M. Lewis, 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,

LV CITY CLERK

2296311LV

7859487

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 04/19/2012 to 04/19/2012, on the following days:

04/19/2012

BILL NO. 2012-19

AN ORDINANCE TO AMEND THE TOWN CENTER DEVELOPMENT STANDARDS MANUAL REGARDING THE SPECIAL USE PERMIT STANDARDS APPLICABLE TO SECONDHAND DEALERS TO ALLOW THE SALE OF ALL TYPES OF JEWELRY ON A CONSIGNMENT BASIS; TO ALLOW THE SALE OF WEARING APPAREL ON BOTH A CONSIGNMENT AND NON-CONSIGNMENT BASIS, AS WELL AS THE PURCHASE AND EXCHANGE OF WEARING APPAREL; AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Steven D. Ross

Summary: Amends the special use permit standards applicable to secondhand dealers in the Town Center District to allow the sale of all types of jewelry on a consignment basis, and to allow the sale of wearing apparel on both a consignment and non-consignment basis, as well as the purchase and exchange of wearing apparel.

At the City Council meeting of March 21, 2012  
BILL NO. 2012-19 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: April 19, 2012  
LV Review-Journal

Signed

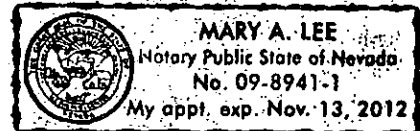
*Stacey M. Lewis*

SUBSCRIBED AND SWORN BEFORE ME THIS, THE

19<sup>th</sup> day of April, 2012.

Notary Public

*Mary Lee*



# AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

Stacey M. Lewis, 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,

LV CITY CLERK

2296311LV

7889008

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 05/05/2012 to 05/05/2012, on the following days:

05/05/2012

BILL NO. 2012-19  
ORDINANCE NO. 6192

AN ORDINANCE TO AMEND THE TOWN CENTER DEVELOPMENT STANDARDS MANUAL REGARDING THE SPECIAL USE PERMIT STANDARDS APPLICABLE TO SECONDHAND DEALERS TO ALLOW THE SALE OF ALL TYPES OF JEWELRY ON A CONSIGNMENT BASIS; TO ALLOW THE SALE OF WEARING APPAREL ON BOTH A CONSIGNMENT AND NON-CONSIGNMENT BASIS; AS WELL AS THE PURCHASE AND EXCHANGE OF WEARING APPAREL; AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Steven O. Ross

Summary: Amends the special use permit standards applicable to secondhand dealers in the Town Center District to allow the sale of all types of jewelry on a consignment basis, and to allow the sale of wearing apparel on both a consignment and non-consignment basis, as well as the purchase and exchange of wearing apparel.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 21st day of March 2012 and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 2nd day of May 2012, 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": Councilmembers Anthony, Tarkanian, Ross, Barlow and Coffin

VOTING "NAY": NONE

NOT VOTING: Mayor Goodman and Councilmember Beers

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.

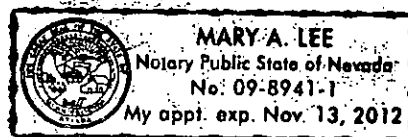
PUB: May 5, 2012  
LV Review Journal

Signed: Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE

8th day of May, 2012.

Mary Lee  
Notary Public



1 BILL NO. 2012-19

2 ORDINANCE NO. \_\_\_\_\_

3 AN ORDINANCE TO AMEND THE TOWN CENTER DEVELOPMENT STANDARDS MANUAL  
4 REGARDING THE SPECIAL USE PERMIT STANDARDS APPLICABLE TO SECONDHAND  
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7 NON-CONSIGNMENT BASIS, AS WELL AS THE PURCHASE AND EXCHANGE OF  
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9 Sponsored by: Councilman Steven D. Ross

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10 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN  
11 AS FOLLOWS:

12 SECTION 1: The Town Center Development Standards Manual, adopted under  
13 Section 19.10.060(B) of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
14 hereby amended as set forth in Section 2 of this Ordinance. Deletions are shown by bracketing and  
15 additions by underlining.

16 SECTION 2: Section B.4.B of the Manual is amended by amending Subdivision 51  
17 thereof to read as follows:

18 **51) SECONDHAND DEALER**

19 a. Except as otherwise provided in Paragraph (c), the use may be operated for  
20 consignment sales only and such consignment sales shall be limited to the following merchandise:  
21 jewelry (including Class III), furniture, fixtures, tableware, pictures, [and] paintings[,] and wearing  
22 apparel.

23 b. Payment to the consignor for consigned merchandise may not be made until after the  
24 merchandise has been sold.

25 c. The following (and only the following) secondhand merchandise may be sold on a  
26 non-consignment basis to, or purchased from or exchanged with, customers of the operation:

- 1 i. Personal computers;  
2 ii. Laptop computers; [and]  
3 iii Other similar computer devices[.]; and  
4 iv. Wearing apparel.  
5 d. No outdoor displays, sales or storage of any merchandise shall be permitted.  
6 e. The hours of operation shall be limited to the hours between 8:00 a.m. and 10:00 p.m.,  
7 unless otherwise specified by the City Council.  
8 f. The use shall comply with the applicable requirements of LVMC Title 6.  
9 g. The conditions listed above are not waivable development standards under the  
10 provisions of the Town Center Development Standards Manual.  
11 SECTION 3: The Department of Planning is authorized and directed to incorporate  
12 into the Manual the amendments made by this Ordinance.  
13 SECTION 4: If any section, subsection, subdivision, paragraph, sentence; clause or  
14 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or  
15 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or  
16 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the  
17 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,  
18 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,  
19 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,  
20 invalid or ineffective.  
21 ...  
22 ...  
23 ...  
24 ...  
25 ...  
26 ...  
27 ...  
28 ...

SECTION 5: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

APPROVED:

By CAROLYN G. GOODMAN, Mayor

ATTEST:

BEVERLY K. BRIDGES, MMC  
City Clerk

APPROVED AS TO FORM:

Val Steed 3-26-12  
Date



1 The above and foregoing ordinance was first proposed and read by title to the City Council on the  
2 \_\_\_\_ day of \_\_\_\_\_, 2012, and referred to the following committee composed of  
3 \_\_\_\_\_ and \_\_\_\_\_ for recommendation;  
4 thereafter the said committee reported favorably on said ordinance on the \_\_\_\_ day of  
5 \_\_\_\_\_, 2012, which was a \_\_\_\_\_ meeting of said Council; that at said  
6 \_\_\_\_\_ meeting, the proposed ordinance was read by title to the City Council  
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": \_\_\_\_\_

9 VOTING "NAY": \_\_\_\_\_

10 ABSENT: \_\_\_\_\_

11  
12 APPROVED:

13  
14 By \_\_\_\_\_  
CAROLYN G. GOODMAN, Mayor

15 ATTEST:

16  
17 \_\_\_\_\_  
BEVERLY K. BRIDGES, MMC  
City Clerk

**RECEIVED**

By Robert T Summerfield at 10:15 am, Mar 22, 2012

BILL NO. 2012-

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND THE TOWN CENTER DEVELOPMENT STANDARDS MANUAL REGARDING THE SPECIAL USE PERMIT STANDARDS APPLICABLE TO SECONDHAND DEALERS TO ALLOW THE SALE OF ALL TYPES OF JEWELRY ON A CONSIGNMENT BASIS; TO ALLOW THE SALE OF WEARING APPAREL ON BOTH A CONSIGNMENT AND NON-CONSIGNMENT BASIS, AS WELL AS THE PURCHASE AND EXCHANGE OF WEARING APPAREL; AND TO PROVIDE FOR OTHER RELATED MATTERS.

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

SECTION 1: The Town Center Development Standards Manual, adopted under Section 19.10.060(B) of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended as set forth in Section 2 of this Ordinance. Deletions are shown by bracketing and additions by underlining.

SECTION 2: Section B.4.B of the Manual is amended by amending Subdivision 51 thereof to read as follows:

**51) SECONDHAND DEALER**

a. Except as otherwise provided in Paragraph (c), the use may be operated for consignment sales only and such consignment sales shall be limited to the following merchandise: jewelry (<sup>2</sup>including Class III), furniture, fixtures, tableware, pictures, [and] paintings[.] and wearing apparel.

b. Payment to the consignor for consigned merchandise may not be made until after the merchandise has been sold.

c. The following (and only the following) secondhand merchandise may be sold on a non-consignment basis to, or purchased from or exchanged with, customers of the operation:

- 1 i. Personal computers;  
2 ii. Laptop computers; [and]  
3 iii Other similar computer devices[.]; and  
4 iv. Wearing apparel.  
5 d. No outdoor displays, sales or storage of any merchandise shall be permitted.  
6 e. The hours of operation shall be limited to the hours between 8:00 a.m. and 10:00 p.m.,  
7 unless otherwise specified by the City Council.  
8 f. The use shall comply with the applicable requirements of LVMC Title 6.  
9 g. The conditions listed above are not waivable development standards under the  
10 provisions of the Town Center Development Standards Manual.  
11 SECTION 3: The Department of Planning is authorized and directed to incorporate  
12 into the Manual the amendments made by this Ordinance.  
13 SECTION 4: If any section, subsection, subdivision, paragraph, sentence, clause or  
14 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or  
15 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or  
16 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the  
17 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,  
18 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,  
19 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,  
20 invalid or ineffective.  
21 ...  
22 ...  
23 ...  
24 ...  
25 ...  
26 ...  
27 ...  
28 ...

1               SECTION 5: 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,  
3 1983 Edition, in conflict herewith are hereby repealed.

4               PASSED, ADOPTED and APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2012.

5                               APPROVED:

6  
7                               By \_\_\_\_\_  
CAROLYN G. GOODMAN, Mayor

8 ATTEST:

9 \_\_\_\_\_  
10 BEVERLY K. BRIDGES, MMC  
City Clerk

11 APPROVED AS TO FORM:

12 \_\_\_\_\_  
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the  
2 \_\_\_\_ day of \_\_\_\_\_, 2012, and referred to the following committee composed of  
3 \_\_\_\_\_ and \_\_\_\_\_ for recommendation;  
4 thereafter the said committee reported favorably on said ordinance on the \_\_\_\_ day of  
5 \_\_\_\_\_, 2012, which was a \_\_\_\_\_ meeting of said Council; that at said  
6 \_\_\_\_\_ meeting, the proposed ordinance was read by title to the City Council  
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": \_\_\_\_\_

9 VOTING "NAY": \_\_\_\_\_

10 ABSENT: \_\_\_\_\_

11

12 APPROVED:

13

14 By \_\_\_\_\_  
CAROLYN G. GOODMAN, Mayor

15 ATTEST:

16

17 BEVERLY K. BRIDGES, MMC  
18 City Clerk

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**Robert Summerfield**

**SENT TO CAO**

By Robert T Summerfield at 4:58 pm, Mar 19, 2012

**From:** Robert Summerfield  
**Sent:** Monday, March 19, 2012 8:53 AM  
**To:** Maggie Plaster  
**Subject:** TXT-44570 (Town Center Secondhand Dealer Update for Wearing Apparel) Electronic Routing - For City Manager's Office Review and Approval to Proceed  
**Attachments:** TXT-44570.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Tracking:** Recipient  
Maggie Plaster

**Response**  
Approve: 3/19/2012 4:33 PM

Ms. Plaster - This is electronic routing for an ordinance related to Town Center Development Standards Manual, being sponsored by Councilman Ross. Should you need it, the instruction sheet, TXT Review Instructions, hyperlinked [here](#) provides more information about this electronic review process.

Please find the documentation (TXT-44570.pdf) related to amending the Town Center Development Standards Manual regarding the allowance of wearing apparel as a permitted secondhand item under the limited Secondhand Dealer use attached to this email. Please review and indicate your review and the City Manager's Office's "Approval to Proceed" or not by using the Approval/Reject button at the top of this email message. If you "Reject", meaning it is not ok to proceed, please indicate why (as indicated in the instruction sheet) so that I may address the concern or issue appropriately.

Please let me know if there are any questions.

Thank you,



## Robert Summerfield

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**From:** Robert Summerfield  
**Sent:** Monday, March 19, 2012 7:58 AM  
**To:** Tuesday James  
**Subject:** TXT-44570 (Town Center Secondhand Dealer Update for Wearing Apparel) Electronic Routing - For Sponsor Review and Approval to Proceed  
**Attachments:** TXT-44570.pdf

| Tracking: | Recipient                           | Response                   |
|-----------|-------------------------------------|----------------------------|
|           | Tuesday James                       |                            |
|           | Robert Summerfield: (See Next Page) | Approve: 3/19/2012 4:47 PM |

Ms. James - This is electronic routing for an ordinance related to the Town Center Development Standards Manual, being sponsored by Councilman Ross. A summary of the proposed change has been included in the attached file. Should you need it, the instruction sheet, TXT Review Instructions, hyperlinked [here](#) provides more information about this electronic review process.

Please find the documentation (TXT-44570.pdf) related to amending the Town Center Development Standards Manual regarding the allowance of wearing apparel as a permitted secondhand item under the limited Secondhand Dealer use attached to this email. Please review and indicate your review and "Approval to Proceed" or not by using the Approval/Reject button at the top of this email message. If you "Reject", meaning it is not ok to proceed, please indicate why (as indicated in the instruction sheet) so that I may address the concern or issue appropriately.

Please let me know if there are any questions.

Thanks - Robert



## Robert Summerfield

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**From:** Michelle Thackston  
**Sent:** Monday, March 19, 2012 8:28 AM  
**To:** Robert Summerfield  
**Cc:** Flinn Fagg  
**Subject:** FW: TXT-44570 (Town Center Secondhand Dealer Update for Wearing Apparel) Electronic Routing - For Sponsor Review and Approval to Proceed  
**Attachments:** TXT-44570.pdf  
**Categories:** 3-year Retention

Robert,

Can you please send these to me in the future? I handle all of the Planning and Zoning for Councilman Ross.

Councilman Ross gives approval to proceed with TXT-44570

Thanks,

Michelle Thackston  
Special Assistant  
City Councilman Steve Ross, Ward 6  
[mthackston@lasvegasnevada.gov](mailto:mthackston@lasvegasnevada.gov)  
(702)229-6154

Our office is closed on Friday's

***City Hall is now located at 495 S. Main Street.***

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**From:** Tuesday James  
**Sent:** Monday, March 19, 2012 8:07 AM  
**To:** Michelle Thackston  
**Subject:** FW: TXT-44570 (Town Center Secondhand Dealer Update for Wearing Apparel) Electronic Routing - For Sponsor Review and Approval to Proceed

Not sure how this got to me?

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**From:** Robert Summerfield  
**Sent:** Monday, March 19, 2012 7:58 AM  
**To:** Tuesday James  
**Subject:** TXT-44570 (Town Center Secondhand Dealer Update for Wearing Apparel) Electronic Routing - For Sponsor Review and Approval to Proceed

Ms. James - This is electronic routing for an ordinance related to the Town Center Development Standards Manual, being sponsored by Councilman Ross. A summary of the proposed change has been included in the attached file. Should you need it, the instruction sheet, TXT Review Instructions, hyperlinked [here](#) provides more information about this electronic review process.

Please find the documentation (TXT-44570.pdf) related to amending the Town Center Development Standards Manual regarding the allowance of wearing apparel as a permitted secondhand item under the limited Secondhand Dealer use attached to this email. Please review and indicate your review and "Approval to Proceed" or not by using the Approval/Reject button at the top of this email message. If you "Reject", meaning it is not ok to proceed, please indicate why (as indicated in the instruction sheet) so that I may address the concern or issue appropriately.



## Robert Summerfield

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**From:** Robert Summerfield  
**Sent:** Thursday, March 15, 2012 11:24 AM  
**To:** Doug Rankin  
**Subject:** TXT-44570 (Town Center Secondhand Dealer Update for Wearing Apparel) Electronic Routing - For Departmental Review and Approval to Proceed  
**Attachments:** TXT-44570.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

| Tracking: | Recipient                   | Response                                   |
|-----------|-----------------------------|--------------------------------------------|
|           | <a href="#">Doug Rankin</a> | <a href="#">Approve: 3/19/2012 7:51 AM</a> |

Mr. Rankin - This is electronic routing for a text amendment requiring Department of Planning review. Should you need it, the instruction sheet, TXT Review Instructions, hyperlinked [here](#) provides more information about this electronic review process.

Please find the amendment documentation (TXT-44570.pdf) related to amending the Town Center Development Standards Manual regarding the allowance of wearing apparel as a permitted secondhand item under the limited Secondhand Dealer use attached to this email. Please review and indicate your review and "Approval to Proceed" or not by using the Approval/Reject button at the top of this email message. If you "Reject", meaning it is not ok to proceed, please indicate why so that we may address the concern or issue appropriately.

Please let me know if there are any questions.

Thank you,



## ORDINANCE REQUEST MEMORANDUM

Request for discussion and possible action to amend Section 4.B of the Town Center Development Standards to add Wearing Apparel to the items permitted for a Secondhand Dealer use.

SPONSORS:

**Councilman Ross**

PREPARED BY:

**Flinn Fagg, Director,  
Department of Planning**

DEPARTMENT OF PLANNING STAFF REVIEW:

**Doug Rankin, Planning Manager, Case, Public and Long Range Planning Divisions**

ATTORNEY REVIEW:

**RECOMMENDED APPROVAL BY THE  
PLANNING COMMISSION**



**Summary: TXT-44570 (Town Center Development Standards Manual – Town Center Secondhand Dealer Update for Wearing Apparel)**

| <b>Code Requirement</b>                                                                                                           | <b>Existing Regulation</b>                                                                                                                            | <b>Proposed Regulation</b>                                                                                      |
|-----------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| <b>Town Center Development Standards Manual – Development Uses: Special Use Permits – Minimum Requirements: Secondhand Dealer</b> | Allows only consignment sale operations and limited non-consignment sales of personal computers, laptop computers and other similar computer devices. | Expands the use to allow secondhand wearing apparel to be sold on both a consignment and non-consignment basis. |

*City of Las Vegas*

**AGENDA MEMO - PLANNING**

PLANNING COMMISSION MEETING DATE: MARCH 13, 2012

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS

**\*\* STAFF RECOMMENDATION(S) \*\***

| <b>CASE<br/>NUMBER</b> | <b>RECOMMENDATION</b>      | <b>REQUIRED FOR<br/>APPROVAL</b> |
|------------------------|----------------------------|----------------------------------|
| TXT-44570              | Staff recommends APPROVAL. |                                  |

**\*\* PROPOSED AMENDMENT(S) \*\***

1. Subsection B.4.B. of the Town Center Development Standards Manual, "Special Use Permits - Minimum Requirements," is hereby amended as follows:

**51) SECONDHAND DEALER**

- a. Except as otherwise provided in Paragraph (c), the use may be operated for consignment sales only and such consignment sales shall be limited to the following merchandise: jewelry (~~Class III~~) and scrap precious metals, furniture, fixtures, tableware, pictures, wearing apparel and paintings.
- b. Payment to the consignor for consigned merchandise may not be made until after the merchandise has been sold.
- c. The following (and only the following) secondhand merchandise may be sold on a non-consignment basis to, or purchased from or exchanged with, customers of the operation:
  - i. Personal computers;
  - ii. Laptop computers; ~~and~~
  - iii. Other similar computer devices; and
  - iv. Wearing apparel.
- d. No outdoor displays, sales or storage of any merchandise shall be permitted.
- e. The hours of operation shall be limited to the hours between 8:00 a.m. and 10:00 p.m., unless otherwise specified by the City Council.
- f. The use shall comply with the applicable requirements of LVMC Title 6.
- g. The conditions listed above are not waivable development standards under the provisions of the Town Center Development Standards Manual.

**Staff Report Page One**  
**March 13, 2012 - Planning Commission Meeting**

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request to amend the Town Center Development Standards Manual to update the standards for the Secondhand Dealer use. The proposed amendment would allow an exception to the consignment requirement to allow the purchase and re-selling of personal computers, laptop computers, and other similar computer devices.

**BACKGROUND INFORMATION**

| <i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i> |                                                                                                                                                                                                                                                                                                                                                                                                                      |
|--------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 05/16/07                                                           | The City Council adopted Ordinance #5905 which amended the Town Center Development Standards Manual to allow the Secondhand Dealer use within the GC-TC (General Commercial) and SC-TC (Service Commercial) districts upon approval of a Special Use Permit. The Planning Commission and staff recommended approval of the Text Amendment (TXT-19912) which was heard at the City Council as Bill Number 2007-17.    |
| 02/04/09                                                           | The City Council adopted Ordinance #6027 which amended the Town Center Development Standards Manual Secondhand Dealer use to allow on a non-consignment basis the dealing in secondhand personal computers, laptop computers and other similar computer devices. The Planning Commission and staff recommended approval of the Text Amendment (TXT-31179) which was heard at the City Council as Bill Number 2009-2. |

The Town Center Development Standards Manual establishes the list of permitted uses in the Town Center area. Provisions to allow consignment sales in the Town Center area, which was not permitted prior to the adoption of Ordinance #5905, were made as a part of the standards of the Secondhand Dealer use.

Per Title 6 and Title 19 requirements, consignment operations are permitted and licensed under the "Secondhand Dealer" use and licensing category. Under Title 19 requirements, the use is allowed in the C-1 (Limited Commercial) and C-2 (General Commercial) zoning districts upon approval of a Special Use Permit application, and is allowed in the C-M (Commercial/Industrial) and M (Industrial) zoning districts as a Conditional Use.

In order to avoid confusion in the zoning and licensing process, it was proposed that the consignment use continue to be permitted under the title of "Secondhand Dealer." It was also proposed that the use be allowed in the GC-TC (General Commercial) and SC-TC (Service Commercial) districts upon approval of a Special Use Permit, similar to the areas allowed under Title 19 standards.

**Staff Report Page Two**  
**March 13, 2012 - Planning Commission Meeting**

An exception to the consignment constraint of the Secondhand Dealer use as conditioned in the Town Center area was approved with the adoption of Ordinance #6027. This exception is for the limited purpose of allowing personal computers, laptop computers and other similar computer devices to be purchased from, sold to or exchanged with customers as secondhand merchandise as part of a Secondhand Dealer operation.

## **ANALYSIS**

In order to address some of the concerns associated with the Secondhand Dealer use, the typical minimum conditions were modified to be more restrictive in the Town Center area. While maintaining the prohibition against outdoor display areas and requiring conformance with licensing and reporting requirements, the following additional standards were added as a part of Ordinance #5905:

- The hours of operation will be restricted to 8:00 a.m. to 10:00 p.m.;
- Payment for the consigned merchandise shall not be offered until the merchandise is sold;
- The merchandise to be offered for consignment shall be restricted to Class III jewelry, furniture, fixtures, tableware, pictures, and paintings;
- The minimum standards specified are deemed non-waivable.

Ordinance #6027 added a condition to allow for secondhand personal computers, laptop computers, and other similar computer devices to be sold on a non-consignment basis

This amendment would expand these standards slightly to make an allowance for secondhand wearing apparel to be sold on both a consignment and non-consignment basis. The amendment would also clarify that scrap precious metals sales are allowed along with jewelry on a consignment basis.

## **FINDINGS**

The proposed text amendment will achieve the following:

- Allow the sale of secondhand wearing apparel in the Town Center area subject to Special Use Permit approval;
- Maintain more restrictive standards for the Secondhand Dealer use so as to prevent any impacts to surrounding homes or businesses.

**Staff Report Page Three**  
**March 13, 2012 - Planning Commission Meeting**

The following table summarizes all proposed changes:

| <b>Code Requirements</b>                                                                                | <b>Existing Regulations</b>                                                                                                                                                                               | <b>Proposed Regulations</b>                                                                                                                                         |
|---------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Town Center Development Standards Manual – Development Uses: Special Use Permits – Minimum Requirements | <ul style="list-style-type: none"> <li>• Allows only consignment sale operations and limited non-consignment sales of personal computers, laptop computers and other similar computer devises.</li> </ul> | <ul style="list-style-type: none"> <li>• Expands the use to allow secondhand wearing apparel to be sold on both a consignment and non-consignment basis.</li> </ul> |

**NOTICES MAILED**

NEWSPAPER ONLY

**APPROVALS**

0

**PROTESTS**

0

**March 14, 2012**

Mr. Robert Summerfield  
City of Las Vegas  
Department of Planning  
333 North Rancho Drive, 3rd Floor  
Las Vegas, Nevada 89106

**RE: TXT-44570 - TEXT AMENDMENT  
PLANNING COMMISSION MEETING OF MARCH 13, 2012**

Dear Mr. Summerfield:

Your request to amend Section 4.B of the Town Center Development Standards to add Wearing Apparel to the items permitted for a Secondhand Dealer use, was considered by the Planning Commission on March 13, 2012.

The Planning Commission voted to recommend **APPROVAL** of your request.

This request will be forwarded to the City Council for consideration of adopting an ordinance to amend the Zoning Code.

Sincerely,

Steve Gebeke, AICP  
Planning Supervisor  
Case Planning Division

SG:clb