

1 **BILL NO. 2021-36**

2 **ORDINANCE NO. 6799**

3 AN ORDINANCE TO AMEND LVMC CHAPTER 19.09, RELATING TO FORM-BASED CODE, TO
4 UPDATE THE LIST OF USE TYPES PERMISSIBLE IN THE T5 MAKER TRANSECT ZONE TO
5 INCLUDE A "DOWNTOWN RESTRICTED" CATEGORY, INITIALLY TO INCLUDE ONLY
6 CANNABIS-RELATED USES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

6 Sponsored by: Councilman Cedric Crear

6 Summary: Amends LVMC Chapter 19.09,
7 relating to Form-Based Code, to update the list of
8 use types permissible in the T5 Maker Transect
9 Zone so as to include a "Downtown Restricted"
10 category, initially to include only cannabis-related
11 uses.

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

12 SECTION 1: Ordinance No. 6289 and the Unified Development Code adopted as Title 19
13 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended as set forth in
14 Sections 2 to 4, inclusive, of this Ordinance. The amendments are deemed to be amendments to Ordinance
15 No. 6289 and to the Unified Development Code adopted as Title 19.

16 SECTION 2: Section 19.09.050.E.012.I, pertaining to use types for the T5 Maker Zone,
17 is amended to add to the list of "Other" use types, at the appropriate location, an entry for the use type
18 "Downtown Restricted," along with a note reference and a letter to indicate that the means by which that use
19 type may be allowed is by special use permit. The use type shall be entered as "Downtown Restricted⁵" and
20 the corresponding letter to show the approval category shall be entered as "S."

21 SECTION 3: Section 19.09.050.E.012.I, pertaining to use types for the T5 Maker Zone,
22 is amended to add to the end of the list of notes the following Note 5:

23 ⁵ Use is required to comply with the minimum procedural and substantive requirements applicable to
24 Conditional Uses and uses permitted by Special Use Permit, as applicable, as they are specified for that use
25 in LVMC 19.12.070. Where LVMC 19.12.070 contains both Conditional Use and Special Use Permit
26 requirements for a specific use, a Special Use Permit shall be required if any of the Conditional Use

1 Regulations cannot be met. Approval of Special Use Permits shall be in accordance with LVMC 19.16.110.

2 SECTION 4: Section 19.09.110 is amended by adding, at the appropriate location, the
3 following term and its corresponding definition:

4 **Downtown Restricted.** Uses that may be service, commercial or industrial in nature that require a higher
5 level of review to determine compatibility with surrounding downtown uses. For these uses, either approval
6 as a Conditional Use or by means of Special Use Permit shall be required as specified by the Permitted Use
7 Tables contained in LVMC 19.12.010, and all applicable Conditional Use Regulations and Minimum Special
8 Use Permit Requirements specified in LVMC 19.12.070 shall be applied to each individual use. Where
9 LVMC 19.12.070 contains both Conditional Use and Special Use Permit requirements for a specific use, a
10 Special Use Permit shall be required if any of the Conditional Use Regulations cannot be met. Uses permitted
11 by means of Special Use Permit under this category include: Cannabis Cultivation Facility; Cannabis
12 Dispensary; and Cannabis Production Facility.

13 SECTION 5: For purposes of Section 2.100(3) of the City Charter, Sections 19.09.050 and
14 19.09.110 are deemed to be subchapters rather than sections.

15 SECTION 6: The Department of Planning is authorized and directed to incorporate into
16 the Unified Development Code the amendments set forth in Sections 2 to 4, inclusive, of this Ordinance.

17 SECTION 7: If any section, subsection, subdivision, paragraph, sentence, clause or phrase
18 in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by
19 any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the
20 remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby
21 declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase
22 thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs,
23 sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

24 ...

25 ...

26 ...

1 SECTION 8: All ordinances or parts of ordinances or sections, subsections, phrases,
2 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983
3 Edition, in conflict herewith are hereby repealed.

4 PASSED, ADOPTED and APPROVED this 1st day of December, 2021.

5 APPROVED:

6 By C. Goodman
7 CAROLYN G. GOODMAN, Mayor

8 ATTEST:

9 Luann D. Holmes
10 LUANN D. HOLMES, MMC
City Clerk

11 APPROVED AS TO FORM:

12 Val Steed 10-19-21
13 Val Steed, Date
Deputy City Attorney

1 The above and foregoing ordinance was first proposed and read by title to the City Council
2 on the 3rd day of November, 2021, and referred to a committee for recommendation;
3 hereafter the committee reported favorably on said ordinance on the 1st day of December,
4 2021, 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 and adopted by the following
6 vote:

7 VOTING "AYE": Mayor Goodman and Councilmembers Anthony, Fiore, Crear,
8 Knudsen, Seaman and Diaz
9 VOTING "NAY": None
10 EXCUSED: None
11 ABSTAINED: None

14 APPROVED:

15 
16 _____
CAROLYN G. GOODMAN, Mayor

17 ATTEST:

18 
19 _____
LUANN D. HOLMES, MMC City Clerk

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

RECEIVED
CITY CLERK

2021 NOV 29 P 12: 31

LV CITY CLERK
495 S MAIN ST
LAS VEGAS NV 89101

Account # 22515
Ad Number 0001170776

Leslie McCormick, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for, was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 11/18/2021 to 11/18/2021, on the following days:

11 / 18 / 21

BILL NO. 2021-36

A.N. ORDINANCE TO AMEND LVMC CHAPTER 19.09, RELATING TO FORM-BASED CODE, TO UPDATE THE LIST OF USE TYPES PERMISSIBLE IN THE T5-MAKER TRANSECT ZONE TO INCLUDE A "DOWNTOWN RESTRICTED" CATEGORY, INITIALLY TO INCLUDE ONLY CANNABIS-RELATED USES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by:
Councilman Cedric Crear

Summary: Amends LVMC Chapter 19.09, relating to Form-Based Code, to update the list of use types permissible in the T5-Maker Transect Zone so as to include a "Downtown Restricted" category, initially to include only cannabis-related uses.

At the City Council meeting of
November 3, 2021.

BILL NO. 2021-36 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

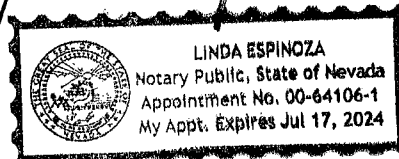
PUB: Nov. 18, 2021
LV Review-Journal

[Signature]

LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 18th day of November, 2021

Notary *[Signature]*



AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

LV CITY CLERK
495 S MAIN ST
LAS VEGAS NV 89101

Account # 22515
Ad Number 0001172763

703 30 20 P 3 01

Leslie McCormick, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for, was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 12/04/2021 to 12/04/2021, on the following days:

12 / 04 / 21

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ORDINANCE NO. 6799**

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Sponsored By:
Councilman Cedric Crear

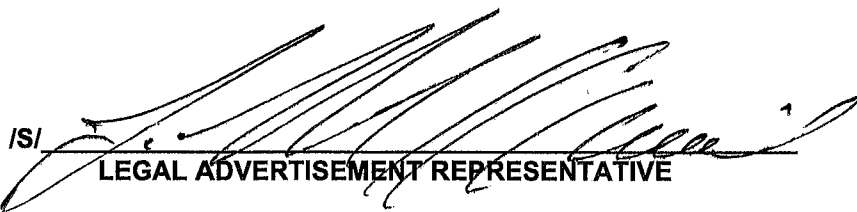
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The above and foregoing ordinance was first proposed and read by title to the City Council on the 3rd day of November, 2021, and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 1st day of December, 2021, 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 first introduced and adopted by the following vote:

VOTING "AYE": Mayor Goodman and Councilmembers Anthony, Flore, Crear, Knudsen, Seaman, and Diaz.
VOTING "NAY": NONE
EXCUSED: NONE

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: Dec. 4, 2021
LV Review-Journal

/s/ 
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 6th day of December, 2021

Notary 

