

# City of Las Vegas

**RECOMMENDING COMMITTEE MEETING  
CITY HALL, 400 STEWART AVENUE  
CITY MANAGER'S CONFERENCE ROOM, EIGHTH FLOOR  
CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.lasvegasnevada.gov>  
MARCH 06, 2007  
4:00 P.M.**

THE RECOMMENDING COMMITTEE WILL RECEIVE PUBLIC INPUT ON EACH ITEM OF LEGISLATION BEING CONSIDERED. THE RECOMMENDING COMMITTEE MAY, THEREAFTER, CONTINUE THE HEARING TO A FUTURE DATE OR FORMULATE A RECOMMENDATION TO THE CITY COUNCIL FOR PASSAGE, REJECTION OR AMENDMENT OF THE PROPOSED BILL. ANY MEMBER OF THE CITY COUNCIL MAY SUBSTITUTE FOR A MEMBER OF THE RECOMMENDING COMMITTEE AT ANY TIME.

DUPLICATE AUDIO CDS MAY BE AVAILABLE AT A COST OF \$5.00 EACH THROUGH THE CITY CLERK'S OFFICE.

1. CALL TO ORDER
2. ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
3. Bill No. 2007-8 – Eliminates certain information-gathering and reporting requirements for the Department of Fire and Rescue regarding the transportation of hazardous materials within the City. Proposed by: David L. Washington, Chief, Department of Fire and Rescue
4. Bill No. 2007-9 – Makes various corrections, clarifications and adjustments to the Land Use Tables, and clarifies certain use and development standards. Proposed by: M. Margo Wheeler, Director of Planning and Development
5. CITIZENS PARTICIPATION: Public comment during this portion of the agenda must be limited to matters within the jurisdiction of the committee. No subject may be acted upon by the committee unless that subject is on the agenda and is scheduled for action. If you wish to be heard, come to the podium and give your name for the record. The amount of discussion on any single subject, as well as the amount of time any single speaker is allowed, may be limited
6. ADJOURNMENT

ALL INTERESTED PERSONS ARE INVITED TO ATTEND: Copies of the above Bills may be obtained through the Office of the City Clerk, Monday through Friday, 8:00 A.M. to 5:00 P.M.

Facilities are provided throughout City Hall for the convenience of disabled persons. Reasonable efforts will be made to assist and accommodate physically handicapped persons. If you need an accommodation to attend and participate in this meeting, please call the City Clerk's office at 229-6311 and advise of your need at least 48 hours in advance of the meeting.

THIS MEETING HAS BEEN PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS:

City Clerk's Bulletin Board, City Hall Plaza, 2<sup>nd</sup> Floor Skybridge  
Bulletin Board, City Hall Plaza, (next door to Metro Records)  
Las Vegas Library, 833 Las Vegas Boulevard North  
Clark County Government Center, 500 S. Grand Central Parkway  
Grant Sawyer Building, 555 E. Washington Avenue

**AGENDA SUMMARY PAGE**  
**RECOMMENDING COMMITTEE MEETING OF: MARCH 6, 2007**

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**DEPARTMENT: CITY CLERK**

**DIRECTOR: BEVERLY K. BRIDGES, ACTING**

**SUBJECT:**  
**CALL TO ORDER**



**AGENDA SUMMARY PAGE**  
**RECOMMENDING COMMITTEE MEETING OF: MARCH 6, 2007**

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**DEPARTMENT: CITY CLERK**

**DIRECTOR: BEVERLY K. BRIDGES, ACTING**

**SUBJECT:**

**ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW**



**AGENDA SUMMARY PAGE**

**RECOMMENDING COMMITTEE MEETING OF: MARCH 6, 2007**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

Consent  Discussion

**SUBJECT:**

**NEW BILL:**

Bill No. 2007-8 – Eliminates certain information-gathering and reporting requirements for the Department of Fire and Rescue regarding the transportation of hazardous materials within the City. Proposed by: David L. Washington, Chief, Department of Fire and Rescue

**Fiscal Impact**

No Impact

Augmentation Required

Budget Funds Available

**Amount:**

**Funding Source:**

**Dept./Division:**

**PURPOSE/BACKGROUND:**

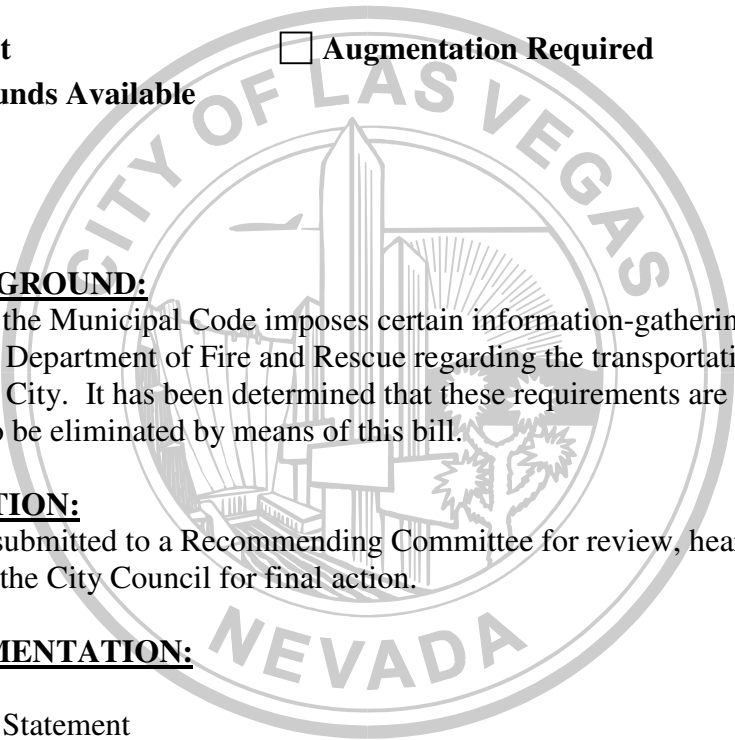
Section 9.36.050 of the Municipal Code imposes certain information-gathering and reporting requirements on the Department of Fire and Rescue regarding the transportation of hazardous materials within the City. It has been determined that these requirements are out-of-date, and they are proposed to be eliminated by means of this bill.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

1. Bill No. 2007-8
2. Business Impact Statement



1 **BILL NO. 2007-8**

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

3 AN ORDINANCE TO ELIMINATE CERTAIN INFORMATION-GATHERING AND REPORTING  
4 REQUIREMENTS FOR THE DEPARTMENT OF FIRE AND RESCUE REGARDING THE  
5 TRANSPORTATION OF HAZARDOUS MATERIALS WITHIN THE CITY, AND TO PROVIDE  
6 FOR OTHER RELATED MATTERS.

7 Proposed by: David L. Washington, Chief,  
8 Department of Fire and Rescue

Summary: Eliminates certain information-  
gathering and reporting requirements for the  
Department of Fire and Rescue regarding the  
transportation of hazardous materials within the  
City.

9 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN

10 AS FOLLOWS:

11 SECTION 1: Title 9, Chapter 36, Section 50, of the Municipal Code of the City of  
12 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13 **9.36.050:** The Department of Fire [Services] and Rescue is authorized [and directed] to do the  
14 following:

15 (A) To collect all available information with respect to the volumes, routes,  
16 locations of storage incident to transportation, risks and conditions of transport and storage of  
17 hazardous materials presenting the highest risk, by any mode of transportation; [, and to report  
18 annually to the City Council on the transportation of hazardous materials and the adequacy of the  
19 City's emergency response capabilities in cases of accidents;] and

20 (B) To collect information, as available, from the State on the routes and volumes  
21 of hazardous waste shipments through the City and to request that the State conduct surveys to  
22 determine the volumes, routes, compliance with Federal and State regulations, accident rates and other  
23 information on truck cargos of hazardous materials.

24 SECTION 2: If any section, subsection, subdivision, paragraph, sentence, clause or  
25 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or  
26 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or  
27 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the  
28 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,  
paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,

1 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,  
2 invalid or ineffective.

3 SECTION 3: All ordinances or parts of ordinances or sections, subsections, phrases,  
4 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,  
5 1983 Edition, in conflict herewith are hereby repealed.

6 PASSED, ADOPTED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

7 APPROVED:

8  
9 By \_\_\_\_\_  
10 OSCAR B. GOODMAN, Mayor

11 ATTEST:

12 \_\_\_\_\_  
13 BEVERLY BRIDGES, Acting City Clerk

14 APPROVED AS TO FORM:

15 Val Steep 2-8-07  
16 Date

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1 The above and foregoing ordinance was first proposed and read by title to the City Council on the  
2 \_\_\_\_\_ day of \_\_\_\_\_, 2007, 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 \_\_\_\_\_, 2007, 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

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By \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

15

ATTEST:

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BEVERLY BRIDGES, Acting City Clerk

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**BUSINESS IMPACT STATEMENT  
BILL NO. 2007-8**

**(Eliminates certain information-gathering and reporting requirements for the Department of Fire and Rescue regarding the transportation of hazardous materials within the City)**

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2007-8, that will eliminate certain information-gathering and reporting requirements for the Department of Fire and Rescue regarding the transportation of hazardous materials within the City.

**1. The following constitutes a description of the number of the manner in which comment was solicited from affected businesses, a summary of their responses and an explanation of the manner in which other interested persons may obtain a copy of the summary.**

Not applicable

**2. The estimated economic effect of the proposed rule on businesses, including, without limitation, both adverse and beneficial effects, and both direct and indirect effects:**

**Adverse effects:**

None

**Beneficial effects:**

None

**Direct effects:**

None

**Indirect effects:**

None

**3. The following constitutes a description of the methods the local government considered to reduce the impact of the proposed rule on businesses and a statement regarding whether any, and if so which, of these methods were used:**

Not applicable

**4. The governing body estimates the annual cost to the local government for enforcement of the proposed rule is:**

No additional cost

**5. If the proposed rule provides for a new fee or increases an existing fee, the total annual amount expected to be collected is:**

Not applicable

**6. If the proposed rule provides for a new fee or increases an existing fee, the money generated by the new fee or increase in existing fee will be used by the local government to:**

Not applicable

**7. If the proposed rule includes provisions that duplicate or are more stringent than federal, state or local standards regulating the same activity, the following explains when such duplicative or more stringent provisions are necessary:**

Not applicable

Date: February 8, 2007

**AGENDA SUMMARY PAGE**

**RECOMMENDING COMMITTEE MEETING OF: MARCH 6, 2007**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

Consent  Discussion

**SUBJECT:**

**NEW BILL:**

Bill No. 2007-9 – Makes various corrections, clarifications and adjustments to the Land Use Tables, and clarifies certain use and development standards. Proposed by: M. Margo Wheeler, Director of Planning and Development

**Fiscal Impact**

**No Impact**

**Augmentation Required**

**Budget Funds Available**

**Amount:**

**Funding Source:**

**Dept./Division:**

**PURPOSE/BACKGROUND:**

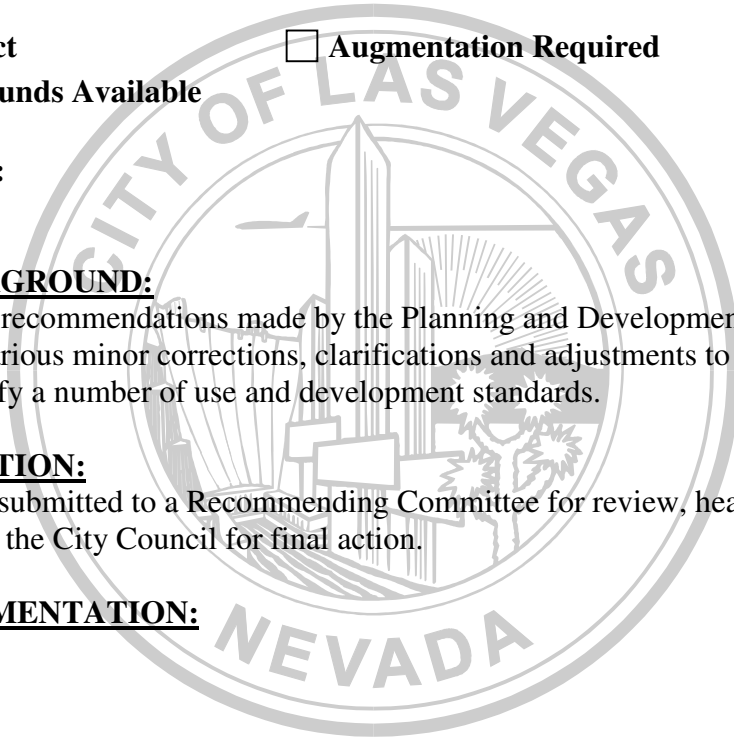
In accordance with recommendations made by the Planning and Development Department, this bill will 1) make various minor corrections, clarifications and adjustments to the Land Use Tables, and 2) clarify a number of use and development standards.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. 2007-9



1 **BILL NO. 2007-9**

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

3 AN ORDINANCE TO MAKE VARIOUS CORRECTIONS, CLARIFICATIONS AND  
4 ADJUSTMENTS TO THE LAND USE TABLES, TO CLARIFY CERTAIN USE AND  
DEVELOPMENT STANDARDS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

5 Proposed by: M. Margo Wheeler, Director of  
6 Planning and Development

Summary: Makes various corrections,  
clarifications and adjustments to the Land Use  
Tables, and clarifies certain use and  
development standards.

7  
8 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN  
9 AS FOLLOWS:

10 SECTION 1: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section  
11 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by  
12 amending the description of the use "Single Family, Detached," as found in the "Residential &  
13 Lodging" element of Table 2, to read as follows:

14 **Description:**

15 A dwelling unit that is not attached to any other dwelling by any means, is located on a separate and  
16 individually owned lot, is surrounded by open space or yards, and is for the exclusive use of a single  
17 family maintaining a household. Except where specifically provided [for the purposes of occupancy  
18 by domestic help, no single family dwelling] in this Title, no such unit may have more than 1 kitchen,  
19 and [except as specifically provided for a habitable accessory structure,] all rooms used for human  
20 habitation must have interior access to one another.

21 SECTION 2: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section  
22 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by  
23 deleting in their entirety the entries for the uses "Habitable Accessory Structure" and "Non-Habitable  
24 Accessory Structure."

25 SECTION 3: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section  
26 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by  
27 adding to the "Residential & Lodging" element thereof, at the appropriate locations, two new uses,  
28 "Accessory Structure (Class I)" and "Accessory Structure (Class II)," reading respectively as follows:

USE	RESIDENTIAL												COMMERCIAL						INDUSTRIAL		
	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
Accessory Structure (Class I)	S	S	S	S	S																
<b>Description:</b> An accessory structure which is located on the same residential parcel as a principal dwelling and which, as an ancillary use, provides living quarters, including full kitchen facilities, for the occupants of the principal dwelling or their tenants, domestic employees or temporary guests.																					
<b>Minimum Special Use Permit Requirements:</b> *1. The size of the lot or parcel must exceed 6500 square feet. 2. Unless the principal dwelling is owner-occupied, a Class I accessory structure may not be offered or occupied as a rental unit.																					
<b>On-site Parking Requirement:</b> One additional parking space must be provided beyond the number of spaces normally required.																					

USE	RESIDENTIAL												COMMERCIAL						INDUSTRIAL		
	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
Accessory Structure (Class II)	C	C	C	C	C	C	C	C	C	C	C	C									
<b>Description:</b> An accessory structure which is located on the same lot as a principal structure, is detached therefrom, is incidental or subordinate thereto, and does not qualify as an "Accessory Structure (Class I)."																					
<b>Conditional Use Regulations:</b> 1. The use shall comply with all provisions of Section 19.08.040 applicable to accessory structures. 2. Any use that does not so comply may be permitted only by means of a Variance.																					
<b>On-site Parking Requirement:</b> No additional parking required beyond that which is required for the principal use on the site																					

SECTION 4: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to change the classification of the use "Travel Bureau" from a type of "General Personal Service" to a type of "Office Use, Other Than Listed." In order to reflect that change, the description of the use "General Personal Service," as found in the "Retail & Personal Services" element of Table 2, is amended to read as follows:

**Description:**

A facility for the sale of personal services. Typical personal services include barber/beauty shop, tanning salon, nail salon, shoe repair, tailor, instructional arts studio, photography studio, hand-crafted art studio, safe deposit boxes, [travel bureau,] house cleaning service, weight reduction center, day spa, florist (excluding greenhouses), and permanent makeup establishment.

SECTION 5: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section

1 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by  
2 amending the Conditional Use Regulations for the use “Open Air Vending/Transient Sales Lot,” as  
3 found in the “Retail & Personal Services” element of Table 2, to read as follows:

4 **Conditional Use Regulations:**

- 5 1. No signage, including temporary signage, is allowed[.], except that, in the case of sales activity  
6 from a vehicle or cart, the vehicle or cart may include signage which is affixed thereto.  
7 2. The site must be kept free of any litter or debris at all times.  
8 3. No structures shall be allowed within the public right-of-way.

9 SECTION 6: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section  
10 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by  
11 amending the Minimum Special Use Permit Requirements for the use “Beer/Wine/Cooler On-Sale  
12 Establishment,” as found in the “Retail & Personal Services” element of Table 2, to read as follows:

13 **Minimum Special Use Permit Requirements:**

- 14 [\*]1. Except as otherwise provided, no beer/wine/cooler [off-sale] on-sale establishment (hereinafter  
15 “establishment”) shall be located within 400 feet of any church, synagogue, school, child care  
16 facility licensed for more than 12 children, or City park.  
17 [\*]2. Except as otherwise provided in Requirement 3 below, the distances referred to in  
18 Requirement 1 shall be determined with reference to the shortest distance between two  
19 property lines, one being the property line of the proposed establishment which is closest to  
20 the existing use to which the measurement pertains, and the other being the property line of  
21 that existing use which is closest to the proposed establishment. The distance shall be  
22 measured in a straight line without regard to intervening obstacles. For purposes of  
23 measurement, the term “property line” refers to property lines of fee interest parcels and does  
24 not include the property line of:  
25 a. Any leasehold parcel; or  
26 b. Any parcel which lacks access to a public street or has no area for on-site parking and  
27 which has been created so as to avoid the distance limitation described in Requirement  
28 1.

- 1 [\*]3. In the case of an establishment proposed to be located on a parcel of at least 80 acres in size,  
2 the minimum distances referred to in Requirement 1 shall be measured in a straight line:
- 3 a. From the nearest property line of the existing use to the nearest portion of the structure  
4 in which the establishment will be located, without regard to intervening obstacles; or
  - 5 b. In the case of a proposed establishment which will be located within a shopping center  
6 or other multiple-tenant structure, from the nearest property line of the existing use to  
7 the nearest property line of a leasehold or occupancy parcel in which the establishment  
8 will be located, without regard to intervening obstacles.
- 9 4. When considering a Special Use Permit application for an establishment which also requires  
10 a waiver of the distance limitation in Requirement 1, the Planning Commission shall take into  
11 consideration the distance policy and shall, as part of its recommendation to the City Council,  
12 state whether the distance requirement should be waived and the reasons in support of the  
13 decision.
- 14 5. The minimum distance requirements in Requirement 1 do not apply to:
- 15 a. An establishment which has a nonrestricted gaming license in connection with a hotel  
16 having 200 or more guest rooms on or before July 1, 1992 or in connection with a  
17 resort hotel having in excess of 200 guest rooms after July 1, 1992; or
  - 18 b. A proposed establishment having more than 50,000 square feet of retail floor space.
- 19 \*6. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC  
20 Chapter 6.50.

21 SECTION 7: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section  
22 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by  
23 amending the On-site Parking Requirement for the use "Package Liquor Off-Sale Establishment," as  
24 found in the "Retail & Personal Services" element of Table 2, to read as follows:

25 **On-site Parking Requirement:** [No additional parking required beyond that which is required for  
26 the principal use on the site.]

- 27 1. If less than 25,000 square feet, one space per 175 square feet of gross floor area.
- 28 2. If 25,000 square feet or more, one space per 250 square feet of gross floor area.

SECTION 8: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to adjust the Conditional Use Regulations for the use “Motor Vehicle Sales (Used)” and to add Minimum Special Use Permit Requirements for that use. In order to reflect the amendments, the entry for the use “Motor Vehicle Sales (Used),” as found in the “Auto & Marine-Related” element of Table 2, is amended to read as follows:

USE	RESIDENTIAL												COMMERCIAL					INDUSTRIAL			
	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
Motor Vehicle Sales (Used)																		S		C	C
<p><b>Description:</b> A facility or area used primarily for the display and sale or leasing of used automobiles, motorcycles and motor scooters. This use includes service bays and auto body shops which are incidental and accessory to the sales use.</p> <p><b>Conditional Use Regulations:</b>            [1.] The minimum site area designated for this use shall be 25,000 square feet.]            [2.] 1. The installation and use of an outside public address or bell system is prohibited.            [3.] 2. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.            [4.] 3. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.            [5.] 4. Openings in service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.            [6.] 5. Accessory automobile rental is permitted.</p> <p><b>Special Use Permit Requirements:</b>            1. <u>The minimum site area designated for this use shall be 25,000 square feet.</u>            2. <u>The installation and use of an outside public address or bell system is prohibited.</u>            3. <u>No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.</u>            4. <u>All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.</u>            5. <u>Openings in service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.</u>            6. <u>Accessory automobile rental is permitted.</u></p> <p><b>On-site Parking Requirement:</b> One space for each 500 square feet of enclosed gross floor area designated for this use. Vehicles that are on display or for sale may not be parked or stored in parking spaces that are designated as off-street parking necessary to meet the minimum requirements of this Table 2. The parking and storage of such vehicles must occur only in spaces that are in excess of the required minimum parking.</p>																					

SECTION 9: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to indicate that the use “Outdoor Storage, Accessory” is allowable as a conditional use in the C-1 Zoning District and to modify the Conditional Use Regulations applicable to the use. In order to reflect the

changes, the entry for the use “Outdoor Storage, Accessory,” as found in the “Wholesale, Distribution & Storage” element of Table 2, is amended to read as follows:

USE	RESIDENTIAL												COMMERCIAL				INDUSTRIAL				
	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
Outdoor Storage, Accessory																	<u>C</u>	C	C	C	C
	<p><b>Description:</b> The use of a significant portion of a lot or area for the long term retention (more than 24 hours) of materials and machinery or equipment, regardless of whether the materials, machinery or equipment are to be bought, sold, repaired, stored, incinerated, or discarded. This use does not include new or used motor vehicle sales and rental display, nor does it include accessory and incidental parking of vehicles for residents, guests, customers or employees in connection with a principal use.</p> <p><b>Conditional Use Regulations:</b></p> <p>[1. Outside storage areas that are not screened by an intervening building shall be screened from view from any public street by a screening device at least 8 feet in height. In addition, outside storage areas shall be screened from view of any adjoining property by a screening device at least 8 feet in height, except along adjacent property lines of property zoned C-M or M.</p> <p>2. Storage shall not be permitted within required setbacks or buffer yards.</p> <p>3. Except as otherwise provided in this Title, in the C-2 and C-M Zoning Districts, storage shall be limited to no more than 5 percent of the lot area containing the principal use.]</p> <p>1. <u>Storage shall not be permitted within required setbacks or buffer yards.</u></p> <p>2. <u>Except as otherwise provided in this Title or as specifically allowed in connection with the approval of a Special Use Permit:</u></p> <p>a. <u>Outside storage areas that are not screened by an intervening building shall be screened from view from any public street by a screening device at least 8 feet in height.</u></p> <p>b. <u>Outside storage areas shall be screened from view of any adjoining property by a screening device at least 8 feet in height, except along adjacent property lines of property zoned C-M or M.</u></p> <p>3. <u>Except as otherwise provided in this Title, in the C-2 and C-M Zoning Districts, storage shall be limited to no more than 5 percent of the lot area containing the principal use.</u></p> <p>4. <u>In the C-2 Zoning District, incidental items that are normally associated with operations allowed as a matter of right are not required to be screened from view.</u></p> <p>5. <u>In the C-1 Zoning District, the only items allowable as accessory outdoor storage are live nursery products, which must be screened from view of adjacent properties and rights-of-way by means of screening that is architecturally consistent with the principal building in terms of materials, colors and details.</u></p> <p><b>On-site Parking Requirement:</b> No additional parking required beyond that which is required for the principal use(s) on the site.</p>																				

SECTION 10: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to allow the use “Sound Stage” by means of special use permit in the C-PB Zoning District. In order to reflect that amendment, the entry for the use “Sound Stage,” as found in the “Utilities, Communication & Transportation” element of Table 2, is amended to read as follows:

...  
...

USE	RESIDENTIAL												COMMERCIAL					INDUSTRIAL			
	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
Sound Stage																	S	S	S	S	S
<b>Description:</b> A building or portion of a building used for the production of movies.																					
<b>On-site Parking Requirement:</b> One space per 300 square feet of gross floor area.																					

SECTION 11: Title 19, Chapter 4, Section 70, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

**19.04.070:** (A) P-R District. All uses in the P-R District shall conform to the following:

- (1) No products shall be stored, displayed or sold on the premises.
- (2) No trucks, vans or other commercial vehicles shall be stored or parked on the property overnight.
- (3) No service shall be performed upon a client except those related to the service of the medical profession including dentists, opticians, optometrists, chiropractors, etc.
- (4) Services shall not include the production or repair of any goods except as an incidental use to a permitted service.
- (5) Instructional services must be limited to a two to one pupil/instructor ratio provided, however, in connection with instructional services to be provided at a physician's office, the Director [of the Department of Planning and Development] may approve a higher pupil/instructor ratio upon a showing that sufficient off-street parking is available for the number of pupils anticipated. Equipment used for instructional purposes must be stored within the building.
- (6) There shall be no mixed residential and commercial use of any property and in the event there is an existing residential use on a property, no commercial use of the property shall be permitted until the residential use has permanently ceased.
- (7) No use or business activity shall remain open to the public for business between the hours of nine p.m. through seven a.m. All exterior lighting, except for security lighting, shall be turned off.

(B) N-S and O Districts. In the N-S and O Districts, all storage or display of merchandise and equipment shall be within a completely enclosed building. No trailers or other

1 portable structures may be used for storage purposes.

2 [(B)] (C) C-D District. All uses in the C-D District shall conform to the following:

3 (1) Retail shops shall sell new merchandise exclusively except for antique  
4 shops. All products produced, whether primary or incidental, shall be sold at retail on the premises,  
5 and not more than two persons shall be engaged in the production of such products.

6 (2) There shall be no mixed residential and commercial use of any property  
7 and in the event there is an existing residential use on a property, no commercial use of the property  
8 shall be permitted until the residential use has permanently ceased.

9 (3) No use or business activity shall remain open to the public for business  
10 between the hours of nine p.m. and seven a.m.

11 (4) All uses and activity shall be contained within a completely enclosed  
12 building and there shall be no outside storage, service or sales. No trailers or other portable structures  
13 may be used for storage purposes.

14 (D) All Non-Residential Districts. No outdoor storage, sales, rent or display of  
15 products or equipment is permitted except in accordance with the provisions of this Title, or a specific  
16 Special Use Permit approval granted thereunder.

17 SECTION 12: Title 19, Chapter 8, Section 40, Subsection (B), Paragraph (1),  
18 Subparagraph (g), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby  
19 amended to read as follows:

20 (g) Floor Plan. Accessory structures may contain any type of room use, but may not contain any  
21 kitchen except as otherwise specifically provided in [Section 19.04.050(B)] this Title with respect to  
22 a [habitable] Class I accessory structure.

23 SECTION 13: Title 19, Chapter 8, Section 40, Subsection (B), Paragraph (4),  
24 Subparagraph (a), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby  
25 amended to read as follows, with the preceding and subsequent provisions of Paragraph (4), including  
26 Figure 4, remaining the same:

27 (a) Patio Covers. As illustrated in Figure 4 below, a patio cover may encroach to within five feet  
28 from the rear and side property lines in the R-D, R-1, R-CL, R-2, R-3, R-4, R-5, R-MH, and R-MHP

1 zoning districts and may encroach to within fifteen feet from the rear and side property lines in the U,  
2 R-A and R-E zoning districts. In other residential districts, patio cover setbacks shall be compatible  
3 with the required setbacks for principal structures. In no event shall a patio cover be permitted to  
4 encroach into a required corner side yard setback.

5 SECTION 14: Title 19, Chapter 8, Section 50, Subsection (H), of the Municipal Code  
6 of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the titles of Figures  
7 26 and 27 to read, respectively, as follows:

8 Figure 26 [Discouraged] Impermissible Enclosure Design

9 Figure 27 [Encouraged] Permissible Enclosure Design

10 SECTION 15: Title 19, Chapter 12, Section 75, of the Municipal Code of the City of  
11 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

12 **19.12.075: Wall Standards**

13 (A) Front Yard Screen Wall Prohibition. No [screening] screen wall shall be built in the front yard  
14 of a residential property.

15 (B) Perimeter and Screen Walls.

16 (1) General. For commercial and industrial properties, a perimeter wall shall be  
17 constructed adjacent to any residential zoning district or property used solely for residential purposes,  
18 shall be a minimum of six feet in height, and in no case shall exceed the height limitation applicable  
19 to the adjacent zoning district or property. In all other cases, there is no requirement to construct a  
20 wall or fence. However, all perimeter or screen walls and fences must comply with applicable  
21 building code requirements. Walls and fences adjacent to commercial or industrial zoning districts or  
22 property used for commercial or industrial uses shall be limited to a maximum of eight feet in height.  
23 The height of a wall or fence shall be measured from the side with the greatest vertical exposure above  
24 finished grade.

25 (2) Height. The minimum height of a [screening] perimeter wall shall be six feet and the  
26 maximum height shall be eight feet. The maximum height of a screen wall shall be eight feet.

27 (C) Additional Height Limitations (No Slope or Minimum Slope). Except as otherwise provided  
28 in Subsection (E), if the natural slope of a parcel that will contain a [screening] screen or perimeter

1 wall is two percent or less, and a retaining wall will be required:

2 (1) The maximum height of the retaining wall shall be four feet;

3 (2) The minimum height of [the screening] a perimeter wall shall be six feet, with the  
4 maximum height for a screen or perimeter wall of eight feet; and

5 (3) The total vertical plane of both walls shall not exceed ten feet, measured from the  
6 finished grade on the lower side of the wall to the top of the wall, with a maximum height of eight feet  
7 measured from the finished grade on the higher side of the wall to the top of the wall. (See Figure 6)

8 (D) Additional Height Limitations (Greater Slope). Except as otherwise provided in Subsection  
9 (E), if the natural slope of a parcel that will contain a [screening] screen or perimeter wall is greater  
10 than two percent and a retaining wall will be required:

11 (1) The maximum height of the retaining wall shall be six feet;

12 (2) The minimum height of [the screening] a perimeter wall shall be six feet, with the  
13 maximum height for a screen or perimeter wall of eight feet; and

14 (3) The total vertical plane of both walls shall not exceed twelve feet, measured from the  
15 finished grade on the lower side of the wall to the top of the wall, with a maximum height of eight feet  
16 measured from the finished grade on the higher side of the wall to the top of the wall. (See Figure 7)

17 (E) Increased Retaining Wall Heights. In cases where it is necessary to use retaining walls that  
18 exceed the height limitations contained in Subsections (C) and (D), the following standards shall apply  
19 in order to reduce the visual impact of [screening] screen walls, perimeter walls and retaining walls,  
20 as illustrated in Figure 8:

21 (1) For each four feet of vertical height of retaining wall, a minimum five-foot stepback,  
22 or horizontal offset, shall be provided, as measured from the front of the wall plane to the front of the  
23 next wall plane, with landscaping to be provided within the offset area.

24 (2) The height of the wall plane of the wall located at the highest grade shall be a minimum  
25 of six feet and a maximum of eight feet.

26 (F) Front Yard Walls/Fences. Front yard walls/fences shall be a maximum of five feet with the  
27 top three vertical feet open to permit visibility. (See Figure 9) Hedges planted along the front yard  
28 property line shall not exceed three vertical feet. Retaining walls along the front property line may

1 not exceed two feet in height. Where the grade of the front yard slopes at a ratio greater than 2:1,  
2 multiple retaining walls may be constructed, provided there is a minimum distance of five feet  
3 between retaining walls for landscaping. (See Figure 10)

4 (G) Fences, Walls and Architectural Character

5 (1) Perimeter Walls. Perimeter walls, end walls, return walls and common area walls shall  
6 be decorative and shall be installed by the developer. Acceptable decorative wall materials[,] include,  
7 without limitation, stone, decorative block, slump stone, and wrought iron, and shall have a minimum  
8 of twenty percent contrasting material. The contrasting material requirement may be fulfilled by  
9 contrasting color, or a combination of contrasting material and contrasting color, if approved by the  
10 Department in its discretion. All walls shall include such detail variations as may be required by the  
11 Department, including pilaster, decorative caps, decorative iron cutouts or fluted blocks. Any  
12 decorative materials or ironwork attached to the top of a perimeter wall shall not encroach into public  
13 rights-of-way or abutting properties. Pilasters, if used, shall have a maximum spacing of twenty-four  
14 feet on center (See Figures 9 and 11). [No voids or spaces shall be permitted between an existing  
15 perimeter wall and a new perimeter wall.] All perimeter walls shall:

16 a. Match the design of abutting perimeter walls. The established wall design shall  
17 be continued until the next street intersection. In cases where the existing wall is considered by the  
18 Director to be of unacceptable design, the design shall not be carried beyond the next street  
19 intersection unless a transitional wall area designed to soften the differences between the walls is  
20 constructed; and

21 b. [Be sealed by an approved method to prevent leaching or transmission of  
22 mineral deposits through the wall; and

23 c.] Be maintained by the property owner, the developer, a business association or  
24 other similar organization, or by such other means as may be approved by the City.

25 (2) Retaining Walls. Retaining walls which are visible from adjacent properties or rights-  
26 of-way shall be decorative and shall be installed by the developer. Acceptable materials for retaining  
27 wall construction include split-face block, decorative block, slump stone, stone, caliche rock, colored  
28 or exposed aggregate, and textured-finish concrete. All walls shall include detail variations such as

1 pilasters, decorative caps, or fluted blocks. [All walls shall be sealed by an approved method to  
2 prevent the leaching or transmission of mineral deposits through the wall.] All walls shall be  
3 maintained by the property owner, the developer, a business association or other similar organization,  
4 or by such other means as may be approved by the City. In cases where the height of a retaining wall  
5 exceeds four feet, a minimum of five shrubs of a five-gallon size, and five shrubs of a one-gallon size,  
6 for each twenty feet of linear planting area shall be planted in the area at the base of the wall. In cases  
7 where there are multiple-stepped retaining walls, a minimum of five shrubs of a five-gallon size, and  
8 five shrubs of a one-gallon size, for each twenty feet of linear planting area shall be planted in the area  
9 between the walls and at the base of the lowest wall. A minimum planting area of four feet is required  
10 between the retaining walls.

11 (3) Wall Separation. Where a screen or perimeter walls abuts another screen or perimeter  
12 wall, the separation shall either be:

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

15 b. A maximum of eight inches, with the resulting gap between the walls to be  
16 filled and capped with a cementitious material that:

17 1. Will not increase the load on the walls; and

18 2. Has been approved by the Planning and Development Department and  
19 the Department of Building and Safety.

20 (H) Materials. Unless otherwise approved as part of an overall development plan, the following  
21 materials shall not be acceptable for use as [screening] screen or perimeter walls:

22 (1) Chainlink or open wire fencing (except as temporary construction fencing);

23 (2) Razor wire or barbed wire (except as may be approved under the procedures set forth  
24 in the City's Building Code);

25 (3) Corrugated metal;

26 (4) Bright colored plastic; and

27 (5) Untextured or unfinished concrete or block (CMU) walls.

28 (I) Variance. The standards set forth in this Section are minimum requirements for all

1 developments subject to this Section. Any request to deviate from these standards shall require the  
2 submittal of a Variance application, which shall be subject to the procedures and standards set forth  
3 in Section 19.18.070.

4 SECTION 16: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of  
5 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the following terms and their  
6 corresponding definitions:

7 “Dwelling, Single-Family Detached” means a dwelling unit:

- 8 (1) That is not attached to any other dwelling by any means;
- 9 (2) That is located on a separate and individually owned lot;
- 10 (3) That is surrounded by open space or yards;
- 11 (4) That is for the exclusive use of a single family maintaining a household;
- 12 (5) That has no more than one kitchen[;] with full kitchen facilities; and
- 13 (6) In which all rooms used for human habitation must have interior access to one another.

14 ➡ Nothing in this definition, however, prohibits the construction or use of a [habitable] Class I  
15 accessory structure in accordance with this Title or the construction or use of an auxiliary kitchen as  
16 defined in this Chapter.

17 “General Personal Service” means a facility for the sale of personal services. Typical personal  
18 services include barber/beauty shop, shoe repair, tailor, instructional arts studio, photography studio,  
19 hand-crafted art studio, safe deposit boxes, [travel bureau,] house cleaning service, weight reduction  
20 center and florist (excluding greenhouses) and permanent makeup establishment.

21 “Kitchen” means [any room in a dwelling which is used, designed, or intended to be used for the  
22 cooking and preparation of food, including “kitchenette.”] that portion of a dwelling unit devoted to  
23 the cooking or preparation of food for the purpose of consumption by residents of the dwelling unit.

24 The term includes a “kitchenette,” “wet bar” or any area equipped with items such as a counter-top  
25 hot plate, counter-top grill, or microwave oven, together with an under-counter refrigerator and sink.

26 “Full kitchen facilities” indicates the presence of complete cooking facilities (i.e., stove, oven or  
27 microwave oven, refrigerator, and sink). The presence within any food preparation area of a  
28 ventilation hood, gas stub, two hundred-twenty volt electrical outlet or wiring, or any combination

1 thereof, shall be considered “full kitchen facilities.”

2 “Wall, Perimeter” means an opaque structure constructed in accordance with Section 19.12.075 with  
3 the purpose of providing security or a visual buffer within, along or in proximity to the property line  
4 of a subdivision or parcel and separating the subdivision or parcel from, right-of-way, another land  
5 use or another property.

6 [“Wall, Screening”] “Wall, Screen” means an opaque structure constructed in accordance with Section  
7 19.12.075 with the purpose of providing a buffer for privacy or to mitigate a potentially negative noise  
8 or visual impact.

9 “Yard, Side” means the yard area extending [along the entire length of the side property line and the  
10 depth] from the front yard to the rear yard and between the side property line and the primary structure.

11 SECTION 17: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of  
12 Las Vegas, Nevada, 1983 Edition, is hereby amended by deleting therefrom the terms “Habitable  
13 Accessory Structure” and “Non-Habitable Accessory Structure,” together with their corresponding  
14 definitions.

15 SECTION 18: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of  
16 Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto at the appropriate locations,  
17 four new definitions, reading as follows:

18 “Accessory Structure (Class I)” means an accessory structure which is located on the same residential  
19 parcel as a principal dwelling and which, as an ancillary use, provides living quarters, including full  
20 kitchen facilities, for the occupants of the principal dwelling or their tenants, domestic employees or  
21 temporary guests.

22 “Accessory Structure (Class II)” means an accessory structure which is located on the same lot as a  
23 principal structure, is detached therefrom, is incidental or subordinate thereto, and does not qualify  
24 as an “Accessory Structure (Class I).”

25 “Yard” means the areas on a lot that are unoccupied by structures, except for projections and the  
26 specific accessory uses or structures allowed in those areas under the provisions of this Title.

27 “Yard, Corner Side” means the yard of a corner lot extending from the front yard to the rear yard and  
28 between the street and the primary structure.

1 SECTION 19: For purposes of Section 2.100(3) of the City Charter, LVMC 19.04.010,  
2 19.08.040, 19.08.050 and 19.20.020 are deemed to be subchapters rather than sections.

3 SECTION 20: The codifier is authorized and directed to change any reference in  
4 Chapter 9.04 to the terms "habitable accessory structure" and "non-habitable accessory structure" so  
5 that they read, respectively, "Class I accessory structure" and "Class II accessory structure."

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

14 SECTION 22: All ordinances or parts of ordinances or sections, subsections, phrases,  
15 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,  
16 1983 Edition, in conflict herewith are hereby repealed.

17 PASSED, ADOPTED and APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2007.

18 APPROVED:  
19  
20 By \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

21 ATTEST:  
22 \_\_\_\_\_  
BEVERLY BRIDGES, Acting City Clerk

23 APPROVED AS TO FORM:  
24 Val Steed 2-8-07  
25 \_\_\_\_\_  
Date

26  
27  
28

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the  
2 \_\_\_\_\_ day of \_\_\_\_\_, 2007, 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 \_\_\_\_\_, 2007, 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: \_\_\_\_\_

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APPROVED:

By \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

ATTEST:

BEVERLY BRIDGES, Acting City Clerk

**AGENDA SUMMARY PAGE**  
**RECOMMENDING COMMITTEE MEETING OF: MARCH 6, 2007**

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**DEPARTMENT: CITY CLERK**

**DIRECTOR: BEVERLY K. BRIDGES, ACTING**

**SUBJECT:**

**CITIZENS PARTICIPATION:** Public comment during this portion of the agenda must be limited to matters within the jurisdiction of the committee. No subject may be acted upon by the committee unless that subject is on the agenda and is scheduled for action. If you wish to be heard, come to the podium and give your name for the record. The amount of discussion on any single subject, as well as the amount of time any single speaker is allowed, may be limited



**AGENDA SUMMARY PAGE**  
**RECOMMENDING COMMITTEE MEETING OF: MARCH 6, 2007**

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**DEPARTMENT: CITY CLERK**

**DIRECTOR: BEVERLY K. BRIDGES, ACTING**

Consent  Discussion

**SUBJECT:**  
ADJOURNMENT

