

BILL NO. 2010-5

ORDINANCE NO. _____

AN ORDINANCE TO CLARIFY THE ON-SITE PARKING REQUIREMENTS APPLICABLE TO PROPERTY WITHIN THE DOWNTOWN ENTERTAINMENT OVERLAY DISTRICT, REDESIGNATE THE DOWNTOWN OVERLAY DISTRICT AS THE DOWNTOWN CENTENNIAL PLAN OVERLAY DISTRICT, AND PROVIDE FOR OTHER RELATED MATTERS.

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

Summary: Clarifies the on-site parking requirements applicable to property within the Downtown Entertainment Overlay District, and redesignates the Downtown Overlay District as the Downtown Centennial Plan Overlay District.

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

SECTION 1: Title 19, Chapter 6, Section 120, Subsection (D), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

(D) Parking Requirements. [For any banquet facility, restaurant, café, tavern, bar, supper club, billiard parlor, nightclub/discotheque, general retail store or video arcade that is approved by means of Special Use Permit or otherwise for a parcel located within the district, the on-site parking requirements set forth in Chapter 19.10 shall not apply. The Special Use Permit or other approval may include conditions designed to mitigate any impacts related to parking.] Parking requirements shall be determined in accordance with the provisions of LVMC 19.06.060 and any design standards adopted thereunder.

SECTION 2: Title 19, Chapter 2, Section 10, Subsection (B), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the table that appears therein so that the entry for "Downtown Overlay District" reads as follows:

Abbreviated Designation	Zoning District Name
[D-O] <u>D</u> CP-O	Downtown <u>C</u> entennial Plan Overlay District

SECTION 3: Title 19, Chapter 2, Section 40, Subsection (D), Paragraph (6), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

1 (6) [D-O Downtown Overlay District. The D-O] DCP-O Downtown Centennial Plan Overlay
2 District. The DCP-O District is intended to regulate development in the City's downtown core and
3 to encourage compatible development therein. The [D-O] DCP-O District is intended to establish
4 special standards for development that will be applicable to any property and zoning category in the
5 downtown core.

6 SECTION 4: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section
7 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by
8 amending the entry for the use "Senior Citizen Apartments," as found in the "Residential and
9 Lodging" element of Table 2, so that the "On-site Parking Requirement" listed therein reads as
10 follows:

11 **On-site Parking Requirement:** .75 spaces per unit (.5 spaces per unit within the Downtown
12 Centennial Plan Overlay District).

13 SECTION 5: Title 19, Chapter 6, Section 60, of the Municipal Code of the City of
14 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

15 **19.06.060:** [DOD Downtown] DCP-O Downtown Centennial Plan Overlay District.

16 (A) Intent. The intent of the Downtown Centennial Plan Overlay District is to establish
17 special standards for development within the City's established urban core. The boundaries of the
18 District shall be coterminous with the boundaries of the Las Vegas Downtown Centennial Plan, as
19 adopted by ordinance, and as the boundaries may be amended from time to time.

20 (B) Design Standards. Development within the Downtown Centennial Plan Overlay
21 District shall conform to the Design Standards that are included within the Las Vegas Downtown
22 Centennial Plan. Those Design Standards are adopted and incorporated by this reference. In addition,
23 development within the boundaries of any sub-districts within the Downtown Centennial Plan Overlay
24 District shall conform to applicable Design Standards that have been adopted for that sub-district. As
25 and when such Design Standards for sub-districts are adopted, they shall be deemed to be incorporated
26 into this Subsection by this reference. Copies of all Design Standards adopted by the City Council
27 (whether published separately or not) shall be on file in the Office of the City Clerk and in the
28 Planning and Development Department. The Downtown Centennial Plan Design Standards are

1 mandatory and shall apply to any property and zoning category within the District, and any Design
2 Standards adopted for any sub-district are mandatory and shall apply to any property and zoning
3 category within the sub-district to which they pertain. Design Standards referred to in this Subsection
4 may be amended from time to time by ordinance or by resolution of the City Council. If the City
5 Council adopts more restrictive design standards for one or more additional sub-districts within the
6 Downtown Centennial Plan Overlay District, those more restrictive standards shall apply to the
7 sub-district to which they pertain.

8 (C) Special Provisions. In order to encourage the development of a complex, visually
9 interesting and urbane walkable mixed-use environment, and to encourage transit-oriented
10 development as future transit routes and stations develop within the Downtown area, properties within
11 the Downtown Centennial Plan Overlay District are exempt from the automatic application of the
12 mandatory maximum building height, required building setback, maximum lot coverage, residential
13 adjacency, standard landscaping requirements, and standard parking requirements in Section
14 19.08.040, Section 19.08.050, Section 19.08.060, Chapter 19.10, and Chapter 19.12. However, the
15 exemption does not prohibit City staff, the Planning Commission, and the City Council from imposing
16 limitations on the approval of a Site Development Plan. Site Development Plan applications within
17 the Downtown Centennial Plan Overlay District shall be evaluated on a case-by-case basis to
18 determine the extent to which those standards shall be required.

19 SECTION 6: Title 19, Chapter 6, Section 140, Subsection (C), Paragraph (1), of the
20 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as
21 follows:

22 (1) Relationship to Other Provisions. Except as otherwise modified, required or prohibited by this
23 Section, all signage within the Las Vegas Boulevard Scenic Byway Overlay District shall be governed
24 by and subject to:

- 25 (a) All applicable standards and procedures in Chapter 19.14;
- 26 (b) All applicable standards in Chapter 19.06 that govern the Downtown Centennial Plan
27 Overlay District, for properties that are located within that district;
- 28 (c) All applicable standards in Chapter 19.06 that govern the Downtown Entertainment

1 Overlay District, for properties that are located within that district; and

2 (d) The review and approval procedures set forth in Subsection (D) of Section 19.06.100,
3 irrespective of where in the Las Vegas Boulevard Scenic Byway Overlay District the signage will be
4 located.

5 SECTION 7: Title 19, Chapter 8, Section 40, Subsection (C), Paragraph (5), of the
6 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as
7 follows:

8 (5) Downtown Centennial Plan Overlay District–Building Height, Setback and Lot Coverage. All
9 structures located in the Downtown Centennial Plan Overlay District are exempted from the automatic
10 application of the building height, building setback and lot coverage provisions of this Chapter 19.08,
11 including the Residential Adjacency Setback; provided, however, that this exemption does not prohibit
12 the City Council from imposing a building height, setback or lot coverage requirement in connection
13 with the approval of a Site Development Plan.

14 SECTION 8: Title 19, Chapter 8, Section 40, Subsection (C), of the Municipal Code
15 of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by amending Table 2 that appears
16 therein so that Note 3 pertaining to that table reads as follows:

17 3. Downtown Centennial Plan Overlay District–All structures in the Downtown Centennial Plan
18 Overlay District are exempted from the automatic application of the height limitations, required
19 setbacks and lot coverage requirements specified in Table 2. However, the exemption does not
20 prohibit the City Council from imposing similar or equivalent limitations in connection with the
21 approval of a Site Development Plan in accordance with Section 19.06.060.

22 SECTION 9: Title 19, Chapter 8, Section 50, Subsection (C), of the Municipal Code
23 of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by amending Table 1 that appears
24 therein so that Note 4 pertaining to that table reads as follows:

25 4. Downtown Centennial Plan Overlay District. All structures in the Downtown Centennial Plan
26 Overlay District are exempted from the automatic application of the height limitations, required
27 setbacks and lot coverage requirements specified in this Chapter. However, the exemption does not
28 prohibit the City Council from imposing similar or equivalent limitations in connection with the

1 approval of a Site Development Plan in accordance with Section 19.06.060.

2 SECTION 10: Title 19, Chapter 8, Section 60, Subsection (A), Paragraph (3), of the
3 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as
4 follows:

5 (3) Property located within the boundaries of the Downtown Centennial Plan Overlay District, as
6 described by ordinance, is not subject to the residential adjacency standards set forth in this Section.

7 SECTION 11: Title 19, Chapter 10, Section 20, Subsection (B), of the Municipal Code
8 of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9 (B) Applicability. Except for uses within the Downtown Centennial Plan Overlay District, every
10 use that revives or distributes materials or merchandise by truck shall provide and maintain on-site
11 loading spaces in accordance with the standards of this Section.

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

14 **19.12.010:** Applicability.

15 (A) Except as otherwise provided in Subsection (B), this Chapter applies to:

16 (1) All multi-family, office, retail, commercial, institutional, and industrial
17 developments; and

18 (2) All single family developments with five or more lots adjacent to streets
19 classified as collectors or larger.

20 (B) Except with respect to Section 19.12.075, this Chapter does not apply to any special
21 purpose zoning district which contains special landscape standards or to properties in the Downtown
22 Centennial Plan Overlay District.

23 (C) Section 19.12.075 applies to all single family developments.

24 SECTION 13: Title 19, Chapter 14, Section 130, Subsection (B), Paragraph (2), of the
25 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as
26 follows:

27 (2) A Master Sign Plan may be submitted for any development or property not otherwise required
28 to submit a Master Sign Plan to accomplish the following:

1 (a) To establish the requirements and limitations for signs located in the Gaming and
2 Downtown Centennial Plan Overlay districts, and any uses not regulated elsewhere in this Chapter
3 located in the Planned Community and Planned Development Districts; or

4 (b) To establish requirements and limitations for signs in a specific development.

5 SECTION 14: Title 19, Chapter 14, Section 130, Subsection (D), Paragraph (2), of the
6 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as
7 follows:

8 (2) Conditions of Approval. In approving a Master Sign Plan, the Planning Commission may
9 impose the following conditions, restrictions or limitations as the Commission may determine to be
10 necessary to meet the general purpose and intent of this Title and to ensure that the public health,
11 safety and welfare are being maintained. All signs in the Master Sign Plan shall:

12 (a) Either conform to all standards for the zoning district in which the sign will be located,
13 under Section 19.14.060, or establish the sign requirements and limitations consistent with the
14 standards and criteria set forth in the following Subparagraphs (b) through (g). Master Sign Plans may
15 also be used to establish the requirements and limitations for signs located in the Gaming and
16 Downtown Centennial Plan Overlay districts, and the Planned Community and Planned Development
17 Districts;

18 (b) Conform to the Residential Protection Standards set forth in Section 19.14.070;

19 (c) Conform to site plan and development standards regarding circulation and emergency
20 exit patterns, parking and loading requirements and other standards related generally to the location
21 of structures within a development;

22 (d) Be compatible with the architectural characteristics and spatial relationships of the
23 buildings on which the signs are attached, and the placement of freestanding signs on the site, when
24 considered in terms of location, scale, proportion, color, materials, and illumination;

25 (e) Be professionally designed and fabricated from materials that meet the physical
26 demands of an urban setting;

27 (f) Be creative in the use of two- and three-dimensional forms, iconographic
28 representations, illumination and graphic design, including the use of color, pattern, typography, and

1 materials; and

2 (g) Be designed as attractive and complementary features of the development, which it
3 serves.

4 SECTION 15: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
5 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term “Urban
6 Core Area” to read as follows:

7 “Urban Core Area” means the area defined as the Downtown Centennial Plan Overlay District in
8 Section 19.06.060.

9 SECTION 16: Whenever a provision of the Municipal Code or another ordinance or
10 adopted standard of this City refers to the “Downtown Overlay District,” the reference shall be deemed
11 to refer to the “Downtown Centennial Plan Overlay District” as described in this Ordinance.

12 SECTION 17: For purposes of Section 2.100(3) of the City Charter, LVMC 19.02.010,
13 19.02.040, 19.04.010, 19.06.120, 19.06.140, 19.08.040, 19.08.050, 19.08.060, 19.10.020, 19.14.130
14 and 19.20.020 are deemed to be subchapters rather than sections.

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

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1 SECTION 19: All ordinances or parts of ordinances or sections, subsections, phrases,
2 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
3 1983 Edition, in conflict herewith are hereby repealed.

4 PASSED, ADOPTED and APPROVED this _____ day of _____, 2010.

5 APPROVED:

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7 By _____
 OSCAR B. GOODMAN, Mayor

8 ATTEST:

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10 _____
 BEVERLY K. BRIDGES, MMC
 City Clerk

11 APPROVED AS TO FORM:

12 Val Heed 1-6-10
13 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2010, 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 _____, 2010, 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:

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17 BEVERLY K. BRIDGES, MMC
City Clerk

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