Agenda Item No.: **4.**

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: OCTOBER 16, 2007

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC

☐**Consent** ☒ **Discussion**

SUBJECT:
NEW BILL

Bill No. 2007-58. Increases under certain circumstances the period of time during which certain nonconforming uses may be discontinued without losing their nonconforming status, and provides a similar increase concerning the discontinuance of certain types of special use permits. Sponsored by: Councilwoman Lois Tarkanian

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**

☐ **Budget Funds Available**

Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
This bill will increase the period of time during which certain nonconforming uses may be discontinued temporarily without losing their nonconforming status, and will provide a similar increase concerning the discontinuance of certain types of special use permits. The increase is from one to two years for discontinuances related to damaged or partially destroyed by fire, flood, wind, another calamity or an act of God, and from 180 days to one year for nonconforming uses that are temporarily discontinued on a voluntary basis.

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. 2007-58

Motion made by RICKI Y. BARLOW to Approve as a Do Pass with a First Amendment

Passed For: 2; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
LOIS TARKANIAN, RICKI Y. BARLOW; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:
COUNCILWOMAN TARKANIAN declared the Public Hearing open.

RECOMMENDING COMMITTEE MEETING OF: OCTOBER 16, 2007

COUNCILWOMAN TARKANIAN summarized the Purpose/Background section. COUNCILMAN BARLOW supported the bill, noting that a restaurant with a liquor license was destroyed by a fire and it took the applicant over three years to go through the insurance process.

CHIEF DEPUTY CITY ATTORNEY STEED recommended an amendment to the proposed bill regarding the language extending the period of time for a special use permit that is not being exercised. The Text Amendment was drafted to apply the increase only to non-alcoholic beverage uses, but the intent was to also include alcoholic beverage uses. Therefore, the provision on Page 3, (2)(a) and (b), would be amended so that it applies to both types of uses.

TED RUSSELL, Las Vegas resident, appeared in support of the proposed bill with the suggested amendment.

COUNCILWOMAN TARKANIAN declared the Public Hearing closed.