

# City of Las Vegas

**RECOMMENDING COMMITTEE MEETING  
CITY HALL, 400 STEWART AVENUE  
CITY MANAGER'S EIGHTH FLOOR CONFERENCE ROOM  
CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.lasvegasnevada.gov>  
JANUARY 15, 2008  
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. ABEYANCE ITEM - Bill No. 2007-64 – Provides that Planning Commission action on most special use permits is final, unless appealed or requested for review by a member of the City Council, and modifies certain provisions regarding related hearings and appeals so as to conform to State law. Sponsored by: Councilman Gary Reese
4. Bill No. 2007-75 – Ordinance Creating Special Improvement District No. 1510 - Cliff Shadows Parkway (I-215 to Lone Mountain Road) Sponsored by: Step Requirement
5. Bill No. 2007-76 – Annexation No. ANX-19110 – Property location: On the southwest corner of Grand Teton Drive and Tenaya Way; Petitioned by: Spinnaker Homes IX, LLC; Acreage: 40.19 acres; Zoned: R-A (ROI to R-E) (County zoning), U (DR) (ROI to R-E) (City equivalent). Sponsored by: Councilman Steven D. Ross
6. Bill No. 2007-77 – Implements Section 4.040 of the City Charter relative to the appointment of certain hearing commissioners. Sponsored by: Councilman Steve Wolfson
7. Bill No. 2007-78 – Clarifies the process for the nonrenewal of business licenses. Sponsored by: Councilman Steve Wolfson
8. Bill No. 2007-79 – Allows short-term vacation rentals in certain residential districts as a conditional use. Sponsored by: Councilman Steve Wolfson

# City of Las Vegas

9. **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

## 10. 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: JANUARY 15, 2008**

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**DEPARTMENT: CITY CLERK**  
**DIRECTOR: BEVERLY K. BRIDGES**

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



**AGENDA SUMMARY PAGE**  
**RECOMMENDING COMMITTEE MEETING OF: JANUARY 15, 2008**

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**DEPARTMENT: CITY CLERK**

**DIRECTOR: BEVERLY K. BRIDGES**

**SUBJECT:**

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



**AGENDA SUMMARY PAGE**

**RECOMMENDING COMMITTEE MEETING OF: JANUARY 15, 2008**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

Consent  Discussion

**SUBJECT:**

**NEW BILL:**

ABEYANCE ITEM - Bill No. 2007-64 – Provides that Planning Commission action on most special use permits is final, unless appealed or requested for review by a member of the City Council, and modifies certain provisions regarding related hearings and appeals so as to conform to State law. Sponsored by: Councilman Gary Reese

**Fiscal Impact**

No Impact

Augmentation Required

Budget Funds Available

**Amount:**

**Funding Source:**

**Dept./Division:**

**PURPOSE/BACKGROUND:**

Special use permit (SUP) applications currently require final action by the City Council. This bill, the essence of which was originally proposed in 2004, is intended to reduce the SUP “caseload” of the Council by providing that Planning Commission action on most SUP applications is final. Planning Commission decisions on SUP’s will continue to be appealable to the Council, and members of the Council may request review of Planning Commission decisions. The bill will also incorporate State law requirements concerning zoning-related hearings and appeals.

**RECOMMENDATION:**

This bill was held in abeyance to the 1/15/2008 Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. 2007-64

1 **BILL NO. 2007-64**

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

3 AN ORDINANCE TO PROVIDE THAT PLANNING COMMISSION ACTION ON MOST  
4 SPECIAL USE PERMITS IS FINAL, UNLESS APPEALED OR REQUESTED FOR REVIEW BY  
5 A MEMBER OF THE CITY COUNCIL; TO MODIFY CERTAIN PROVISIONS REGARDING  
6 RELATED HEARINGS AND APPEALS SO AS TO CONFORM TO STATE LAW; AND TO  
7 PROVIDE FOR OTHER RELATED MATTERS

8 Sponsored by: Councilman Gary Reese

Summary: Provides that Planning Commission  
action on most special use permits is final,  
unless appealed or requested for review by a  
member of the City Council, and modifies  
certain provisions regarding related hearings and  
appeals so as to conform to State law.

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

12 SECTION 1: Title 19, Chapter 18, Section 60, Subsection (B), of the Municipal Code  
13 of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14 (B) Authority. Except as otherwise provided in this Subsection (B), [The City Council, upon  
15 recommendation by] the Planning Commission[,] shall have the authority to approve, approve with  
16 conditions, or deny an application for a Special Use Permit[.], and the decision of the Planning  
17 Commission is final. If the decision of the Planning Commission is appealed or forwarded to the City  
18 Council in accordance with this Section 19.18.060, the City Council may affirm, modify or reverse  
19 the decision of the Planning Commission. The decision of the City Council is final for purposes of  
20 judicial review.

21 SECTION 2: Title 19, Chapter 18, Section 60, Subsection (G), of the Municipal Code  
22 of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

23 (G) Planning Commission Public Hearing and Action.

24 (1) Hearing. The Planning Commission shall hold a public hearing on each application  
25 for a Special Use Permit within sixty-five days after the application is properly filed.

26 (2) Notice.

27 (a) Notice Provided. Notice of the time, place and purpose of the hearing must be  
28 given at least ten days before the hearing by:

1 (i) Publishing the notice in a newspaper of general circulation within the  
2 City;

3 (ii) Mailing a copy of the notice to:

4 A. The applicant;

5 B. Each owner of real property located within a minimum of one  
6 thousand feet of the property described in the application, or in the case of an application to authorize  
7 the sale of alcoholic beverages, a minimum of one thousand five hundred feet;

8 C. Each tenant of any mobile home park that is located within one  
9 thousand feet of the property described in the application, or in the case of an application to authorize  
10 the sale of alcoholic beverages, a minimum of one thousand five hundred feet;

11 D. The owner of each of the thirty separately-owned parcels nearest  
12 to the property described in the application to the extent this notice does not duplicate the notice  
13 otherwise required by this Paragraph (2);

14 E. Any advisory board which has been established for the affected  
15 area by the City Council; and

16 F. The president or head of any registered local neighborhood  
17 organization whose organization boundaries are located within a minimum of one mile of the property  
18 described in the application.

19 (b) Names Provided. The Department of Planning and Development shall provide  
20 at the request of the applicant, the name, address and phone number of any person notified pursuant  
21 to Subparagraph (F) above.

22 (c) Additional Notice. The Department may give additional notice of the hearing  
23 by expanding the area of notification or using other means of notification or both. The Department  
24 shall endeavor to provide any additional notice at least ten days before the date of the hearing.

25 (d) Signs. Notification signs shall be posted in conformance with 19.18.010(D)  
26 and NRS Chapter 278.

27 (3) Hearing. The Planning Commission shall conduct a public hearing on the application.  
28 In its discretion and for good cause, the Planning Commission may hold the application in abeyance

1 for further study. However, subject to the provisions of State law, the Commission may not grant to  
2 an applicant more than two continuances on the same matter, unless the Commission determines, upon  
3 good cause shown, that the granting of additional continuances is warranted. Following the hearing  
4 or hearings, the Planning Commission shall [make its recommendation to] approve, approve with  
5 conditions, or deny the application for a Special Use Permit. The [recommendation] decision shall  
6 be based upon evidence that makes the grant or denial of the Special Use Permit appropriate.

7 (4) Conditions of Approval. [Recommendation.] In [recommending] connection with the  
8 approval of a Special Use Permit, the Planning Commission may impose any conditions, restrictions  
9 or limitations as the Commission may determine to be necessary to meet to the general purpose and  
10 intent of this Title and to ensure that the public health, safety and welfare are being maintained.

11 (5) Notice of Planning Commission Decision. [Written notice of the Planning  
12 Commission's decision shall be provided to the applicant, agent, or both.] The Planning Commission  
13 shall provide written notice of its decision, which shall include the reasons for the decision, and if the  
14 decision is to approve the Special Use Permit, any modifications, conditions or limitations that the  
15 Planning Commission may impose. The notice shall be provided to the owner, developer or agent.  
16 A copy of the notice shall also be filed with the City Clerk, and the date of the notice shall be deemed  
17 to be the date notice of the decision is filed with the City Clerk.

18 SECTION 3: Title 19, Chapter 18, Section 60, Subsection (J), of the Municipal Code  
19 of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

20 (J) Appeals and City Council Review.

21 [(1) Appeal of Denial. A decision by the Planning Commission to deny a Special Use  
22 Permit application becomes final and effective at the expiration of ten days after the date of the  
23 decision unless, within that period, the applicant appeals the decision by written request filed with the  
24 City Clerk. The City Council may establish a fee for the filing of an appeal, and the amount of any  
25 fee so established shall be as set forth in the fee schedule.

26 (2) Final Action by City Council Concerning Approval. A decision by the Planning  
27 Commission to approve a Special Use Permit application constitutes a recommendation to the City  
28 Council. The City Council shall make the final decision concerning the application.]

1           (1) Appeals and Requests for Review. Except as otherwise provided in Paragraph (2)  
2 below, a decision by the Planning Commission becomes final and effective at the expiration of ten  
3 days after the date of the decision unless, within that period, a written appeal or written request to  
4 review is filed with the City Clerk. An appeal may be filed by the applicant or other aggrieved person.  
5 The City Council may establish a fee for the filing of an appeal, and the amount of any fee so  
6 established shall be as set forth in the fee schedule. A request to review may be filed by a member of  
7 the City Council.

8           (2) Applications Automatically Forwarded to City Council. Any Special Use Permit  
9 application, whether approved or denied by the Planning Commission, that is related to and was filed  
10 in connection with an application for any of the following shall be forwarded automatically to the City  
11 Council for final decision:

12                   (a) A General Plan Amendment;

13                   (b) A Rezoning; or

14                   (c) A Site Development Plan Review that, pursuant to Section 19.18.050(G),  
15 requires final action by the City Council.

16                   SECTION 4: Title 19, Chapter 18, Section 60, Subsection (K), of the Municipal Code  
17 of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

18 (K) City Council Public Hearing.

19           (1) Notice and Hearing. The City Council shall conduct a public hearing on all Special Use  
20 Permit applications which are appealed or are forwarded to the Council [for final action.] pursuant  
21 to a request for review. The City Clerk is authorized to consolidate all appeals or requests for review  
22 that have been filed regarding a particular application, or to schedule them in sequence or otherwise,  
23 in which case the City Council may hear the items separately or consolidate them for purposes of  
24 hearing, as the Council deems appropriate. For any application that is appealed to the Council, written  
25 notice of the Council hearing shall be mailed at least ten days before the hearing to the property  
26 owners who were notified by mail of the Planning Commission hearing.

27           (2) City Council Decision. [The City Council may approve, approve with conditions, or  
28 deny a Special Use Permit application.] In [so doing,] considering whether to affirm, modify or reverse

1 the decision of the Planning Commission, the City Council shall consider the [recommendation]  
2 decision of the Planning Commission and the evidence presented at the public hearing, and shall be  
3 guided by the statement of purpose underlying the regulation of the improvement of land expressed  
4 in NRS 278.020. Action by the City Council is final for purposes of judicial review. In the case of an  
5 appeal, the City Council:

6 (a) May not grant to an aggrieved person more than two continuances on the same  
7 matter, unless the Council determines, upon good cause shown, that the granting of additional  
8 continuances is warranted; and

9 (b) Must render its decision within forty-five days, unless otherwise agreed to by  
10 the person filing the appeal.

11 (3) Notice of City Council Decision. The City Council shall provide written notice of its  
12 decision, which shall include the reasons for the decision, and if the decision is to approve the Special  
13 Use Permit, any modifications, conditions or limitations that the City Council may impose. The notice  
14 shall be provided to the owner, developer or agent. A copy of the notice shall also be filed with the  
15 City Clerk, and the date of the notice shall be deemed to be the date notice of the decision is filed with  
16 the City Clerk.

17 SECTION 5: Title 19, Chapter 18, Section 60, Subsection (M), of the Municipal Code  
18 of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19 (M) Amendments to an Approved Special Use Permit. A Special Use Permit is limited to the uses  
20 and structures which are shown on the approved site development plan and are consistent with any  
21 conditions of approval. Any request to amend or modify an approved Special Use Permit shall be  
22 submitted to the Department of Planning and Development. Upon receipt of such a request, the  
23 Director shall determine if the request constitutes a minor amendment or a major amendment. Minor  
24 amendments may be approved administratively. A major amendment requires approval by the  
25 Planning Commission or City Council, [after a recommendation by the Planning Commission.]  
26 whichever body took final action to approve the Special Use Permit. Minor and major amendments  
27 are categorized as follows:

28 (1) Minor [Amendments.] Amendment. A minor amendment includes a:

- 1 (a) Relocation or reorientation of buildings which does not alter the basic  
2 relationship to adjacent property;
- 3 (b) Minor adjustment in lot lines and/or easements;
- 4 (c) Minor rearrangement of internal access and circulation;
- 5 (d) Relocation or rearrangement of parking areas;
- 6 (e) Change in the approved square footage or density that does not represent an  
7 increase of more than ten percent; and
- 8 (f) Change in landscaping or building setbacks that does not represent a significant  
9 decrease.

10 (2) Major Amendment. A major amendment includes any change which does not qualify  
11 as a minor amendment.

12 SECTION 6: Title 19, Chapter 18, Section 60, Subsection (O), of the Municipal Code  
13 of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14 (O) Revocation.

15 (1) Notice. [The City Council may hold a hearing to revoke or modify a Special Use  
16 Permit. At least ten days prior to any hearing, written notice of the hearing shall be delivered to the  
17 owner, developer, or both.] A Special Use Permit may be revoked or modified by the Planning  
18 Commission or the City Council, whichever body took final action to approve the Special Use Permit.  
19 Such action must be preceded by a hearing, written notice of which must be delivered to the owner,  
20 developer, or both, at least ten days before the hearing. Notice may be delivered in person or by  
21 certified mail, return receipt requested, mailed to the address shown in the records of the Clark County  
22 Assessor.

23 (2) Findings. A Special Use Permit may be revoked or modified for cause, including a  
24 finding of one or more of the following:

- 25 (a) That the Special Use Permit was obtained by misrepresentation or fraud;
- 26 (b) That conditions have changed and the use or development is no longer  
27 compatible with surrounding land uses or the General Plan;
- 28 (c) That the use or development is not in compliance with one or more of the

1 conditions of approval; and

2 (d) That the use permitted by the Special Use Permit is in violation of any statute,  
3 ordinance, law or regulation.

4 (3) Notice of Decision. Written notice of [the] a decision regarding the revocation or  
5 modification of a Special Use Permit shall be provided to the owner, developer or agent.

6 (4) Appeal. In the case of a decision by the Planning Commission to revoke or modify a  
7 Special Use Permit that was approved as final action by the Commission, the appeal provisions of  
8 Subsections (J) and (K) of this Section shall apply.

9 SECTION 7: Ordinance No. 5945 and Title 19, Chapter 18, Section 60, Subsection  
10 (P), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended so  
11 that Subsection (P) reads as follows:

12 (P) Termination.

13 (1) Failure to Exercise.

14 (a) A Special Use Permit which cannot be exercised except upon construction of  
15 a new building, and which is not exercised within two years after approval, shall be void, unless the  
16 [City Council grants] applicant obtains an extension of time upon a showing of good cause.  
17 Application for an extension shall be made to the Planning Commission or City Council, whichever  
18 body took final action to approve the Special Use Permit. An extension of time may be granted only  
19 if application therefor is made prior to the expiration of the two-year period. For purposes of this  
20 Subparagraph (a), a Special Use Permit is exercised upon the issuance of a building permit for the new  
21 construction.

22 (b) A Special Use Permit which does not require the construction of a new building  
23 in order to be exercised, and which is not exercised within one year after approval shall be void, unless  
24 the [City Council grants] applicant obtains an extension of time upon a showing of good cause.  
25 Application for an extension shall be made to the Planning Commission or City Council, whichever  
26 body took final action to approve the Special Use Permit. An extension of time may be granted only  
27 if application therefor is made prior to the expiration of the one-year period. For purposes of this  
28 Subparagraph (b), a Special Use Permit is exercised upon the approval of a business license to conduct

1 the activity, if one is required, or otherwise, upon the issuance of a certificate of occupancy or  
2 approval of a final inspection.

3 (2) Cessation of Use. A Special Use Permit shall be void without further action if:

4 (a) The Special Use Permit was issued for alcoholic beverage use and such use  
5 ceases for one hundred and eighty days or more, or twenty-four months or more if the building in  
6 which the use was being conducted has been damaged or partially destroyed by fire, flood, wind,  
7 another calamity or an act of God; or

8 (b) The Special Use Permit was issued for a use other than alcoholic beverage use  
9 and such use ceases for twelve months or more, or twenty-four months or more if the building in  
10 which the use was being conducted has been damaged or partially destroyed by fire, flood, wind,  
11 another calamity or an act of God.

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

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SECTION 9: 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 \_\_\_\_\_, 2007.

APPROVED:

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

ATTEST:

\_\_\_\_\_  
BEVERLY K. BRIDGES, CMC  
City Clerk

APPROVED AS TO FORM:  
Val Steed      10-24-07  
Date

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

15 ATTEST:

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

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**AGENDA SUMMARY PAGE**  
**RECOMMENDING COMMITTEE MEETING OF: JANUARY 15, 2008**

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**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

Consent  Discussion

**SUBJECT:**

**NEW BILL:**

Bill No. 2007-75 – Ordinance Creating Special Improvement District No. 1510 - Cliff Shadows Parkway (I-215 to Lone Mountain Road) Sponsored by: Step Requirement

**Fiscal Impact**

**No Impact**

**Augmentation Required**

**Budget Funds Available**

**Amount:** \$340,211.49

**Funding Source:** Capital Projects Fund - Special Assessments

**Dept./Division:** Public Works/SID

**PURPOSE/BACKGROUND:**

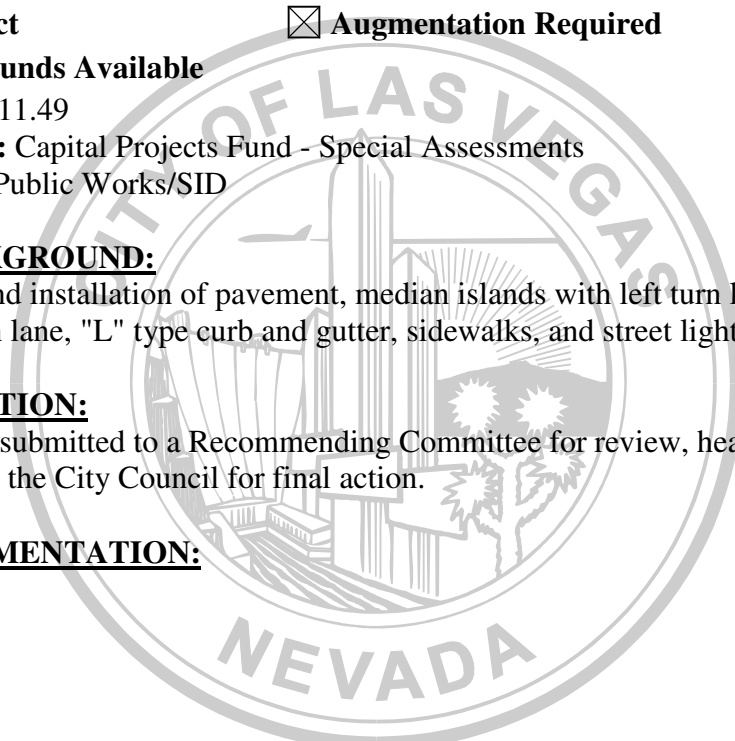
The construction and installation of pavement, median islands with left turn lanes and/or continuous left turn lane, "L" type curb and gutter, sidewalks, and street lights.

**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. 2007-75



BILL NO. 2007-75  
ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE CREATING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1510 – CLIFF SHADOWS PARKWAY (I-215 TO LONE MOUNTAIN ROAD) PRESCRIBING DETAILS IN CONNECTION THEREWITH AND OTHER MATTERS RELATING THERETO.

Summary: Creation Ordinance

WHEREAS, the City Council of the City of Las Vegas (hereinafter the "City Council" and "City", respectively) in the County of Clark, State of Nevada, has determined and does hereby declare that the public convenience and necessity require, and the City Council deems it necessary to create, the City of Las Vegas, Nevada, Special Improvement District No. 1510 – CLIFF SHADOWS PARKWAY (I-215 TO LONE MOUNTAIN ROAD) (hereinafter the "District"), for the purpose of constructing and improving or acquiring and improving a Street Project, a Sanitary Sewer Project, and a Water Project as defined in Chapter 271, Nevada Revised Statutes (hereinafter the "Project"), and to defray a portion of the entire cost and expense of such Project by special assessments, according to benefits, against the benefited lots, tracts and parcels of land within the District; and

WHEREAS, by a resolution heretofore passed and approved (the "Provisional Order Resolution"), the City Council declared its determination to create the District for the purpose of making the Project, stating therein the character and location of the Project, what portion of the entire expense thereof shall be paid by special assessments, and that the assessments are to be made according to benefits, by apt description designating the District, including the lands to be so assessed and definitely locating the improvements to be made; and

WHEREAS, the City Council has heretofore determined that a portion of the cost and expense of the Project is to be paid by special assessments levied against the benefited lots, tracts and parcels of land in the District which the City Council has determined will receive special benefits (and corresponding market value increases) from in the Project; and

WHEREAS, among other documents, the City Engineer together with the City Engineer Division (hereinafter the "Engineer", collectively) made out a preliminary assessment roll and an assessment plat for the District which contains, among other things, the names and addresses of the last known owners of the property to be assessed, or if not known, stating the name is "unknown"; a description of each lot,

tract, or parcel of land to be assessed; the amount of the estimated assessment to be levied thereon; and the amount of maximum special benefits (and corresponding market value increases); and the Engineer has reported the preliminary assessment roll and assessment plat to the City Council and has prepared and reported the "Engineer's Report to the City Council on Benefits," and has filed the assessment plat, preliminary assessment roll and the Engineer's Report with the City Clerk; and

WHEREAS, pursuant to the Provisional Order Resolution, the City Council gave notice (in the manner specified by NRS 271.305) of the filing of the preliminary plans, assessment plat, preliminary assessment roll, typical section of the contemplated improvements, preliminary estimate of cost, and estimate of maximum benefits (and corresponding market value increases), and of the time and place of a hearing thereon; and

WHEREAS, the manner of giving such notice by mail, publication and posting was reasonably calculated to inform the parties of the proceedings concerning the District which might directly and adversely affect their legally protected interests; and

WHEREAS, all owners of property to be assessed and interested persons so desiring were permitted to file a written complaint, protest or objection on or before Friday, November 30, 2007, and to appear before the City Council on Wednesday, December 5, 2007, to be heard as to the propriety and advisability of acquiring and improving the Project provisionally ordered, as to the estimated cost thereof, the manner of payment therefor, and as to the amount thereof to be assessed, the benefits estimated to be conferred against each tract, and the corresponding market value increases expected for each tract in the District; and

WHEREAS, the City Council has determined, and does hereby determine, that the City shall pay the costs of the Project in part with funds derived from the levy of assessments, and the City will pay one-half or more of the costs with monies derived from sources other than the levy of special assessments and that the exception provided by NRS 271.306(2) (a) does exist with respect to the Project; and

WHEREAS, the written and oral objections and protests received were duly considered, and the City Council has determined that it is in the best interests of the City, and the inhabitants thereof, to create the District as theretofore proposed; and

WHEREAS, every written protest and other objection was found to be without sufficient merit and was overruled by the City Council by the Special Improvement District No. 1510 Protest Disposal Resolution; and

WHEREAS, any person filing a written complaint, protest or objection shall have the right, within 30 days after the City Council has finally passed on such complaint, protest or objection to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination; and

WHEREAS, the City Council and the Engineer have done all things necessary and preliminary to the creation of the District, by filing with the City Clerk an accurate estimate of cost, full and detailed, final revised plans and specifications, revised assessment plat, revised final map, and a report on benefits by the Engineer. The City Council desires now to authorize such improvements and work and to create the District by this Ordinance.

NOW, THEREFORE, THE CITY COUNCIL, OF THE CITY OF LAS VEGAS, DOES ORDAIN AS FOLLOWS:

Section 1. That this Ordinance shall be known as, and may be cited by, the short title "Special Improvement District No. 1510 Creation Ordinance" (the "Ordinance").

Section 2. That the City Council has heretofore determined and does hereby determine that each and every protest and objection made in connection with the District is without sufficient merit and the same be, and the same heretofore have been, by the Special Improvement District No. 1510 Protest Disposal Resolution, overruled, and finally passed upon by the City Council.

Section 3. That the City Council has also determined and does hereby declare as follows:

- (a) The public convenience and necessity require the creation of the District.
- (b) The creation of the District is economically sound and feasible.
- (c) The market value of each of the benefited lots, tracts and parcels of land in the District will be increased by an amount directly attributable to the Project for which the assessment is made.

Section 4. That there hereby is created in the City an improvement district designated as the "City" of Las Vegas, Nevada, Special Improvement District No. 1510 – CLIFF SHADOWS PARKWAY (I-215 TO LONE MOUNTAIN ROAD) for the purpose of acquiring a Project as more particularly described

below. The boundaries of the District, which include the location of the Project and the lots, tracts and parcels of land to be assessed, shall be the exterior boundary of each parcel of property fronting a street to be improved by the improvements (as described below). The streets to be improved by the improvements are:

Cliff Shadows Parkway (West Side) - from the centerline of I-215 Beltway north along Cliff Shadows Parkway approximately 10,760-feet (80-foot right-of-way).

Section 5. That the Project, which is hereby ordered to be acquired, shall be located within the boundaries of the District, and shall be as shown in the final plans and specifications heretofore filed in the City Clerk’s office, without minor details being described. The character of the improvements shall be described more particularly as follows:

The project will consist of the grading, regrading, graveling, and asphalt paving, as necessary, for at least four (4) travel lanes, a two way center left turns lane with raised medians with turn pockets at the signalized or future signalized intersections, “L” type curb and gutter, sidewalks, commercial and residential driveways, and streetlights. The streetlights will be installed at the back of the sidewalk at appropriate intervals. At the request of the owners of property in the District (filed with the office of the Special Improvement District prior to July 13, 2007), water and sewer laterals will be installed from existing or proposed main lines in Cliff Shadows Parkway to such property (hereinafter collectively referred to as the “Improvements”). Sewer lines within the District are owned and maintained by the City. THE CITY HAS NO OBLIGATION TO PROVIDE WATER OR SEWER SERVICE TO ANY PROPERTY WITHIN THE DISTRICT REGARDLESS OF WHETHER THE CITY COUNCIL PROCEEDS WITH ALL OR ANY PART OF THE PROJECT.

The City Council has determined that a portion of the cost of the Project is of special benefit and shall be paid by special assessments against the lots, tracts and parcels of land so benefited.

Section 6. That the estimated total cost of the Project shall be apportioned and assessed as follows:

Estimated Amount of Special Assessments	Amount Available from Other Sources	Total Cost
\$ 340,211.49	\$ 3,984,411.12	\$ 4,324,622.61

The amounts to be assessed for the Project in the District will be levied upon all tracts in the District, i.e., upon all abutting tracts in proportion to the special benefits derived (as shown by the estimated benefits and corresponding market value increases); provided, however, that an equitable adjustment will be made for assessments to be levied against wedge or "V" or other irregularly shaped lots or lands, if any, and for any lot, tract or parcel not specially benefited by the improvements so that assessments according to benefits are equal and uniform.

The assessments will be levied on a front foot method for the installation of pavement, curb, gutter, sidewalk, residential driveways and streetlights. Each property owner will be assessed for the cost of a pavement section, curb, gutter, sidewalks, residential driveways and streetlights, where not already existing. The owners of property who elect to have commercial driveways installed will be assessed for the cost of the driveway constructed. The owners of property who elect to have water or sewer installed will be assessed on a per service or unit lot method for the installation of sewer laterals or water laterals.

Such basis of assessments has been designated by the City Council in the Special Improvement District No. 1510 Provisional Order Resolution.

Section 7. That the portion of the costs to be assessed against, and the maximum amount of benefits estimated (and corresponding market value increases) to be conferred upon, each piece or parcel of property in the District is stated in the assessment plat and addendum thereto, as designated preliminary assessment roll. In cases of wedge or "V" or any other irregularly-shaped tracts, the amount apportioned thereto shall be in proportion to the special benefits thereby derived.

Section 8. That the City Engineer, in cooperation with the City, is hereby authorized to advertise for performing the work and making the Improvements in the Las Vegas Review-Journal, a daily newspaper published in Las Vegas, Nevada, and of general circulation in the City. Such notice shall be published at least once, not less than seven days before the opening of bids. The notice shall be in substantially the form provided by the plans, specifications and contract documents.

Section 9. That after the award of the contract, the City Council shall determine the total cost of the work performed, including incidentals, and assessments shall be levied in accordance with the laws of the State, and the City Council shall provide that the assessments may be payable without interest or demand at the election of the owner during a specified cash payment period, or in twenty (20)

substantially equal semi-annual installments of principal and interest. The City Director of Finance and Business Services shall provide the rate of interest on unpaid installments of assessments which will not exceed the current maximum rate of interest permitted under the Nevada Revised Statutes. If assessment bonds are issued, such rate will not exceed more than one percent (1%) of the highest rate of interest on any of the assessment bonds for the District. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed more than three percent (3%) the "Index of Twenty Bonds", which shall have been most recently published at the time bids for the bonds are received, or at a time a negotiated offer for the sale of such bonds is accepted. If assessment bonds are not issued, such rate will not exceed 9%.

Section 10. That all action, proceedings, matters and things heretofore taken, had and done by the City, and the officers thereof, (not inconsistent with the provisions of this Ordinance) concerning the District, including, but not limited to, the performing of all prerequisites to the creation of the District, the acquisition of the Improvements, the specially benefited property therein, the determination that the lots, tracts and parcels of land in the District will receive special benefits and market value increases, and the levy of assessments for that purpose be, and the same hereby are, ratified, approved and confirmed.

Section 11. That the officers of the City be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance, including without limiting the generality of the foregoing, the preparation of all necessary documents, legal proceedings, construction contracts, engineering specifications, contract addenda, and other items necessary or desirable for the completion of the levying of the assessments for the District and the issuance of the bonds.

Section 12. That in accordance with NRS 271.325 (6), upon the final adoption of this Ordinance, the City Clerk is hereby authorized and directed to immediately file in the office of the Clark County Recorder a certified copy of the preliminary assessment roll (the list of the tracts to be assessed). The County Recorder is to record such assessment roll for the purpose of establishing the record of lien or liens against the lots, tracts, and parcels of land and the amounts of maximum benefits estimated to be assessed against each tract in the assessment area as set forth in this Ordinance.

Section 13. That all ordinances or resolutions, or parts thereof, in conflict with the provisions of this Ordinance, are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance or resolution, or part thereof, heretofore repealed.

Section 14. That in accordance with Section 2.110 of the Charter, this Ordinance when first proposed is to be read by title to the City Council, immediately after which an adequate number of copies of the proposed Ordinance are to be deposited with the office of the City Clerk for public examination and distribution upon request. Thereafter, the City Clerk is authorized and directed to give notice of the deposit together with the title of the Ordinance by publication at least once in the Las Vegas Review-Journal, i.e., a newspaper published and having general circulation in the City, at least ten (10) days before the adoption of the Ordinance, i.e., at least ten (10) days before the adoption of this Ordinance, such publication to be in substantially the following form:

(Form of Publication of Notice of Filing)

Notice of Filing Of:

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

AN ORDINANCE CREATING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1510 – CLIFF SHADOWS PARKWAY (I-215 TO LONE MOUNTAIN ROAD) PRESCRIBING DETAILS IN CONNECTION THEREWITH AND OTHER MATTERS RELATING THERETO.

PUBLIC NOTICE IS HEREBY GIVEN that an adequate number of typewritten copies of the above-entitled proposed Ordinance were filed with and are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, 400 Stewart Avenue, Las Vegas, Nevada, and that such ordinance was proposed on the 19th day of December, 2007, and will be considered for adoption at the regular meeting of the City Council of the City of Las Vegas on the 16th day of January, 2008.

/s/ Beverly K. Bridges  
City Clerk

(End of Form of Publication of Notice of Filing)

Section 15. That this Ordinance shall be in effect on the day after its publication, as hereinafter provided. After this Ordinance is signed by the Mayor and attested and sealed by the City Clerk, this Ordinance shall be published by title only, together with the names of the City Council voting for and against its passage, and with a statement that typewritten copies of the Ordinance are available for inspection by all interested parties at the office of the City Clerk, such publication to be made in the Las Vegas Review-Journal, a newspaper published and having general circulation in the City, at least once, pursuant to Section 2.110 of the City of Las Vegas Charter and all laws thereunto enabling. Such publication shall be in substantially the following form:

(Form for Publication After Final Adoption of Ordinance)

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

AN ORDINANCE CREATING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1510 – CLIFF SHADOWS PARKWAY (I-215 TO LONE MOUNTAIN ROAD) PRESCRIBING DETAILS IN CONNECTION THEREWITH AND OTHER MATTERS RELATING THERETO.

PUBLIC NOTICE IS HEREBY GIVEN that the above Ordinance was proposed on December 19, 2007, and was passed at a regular meeting held on January 16, 2008, by the following vote of the City Council of the City of Las Vegas, Nevada:

Those Voting Aye:

Oscar B. Goodman  
Gary Reese  
Larry Brown  
Steve Wolfson  
Lois Tarkanian  
Steven D. Ross  
Ricki Y. Barlow

Those Voting Nay:

\_\_\_\_\_  
\_\_\_\_\_

Those Absent:

\_\_\_\_\_  
\_\_\_\_\_

This Ordinance shall be in full force and effect from and after January 20, 2008, i.e., the day after its publication by title only.

**IN WITNESS WHEREOF**, the City Council of the City of Las Vegas, Nevada, has caused this Ordinance to be published by title only.

This 16<sup>th</sup> day of January, 2008.

/s/ OSCAR B. GOODMAN  
Mayor  
City of Las Vegas, Nevada

(SEAL)

Attest:  
/s/ BEVERLY K. BRIDGES  
City Clerk

Section 16. That if any section, paragraph, clause or other provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this Ordinance.

Introduced December 19, 2007, PASSED, ADOPTED AND APPROVED January 16, 2008.

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

Attest:

\_\_\_\_\_  
Beverly K. Bridges, CMC  
City Clerk

Approved as to form:

6 DEC 07 12 21 pm  
Date Deputy City Attorney

This Ordinance shall be in full force and effect from and after January 20, 2008, i.e., the day after the publication of such Ordinance by its title only.

STATE OF NEVADA            )  
   )  
 COUNTY OF CLARK            ) SS  
   )  
 CITY OF LAS VEGAS         )

I, Beverly K. Bridges, the duly chosen, qualified City Clerk of the City of Las Vegas (hereinafter the "City Clerk" and "City", respectively), in the State of Nevada, do hereby certify:

1. The foregoing pages constitute a true, correct, complete and compared copy of an ordinance which was introduced at the meeting of the City Council on December 19, 2007, and finally adopted and approved on January 16, 2008.

2. The following members of the City Council were present at the December 19, 2007, Council meeting:

Mayor:	Oscar B. Goodman
Councilmembers:	Gary Reese
	Larry Brown
	Steve Wolfson
	Lois Tarkanian
	Steven D. Ross
	Ricki Y. Barlow

3. The foregoing Ordinance was first proposed and read by title to the City Council on December 19, 2007, and referred to a committee composed of \_\_\_\_\_ and \_\_\_\_\_ for recommendation; thereafter the said committee reported favorably on said Ordinance on January 16, 2008, which was a regular meeting of said City Council; that at said regular meeting, the proposed Ordinance was again read by title to the City Council and adopted. The members of the City Council were present at the January 16, 2008, meeting and voted upon the adoption of the Ordinance as follows:

Those Voting Aye:	Oscar B. Goodman
	Gary Reese
	Larry Brown
	Steve Wolfson
	Lois Tarkanian
	Steven D. Ross
	Ricki Y. Barlow

Those Voting Nay: \_\_\_\_\_  
 \_\_\_\_\_

Those Absent: \_\_\_\_\_  
 \_\_\_\_\_

4. The original of the Ordinance has been approved and authenticated by the signatures of the Mayor of the City and myself, as Clerk of the City, and sealed with the seal of the City, and has been recorded in the journal of the City Council kept for that purpose in my office, which record has been duly signed by such officers and properly sealed.

5. All members of the City Council were given due and proper notice of the meetings held on December 19, 2007, and January 16, 2008. Pursuant to § 241.020, Nevada Revised Statutes, written notice of the meetings was given no later than 9:00 a.m. on the third working day before the meetings, including in the notice the time, place, location, and agenda of the meeting:

(a) By posting a copy of the notice by 9:00 a.m. at least three (3) working days before the meetings at the principal office of the City Council, or if there is no principal office, at the building in which the meeting is to be held, and at least three (3) other separate, prominent places within the jurisdiction of the City Council, to wit:

- (i) City Clerk's Bulletin Board  
City Hall Plaza  
2<sup>nd</sup> Floor Skybridge  
Las Vegas, Nevada
- (ii) Bulletin Board  
City Hall Plaza (next door to Metro Records)  
Las Vegas, Nevada
- (iii) Las Vegas Library  
833 Las Vegas Boulevard North  
Las Vegas, Nevada
- (iv) Clark County Government Center  
500 South Grand Central Parkway  
Las Vegas, Nevada
- (v) Grant Sawyer Building  
555 E. Washington Avenue  
Las Vegas, Nevada
- (vi) The City of Las Vegas website

; and

(b) By mailing a copy of the notice by 9:00 a.m. no later than three (3) working days before the meetings to each person, if any, who has requested notice of the meetings of the City Council in the same manner in which notice is required to be mailed to a member of the City Council.

6. A copy of such notice so given of the meeting of the City Council on December 19, 2007, is attached to this certificate as Exhibit A and a copy of the notice so given of the meeting of the City Council on January 16, 2008, is attached to this certificate as Exhibit B.

7. Upon request, the governing body provides, at no charge, at least one copy of the agenda for its public meetings, any proposed ordinance or regulation which will be discussed at the public meeting, and any other supporting materials provided to the members of the governing body for an item on the agenda, except for certain confidential materials and materials pertaining to the closed meetings, as provided by law.

**IN WITNESS WHEREOF**, I have hereunto set my hand on this January 16, 2008.

---

BEVERLY K. BRIDGES, CMC  
City Clerk

(SEAL)

**EXHIBIT A**

**(Attach Copy of Notice of December 19, 2007 Meeting)**

**EXHIBIT B**

**(Attach Copy of Notice of January 16, 2008 Meeting)**

**EXHIBIT C**

**(Attach Affidavit of Publication of Notice of Filing of Creation Ordinance)**

**EXHIBIT D**

**(Attach Affidavit of Publication of Title of Creation Ordinance)**

**AGENDA SUMMARY PAGE**

**RECOMMENDING COMMITTEE MEETING OF: JANUARY 15, 2008**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

Consent  Discussion

**SUBJECT:**

**NEW BILL:**

Bill No. 2007-76 – Annexation No. ANX-19110 – Property location: On the southwest corner of Grand Teton Drive and Tenaya Way; Petitioned by: Spinnaker Homes IX, LLC; Acreage: 40.19 acres; Zoned: R-A (ROI to R-E) (County zoning), U (DR) (ROI to R-E) (City equivalent).  
Sponsored by: Councilman Steven D. Ross

**Fiscal Impact**

**No Impact**

**Augmentation Required**

**Budget Funds Available**

**Amount:**

**Funding Source:**

**Dept./Division:**

**PURPOSE/BACKGROUND:**

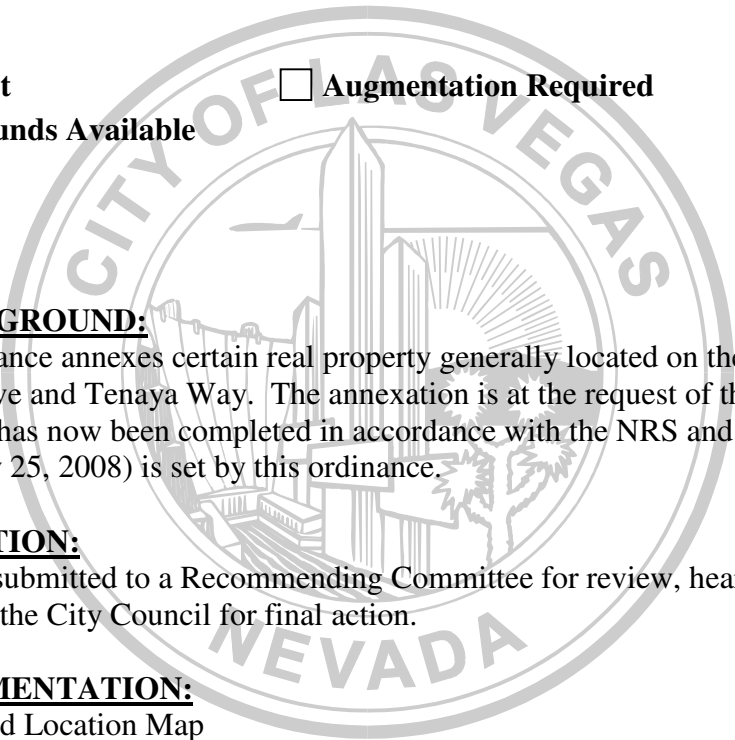
The proposed ordinance annexes certain real property generally located on the southwest corner of Grand Teton Drive and Tenaya Way. The annexation is at the request of the prior owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (January 25, 2008) is set by this ordinance.

**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. 2007-76 and Location Map



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**BILL NO. 2007-76**

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

AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO PARTICULARLY DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS INHABITANTS SUBJECT TO THE LAWS, OBLIGATIONS AND BENEFITS OF THE CITY, AND TO PROVIDE FOR OTHER RELATED MATTERS. (ANX-19110)

Sponsored by: Councilman Steven D. Ross    Summary: Annexes property described generally as located on the southwest corner of Grand Teton Drive and Tenaya Way.

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

SECTION 1: The corporate limits of the City of Las Vegas, Nevada, are hereby extended to annex, include, and make a part of the City of Las Vegas, Nevada, the following described real property:

The Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 15, Township 19 South, Range 60 East, M.D.M., in the County of Clark, State of Nevada, including half street right-of-way of GRAND TETON DRIVE (50.00 feet wide as measured from centerline thereof), half street right-of-way of TENAYA WAY (40.00 feet wide as measured from centerline thereof), and half street right-of-way of WHISPERING SANDS DRIVE (30.00 feet wide as measured from centerline thereof), as dedicated by GRANT, BARGAIN, SALE DEED, recorded April 23, 1974 in Book 419 as Document Number 378521 of Clark County, Nevada Records.

SECTION 2: The City Council hereby determines that the described territory meets the requirements provided by law for annexation to the City for the following reasons:

- A. The area to be annexed was contiguous to the City's boundaries at the time the annexation proceedings were instituted;

1 B. More than one-eighth (1/8) of the aggregate external boundaries of  
2 the area are contiguous to the City;

3 C. The territory proposed to be annexed is not included within the  
4 boundaries of another incorporated city or within the boundaries of  
5 any unincorporated town as those boundaries existed as of July 1,  
6 1983;

7 D. The City is eligible to annex the described territory since the  
8 landowners have signed a petition constituting one hundred percent  
9 (100%) of the owners of record of individual lots or parcels of land  
10 within the annexation area.

11 SECTION 3: The City will provide police protection through the Las Vegas  
12 Metropolitan Police Department, fire protection, street maintenance, and library services  
13 immediately upon annexation. Garbage collection by the company franchised by the City  
14 will also be provided immediately. The City sanitary sewer system will serve the proposed  
15 annexation area. Any connection to or extension of this sewer line to serve the annexation  
16 area shall be at the expense of the landowners. Other services, such as participation in the  
17 City's recreational programs, special education classes and programs, public works planning,  
18 building inspections, and other City services will also be available immediately. Utilities  
19 such as gas, electricity, telephone, and water are provided by private utility companies and  
20 other services to the area will not be affected by annexation. Street paving, curbs and gutters,  
21 sidewalks and street lights which are not in place at the time of annexation will be installed  
22 in the presently developed areas upon the request of the property owners and at their expense  
23 by means of special assessment districts. Such improvements will be extended into the  
24 undeveloped areas as development takes place and the need therefor arises, and will be  
25 located according to the needs of the area at that time. Such installations will also be made  
26 at the expense of the property owners, either by means of special assessment districts or as  
27 prerequisites to the approval of subdivision plats, building permits or other land use or  
28 development applications.

1           SECTION 4: The annexation of the described territory shall become  
2 effective on the 25th day of January, 2008, and on that date the City will have the funds  
3 appropriated in sufficient amount to finance the extension into the described territory of  
4 police protection, fire protection, street maintenance, street sweeping, and street lighting  
5 maintenance.

6           SECTION 5: The described territory, together with the inhabitants and  
7 property thereof, shall, from and after the 25th day of January, 2008, be subject to all debts,  
8 laws, ordinances and regulations in force in the City and shall be entitled to the same  
9 privileges and benefits as other parts of the City, and shall be subject to municipal taxes  
10 levied by the City.

11           SECTION 6: The City Engineer is hereby instructed to cause to be prepared  
12 an accurate map or plat of the described territory and to record the map or plat, together with  
13 a certified copy of this ordinance, in the office of the County Recorder of Clark County,  
14 Nevada, which recording shall be done prior to the 25th day of January, 2008.

15           SECTION 7: The described territory, which previously has been zoned R-A  
16 (ROI to R-E) (County of Clark classification), is hereby classified as U (DR) (ROI to R-E)  
17 (City of Las Vegas classification), which is deemed to be the City equivalent of the County  
18 classification.

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

28           SECTION 9: All ordinances or parts of ordinances, sections, subsections,

1 phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las  
2 Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

3 PASSED, ADOPTED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_,  
4 2008.

5 APPROVED:

6  
7 By OSCAR B. GOODMAN, Mayor

8 ATTEST:

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10 BEVERLY K. BRIDGES, CMC  
11 City Clerk

12 APPROVED AS TO FORM:

13 *V. H. Steed* 12-5-07  
14 Date

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1 The above and foregoing ordinance was first proposed and read by title to the Council on the  
2 \_\_\_\_\_ day of \_\_\_\_\_, 2007, and referred to the following committee  
3 composed of \_\_\_\_\_ and \_\_\_\_\_ for recommendation;  
4 thereafter the said committee reported favorably on said ordinance on the \_\_\_\_\_ day of  
5 \_\_\_\_\_, 2008, which was a \_\_\_\_\_ meeting of said Council; that  
6 at said \_\_\_\_\_ meeting, the proposed ordinance was read by title to the City  
7 Council as first introduced and adopted by the following vote:

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

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

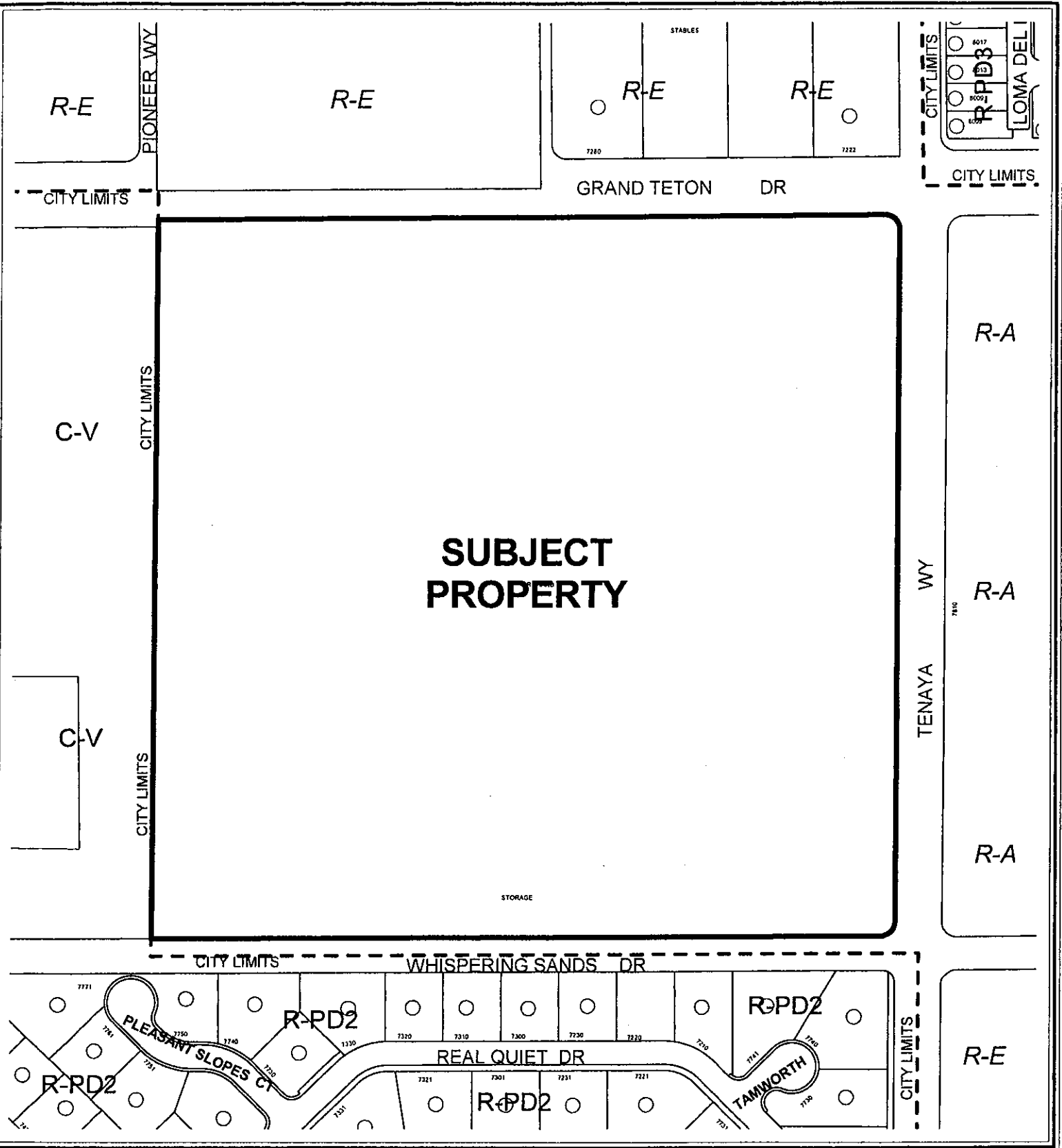
10 ABSENT: \_\_\_\_\_

11 APPROVED:

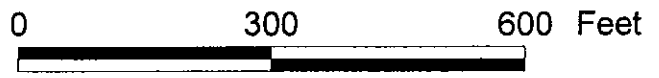
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13 By \_\_\_\_\_  
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

16 \_\_\_\_\_  
17 BEVERLY K. BRIDGES, CMC  
18 City Clerk  
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CASE: ANX-19110



**AGENDA SUMMARY PAGE**  
**RECOMMENDING COMMITTEE MEETING OF: JANUARY 15, 2008**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

Consent  Discussion

**SUBJECT:**

**NEW BILL:**

Bill No. 2007-77 – Implements Section 4.040 of the City Charter relative to the appointment of certain hearing commissioners. Sponsored by: Councilman Steve Wolfson

**Fiscal Impact**

**No Impact**

**Augmentation Required**

**Budget Funds Available**

**Amount:**

**Funding Source:**

**Dept./Division:**

**PURPOSE/BACKGROUND:**

During the 2007 Session, the Nevada Legislature amended the City Charter to allow the City to appoint hearing commissioners to hear certain kinds of matters. This bill will implement the new provision by establishing the framework for the recruitment and appointment of one or more commissioners, who will be assigned to hear traffic matters. Items regarding the appointment of any commissioner and the approval of the related funding will come back to the Council for separate approval.

**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. 2007-77
2. Business Impact Statement

1 **BILL NO. 2007-77**

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

3 AN ORDINANCE TO IMPLEMENT SECTION 4.040 OF THE CITY CHARTER RELATIVE TO  
4 THE APPOINTMENT OF CERTAIN HEARING COMMISSIONERS, AND TO PROVIDE FOR  
OTHER RELATED MATTERS.

5 Sponsored by: Councilman Steve Wolfson                      Summary: Implements Section 4.040 of the City  
6 Charter relative to the appointment of certain  
hearing commissioners.

7                      WHEREAS, during its 74th Session held in 2007, the Nevada Legislature amended the  
8 City Charter of the City of Las Vegas in various respects, including the adoption of a new Section 4.04  
9 of the Charter, reading as follows:

10                      **Sec 4.040. 1. The City Council may appoint one or more Hearing  
Commissioners to hear and decide:**

11                                      (a) Any action for a misdemeanor constituting a violation  
of chapter 484 of NRS, except NRS 484.379; and

12                                      (b) Any action for a misdemeanor constituting a violation  
of the Las Vegas Municipal Code, except chapter 11.14 of that Code.

13                                      **2. Each Hearing Commissioner must:**

14    (a) Be a duly licensed member, in good standing, of the  
State Bar of Nevada;

15    (b) Be a resident of the State;

16    (c) Be a qualified elector in the City;

17    (d) Have been a bona fide resident of the City for not less  
than 1 year next preceding his appointment; and

18    (e) Not have ever been removed or retired from any judicial  
office by the Commission on Judicial Discipline.

19                                      **3. In connection with any action of a type described in subsection  
20 1, a Hearing Commissioner has all the powers and duties of a Municipal Judge  
and a magistrate pursuant to the laws of this State. To the extent possible and  
practicable, the proceedings in such actions must be subject to and governed by  
the provisions of the laws of this State, this Charter and city ordinances  
pertaining to Municipal Judges.**

21                                      **4. Hearing Commissioners shall receive such compensation as may  
be allowed by the City Council.**

22 and

23                      WHEREAS, the City Council now desires to implement Section 4.040 of the City  
24 Charter.

25                      NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES  
26 HEREBY ORDAIN AS FOLLOWS:

27                      SECTION 1: By means of this Ordinance, the City Council hereby indicates its intent  
28 to implement the provisions of Section 4.040 of the City Charter relative to the appointment of hearing

1 commissioners.

2 SECTION 2: Hearing Commissioners to be appointed by the City Council pursuant  
3 to this Ordinance may be referred to as Traffic Commissioners and, in addition to the applicable  
4 qualifications and limitations set forth in the City Charter, shall:

5 (A) Be recruited by standard procedures used by the Department of Human  
6 Resources;

7 (B) Meet such additional qualifications and requirements as may be established by  
8 the City;

9 (C) Be considered appointive employees of the City who serve at the pleasure of  
10 the City Manager, but are not appointive officers under the Charter and have no appeal rights  
11 thereunder;

12 (D) Receive judicial supervision from the Chief Judge of the Municipal Court, as  
13 well as general direction from the Court Administrator;

14 (E) Have jurisdiction over, and be assigned to hear and decide, misdemeanor  
15 actions arising under NRS Chapter 484 and corresponding violations of the Municipal Code, except  
16 actions concerning violations of NRS 484.379 or LVMC Chapter 11.14; and

17 (F) Perform such functions, consistent with Subsection (E), as may be established  
18 for the position during the recruitment process and thereafter by the Chief Judge and the Court  
19 Administrator.

20 SECTION 3: If any section, subsection, subdivision, paragraph, sentence, clause or  
21 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or  
22 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or  
23 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the  
24 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,  
25 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,  
26 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,  
27 invalid or ineffective.

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SECTION 4: 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 \_\_\_\_\_, 2008.

APPROVED:

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

ATTEST:

\_\_\_\_\_  
BEVERLY K. BRIDGES, CMC  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
*Val Steed*      12-5-07  
Date

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 \_\_\_\_\_, 2008, 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 \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

15 ATTEST:  
16 \_\_\_\_\_  
17 BEVERLY K. BRIDGES, CMC  
City Clerk

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**BUSINESS IMPACT STATEMENT**  
**BILL NO. 2007-77**  
**(Implements Section 4.040 of the City Charter relative to the**  
**appointment of certain hearing commissioners)**

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2007-77, that would implement Section 4.040 of the City Charter relative to the appointment of certain hearing commissioners.

**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: December 5, 2007

**AGENDA SUMMARY PAGE**  
**RECOMMENDING COMMITTEE MEETING OF: JANUARY 15, 2008**

---

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

Consent  Discussion

**SUBJECT:**

**NEW BILL:**

Bill No. 2007-78 – Clarifies the process for the nonrenewal of business licenses. Sponsored by:  
Councilman Steve Wolfson

**Fiscal Impact**

**No Impact**

**Augmentation Required**

**Budget Funds Available**

**Amount:**

**Funding Source:**

**Dept./Division:**

**PURPOSE/BACKGROUND:**

This bill will clarify the process for the nonrenewal of business licenses by requiring City Attorney approval to proceed, and requiring a notice of intent not to renew a license to be provided to the licensee at least 30 days before the licensing period expires.

**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. 2007-78
2. Business Impact Statement

1 **BILL NO. 2007-78**

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

3 AN ORDINANCE TO CLARIFY THE PROCESS FOR THE NONRENEWAL OF BUSINESS  
4 LICENSES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

5 Sponsored by: Councilman Steve Wolfson                      Summary: Clarifies the process for the  
6 nonrenewal of business licenses.

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

8 AS FOLLOWS:

9 SECTION 1: Title 6, Chapter 2, Section 90, of the Municipal Code of the City of Las  
10 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11 **6.02.090:** (A) Other than an application for a license which requires prior approval by an  
12 agency of the State, an application for a license which requires formal approval of the Council to  
13 which the exemptions in LVMC 6.02.070(E)(1)- (4) do not apply, or a license that is subject to the  
14 provisions of LVMC Chapter 6.06, the Director, not more than thirty calendar days after receipt of an  
15 application for a license, shall approve, deny or take such other action with respect to such application  
16 as the Director considers appropriate. In the event that any department that the Director consults  
17 regarding an application is unable to complete its review thereof in time for the Director to comply  
18 with such thirty- calendar- day requirement, the Director shall issue a temporary license as provided  
19 in LVMC 6.02.070. The Director may:

20 (1) Deny an applicant a license if:

21 (a) The application is incomplete or contains false, misleading or  
22 fraudulent statements with respect to any information that is required in the application;

23 (b) The applicant, prospective licensee or any of its principals fails  
24 to satisfy any qualification or requirement that is imposed by this Code, or other local, State or Federal  
25 law or regulation that pertains to the particular license or approval for suitability which is sought;

26 (c) The applicant, prospective licensee or any of its principals  
27 resides in the United States illegally;

28 (d) The applicant, prospective licensee or any of its principals is  
engaged, or has commenced, instituted, advertised, aided, carried on, continued or engaged, in a

1 business, trade or profession without having obtained a valid license, an approval for suitability, a  
2 permit or a work card when such a person knew that one was required or under such circumstances  
3 that they reasonably should have known one was required, or has solicited, encouraged, caused or  
4 procured another to do so;

5 (e) The applicant, prospective licensee or any of its principals has  
6 been subject, in any jurisdiction, to disciplinary action of any kind with respect to a license, an  
7 approval for suitability, a permit or a work card to the extent that such disciplinary action reflects upon  
8 the qualification, acceptability or fitness of the applicant, prospective licensee or any of its principals;

9 (f) The applicant, prospective licensee or any of its principals has  
10 been convicted of an act that constitutes a crime which involves moral turpitude or involves any local,  
11 State or Federal law or regulation which relates to the same or a similar business, or has been  
12 convicted of having solicited, encouraged, caused or procured another to commit such a violation;

13 (g) The applicant, prospective licensee or any of its principals has  
14 been convicted of having perpetrated, or solicited, encouraged, caused or procured another to  
15 perpetrate, deceptive practices upon the public;

16 (h) The applicant, prospective licensee or any of its principals  
17 suffers from a legal disability under the laws of the State;

18 (i) The premises on which the business is proposed to be conducted  
19 do not satisfy local, state or federal laws or regulations which pertain to the activity that is proposed  
20 to be engaged in; or

21 (j) The proposed business activity constitutes, promotes, fosters,  
22 aids or otherwise enables a private nuisance, public nuisance or chronic nuisance.

23 (2) [Refuse] Decline to renew a license if:

24 (a) The licensee or any of its principals is engaged, or has  
25 commenced, instituted, advertised, aided, carried on, continued or engaged, in a business, trade or  
26 profession without having obtained a valid license, an approval for suitability, a permit or a work card  
27 when such a person knew that one was required or under such circumstances that they reasonably  
28 should have known one was required, or has solicited, encouraged, caused or procured another to do

1 so;

2 (b) The licensee, any of its principals, or their employees or those  
3 acting on their behalf, have been subject, in any jurisdiction, to disciplinary action of any kind with  
4 respect to a license, an approval for suitability, a permit or a work card to the extent that such  
5 disciplinary action reflects upon the qualification, acceptability or fitness of such licensee or any  
6 principal;

7 (c) The licensee, any of its principals, or their employees or those  
8 acting on their behalf, have been convicted of an act that constitutes a crime which involves moral  
9 turpitude or involves any local, State or Federal law or regulation which relates to the same or a  
10 similar business, or have been convicted of having solicited, encouraged, caused or procured another  
11 to commit such a violation;

12 (d) The licensee, any of its principals, or their employees or those  
13 acting on their behalf, violate a condition which is imposed upon the license;

14 (e) The licensee, any of its principals, or their employees or those  
15 acting on their behalf, have been convicted of having perpetrated deceptive practices upon the public;

16 (f) The licensee or any of its principals suffers from a legal  
17 disability under the laws of the State;

18 (g) The premises on which the business is conducted do not satisfy  
19 local, state or federal laws or regulations which pertain to the activity which is actually engaged in;  
20 or

21 (h) The business activity constitutes, promotes, causes, allows,  
22 fosters, aids, or otherwise enables a private nuisance, public nuisance or chronic nuisance, or has been  
23 or is being conducted in an unlawful, illegal or impermissible manner, including but not limited to  
24 causing, allowing, promoting, fostering, aiding, enabling, exercising deliberate ignorance towards or  
25 failing to abate a private nuisance, public nuisance or chronic nuisance.

26 (B) In order to decline renewal of a license pursuant to Paragraph (2) of Subsection  
27 (A) of this Section, the Director must first:

28 (a) Obtain the written approval of the City Attorney's Office to proceed

1 with nonrenewal; and

2 (b) Mail or deliver to the licensee, at least thirty days before the licensing  
3 period expires, written notice of the Director's intent to proceed with nonrenewal, including a  
4 generalized statement of the reasons for nonrenewal.

5 [(B)] (C) The Director shall base a decision to deny, revoke, suspend or fail to renew any  
6 license sought or obtained under this Chapter upon the objective criteria set forth in Subsection (A)  
7 and not upon a desire or need to suppress or censor expressive material, or to address conduct that  
8 does not constitute or aid and abet criminal conduct or activity or other conduct harmful to the public  
9 health, safety, welfare, morals and peace.

10 SECTION 2 Title 6, Chapter 2, Section 230, of the Municipal Code of the City of  
11 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

12 **6.02.230:** In order to renew a license the licensee must pay the appropriate license tax, and where  
13 the tax is based upon gross sales or amount of business, the licensee shall declare the gross sales or  
14 amount of business he did in the last preceding period. The payment of a license tax does not by itself  
15 entitle the licensee to renewal of a license.

16 SECTION 3: If any section, subsection, subdivision, paragraph, sentence, clause or  
17 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or  
18 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or  
19 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the  
20 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,  
21 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,  
22 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,  
23 invalid or ineffective.

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SECTION 4: 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 \_\_\_\_\_, 2008.

APPROVED:

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

ATTEST:

\_\_\_\_\_  
BEVERLY K. BRIDGES, CMC  
City Clerk

APPROVED AS TO FORM:

Val Steed      12-6-07  
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the  
2 \_\_\_\_\_ day of \_\_\_\_\_, 2008, 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 \_\_\_\_\_, 2008, 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 K. BRIDGES, CMC  
City Clerk

**BUSINESS IMPACT STATEMENT**  
**BILL NO. 2007-78**  
**(Clarifies the process for the nonrenewal of business licenses)**

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2007-78, that would clarify the process for the nonrenewal of business licenses

**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:**

Improved notice of any nonrenewal actions

**Direct effects:**

Improved notice of any nonrenewal actions

**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: December 6, 2007

**AGENDA SUMMARY PAGE**  
**RECOMMENDING COMMITTEE MEETING OF: JANUARY 15, 2008**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

Consent  Discussion

**SUBJECT:**

**NEW BILL:**

Bill No. 2007-79 – Allows short-term vacation rentals in certain residential districts as a conditional use. Sponsored by: Councilman Steve Wolfson

**Fiscal Impact**

**No Impact**

**Augmentation Required**

**Budget Funds Available**

**Amount:**

**Funding Source:**

**Dept./Division:**

**PURPOSE/BACKGROUND:**

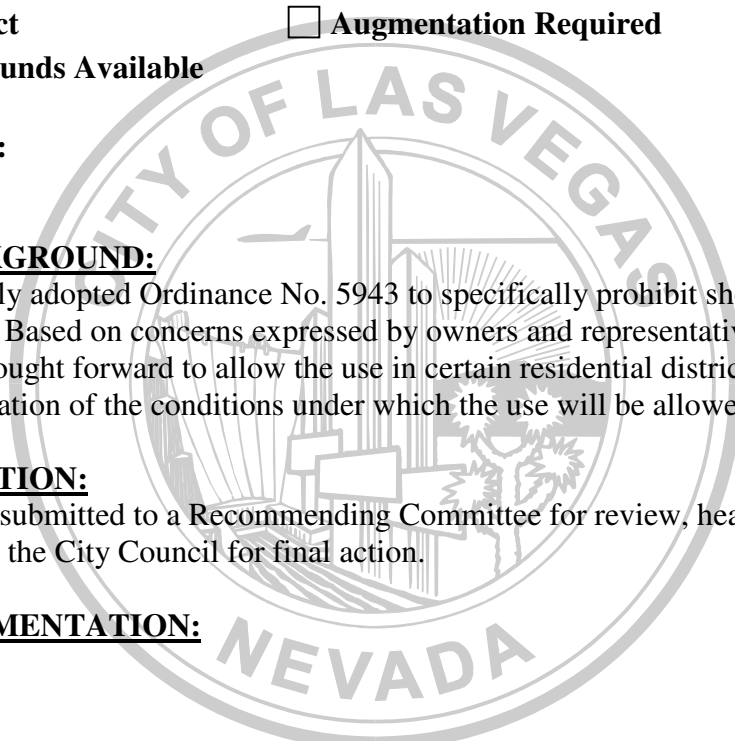
The Council recently adopted Ordinance No. 5943 to specifically prohibit short-term vacation rentals in the City. Based on concerns expressed by owners and representatives of such rentals, this bill is being brought forward to allow the use in certain residential districts as a conditional use, with a specification of the conditions under which the use will be allowed.

**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. 2007-79



1 **BILL NO. 2007-79**

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

3 AN ORDINANCE TO ALLOW SHORT-TERM VACATION RENTALS IN CERTAIN  
4 RESIDENTIAL DISTRICTS AS A CONDITIONAL USE, AND TO PROVIDE FOR OTHER  
5 RELATED MATTERS.

6 Sponsored by: Councilman Steve Wolfson

Summary: Allows short-term vacation rentals in  
certain residential districts as a conditional use.

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

10 SECTION 1: Ordinance No. 5943 and Title 19, Chapter 4, Section 80, of the  
11 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended so that Section  
12 80 reads as follows:

13 **19.04.080:** (A) Unlisted Uses. The uses permitted in this Chapter are classified on the basis  
14 of common operational characteristics and land use compatibility. Uses not specifically listed in this  
15 Chapter are prohibited. However, additional new and unlisted uses may be permitted by the Director  
16 if the Director finds that the use is similar to other uses listed in the same zoning district.

17 (B) Appeals. An applicant who is aggrieved by the decision of the Director with  
18 respect to the allowability of an unlisted use may appeal the decision to the City Council. The appeal  
19 shall be filed in the office of the City Clerk, with a copy to be filed in the office of the Planning and  
20 Development Department. Unless otherwise stated in the Council's action, the determination of the  
21 Council with respect to the appeal shall constitute a permanent and consistent interpretative decision  
22 which the Director shall apply in all future instances.

23 (C) Conditions. When considering requests to permit a new or unlisted land use  
24 as being similar to a listed use, the Planning Director or City Council shall consider the potential  
25 effects of the use on adjacent properties in terms of requirements for services, visual impact, traffic  
26 generation, the extent to which the use is consistent with other uses allowed in the district, and other  
27 issues they deem appropriate. Based upon such consideration, the Director or Council, in approving  
28 a request under this Section, may impose appropriate and reasonable conditions designed to ensure

1 compatibility and consistency of uses.

2 (D) Authorization of New Uses. New uses which have been permitted by the  
 3 Director or City Council, pursuant to the Section shall be added by ordinance amendment on a  
 4 periodic basis.

5 (E) Uses Expressly Prohibited. Without limiting the general applicability of  
 6 Subsection (A) of this Section, the [following uses are expressly prohibited in any residential zoning  
 7 district:

8 (1) Short-term vacation rental.] commercial use of a residential dwelling  
 9 unit for dwelling, lodging or sleeping purposes, wherein any individual guest rents or occupies the unit  
 10 for a period of less than thirty-one consecutive calendar days, is prohibited except as otherwise  
 11 permitted under this Title.

12 SECTION 2: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section  
 13 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to  
 14 allow the use “Short-Term Vacation Rental” in certain residential zoning districts as a conditional use.  
 15 In order to reflect the amendment, a new entry for the use “Short-Term Vacation Rental” is added to  
 16 the “Residential and Lodging” element of Table 2, 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
Short-Term Vacation Rental	C	C	C	C	C																
<b>Description:</b> The commercial use, or the making available for commercial use, of a residential dwelling unit for dwelling, lodging or sleeping purposes, wherein any individual guest rents or occupies the unit for a period of less than 31 consecutive calendar days.																					
<b>Conditional Use Regulations:</b> 1. The operator must obtain a permit from the Business Services Division on an annual basis to operate the use, and shall pay such fee as the Division may establish for the use. 2. The use must comply on an ongoing basis with all governmental licensing and regulatory requirements, including the payment of applicable room taxes and licensing fees. 3. The use must comply with the City's noise regulations as they apply to residential uses. 4. In connection with the issuance of a permit under Conditional Use Regulation 1, the Business Services Division may establish additional conditions on the use, including without limitation a time limit on outdoor activities and a limit on the number of occupants. In addition, at any time following issuance of the permit, the Division may impose additional conditions on the permit, and may revoke the permit for noncompliance. 5. Vehicle parking associated with the use shall comply with applicable parking regulations, and vehicles of guests and invitees shall not obstruct traffic or access to other properties in the area. 6. The operator must designate a property manager or agent of the owner who will be available at all times to respond to law enforcement authorities and to concerns from neighborhood residents, and who is authorized to take remedial action in the event of noncompliance with law or with permit conditions.																					
<b>On-site Parking Requirement:</b> No additional parking required beyond that which is required for the principal use on the site.																					

26 SECTION 3: For purposes of Section 2.100(3) of the City Charter, LVCM 19.04.010  
 27 is deemed to be a subchapter rather than a section.

28 SECTION 4: If any section, subsection, subdivision, paragraph, sentence, clause or

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

8 SECTION 5: All ordinances or parts of ordinances or sections, subsections, phrases,  
9 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,  
10 1983 Edition, in conflict herewith are hereby repealed.

11 PASSED, ADOPTED and APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2008.

12 APPROVED:

13  
14 By \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

15 ATTEST:

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

18 APPROVED AS TO FORM:

19 Val Stead                      12-6-07  
20 \_\_\_\_\_  
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 \_\_\_\_\_, 2008, 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 \_\_\_\_\_, 2008, 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 K. BRIDGES, CMC  
City Clerk

**AGENDA SUMMARY PAGE**  
**RECOMMENDING COMMITTEE MEETING OF: JANUARY 15, 2008**

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**DEPARTMENT: CITY CLERK**

**DIRECTOR: BEVERLY K. BRIDGES**

**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: JANUARY 15, 2008**

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**DEPARTMENT: CITY CLERK**  
**DIRECTOR: BEVERLY K. BRIDGES**

**SUBJECT:**  
**ADJOURNMENT**

