19.12

Permissible Uses

Unified Development Code

Title 19


CLV
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19.12
Permissible Uses

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LAND USE TABLES 19.12.010

A. Buildings, structures and land shall be used in accordance with the uses permitted in the following Land Use Tables, subject to all other applicable requirements of this Title.

B. Uses that are listed in Table 2 are provided with a description, applicable conditions and requirements in LVMC 19.12.070.

Interpretation of Land Use Tables **Table 1**

Symbol	Meaning
P	The use is permitted as a principal use in that zoning district by right.
A	The use is permitted as an accessory use to a main use in the district. This does not exclude other land uses which are generally considered accessory to the primary use.
C	The use is permitted, but only in accordance with the conditions specified in LVMC 19.12.070 for conditional uses.
S	The principal use is permitted in that zoning district only after first obtaining a Special Use Permit (SUP) as set forth in LVMC 19.16.110. Base standards may apply to an SUP approval, as specified in LVMC 19.12.070.
H	The use is permitted by means of a Home Occupation Permit.
T	The use is permitted by means of a Temporary Commercial Permit in accordance with LVMC 19.16.160.
	A blank square shall mean that the use is not allowed in that zoning district.

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Permitted Use - Table 2

P - Permitted	A - Accessory	C - Conditional
S - Special Use Permit	H - Home Occupation Permit	T - Temporary Commercial Permit

	U	R-E	R-1	R-CL	R-TH	R-2	R-3	R-4	R-MH	P-O	O	C-1	C-2	C-M	M	C-V	Additional Information
Accessory Structure (Class I)	S	S	S														page 305
Accessory Structure (Class II)	C	C	C	C	C	C	C	C	C								page 305
Adult Day Care Center	S	S	S			S	S	S	S	C	C	P	P	P	P		page 305
Airport, Heliport or Landing Field														P	P		page 305
Amphitheater												S	C	C	C		page 306
Ancillary Lounge Bar												S	S	S	S		page 306
Animal Hospital, Clinic, or Shelter (with no Outside Pens)											S	S	P	P	P		page 307
Animal Hospital, Clinic, or Shelter (with Outside Pens)	S	S										S	P	P	P		page 307
Animal Keeping & Husbandry	C	C															page 307
Animal Keeping, Wild or Exotic	C	C													C		page 307
Animal Production	P	P															page 307
Antique/Collectible Store												P	P	P	P		page 308
Asphalt or Concrete Batch Plant															P		page 308
Assisted Living Apartments						S	P	P				S	S				page 308
Astrologer, Hypnotist, or Psychic Art and Science										S		P	P	P	P		page 308
Auction House													S	S	S		page 308
Auto Broker												C	C	C	C		page 308
Auto Dealer Inventory Storage												S	S	S	S		page 309
Auto Paint & Body Repair Shop													S	C	C		page 309
Auto Parts (Accessory Installation)												C	P	P	P		page 309
Auto Parts (New & Rebuilt) (Accessory Sales & Service)												S	C	P	P		page 309
Auto Repair Garage, Major													S	C	C		page 310
Auto Repair Garage, Minor												S	C	C	C		page 310
Auto Sales Showroom												S	P	P	P		page 310
Auto Smog Check												C	C	C	C		page 310
Auto Title Loan											S	S	S	C	C		page 311
Automobile Rental												S	S	S	C		page 312
Automobile Repossession Agency												C	C	C	C		page 312
Bailbond Service												S	S	P	P		page 312
Bakery, Retail											A	P	P	P	P		page 312
Banquet Facility												P	P	P			page 312
Banquet Facility (with Alcoholic Beverage Sales)																S	page 312
Bed & Breakfast Inn	S	S	S	S	S	S	S	S		S							page 313

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	U	R-E	R-1	R-CL	R-TH	R-2	R-3	R-4	R-MH	P-O	O	C-1	C-2	C-M	M	C-V	Additional Information
Beer/Wine/Cooler Off-Sale Cultural Establishment												S	S	S	S		page 313
Beer/Wine/Cooler Off-Sale Establishment												S	S	S	S		page 313
Beer/Wine/Cooler On- and Off-Sale Establishment												S	S	S	S		page 314
Beer/Wine/Cooler On-Sale Establishment												S	S	S	S	S	page 315
Billiard Parlor or Pool Hall												S	P	P	P		page 316
Blood Plasma Donor Center													S	S	S		page 316
Boarding or Rooming House							P	P						S			page 316
Boat & Trailer Dealership (New and Used)												S	S	C	C		page 316
Building & Landscape Material/ Lumber Yard												S	C	P	P		page 316
Building Maintenance Service and Sales												S	C	P	P		page 316
Bus Charter Service & Service Facility														P	P		page 317
Business School											P	P	P	P	P		page 317
Car Wash, Full Service or Auto Detailing												S	C	C	C		page 317
Car Wash, Self-Service												S	C	C	C		page 317
Catering Service												P	P	P	P		page 317
Cemetery/Mausoleum	C	C											C	C	C	S	page 317
Check Cashing Service, Limited											C	C	C	C	C		page 318
Child Care – Family Home	P	P	P	P	P	P	P	P	P								page 318
Child Care – Group Home	S	S	S	S	S	S	S	S	S								page 318
Child Care Center	S	S					S	S	S	C	C	P	P	P	P		page 318
Church/House of Worship	S	S	S	S	S	S	S	S	S	P	P	P	P	P	P		page 318
Cleaners, Commercial/Industrial													S	P	P		page 319
Clinic												P	P	P	P		page 319
Cold Storage Plant													P	P	P		page 319
College, University, or Seminary											S	P	P	P	P		page 319
Commercial, Other than Listed												S	P	P	P		page 319
Commercial Recreation/ Amusement (Indoor)											S	P	P	P	P		page 319
Commercial Recreation/ Amusement (Outdoor)													P	P	P		page 320
Community Center, Private (Accessory)	C	C	C	C	C	C	A	A	C								page 320

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P - Permitted	A - Accessory	C - Conditional
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	U	R-E	R-1	R-CL	R-TH	R-2	R-3	R-4	R-MH	P-O	O	C-1	C-2	C-M	M	C-V	Additional Information
Community Recreational Facility (Public)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		page 320
Community Residence (including Family Community Residence and Transitional Community Residence)	C	C	C	C	C	C	C	C	C		C	C	C				page 320
Condominium					P	P	P	P		C	C	C	C				page 321
Construction Material Supply Yard														P	P		page 322
Contractor's Plant, Shop & Storage Yard														P	P		page 322
Convalescent Care Facility/Nursing Home	S	S	S	S		S	S	S				S	S				page 322
Convenience Store											A	C	C	C	C		page 322
Convent or Monastery							P	P									page 322
Convention Facility, Publicly Operated																S	page 322
Copy Center										P	P	P	P	P	P		page 323
Country Club, Private	S	S	S	S		S	S	S	S	S	P	P	P	P	P		page 323
Crematory													C	C	C	S	page 323
Crop Production	P	P															page 323
Custodial Institution														S	S	S	page 323
Custom & Craft Work												S	C	P	P		page 323
Daily Labor Service												S	S	S	S		page 323
Delivery and Service Vehicle Storage													S	P	P		page 324
Desktop Publishing										P	P	P	P	P	P		page 324
Dry Cleaners											S	P	P	P	P		page 324
Electric Generating Plant													S	S	S		page 324
Electric Utility Substation	S						S	S			S	P	P	P	P		page 324
Electrical, Watch, Clock, Jewelry & Similar Repair											A	P	P	P	P		page 324
Emergency Ambulance Services, Ground												S	P	P	P		page 324
Employment Agency										P	P	P	P	P	P		page 324
Environmentally Hazardous Materials															P		page 325
Escort Bureau												S	S	P	P		page 325
Facility for Transitional Living for Released Offenders							S	S									page 325
Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse												S	S	C	C		page 326

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	U	R-E	R-1	R-CL	R-TH	R-2	R-3	R-4	R-MH	P-O	O	C-1	C-2	C-M	M	C-V	Additional Information
Financial Institution, General (with Drive-Through)											C	C	C	C	C		page 326
Financial Institution, General (without Drive-Through)											P	P	P	P	P		page 326
Financial Institution, Specified											S	S	S	C	C		page 326
Food Processing													C	P	P		page 327
Fraternity, Sorority House or Private Dorm							S	S									page 327
Gaming Establishment, General Business-Related												S	S	S	S	S	page 327
Gaming Establishment, Non-restricted												S	S	S	S		page 328
Gaming Establishment, Restricted												A	A	A	A		page 328
Garden Supply/Plant Nursery												C	C	P	P		page 328
General Personal Service											A	P	P	P	P		page 328
General Retail Store, Other Than Listed (3500 Square Feet or More)												P	P	P	P		page 329
General Retail Store, Other Than Listed (Less than 3500 Square Feet)											A	P	P	P	P		page 329
Golf Driving Range											S	P	P	P	P		page 329
Government Facility										P	P	P	P	P	P		page 329
Grocery Store												P	P	P	P		page 329
Gun Club, Skeet or Target Range, or Archery Club (Indoor)													S	P	P		page 329
Gun Club, Skeet or Target Range, or Archery Club (Outdoor)	S													S	P		page 329
Health Club											A	P	P	P	P		page 329
Heavy Machinery and Equipment (Rental, Sales & Service)														P	P		page 330
Heavy Machinery and Equipment (Storage)															P		page 330
Helipad											S	S	S	P	P		page 330
Home Occupation	H	H	H	H	H	H	H	H	H								page 330
Horse Corral or Stable (Commercial)	S	S										C	C	C	C		page 330
Horse Corral or Stable (Private)	C	C															page 330
Hospice		S					S	S		S	S	P	P	S			page 330
Hospital											S	C	P	P	P		page 330
Hotel, Motel or Hotel Suites												S	P	P	P		page 331
Hotel, Residence								S				S	S	P			page 331
Internet Cafe												C	C	C	C		page 331

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	U	R-E	R-1	R-CL	R-TH	R-2	R-3	R-4	R-MH	P-O	O	C-1	C-2	C-M	M	C-V	Additional Information
Internet/Catalogue Sales Office										C	C	P	P	P	P		page 331
Jewelry Store, Class III												S	S	S	C		page 331
Jewelry Store, New												P	P	P	P		page 332
Keeping of Carrier or Racing Pigeons	S	S	S									S	S	S	S		page 332
Laboratory, Medical or Dental										A	A	P	P	P	P		page 332
Landfill															S		page 332
Laundry, Self-Service												P	P	P	P		page 332
Library, Art Gallery or Museum (Public)										P	P	P	P	P	P		page 332
Light Assembly & Fabrication												C	C	P	P		page 332
Liquefied Petroleum Gas Installation (288 Gallons or Less)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		page 333
Liquefied Petroleum Gas Installation (Over 288 Gallons)												S	S	S	S	S	page 333
Liquor Establishment (Tavern)												S	S	S	S	S	page 333
Livestock Farming (Bovines/Horses)	C	C															page 334
Manufactured Home (Not Qualifying for Treatment as Single Family Detached Dwelling)									P								page 335
Manufactured Home (Qualifying for Treatment as Single Family Detached Dwelling)	C	C	C	C	C	C	C	C									page 335
Manufacturing, Heavy														S	P		page 335
Manufacturing, Light														P	P		page 335
Martial Arts Studio												P	P	P	P		page 336
Massage, Accessory										A	A	A	A	A	A		page 336
Massage Establishment												S	S	S	C		page 336
Mining, Sand & Gravel Excavation	S													S	S		page 336
Mini-Storage Facility												S	C	C	C		page 336
Mixed-Use							S	S		S	S	C	C				page 337
Mobile Home									P								page 338
Mobile Home Park									C								page 338
Monorail	S	S	S	S		S	S	S	S	S	S	S	S	S	S		page 338
Mortuary or Funeral Chapel												S	P	P	P	S	page 339
Motor Vehicle Sales (New)													C	C	C		page 339
Motor Vehicle Sales (Used)													S	C	C		page 339
Motorcycle/Motor Scooter Sales												S					page 340
Mounted Antenna of 15 Feet or Less (Ultimate Height)	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P		page 340

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	U	R-E	R-1	R-CL	R-TH	R-2	R-3	R-4	R-MH	P-O	O	C-1	C-2	C-M	M	C-V	Additional Information
Mounted Antenna over 15 Feet (Ultimate Height)	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P		page 340
Multi-Family Residential							P	P									page 340
Museum, Art Display, or Art Sales (Private)										S	P	P	P	P	P		page 340
Night Club												S	P	P	P		page 340
Office, Medical or Dental										P	P	P	P	P	P		page 340
Office, Other than Listed										P	P	P	P	P	P		page 340
Off-Premise Sign												S	S	S	S	S	page 340
Open Air Vending/ Transient Sales Lot												C	C	C	C		page 341
Outcall Entertainment Referral Service												S	S	P	P		page 341
Outdoor Storage, Accessory													C	C	C		page 341
Package Liquor Off-Sale Establishment												S	S	S	S		page 341
Parking Lot/Sidewalk Sale												T	T	T	T		page 342
Parking, Commercial										C	S	P	P	P	P		page 342
Pawn Shop												S	S	S	C		page 342
Pawn, Auto														S	C		page 343
Pet Boarding												C	C	C	C		page 344
Pet Shop												C	C	C	C		page 344
Post Office, Local Service										P	P	P	P	P	P		page 344
Post Office, Regional													P	P	P		page 344
Printing & Publishing														P	P		page 344
Private Club, Lodge or Fraternal Organization											S	P	P	P	P		page 344
Private Sports Arena, Stadium or Track													S	S	P		page 344
Private Street	C	C	C	C	C	C	C	C	C								page 344
Psychology Practice										P	P	P	P	P	P		page 345
Public or Private School, Primary	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	page 345
Public or Private School, Secondary	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	page 346
Public Park or Playground	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		page 346
Radio Broadcasting											P	P	P	P	P		page 346
Radio, TV or Microwave Communication Tower											S	S	S	S	P		page 346
Rail/Transit Yard or Shop															P		page 346
Recording Studio												S	P	P	P		page 346

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	U	R-E	R-1	R-CL	R-TH	R-2	R-3	R-4	R-MH	P-O	O	C-1	C-2	C-M	M	C-V	Additional Information
Recreational Vehicle and Boat Storage												S	C	C	C		page 346
Recycling Collection Center														C	C		page 347
Rental Store (with Outside Storage)													S	P	P		page 347
Rental Store (without Outside Storage)												P	P	P	P		page 347
Rescue Mission or Shelter for the Homeless													S	S	S		page 347
Restaurant with Service Bar											S	S	S	S	S	S	page 347
Restaurant, 2000 sq. ft. or more (with Drive-Through)												C	C	C	C		page 348
Restaurant, 2000 sq. ft. or more (without Drive-Through)											A	P	P	P	P		page 348
Restaurant, Less than 2000 sq. ft. (with Drive-Through)												C	C	C	C		page 348
Restaurant, Less than 2000 sq. ft. (without Drive-Through)											A	P	P	P	P		page 348
Retail Establishment with Accessory Package Liquor Off-Sale												S	S	S	S		page 348
Salvage or Reclamation of Products (Indoor)														P	P		page 349
Salvage or Reclamation of Products (Outdoor)															C		page 349
Satellite Dish	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		page 350
Seasonal Outdoor Sales										T		T	T	T	T		page 350
Secondhand Dealer												S	S	C	C		page 350
Senior Citizen Apartments							C	C				S					page 351
Service Station (with Incidental Automotive Repair)												S	S	C	C		page 351
Service Station (without Automotive Repair)												C	C	C	C		page 352
Sex Offender Counseling Facility												S	S	C	C		page 352
Sexually Oriented Business														C	C		page 353
Shopping Center												P	P	P	P		page 354
Short-Term Residential Rental	C	C	C	C	C	C	C	C	C								page 354
Single Family, Attached				P	P	P	P	P									page 355
Single Family, Detached	P	P	P		P	P	P	P	P								page 355
Single Family, Zero Lot Line				C	C												page 355
Single Room Occupancy Residence													S	P			page 355
Slaughtering and Processing of Live Poultry												S	S	S	P		page 355

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	U	R-E	R-1	R-CL	R-TH	R-2	R-3	R-4	R-MH	P-O	O	C-1	C-2	C-M	M	C-V	Additional Information
Small Wind Energy System		C	C			C	C	C		C	C	C	C	C	C		page 356
Social Event with Alcoholic Beverage Sales										S	S	S	S	S	S	S	page 357
Social Service Provider											S	S	S	S	S		page 358
Solar Panel	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		page 358
Sound Stage												S	S	S	S		page 358
Supper Club											S	S	S	S	S	S	page 358
Swap Meet												S	S	C	C		page 359
Tattoo Parlor/Body Piercing Studio													S	P	P		page 359
Tavern-Limited Establishment												S	S	S	S		page 359
Taxicab/Limo Yard														P	P		page 359
Teen Dance Center												C	C	C	C		page 359
Temporary Contractor's Construction Yard	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T		page 360
Temporary Outdoor Commercial Event	T	T										T	T	T	T		page 360
Temporary Real Estate Sales Office	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		page 360
Tennis Courts, Accessory	C	C	C	C	C	C	C	C	C		C	C	C				page 361
Thriftshop												S	S	C	C		page 361
Thriftshop, Nonprofit												S	S	S	C		page 361
Time-Share Development													C				page 361
Towing & Impound Yard														C	C		page 361
Towing Service (with No Storage)													S	P	P		page 361
Townhouse					P		P	P									page 361
Trade School											C	P	P	P	P		page 362
Trailer/RV Camp or Park												S	S	S	P		page 362
Transit Passenger Facility												C	C	P	P		page 362
Truck Rental													S	P	P		page 362
Trucking Company													S	P	P		page 362
Tutoring Center										C	C	C	C	C	C		page 363
TV Broadcasting & Other Communication Service											S	S	S	P	P		page 363
Two-Family Dwelling						P	P	P									page 363
Urban Lounge												S	S	S	S		page 363
Utility Installation, Other Than Listed	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P		page 363
Utility Transmission Lines	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		page 363
Valet Parking											C	C	C	C	C		page 363

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Vehicle Parking, Storage or Repair in Residential Zoning Districts	C	C	C	C	C	C	C	C	C								page 364
Warehouse/Distribution Center														P	P		page 366
Wedding Chapel												P	P	P	P		page 366
Welding Repair														P	P		page 366
Wholesale Showroom Facility													P	P	P		page 366
Wireless Communication Facility, Non-Stealth Design (Not Qualifying for Conditional Use Approval)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		page 366
Wireless Communication Facility, Non-Stealth Design (Qualifying for Conditional Use Approval)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		page 367
Wireless Communication Facility, Stealth Design	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		page 367

ACCESSORY USES AND STRUCTURES 19.12.020

A. General

An accessory use or structure which is customarily incidental to the principal use or structure, and is located on the same lot or tract of land shall be permitted as an accessory use without being separately listed as a permitted use.

B. Particular Accessory Uses

In any residential zoning district, each of the following uses shall be considered an accessory use to the extent described, without being separately listed in the Land Use Tables, provided in each case that the use is incidental to the property's use as a dwelling and does not alter the character of its use as a dwelling of the character permitted in the respective district:

1. Garage or yard sales, provided that:

a. No property may be offered for sale which has not been owned and used by the occupant of the premises;

b. No more than two garage or yard sales shall be conducted on the premises in any calendar year;

c. No garage or yard sale shall be conducted for longer than three days duration;

d. Garage or yard sales may be conducted during the daylight hours only; and

e. All signage shall conform to the provisions of LVMC 19.06.140(D)(5).

2. On a single-family residential lot, the parking of a motor vehicle that bears a sign advertising the vehicle for sale, provided that:

a. The vehicle is:

i. Owned by or registered to an owner or occupant of the property;

ii. Parked on an improved parking surface; and

iii. Not being sold in connection with an automobile sales business;

b. The vehicle identification number is clearly visible from outside the vehicle, if the vehicle was manufactured to include a visible vehicle identification number;

c. No more than one vehicle is parked on the lot for purposes of display and sale at any one time; and

d. No more than two vehicles are parked on the lot for purposes of display and sale within a twelve month period.

C. Unless otherwise permitted by this Title, any type of use listed in Subsection (B) that exceeds the limitations set forth for that use in Subsection (B) does not qualify as an accessory use and shall be deemed to be in violation of this Title.

TEMPORARY COMMERCIAL PERMITS 19.12.030

Temporary uses are permitted in accordance with the standards and procedures found in LVMC 19.12.070 and 19.16.160, respectively.

CONDITIONAL USES 19.12.040

A. General

Any use that is marked with the letter "C" in the Land Use Tables for a particular zoning district may be approved administratively as a conditional use if certain minimum conditions, identified as conditional use regulations, can be met. A use approved as a conditional use is subject to, and shall comply with:

1. The conditions use regulations that are listed in the Table for that use; and

2. All other applicable requirements of this Title.

B. Special Use Permit Required

Expect as otherwise specifically provided regarding a particular use, when one or more of the itemized conditional use regulations cannot or will not be met, a Special Use Permit is required for the use. Approval of such a Special Use Permit may be conditioned on requirements beyond those that are itemized as conditional use regulations for that use.

C. Conditional Use Verification

Uses that are permitted conditionally pursuant to this Section are made subject to conditional use regulation, some of which are conditions that must be met before a use may commence and others that represent ongoing

requirements or limitations. In order for the Department to verify compliance with the applicable conditional use regulations, the Director may require the submission of documentation regarding such compliance. For uses concerning which the Director requires such documentation, the submission shall be in the form of a Conditional Use Verification provided by the Department. Within the time period for submission established by the Department, the form must be signed, notarized and acknowledged, and filed with the Department. The form must be signed by the owner of record of the property for which the verification is sought; provided however, that such submission is also sufficient if it is signed and acknowledged by a lessee, a contract purchaser or an optionee of the property upon which such conditional use is maintained. However, interest in such property must exist in a written agreement with the owner of the record attached to which is a copy of the submission and in which the owner of record has authorized the lessee, contract purchaser or optionee to sign the submission.

D. Noncompliance

Whether or not the Director requires the submittal of a Conditional Use Verification under Subsection (C) of this Section, each person or entity maintaining, operating or permitting a conditional use must comply with all provisions of this Title. Failure to comply with this Section or with any other requirement of this Title pertaining to conditional uses shall be grounds for enforcement action pursuant to LVMC 19.00.090 against the person or entity that owns the property or the person or entity that operated the conditional use.

SPECIAL USE PERMITS 19.12.050

A. General

Except as otherwise provided in this Subsection (A), any use that is marked with the letter "S" in the Land Use Tables for a particular zoning district may be permitted only by means of a Special Use Permit. A Special Use Permit may also be required by other provisions of law for other activities that are not listed as a use in the Land Use Tables. Notwithstanding the provisions of the first sentence of this Subsection (A), alcoholic beverage-related uses with an on-sale component that are ancillary to a non-restricted gaming establishment operated in conjunction with a hotel having more than two hundred rooms are deemed to be part of that use and are allowed without regard to the requirements of LVMC Chapter 19.12 provided that each such use otherwise conforms to the provisions of this Title and LVMC Chapters 6.40 and 6.50.

B. Conditions and Requirements of Approval.

Any use approved by means of a Special Use Permit is subject to, and shall comply with:

1. The Special Use Permit requirements, if any, that are listed in LVMC 19.12.070 for that use, which are the minimum conditions required for approval;

2. Other or additional requirements that may be imposed as conditions of Special Use Permit approval in order to ensure compatibility of the use in relation to surrounding uses and the pattern of development; and

3. All other applicable requirements of this Title.

C. Waivers.

The Special Use Permit requirements listed in LVMC 19.12.070 must be satisfied unless it can be shown by convincing and substantial evidence by the applicant that any waiver of these requirements will not compromise the objective of the City in safeguarding the interests of the City and the public. However, it shall not be permissible to waive any Special Use Permit requirement that is listed in LVMC 19.12.070 and marked with an asterisk (*).

PARKING REQUIREMENTS 19.12.060

A. The minimum number of on-site parking spaces for uses listed in Table 2 of LVMC 19.12.010 shall be as listed in LVMC 19.12.070 for each use.

B. Parking requirements for a use not specifically listed shall be determined by the Director based on the requirements for the closest comparable use and on the particular parking demand and trip generation characteristics of the proposed use.

PERMISSIBLE USE DESCRIPTIONS AND APPLICABLE CONDITIONS AND REQUIREMENTS 19.12.070

The descriptions contained hereunder for each identified land use generally corresponds to the definition for that use that appears in LVMC 19.18.020. In each such case, the description that appears in this Section is for convenience of reference only and is not intended to supersede any corresponding definition in LVMC 19.18.020, which shall prevail in the event of conflict.

Accessory Structure (Class I)

Description: An accessory structure which is located on the same residential parcel as a principal dwelling and which, as an ancillary use, provide living quarters, including full kitchen facilities, for the occupants of the principal dwelling or their tenants, domestic employees or temporary guests.

Minimum Special Use Permit Requirements:

* 1. The size of the lot or parcel must exceed 6500 square feet.

2. Unless the principal dwelling is owner-occupied, a Class I accessory structure may not be offered or occupied as a rental unit.

On-site Parking Requirement: One additional parking space must be provided beyond the number of spaces normally required.

Accessory Structure (Class II)

Description: An accessory structure which is located on the same lot as a principal structure, is detached therefrom, is incidental or subordinate thereto, and does not qualify as an "Accessory Structure (Class I)."

Conditional Use Regulations:

1. The use shall comply with all provisions of Section 19.06.040 applicable to accessory structure.
2. Any use that does not comply may be permitted only by means of a Variance.

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

Adult Day Care Center

Description: A facility that provides personal care and related services to more than ten dependent adults in a supervised, protective, congregate setting during some portion of a twenty-four hour day. Services typically offered in conjunction with an adult day care center include social and recreational activities, training, meals, and services such as rehabilitation and medication assistance.

Conditional Use Regulations:

1. The facility must comply on an ongoing basis with all governmental licensing requirements.
2. Access to the facility shall be by means of a collector street or larger.
3. The maximum lot coverage shall not exceed 50 percent.
4. The site shall be designed so that all discharging or loading of passengers from a vehicle is accomplished on the site. The layout driveways, circulation pattern and parking must be approved by the City Traffic Engineer prior to issuance of any building permits.
5. Usable floor space per client shall comply with State regulations.
6. Where adult day care center properties have residential adjacency:
   a. An eight foot block wall shall be installed along the common property line, with an additional buffer of evergreen trees along any open space or recreational area.
   b. The building entrance and access shall be oriented away from residential uses on local streets.
   c. Outdoor activity shall be limited to daylight hours.
   d. Outdoor lighting shall be designed so as to not shine directly onto any abutting residential property.
7. The hours of operation shall not extend beyond the hours of 6:00 a.m. to 9:00 p.m.

Minimum Special Use Permit Requirements:

1. The facility must comply on an ongoing basis with all governmental licensing requirements.
2. Access to the facility shall be by means of a collector street or larger.
3. The maximum lot coverage shall not exceed 50 percent.
4. The site shall be designed so that all discharging or loading of passengers from a vehicle is accomplished on the site. The layout driveways, circulation pattern and parking must be approved by the City Traffic Engineer prior to issuance of any building permits.
5. Usable floor space per client shall comply with State regulations.
6. Where adult day care center properties have a residential adjacency:
   a. An eight foot block wall shall be installed along the common property line, with an additional buffer of evergreen trees along any open space or recreational area.
   b. The building entrance and access shall be oriented away from residential uses on local streets.
   c. Outdoor activity shall be limited to daylight hours.
   d. Outdoor lighting shall be designed so as to not shine directly onto any abutting residential property.
7. The hours of operation shall not extend beyond the hours of 6:00 a.m. to 9:00 p.m.

On-site Parking Requirement: One space for each staff member, plus one space for each 10 clients.

Airport, Heliport or Landing Field

Description: Any area of land designated and set aside for the landing and taking off of any aircraft regulated by the Federal Aviation Administration, together with related refueling and terminal facilities.

On-site Parking Requirement: One space for each 100 square feet of public lobby area.

Amphitheater

Description: An oval, circular or semicircular outdoor theater in which the stage or screen area is surrounded by rising tiers of seating or assembling areas, or both.

Conditional Use Regulations:

1. The applicant must submit, for administrative review and approval, the following:
   a. A sound study that addresses how noise levels will be attenuated so as not to exceed the ambient noise levels adjacent to and beyond the subject site.
   b. An engineering and traffic study that addresses, as applicable, each of the following elements as they pertain to traffic movement and to stopping, standing and parking restrictions:
      i. Accident analysis.
      ii. Capacity analysis.
      iii. Geometric review, including roadway width.
      iv. Parking measurements, including parking angle and parking and maneuvering area.
      v. Pedestrian volume within parking and maneuvering area.
      vi. Sight distance, including corner sight distance.
      vii. Speed data, including speed limit.
      viii. Traffic volumes, including peak-hour volume.
2. The use shall comply with the approved sound study and traffic and engineering study, as well as all requirements and conditions imposed by the City in connection with the approval thereof.
3. The hours of operation shall be limited to the period between 7:00 a.m. and 10:00 p.m.
4. All screen and stage areas shall be screened from view from any public right-of-way.

Minimum Special Use Permit Requirements:

1. The use shall comply with a sound study and a traffic and engineering study that have been approved by the City, as well as all requirements and conditions imposed by the City in connection with the approval thereof.
2. The hours of operation shall be limited to the period between 7:00 a.m. and 10:00 p.m.
3. All screen and stage areas shall be screened from view from any public right-of-way.

On-site Parking Requirement: One space for every 3 persons that the facility is designed to accommodate when used to maximum capacity.

Ancillary Lounge Bar

Description: A bar located in a lounge area of a hotel or approved mixed-use building which has a minimum of 150 rooms or residential units, unless the City Council determines that public health, safety and welfare are not compromised by a lesser number of rooms or units, where the lounge bar makes available alcoholic beverages for consumption in specified areas only. This use does not include a bar that is ancillary to a "Non-restricted Gaming Establishment," as defined in this Title.

Minimum Special Use Permit Requirements:

1. No ancillary lounge bar business use shall be located within 400 feet of any church, synagogue, school, child care facility licensed for more than 12 children or City park.
2. Except as otherwise provided in Requirement 3 below, the minimum distances referred to in Requirement 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed ancillary lounge bar which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed ancillary lounge bar. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:
   a. Any leasehold parcel; or
   b. Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Requirement 1.
3. In the case of a proposed ancillary lounge bar located on a parcel of at least 80 acres in size, the minimum distances referred to in Requirement 1 shall be measured in a straight line from the nearest property line of the existing use to the nearest portion of the structure in which the ancillary lounge bar will be located, without regard to intervening obstacles.
4. When considering a Special Use Permit application for a ancillary lounge bar which also requires a waiver of the distance limitation in Requirement 1, the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision.
5. The minimum distance requirement in Requirement 1 does not apply to an establishment which has a nonrestricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992, or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992.
6. Where associated with a hotel use, alcoholic beverages shall be served and consumed only within the lounge bar area,

within a pool area, or within hotel rooms as incident to room service. Where associated with a mixed-use building, alcoholic beverages shall be served and consumed only within the lounge bar area.

7. The maximum available customer seating in the lounge bar area shall not exceed 50 seats.

* 8. No gaming-related use may be allowed in the ancillary lounge bar area.

* 9. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Animal Hospital, Clinic, or Shelter (with Outside Pens)

Description: A facility that:

1. Provides medical or surgical treatment for animals or pets, as well as shelter and care during the time of such treatment;

2. Uses outdoor pens in providing such shelter and care.

On-site Parking Requirement: One space for every 2 on-duty employees, plus one space per doctor and one space per examination room.

Animal Hospital, Clinic, or Shelter (with no outside Pens)

Description: A facility that:

1. Provides medical or surgical treatment for animals or pets, as well as shelter and care during the time of such treatment; and

2. Does not use any outdoor pens in providing such shelter and care.

Minimum Special Use Permit Requirements:

1. The use shall have access to a collector street or larger.
2. Animals shall be confined within an enclosed building at all times.
3. The building shall be designed to provide complete sound barriers and odor protection for adjacent properties.
4. Rooms containing cages or pens are not permitted to have windows, doors or other penetrations on exterior walls adjacent to residences.
5. Noise levels must comply with the applicable provisions of LVMC Title 7.
6. No more than 25% of the floor area may be used for the boarding of animals.

On-site Parking Requirement: One space for every 2 on-duty employees, plus one space per doctor and one space per examination room.

Animal Keeping & Husbandry

Description: The raising, keeping and breeding of domestic animals, including without limitation dogs, cats, birds, sheep, goats and pot-bellied pigs. The use must be ancillary to the principal use, but may be conducted for commercial purposes.

Conditional Use Regulations:

1. The applicant must submit to the Department, for administrative review and approval, a site plan with notes indicating the number and types of animals to be kept or reproduced on the premises.
2. No more than 3 sheep or goats may be kept for each one-half acre of land included in the building site.
3. All operations and activities shall be in accordance with LVMC Title 7

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

Animal Keeping, Wild or Exotic

Description: The keeping of non-domestic animals, including without limitation wild animals as defined in LVMC 7.04.500.

Conditional Use Regulations:

1. Animals shall be confined at all times within a secured, enclosed or fenced area.
2. Animals which are kept outdoors must be located at least 1,500 feet from any residential dwelling, school, child care facility or public park.
3. The site must have a minimum area of 2 acres.
4. All operations and activities shall be in accordance with LVMC Title 7.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Animal Production

Description: A facility or area for raising animals (including fish and birds) and the development of animal products, such as meat, fur or eggs on a commercial basis. This use does not include raising animals to sell as pets.

On-site Parking Requirement: One space for each 1000 square feet of gross floor area designated for this use, plus one space for each 2,500 square feet of gross yard area so designated.

Antique/Collectible Store

Description: Any building used for the sale of:

1. Any old and authentic object of personal property which was made, fabricated or manufactured 60 or more years earlier and which has a unique appeal and enhanced value mainly because of its age; or
2. Any article of personal property which was made, fabricated or manufactured 20 or more years earlier and because of public demand has attained value in a recognized commercial market which is in excess of its original value.

On-site Parking Requirement:

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

Asphalt or Concrete Batch Plant

Description: A permanent facility or area for the mixing of concrete or asphalt.

On-site Parking Requirement: One space for each employee on the largest shift, plus one space for each facility vehicle.

Assisted Living Apartments

Description: An apartment or apartment complex which provides personal care services to senior citizens for daily living needs. Such services may include, but are not limited to, preparation and service of meals, housekeeping, laundry, monitoring of rooms, monitoring of medication, or assistance with bathing. This use includes commercial uses that are ancillary to an apartment complex as long as the total amount of floor space dedicated to such uses does not exceed five percent of the total gross floor area of the apartment complex and there is no external signage for, nor external access to, the commercial uses. This use does not include a convalescent care facility, nursing home or other medical facility that is specifically defined in LVMC Chapter 19.18.

On-site Parking Requirement: One space per three residents.

Astrologer, Hypnotist, or Psychic Art and Science

Description: Any person who practices, teaches, or professes to practice the business of astrology, hypnotism or the psychic arts and sciences for a fee, gift, donation, or otherwise. Psychic arts and sciences may include palmistry, phrenology, life reading, fortune telling, cartomancy, clairvoyance, clairaudience, crystal gazing, mediumship, prophecy, augury, divination, magic or necromancy. This use does not include a hypnotherapy practice.

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Auction House

Description: An enclosed establishment for the temporary storage and offering by an auctioneer of qualified property which is offered or sold to the highest bidder by means of a request or invitation for bids. For purposes of this description, the term "qualified property" means property of any kind belonging to another, but excluding animals, motor vehicles and business inventory to be liquidated following or in connection with the closing of a business. This use does not include a secondhand dealer.

Minimum Special Use Permit Requirements:

* 1. Temporary storage shall be limited to three weeks or less.
2. No outdoor display, sales or storage of any merchandise shall be permitted.
3. The use shall comply with the applicable requirements of LVMC Title 6.
4. The installation and use of an outside public address system or bell system is prohibited.
5. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.

On-site Parking Requirement: One space for each 2 fixed seats, or one space for each 50 square feet of non-fixed seating area in the assembly area. Where fixed seating consists of benches, each 20 linear inches of bench shall be considered one seat.

Auto Broker

Description: A facility or area used primarily for the wholesaling of used motor vehicles, typically on an intermediary basis between an auction house and a used car dealership. This use does not include a facility or area used for the retail sales of used vehicles.

Conditional Use Regulations:

1. No more than 2 vehicles may be displayed or stored on the property.
2. The installation and use of an outside public address system or bell system is prohibited.
3. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.
4. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.
5. The repair or servicing of vehicles is not allowed.
6. No retail sales of vehicles is allowed.
7. The Special Use Permit provisions of Section 19.12.050(B) do not apply to an auto broker use.

On-site Parking Requirement: One space for each 300 square feet of gross floor area, plus two additional spaces for vehicle display.

Auto Dealer Inventory Storage

Description: The parking or storage, other than for purposes of display, of new motor vehicles which constitute inventory of a new motor vehicle sales dealership, where such parking or storage is maintained by the dealership either on the same parcel as the dealership or on a separate parcel.

Minimum Special Use Permit Requirements:

1. All areas used for the parking or storage of vehicles shall be paved.
2. Stored vehicles shall be effectively screened so as not to be visible from adjoining properties or public rights-of-way.
3. The parcel must be located on a primary or secondary thoroughfare, or on a parcel that is adjacent to and accessed through a parcel located on a primary or secondary thoroughfare.
4. Lighting shall be shielded from adjacent properties.
5. The use shall not occupy or interfere with any parking spaces that are required for the dealership use or any other existing or proposed use for which required parking is or will be provided on the site. For commercial or industrial sites 15 acres or greater in size, the use may occupy up to 50 percent of the parking area that is provided in excess of the parking that is required by this Section for other uses.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Auto Paint & Body Repair Shop

Description: A facility for collision services, including body, frame or fender straightening or repair and painting of vehicles in an appropriate paint booth.

Conditional Use Regulations:

1. No used or discarded automotive parts or equipment shall be located or stored in any open area outside of an enclosed building.
2. All disabled or wrecked vehicles shall be stored in an area which is screened from view from the surrounding properties and adjoining streets.
3. Openings in service bays shall not face public right-of-way and shall be designed to minimize visual intrusion into adjoining properties.
4. All repair work shall be performed within an enclosed building.

On-site Parking Requirement: Five spaces, plus one space for each 200 square feet of gross floor area.

Auto Parts (Accessory Installation)

Description: A facility for the retail sale and installation of auto accessories such as stereos, alarms and other types of accessories.

Conditional Use Regulations:

1. The use is limited to the installation of auto accessories and minor parts only, including stereos, car alarms, other accessories, batteries, windshield wipers, hoses, fuses, lights, radios and similar minor elements, and excludes engine, transmission and differential service, repair or installation.
2. All installation work shall be done within a completely enclosed building.
3. Access doors to the installation bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
4. No dismantling, re-manufacturing or rebuilding shall be permitted.
5. No used or discarded minor automotive parts shall be located or stored in any open area outside of an enclosed building.

On-site Parking Requirement: Five spaces, plus one space for each 200 square feet of gross floor area.

Auto Parts (New & Rebuilt) (Accessory Sales & Service)

Description: A facility for the retail sale and installation of lubricating oils, tires, filters and other new or rebuilt goods for use in motor vehicles. The resurfacing of rotors, pressing of bearings, grinding of brake drums, and similar activities are permitted as incidental uses, as well as the installation of auto accessories.

Conditional Use Regulations:

1. If an installation service is offered, the service shall be restricted to the installation of auto accessories and minor parts only, including stereos, car alarms, other accessories, batteries, windshield wipers, hoses, fuses, lights, radios and similar minor elements, and excludes engine, transmission and differential service, repair or installation.
2. All installation work shall be done within a completely enclosed building.
3. Access doors to the installation bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
4. No dismantling, re-manufacturing or rebuilding shall be permitted.
5. No used or discarded minor automotive parts shall be located or stored in any open area outside of an enclosed building.

On-site Parking Requirement: Five spaces, plus one space for each 200 square feet of gross floor area.

Auto Repair Garage, Major

Description: A facility for the repair or reconditioning of any type of motorized vehicle, other than the types of repair and service authorized to be performed in a minor auto repair garage. This use includes a facility which performs any repairs to vehicles with a gross vehicle weight over 10,000 pounds.

Conditional Use Regulations:

1. All repair and service work shall be performed within a completely enclosed building.
2. Openings to the service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
3. No used or discarded automotive parts or equipment shall be located or stored in any open area outside of the enclosed building.
4. No outside storage of stock, equipment or residual used equipment shall be located or stored in any open area outside of the enclosed building.
5. All disabled vehicles shall be stored in an area which is screened from view from the surrounding properties and adjoining streets.

Minimum Special Use Permit Requirements:

1. All repair and service work shall be performed within a completely enclosed building. All windows and doors shall be completely closed when body and fender work, hammering, sanding or other noise-generating activities are being performed.
2. No used or discarded automotive parts or equipment shall be located or stored in any open area outside of the enclosed building.
3. Openings in service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
4. All disabled or wrecked vehicles shall be stored in an area that is screened from view from the surrounding properties and adjoining streets.
5. Outdoor hoists are prohibited.
6. All hazardous materials resulting from the repair, storage, or dismantling of vehicles shall be properly stored and removed from the premises in a timely manner. Storage, use and removal of toxic substances, solid waste pollution and flammable liquids, particularly gasoline, paints, solvents and thinners, shall conform to all applicable Federal, State, and local regulations.
7. No vehicle may be parked on the premises for the purposes of offering the vehicle for sale.
8. Outdoor bells and loudspeakers are prohibited.

On-site Parking Requirement: Five spaces, plus one space for each 200 square feet of gross floor area.

Auto Repair Garage, Minor

Description: A facility for the performance of minor repairs and service on vehicles of 10,000 pounds gross vehicle weight or less. Such repairs and service are limited to electronic tune-ups, brake repairs (including drum turning), air conditioning repairs, generator and starter repairs, tire repairs, front end alignments, battery recharging, lubrication, selling/installing minor parts and accessories, and other similar activities. This use also includes the repair and installation of other minor elements of an automobile such as windshield wipers, hoses, windows, etc., but excludes general engine repairs, engine installation, and the repair and installation of transmissions and differentials.

Conditional Use Regulations:

1. All repair and service work shall be performed within a completely enclosed building.
2. Openings to the service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
3. No used or discarded automotive parts or equipment shall be located or stored in any open area outside of the enclosed building.
4. No outside storage of stock, equipment or residual used equipment shall be located or stored in any open area outside of the enclosed building.
5. All disabled vehicles shall be stored in an area which is screened from view from the surrounding properties and adjoining streets. Vehicles shall not be stored on the property longer than 45 days.

On-site Parking Requirement: Five spaces, plus one space for each 200 square feet of gross floor area.

Auto Sales Showroom

Description: A completely enclosed facility for the display, storage and sale (or leasing) of new or used automobiles and trucks, along with related accessories. This use does not include a motor vehicle sales use as defined in this Title and does not include any ancillary activity normally associated with such uses, including without limitation the service, repair and rental of vehicles.

On-site Parking Requirement: One space per 250 square feet of gross floor area.

Auto Smog Check

Description: A facility for the testing of vehicle emissions.

Conditional Use Regulations:

1. The facility must have a minimum size of 400 square feet, of which a minimum of 200 square feet must be an enclosed structure, with the remainder of the facility allowed to be located under service canopies.
2. All equipment must be stored and utilized within the enclosed structure.
3. If conducted as an accessory use to a service station, minor auto repair facility, or major auto repair facility, the auto smog check facility shall be designed to be architecturally compatible with the primary building on the site.
4. If service bay doors are provided, openings to service bay doors shall not face public rights of-way and shall be designed to minimize the visual intrusion into adjoining properties.
5. When operated as a primary use, no other automobile repair shall be permitted in conjunction with the facility.
6. Each station shall have a stacking lane that will accommodate at least 3 cars, and no parking spaces required for this use or another on-site use shall be used or eliminated in order to provide smog services.

On-site Parking Requirement: One space, independent of vehicle stacking space.

Auto Title Loan

Description: A business whose primary function is to lend money on the security of the title to a motor vehicle rather than on the security of the vehicle itself.

Conditional Use Regulations:

1. The use shall comply with all applicable requirements of LVMC Title 6.
2. The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.
3. No temporary signs (as described in LVMC 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed 30 days.
4. Window signs shall not:
   a. Cover more than 20 percent of the area of all exterior windows;
   b. Include flashing lights or neon lighting; or
   c. Include any text other than text that indicates the hours of operation and whether the business is open or closed.
5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
6. The building or portion thereof that is dedicated to the use shall have a minimum size of 1500 square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).
7. No auto title loan use may be located closer than 200 feet from any parcel used or zoned for residential use. In addition, no auto title loan use may be located closer than 1000 feet from any other auto title loan use, auto pawn use or specified financial institution use. For purposes of this Regulation 7, distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

Minimum Special Use Permit Requirements:

* 1. The use shall comply with all applicable requirements of LVMC Title 6.

* 2. The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.

3. No temporary signs (as described in LVMC 19.08.120(G)) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed 30 days.
4. Window signs shall not:
   a. Cover more than 20 percent of the area of all exterior windows;
   b. Include flashing lights or neon lighting; or
   c. Include any text other than text that indicates the hours of operation and whether the business is open or closed.
5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
6. The building or portion thereof that is dedicated to the use shall have a minimum size of 1500 square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).
7. No auto title loan use may be located closer than 200 feet from any parcel used or zoned for residential use. In addition, no auto title loan use may be located closer than 1000 feet from any other auto title loan use, auto pawn use or specified financial institution use. For purposes of this Requirement 7, distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

On-site Parking Requirement: One space for each 250 square feet of gross floor area. Vehicles whose title is serving as security for a loan may not be parked or stored in parking spaces that are designated as required on-site parking. Any parking or storage of such vehicles must occur only in spaces that are in excess of the required minimum parking.

Automobile Rental

Description: A facility for the rental of new or used automobiles or other passenger vehicles. For purposes of the limitations of this Title on outside storage, vehicles kept on a lot for rental purposes are not considered to be outside storage.

Conditional Use Regulations:

1. The minimum site area designated for rental services shall be 25,000 square feet.
2. The installation and use of an outside public address or bell system is prohibited.
3. No used or discarded automotive parts or equipment shall be located or stored in any open area outside of an enclosed building.
4. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.
5. Service bays for repairs, installations, cleaning or gas dispensing services facing a public street or a residential zoning district shall be screened to a height of at least 8 feet.

Minimum Special Use Permit Requirements:

1. No more than 5 rental vehicles shall be stored on the site at any one time.
2. No vehicles shall be offered for sale on the premises.
3. The installation and use of an outside public address or bell system is prohibited.
4. No used or discarded automotive parts or equipment shall be located or stored in any open area outside of an enclosed building.
5. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.
6. Service bays for repairs, installations, cleaning or gas dispensing services facing a public street or a residential zoning district shall be screened to a height of at least 8 feet.

On-site Parking Requirement: One space for each 200 square feet of gross floor area.

Automobile Repossession Agency

Description: Any parking area used for the storage of up to 2 operable vehicles which have been repossessed by or on behalf of a lender, together with related office operations. This use does not include the storage of more than 2 vehicles, which shall be treated as if the use were motor vehicles sales.

Conditional Use Regulations:

1. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.
2. No vehicle repair or maintenance shall take place on the premises.
3. No used or discarded automotive parts or equipment shall be located in any open areas.

On-site Parking Requirement: One space for each 200 square feet of gross floor area.

Bailbond Service

Description: An establishment that makes available to the public undertakings of bail in connection with judicial proceedings.

On-site Parking Requirement: One space for each 300 square feet of gross floor area.

Bakery, Retail

Description: An establishment which specializes in the retail sale of baked goods, such as doughnuts, cookies, pastries and other similar goods, but does not provide meals as found in a restaurant.

On-site Parking Requirement: One space for each 175 square feet of gross floor area.

Banquet Facility

Description: An establishment which is rented by individuals or groups to accommodate private functions such as banquets, weddings, anniversaries, and other similar celebrations. Such a use may or may not include:

1. Kitchen facilities for the preparation or catering of food;
2. The sale of alcoholic beverages for on-premises consumption, only during an event; and
3. Outdoor gardens or reception facilities.

On-site Parking Requirement: One space per 100 square feet of gross floor area.

Banquet Facility (with Alcoholic Beverage Sales)

Description: An establishment which is rented by individuals or groups to accommodate private functions such as banquets, weddings, anniversaries, and other similar celebrations and includes the sale of alcoholic beverages for on-premises consumption, only during an event. Such a use may or may not include:

1. Kitchen facilities for the preparation or catering of food and
2. Outdoor gardens or reception facilities.

Minimum Special Use Permit Requirements:

1. The parcel or use is operated or controlled by an agency or subdivision of local, state or federal government.

On-site Parking Requirement: One space per 100 square feet of gross floor area.

Bed & Breakfast Inn

Description: A facility wherein overnight accommodations and a morning meal are provided in a dwelling unit to tourists for compensation.

Minimum Special Use Permit Requirements:

1. The establishment must have a minimum of two and a maximum of five guest bedrooms.
2. Required on-site parking for guest bedrooms shall be screened by a 6 foot fence or by dense landscaping.
3. Access to the parcel on which the establishment is located must be by means of a paved street with a right of way width of at least 50 feet.
4. Cooking facilities for guest rooms are not permitted.
5. The Department of Fire and Rescue must inspect and approve the occupancy of an establishment before it may be used as a bed and breakfast inn.
6. Individual guest occupancy is limited to no more than one month in any 3-month period.
7. No sale or display of merchandise or other commodities may occur in connection with the establishment.
8. Private functions such as weddings, receptions, luncheons, parties and similar activities are not permitted, except to the extent such activities represent personal activities of the owner/resident.
9. Not more than one on premise sign shall be permitted. With respect to that sign:
   a. The copy may contain only the name and address of the establishment.
   b. The sign may not exceed 3 square feet in size or 4 feet in height.
   c. The sign may be freestanding or may be located on the dwelling itself or on a fence or wall.
   d. Any sign illumination must be exterior to the sign and must be shielded so as not to produce glare upon an adjacent property or a public right of way.
   e. The design materials and colors of the sign must be compatible with the architectural style of the dwelling.

On-site Parking Requirement: Two spaces for the primary resident, plus one additional space for each guest room.

Beer/Wine/Cooler Cultural Establishment

Description: An establishment

1. Whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers for consumption only:
   a. At a museum, performing arts theater, or facility licensed as an art studio or otherwise licensed for art sales or display (or both); and
   b. During the hours of an artistic exhibition, presentation or performance; and
2. That meets the Minimum Special Use Permit Requirements set forth below.

Minimum Special Use Permit Requirements:

1. The use is limited to the area located within the boundaries of 18b The Las Vegas Arts District, as described in the Las Vegas Downtown Centennial Plan and as amended from time to time.
2. No gaming is permitted as part of this Special Use Permit.
3. The use must conform to the provisions of LVMC Chapter 6.50.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Beer/Wine/Cooler Off-Sale Establishment

Description: An establishment whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers to consumers only and not for resale, in original sealed or corked containers, for consumption off the premises where the same are sold, and is operated in connection with a grocery store, drug store, convenience store or specialty merchandise store.

Minimum Special Use Permit Requirements:

* 1. Except as otherwise provided, no beer/wine/cooler off-sale establishment (hereinafter "establishment") shall be located within 400 feet of any church, synagogue, school, child care facility licensed for more than 12 children, or City park.

* 2. Except as otherwise provided in Requirement 3 below, the distances referred to in Requirement 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed establishment which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed establishment. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines

of fee interest parcels and does not include the property line of:

a. Any leasehold parcel; or

b. Any parcel which lacks access to a public street or has no area for on site parking and which has been created so as to avoid the distance limitation described in Requirement 1.

* 3. In the case of an establishment proposed to be located on a parcel of at least 80 acres in size, the minimum distances referred to in Requirement 1 shall be measured in a straight line:

a. From the nearest property line of the existing use to the nearest portion of the structure in which the establishment will be located, without regard to intervening obstacles; or

b. In the case of a proposed establishment which will be located within a shopping center or other multiple tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the establishment will be located, without regard to intervening obstacles.

4. When considering a Special Use Permit application for an establishment which also requires a waiver of the distance limitation in Requirement 1, the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision.

5. The minimum distance requirements in Requirement 1 do not apply to:

a. An establishment which has a nonrestricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992 or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992; or

b. A proposed establishment having more than 50,000 square feet of retail floor space.

* 6. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50.

7. The minimum distance requirements set forth in Requirement 1, which are otherwise nonwaivable under the provisions of LVMC 19.12.050(C), may be waived:

a. In accordance with the provisions of LVMC 19.12.050(C) for any establishment which is proposed to be located on a parcel within the Downtown Casino Overlay District;

b. In accordance with the applicable provisions of the "Town Center Development Standards Manual" for any establishment which is proposed to be located within the T-C (Town Center) Zoning District and which is designated MS- TC (Main Street Mixed Use) in the Town Center Land Use Plan;

c. In connection with a proposed establishment having between 20,000 square feet and 50,000 square feet of retail floor space, if no more than 10 percent of the retail floor space is regularly devoted to the display or merchandising of alcoholic beverages; or

d. In connection with a retail establishment having less than 20,000 square feet of retail floor space, if the area to be used for the sale, display or merchandising of alcoholic beverages and each use to be protected are separated by a highway or a right of way with a width of at least 100 feet.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Beer/Wine/Cooler On- and Off-Sale Establishment

Description: An establishment:

1. Whose license to sell alcoholic beverages is limited to:

a. The sale of beer, wine and coolers for consumption only in connection with a meal on the premises where the same is sold; and

b. The sale of beer, wine and coolers to consumers only and not for resale, in original sealed or corked containers, for consumption off the premises where the same are sold; and

2. Is operated in connection with a restaurant, grocery store or convenience store in which 30 or more people may be served with meals at any one time at tables or stools.

Minimum Special Use Permit Requirements:

* 1. Except as otherwise provided, no beer/wine/cooler off-sale establishment (hereinafter "establishment") shall be located within 400 feet of any church, synagogue, school, child care facility licensed for more than 12 children, or City park.

* 2. Except as otherwise provided in Requirement 3 below, the distances referred to in Requirement 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed establishment which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed establishment. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:

a. Any leasehold parcel; or

b. Any parcel which lacks access to a public street or has no area for on site parking and which has been created so as to avoid the distance limitation described in Requirement 1.

* 3. In the case of an establishment proposed to be located on a parcel of at least 80 acres in size, the minimum distances referred to in Requirement 1 shall be measured in a straight line:
    a. From the nearest property line of the existing use to the nearest portion of the structure in which the establishment will be located, without regard to intervening obstacles; or
    b. In the case of a proposed establishment which will be located within a shopping center or other multiple tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the establishment will be located, without regard to intervening obstacles.
4. When considering a Special Use Permit application for an establishment which also requires a waiver of the distance limitation in Requirement 1, the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision.
5. The minimum distance requirements in Requirement 1 do not apply to:
    a. An establishment which has a nonrestricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992 or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992; or
    b. A proposed establishment having more than 50,000 square feet of retail floor space.
* 6. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50.
7. The minimum distance requirements set forth in Requirement 1, which are otherwise nonwaivable under the provisions of LVMC 19.12.050(C), may be waived:
    a. In accordance with the provisions of LVMC 19.12.050(C) for any establishment which is proposed to be located on a parcel within the Downtown Casino Overlay District;
    b. In accordance with the applicable provisions of the "Town Center Development Standards Manual" for any establishment which is proposed to be located within the T-C (Town Center) Zoning District and which is designated MS-TC (Main Street Mixed Use) in the Town Center Land Use Plan;
    c. In connection with a proposed establishment having between 20,000 square feet and 50,000 square feet of retail floor space, if no more than 10 percent of the retail floor space is regularly devoted to the display or merchandising of alcoholic beverages; or
    d. In connection with a retail establishment having less than 20,000 square feet of retail floor space, if the area to be used for the sale, display or merchandising of alcoholic beverages and each use to be protected are separated by a highway or a right of way with a width of at least 100 feet.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Beer/Wine/Cooler On-Sale Establishment

Description: An establishment whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers for consumption only in connection with a meal on the premises where the same is sold, and is operated in connection with a restaurant in which 30 or more people may be served with meals at any one time at tables or stools.

Minimum Special Use Permit Requirements:

1. Except as otherwise provided, no beer/wine/cooler on-sale establishment (hereinafter "establishment") shall be located within 400 feet of any church, synagogue, school, child care facility licensed for more than 12 children, or City park.
2. Except as otherwise provided in Requirement 3 below, the distances referred to in Requirement 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed establishment which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed establishment. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:
    a. Any leasehold parcel; or
    b. Any parcel which lacks access to a public street or has no area for on site parking and which has been created so as to avoid the distance limitation described in Requirement 1.
3. In the case of an establishment proposed to be located on a parcel of at least 80 acres in size, the minimum distances referred to in Requirement 1 shall be measured in a straight line:
    a. From the nearest property line of the existing use to the nearest portion of the structure in which the establishment will be located, without regard to intervening obstacles; or
    b. In the case of a proposed establishment which will be located within a shopping center or other multiple tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the establishment will be located, without regard to intervening obstacles.
4. When considering a Special Use Permit application for an establishment which also requires a waiver of the distance limitation in Requirement 1, the Planning Commission shall

take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision.

5. The minimum distance requirements in Requirement 1 do not apply to:
   a. An establishment which has a nonrestricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992 or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992; or
   b. A proposed establishment having more than 50,000 square feet of retail floor space.
6. The parcel or use is operated or controlled by an agency or subdivision of local, state or federal government. (C-V only)
* 7. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Billiard Parlor or Pool Hall

Description: A business establishment whose principal purpose is to make billiard tables available for use by the public for amusement or entertainment.

On-site Parking Requirement: Two spaces per billiard table.

Blood Plasma Donor Center

Description: A building used for the collection of human blood plasma from plasma donors. This use does not include a facility for the provision of medical care or treatment.

On-site Parking Requirement: One space for each 200 square feet of gross floor area.

Boarding or Rooming House

Description: A building or portion thereof, other than a hotel, with no more than four guest rooms where, for compensation, lodging and meals are provided for no more than four persons who are not members of the immediate family occupying such building.

On-site Parking Requirement: Two spaces for the owner or principal occupant, plus one additional space for each rental unit.

Boat & Trailer Dealership (New and Used)

Description: The use of any building or lot for the display and sale of new or used boats, jet skis or other marine vessels, along with corresponding trailers.

Conditional Use Regulations:

1. The minimum site area shall be 25,000 square feet.
2. No vehicle, boat or trailer service or repair work shall occur except within a fully enclosed structure.
3. Service bays with individual access from the exterior of the structure shall not directly face or front on a public right-of-way.

Minimum Special Use Permit Requirements:

1. The minimum site area shall be 25,000 square feet.
2. No vehicle, boat or trailer service or repair work shall occur except within a fully enclosed structure.
3. Service bays with individual access from the exterior of the structure shall not directly face or front on a public right-of-way.
4. All sales activities and storage shall be within an enclosed structure. (C-1 only).

On-site Parking Requirement: One space for each 500 square feet of enclosed gross floor area.

Building & Landscape Material/Lumber Yard

Description: A facility for the sale of home, lawn and garden supplies and construction materials such as brick, lumber and other similar materials.

Conditional Use Regulations:

1. Outside storage shall be screened from view from adjacent properties and streets. The screening must be architecturally consistent with the principal building in terms of materials, colors and details.

Minimum Special Use Permit Requirements:

1. Outside storage shall be screened from view from adjacent properties and streets. The screening must be architecturally consistent with the principal building in terms of materials, colors and details.

On-site Parking Requirement: One space for each 500 square feet of gross floor area, including any outside sales area.

Building Maintenance Service and Sales

Description: A facility or area for contracting services such as building repair and maintenance, the installation of plumbing, electrical, air conditioning and heating equipment, janitorial services, and exterminating services. The retail sale of supplies is permitted as an accessory use.

Conditional Use Regulations:

1. Outside storage shall be screened from view from adjacent properties and streets.

On-site Parking Requirement: One space for each 300 square feet of gross floor area.

Bus Charter Service & Service Facility

Description: Any premises for the transient housing, parking, servicing or repair of motor-driven buses.

On-site Parking Requirement: One space for each 300 square feet of gross floor area.

Business School

Description: A facility or area for instruction and training in secretarial and related office skills, cosmetology, commercial art, computer software, cooking or similar training.

On-site Parking Requirement: One space for each staff member, plus one space for every 2 students in class when the school is at maximum capacity.

Car Wash, Full Service or Auto Detailing

Description: An establishment that provides for the washing, cleaning, waxing or detailing of passenger vehicles, either by means of employees or by means of automated or semi-automated methods of cleaning, or by a combination thereof.

Conditional Use Regulations:

1. Each wash bay shall have a stacking lane that will accommodate at least 6 cars.

Minimum Special Use Permit Requirements:

1. Each wash bay shall have a stacking lane that will accommodate at least 6 cars.

On-site Parking Requirement: One space for each 150 square feet of gross floor area, independent of vehicle stacking space.

Car Wash, Self-Service

Description: A coin operated car wash facility that is operated by the customer and does not utilize automobile conveyors or other automated or semi-automated methods of cleaning.

Conditional Use Regulations:

1. Each stall shall have a stacking lane that will accommodate at least 2 cars.

Minimum Special Use Permit Requirements:

1. The hours of operation shall be limited to the period between 7:00 a.m. and 10:00 p.m.
2. Openings to the wash bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
3. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel.
4. No retail sale of vehicles is allowed.
5. No repair or servicing of vehicles is allowed.
6. The use must not be located within 200 feet of a residential property unless the use is separated from the residential property by a street with a minimum right-of-way width of 80 feet.
7. The applicant must demonstrate that the use can be made inoperable and inaccessible to the public after business hours.
8. Vacuum bays are permitted as part of this use if their operation is in compliance with the other Minimum Special Use Permit Requirements for this use.
9. The use must be operated in conjunction with another motor vehicle related use, such as gasoline sales, smog inspection, minor automotive repair, or recreational vehicle and boat storage.
10. An attendant must be on the premises during all times the equipment is operational.
11. Each stall shall have a stacking lane that will accommodate at least 2 cars.

On-site Parking Requirement: Two spaces per stall, independent of vehicle stacking space.

Catering Service

Description: A service that provides for the preparation, storage, and delivery of food and food utensils for off-premise consumption.

Conditional Use Regulations:

1. No more than 2 delivery vehicles shall be dispatched from the site.
2. The maximum floor area shall not exceed 2,500 square feet.

On-site Parking Requirement: One space for each 500 square feet of gross floor area.

Cemetery/Mausoleum

Description: Property and facilities used for interring of the dead.

Conditional Use Regulations:

1. A decorative masonry and/or wrought iron fence with a minimum height of 6 feet shall be constructed around the perimeter of the cemetery site. The wall along the primary street frontage shall be set back a minimum of 35 feet from the front property line. The front yard area shall not be used for interment and shall be landscaped.

2. Cemeteries shall only be allowed on parcels abutting and having access to collector streets or larger.

On-site Parking Requirement: One space for each employee on the largest shift.

Check Cashing Service, Limited

Description: The service of cashing checks for a fee, service charge or other consideration as a service that is supplemental to a retail business that otherwise does not provide services normally associated with a financial institution. The term does not include a general financial institution, specified financial institution, or any business that provides any kind of loan, cash advance, or deferred deposit service.

Conditional Use Regulations:

1. The use shall comply with all applicable requirements of Title 6.
2. No loan, cash advance, or deferred deposit service may be provided in connection with this use.
3. No exterior advertising of this use is permitted.

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Child Care – Family Home

Description: A residential dwelling used primarily as a residence which also provides day or overnight care for a maximum of 6 children for compensation. Such a use is subject to the child care regulations and standards of the State of Nevada.

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

Child Care – Group Home

Description: A residential dwelling used primarily as a residence which also provides day or overnight care for a minimum of 7 children and a maximum of 12 children for compensation. Such a use is subject to the child care regulations and standards of the State of Nevada.

Minimum Special Use Permit Requirements:

* 1. The minimum lot size shall be 6500 square feet.

* 2. The site shall be designed so that all loading and unloading of passengers occurs on-site.

* 3. In order for this use to be conducted on a parcel developed with multi-family housing, the child care must be provided within a separate structure.

* 4. The use shall be subject to the child care regulations and standards of the State of Nevada.

5. Access to the facility shall be by means of a right-of way with a width of 60 feet or less.
6. The use of outdoor play areas shall be limited to the hours between 6:00 A.M. and 10:00 P.M.
7. All lighting shall be designed so it does not shine directly onto any abutting residential property.

On-site Parking Requirement: One space for each staff member, plus one space for each 6 children.

Child Care Center

Description: Any commercial facility which provides day or overnight care for more than 12 children. Such a use is subject to the child care regulations and standards of the State of Nevada.

Conditional Use Regulations:

1. Access to the child care center shall be by means of a collector street or larger.
2. The maximum lot coverage shall not exceed 30 percent.
3. The site shall be designed so that all discharging or loading of passengers from a vehicle is accomplished on the site. The layout of driveways, circulation patterns and parking must be approved by the City Traffic Engineer prior to the issuance of any building permits.
4. Where structures or play areas have residential adjacency:
   a. An 8-foot high block wall shall be installed along the common property line, with an additional buffer of evergreen trees along the play area. The trees shall be a minimum of 24-inch box, shall be installed at a minimum of 20 feet on center, and shall be a variety that will grow together to form a visual screen.
   b. The building entrance and access shall be oriented away from residential uses on local streets.
   c. Outdoor play shall be limited to daylight hours.
   d. Outdoor lighting shall be designed so as to not shine directly onto any abutting residential property.

On-site Parking Requirement: One space for each staff member, plus one space for each 10 children.

Church/House of Worship

Description: Any building used for religious worship services, religious education and fellowship activities and programs of a religious organization. This use includes the use of the building and premises for other related activities, such as child care facilities, formal educational programs, preschool classes and recreational activities, but only when those activities are ancillary to the religious use and only after those uses have been approved by means of a use review or other procedure under LVMC Chapter 19.16. This use does not include any class of child care center, general education classroom or facility, thrift shop, homeless shelter or commercial activity.

Minimum Special Use Permit Requirements:

1. The Special Use Permit approval may include such activities as religious services, religious instruction, church club activities and similar activities.
2. The Special Use Permit approval may also include accessory functions, such as child care facilities, formal educational programs, preschool classes and similar related activities, if:
   a. The uses are specifically proposed in the application; and
   b. The Director finds that each such use is ancillary to the primary use.
3. Following approval of a Special Use Permit, if any additional uses not specifically covered by that Special Use Permit are proposed, an additional public hearing process shall be required to add the uses.

* 4. In residential districts, related uses such as thrift shops, homeless shelters and other similar activities may not be conducted and are not eligible for approval as part of a Special Use Permit. Such uses may be conducted only in the zoning districts in which such uses are permitted as primary uses, and must receive specific approval to operate.

* 5. Churches on sites larger than 5 acres shall not be permitted in the U District or a district with an "R" prefix.

On-site Parking Requirement: One space for each 4 fixed seats, or one space for each 100 square feet of non-fixed seating area in the gathering room. Where fixed seating consists of benches or pews, each 20 linear inches of bench or pew shall be considered one seat.

Cleaners, Commercial/Industrial

Description: A facility or premises which is used for cleaning items in bulk quantities, such as clothing and linens. This use includes diaper cleaning services and cleaning services for hospitals, restaurants, hotels and similar clients, as well as rug and dry cleaning plants, and may include on-premise retail services to individual households as an use incidental to the operation of the plant.

Minimum Special Use Permit Requirements:

1. The plant operation shall be within a fully enclosed building.
2. The use shall be at least 50 feet from any property which is zoned P-O, O, DC-O, C-1, or is zoned for any residential use. The distance requirement with respect to a nearby commercially-zoned property may be waived if the applicant demonstrates that the use is compatible with the area.

On-site Parking Requirement: One space for each 500 square feet of gross floor area, plus the greater of:

1. One space for each delivery vehicle; or
2. Five spaces.

Clinic

Description: A facility which is occupied and used for the purpose of providing dental or medical care, and which regularly provides any of those services to the general public on an emergency basis or without appointment. This use does not include a hospital or a facility which provides for the overnight care or overnight stay of patients.

On-site Parking Requirement: One space for each 200 square feet of gross floor area up to 2,000 square feet, plus one space for each additional 250 square feet.

Cold Storage Plant

Description: A facility for the protective storage of items such as food or furs, in a refrigerated place.

On-site Parking Requirement: One space for each 500 square feet of gross floor area.

College, University, or Seminary

Description:

1. College or university – An academic institution of higher learning beyond the level of secondary school.
2. Seminary – An institution for the training of candidates for the priesthood, ministry, rabbinate or other religious order.

On-site Parking Requirement: One space for every 4 students or trainees.

Commercial, Other than Listed

Description: Any commercial use not specifically identified in Table 2 of LVMC 19.12.010.

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Commercial Recreation/Amusement (Indoor)

Description: An enclosed facility or area for sport, entertainment, games of skill, or recreation that is open to use by the general public for a fee. This use includes without limitation bowling alleys, indoor miniature golf courses, roller and ice skating rinks, game courts, swimming pools, walk-in movie theaters, physical fitness centers, gyms and video arcades.

Minimum Special Use Permit Requirements:

1. The use shall not be open to the public between the hours of 9:00 p.m. and 8:00 a.m.
2. The use must be consistent with and authorized by an approved Site Development Plan for an office project, and

may not occupy more than 35 percent of the floor area of the project.

3. No structure that houses the use may exceed 35 feet in height.
4. Each structure that houses the use shall be designed to provide reasonable sound barriers for adjoining properties.

On-site Parking Requirement:

Indoor Miniature Golf Course	Three spaces per hole
Skating Rink	One space for each 150 square feet of rink area
Indoor Game Courts	Three spaces per court
Walk-in Theater	One space per 4 seats, plus one space for each employee
Video Arcade	One space for each 200 square feet of gross floor area, plus one space per 3 persons that the facility is designed to accommodate at maximum capacity.
Other Uses	One space for each 200 square feet of gross floor area.

Commercial Recreation/Amusement (Outdoor)

Description: An outdoor facility or area for sport, entertainment, games of skill, or recreation that is open to use by the general public for a fee. This use includes without limitation game courts, water slides, golf courses, outdoor miniature golf courses, drive-in theaters, batting cages, practice/instructional fields, amusement parks, and sports events, but does not include an amphitheater.

On-site Parking Requirement:

Miniature Golf Course	Three spaces per hole.
Golf Course	Four spaces per hole.
Amusement Park	One space per 3 persons that the facilities are designed to accommodate at maximum capacity.
Other Uses	One space for each 200 square feet of gross floor area.

Community Center, Private (Accessory)

Description: A facility associated with a planned residential development or multi-family development which provides for community activities for residents of the development.

Conditional Use Regulations:

1. The facility must be located on a collector street or larger.
2. The facility shall be limited to a single story in height and shall not exceed 3000 square feet in floor area.
3. The facility shall be designed to be integrated into the community.
4. No retail sales or other commercial activity shall be permitted.
5. The facility shall be for the exclusive use and enjoyment of the residents of the development.

On-site Parking Requirement: One space for each 200 square feet of gross floor area.

Community Recreational Facility (Public)

Description: A facility which provides for community activities and is available to the general public.

On-site Parking Requirement: One space for each 200 square feet of gross floor area.

Community Residence (including Family Community Residence and Transitional Community Residence)

Description: A residential family-like living arrangement for 5 to 10 unrelated individuals with disabilities who are in need of the mutual support furnished by other residents, as well as the support services, if any, provided by the operator of the Community Residence. Residents may be self-governing or supervised by a sponsoring entity or its staff which furnishes habilitative or rehabilitative services related to the needs of the residents. Interrelationships among residents are an essential component of a Community Residence. A Community Residence shall be considered a residential use of property for purposes of all zoning and building codes. However, the Fire Marshal, pursuant to and consistent with the City's Fire Code, may require enhanced fire protection, including the installation of fire sprinklers and other mitigating measures, where one or more residents has a lessened ability to ambulate adequately. The use includes a Family Community Residence and a Transitional Community Residence, but does not include any of the following:

1. Senior Citizen Apartment;
2. Adult Day Care Center;
3. Convalescent Care Facility/Nursing Home;
4. Facility for Transitional Living for Released Offenders;
5. Facility to Provide Testing, Treatment, or Counseling for Drug and Alcohol Abuse;
6. Hospice;
7. Sex Offender Counseling Facility;

8. Boarding House or Rooming House;
9. Any other group living arrangement for unrelated individuals who are not disabled; or
10. Any of the following, as defined by NRS Chapter 449:
    a. Facilities for the Treatment of Drug and Alcohol Abuse;
    b. Modified Medical Detoxification Facilities;
    c. Transitional Living Facilities for Released Offenders;
    d. Facility for the Treatment of Narcotics; or
    e. Community Triage Center.

Conditional Use Regulations:

1. Except as otherwise provided in Regulations 2 and 3, a Community Residence may not be located closer than 660 feet to any other Community Residence (measured from property line to property line).
2. Where there is a street, freeway or drainage channel at least 100 feet wide between the proposed Community Residence and an existing Community Residence, the minimum separation requirement
3. When the population of proposed Community Residence is of such a nature that its location must be kept confidential for it to function successfully, such as a Community Residence for victims of domestic abuse, the minimum separation requirements set forth in Regulations 1 and 2 above shall not apply.
4. A maximum of 2 persons who function as facility operator or support staff may reside in a Community Residence without being counted toward the 10-resident limit established for that use. Resident operator/support staff in excess of 2 shall be counter toward the 10-person limit.
5. A Community Residence shall comply with all public health and safety requirements including all Building and Fire Code requirements for the dwelling type in question.
6. In Federal or State law or regulations require the proposed Community Residence to be licensed or certified, then the applicant must obtain that required license or certification before commencing operation of the Community Residence.
7. When located in an O, C-1 or C-2 Zoning District, a Community Residence may not be established unless it is part of a mixed-use development.
8. The operator of the Transitional Community Residence:
    a. Must require residents to be actively and continuously enrolled in an offsite support program, including without limitation Alcoholics Anonymous or an equivalent program, or
    b. Must prohibit the use of alcohol and illegal drugs by residents; and
    c. Upon request and with reasonable notice, must produce evidence satisfactory to the Director or the Code Enforcement Manager residents are in compliance with this Regulation.
9. Occupancy within a Community Residence shall not be made available to any individual whose tenancy would constitute a direct threat to the health and safety of individuals or would result in substantial physical damage to the property of others. The fact that a person is sentenced or referred to a Transitional Community Residence by a judge does not, without other evidence of a person's actual danger to other persons or property, establish that the person is a direct threat to the health and safety of others.
10. The Community Residence must be consistent with the scale and architectural character of the neighborhood.
11. The Special Use Permit provisions of LVMC 19.12.040(B) shall not apply to Regulations 5 through 10 above.
12. In case of a Special Use Permit application that is filed as a consequence of not qualifying for conditional use treatment under Regulations 1 and 2 above, the application must be approved unless the Planning Commission or City Council determines that one or more of the following conditions would occur:
    a. The building to be occupied as a Community Residence would be established or modified in a manner that would make it inconsistent with the scale and architectural character of the neighborhood.
    b. The proposed Community Residence, together with existing Community Residences, would alter the residential character of the neighborhood by creating an institutional atmosphere due to the concentration of the Community Residences on a block or adjoining blocks; or
    c. The application or Community Residence does not or would not comply with Regulations 5 through 10 above.

On-site Parking Requirement: Two spaces per dwelling unit.

Condominium

Description: A multi-family dwelling or a commercial building within which the occupied area is owned individually and the structure, land, common open space areas and facilities are owned by all of the owners on a proportional, undivided basis.

Conditional Use Regulations (for residential condominiums only):

1. The use is limited to the following area: The Downtown Las Vegas Redevelopment Area, as established by Ordinance Nos. 3218, 3339, 3637, and 4036.
2. The condominium use shall be developed only in connection with ground-level nonresidential development, and, in the case of a multi-floor structure, shall not itself be permitted on the ground floor, except for access and entryways.

3. Structures associated with the use shall comply with the following design criteria:
   a. The primary resident/guest entryway to the condominium use shall be independent of ground floor commercial uses, and shall be directly from and oriented to a street.
   b. The overall architecture of the front elevation shall highlight the difference in uses through variations in volume and proportion, and shall be treated as a cohesive whole through finishes and colors.

On-site Parking Requirement: Calculated by the capacity of each unit as described below, plus one additional guest space for every 6 units spread throughout the development:

1. Studio and One Bedroom Units – 1.25 spaces per unit.
2. Two Bedroom Units – 1.75 spaces per unit.
3. Three Bedroom and Above Units – Two spaces per unit.

Construction Material Supply Yard

Description: A facility for the storage and sales of construction materials.

On-site Parking Requirement: One space for each 500 square feet of gross yard area.

Contractor's Plant, Shop & Storage Yard

Description: A facility for the storage and maintenance of contractor's supplies and operational equipment, including accessory office uses.

On-site Parking Requirement: One space for each 500 square feet of gross floor area.

Convalescent Care Facility/Nursing Home

Description: A building or structure designed, used, or intended to be used to house and provide care for persons who have a chronic physical or mental illness or infirmity, but who do not need medical, surgical or other specialized treatment normally provided by a hospital. This use includes a "rest home" and "nursing home," as well as a use that would qualify as a Community Residence except for the limitation on the number of residents, but does not include an "assisted living apartment," "hospital" or other medical facility that is specifically defined in LVMC Chapter 19.18.

Minimum Special Use Permit Requirements:

U through R-CL Districts

1. The minimum parcel size shall be 20,000 square feet.
2. The maximum number of beds per acre shall be 25.
3. Setbacks for buildings shall be the same as required for a single family dwelling in the zoning district where located.
4. The maximum building height shall be 2 stories.
5. The facility must be located on a collector street or larger.

R-2 and R-4 Districts

1. The minimum parcel size shall be 10,000 square feet.
2. The maximum number of beds per acre of land shall be 50.
3. Minimum building setbacks and building height are as follows:
   a. A one-story structure shall be set back a minimum of 25 feet from all property lines.
   b. A two-story structure shall be set back a minimum of 35 feet from all property lines.
4. The facility must be located on a collector street or larger.

On-site Parking Requirement: One space for each 6 beds, plus one space for each employee on the largest shift, plus 3 spaces for use by medical professionals.

Convenience Store

Description: A facility, limited in size and scope, that is primarily used for the retail sale to the public of merchandise for off-site consumption, including prepackaged food products, sundries, household items and similar consumer items. This term does not include a retail business licensed as a "drugstore" pursuant to LVMC Title 6.

Conditional Use Regulations:

1. The building or portion thereof that is dedicated to the use shall have a minimum size of 1200 square feet, and shall be designed to have no more than 5000 square feet of floor space, exclusive of warehouse and office area, devoted to the display of merchandise.
2. All loading areas shall be screened from view from adjacent residential properties.

On-site Parking Requirement: One space for each 175 square feet of gross floor area.

Convent or Monastery

Description: A house or set of buildings used as a residence by persons under religious vows.

On-site Parking Requirement: One space per three beds.

Convention Facility, Publicly Operated

Description: A structure which has at least 100,000 square feet of floor space utilized for scheduling, hosting or accommodating a convention, trade show or temporary event whether the activity is open or closed to the general public that is owned, leased, operated and/or controlled by a local, state, or federal governmental entity.. For purposes of this Title, the term includes a stadium facility that is operated in conjunction with a convention facility.

Minimum Special Use Permit Requirements:

1. The parcel or use is operated or controlled by an agency or subdivision of local, state or federal government.

On-site Parking Requirement:

Convention Facility ..... One space per 1,000 square feet of gross floor area.

Stadium or Arena ..... One space for each 4 fixed seats, or where fixed seating consists of benches, each 20 linear inches of bench shall be considered one seat.

Copy Center

Description: A facility for the custom reproduction of written or graphic materials on a custom order basis for individuals or businesses. Typical processes include but are not limited to, photocopying, small offset printing, blueprint, and facsimile sending and receiving.

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Country Club, Private

Description: A facility that is made available for use on a membership basis for recreational or athletic purposes, where membership is limited and the use of the facility is primarily restricted to members and their guests. This use includes accessory uses, such as:

1. A clubhouse.
2. Retail and restaurant facilities which do not have separate signage or advertising.

On-site Parking Requirement: One space for each 200 square feet of gross floor area.

Crematory

Description: A facility used for the cremation of corpses.

Conditional Use Regulations:

1. All operations shall be within a completely enclosed building.
2. There shall be no audible or noticeable indication of the use outside of the building.
3. All structures shall be set back 100 feet from any residential use.

On-site Parking Requirement: If operated in conjunction with a mortuary or funeral chapel, one space for each 4 fixed seats or one space for each 100 square feet of non-fixed seating area in the gathering room, whichever is greater. If operated otherwise, one space for each employee on the largest shift.

Crop Production

Description: An area for raising or harvesting agricultural crops.

On-site Parking Requirement: One space for each employee on the largest shift.

Custodial Institution

Description: One or more buildings and related facilities used for the housing or detention of persons who have been charged with or have been convicted of felonies or misdemeanors.

Minimum Special Use Permit Requirements:

1. The parcel or use is operated or controlled by an agency or subdivision of local, state or federal government. (C-V only)

On-site Parking Requirement: One space for each 20 inmates at full capacity.

Custom & Craft Work

Description: A facility for the production of finished, personal or household items which are either made to order or involve considerable handwork. Examples include, but are not limited to, textiles, pottery, furniture repair or refinishing, woodworking, upholstery, sculpting and other work or wood products on an individualized single item basis. This use does not include cabinetmaking, cabinet assembly or the use of mechanized assembly line production.

Conditional Use Regulations:

1. All work shall be performed within an enclosed building.
2. All outside storage shall be screened from view from public streets and adjacent properties.

Minimum Special Use Permit Requirements:

1. All work shall be performed within an enclosed building.
2. All outside storage shall be screened from view from public streets and adjacent properties.

On-site Parking Requirement: One space for each 500 square feet of gross floor area.

Daily Labor Service

Description: Any building or premises which serves as a staging point or gathering place for persons who are seeking immediate employment in daily labor activities and who accept or are assigned such employment in accordance with whatever employment is available on that particular day. For purposes of this paragraph, "daily labor" means manual labor, including without limitation, construction cleanup, garbage pickup and removal, demolition, convention setup and takedown, landscaping, planting and digging.

Minimum Special Use Permit Requirements:

* 1. The use must be located on a primary or secondary thoroughfare.
2. The use shall not be located within 400 feet of any church, synagogue, school, child care facility licensed for more than 12 children, City park, or residential zoning district.
* 3. The hours of operation shall be limited to the hours between sunrise and sunset.
* 4. Signage must be posted on the premises indicating that loitering on the premises is not allowed. The signage may not exceed 4 square feet in size.
* 5. Persons who are seeking employment must wait for employment within a fully-enclosed structure or an area screened from public view.

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Delivery and Service Vehicle Storage

Description: The use of an area or facility for the parking and storage of commercial fleet vehicles that are used primarily in connection with the delivery of goods and services to the surrounding community.

Minimum Special Use Permit Requirements:

1. All areas used for the parking and storage of vehicles shall be paved, and shall be effectively screened so as not to be visible from adjoining properties or public rights-of-way.
2. Lighting shall be shielded from adjacent properties.
3. The use shall not occupy or interfere with any parking spaces that are required for any other existing or proposed areas for which required parking is or will be provided on the site.
4. None of the following activities shall be permitted on site:
   a. The repair or servicing of vehicles.
   b. The storage or warehousing of goods or merchandise.

On-site Parking Requirement: .75 spaces for employee on the largest shift, plus one space per delivery or service vehicle.

Desktop Publishing

Description: An establishment that provides custom set-up of graphics and text for publication in an office setting. This use does not include an establishment that performs offset printing or related distribution.

On-site Parking Requirement: One space for each 300 square feet of gross floor area.

Dry Cleaners

Description: A facility which is used to provide, to individual households, cleaning services for items such as clothing and linens. This use includes such facilities whether the plant operation is located on- or off-site.

Minimum Special Use Permit Requirements:

1. The operation shall be within a fully enclosed building.

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Electric Generating Plant

Description: A facility that generates electricity from mechanical power produced by solar, gas, coal, hydraulic power sources or nuclear fission and that is properly licensed or franchised by the authorities having jurisdiction.

On-site Parking Requirement: One space for each 1000 square feet of gross floor area.

Electric Utility Substation

Description: A facility for transforming electricity for distribution to individual customers.

On-site Parking Requirement: None

Electrical, Watch, Clock, Jewelry & Similar Repair

Description: An establishment that provides repair services for small electronics, clocks, watches, jewelry and other similar items.

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Emergency Ambulance Services, Ground

Description: A facility which provides emergency ambulance service and does not include the use of helicopters.

On-site Parking Requirement: One space for each employee on the largest shift, plus one space for each facility vehicle.

Employment Agency

Description: Any establishment, other than a daily labor service, which provides one or both of the following:

1. Assistance to employers in finding and employing permanent or temporary employees, whether part-time or full-time.

2. Assistance to potential employees in identifying and obtaining permanent or temporary employment, whether part-time or full-time.

On-site Parking Requirement: One space for each 300 square feet of gross floor area.

Environmentally Hazardous Materials

Description: The location of activities or products which have the potential to be dangerous, extremely obnoxious, or cause substantial environmental impacts on or beyond the boundaries of the property on which the activity or use is conducted. Environmentally hazardous materials include, but are not limited to, the following activities:

1. The manufacture, storage and testing of explosives, fireworks or munitions.
2. The refining of petroleum and the storage and distribution of natural and liquid gas or other petroleum derivatives in bulk including terminals, tank farms or other similar facilities.
3. The manufacture, blending, or mixing of pesticides, certain acids and fertilizer.
4. Stockyards; feed pens; livestock sales with pens and/or shipping facilities; rendering of animal fats; slaughtering or processing of animals; and industrial manufacturing processes using the following raw materials: bones, garbage, offal and dead animals.
5. The refining of raw materials, such as, but not limited to, chemicals, rubber, wood or wood pulp, into other products.
6. The forging, casting, melting, refining, extruding, rolling, drawing or alloying of metals.
7. The testing of jet engines or other engines.
8. Refuse disposal services not listed elsewhere in this Title, including but not limited to landfills, incinerators and other locations which receive garbage and refuse generated off-site for storage, treatment or disposal.
9. Boiler works.

On-site Parking Requirement: One space for each 500 square feet of gross floor/yard area.

Escort Bureau

Description: A business establishment which, for a fee, commission, hire, or profit, furnishes or arranges for escorts to accompany other persons for social engagements.

Minimum Special Use Permit Requirements:

1. The business must be located at least 500 feet from any residentially-zoned property and 1500 feet from any church, school, child care facility or park, measured in each case from property line to property line without regard to intervening obstacles.
2. No escorts or escort runners shall be physically dispatched from the property.
3. No business may be transacted with patrons on the property.
4. Except as may otherwise be required by ordinance or by the Director, there shall be no on-site signage or other advertising of any kind, whether on the property or elsewhere, which advertises the address or physical location of the business.

On-site Parking Requirement: One space for each 300 square feet of gross floor area.

Facility for Transitional Living for Released Offenders

Description: A dwelling unit of a residential character that provides housing and a living environment for up to six persons who have been released from prison and who require assistance with reintegration into the community, other than such a residence that is operated or maintained by a state or local government or an agency thereof. There term does not include a halfway house for recovering alcohol and drug abusers or a facility for the treatment of abuse of alcohol or drugs. As used in this description, "person who has been released from prison" means:

1. A parolee
2. A person who is participating in:
   a. A judicial program pursuant to NRS 209.4886 or 213.625; or
   b. A correctional program pursuant to NRS 209.488 or 213.632;
3. A person who is supervised by the Division of Parole and Probation of the Department of Public Safety through residential confinement pursuant to NRS 213.371 to 213.410, inclusive; or
4. A person who, within the past 20 years, has been released from prison by expiration of his term of sentence.

Minimum Special Use Permit Requirements:

* 1. The facility must comply on an ongoing basis with all governmental licensing requirements.
2. The facility must be located on a parcel with a minimum size of six thousand five hundred square feet.
3. The facility must be located on a parcel that is within one thousand five hundred feet of an existing bus stop served by a regional bus system.
4. Off-street parking shall be provided on the basis of at least one space per five residents, plus an additional space for the administrator.
5. Indoor common area shall be provided on the basis of a minimum of fifteen square feet per resident.

6. The facility shall not be established or modified in a manner that would make it inconsistent with the scale and architectural character of the neighborhood.
7. No signage, graphics, display, or other visual representation that is visible from a public street shall be used to identify to facility as a Facility for Transitional Living for Released Offenders.
8. A facility may not be located closer than one thousand five hundred feet (measured by means of the shortest distance from property line to property line) from another Facility for Transitional Living for Released Offenders, a Community Residence, church, synagogue, school, child care facility licensed for more than twelve children, or City park.
9. The number of occupants within a Facility for Transitional Living for Released Offenders shall not exceed the following occupancy standards
   a. For the first bedroom (deemed to be the largest bedroom), a maximum of two adults (eighteen years of age or older).
   b. For each bedroom thereafter:
      i. A maximum of one adult, for bedrooms less than one hundred square feet in area; and
      ii. A maximum of two adults, for bedrooms one hundred square feet in area or greater.

On-site Parking Requirement: Off-street parking shall be provided on the basis of at least one space per five residents, plus an additional space for the administrator.

Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse

Description: A facility that:

1. Operates under or is subject to the provisions of NRS Title 40 and, by means of certified detoxification technicians or otherwise, provides care or treatment related to the physical and mental effects of the abuse of alcohol or drugs, or the effects of alcohol or drug dependency; or
2. Provides court-ordered or court-sanctioned testing, analysis, treatment or counseling related to the physical and mental effects of the abuse of alcohol or drugs, or the effects of alcohol or drug dependency.

On-site Parking Requirement: One space for each 300 square feet of gross floor area.

Financial Institution, General (with Drive-Through)

Description: Any business or organization:

1. Whose primary service is the exchange of currency; and
2. Whose service includes drive-through service.

This use includes without limitation banks and credit unions, but does not include any business engaged in retail sales or a business whose primary service is to lend money for repayment at a future date.

Conditional Use Regulations:

1. Each drive-through service window and drive-up automatic teller machine shall have a stacking lane that will accommodate at least 6 cars per lane and that is screened in accordance with LVMC 19.08.040(F).
2. In the O and DC-O Districts, drive-thru's shall be separated from residential properties by an intervening building and shall not have access to local residential streets.

On-site Parking Requirement: One space for each 200 square feet of gross floor area.

Financial Institution, General (without Drive-Through)

Description: Any business or organization:

1. Whose primary service is the exchange of currency; and
2. Whose service does not include drive-through service.

This use includes without limitation banks and credit unions, but does not include any business engaged in retail sales or a business whose primary service is to lend money for repayment at a future date.

On-site Parking Requirement: One space for each 200 square feet of gross floor area.

Financial Institution, Specified

Description: Any business whose primary function is to:

1. Lend money;
2. Cash checks or other negotiable instruments for a fee, service charge or other consideration; or
3. Provide funds in exchange for the acceptance of a check on a post-dated or deferred-deposit basis.

This use includes without limitation a business that provides check cashing, services as a principal service offered, a paycheck advance service, and any business primarily providing cash loans, installment loans or cash advances. The term does not include a pawn shop or a limited check cashing service, as described in this Section.

Conditional Use Regulations:

1. The use shall comply with all applicable requirements of LVMC Title 6.
2. The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.

3. No temporary signs (as described in LVMC 19.08.120 (G)) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed 30 days.
4. Window signs shall not:
   a. Cover more than 20 percent of the area of all exterior windows;
   b. Include flashing lights or neon lighting; or
   c. Include any text other than text that indicates the hours of operation and whether the business is open or closed.
5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
6. The building or portion thereof that is dedicated to the use shall have a minimum size of 1500 square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).
7. No specified financial institution use may be located closer than 200 feet from any parcel used or zoned for residential use. In addition, no specified financial institution use may be located closer than 1000 feet from any other specified financial institution use, auto title loan use, or auto pawn use. For purposes of this Regulation 7, distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

Minimum Special Use Permit Requirements:

* 1. The use shall comply with all applicable requirements of LVMC Title 6.

* 2. The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.

3. No temporary signs (as described in LVMC 19.08.120 (G)) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed 30 days.
4. Window signs shall not:
   a. Cover more than 20 percent of the area of all exterior windows;
   b. Include flashing lights or neon lighting; or
   c. Include any text other than text that indicates the hours of operation and whether the business is open or closed.
5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
6. The building or portion thereof that is dedicated to the use shall have a minimum size of 1500 square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).
7. No specified financial institution use may be located closer than 200 feet from any parcel used or zoned for residential use. In addition, no specified financial institution use may be located closer than 1000 feet from any other specified financial institution use, auto title loan use, or auto pawn use. For purposes of this Requirement 7, distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Food Processing

Description: A facility in which food for human consumption is provided in its final form, such as candy, baked goods and ice cream, and the food is distributed to retailers or wholesalers for resale on or off the premises. This use does not include food or beverage processing which uses any mechanized assembly line production of canned or bottled goods.

Conditional Use Regulations:

1. Food processing shall be permitted only in conjunction with retail use.
2. A maximum of 5000 square feet in floor area shall be permitted.

On-site Parking Requirement: One space for each 500 square feet of gross floor area.

Fraternity, Sorority House or Private Dorm

Description: A residential building associated with a college or university that provides sleeping quarters, but not separate dwelling units, and may include common dining, cooking, recreation or bathing facilities.

Minimum Special Use Permit Requirements:

1. The minimum lot area shall be 6000 square feet for the first five occupants of the building's designed occupancy and 900 square feet for each additional residential occupant.

On-site Parking Requirement: One and one-half spaces per guest room.

Gaming Establishment, General Business-Related

Description: A building or structure which is primarily used for some business other than gaming but in which restricted gaming is

permitted pursuant to Title 6. For purposes of the Special Use Permit requirements of this Title, this use does not include a location that has obtained and maintains current licensing and zoning approvals to sell alcoholic beverages.

Minimum Special Use Permit Requirements:

1. The parcel or use is operated or controlled by an agency or subdivision of local, state or federal government. (C-V only)

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Gaming Establishment, Non-restricted

Description: An establishment which is used or intended to be used for the conduct of gaming activities for which a non-restricted gaming license is required pursuant to LVMC Title 6. For informational purposes, this description refers to an establishment whose gaming operations consist of 16 or more slot machines, or any number of slot machines together with any other game, gaming device, race book or sports pool at that establishment. When operated in conjunction with a hotel having more than 200 rooms this use includes any number of ancillary alcoholic beverage-related uses with an on-sale component, without regard to the requirements of LVMC Chapter 19.12, but only to the extent such uses conform to the applicable requirements of LVMC Chapters 6.40 and 6.50.

Minimum Special Use Permit Requirements:

* 1. Except as otherwise exempted by State law, non-restricted gaming establishments must be located within the Gaming Enterprise Overlay District described in Section 19.10.120.

* 2. A Special Use Permit is required for:

   a. Any new non-restricted gaming establishment.

   b. Any increase in the amount, variety or magnitude of gaming to be offered within an existing non-restricted gaming establishment whether or not the existing gaming was approved by means of a Special Use Permit.

* 3. The Special Use Permit requirement in Paragraph (2) above:

   a. Applies to all property in the City, wherever located and whether or not it is located in the Gaming Enterprise Overlay District;

   b. Applies to existing non-restricted gaming establishments whether or not they have applied for an increase in the amount, variety or magnitude of gaming to be offered;

   c. Applies to any property or establishment irrespective of any rights or purported rights established by prior adjudication, to the extent such rights have not become vested by the exercise thereof; and

   d. Supersedes and prevails over every other provision of the Municipal Code to the contrary, or that might be deemed to be interpreted to the contrary.

On-site Parking Requirement: One space for each 90 square feet of gross floor area.

Gaming Establishment, Restricted

Description: An establishment which is used or intended to be used for gaming activities for which a restricted gaming license is required pursuant to Title 6. For informational purposes, this description refers to an establishment whose gaming operations are limited to not more than 15 slot machines, incidental to the primary business at the establishment, and no other game or gaming device.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Garden Supply/Plant Nursery

Description: A facility for the growing, display, or sale of plant stock, seeds or other horticulture items. This use may include raising plants outdoors or in greenhouses for sale either as food or for use in landscaping.

Conditional Use Regulations:

1. Garden tools, supplies and fertilizer may be allowed outside an enclosed building, provided all storage is screened from view from any abutting streets.
2. Live plants may be located outside of an enclosed building.

On-site Parking Requirement: One space for each 500 square feet of indoor display area, plus one space for each 2500 square feet of outdoor display area.

General Personal Service

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

On-site Parking Requirement:

Barber/Beauty Shop ..... For a use located in a shopping center with more than 25,000 square feet of gross floor area, one space for each 250 square feet of gross floor area. Otherwise, two spaces for each barber chair and three spaces for each beautician station.

Tanning Salon ..... Two spaces per tanning bed.

Nail Salon ..... Two spaces per chair/station.

Other Uses Not Listed ..... One space for each 250 square feet of gross floor area.

General Retail Store, Other Than Listed (3500 Square Feet or More)

Description: A facility (with 3500 square feet or more) for the retail sale of general merchandise to the general public for direct consumption and not for wholesale. This use does not include a "grocery store," "convenience store," or other retail facility that is specifically defined in LVMC Chapter 19.18.

On-site Parking Requirement:

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

General Retail Store, Other Than Listed (Less than 3500 Square Feet)

Description: A facility (with less than 3500 square feet) for the retail sale of general merchandise to the general public for direct consumption and not for wholesale. This use does not include a "grocery store," "convenience store," or other retail facility that is specifically defined in LVMC Chapter 19.18.

Conditional Use Regulations:

1. The following are not permitted:
   a. The sale or dispensing of gasoline or other automotive fuels.
   b. The sale of alcoholic beverages for off-premise consumption.
   c. Outdoor storage and sales.
2. All loading areas shall be screened from view from adjacent residential properties.

On-site Parking Requirement: One space per 175 square feet of gross floor area.

Golf Driving Range

Description: A facility or area that is made available to the public for the practice of golf driving techniques

On-site Parking Requirement: Three spaces, plus one space per tee.

Government Facility

Description: A facility or area used for public purposes and owned or operated by an instrumentality or agency of Federal, State, or local government.

On-site Parking Requirement: One space for each 300 square feet of gross floor area.

Grocery Store

Description: A facility, over 5000 square feet in size, that is primarily used for the retail sale of household foodstuffs for offsite consumption, including any combination of fresh produce, meats, poultry, fish, deli products, dairy products, canned foods, dry foods, baked food, prepared foods, and beverages. This use may include the sale of other household supplies and products, but only if secondary to the primary purpose of food sales.

On-site Parking Requirement:

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

   waived in connection with the approval of a Special Use Permit.

   c. Approval of a waiver may be conditioned upon measures designed to ensure compatibility of the use.

8. The number of occupants within a Group Residential Care Facility shall not exceed the following occupancy standards:
   a. For the first bedroom (deemed to be the largest bedroom), a maximum of two adults (eighteen years of age or older).
   b. For each bedroom thereafter:

Gun Club, Skeet or Target Range, or Archery Club (Indoor)

Description: A facility or area used for archery or the shooting of firearms, whether for practice or sport.

On-site Parking Requirement: One space per target or shooting position.

Gun Club, Skeet or Target Range, or Archery Club (Outdoor)

Description: A facility or area used for archery or the shooting of firearms, whether for practice or sport.

On-site Parking Requirement: One space per target or shooting position.

Health Club

Description: An establishment that operates physical fitness facilities, sports clubs or recreation clubs.

Conditional Use Regulations:

1. The structure shall not exceed 5000 square feet in size

On-site Parking Requirement: One space for each 200 square feet of gross floor area.

Heavy Machinery and Equipment (Rental, Sales & Service)

Description: A facility for the display, sale and rental of tools, heavy machinery, dump trucks or commercial and heavy equipment, such as those used in building construction, farming, restaurants or manufacturing.

On-site Parking Requirement: One space for each 250 square feet of gross floor area. Rental equipment may not be parked or stored in parking spaces that are designated as required on-site parking.

Heavy Machinery and Equipment (Storage)

Description: A lot or facility used for the storage of heavy construction equipment, machinery and vehicles.

On-site Parking Requirement: One space for each employee on the largest shift, plus one space for each facility vehicle.

Helipad

Description: A facility for the landing and taking off of helicopters, but with no accessory gas sales, maintenance or other services.

Minimum Special Use Permit Requirements:

1. The use shall be permitted only as an accessory use to a hospital, medical facility or medical office.
2. The operator shall designate flight paths that minimize flight over residential areas and shall provide the City with evidence that such flight paths have been approved by the Clark County Department of Aviation.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Home Occupation

Description: An income producing activity conducted in a residential zone pursuant to LVMC 19.16.180.

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

Horse Corral or Stable (Commercial)

Description: A structure for the keeping of horses, mules or ponies which are boarded for compensation or for use in providing instructional or recreational activities for persons other than occupants of the premises.

Conditional Use Regulations:

1. Stables or corrals shall be placed more than 50 feet from any dwelling on an adjacent residential lot and at least 100 feet from the front property line.
2. All accessory structures shall comply with the setback requirements set forth in LVMC Chapter 19.08, and in no event shall be placed closer than 5 feet from any side or rear property line abutting a residential zoning district.

On-site Parking Requirement: One space for each 5 horses that can be boarded at the maximum capacity on the property.

Horse Corral or Stable (Private)

Description: An accessory structure for the keeping of horses, mules or ponies for the use of occupants of the premises.

Conditional Use Regulations:

1. Stables or corrals shall be placed at least 50 feet from any dwelling on an adjacent residential lot and at least 100 feet from the front property line.
2. Structures shall be placed at least 5 feet from any side or rear property line abutting a residential zoning district.
3. Barns and other structures shall conform to the standards for accessory buildings.
4. No more than three horses may be stabled for each one-half acre of land included in the building site.

On-site Parking Requirement: One space for each 5 horses that can be boarded at the maximum capacity on the property.

Hospice

Description: A home for the terminally ill.

On-site Parking Requirement: One space for each 8 beds, plus one space for each employee on the largest shift.

Hospital

Description: An institution, designed within an integrated campus setting, for the diagnosis, care, and treatment of human illness, including surgery and primary treatment.

Conditional Use Regulations:

1. The use shall be located on a secondary thoroughfare or larger.

On-site Parking Requirement: One and one-half spaces for each patient bed.

Hotel, Motel or Hotel Suites

Description:

1. Hotel – A building or group of buildings whose main function is to provide rooms for temporary lodging where entrance to each room is gained from a completely enclosed area. A hotel may also contain restaurants, conference rooms and personal service shops. The phrase "temporary lodging" refers to a rental period with a normal duration of no more than 1 week.

2. Motel – A building or group of buildings whose main function is to provide rooms for temporary lodging, rooms which are directly accessible from an outdoor parking area. The phrase "temporary lodging" refers to a rental period with a normal duration of no more than 1 week.

3. Hotel Suites – A facility offering temporary lodging accommodations to the general public in which rooms or suites may include kitchen facilities and sitting rooms in addition to the sleeping room. The phrase "temporary lodging" refers to a rental period with a normal duration of no more than 1 week.

On-site Parking Requirement: One space per guest room.

Hotel, Residence

Description: A multi-dwelling facility for extended stay lodging, consisting of:

1. Efficiency units or suites with a complete kitchen suitable for long term occupancy;

2. Customary hotel services such as linen, maid service, telephone and upkeep of furniture; and

3. Optional resident and guest amenities such as meeting rooms, club house and recreation facilities.

This use does not include facilities which qualify as other types of dwelling units defined in this Title.

On-site Parking Requirement: One space per guest room.

Internet Café

Description: An establishment that provides for public use 5 or more computers or other electronic devices:

1. For purposes of accessing the internet, a local area network, e-mail programs or other computer software programs; and

2. The public use of which is in exchange for compensation of any kind and paid in any manner, including but not limited to the payment of a membership fee.

This use will generally include establishments commonly known as PC cafes, cyber cafes, cyber centers, and similar designations.

Conditional Use Regulations:

1. No persons under the age of 16 years may use the computers or other electronic devices between the hours of 8:00 A.M. through 2:00 P.M., Monday through Friday, and after 10:00 P.M. daily, unless accompanied by a parent or guardian. The 8:00 A.M. through 2:00 P.M. restriction shall not apply during school holidays and school vacation periods recognized by schools within the City.
2. Accessible and adequate storage for bicycles and skateboards shall be provided to prevent an accumulation of bicycles and skateboards in such a manner as to interfere with the public use of sidewalks or streets.

On-site Parking Requirement: One space for every computer or electronic device provided for use, plus one space for each staff member on the largest shift.

Internet/Catalogue Sales Office

Description: An establishment which specializes in the sale of products via the internet or by catalogue for delivery to a customer's home or business. This use may include in-person customer consultations at the establishment.

Conditional Use Regulations:

1. Neither the sale of products located on-site nor the delivery of products on-site is permitted.

On-site Parking Requirement: One space for each 300 square feet of gross floor area.

Jewelry Store, Class III

Description: A store which buys and sells scrap precious metals for marketing as a commodity in bar form or in other than jewelry form, or which buys and sells precious metal bars and coins that are sold as a commodity rather than for numismatic purposes. The use may additionally include operations similar to a new jewelry store.

Conditional Use Regulations:

1. The use shall comply with the applicable requirements of LVMC Title 6.
2. No outdoor display, sales or storage of any merchandise shall be permitted.
3. No such use shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.

Minimum Special Use Permit Requirements:

* 1. The use shall comply with the applicable requirements of LVMC Title 6.

* 2. No outdoor display, sales or storage of any merchandise shall be permitted.

* 3. No such use shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.

On-site Parking Requirement:

1. If less than 25,000 square feet, one space per 175 square feet of gross floor area.

2. If 25,000 square feet or more, one space per 250 square feet of gross floor area.

Jewelry Store, New

Description: A store which primarily sells new merchandise and some used merchandise from estate sales or reconstitutes precious metals into jewelry forms which are sold at retail on the premises.

On-site Parking Requirement:

1. If less than 25,000 square feet, one space per 175 square feet of gross floor area.

2. If 25,000 square feet or more, one space per 250 square feet of gross floor area.

Keeping of Carrier or Racing Pigeons

Description: The keeping of pigeons that are bred and kept for the purpose of demonstration or racing, are registered with a national pigeon registry or organization, and are identified as to ownership and registration by a stamp or a band.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Laboratory, Medical or Dental

Description: A facility, other than a hospital, that:

1. Conducts general medical or scientific research, investigation, testing, or experimentation; or

2. Upon referral by or request of a medical professional, provides radiological or medical testing, or creates prosthesis or artificial dental work.

This use does not include a facility for the manufacture or sale of other products, except as incidental to the main purpose of the laboratory. This use also does not include a "facility to provide testing, treatment, or counseling for drug or alcohol abuse," as that term is defined in this Title.

On-site Parking Requirement: One space for each 200 square feet of gross floor area up to 2,000 square feet, plus one space for each additional 175 square feet.

Landfill

Description: A lot or premises used for the disposal of garbage, trash, refuse or waste material (other than sewage) which is officially sanctioned by proper authorities of the jurisdiction in which it is located.

On-site Parking Requirement: One space for each employee on the largest shift.

Laundry, Self-Service

Description: A laundry facility that provides coin operated washing and drying machines for customer operation. This use includes a facility that provides additional services such as fluff and fold or dry cleaning, provided that no dry cleaning equipment is located on the premises. This use does not include a laundry room located within a residential development that is provided solely for the use of residents of the development.

On-site Parking Requirement: One space per 250 square feet of gross floor area.

Library, Art Gallery or Museum (Public)

Description: A publicly-operated facility used for:

1. The housing of a collection of books, magazines, audio and video tapes, or other material for borrowing and use by the general public; or

2. The acquisition, preservation, study or exhibition of works of artistic, historic or scientific value.

On-site Parking Requirement: One space for each 300 square feet of gross floor area.

Light Assembly & Fabrication

Description: The assembly or manufacturing of objects or items that:

1. Are made from standard parts or components;

2. Are distinct from the individual parts or components; and

3. Are not of another type of assembly or fabrication specifically described in this Table 2.

Conditional Use Regulations:

1. All processing, manufacturing, and storage of materials, equipment and products shall be performed in a completely enclosed building.

2. There shall be no audible or noticeable indication of a manufacturing operation outside the building.
3. There shall be no smoke, dust or foreign matter emitted.
4. All exterior storage of material shall be in sturdy containers or enclosures which screen storage from surrounding properties and abutting streets. Storage containers for flammable materials shall be constructed of nonflammable material. [C-2 only]
5. No outside storage is permitted. [C-1 only]
6. The bulk manufactured items and raw materials stored shall not exceed 4 percent of the cubic content of the building. [C-1 only]
7. No more than 7 employees shall be engaged in the manufacture, treatment or processing operation. [C-1 only]
8. Only the following operations shall be allowed: [C-1 only]
   a. Lens grinding;
   b. Jewelry manufacture;
   c. Wholesale medallion sales and assembly;
   d. Wholesale and retail cooking;
   e. Sewing and embroidery shop;
   f. Stained glass assembly;
   g. Drapery manufacture; and
   h. Wholesale printing.

On-site Parking Requirement: One space for each 500 square feet of gross floor/yard area.

Liquefied Petroleum Gas Installation (288 Gallons or Less)

Description: A facility or system:

1. Which includes tanks, piping or gas equipment (or any combination thereof);
2. Is used or intended to be used for the storage, dispensing or other utilization of liquefied petroleum gas; and
3. Whose tanks:
   a. Have an aggregate water capacity of 288 gallons or less; or
   b. Are part of an installation in a mobile home park or similar multiple-unit installation whose units are served by individual tanks if the tanks are not interconnected and each individual tank has a water capacity of less than 125 gallons.

Conditional Use Regulations:

1. This use is permitted in accordance with the applicable zoning district requirements if the installation complies with the provisions of NRS 590.465 et seq.
2. Any installation which was made nonconforming by the adoption of the standards of this Title regarding liquefied petroleum gas installations is subject to the expansion and discontinuance provisions set forth in Chapter 19.14.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Liquefied Petroleum Gas Installation (Over 288 Gallons)

Description: A facility or system:

1. Which includes tanks, piping or gas equipment (or any combination thereof);
2. Is used or intended to be used for the storage, dispensing or other utilization of liquefied petroleum gas; and
3. Whose tanks have an aggregate water capacity of more than 288 gallons, unless the tanks are part of an installation in a mobile home park or similar multiple-unit installation whose units are served by individual tanks, the tanks are not interconnected, and each individual tank has a water capacity of less than 125 gallons.

Minimum Special Use Permit Requirements:

1. This use is permitted in accordance with the applicable zoning district requirements if the installation complies with the provisions of NRS 590.465 et seq.
2. Any installation which was made nonconforming by the adoption of the standards of this Title regarding liquefied petroleum gas installations is subject to the expansion and discontinuance provisions set forth in LVMC Chapter 19.14.
3. The parcel or use is operated or controlled by an agency or subdivision of local, state or federal government. (C-V only)

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Liquor Establishment (Tavern)

Description: A facility which sells alcoholic beverages for consumption on the premises where the same are sold and authorizes the sale, to consumers only and not for resale, of alcoholic beverages in original sealed or corked containers, for consumption off the premises where the same are sold.

Minimum Special Use Permit Requirements:

* 1. Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by generally requiring both a minimum separation between liquor establishments (tavern), and a minimum separation between a liquor establishment (tavern) and

certain other uses that should be protected from the impacts associated with a liquor establishment (tavern). Therefore, except as otherwise provided below, no liquor establishment (tavern) may be located within 1500 feet of any other liquor establishment (tavern), church, synagogue, school, child care facility licensed for more than 12 children, or City park.

* 2. The distance separation referred to in Requirement 1 shall be measured with reference to the shortest distance between two property lines, one being the property line of the proposed liquor establishment (tavern) which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed liquor establishment (tavern). The distance shall be measured in a straight line without regard to intervening obstacles.

* 3. For the purpose of Requirement 2, and for that purpose only:

a. The "property line" of a protected use refers to the property line of a fee interest parcel that has been created by an approved and recorded parcel map or subdivision map, and does not include the property line of a leasehold parcel; and

b. The "property line" of a liquor establishment (tavern) refers to:

i. The property line of a parcel that has been created by an approved and recorded parcel map or commercial subdivision map; or

ii. The property line of a parcel that is located within an approved and recorded commercial subdivision and that has been created by a record of survey or legal description, if:

A. Using the property line of that parcel for the purpose of measuring the distance separation referred to in Requirement 1 would qualify the parcel under the distance separation requirement;

B. The proposed liquor establishment (tavern) will have direct access (both ingress and egress) from a street having a minimum right-of-way width of 100 feet. The required access may be shared with a larger development but must be located within the property lines of the parcel on which the proposed liquor establishment (tavern) will be located;

C. All parking spaces required by this Subchapter 19.12.070 for the liquor establishment (tavern) use will be located on the same parcel as the use; and

D. The owners of all parcels within the commercial subdivision, including the owner of agreement, satisfactory to the City Attorney, that provides for perpetual, reciprocal cross-access, ingress and egress throughout the commercial subdivision.

4. The distance separation requirement set forth in Requirement 1 does not apply to an establishment which has a non-restricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992, or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992.

5. The distance separation requirement set forth in Requirement 1 may be waived in accordance with the provisions of LVMC 19.12.050(C), but only in connection with a proposed liquor establishment (tavern) that:

a. Will be located on a parcel within the C-V District, the Parkway Center District within the Downtown Centennial Plan, the Gaming Enterprise Overlay District, or the Downtown Casino Overlay District;

b. Will be located on a parcel or within a building that, pursuant to State law or City ordinance, has been designated as an historic property, historic building, or landmark;

c. Will be located within a regional mall; or

d. Will be located within a mixed-use development

i. That has been approved by means of Special Use Permit pursuant to LVMC Chapters 19.12 and 19.16;

ii. That has a minimum net site area of 15 acres; and

iii. Whose gross floor area of nonresidential space is a minimum of 250,000 square feet; or

e. Will be separated from the existing use by a street or highway with a minimum right-of-way width of 100 feet.

6. The parcel or use is operated or controlled by an agency or subdivision of local, state or federal government. (C-V only)

* 7. The use shall conform to, and is subject to, the provisions of LVMC Chapters 6.40 and 6.50.

On-site Parking Requirement: One space for each 50 square feet of public seating and waiting area (including areas for seating and waiting), plus one space for each 200 square feet of the total remaining gross floor area, with a minimum of ten spaces required.

Livestock Farming (Bovines/Horses)

Description: The raising or keeping of bovine animals or horses for recreational, entertainment or training purposes only. This use does not include the breeding or raising of animals for consumption or sale.

Conditional Use Regulations:

1. The minimum allowable parcel size is 1.25 acres.
2. A maximum of 25 animals (bovines or horses) is allowed per parcel.
3. No more than one bovine or horse is allowed per 7500 hundred square feet of lot area.
4. The parcel must also be occupied by a habitable dwelling.
5. Bovines may not be kept at any location south of Cheyenne Avenue.

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

Manufactured Home (Not Qualifying for Zoning Treatment as Single Family Detached Dwelling)

Description: A structure (as defined in NRS 489.113) that does not qualify for State-law zoning treatment as a Single Family Detached Dwelling. The fact that a structure does not qualify for State-law zoning treatment as a Single Family Detached Dwelling does not preclude it from being so treated for other purposes, or from being permanently affixed to a residential lot.

Conditional Use Regulations:

1. No sales or display of manufactured homes is permitted, except for:
   a. The sale in-place, by the owner or his agent, of a manufactured home that has previously been located and continuously occupied in that mobile home park by the owner.
   b. The sale in-place, by a manufactured home dealer, of a manufactured home that has previously been located and continuously occupied in that mobile home park by the owner of the home and that has been taken as a trade-in or purchased from the owner.
   c. The placement of a manufactured home within a mobile home park for the purpose of sale or display, or both, as a sales model only.

   For purposes of this Conditional Use Regulation 1, a financial institution that has succeeded to the interest in a manufactured home of its owner, through foreclosure, shall be deemed to be the agent of the owner.

On-site Parking Requirement: Two spaces per site.

Manufactured Home (Qualifying for Zoning Treatment as Single Family Detached Dwelling)

Description: A structure (as defined in NRS 489.113) that meets the Conditional Use Regulations listed below in order to qualify for State-law zoning treatment as a Single Family Detached Dwelling.

Conditional Use Regulations:

1. In order to qualify for State-law zoning treatment as a Single Family Detached Dwelling, a manufactured home must:
   a. Have been constructed or manufactured within the 6 years immediately preceding the date on which it is affixed to the residential lot;
   b. Consist of at least 1200 square feet of living area, unless the Director approves a reduction in size;
   c. Be permanently affixed to the residential lot;
   d. Have its foundation masked architecturally or by landscaping, berming or planters; and
   e. Be demonstrated to be compatible with homes in the immediate vicinity, in terms of siding material, roofing, color, building configuration, design features, etc.

On-site Parking Requirement: Two spaces per site.

Manufacturing, Heavy

Description: A facility for the general mass producing of goods, usually for sale to wholesalers or other industrial or manufacturing uses. This use includes any use which employs any of the following or similar types of processes:

1. Milling of grain.
2. Production of animal food, and the tanning of animal hides.
3. Production of large durable goods such as, but not limited, to motorcycles, cars, manufactured homes or airplanes.
4. Canning or bottling of food or beverages for human consumption using a mechanized assembly line.
5. Manufacturing of paint, oils, pharmaceuticals, cosmetics, solvents and other chemical products, and use of a foundry for metals.
6. Production of items made from stone, clay, metal or concrete.
7. Tire recapping or retreading.
8. Production of items by means of the chemical processing of materials.

On-site Parking Requirement: One space for each 1000 square feet of gross floor/yard area.

Manufacturing, Light

Description: A facility for producing goods without the use of any of the processes described within the definition of "Heavy Manufacturing." This use includes without limitation the following activities:

1. Assembly, finishing, and/or packaging of small items from component parts made at another location. Examples include but are not limited to cabinet making or the assembly of clocks, electrical appliances, or medical equipment.
2. Production of items made from materials derived from plants or animals including, but not limited to, leather, pre-milled wood, rubber, paper, wool or cork, or from textiles or plastics.
3. Electrical component manufacturing.

4. Reproduction, cutting, printing, or binding of written materials, drawings or newspapers on a bulk basis using lithography, offset printing, blue printing and other similar methods.

5. Machine shop where material is processed by machinery, cutting, grinding, or similar processes.

On-site Parking Requirement: One space for each 1000 square feet of gross floor/yard area.

Martial Arts Studio

Description: An establishment whose principal business activity is the instruction of the martial arts as defined by LVMC 6.53.020(C). This use does not include any nonprofit organization or entity that offers martial arts instruction only as an incidental service in its overall program of activities.

On-site Parking Requirement: One space for each staff member, plus one space for every 10 students in class when the facility is at maximum capacity.

Massage, Accessory

Description: The performing of massage therapy or therapeutic massage that:

1. Is accessory to a principal permitted use that is one of the following:

   a. A medical office or physical rehabilitation clinic;

   b. A fitness and health center;

   c. A country club or golf course clubhouse;

   d. A hotel with more than one hundred rooms; or

   e. A facility similar in nature to any of the facilities listed above;

2. Doe not occupy more than 150 square feet of space; and

3. Is not advertised on any exterior signage.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Massage Establishment

Description: A facility which is occupied and used for the purpose of practicing massage therapy as defined in LVMC Chapter 6.52. This use does not include the "accessory massage," as defined in this Title.

Conditional Use Regulations:

1. The use shall comply with all applicable requirements of LVMC Title 6.
2. The use must be located on a secondary thoroughfare or larger.
3. The use may not be located within 400 feet of any church, synagogue, school, City park, child care facility, or any parcel zoned for residential use.
4. The use may not be located within 1000 feet of any other massage establishment.
5. The hours of operation shall be limited to the period between 8:00 a.m. and 9:00 p.m.

Minimum Special Use Permit Requirements:

1. The use shall comply with all applicable requirements of LVMC Title 6.
2. The use must be located on a secondary thoroughfare or larger.
3. The use may not be located within 400 feet of any church, synagogue, school, City park, child care facility, or any parcel zoned for residential use.
4. The use may not be located within 1000 feet of any other massage establishment.
5. The hours of operation shall be limited to the period between 8:00 a.m. and 9:00 p.m., unless further limited by the City Council on a case-by-case basis.

On-site Parking Requirement: Two spaces for each massage room, massage table or massage chair, with a minimum of six spaces required.

Mining, Sand & Gravel Excavation

Description: The excavation of sand, gravel, minerals or other resources from the earth.

On-site Parking Requirement: One space for each employee on the largest shift, plus one space for each facility vehicle.

Mini-Storage Facility

Description: A facility with enclosed storage space, divided into separate compartments no larger than 500 square feet in size, which is provided for use by individuals to store personal items or by businesses to store materials for operation of a business establishment.

Conditional Use Regulations:

1. No more than one manager's security residence shall be permitted.
2. All storage shall be within an enclosed building except for the storage of recreational vehicles, which shall be completely screened from view from surrounding properties and abutting streets.
3. The following activities are prohibited on or from the premises of a mini-storage facility:

a. The conducting of a business (other than the mini-storage business itself and permitted accessory uses);

b. The retail sale of stored items;

c. The commercial repair of motor vehicles, boats, trailers and other like vehicles;

d. The operation of spray-painting equipment, power tools, welding equipment or other similar equipment;

e. The production, fabrication or assembly of products.

4. The rental of single unit trucks and small utility trailers shall be permitted as an accessory use to a mini-storage facility, provided the business is conducted out of the same office as that of the mini-storage facility. No trucks or trailers shall be displayed in public view, and the combined total of all trucks and trailers stored on site shall not exceed a ratio of 2 trucks or trailers for each 100 storage units.
5. Truck and trailer storage shall be screened from streets and adjacent properties.
6. When adjacent to a residential use, the exterior wall of the mini-storage shall be constructed of decorative block.

Minimum Special Use Permit Requirements:

1. No more than one manager's security residence shall be permitted.
2. All storage shall be within an enclosed building except for the storage of recreational vehicles, which shall be completely screened from view from surrounding properties and abutting streets.
3. The following activities are prohibited on or from the premises of a mini-storage facility:

a. The conducting of a business (other than the mini-storage business itself and permitted accessory uses);

b. The retail sale of stored items;

c. The commercial repair of motor vehicles, boats, trailers and other like vehicles;

d. The operation of spray-painting equipment, power tools, welding equipment or other similar equipment;

e. The production, fabrication or assembly of products.

4. The rental of single unit trucks and small utility trailers shall be permitted as an accessory use to a mini-storage facility, provided the business is conducted out of the same office as that of the mini-storage facility. No trucks or trailers shall be displayed in public view, and the combined total of all trucks and trailers stored on site shall not exceed a ratio of 2 trucks or trailers for each 100 storage units.
5. Truck and trailer storage shall be screened from streets and adjacent properties.
6. When adjacent to a residential use, the exterior wall of the mini-storage shall be constructed of decorative block.

On-site Parking Requirement: One space per 50 storage units, spread throughout the development, plus a minimum of 5 spaces on the exterior side of the security fence for customers. If truck or trailer rental is conducted as an accessory use, one space for each rental vehicle shall be provided in addition to the number required under the preceding sentence.

Mixed-Use

Description: The vertical integration of residential uses and commercial or civic uses within a single building or a single development, where the uses share pedestrian access, vehicular access, parking functions, or any combination thereof.

Conditional Use Regulations:

1. Residential uses permitted as of right in the R-3 and R-4 Zoning Districts are permitted as conditional uses within a C-1 or C-2 Zoning District.
2. Commercial uses or civic uses shall be located at the ground level fronting the primary public rights-of-way, and the principal entryway for those uses shall be directly accessed from and oriented to the public sidewalk.
3. Residential uses shall not be permitted on the ground floor fronting on primary public rights-of-way, but may be located at or above the second level of the building. Residential uses may be located on the ground floor of any building or portion thereof that is located at the interior of the development site and does not front on an arterial or collector street.
4. Surface parking lots shall be located to the side or the rear of the principal building(s) on the site, and shall be screened from view of the adjacent rights-of-way by the principal building(s) or a landscape buffer in conformance with the requirements of LVMC Chapter 19.08. Parking structures shall not be located along the street frontages of the development site, but shall be screened from view of the adjacent rights-of-way by the principal building(s).

Minimum Special Use Permit Requirements:

1. Residential uses permitted as of right in the R-3 and R-4 Zoning Districts may be permitted by means of a Special Use Permit within a P-O or O Zoning District.
2. Nonresidential uses permitted as of right in the P-O, O and C-1 Zoning District may be permitted by means of a Special Use Permit within an R-3 or R-4 Zoning District.
3. Commercial uses or civic uses shall be located at the ground level fronting the primary public rights-of-way, and the principal entryway for those uses shall be directly accessed from and oriented to the public sidewalk.
4. Residential uses shall not be permitted on the ground floor fronting on primary public rights-of-way, but may be located at or above the second level of the building. Residential uses may be located on the ground floor of any building or portion

thereof that is located at the interior of the development site and does not front on an arterial or collector street.

5. Surface parking lots shall be located to the side or the rear of the principal building(s) on the site, and shall be screened from view of the adjacent rights-of-way by the principal building(s) or a landscape buffer in conformance with the requirements of LVMC Chapter 19.08. Parking structures shall not be located along the street frontages of the development site, but shall be screened from view of the adjacent rights-of-way by the principal building(s).

On-site Parking Requirement: To be determined in accordance with the applicable parking calculations for mixed-use developments that are set forth in LVMC 19.18.030.

Mobile Home

Description: A factory-assembled structure equipped with the necessary service connections and made so as to be movable as a unit on its own running gear and designed to be used for a one-family residential use.

Conditional Use Regulations:

1. No sales or display of mobile homes is permitted, except for:
   a. The sale in-place, by the owner or his agent, of a mobile home that has previously been located and continuously occupied in that mobile home park by the owner.
   b. The sale in-place, by a mobile home dealer, of a mobile home that has previously been located and continuously occupied in that mobile home park by the owner of the home and that has been taken as a trade-in or purchased from the owner.
   c. The placement of a mobile home within a mobile home park for the purpose of sale or display, or both, as a sales model only.

For purposes of this Conditional Use Regulation 1, a financial institution that has succeeded to the interest in a mobile home of its owner, through foreclosure, shall be deemed to be the agent of the owner.

On-site Parking Requirement: Two spaces per site.

Mobile Home Park

Description: An area or tract of land where 2 or more mobile homes or mobile home lots are rented or held out for rent. This use does not include an area or tract of land where:

1. More than half of the lots are rented overnight or for less than three months for recreational vehicles.
2. Mobile homes are used occasionally for recreational purposes and not as permanent residences.

Conditional Use Regulations:

1. No sales or display of mobile homes is permitted, except for:
   a. The sale in-place, by the owner or his agent, of a mobile home that has previously been located and continuously occupied in that mobile home park by the owner.
   b. The sale in-place, by a mobile home dealer, of a mobile home that has previously been located and continuously occupied in that mobile home park by the owner of the home and that has been taken as a trade-in or purchased from the owner.
   c. The placement of a mobile home within a mobile home park for the purpose of sale or display, or both, as a sales model only.

For purposes of this Conditional Use Regulation 1, a financial institution that has succeeded to the interest in a mobile home of its owner, through foreclosure, shall be deemed to be the agent of the owner.

On-site Parking Requirement: Two spaces per site (may be tandem) and one guest space for every 6 mobile home sites, distributed throughout the development.

Monorail

Description: A non technology specific system used to transport passengers, including any system on a fixed land route installed and operated on an extensive fixed guideway or rail, and including a monorail as defined in NRS Chapter 705. This use does not include a system to transport passengers between two end points with no intermediate stops, or a monorail that functions only as a part of a theme park or permanent exhibition under LVMC Chapter 6.81.

Minimum Special Use Permit Requirements:

1. A Special Use Permit may be approved only in conjunction with the approval of necessary licensing for the monorail and the approval of an agreement to authorize the operation of the monorail system with the City.
2. Conditions may be imposed upon associated passenger terminals, power propulsion systems, parking lots, maintenance facilities and other accessory land and buildings that are referred to in the application.
3. Accessory commercial uses may be permitted in conjunction with the system if they are specified in the application.
4. Structures shall be designed to be architecturally compatible with existing buildings and structures in the vicinity of the system. Structures associated with the system may be permitted at heights greater than otherwise permitted by this Title if the heights are specified in the application.
5. Site development standards otherwise applicable, such as yard setbacks, building separation or location requirements, may be reduced or eliminated in connection with the approval of a Special Use Permit.

6. Ground level equipment, power propulsion systems and maintenance facilities shall be screened from streets and residential development with a decorative block wall not to exceed 10 feet in height; landscaping sufficient to screen the equipment, systems and facilities; or a combination thereof, as required in connection with the approval of a Special Use Permit. If the height of the block wall exceeds 6 feet, a notarized letter of approval must be obtained from the owner of any adjacent property that has been developed.
7. Advertising signs are permitted only in accordance with the applicable requirements of this Title or as permitted in agreement with the City to authorize the operation of the monorail system.
8. Approval of a Special Use Permit shall not be deemed to give the monorail system the right to use the property of any person without that person's consent or to compel the City to use its power of eminent domain to acquire property for the system.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on a particular site.

Mortuary or Funeral Chapel

Description: A facility in which one or both of the following activities occur:

1. Dead bodies are prepared for burial or cremation.
2. Funeral services are conducted.

On-site Parking Requirement: If funeral services are conducted, one space for each 4 fixed seats or one space for each 100 square feet of non-fixed seating area in the gathering room, whichever is greater. If operated otherwise, one space for each employee on the largest shift.

Motor Vehicle Sales (New)

Description: A facility or area , other than an auto sales showroom, for the display and sale or leasing of new automobiles, trucks, motorcycles and motor scooters, but excluding mopeds. This use includes service bays and auto body shops which are incidental and accessory to the sales use.

Conditional Use Regulations:

1. Motor vehicle sales may include an outdoor used car sales lot when operated by a franchised, new car dealer. The used car sales shall be located directly adjacent to the new car sales and service facility and be operated as an incidental use.
2. The installation and use of an outside public address or bell system is prohibited.
3. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.
4. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.
5. All accessory service shall be performed inside an enclosed area.
6. Openings in service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
7. Accessory automobile rental is permitted.

* 8. Any motor vehicle sales use to be located north of Cheyenne Avenue must be within the GC-TC land use designation.

On-site Parking Requirement: One space for each 500 square feet of enclosed gross floor area. Vehicles that are on display or for sale may not be parked or stored in parking spaces that are designated as off street parking necessary to meet the minimum requirements. The parking and storage of such vehicles must occur only in spaces that are in excess of the required minimum parking.

Motor Vehicle Sales (Used)

Description: A facility or area, other than an auto sales showroom, used primarily for the display and sale or leasing of used automobiles, motorcycles and motor scooters , but excluding mopeds. This use includes service bays and auto body shops which are incidental and accessory to the sales use.

Conditional Use Regulations:

1. The installation and use of an outside public address or bell system is prohibited.
2. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.
3. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.
4. Openings in service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
5. Accessory automobile rental is permitted.

Minimum Special Use Permit Requirements:

1. The minimum site area designated for this use shall be 25,000 square feet.
2. The installation and use of an outside public address or bell system is prohibited.
3. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.
4. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.
5. Openings in service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
6. Accessory automobile rental is permitted.

On-site Parking Requirement: One space for each 500 square feet of enclosed gross floor area designated for this use. Vehicles that are on display or for sale may not be parked or stored in parking spaces that are designated as off street parking necessary to meet the minimum requirements. The parking and storage of such vehicles must occur only in spaces that are in excess of the required minimum parking.

Motorcycle/Motor Scooter Sales

Description: A facility or area for the display and sale of motorcycles and motor scooters, whether new or used, but excluding mopeds. This use includes service bays which are incidental and accessory to the sales use. The term "motorcycle/motor scooter sales" is used for the sole purpose of allowing the use by means of Special Use Permit in the C-1 District. For all other purposes, the use described here shall be treated under the appropriate category of motor vehicle sales.

Minimum Special Use Permit Requirements:

1. All display and sales shall take place in an enclosed building.
2. The minimum gross floor area of the building (or tenant space) that is dedicated to this use shall be 7000 square feet.

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Mounted Antenna of 15 Feet or Less (Ultimate Height)

Description: An antenna that is attached to a structure as permitted under this Title and that has an ultimate height of 15 feet or less.

Conditional Use Regulations:

1. Mounted antennas shall not be placed on top of principal or ancillary residential structures.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Mounted Antenna over 15 Feet (Ultimate Height)

Description: An antenna that is attached to a structure as permitted under this Title and that has an ultimate height that exceeds 15 feet.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Multi-Family Residential

Description: A structure used or designed as a residence for 3 or more families or households living independently of each other.

On-site Parking Requirement: Calculated by the capacity of each unit as described below, plus one additional guest space for every 6 units spread throughout the development:

1. Studio and One Bedroom Units – 1.25 spaces per unit.
2. Two Bedroom Units – 1.75 spaces per unit.
3. Three Bedroom and Above Units – Two spaces per unit.

Museum, Art Display, or Art Sales (Private)

Description: A privately-operated facility or area for the acquisition, preservation, study, exhibition or sales of works of artistic, historic or scientific value.

On-site Parking Requirement: One space per 300 square feet of gross floor area.

Night Club

Description: An establishment, other than a teen dance center, that is operated as a place of entertainment, characterized by any or all of the following as principal activities:

1. Live, recorded, or televised entertainment, including but not limited to performance by magicians, musicians or comedians.
2. Dancing.

On-site Parking Requirement: One space for every 3 persons at maximum capacity.

Office, Medical or Dental

Description: A professional office for the administration of professional medical or dental care, including examinations, screenings and minor outpatient surgical procedures. This use does not include a facility that provides housing for individuals, a clinic, or any other facility that is specifically defined in this Title.

On-site Parking Requirement: One space for each 200 square feet of gross floor area up to 2,000 square feet, plus one space for each additional 175 square feet.

Office, Other than Listed

Description: A building or rooms used for conducting the affairs of a business, profession, service, industry or government other than those which are specifically listed in this Title.

On-site Parking Requirement: One space for each 300 square feet of gross floor area.

Off-Premise Sign

Description: Any sign advertising or announcing any place, product, goods, services, idea or statement whose subject is not available at, nor is located on, the lot where the sign is erected or placed.

Minimum Special Use Permit Requirements:

1. See LVMC 19.12.110.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Open Air Vending/ Transient Sales Lot

Description: An area that is used exclusively for the sale or taking of orders for any merchandise where:

1. Such merchandise is displayed or sold in the open area;
2. The activity is not part of the operation of an established business; and
3. No permanent physical structures or facilities are used as integral parts of the sales or order taking operations.

This use includes the display or sale of merchandise in or in connection with a truck, trailer or movable building of any type.

Conditional Use Regulations:

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

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Outcall Entertainment Referral Service

Description: A business which, for a fee, sends or refers an entertainer to an entertainment location (as defined in LVMC 6.57.030) in response to a telephone or other request to entertain a patron at the entertainment location.

Minimum Special Use Permit Requirements:

1. The business must be located at least 500 feet from any residentially-zoned property and 1500 feet from any church, school, child care facility or park, measured in each case from property line to property line without regard to intervening obstacles.
2. No outcall entertainers shall be physically dispatched from the property.
3. No business may be transacted with patrons on the property.
4. Except as may otherwise be required by ordinance or by the Director, there shall be no on-site signage or other advertising of any kind, whether on the property or elsewhere, which advertises the address or physical location of the business.

On-site Parking Requirement: One space for each 300 square feet of gross floor area.

Outdoor Storage, Accessory

Description: The use of a significant portion of a lot or area for the long term retention (more than 24 hours) of materials and machinery or equipment, regardless of whether the materials, machinery or equipment are to be bought, sold, repaired, stored, incinerated, or discarded. This use does not include new or used motor vehicle sales and rental display, nor does it include accessory and incidental parking of vehicles for residents, guests, customers or employees in connection with a principal use.

Conditional Use Regulations:

1. Storage shall not be permitted within required setbacks or buffer yards.
2. Except as otherwise provided in this Title or as specifically allowed in connection with the approval of a Special Use Permit:
   a. Outside storage areas that are not screened by an intervening building shall be screened from view from any public street by a screening devise at least 8 feet in height.
   b. Outside storage areas shall be screened from view of any adjoining property by a screening device at least 8 feet in height, except along adjacent property lines of property zoned C-M or M.
3. Except as otherwise provided in this Title, in the C-2 and C-M Zoning Districts, storage shall be limited to no more than 5 percent of the lot area containing the principal use.
4. In the C-2 Zoning District, incidental items that are normally associated with operations allowed as a matter of right are not required to be screened from view.
5. In the C-1 Zoning District, the only items allowable as accessory outdoor storage are live nursery products, which must be screened from view of adjacent properties and right-of-way by means of screening that is architecturally consistent with the principal building in terms of materials, colors and details.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Package Liquor Off-Sale Establishment

Description: An establishment, other than a retail establishment with package liquor off-sale, whose license to sell alcoholic beverages authorizes their sale to consumers only and not for resale, in original sealed or corked containers, for consumption off the premises where the same are sold. This use includes an establishment that provides on-premises wine, cordial and liqueur tasting if the licensee also holds a wine, cordial and liqueur tasting license for that location.

Minimum Special Use Permit Requirements:

* 1. Except as otherwise provided, no package liquor off-sale establishment (hereinafter "establishment") shall be located within 400 feet of any church, synagogue, school, child care facility licensed for more than 12 children, or City park.
* 2. Except as otherwise provided in Requirement 3 below, the distances referred to in Requirement 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed establishment which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed establishment. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:
    a. Any leasehold parcel; or
    b. Any parcel which lacks access to a public street or has no area for on site parking and which has been created so as to avoid the distance limitation described in Requirement
* 3. In the case of an establishment proposed to be located on a parcel of at least 80 acres in size, the minimum distances referred to in Requirement 1 shall be measured in a straight line:
    a. From the nearest property line of the existing use to the nearest portion of the structure in which the establishment will be located, without regard to intervening obstacles; or
    b. In the case of a proposed establishment which will be located within a shopping center or other multiple tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the establishment will be located, without regard to intervening obstacles.
4. The minimum distance requirements in Requirement 1 do not apply to:
    a. An establishment which has a nonrestricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992 or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992; or
    b. A proposed establishment having more than 50,000 square feet of retail floor space.
* 5. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50.

On-site Parking Requirement:

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

Parking Lot/Sidewalk Sale

Description: A promotional sales event that is conducted by a business operation outside the confines of the commercial or manufacturing structure in which the business operation is normally conducted.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Parking, Commercial

Description: A facility for parking that is operated as a business enterprise by charging the public a fee and is not reserved or required to accommodate occupants, clients, customers or employees of a particular establishment or premises.

Conditional Use Regulations:

1. The parking facility must be ground-level.
2. The parking facility shall conform with any applicable provisions of this Title.
3. A 6 foot-high masonry wall shall be installed and maintained along all property lines that adjoin any residential zone.
4. The use of the parking facility shall cease between 9:00 p.m. and 6:00 a.m., including the use of any exterior lighting (except for security lighting).

On-site Parking Requirement: One space, designated as employee-only parking, for each employee on the largest shift.

Pawn Shop

Description: A facility (other than a bank, savings and loan or mortgage banking company) used for the business of lending money on the security of pledged goods or for the business of the purchase of tangible personal property on condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time.

Conditional Use Regulations:

1. The use shall comply with the applicable requirements of LVMC Chapter 6.60.
2. No outdoor display, sales or storage of any merchandise shall be permitted.
3. No pawn shop shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.
4. No pawn shop use may be located closer than 200 feet from any parcel used or zoned for residential use. In addition, no pawn shop use may be located closer than 1000 feet from any other pawn shop use or specified financial institution use. For purposes of this Regulation 4, distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

Minimum Special Use Permit Requirements:

* 1. The use shall comply with the applicable requirements of LVMC Chapter 6.60.

* 2. No outdoor display, sales or storage of any merchandise shall be permitted.

* 3. No pawn shop shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.

4. No pawn shop use may be located closer than 200 feet from any parcel used or zoned for residential use. In addition, no pawn shop use may be located closer than 1000 feet from any other pawn shop use or specified financial institution use. For purposes of this Regulation 4, distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Pawn, Auto

Description: A pawn shop that lends money on the security of a motor vehicle, which the pawn shop takes possession of as the pledged property.

Conditional Use Regulations:

1. The use shall comply with the applicable requirements of LVMC Chapter 6.60.
2. Except for the parking of automobiles, no outdoor display, sales or storage of any merchandise shall be permitted.
3. Vehicles that have been pawned may not be parked or stored in parking spaces that are designated as off street parking necessary to meet the minimum requirements of this Subchapter. Any parking or storage of such vehicles must occur only in spaces that are in excess of the required minimum parking.
4. No auto pawn use shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.
5. Window signs shall not:
   a. Cover more than 20 percent of the area of all exterior windows;
   b. Include flashing lights or neon lighting; or
   c. Include any text other than text that indicates the hours of operation and whether the business is open or closed.
6. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
7. The building or portion thereof that is dedicated to the use shall have a minimum size of 1500 square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).
8. No auto pawn use may be located closer than 200 feet from any parcel used or zoned for residential use. In addition, no auto pawn use may be located closer than 1000 feet from any other auto pawn use, auto title loan use or specified financial institution use. For purposes of this Regulation 8, distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

Minimum Special Use Permit Requirements:

1. The use shall comply with the applicable requirements of LVMC Chapter 6.60.
2. Except for the parking of automobiles, no outdoor display, sales or storage of any merchandise shall be permitted.
3. Vehicles that have been pawned may not be parked or stored in parking spaces that are designated as off street parking necessary to meet the minimum requirements of this Subchapter. Any parking or storage of such vehicles must occur only in spaces that are in excess of the required minimum parking.
4. No auto pawn use shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.
5. Window signs shall not:
   a. Cover more than 20 percent of the area of all exterior windows;
   b. Include flashing lights or neon lighting; or
   c. Include any text other than text that indicates the hours of operation and whether the business is open or closed.
6. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
7. The building or portion thereof that is dedicated to the use shall have a minimum size of 1500 square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).
8. No auto pawn use may be located closer than 200 feet from any parcel used or zoned for residential use. In addition, no auto pawn use may be located closer than 1000 feet from any other auto pawn use, auto title loan use or specified financial institution use. For purposes of this Regulation 8, distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Pet Boarding

Description: A lot, building, premises or structure on which four or more household pets are kept regularly and for extended periods of time for the benefit of persons who do not reside on the premises. This use includes facilities that provide shelter, care, feeding, exercising, grooming or incidental medical care for household pets for remuneration or otherwise on a commercial basis, as well as a kennel operation.

Conditional Use Regulations:

1. All animals shall be confined within an enclosed area or on a leash at all times.
2. Structures shall be designed to provide reasonable sound barriers and odor protection for adjoining properties.
3. Pens shall be screened from view from adjacent streets and adjoining properties.
4. Any exterior pens that are adjacent to a residential parcel shall be located a minimum of 50 feet from the parcel.
5. All operations and activities shall be in accordance with LVMC Title 7.

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Pet Shop

Description: A retail establishment engaged in the sale of pets, small animals, pet supplies, or pet grooming services.

Conditional Use Regulations:

1. All animals shall be confined within an enclosed building at all times.
2. The building shall be designed to provide complete sound bafflers and odor protection for the adjacent property.

On-site Parking Requirement:

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

Post Office, Local Service

Description: A branch office of the United States Postal Service that handles the mail for no more than 5 zip codes.

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Post Office, Regional

Description: A branch office of the United States Postal Service that handles the mail for more than 5 zip codes.

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Printing & Publishing

Description: An establishment that provides printing, publishing, duplicating, or collating services using photocopy, blueprint, off-set printing, or related equipment.

On-site Parking Requirement: One space for each 500 square feet of gross floor area.

Private Club, Lodge or Fraternal Organization

Description:

1. Private Club – A facility of a private organization for the preparation and service of food and/or drink for members and their guests.
2. Lodge or Fraternal Organization – A facility for a special purpose organization for the sharing of sports, arts, literature, politics or other similar interests, but not primarily for profit or to render a service that is customarily carried on as a business.

On-site Parking Requirement: One space for each 50 square feet of assembly area.

Private Sports Arena, Stadium or Track

Description: A facility that:

1. Is used for playing and watching sports, concerts, plays, etc.; and
2. Is not owned or operated by a public or quasi-public organization.

On-site Parking Requirement: One space for every 4 fixed seats or 5 feet of bench length.

Private Street

Description: A street designated for use by specified property owners, maintained by or on behalf of those property owners, and not dedicated to nor intended for access by the general public.

Conditional Use Regulations:

1. Eligibility as Conditional Use. Private streets are permitted pursuant to the following provisions only if:
   a. The streets are public streets within an existing subdivision that are proposed to be converted to private streets; and

b. All the lots within the subdivision conform to the minimum lot size requirements of Title 19.

2. Design and Construction Standards. Unless otherwise approved by the City Council or otherwise provided by means of a specific regulation governing private streets, every private street shall conform to the same standards that govern the design and construction of public streets.

3. Access Restrictions. The entrances to all private streets must be marked with a sign stating that it is a private street. Guard houses, access control gates and cross arms may be constructed. All restricted access entrances shall be manned 24 hours every day or provide an alternative means of ensuring access to the subdivision by the City and other emergency and utility service providers with appropriate identification. If the association fails to maintain reliable access as required to provide City services, the City may enter the subdivision and remove any gate or device which is a barrier to access at the sole expense of the association. The association documents shall contain provisions in conformity with this paragraph which may not be amended without the written consent of the City.

4. Access Restricted Entrance Design Standards. Any private street which has access control gates or cross arms must be of a break-away design. A turn-around space must be located in front of any restricted access entrance to allow vehicles denied access to safely exit onto public streets. Any guardhouse, or other entry feature designed as a drive-through, must have a minimum clearance of fourteen feet in height above the road surface.

5. Streets Excluded. Streets shown on the Master Plan of Streets and Highways shall not be used, maintained, or constructed as private streets. Also, the Department may deny the creation of any other private street if it is determined that the private street would have any of the following effects:

   a. Negatively affect traffic circulation on public streets;

   b. Impair access to property either on-site or off-site to the subdivision;

   c. Impair access to or from public facilities including schools, parks and libraries; or

   d. Delay the response time of emergency vehicles.

6. Property Owners' Associations Required. Subdivisions developed with private streets must have a mandatory property owners' association which includes the participation of all properties served by private streets. Except as otherwise provided in Regulation 7, the association shall own and be responsible for the maintenance of private streets and appurtenances. The association documents must establish a reserve fund for the maintenance of streets and other improvements. Such documents are subject to review and approval by the City to ensure that adequate provision for maintenance has been made.

7. Private Street Requirements. Private streets must be located on property that is separately owned by a property owners' association or is subject to perpetual access easements running in favor of the owners of lots within the subdivision. Private streets must include provision for appropriate easements to be granted to the City and to other utility providers allowing necessary use and access for utilities and the maintenance thereof. The easements must also provide the City and protective service providers with the same right of access they would have if the streets were public streets.

8. Waiver of Services. The subdivision final map, property deeds and property owners' association documents shall note that certain City services shall not be provided on private streets. Among the services which will not be provided are: routine police patrols, enforcement of traffic and parking ordinances, preparation of accident reports and other services which may not be reasonably or properly available within a particular development. All private regulatory signs shall conform to State of Nevada regulations.

9. Special Use Permit. In cases where a Special Use Permit is required to allow private streets that do not conform to the provisions of Paragraphs (1) through (5) above, the provisions of Paragraphs (1) through (8) above are minimum standards that shall presumptively apply to a Special Use Permit for this use. The prohibitions and requirements in Paragraphs (5) through (8) are not waivable in connection with a Special Use Permit approval.

On-site Parking Requirement: None

Psychology Practice

Description: A professional office in which a licensed professional, including a psychiatrist, psychologist, social worker, marriage and family therapist, or occupational therapist, provides evaluation, testing, treatment or counseling services related to mental conditions or disorders. This use includes a hypnotherapy practice, but does not include a "facility to provide testing, treatment, or counseling for drug or alcohol abuse," or a "sex offender counseling facility," as those terms are defined in this Title.

On-site Parking Requirement: One space for each 200 square feet of gross floor area up to 2,000 square feet, plus one space for each additional 175 square feet.

Public or Private School, Primary

Description: An institution that provides kindergarten through 8th grade education and is supported by a public, religious or private organization.

Minimum Special Use Permit Requirements:

1. Adequate pick-up and drop-off areas must be provided on-site.

On-site Parking Requirement: Three spaces per classroom.

Public or Private School, Secondary

Description: An institution that provides 9th through 12th grade education and is supported by a public, religious or private organization.

Minimum Special Use Permit Requirements:

1. Schools shall be located on a collector street or larger.

On-site Parking Requirement: Nine spaces per classroom.

Public Park or Playground

Description: A park, playground, swimming pool, reservoir, golf course, or athletic field owned, operated and maintained by a local or State-level government entity.

On-site Parking Requirement: Two spaces per gross acre, plus additional parking for each major sports or recreational facility as determined by reference to the applicable requirements of this table for similar facilities (e.g., commercial recreation/amusement facility, community recreational facility, golf course, golf driving range, game courts, etc.). For facilities not specifically listed, the parking requirement shall be determined by applying the nearest comparable standard, as determined by the Director.

Radio Broadcasting

Description: A building or portion of a building used as a place for radio broadcasting. This use does not include any antenna or antenna structure.

On-site Parking Requirement: One space per 750 square feet of gross floor area.

Radio, TV or Microwave Communication Tower

Description: A freestanding structure which supports antennae that transmit or receive any portion of the electromagnetic spectrum.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Rail/Transit Yard or Shop

Description: A facility or area for the maintenance, repair, or storage of bus, rail or other transit vehicles.

On-site Parking Requirement: One space for each employee on the largest shift.

Recording Studio

Description: A building or portion of a building used as a place to record music and videos. This use does not include broadcasting facilities.

On-site Parking Requirement: One space per 750 square feet of gross floor area.

Recreational Vehicle and Boat Storage

Description: An area or facility used for the storage of recreational vehicles, boats, or any combination thereof. For purposes of this description, a "recreational vehicle" is a vehicle towed, or self-propelled on its own chassis, or attached to the chassis of another vehicle and designed or used for recreational or sporting purposes. This use includes, but is not limited to, travel trailers, pick-up campers, camping trailers, motor coach homes and converted trucks or buses.

Conditional Use Regulations:

1. Storage of recreational vehicles and boats is not permitted within required setbacks or buffer areas.
2. Storage areas that are not screened by an intervening building shall be screened completely from view from any public street by a screening device at least 8 feet in height. In addition, storage areas shall be screened completely from view from any adjoining property by a screening device at least 8 feet in height, except along the property line of any adjoining property that is zoned C-M or M.
3. The commercial repair of recreational vehicles, boats, trailers and other like vehicles is prohibited.

Minimum Special Use Permit Requirements:

1. Storage of recreational vehicles and boats is not permitted within required setbacks or buffer areas. Within the N-S District, no such storage is permitted within 50 feet of property zoned for residential use.
2. Storage areas that are not screened by an intervening building shall be screened completely from view from any public street by a screening device at least 8 feet in height. In addition, storage areas shall be screened completely from view from any adjoining property by a screening device at least 8 feet in height, except along the property line of any adjoining property that is zoned C-M or M.
3. The commercial repair of recreational vehicles, boats, trailers and other like vehicles is prohibited.

On-site Parking Requirement: One space for each 50 storage spaces, spread throughout the development., plus a minimum of five spaces for customer use on the exterior side of the security fence.

Recycling Collection Center

Description: A facility used for the collection and temporary storage of empty beverage containers, aluminum, glass, paper or clothing for recycling purposes conducted totally within an enclosed structure or container. This use does not include processing except for "can banks" that crush cans as they are deposited.

Conditional Use Regulations:

1. A collection center that is located in a parking area may not occupy required off-street parking spaces.
2. A collection center shall be sited so as to not impede traffic flow.
3. The owner of the property and the owner and operator of the collection center shall:
   a. Remove products stored at the collection center at least once a week;
   b. Keep the collection center in proper repair and maintain a neat and clean appearance on the exterior of the center; and
   c. Keep the building site clean and neat in appearance, and shall dispose of collected items and litter from the site.

On-site Parking Requirement: One space for each 500 square feet of enclosed gross floor/yard area.

Rental Store (with Outside Storage)

Description: A facility for the rental of general merchandise to the general public, not specifically listed as a different use elsewhere in this Title, that includes outside storage of rental items. Typical general merchandise includes clothing and other apparel, electronics, videos, tools and garden equipment, furniture and other household appliances, special occasion or seasonal items, and similar consumer goods.

On-site Parking Requirement: One space for each 250 square feet of enclosed gross floor area, plus one space for each 1000 square feet of gross outside storage yard area.

Rental Store (without Outside Storage)

Description: A facility for the rental of general merchandise to the general public, not specifically listed as a different use elsewhere in this Title, that does not include outside storage of rental items. Typical general merchandise includes clothing and other apparel, electronics, videos, tools and garden equipment, furniture and other household appliances, special occasion or seasonal items, and similar consumer goods.

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Rescue Mission or Shelter for the Homeless

Description: A building that is used or intended to be used to provide to homeless individuals temporary accommodations, shelter, meals or any combination thereof. For purposes of the preceding sentence, a "homeless individual" includes an individual who lacks a fixed, regular and adequate nighttime residence.

On-site Parking Requirement: One space per four beds, or one space per 750 square feet of gross floor area, if no beds are provided.

Restaurant with Service Bar

Description: A bar wherein alcoholic beverage drinks are prepared for service only at tables in a restaurant and for consumption only in connection with a meal served on the premises, and where customers are not permitted to purchase alcoholic beverage drinks directly from the bar or for off-premise consumption.

Minimum Special Use Permit Requirements:

1. No restaurant service bar shall be located within 400 feet of any church, synagogue, school, child care facility licensed for more than 12 children or City park.
2. Except as otherwise provided in Requirement 3 below, the minimum distances referred to in Requirement 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed restaurant service bar which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed restaurant service bar. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:
   a. Any leasehold parcel; or
   b. Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Requirement 1.
3. In the case of a restaurant service bar proposed to be located on a parcel of at least 80 acres in size, the minimum distances referred to in Requirement 1 shall be measured in a straight line:
   a. From the nearest property line of the existing use to the nearest portion of the structure in which the restaurant service bar will be located, without regard to intervening obstacles; or
   b. In the case of a proposed restaurant service bar which will be located within a shopping center or other multiple-tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or

occupancy parcel in which the restaurant service bar will be located, without regard to intervening obstacles.

4. When considering a Special Use Permit application for a restaurant service bar which also requires a waiver of the distance limitation in Requirement 1, the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision.
5. The minimum distance requirement in Requirement 1 does not apply to an establishment which has a nonrestricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992, or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992.

* 6. In the O District, a restaurant service bar is permitted only as an accessory use.

7. The parcel or use is operated or controlled by an agency or subdivision of local, state or federal government. (C-V only)

* 8. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50.

On-site Parking Requirement: One space for each 50 square feet of public seating and waiting area (including outdoor areas for seating and waiting), plus one space for each 200 square feet of the total remaining gross floor area, with a minimum of ten spaces required.

Restaurant, 2000 sq. ft. or more (with Drive-Through)

Description: An establishment providing for the preparation and retail sale of food and beverages, including cafes, coffee shops, sandwich shops, ice cream parlors, fast food take-out (i.e. pizza) and similar uses, with the added provision of one or more drive-through lanes for ordering and dispensing food and beverages to patrons remaining in their vehicles.

Conditional Use Regulations:

1. Each drive-through service window shall have a stacking lane that will accommodate at least 6 cars per lane.

On-site Parking Requirement: One space for each 100 square feet of gross floor area, including outdoor areas for seating and waiting.

Restaurant, 2000 sq. ft. or more (without Drive-Through)

Description: An establishment providing for the preparation and retail sale of food and beverages, including cafes, coffee shops, sandwich shops, ice cream parlors, fast food take-out (i.e. pizza) and similar uses.

On-site Parking Requirement: One space for each 50 square feet of public seating and waiting area (including outdoor areas for seating and waiting), plus one space for each 200 square feet of the total remaining gross floor area, with a minimum of ten spaces required.

Restaurant, Less than 2000 sq. ft. (with Drive Through)

Description: An establishment providing for the preparation and retail sale of food and beverages, including cafes, coffee shops, sandwich shops, ice cream parlors, fast food take-out (i.e. pizza) and similar uses, with the added provision of one or more drive-through lanes for ordering and dispensing food and beverages to patrons remaining in their vehicles.

Conditional Use Regulations:

1. Each drive-through service window shall have a stacking lane that will accommodate at least 6 cars per lane.

On-site Parking Requirement: One space for each 100 square feet of gross floor area, including outdoor areas for seating and waiting.

Restaurant, Less than 2000 sq. ft. (without Drive Through)

Description: An establishment providing for the preparation and retail sale of food and beverages, including cafes, coffee shops, sandwich shops, ice cream parlors, fast food take-out (i.e. pizza) and similar uses.

On-site Parking Requirement: One space for each 50 square feet of public seating and waiting area (including outdoor areas for seating and waiting), plus one space for each 200 square feet of the total remaining gross floor area, with a minimum of ten spaces required.

Retail Establishment with Accessory Package Liquor Off-Sale

Description: A retail establishment:

1. Whose license to sell alcoholic beverages authorizes their sale to consumers only and not for resale, in original sealed or corked containers, for consumption off the premises where the same are sold; and

2. In which the sale of alcoholic beverages is ancillary to the retail use, and in which no more than 10 percent of the retail floor space is regularly devoted to the display or merchandising of alcoholic beverages.

This use includes an establishment that provides on-premises wine, cordial and liqueur tasting if the licensee also holds a wine, cordial and liqueur tasting license for that location.

Minimum Special Use Permit Requirements:

* 1. Except as otherwise provided, no retail establishment with accessory package liquor off-sale (hereinafter "establishment") shall be located within 400 feet of any church, synagogue, school, child care facility licensed for more than 12 children, or City park.

* 2. Except as otherwise provided in Requirement 3 below, the distances referred to in Requirement 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed establishment which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed establishment. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:

   a. Any leasehold parcel; or

   b. Any parcel which lacks access to a public street or has no area for on site parking and which has been created so as to avoid the distance limitation described in Requirement 1.

* 3. In the case of an establishment proposed to be located on a parcel of at least 80 acres in size, the minimum distances referred to in Requirement 1 shall be measured in a straight line:

   a. From the nearest property line of the existing use to the nearest portion of the structure in which the establishment will be located, without regard to intervening obstacles; or

   b. In the case of a proposed establishment which will be located within a shopping center or other multiple tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the establishment will be located, without regard to intervening obstacles.

4. When considering a Special Use Permit application for an establishment which also requires a waiver of the distance limitation in Requirement 1, the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision.

5. The minimum distance requirements in Requirement 1 do not apply to:

   a. An establishment which has a nonrestricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992 or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992; or

   b. A proposed establishment having more than 50,000 square feet of retail floor space.

* 6. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50.

7. The minimum distance requirements set forth in Requirement 1, which are otherwise nonwaivable under the provisions of LVMC 19.12.050(C), may be waived:

   a. In accordance with the provisions of LVMC 19.12.050(C) for any establishment which is proposed to be located on a parcel within the Downtown Casino Overlay District;

   b. In accordance with the applicable provisions of the "Town Center Development Standards Manual" for any establishment which is proposed to be located within the T C (Town Center) Zoning District and which is designated MS TC (Main Street Mixed Use) in the Town Center Land Use Plan;

   c. In connection with a proposed establishment having between 20,000 square feet and 50,000 square feet of retail floor space; or

   d. In connection with a retail establishment having less than 20,000 square feet of retail floor space, if the area to be used for the sale, display or merchandising of alcoholic beverages and each use to be protected are separated by a highway or a right of way with a width of at least 100 feet.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Salvage or Reclamation of Products (Indoor)

Description: An indoor facility for storing, keeping, selling, dismantling, or salvaging scrap or discarded material or equipment which is not considered as another use under this Title. Scrap or discarded material includes, but is not limited to, metal, paper, rags, tires, bottles or inoperable or wrecked motor vehicles, motor vehicle parts, machinery, structural steel, equipment and appliances. This use includes facilities for recycling recoverable resources, such as newspapers, magazines, books, and other paper products, glass, metal cans and other products, which can be returned to a condition in which they may again be used for production.

On-site Parking Requirement: One space for each 1000 square feet of gross floor area.

Salvage or Reclamation of Products (Outdoor)

Description: An outdoor area or facility for storing, keeping, selling, dismantling, or salvaging scrap or discarded material or equipment which is not considered as another use under this Title. Scrap or discarded material includes, but is not limited to, metal, paper, rags, tires, bottles or inoperable or wrecked motor vehicles, motor vehicle parts, machinery, structural steel, equipment and appliances. This use includes facilities for recycling recoverable resources, such as newspapers, magazines, books, and other paper products, glass, metal cans and other products, which can be returned to a condition in which they may again be used for production.

Conditional Use Regulations:

1. The minimum site area dedicated to this use shall be 25,000 square feet.

2. All areas used for the parking and storage of operable vehicles shall be paved.
3. All stored, damaged, or wrecked vehicles, parts and equipment shall be effectively screened so as not to be visible from adjoining properties or public rights-of-way.
4. In addition to the requirements in LVMC 19.08.040((F), mature evergreen trees shall be installed along the perimeter property lines to screen any vehicle parts storage area from surrounding properties.
5. Perimeter walls, a minimum of 8 feet in height, shall be installed along all property lines.
6. Repair activities and vehicle loading and unloading shall be prohibited on adjoining streets and alleys.
7. Service bays with access from the exterior of the structure shall not face the public rights of way.
8. All on-site lighting shall be stationary and directed away from adjoining properties. All lighting shall be shielded, hooded or otherwise designed so that direct glare and reflections are contained within the boundaries of the parcel. No light shall extend into any residential zoning district.
9. All repair activities and operations shall be conducted entirely within an enclosed structure. Outdoor hoists shall be prohibited.
10. Repair facilities shall close all windows and doors when performing body and fender work, hammering, sanding or other noise-generating activities.
11. All hazardous materials resulting from the repair, storage, or dismantling operation shall be properly stored and removed from the premises in a timely manner. Storage, use and removal of toxic substances, solid waste pollution and flammable liquids, particularly gasoline, paints, solvents and thinners, shall conform to all applicable Federal, State, and local regulations.

On-site Parking Requirement: One space for each 1000 square feet of gross floor area dedicated to this use, plus one space for every 10,000 square feet of gross yard area.

Satellite Dish

Description: A device which:

1. Incorporates a reflective surface that is solid, open mesh, or bar-configured;
2. Has the shape of a shallow dish, cone, horn or cornucopia; and
3. Is used to receive electromagnetic signals.

Conditional Use Regulations:

1. Satellite dishes are permitted as an accessory use, subject to the following:
   a. In single-family residential districts, satellite dishes are permitted in the rear yard only, except that dishes 18 inches in diameter or smaller are also permitted in the side yards. In districts other than single-family residential, satellite dishes are allowed in yard areas or on rooftops.
   b. Satellite dishes shall be fully screened from view of streets and public open areas. When located on ground level, they shall be screened to the full height of the structure with landscaping. When located on a rooftop, they shall be located and screened so as to minimize visual impact from other properties in the area.
   c. Satellite dishes shall not exceed 10 feet in diameter, nor 12 feet in height when the dish is vertically positioned.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Seasonal Outdoor Sales

Description: The temporary outdoor sale and display of the following (and only the following) holiday goods in connection with the corresponding holidays:

1. Christmas trees;
2. Halloween pumpkins;
3. Valentine's Day flowers; and
4. Mother's Day flowers.

This use does not include fireworks sales, which are governed by LVMC Chapter 9.28 and are subject to the requirements of the Department of Fire and Rescue.

No Temporary Commercial Permit required if the sales operation:

1. Takes place on the same site as, and is in conjunction with, the operation of an established commercial business with a valid business license for that site; and
2. Conforms with all applicable City ordinances and standards.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Secondhand Dealer

Description: A specialty shop which deals solely in one kind of used commodity with no new commodities, or a business in which the sale of secondhand or used articles is incidental to the sale of new articles of the same kind. For purposes of this description, the sale of secondhand or used articles is deemed to be incidental to the sale of new articles. Used articles may include wearing apparel, furniture, fixtures, appliances, tableware, offices supplies, pictures, paintings, jewelry, cutlery or guns. This use includes the sale of jewelry (Class III

type) and scrap precious metals as defined in LVMC Chapter 6.74, but does not include the sale of junk as defined in that Chapter, the sale of used cars or the sale of other items which the City Council determines do not fit within the intent of this term. This use does not include the buying and selling of foreign or domestic coins for numismatic purposes or used books, which shall be allowed where retail sales of new merchandise is permitted. This use also does not include a thriftshop or nonprofit thriftshop.

Conditional Use Regulations:

1. No outdoor display, sales or storage of any merchandise shall be permitted.
2. The use shall comply with the applicable requirements of LVMC Title 6.
3. No secondhand dealer shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.

Minimum Special Use Permit Requirements:

* 1. No outdoor display, sales or storage of any merchandise shall be permitted.

* 2. The use shall comply with the applicable requirements of LVMC Title 6.

* 3. No secondhand dealer shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Senior Citizen Apartments

Description: An apartment house or other multi-family dwelling in which each unit is occupied by at least one person 55 years of age or older, or in which the units are intended and operated for occupancy by persons 55 years of age or older. This use includes an apartment house or other multi-family dwelling that qualifies as "housing for older persons" under the provisions of Federal law, including without limitation housing developments that:

1. Provide significant facilities and services specifically designed to meet the physical or social needs of older persons; and
2. Publish and adhere to policies and procedures that demonstrate an intent to provide housing for persons 55 years of age or older to the extent allowed by applicable State or Federal law.

Conditional Use Regulations:

1. For any development that is over three stories in height:
   a. The structures shall be compatible with the scale and massing of the types of development allowed in the applicable zoning district and shall provide a transition to less intensive development.
   b. Rooflines and facade elements shall be articulated in order to break down the apparent massing of the structures.

Minimum Special Use Permit Requirements:

1. For any development that is over three stories in height:
   a. The structures shall be compatible with the scale and massing of the types of development allowed in the applicable zoning district and shall provide a transition to less intensive development.
   b. Rooflines and façade elements shall be articulated in order to break down the apparent massing of the structures.
2. The use shall be developed and operated only in connection with ground-level nonresidential development. In the case of a multi-floor structure, the apartments themselves must be located above the ground floor, but access ways, entryways and community rooms may be located on the ground floor. (C-1 only)
3. The primary resident or guest entryway to the apartments must be independent of ground floor commercial uses, and must be directly accessible from and oriented to a street. (C-1 only)
4. The overall architecture of the front elevation shall highlight the difference in uses through variations in volume and proportion, and shall be treated as a cohesive whole through finishes and colors. (C-1 only)
5. For any development that, in accordance with LVMC 19.08.050, is allowed to exceed the maximum lot coverage provisions set forth in that Section, all landscape buffer requirements, and all minimum setback requirements for the C-1 District, shall be met. (C-1 only)

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

Service Station (with Incidental Automotive Repair)

Description: A building or premises used for the dispensing and sale of fuels or oils and accessories for the motor vehicle trade. The use may include incidental minor automotive repair and an automatic car wash facility.

Conditional Use Regulations:

1. All activities and operations shall be conducted entirely within an enclosed structure, except as follows:
   a. The dispensing of petroleum products, water and air from pump islands.
   b. The provision of emergency service of a minor nature.
   c. The sale of items via vending machines which shall be located next to the main structure.
2. Pump islands shall be located a minimum of 20 feet from a street right-of-way line. A canopy or roof structure over a

pump island may be located no closer than 10 feet from the street right-of-way line.

3. No vehicle shall be parked on the premises for the purposes of offering the vehicle for sale.
4. No used or discarded automotive parts or equipment or disabled, junked, or wrecked vehicles shall be located in any open area outside the main structure.
5. Noise from bells or loudspeakers shall not be audible beyond the property line at any time.
6. The installation of LPG tanks shall be permitted only as set forth in this Subchapter.
7. If the use includes a carwash facility, there must be a stacking lane that will accommodate at least 6 cars.

Minimum Special Use Permit Requirements:

1. All activities and operations shall be conducted entirely within an enclosed structure, except as follows:
   a. The dispensing of petroleum products, water and air from pump islands.
   b. The provision of emergency service of a minor nature.
   c. The sale of items via vending machines which shall be located next to the main structure.
2. Pump islands shall be located a minimum of 20 feet from a street right-of-way line. A canopy or roof structure over a pump island may be located no closer than 10 feet from the street right-of-way line.
3. No vehicle shall be parked on the premises for the purposes of offering the vehicle for sale.
4. No used or discarded automotive parts or equipment or disabled, junked, or wrecked vehicles shall be located in any open area outside the main structure.
5. Noise from bells or loudspeakers shall not be audible beyond the property line at any time.
6. The installation of LPG tanks shall be permitted only as set forth in this Subchapter.
7. If the use includes a carwash facility, there must be a stacking lane that will accommodate at least 6 cars.

On-site Parking Requirement: One space for each 250 square feet of retail/commercial gross floor area.

Service Station (without Automotive Repair)

Description: A building or premises used for the dispensing and sale of fuels or oils and accessories for the motor vehicle trade. The use may include, as an incidental use, an automatic car wash facility, but may not include any automotive repair.

Conditional Use Regulations:

1. All activities and operations shall be conducted entirely within an enclosed structure, except as follows:
   a. The dispensing of petroleum products, water and air from pump islands.
   b. The provision of emergency service of a minor nature.
   c. The sale of items via vending machines which shall be located next to the main structure.
2. Pump islands shall be located a minimum of 20 feet from a street right-of-way line. A canopy or roof structure over a pump island may be located no closer than 10 feet from the street right-of-way line.
3. No vehicle shall be parked on the premises for the purposes of offering the vehicle for sale.
4. No used or discarded automotive parts or equipment or disabled, junked, or wrecked vehicles shall be located in any open area outside the main structure.
5. Noise from bells or loudspeakers shall not be audible beyond the property line at any time.
6. The installation of LPG tanks shall be permitted only as set forth in this Subchapter.
7. If the use includes a carwash facility, there must be a stacking lane that will accommodate at least 6 cars.

On-site Parking Requirement: One space for each 250 square feet of retail/commercial gross floor area.

Sex Offender Counseling Facility

Description: A facility that regularly provides court-ordered or court-sanctioned treatment or counseling to sex offenders.

Conditional Use Regulations:

1. The applicant must submit, for administrative review and approval, the following:
   a. A site plan;
   b. A floor plan indicating the use of each room in the facility; and
   c. A business plan clearly indicating that the facility will provide services pursuant to or in conformance with judicial requirements.

On-site Parking Requirement: One space for each 200 square feet of gross floor area up to 2,000 square feet, plus one space for each additional 175 square feet.

Sexually Oriented Business

Description: Sexually Oriented Businesses include the following:

1. Adult emporium – An establishment which engages in the sale, rental or trade of books, films, videotapes, sexual novelties, discs, magazines and other periodicals and which:

   a. Will or does derive 35 percent or more of its gross revenue from the sale, rental or trade of sexual novelties or books, films, videotapes, discs, magazines and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to specific sexual activities or specific anatomical areas;

   b. At any particular time devotes 35 percent or more of its inventory floor and wall space to the types of inventory described in Paragraph (a) above;

   c. At any particular time has, as 35 percent or more of its total inventory or any category thereof, the types of inventory described in Paragraph (a) above; or

   d. Holds itself out, by advertising or otherwise, primarily as an outlet for the types of inventory described in Paragraph (a) above.

2. Adult mini-motion picture theater – An enclosed building with a capacity of less than 50 persons used for presenting material distinguished or characterized by an emphasis on depicting or describing specified sexual activities or specified anatomical areas.

3. Adult motel – A motel wherein material is presented, as part of the motel services, via closed circuit television or otherwise, which is distinguished or characterized by an emphasis on depicting or describing specified sexual activities or specified anatomical areas.

4. Adult motion picture arcade – Any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically or mechanically controlled still or motion pictures, projectors or other image-producing devices are maintained to show images to 5 or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by an emphasis on depicting or describing specified sexual activities or specified anatomical areas.

5. Adult motion picture theater – An enclosed building with a capacity of 50 or more persons used for presenting material distinguished or characterized by an emphasis on depicting or describing specified sexual activities or specified anatomical areas.

6. Adult paper rack – Each self operated device or container, except those located in an adult emporium, which is primarily used for the distribution of magazines, papers or periodicals which are distinguished or characterized by an emphasis on depicting or describing specified sexual activities or specified anatomical areas or the advertisement of other sexually oriented businesses.

7. Massage parlor – Any place where, for any form of consideration or gratuity, massage, alcohol rub, administration of fomentations, electric or magnetic treatments, or any other treatment or manipulation of the human body occurs as part of or in connection with specified sexual activities or where any person providing such treatment, manipulation or services related thereto exposes specified anatomical areas.

8. Model studio – Any place where, for any form of consideration or gratuity, figure models who display specified anatomical areas are provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by persons paying such consideration or gratuity.

9. Nude show – Any establishment which provides and permits the viewing of live performances of specified sexual activities or the display of specified anatomical areas upon its premises as entertainment or any attraction for business. This use does not include the display of specified anatomical areas in the showroom of a resort hotel and casino with over three hundred rooms which is subject to the casino entertainment tax described in NRS 463.401 and which is located within the Downtown Casino Overlay District. For purposes of the preceding sentence, a showroom must contain a minimum of 300 seats. Any nude show which takes place at an establishment which is licensed or is required to be licensed to sell alcoholic beverages is subject to LVMC 6.50.430.

10. Sexual encounter center – Any building or structure which contains or is used for commercial entertainment where the patron directly or indirectly is charged a fee to engage in personal contact with or to allow personal contact by, employees, devices or equipment or by personnel provided by the establishment which appeals to the prurient interest of the patron, to include, but not limited to, bathhouses, massage parlors and related or similar activities.

Conditional Use Regulations:

1. No person shall cause or permit the establishment of any sexually oriented business in an area zoned other than C-M or M. In addition, no person shall cause or permit the establishment of any sexually oriented business within 1000 feet of any other sexually oriented business, church, public or private school, day care, teen dance center, park or playground. The distance shall be the shortest distance between two property lines, one being the property line of the proposed sexually oriented business which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed sexually oriented business. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of this paragraph, the term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

2. Except as otherwise provided in Regulations 4, 5 and 6, the "establishment" of a sexually oriented business includes the opening of such business as a new business, the relocation of such business, the enlargement of such business in either scope or area or the conversion of an existing business location to any sexually oriented business.
3. Any person establishing a sexually oriented business must first file with the Department of Finance and Business Services the name and address of the business and the type of sexually oriented business to be conducted.
4. Any business existing as of September 16, 1992, that is made nonconforming by the provisions of Ordinance 3674 shall be permitted to remain in operation. However, except as otherwise provided in Regulation 6:
   a. No such business may be increased, enlarged, extended or altered, except to change the use to a conforming use; and
   b. If any such business is terminated or is abandoned for a period of at least 30 days, any future use of the property shall conform to the provisions of Ordinance 3674.
5. Except as otherwise provided in this Regulation and Regulation 6, the provisions of Regulations 3 and 4 above and the provisions of LVMC Chapter 19.14 shall apply to sexually oriented businesses. However, any existing sexually oriented business located in the M Zoning District that was made nonconforming as to a separation requirement by either of the following circumstances shall be deemed a conforming use for purposes of expansion, enlargement or alteration:
   a. The adoption of a different method of measuring distance; or
   b. The intervening establishment within the required separation area of either a protected use or another sexually oriented business.

   Any such business shall continue to be subject to the provisions regarding discontinuation and removal that are set forth in LVMC 19.14.030(A)(4) and 19.14.040, respectively.
6. The provisions of Regulation 4 and the provisions of Chapter 19.16 that prohibit the expansion, enlargement or alteration of an existing use shall not apply to an existing nude show located within the Downtown Centennial Plan area, as described in Ordinance No. 6051 and as amended from time to time, but only if and to the extent that the following conditions are met:
   a. Any expansion, enlargement or alteration, including all required on-site parking, must be contained entirely on the same legally-created parcel on which the use presently exists.
   b. The expansion, enlargement or alteration must be approved by means of a Major Site Development Review pursuant to LVMC 19.16.100(G).
   c. Except as otherwise provided in Paragraph (d), the discontinuation and abandonment provisions of LVMC 19.14.030(A) shall continue to apply.
   d. For a use that is discontinued for purposes of expansion, enlargement or alteration, the use shall not be considered abandoned. However, the building permit for such expansion, enlargement or alteration must be obtained within 6 months after operations cease and the permit must be exercised completely before the permit expires. Otherwise, the use shall be deemed abandoned, the nonconforming status lost, and the future use of the property must comply with current zoning requirements.
   e. For purposes of this Regulation 6, the expansion, enlargement or alteration of a use includes the rebuilding or replacement of the building or buildings associated with the use.
7. Nothing in this Title pertaining to sexually oriented businesses is intended to make legal any business or activity that is expressly declared illegal under any other provisions of the Municipal Code or under any State or Federal laws.
8. The Special Use Permit provisions of LVMC 19.12.040(B) do not apply to a sexually oriented business.

On-site Parking Requirement:

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

Shopping Center

Description: Any structure or group of structures that:

1. House any assemblage of various commercial tenants, including without limitation, retail uses, personal service uses, food service uses, and other ancillary uses;
2. Have a minimum combined gross floor area of 25,000 square feet;
3. Are located upon a single parcel of land or upon contiguous parcels of land; and
4. Have common vehicular access and parking facilities.

This use includes a regional mall.

On-site Parking Requirement: One space per 250 square feet of gross floor area.

Short-Term Residential Rental

Description: The commercial use, or the making available for commercial use, of a residential dwelling unit for dwelling, lodging or sleep purposes, wherein any individual guest rents or occupies the unit for a period of less than 31 consecutive calendar days.

Conditional Use Regulations:

1. The operator must obtain a permit from the Business Services Division to operate the use. The use must be operated by either the property owner or a property manager who holds a permit to engage in property management pursuant to NRS Chapter 645. For a use to be operated by the property owner, a separate permit must be obtained for each rental. For a use to be operated by a property manager, the permit shall be an annual permit, renewable annually at the discretion of the Division, subject to the provisions of Condition Use Regulation 6. In each case the operator shall pay such fee as the Division may establish for the permit. A copy of the permit, including all conditions established or imposed pursuant to Conditional Use Regulation 4, shall be posted in a conspicuous place within the rented premises.
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. However, a permit issued under Conditional Use Regulation 1 shall be deemed to take the place of a license otherwise required by LVMC 6.46.020.
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 and guests that are on the premises at any one time. In addition, at any time following issuance of the permit, the Division may impose additional conditions on, or otherwise amend, the permit. The permit may be revoked or suspended immediately for noncompliance with these regulations or with applicable permit conditions, at which time the use permitted as a conditional use shall immediately cease.
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 shall notify the Business Services Division of any change in the operator's telephone number and other contact information. Any change in operator shall require the issuance of a new permit.
7. The operator must be available at all times to respond to law enforcement authorities and to concerns from neighborhood residents, and to take remedial action in the event of noncompliance with law or with permit conditions.

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

Single Family, Attached

Description: A dwelling unit attached to one or more other dwelling units where each dwelling unit is located on a separate lot. (Such a dwelling unit could include duplexes, townhouses, four-plexes, six-plexes, etc.)

On-site Parking Requirement: Two spaces per dwelling unit, plus one guest space for every 6 dwelling units.

Single Family, Detached

Description: A dwelling unit that is not attached to any other dwelling by any means, is located on a separate and individually owned lot, is surrounded by open space or yards, and is for the exclusive use of a single family maintaining a household. Except where specifically provided in this Title, no such unit may have more than 1 kitchen, and all rooms used for human habitation must have interior access to one another.

On-site Parking Requirement: Two spaces per dwelling unit.

Single Family, Zero Lot Line

Description: A single family dwelling unit that is located directly on 1 or more lot lines.

Conditional Use Regulations:

1. Roof overhangs and any architectural projections shall not be permitted to cross property lines.
2. No architectural openings of any kind shall be permitted on walls sited less than 3 feet from the property line.

On-site Parking Requirement: Two spaces per dwelling unit.

Single Room Occupancy Residence

Description: A residential facility in which furnished rooms are rented on a weekly or monthly basis and which provides common facilities and services for laundry, cleaning and meals.

On-site Parking Requirement: .75 spaces per dwelling unit.

Slaughtering and Processing of Live Poultry

Description: An operation in which live poultry is slaughtered and processed in preparation for human consumption.

Minimum Special Use Permit Requirements:

1. The slaughter and processing of live poultry shall be limited to chickens. The slaughter or processing of any other poultry or animals is prohibited.
2. The use may not be located closer than 1500 feet from any other facility used for the slaughter and processing of live poultry.
3. The slaughter and processing of poultry shall occur only as an accessory use to a retail commercial establishment.

4. The sale of poultry on the site shall be limited to retail sales of processed poultry.
5. There shall be no sale of live poultry from the site and no use of the site for the distribution of live or processed poultry for sale off site.
6. All live poultry shall be stored within an enclosed structure on the site where the processing will take place. The slaughter and processing of poultry shall take place in an enclosed structure that is operated in accordance with all Federal, State and local regulatory criteria, including without limitation all applicable regulations of the Clark County Health District. The processing facility must be available at any time for inspection by any and all regulatory agencies with jurisdiction.
7. The maximum number of live birds allowed to be kept or maintained on site at any one time is 50.
8. The delivery and unloading of live poultry shall be at a designated sealed loading dock and shall take place only between the hours of 8:00 a.m. and 8:00 p.m.
9. The exterior and interior of a processing facility shall be maintained in an attractive, safe and sanitary condition at all times, and all on site activity must be conducted so as not to create noise, dust, debris, odors or other similar nuisances to surrounding property owners.
10. Areas used for slaughtering and butchering shall not exceed 525 square feet and shall be located in an area not readily available to the public.
11. All waste and debris shall be removed from the processing facility on a daily basis in accordance with all Federal, State and local regulatory criteria, including without limitation applicable regulations of the Clark County Health District. Waste removal shall take place only between the hours of 8:00 a.m. and 8:00 p.m.
12. No slaughtering or butchering waste of any kind may be stored outside at any time. All such waste, including any contaminated paper or cardboard, shall be stored indoors in a temperature controlled, sealed room.
13. All glass viewing areas to be used by customers for bird selection shall be installed a minimum of 48 inches above floor level.
14. No live poultry shall remain on site overnight. Any live poultry not sold by 4:00 p.m. must be slaughtered, processed and packaged for sale with other poultry products.
15. The processing facility shall be landscaped and screened as required in connection with a Site Development Plan Review.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Small Wind Energy System

Description: A wind energy conversion system consisting of a wind turbine, a tower or supporting structure, and associated control or conversion electronics, which has a rated capacity of not more than 100kW and which is intended primarily to reduce on-site consumption of utility power. The use is not to be deemed an accessory structure.

Conditional Use Regulations:

1. The minimum parcel size shall be 20,000 square feet.
2. No small wind energy system is eligible for approval if all or part of the property is within a conservation easement or scenic highway corridor, or is listed on the State or National Registers of Historic Places, unless the applicant submits satisfactory evidence that the addition of a small wind energy system is not a violation of the rules that govern the development of the property.
3. A system may be directly mounted on or attached to the principal structure on the site, or may be mounted on a freestanding tower. Where possible, the system should be integrated with other structures, such as buildings, light poles or on-premise sign structures, so as to minimize visual impacts.
4. A system shall not extend to a height greater than the following, measured with reference to the highest point of the fixed structure to which the system is attached (but excluding the wind turbine):
   a. 50 feet, for parcels in the R-1 and R-2 Zoning Districts;
   b. 65 feet, for parcels in the R-E, and R-3 Zoning Districts, and
   c. 90 feet for parcels in the R-4, C-1, C-2, C-M and M Zoning Districts.
5. When a system is mounted on a freestanding tower:
   a. The tower and any guy-wires or other supports shall comply with all minimum setbacks for the property; and
   b. The tower shall be set back from any habitable structure on an adjacent property a distance at least as great as the height of the tower.
6. No more than one system shall be permitted on a parcel of land.
7. A system shall be constructed and maintained so that noise levels do not exceed 60dBA, as measured by a sound level meter at the closest neighboring inhabited dwelling. However, this level may be exceeded during short term events such as utility outages or sever windstorms.
8. The applicant must submit proof of turbine certification approved under the Emerging Technologies program of the California Energy Commission or any other small wind certification program recognized by the American Wind Energy Association.
9. A system must comply with applicable FAA regulations, including any necessary approvals for installations close to airports. Such approvals must be received prior to the submittal of a building permit application. For locations within the Airport Overlay District, the system must comply with all regulations and requirements applicable to that district.

10. A system must comply with all applicable fire codes and building codes.
11. A building permit application for a system must be accompanied by:
    a. Standard drawings of the wind turbine structure including base, tower and footings;
    b. An engineering analysis of the tower showing compliance with the International Building Code and certified by a licensed professional engineer; and
    c. A line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the National Electrical Code.
12. Before the installation of a system, the applicant must provide satisfactory evidence that the electrical utility provider has been informed of the applicant's intent to install a system. An off-grid system shall be exempt from this requirement if the property is not served by an electrical utility provider.
13. No system shall be erected or moved onto any lot prior to construction of the main building unless a building permit has been issued for the construction of the main building.
14. Except with respect to Conditional Use Regulations 1, 3, 4, 5(b), 6 and 12 the Special Use Permit provision of Section 19.12.040(B) do not apply to this use. In the case of a Special use Permit application filed as a consequence of not qualifying for conditional use treatment regarding any of the Regulations listed in the preceding sentence, the remaining Regulations shall apply as Minimum Special Use Permit Requirements, and Regulations 2, 5(a), 7, 8, 9, 10, 11 and 13 above, when imposed as Minimum Special Use Permit Requirements, shall be deemed to be non-waivable.

Minimum Special Use Permit Requirements:

* 1. No small wind energy system is eligible for approval if all or part of the property is within a conservation easement or scenic highway corridor, or is listed on the State or National Registers of Historic Places, unless the applicant submits satisfactory evidence that the addition of a small wind energy system is not a violation of the rules that govern the development of the property.
2. A system may be directly mounted on or attached to the principal structure on the site, or may be mounted on a freestanding tower. Where possible, the system should be integrated with other structures, such as buildings, light poles or on-premise sign structures, so as to minimize visual impacts.
3. A system shall not extend to a height greater than the following, measured with reference to the highest point of the fixed structure to which the system is attached (but excluding the wind turbine):
    a. 50 feet, for parcels in the P-O Zoning District; and
    b. 90 feet, for parcels in the O Zoning District.
4. When a system is mounted on a freestanding tower:

* a. The tower and any guy-wires or other supports shall comply with all minimum setbacks for the property; and
    b. The tower shall be set back from any habitable structure on an adjacent property a distance at least as great as the height of the tower.

* 5. A system shall be constructed and maintained so that noise levels do not exceed 60dBA, as measured by a sound level meter at the closest neighboring inhabited dwelling. However, this level may be exceeded during short term events such as utility outages or severe windstorms.

* 6. The applicant must submit proof of turbine certification approved under the Emerging Technologies program of the California Energy Commission or any other small wind certification program recognized by the American Wind Energy Association.

* 7. A system must comply with applicable FAA regulations, including any necessary approvals for installations close to airports. Such approvals must be received prior to the submittal of a building permit application. For locations within the Airport Overlay District, the system must comply with all regulations and requirements applicable to that district.

* 8. A system must comply with all applicable fire codes and building codes.

* 9. A building permit application for a system must be accompanied by:
    a. Standard drawings of the wind turbine structure including base, tower and footings;
    b. An engineering analysis of the tower showing compliance with the International Building Code and certified by a licensed professional engineer; and
    c. A line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the National Electrical Code.

10. Before the installation of a system, the applicant must provide satisfactory evidence that the electrical utility provider has been informed of the applicant's intent to install a system. An off-grid system shall be exempt from this requirement if the property is not served by an electrical utility provider.

*11. No system shall be erected or moved onto any lot prior to construction of the main building unless a building permit has been issued for the construction of the main building.

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

Social Event with Alcoholic Beverage Sales

Description: The sale of alcoholic beverages for consumption only on the premises where the same are sold in connection with weddings, school graduations, employer and employee events, recognition ceremonies, awards ceremonies, family gatherings, fund-raising events, club and organization events or other similar events which

occur 17 times or more per calendar month at a facility not licensed for the sale of alcoholic beverages.

Minimum Special Use Permit Requirements:

1. The parcel or use is operated or controlled by an agency or subdivision of local, state or federal government. (C-V only)

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Social Service Provider

Description: A facility that provides assistance to persons with limited ability for self-care, but for whom medical care is not a major element. This use includes a facility that provides assistance concerning psychological problems, employment, learning disabilities or physical disabilities, but does not include a rescue mission, homeless shelter or an adult day care center.

On-site Parking Requirement: One space for each 300 square feet of gross floor area.

Solar Panel

Description: A small-scale unit that is designed and used, on an incidental or accessory basis, to generate power or heat (or both) to be supplied to the principal use of the site. This use:

1. Does not include an "electric generating plant" or any other utility facility that is specifically defined in LVMC Chapter 19.18; and
2. Shall not be deemed an accessory structure for purposes of the standards of this Title that govern accessory structures.

Conditional Use Regulations:

1. When visible from a public right-of-way, solar panels shall be installed so that they project no more than 40 inches from the roof surface.
2. When mounted on a sloped roof, the enclosure cladding and support structure of solar panels (excepting the solar collection cells) shall match the roof in color and appearance.
3. Roof-mounted hot water storage systems shall not be visible from neighboring properties or public rights-of-way.
4. Within an area designated as an Historic District, the location of the proposed unit must first be reviewed and approved pursuant to LVMC 19.10.150.

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

Sound Stage

Description: A building or portion of a building used for the production of movies.

On-site Parking Requirement: One space per 300 square feet of gross floor area.

Supper Club

Description: A restaurant and bar operation with alcoholic beverage sales in which:

1. The bar area is separated from the restaurant area by a barrier sufficient to prevent access to the bar by minors;
2. The actual seating available at all times within the dining area will accommodate at least 125 persons. For purposes of this requirement, the "dining area" does not include bar stool seating at the bar or lounge seating, but may include table or booth seating within the bar area and table seating within a patio area;
3. Alcoholic beverages are served in the restaurant area only in conjunction with the service of food;
4. Full-course meals are available during all hours the bar area is open to the public;
5. A cook and food server, other than a bartender, are available at all times the bar area is open to the public; and
6. The restaurant operation is the principal portion of the business.

Minimum Special Use Permit Requirements:

1. No supper club use shall be located within 400 feet of any church, synagogue, school, child care facility licensed for more than 12 children, or City park.
2. Except as otherwise provided in Requirement 3 below, the minimum distances referred to in Requirement 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed supper club which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed supper club. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:
   a. Any leasehold parcel; or
   b. Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Requirement 1.
3. In the case of a supper club proposed to be located on a parcel of at least 80 acres in size, the minimum distances referred to in Requirement 1 shall be measured in a straight line:
   a. From the nearest property line of the existing use to the nearest portion of the structure in which the supper club will be located, without regard to intervening obstacles; or

b. In the case of a proposed supper club which will be located within a shopping center or other multiple-tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the supper club will be located, without regard to intervening obstacles.

4. When considering a Special Use Permit application for a supper club which also requires a waiver of the distance limitation in Requirement 1, the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision.

* 5. In the O District, a supper club is permitted only as an accessory use.

6. The parcel or use is operated or controlled by an agency or subdivision of local, state or federal government. (C-V only)

* 7. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50.

On-site Parking Requirement: One space for each 50 square feet of public seating and waiting area, including outdoor areas for seating and waiting, plus one space for each 200 square feet of the total remaining gross floor area, with a minimum of ten spaces required.

Swap Meet

Description: A facility (whether indoor or outdoor) in which multiple vendors, dealers, sellers or traders have rented, leased, purchased or otherwise obtained an area from a swap meet operator for the purpose of selling, bartering, exchanging or trading new or used items of personal property, where the aggregate value of all such property exceeds the amount of 1000 dollars.

Conditional Use Regulations:

1. No outdoor display, sales or storage of any merchandise or equipment is permitted, except in connection with temporary activities that have been authorized by means of a Temporary Commercial Permit.
2. No repair, installation or service work is permitted outside of an enclosed building.
3. All signage, including any temporary signage, shall comply with LVMC Chapter 19.08.
4. The swap meet operation shall comply with all applicable requirements of LVMC Title 6.

Minimum Special Use Permit Requirements:

1. No outdoor display, sales or storage of any merchandise or equipment is permitted, except in connection with temporary activities that have been authorized by means of a Temporary Commercial Permit.
2. No repair, installation or service work is permitted outside of an enclosed building.
3. All signage, including any temporary signage, shall comply with LVMC Chapter 19.08.
4. The swap meet operation shall comply with all applicable requirements of LVMC Title 6.

On-site Parking Requirement:

Indoor: One space for each 175 square feet of gross floor area.

Outdoor: Four spaces for each retail stall or unit.

Tattoo Parlor/Body Piercing Studio

Description: An establishment whose principal business activity, either in terms of operation or as held out to the public, is the practice of one or more of the following:

1. The placing of designs, letters, figures, symbols or other marks upon or under the skin of any person, using ink or other substances which result in the permanent coloration of the skin by means of the use of needles or other instruments designed to contact or puncture the skin.
2. The creation of an opening in the body of a person for the purpose of inserting jewelry or other decoration.

This use does not include a permanent makeup establishment.

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Tavern-Limited Establishment

Description: An establishment that is licensed with a tavern-limited license in accordance with LVMC Chapter 6.50.

On-site Parking Requirement: One space for each 50 square feet of public seating and waiting area (including outdoor areas for seating and waiting), plus one space for each 200 square feet of the total remaining gross floor area, with a minimum of ten spaces required.

Taxicab/Limo Yard

Description: An area or facility used for the storage or dispatch of taxicabs or limousines.

On-site Parking Requirement: One space for each employee on the largest shift, plus one space per taxi or limo when the facility is at maximum capacity.

Teen Dance Center

Description: An establishment that is primarily operated as a place of entertainment for persons under the age of 18 years, characterized by any or all of the following as principal activities:

1. Live, recorded, or televised entertainment, including but not limited to performance by magicians, musicians or comedians.

2. Dancing.

Conditional Use Regulations:

1. The establishment must be located more than 1000 feet from any sexually oriented business. The distance shall be the shortest distance between the property line of the proposed teen dance center which is closest to the existing sexually oriented business, and the other being the property line of the sexually oriented business which is closest to the proposed teen dance center. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of this paragraph, the term "property line" refers to property lines of fee interest parcels and not leasehold parcels.
2. The hours of operation shall be limited to the period between 6:00 p.m. and midnight.
3. The floor area shall not exceed 5000 square feet.

On-site Parking Requirement: One space for every 3 persons that the establishment is designed to accommodate.

Temporary Contractor's Construction Yard

Description: An on-site or off-site facility for the storage of construction materials and equipment intended for use in conjunction with a specific development, to be removed at the time the development is completed. This use may include a temporary batch plant.

No Temporary Commercial Permit required if the use is located on the same site as the approved development and is operated in conformance with all applicable City ordinances and standards.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Temporary Outdoor Commercial Event

Description: A promotional activity, fair, circus, rodeo, festival, carnival, arts and crafts fair, tent revival, haunted house, amusement system, or concert that will be conducted at a location other than a stadium, auditorium or other public assembly facility that is designed to accommodate such an event. This use does not include one-day residential celebrations; uses within public facilities or recreational facilities regulated or organized through the Department of Leisure Services; parades and similar events that occur in the public right-of-way and are regulated by or organized through the Las Vegas Metropolitan Police Department; or grand openings of new businesses that meet all requirements of the Department of Fire and Rescue.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Temporary Real Estate Sales Office

Description: An office operating at a fixed location within an existing model home, trailer or commercial structure which is used temporarily for the purpose of real estate sales.

Conditional Use Regulations:

1. Within any residential district:
   a. The use may be located within a model home or trailer;
   b. The sales activity shall be limited to lots within the subdivision in which the model home or trailer is located; and
   c. The use shall not be permitted to operate until the requirements of LVMC 19.16.190 have been met, including the approval of a final subdivision map.
2. Within any commercial or industrial district:
   a. The use may be located within a trailer or an existing commercial structure; and
   b. The use shall not be permitted to operate and is not entitled to a certificate of occupancy until a Site Development Plan has been approved for the development to which the sales pertains.
3. If the temporary real estate sales office is a model home or is conducted from a commercial structure, the use shall expire 2 years from the date of building permit approval or whenever sales are completed, whichever occurs first. If the temporary real estate sales office is a trailer, the use shall expire 6 months from the date of approval by the Department of Building and Safety.
4. Upon termination of the use, all temporary access improvements from this site to the abutting street(s) shall be removed and replaced with permanent access improvements that meet all City standards, as required by the Department of Public Works.
5. Pursuant to LVMC 19.02.290, direct vehicular access from primary and secondary street(s) through the back of bordering lots is prohibited unless approval is granted by the Director.
6. All development must be in conformance with the submitted plot plan and floor plan.
7. Any signage for this use must first be approved in writing by the Department.

On-site Parking Requirement: A minimum of 5 on site parking spaces shall be provided, and the spaces provided shall be in compliance with ADA parking requirements and LVMC Chapter 19.10. In any commercial or industrial district, the Director may waive one or more of the required on site spaces if an equivalent number of on street parking spaces is available on a street that directly abuts the lot on which the use is located.

Tennis Courts, Accessory

Description: Tennis courts that are available for use only as an incidental or accessory use in connection with the principal residential or commercial use of the premises.

Conditional Use Regulations:

1. Courts shall be screened, and lights shall be shielded, from adjacent residences.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Thriftshop

Description: A business operation that deals primarily in secondhand wearing apparel.

Conditional Use Regulations:

1. No outdoor display, sales or storage of any merchandise shall be permitted.
2. The use shall comply with the applicable requirements of LVMC Title 6.

Minimum Special Use Permit Requirements:

* 1. No outdoor display, sales or storage of any merchandise shall be permitted.

* 2. The use shall comply with the applicable requirements of LVMC Title 6.

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Thriftshop, Nonprofit

Description: A shop that is operated by a nonprofit organization and that sells donated used merchandise only.

Conditional Use Regulations:

1. No outdoor display, sales or storage of any merchandise shall be permitted.
2. The use shall comply with the applicable requirements of LVMC Title 6.

Minimum Special Use Permit Requirements:

* 1. No outdoor display, sales or storage of any merchandise shall be permitted.

* 2. The use shall comply with the applicable requirements of LVMC Title 6.

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Time-Share Development

Description: A development consisting of a minimum of 50 units that are made available for use and occupancy on a recurrent periodic basis according to an arrangement allocating this right among various holders of a time-share ownership, leasehold or other similar interest.

Conditional Use Regulations:

1. No individual time-share unit may serve as a person's primary residence.
2. No access to any accessory use (giftshop, restaurant, beauty shop, etc.) shall be permitted other than from within the time-share development.
3. No exterior advertising or lighting is permitted in excess of that allowed for residential developments.

On-site Parking Requirement: One space for each time-share unit, plus 10 spaces for each 1,000 square feet of accessory uses.

Towing & Impound Yard

Description: A lot or building used for the storage of damaged, wrecked or impounded motor vehicles for a limited period of time, usually awaiting insurance adjustment, transport to a repair shop, or recovery by the owner or operator.

Conditional Use Regulations:

1. All areas used for the parking and storage of operable vehicles shall be paved.
2. All stored, damaged, or wrecked vehicles, parts and equipment shall be effectively screened so as not to be visible from adjoining properties or public rights-of-way.

On-site Parking Requirement: One space for each employee, plus one space for each tow truck that is stationed at the facility. Vehicles that in storage may not be parked or stored in parking spaces that are designated as off street parking necessary to meet the minimum requirements of this Table 2. The storage of such vehicles must occur only in spaces that are in excess of the required minimum parking.

Towing Service (with No Storage)

Description: An establishment that provides the service of transporting damaged, wrecked or impounded motor vehicles to an off-site storage area or other facility.

On-site Parking Requirement: One space for each employee, plus one space for each tow truck that is stationed at the facility.

Townhouse

Description: A row or cluster of at least 3 attached dwellings in which each dwelling is located on separately owned lot, each unit is separated by 1 or more common vertical walls, each unit has its

own front and rear yard access, and no unit is located over another unit. A townhouse complex may include common open space and recreational areas and facilities which are owned by all owners on a proportional, undivided basis.

On-site Parking Requirement: Two spaces per dwelling unit, plus one guest space for every 6 dwelling units spread throughout the development.

Trade School

Description: A facility for instruction and training in trades or crafts such as auto repair, welding, bricklaying, machinery operation or other similar trades or crafts which require the use of large equipment, or outdoor training activities, or both.

Conditional Use Regulations:

1. No instruction or training in welding or auto repair shall be permitted.

On-site Parking Requirement: One space for each staff member, plus one space for every 2 students in class when the school is at maximum capacity.

Trailer/RV Camp or Park

Description: Any lot or tract of land used, or intended to be used, for the renting of space to accommodate two or more recreational vehicles.

Minimum Special Use Permit Requirements:

1. The maximum density permitted in a recreational vehicle park is 20 recreational vehicle sites per acre.
2. Recreational vehicle parks shall have a minimum frontage of 100 feet at the building setback line.
3. Recreational vehicle sites, office buildings, accessory buildings and other facilities shall be set back at least 10 feet from any property lines. When adjacent to any property line adjoining a public street, the required setback shall be 15 feet.
4. Vehicular spacing:
   a. Pull-through recreational vehicle sites shall maintain 15 feet between vehicle parking on adjoining sites.
   b. Back-in recreational vehicle sites shall maintain 10 feet between vehicles, to include automobiles parking in adjoining sites.
5. Recreational vehicle sites shall be set back 20 feet from any building.

* 6. A minimum of 10% of the total area of the park shall be reserved for purposes of open space or recreational facilities. Open space area shall be of sufficient size and distribution as to be a functional part of the entire park.

* 7. All access drives shall be a minimum of 20 feet wide and must first be approved by the City Traffic Engineer.

On-site Parking Requirement: One space for each recreational vehicle, plus one guest space for every 10 recreational vehicles.

Transit Passenger Facility

Description: A facility, including a park and ride, for the loading and discharging of train or bus passengers.

Conditional Use Regulations:

1. The facility must be operated by a public entity.
2. The facility must be located along a collector or arterial street.
3. The principal operating hours of the commuter parking lot must not significantly conflict with those of other uses on the parcel.
4. The use must be ancillary to a primary use, and the number of parking spaces dedicated to commuter parking shall not exceed 10% of the total amount of parking required for the primary use under this Chapter.

On-site Parking Requirement: To be determined on a case-by-case basis.

Truck Rental

Description: A facility for the rental of new or used trucks. For purposes of the limitations of this Title on outside storage, trucks kept on a lot for rental purposes are not considered to be outside storage.

On-site Parking Requirement: One space for each rental vehicle, plus one space for each 250 square feet of gross floor area.

Trucking Company

Description: A business, service or industry involving the use of commercial vehicles in the loading, unloading and transportation of cargo. This use may also include the fueling, maintenance, servicing, storage or repair of commercial vehicles or the storage of cargo.

Minimum Special Use Permit Requirements:

1. The use shall be limited to office operations and the parking of trucks and trailers.
2. No more than 5 trucks or trailers, or combination of trucks and trailers, shall be permitted on the site at any one time.
3. The parking of trucks and trailers shall be restricted to locations to the rear of onsite structures so as to not be visible from adjoining streets.
4. None of the following activities shall be permitted on site:
   a. The repair or servicing of vehicles.
   b. The storage or warehousing of goods or merchandise.

c. The loading or unloading of goods or merchandise.

On-site Parking Requirement: One space for each 250 square feet of floor area devoted to office use, plus one space for each 1000 square feet of remaining gross floor area.

Tutoring Center

Description: An institution or place of education or instruction, other than a public or private school (primary or secondary), business school, or trade school, that is owned and operated privately for profit and that does not offer a complete educational curriculum. This use includes an educational testing center.

Conditional Use Regulations:

1. Adequate pick-up and drop-off areas must be provided on-site.
2. Equipment used for instructional purposes must be stored within the building.
3. Instructional services must be provided with a pupil/instructor ratio no greater than 2:1. (P-O only)

On-site Parking Requirement: One space for each staff member, plus one space for every 5 students in class when the center is at maximum capacity.

TV Broadcasting & Other Communication Service

Description: A building or portion of a building used as a place for television broadcasting or similar communication-related activities.

On-site Parking Requirement: One space per 300 square feet of gross floor area.

Two-Family Dwelling

Description: A detached dwelling designed for and occupied exclusively by 2 families living independently of each other in separate dwelling units on a single lot.

On-site Parking Requirement: Two spaces per dwelling unit.

Urban Lounge

Description: An establishment that:

1. Is licensed for the sale of alcoholic beverages for consumption on the premises where the same are sold, and the sale, to consumers only and not for resale, of alcoholic beverages in original sealed or corked containers, for consumption off the premises where the same are sold; and
2. Meets the Minimum Special Use Permit Requirements set forth below.

Minimum Special Use Permit Requirements:

1. The use is limited to the area located within the boundaries of the Las Vegas Arts District, as described in the Downtown Centennial Plan and as amended from time to time.
2. For each seat provided at the bar of the establishment, there must be a minimum of 2 seats within a lounge area located away from the bar.
3. The use is subject to the provisions of LVMC Chapter 6.40 relating to gaming and LVMC Chapter 6.50 relating to liquor control.

On-site Parking Requirement: To be determined on a case-by-case basis.

Utility Installation, Other Than Listed

Description: A facility or area used as (or for) a utility installation not specifically listed in this Title. This use does not include any type of wind energy conversion system.

On-site Parking Requirement: One space, plus an additional space for each 300 square feet of habitable office space.

Utility Transmission Lines

Description: Utility infrastructure providing electrical power, telephone, or cable television which is installed, operated and maintained by a municipality or a franchised utility company.

Conditional Use Regulations:

1. The location of routes for lines which are 15,000 volts or above must first be approved by the Planning Commission.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Valet Parking

Description: A service provided in conjunction with a business or other establishment by which employees (or others acting on behalf of the establishment) park the vehicles of patrons or visitors in an area set aside for that purpose.

Conditional Use Regulations:

1. A maximum of 20 percent of the number of parking spaces required by this Table for the principal use(s) on the site may be used for valet parking.
2. The applicant must submit to the Department, for administrative review and approval, a site development plan showing where valet spaces will be located and demonstrating that the area and methodology for valet parking will be physically designed to prevent queuing in the right-of-way.

3. The applicant must provide written assurance that the valet parking will be operated to conform with the hours of operation that are proposed and approved for the use.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Vehicle Parking, Storage or Repair in Residential Zoning Districts

Description: The parking, storage or repair of vehicles as an accessory use in residential zoning districts

Conditional Use Regulations:

1. Except as otherwise provided in Regulations 2 to 14, inclusive, motor vehicles, including passenger cars, trucks and motorcycles which are not designed or used for racing or for purposes other than transportation, may be parked, stored or repaired on any property in a residential district, provided the same is accessory and incidental to the use of the property for residential purposes and does not constitute a nuisance, health or fire hazard offense under the provisions of this Code and do not have a detrimental effect on the neighborhood. Unless stored or parked within a completely enclosed building, the motor vehicles shall be stored or parked:
   a. In the front yard, either:
      i. On an approved driveway;
      ii. On a surface of pavers or other blocks of uniform appearance that are at least 2 inches in thickness;
      iii. On concrete or asphaltic paving that extends the full length and width of the vehicle; or
      iv. On a surface of decomposed granite no less than 2 inches thick, defined with borders, but this alternative is available only on lots with a zoning designation of R-E; or
   b. In the side yard, either:
      i. Obscured by a 6-foot high fence to permanently screen the vehicles from view;
      ii. On an approved driveway;
      iii. On a surface of pavers or other blocks of uniform appearance that are at least 2 inches in thickness; or
      iv. On concrete or asphaltic paving that extends the full length and width of the vehicle; provided, however, that the vehicle storage or parking complies with the other provisions set out in Regulations 1 to 14, inclusive.
2. Except as otherwise provided in Regulation 10 below, on a single family residential lot:
   a. No more than 3 operable vehicles may be stored, or one vehicle per 1,250 square feet of lot area, whichever allows the greater number of vehicles;
   b. No more than 50 percent of the front yard area may be used for the storage or parking of vehicles; and
   c. No more than one inoperable vehicle may be stored at one time.
   d. No stored vehicles may be utilized for storing items of personal property, and the area under each vehicle must be kept free of debris and vegetation.
3. Unless stored or parked within a completely enclosed building, a recreational vehicle or trailer, or combination thereof, may be stored or parked only as follows:
   a. In a rear yard, either:
      i. On a surface of pavers or other blocks of uniform appearance that are at least 2 inches in thickness;
      ii. On a surface of decomposed granite no less than 2 inches thick, defined with borders; or
      iii. On concrete or asphaltic paving, gravel or chat that extends the full length and width of the vehicle, trailer or combination;
   b. In a front yard, but only on lots with a zoning designation of R-E or R-1, and in each case provided that the recreational vehicle or trailer, or combination thereof, is stored either on a surface of pavers or other blocks of uniform appearance that are at least 2 inches in thickness; on concrete or asphaltic paving that extends the full length and width of the vehicle, trailer or combination; or on a surface of decomposed granite no less than 2 inches thick, defined with borders (provided, however, that this third alternative is available only on lots with a zoning designation of R-E). Additionally, on a lot with a size of .2 acres or less, no recreational vehicle or trailer, or combination thereof, may be stored or parked in a front yard if it exceeds 24 feet in length. Finally, in no event may a recreational vehicle or trailer, or combination thereof, be stored or parked in a front yard in any district described in this Subparagraph (b) unless at least one of the following conditions is met:
      i. The recreational vehicle or trailer, or combination thereof, is stored entirely in the yard area with no portion of the unit located closer than 2 feet from an adjacent public street or sidewalk; or
      ii. It is demonstrated that the side and rear yards are not reasonably accessible for storage purposes. A corner lot shall be deemed to have reasonable access, and the existence of a fence or block wall, by itself, shall not be deemed to prevent reasonable access to the side or rear yards;
   c. In a side yard, either:
      i. Permanently screened from view from the public street by a 6 foot wall, with a 5 foot gate;
      ii. On a surface of pavers or other blocks of uniform appearance that are at least 2 inches in thickness; or

iii. On concrete or asphaltic paving that extends the full length and width of the vehicle;

d. If it is not connected to any electrical or sewer service for more than 24 consecutive hours;

e. If it is not used for dwelling purposes;

f. If it is not used for the storage of goods, materials or equipment, other than those items considered to be part of the recreational vehicle and are related to the immediate use and enjoyment thereof; and

g. Its use is in full compliance with applicable provisions of the Fire Code and other technical codes.

4. Except as provided in Regulation 9 below:

a. No vehicle may be repaired, stored or parked for more than 4 consecutive hours if its manufacturer's rated carrying capacity exceeds one ton.

b. No vehicle may be repaired unless it is owned by a permanent resident at the location where the repair takes place.

c. On a parcel within a single-family residential district, not more than one passenger vehicle with commercial advertising displayed thereon may be stored or parked.

5. Except as otherwise provided in Regulation 10 below:

a. Any vehicle that is in mechanically inoperable condition shall be stored or repaired in a garage, shed or other enclosure; in a driveway; or in a rear yard that is enclosed by a 6-foot high fence to permanently screen the vehicle from view; provided, however, that if the abutting property is undeveloped, the fencing shall not be required until the adjacent property is developed.

b. No repair outside of an enclosure may occur later than 9:00 p.m. or earlier than 7:00 a.m.

6. Except as otherwise provided in Regulation 10 below:

a. No more than one vehicle that is in a mechanically inoperable condition shall be stored or repaired at any time outside of a fully enclosed building on the premises, and there shall be no repair of vehicles or storage of mechanically inoperable vehicles in the side yards.

b. A vehicle shall not be stored in a mechanically inoperable condition for more than 60 days.

c. No repair may be performed on any motor vehicle, including a recreational vehicle, within the front yard, including any driveway area, unless the repair is a "normal, reasonable and customary repair" as defined in Regulation 14 below.

d. No more than 4 vehicles may be repaired on the same parcel within any 12-month period.

7. There shall be no storage of junked vehicles, or parts thereof. Only serviceable parts for owned vehicles may be stored on the premises. Such storage shall not be permitted in the front or side yards but shall be permitted in the rear yard only if such storage is either fully enclosed by a 6-foot high fence to permanently screen the parts from view, or in a fully enclosed building; provided, however, that if the abutting property is undeveloped, the fence or enclosed building shall not be required until the adjacent property is developed. No more than 200 square feet of space shall be used for the storage of serviceable parts.

8. The following are prohibited, except in connection with an approved construction yard or except as necessary to perform grading or construction work on the premises pursuant to a development permit:

a. The repair or storage of any vehicle whose primary function is other than the transportation of passengers, including but not limited to forklifts, backhoes, tractors, tow trucks and similar types of machinery, construction or industrial equipment; or

b. Unless for the sole purpose of loading or unloading passengers or goods, the parking or standing of any vehicle whose primary function is other than the transportation of passengers, including but not limited to forklifts, backhoes, tractors, tow trucks and similar types of machinery, construction or industrial equipment.

9. Nothing in Regulations 1 to 14, inclusive, shall be construed to permit the operation of a business as defined in Title 6. There shall be no repair, restoration or modification of non-owned vehicles for money or barter. However, nothing in Regulations 1 to 14, inclusive, prohibits the temporary emergency repair of owned or non-owned vehicles which have become mechanically inoperable while on the property or in the street.

10. On any lot owned by a member of a duly-recognized organization of automobile collectors or restorers, the owner may exceed the limitations on vehicle storage and repair set forth in Regulations 2, 5(a) and 6 above with respect to the restoration, refurbishing or rebuilding of his or her own classic or antique vehicle if any such vehicle is covered with a fitted full-vehicle pullover cover when it is not being worked on, the vehicle's tires are inflated, and the area under the vehicle is kept free of debris and vegetation.

11. In order to facilitate vehicle inspection and enforcement under Regulations 1 to 14, inclusive, any person responsible for or engaged in the parking, storage, repair, restoration or modification of any vehicle shall, upon request, provide to any authorized enforcement officer:

a. Evidence regarding the operability of the vehicle, as well as the ownership of the vehicle, such as current registration, title, bill of sale or other documentation from an authority responsible for motor vehicle regulation;

b. As applicable to the exception set forth in Regulation 10, evidence regarding the person's membership in a duly-recognized organization of automobile collectors or restorers; and

c. As applicable to the exception set forth in Regulation 10, evidence regarding the extent to which the vehicle

or vehicles in question are actually and currently in the process of being restored, refurbished or rebuilt.

12. No vehicle may be parked or stored in a driveway unless:
    a. All tires or wheels that support the vehicle are in contact with the driveway; or
    b. Where any such tire or wheel is not in contact with the driveway, the vehicle at that location is resting on a jack stand or wheel ramp that is designed and manufactured for the purpose of temporarily supporting a vehicle.
13. The provisions of Regulations 1 to 14, inclusive, shall apply to any person in control or lawful possession of any real property, including an owner, tenant, occupant, lessee or otherwise.
14. For purposes of these Regulations:
    a. "Approved driveway" means a driveway that complies with all applicable curb cut requirements that have been established by the City.
    b. "Mechanically inoperable," with respect to a motor vehicle, means that the vehicle is inoperative, cannot be moved under its own power, or cannot be operated lawfully on a public street or highway because one or more component parts necessary for such movement or lawful operation are lacking or have been damaged or deteriorated so as to become inoperative. Such component parts include without limitation the engine, transmission, wheels, tires, doors, windshield and windows.
    c. "Normal, reasonable and customary repairs," with respect to a motor vehicle, means incidental repairs or service, including changing flat tires; repairing or servicing the electrical or ignition system; replacing hoses; cleaning or replacing filters; installing minor accessories; and adding or replacing lubricants, coolants, refrigerants, or hydraulics system fluids.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal residential use on the site.

Warehouse/Distribution Center

Description: An enclosed structure for the storage of goods for distribution or transfer to another location.

On-site Parking Requirement: One space for each 1000 square feet of gross floor area.

Wedding Chapel

Description: A facility that is made available to be rented for wedding ceremonies, and may include a chapel, dressing rooms, offices, reception facilities and gardens.

On-site Parking Requirement: One space for each 150 square feet in the principal assembly space.

Welding Repair

Description: A facility in which products made of metal or metal alloy are repaired by means of welding.

On-site Parking Requirement: One space for each 500 square feet of gross floor area.

Wholesale Showroom Facility

Description: A building used primarily for the storage of goods and materials, and secondarily for the display of merchandise for wholesale purchase.

On-site Parking Requirement: One space for each 500 square feet of sales/display area, plus one space for each 2500 square feet of warehouse/storage area.

Wireless Communication Facility, Non-Stealth Design (Not Qualifying for Conditional Use Approval)

Description: A wireless communication facility that does not qualify as a stealth design wireless communication facility.

Minimum Special Use Permit Requirements:

* 1. No residential use may exist on the property.

* 2. Any antenna tower that forms part of the facility shall conform with both the setback requirements of the zoning district and the applicable residential adjacency standards of this Title.

* 3. Except in the C-V Zoning District, no antenna tower that forms part of a facility may be located within 600 feet of:
    a. Any other antenna tower that forms part of a wireless communication facility; or
    b. Any pole or tower structure of any other type that has a height of at least 60 feet.

* 4. Antenna towers and associated components shall be initially painted and thereafter repainted with a flat paint, using a color that is approved by the City Council. Except as otherwise required by the Federal Communications Commission or the Federal Aviation Administration, the color of any antenna tower must generally match the surroundings or background so as to minimize its visibility.

* 5. Failure to perform necessary maintenance and repainting shall be grounds for administrative and other enforcement action, including action pursuant to Requirement 9 below.

* 6. Any proposed antenna tower must be designed to accommodate at least two communication providers or, in the case of a tower that exceeds 80 feet in height, at least 3 communications providers.

* 7. No signals, lights, or other attention gaining devices are permitted on any antenna tower or antenna unless required by the Federal Communications Commission or the Federal

Aviation Administration; provided, however, that this condition shall not be construed to prevent the mounting of an antenna on a signal, light or sign that has been legally permitted and installed.

* 8. All ground level equipment, buildings and the base of any antenna tower must be screened so as to not be visible from streets and residences, with appropriate landscaping designed to ensure compatibility with surrounding uses.

* 9. Any abandoned or unused antenna tower, and the associated components of any facility, shall be removed within 6 months after operations at the site cease. In the event that removal is not timely performed, the City may remove, or cause the removal of, the antenna tower and associated components, and assess the costs of removal against the property. Before taking such action, the City must deliver or mail to the property owner a notice of the City's intent to do so. The property owner shall have 30 days from the date notice is delivered or mailed to request a hearing. The failure to request a hearing shall be deemed to be a waiver of the right to be heard, and the City may immediately cause the removal of the antenna tower and any associated components, and may assess the costs against the property.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Wireless Communication Facility, Non-Stealth Design (Qualifying for Conditional Use Approval)

Description: A wireless communication facility that does not qualify as a stealth design wireless communication facility (but meets the Conditional Use Regulations listed below).

Conditional Use Regulations:

1. The applicant must submit to the Department, for administrative review and approval, a site plan and an elevation drawing. The Director shall review the documents to determine if the proposed facility conforms to the conditions listed below for this use. If the Director, in his discretion:
   a. Approves the proposed facility to proceed as a conditional use, the Director shall provide written notice of approval to the applicant, with a copy to the office of the City Council. Within 10 days after the notice is mailed or delivered, the applicant may proceed to apply for building permits, unless a member of the City Council files with the Director a written request for the Council to review the approval. If such a request to review is filed, the application must first be reviewed and approved by the Council.
   b. Determines that the proposed facility does not conform to the conditions listed below, a Special Use Permit will be required for the use. Any determination by the Director that a Special Use Permit will be required is not subject to appeal.
2. The facility must qualify as one or more of the following:
   a. An antenna that is to be collocated on an existing antenna tower or other existing structure.
   b. An antenna tower that is to be located on property in the C-V Zoning District.
   c. An antenna tower that is to be located:
      i. On property in the C-M or M Zoning District; and
      ii. A minimum distance of 600 feet from residentially zoned property.
   d. An antenna tower that is proposed to be located on property developed with a utility substation, and is to be located within that substation.
   e. A slim line design pole wireless communications facility.
3. Within an area designated as a Historic Preservation District, the proposed facility must first be reviewed by the Historic Preservation Commission before the Director considers granting approval as a conditional use.
4. The design and location of the proposed facility must be deemed by the Director to be compatible with surrounding uses, and the facility must include appropriate screening and landscaping to ensure such compatibility.
5. The frequencies used by the communication provider shall be in conformance with Federal Communication Commission standards, as certified by a competent professional (such as a radio frequency engineer).

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Wireless Communication Facility, Stealth Design

Description: A wireless communication facility that is designed to blend into the surrounding environment. Examples include without limitation: antenna tower alternative structures; roof mounted antennas (with architectural screening when appropriate); building mounted antennas painted to match the existing structure; antennas integrated into architectural elements (such as steeples or cupolas); antennas and antenna structures designed to look like light poles, flagpoles, or any other camouflaging techniques available on the market; and a cable microcell network which utilizes multiple low powered transmitters/receivers or repeaters attached to existing wireline systems, such as conventional cable or telephone wires, or similar technology that does not require the use of towers.

Conditional Use Regulations:

1. The applicant must submit to the Department, for administrative review and approval, a site plan and an elevation drawing. The Director shall review the documents to determine if the proposed facility conforms to the conditions listed below for this use. If the Director, in his discretion:
   a. Approves the proposed facility to proceed as a conditional use, the Director shall provide written notice of approval to the applicant, with a copy to the office of the City Council.

Within 10 days after the notice is mailed or delivered, the applicant may proceed to apply for building permits, unless a member of the City Council files with the Director a written request for the Council to review the approval. If such a request to review is filed, the application must first be reviewed and approved by the Council.

b. Determines that the proposed facility does not conform to the conditions listed below, a Special Use Permit will be required for the use. Any determination by the Director that a Special Use Permit will be required is not subject to appeal.

2. No residential use may exist on the property.
3. The design must conform to the definition of the term "Wireless Communication Facility, Stealth Design," as set forth in LVMC 19.18.020 and as determined by the Director.
4. Within an area designated as a Historic Preservation District, the proposed facility must first be reviewed by the Historic Preservation Commission before the Director considers granting approval as a conditional use.
5. The design and location of the proposed facility must be deemed by the Director to be compatible with surrounding uses, and the facility must include appropriate screening and landscaping to ensure such compatibility.
6. The frequencies used by the communication provider shall be in conformance with Federal Communication Commission standards, as certified by a competent professional (such as a radio frequency engineer).

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

USE PROVISIONS FOR C-V DISTRICT 19.12.080

A. Permitted Land Uses

The following uses are permitted in the C-V District:

1. Any use operated or controlled by the City, County, State or Federal government, other than those indicated in Table 2 of LVMC 19.12.010 as requiring a Special Use Permit.

2. Any public or quasi-public use operated or controlled by a recognized religious, fraternal, veteran, civic or service organization, other than those indicated in Table 2 of LVMC 19.12.010 as requiring a Special Use Permit.

3. Utility company facilities, including electrical power substation facilities, telephone switching stations and towers, water district facilities, cable TV lines and wireless communication facilities.

USE RESTRICTIONS FOR P-O, O AND CD-O DISTRICTS 19.12.090

A. P-O District

All uses in the P-O District shall conform to the following:

1. No products shall be stored, displayed or sold on the premises, except for the sales activities otherwise permitted for the internet/catalogue sales office use.

2. No trucks, vans or other commercial vehicles shall be stored or parked on the property overnight.

3. No service shall be performed upon a client except those related to the service of the medical profession including dentists, opticians, optometrists, chiropractors, etc.

4. Services shall not include the production or repair of any goods except as an incidental use to a permitted service.

5. Instructional services at a physician's office must be provided with a pupil/instructor ratio no greater than two to one; provided, however, that the Director may approve a higher pupil/instructor ratio upon a showing that sufficient off-street parking is available for the number of pupils anticipated. Equipment used for instructional purposes must be stored within the building.

6. Except in accordance with a Special Use Permit approving the establishment of a Mixed-Use use as defined by LVMC Chapter 19.18, there shall be no mixed residential and commercial use of any property and in the event there is an existing residential use on a property, no commercial use of the property shall be permitted until the residential use has permanently ceased.

7. No use or business activity shall remain open to the public for business between the hours of 9:00 p.m. through 7:00 a.m. All exterior lighting, except for security lighting, shall be turned off.

B. O District. In the O District, all storage or display of merchandise and equipment shall be within a completely enclosed building. No trailers or other portable structures may be used for storage purposes.

C. CD-O District

All uses in the CD-O District shall conform to the following:

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

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

3. No use or business activity shall remain open to the public for business between the hours of 9:00 p.m. and 7:00 a.m.

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

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

SIMILAR AND PROHIBITED USES 19.12.100

A. Unlisted Uses

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

B. Appeals

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

C. Conditions

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

D. Authorization of New Uses

New uses which have been permitted by the Director or City Council, pursuant to this Section shall be added by ordinance amendment on a periodic basis.

E. Uses Expressly Prohibited

Without limiting the general applicability of Subsection (A) above, the 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 thirty-one consecutive calendar days, is prohibited except as otherwise permitted under this Title.

INTENT AND EFFECT OF CROSS-REFERENCING TOOLS 19.12.110

The Land Use Tables that appear in LVMC 19.12.010 and the various minimum standards that are set forth in other Sections of this LVMC Chapter 19.12 include certain cross-referencing tools that are intended to assist the City and the public in using and applying the Unified Development Code. For example, the Land Use Tables and LVMC 19.12.070 include asterisks and plus signs that are intended to remind the user to consult other portions of the Unified Development Code for additional information. Likewise, language in the other Sections of this Chapter occasionally refers to the Land Use Tables to help the user correlate the various provisions of the Code that apply. These cross-referencing tools are for the sake of convenience and assistance only, and do not diminish the applicability of substantive standards and limitations of this Code. Except as otherwise specifically indicated, the absence or omission of an asterisk or plus sign in the Land Use Tables or LVMC 19.12.070 shall not be deemed to limit or negate any other provision of this Code.

OFF-PREMISE SIGNS 19.12.120

A. Off-Premise Signs Defined

Off-premise signs are to be considered primarily a specific type of land use rather than as an incidental use to an existing land use. Off-premise signs generally produce revenue to the property owner(s) as a land use as compared to on-premise signs which in themselves do not produce revenue but are incidental to a revenue-producing land use. However, because of the special characteristics of off-premise signs as compared to other types of land uses and structures, certain qualifications and requirements are set forth in connection with off-premise signs as a permitted use in certain zoning districts.

B. Special Use Permit Required

1. Except as otherwise provided in Subsections (F) and (G) of this Section a Special Use Permit is required for all off-premise signs prior to the construction, placement, erection or modification of the sign in accordance with the requirements of this Title. A Special Use Permit application shall be processed in accordance with LVMC 19.16.110. Furthermore, the property owner(s), owner(s) of the structure or other responsible person shall maintain in force, at all times, a sign certificate for the sign in accordance with the requirements of this Title.

2. The Special Use Permit requirement set forth in Paragraph (1) is in addition to and independent of any locational provision or limitation contained in this Section. In determining whether to approve or deny a Special Use Permit under this Section, the Planning Commission and City Council may consider the aesthetic impact of the sign on the area and all other aspects of the sign's compatibility with the surrounding area, including the existence or nonexistence of other signage in the area.

3. In connection with the approval of a Special Use Permit under this Section, the Planning Commission or City Council may impose a time limit on the approval or require a periodic review of the sign as a condition of approval, provided that:

a. In the case of a time limit, the limit is not less than three years; and

b. In the case of a periodic review, the review is not sooner than three years after the approval.

4. After conducting a review, the City Council may require removal of the sign if it is demonstrated that conditions in the surrounding area have changed in such a manner that the sign no longer meets the standards established in LVMC 19.16.110(L).

C. Locational Provisions

1. No off-premise signs shall be erected in the public right-of-way.

2. No off-premise sign certificate of any kind shall be issued for an existing or proposed sign unless the sign is consistent with all requirements of this Title (including those protecting existing signs).

3. Except as provided in Paragraph (12) below, off-premise signs are permitted in the C-1, C-2, C-M and M Zoning Districts only .

4. No off-premise sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet. Any embellishment may include lettering, text, numerals or images, but only to the extent that such items do not exceed fifty percent of any linear side of the sign.

5. Off-premise signs which are within 660 feet of the right-of-way and which can be read from Interstate 15, US 95 from the north city limits to the Oran K. Gragson Highway, the Oran K. Gragson Highway or Interstate 515 shall be no closer than 750 feet (measured along the highway frontage) to any other off-premise sign along the same frontage. Each side of the highway shall be considered a separate frontage. The sign and all other off-premise signs not oriented toward the same highway shall be no closer than 300 feet in any direction to any other off-premise sign, wherever located, including an off-premise sign that is situated outside the corporate boundaries of the City.

6. The distance to and from a sign shall be measured with reference to the point on the ground that is directly beneath the center of the sign structure.

7. Off-premise signs which are within 660 feet of the right-of-way and which can be read from Interstate 15, US 95 from the north city limits to the Oran K. Gragson Highway, the Oran K. Gragson Highway or Interstate 515 shall not be higher than 40 feet except as provided in Subparagraphs (a) and (b) below. The height shall be measured from the grade at the point of construction to the top of the sign. The display surface shall not be higher than 30 feet nor wider than 60 feet.

a. An off-premise sign within 150 feet of the right-of-way line of an elevated freeway or highway to which it is oriented may be erected 30 feet above the elevation of the elevated roadway surface nearest the sign.

b. An off-premise sign within 150 feet of the right-of-way line of any freeway or highway to which it is oriented which, at a height of 40 feet, will have a significant portion of its display surface obscured from view from the travel lanes of the freeway or highway may be increased to a maximum of 55 feet when authorized by the City Council.

8. All other off-premise signs shall be no higher than 40 feet from grade at the point of construction, except that an off-premise sign within 60 feet of the right-of-way line of the street to which it is oriented which, at a height of 40 feet, will have a significant portion of its display surface obscured from view from the travel lanes of the street may be increased to a maximum of 55 feet when authorized by the City Council.

9. Off-premise signs shall not be located closer than 10 feet to the right-of-way line of a freeway nor closer than 50 feet to the intersection of the present or future rights-of-way of any two public roads, streets or highways.

10. No off-premise sign shall be erected or maintained within 660 feet of the nearest travel lanes of the Summerlin Parkway from Station 499 + 78 to Station 601 + 30.

11. No off-premise sign shall be allowed within 300 feet from the nearest property line of a lot in the "U" zoning district or any "R" zoning district.

12. An off-premise may be permitted in the C-V District if in each case the parcel or use is operated or controlled by an agency of local, state or federal government, or by any fraternal, veteran, civic or service organization.

D. Additional Provisions

1. All structural elements of an off-premise sign to which the display panels are attached shall be screened from view. Display surface panels which are removed for the purpose of changing the advertising message shall be replaced within 30 days with display panels containing a new advertising message or uniformly painted blank panels.

2. All off-premise signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.

3. For any off-premise sign that is proposed within 660 feet of any highway classified by the State of Nevada as part of the interstate or primary highway system, a State of Nevada sign permit shall be obtained and a copy attached to the application prior to the issuance of a construction permit or sign certificate by the City.

4. No sign certificate shall be issued for an individual off-premise sign unless and until a site plan for the lot on which the sign will be erected has been submitted to and approved by the Director. The site plan shall include the following:

a. An accurate site plan of the lot, at the scale the Director requires;

b. The location of buildings, parking lots, driveways and landscaped areas on the lot;

c. An accurate indication of the location of all existing and proposed off-premise signs; and

d. Drawings that allow the computation of the area and the height of any off-premise signs and which indicate any sign characteristics such as illumination, embellishment areas or moving parts.

5. The permittee or holder of a sign certificate shall notify the Director in advance, by letter or fax and pursuant to LVMC 19.16.100(F) of any change in the characteristics of an off-premise sign, such as illumination, embellishment areas or moving parts, that are not shown on the approved site plan, and shall provide any additional supplemental drawings as the Director may require. Final approval of any changes under this Paragraph (5) shall be contingent upon final construction inspection and approval by the Department of Building and Safety regarding structural changes, including approval of any necessary electrical inspections. In the case of a proposed embellishment, the proposal shall be processed as in the case of a Minor Site Development Plan Review under LVMC 19.16.100(F), except that if the Director does not respond to the notice, within ten business days following receipt thereof, regarding whether or not the embellishment complies with this Title, the embellishment shall be deemed approved.

6. No display panel or advertising message may be placed upon a new off-premise sign structure until:

a. The Department of Building and Safety has performed all necessary final construction inspections of the structure and issued a certificate or other evidence of compliance with applicable codes; or

b. The applicant has obtained and filed with the City a certification by a licensed professional engineer that the sign is structurally sound.

7. Any illumination of an off-premise sign shall be in accordance with the applicable standards and permit requirements of the City's Electrical Code and Administrative Code.

8. With respect to existing signs for which no final construction inspection and approval exists, the owner of the sign, upon notice from the City, shall, within thirty days, obtain either construction inspection and approval by the City or structural certification, as those items are described in Paragraph (6).

E. Off-Premise Sign Exclusionary Zone

1. Off-premise signs are prohibited within the boundaries of the following area:

a. Bounded on the north by the Las Vegas/Clark County boundary.

b. Bounded to the east by the Las Vegas/North Las Vegas boundary (Decatur Boulevard), south to Cheyenne Avenue, then west along Cheyenne Avenue to Rainbow Boulevard, then continuing south along Rainbow Boulevard to Sahara Avenue.

c. Bounded on the south by Sahara Avenue, west to Durango Drive then continuing south along Durango Drive to Desert Inn Road, continuing west to Hualapai Way then north along Hualapai Way to West Charleston Boulevard, then west to the Las Vegas/Clark County boundary.

d. Bounded to the west by the Las Vegas/Clark County boundary, then continuing north to the Las Vegas/Clark County northern boundary.

2. The prohibition contained in Paragraph (1) of this Subsection does not apply to any sign which would be within 660 feet of the right-of-way line, and oriented toward, the following interstate and federal-aid primary routes, as defined by the Nevada Department of Transportation:

a. Oran K. Gragson Highway

b. U.S. Highway 95, south of Ann Road

c. Interstate 515

3. The prohibition of off-premise signs within the area described in Paragraph (1) or within any other area described in this Title shall not be deemed or interpreted:

a. As an indication that any other particular location is suitable for an off-premise sign.

b. To eliminate the need for a Special Use Permit or affect the determination of compatibility with respect to a proposed sign.

F. Relocation Of Signs Required To Be Removed For Publicly Funded Improvements

1. If an off-premise sign is required to be removed by a governmental entity in connection with the widening of a public roadway or the installation of publicly-funded improvements, the sign may be relocated without obtaining a Special Use Permit or Variance that would otherwise be required, but only if:

a. The applicant can demonstrate that the sign, at its existing or previous location, received all necessary approvals and permits, and that the approvals and permits remain valid;

b. The relocation will be on the same parcel or within the same commercial subdivision;

c. The applicant submits for and obtains a waiver, pursuant to Paragraph (4) below, of any and all requirements and limitations of this Section pertaining to distance separation and location that cannot otherwise be met by the sign as relocated;

d. There will be no increase in the area of the sign to be relocated; and

e. There will be no increase in the height of the sign, except that:

i. A sign within one hundred fifty feet of the right-of-way line of an elevated freeway or highway to which it is oriented may be

erected thirty feet above the elevation of the elevated roadway surface nearest the sign; and

ii. A sign that, at a height of forty feet, will have a significant portion of its display surface obscured from view from the travel lanes of the right –of-way to which it is oriented, may be increased to a maximum of fifty-five feet.

2. The applicant for relocation of a sign under the provisions of Paragraph (1) must submit to the Department a written application for administrative review. The application must include:

a. A site plan;

b. An elevation drawing;

c. Evidence that the sign, at its existing or previous location, received all necessary approvals and permits, and that the approvals and permits remain valid;

d. A request for the waiver of any and all requirements and limitations of this Section pertaining to distance separation and location that cannot otherwise be met with the sign as relocated:

e. A request for any desired increase in the height of the sign that may be permitted under Subparagraph(e) of Paragraph (1);

f. A justification letter that includes the reason for removal and relocation; and

g. Any other information required by the Director.

3. If the Director determines that the relocation of the off-premise sign;

a. Conforms to the conditions set forth in Paragraph (1), the Director shall provide written notice of approval to the applicant, with a copy to the office of the City Council. Within ten days after the notice is mailed or delivered, the applicant may proceed to apply for building permits, unless within that time a member of the City Council files with the Director a request for the Council to review the approval. If such a request to review is filed, the application must first be reviewed and approved by the council prior to issuance of any building permits.

b. Does not conform to the conditions set forth in Paragraph (1), the normal Special Use Permit and Variance requirements and limitations will apply. Any determination by the Director that the relocation of an off-premise sign does not conform to the conditions set forth in Paragraph (1) is not subject to appeal.

4. In connection with an application to relocate an off-premise sign pursuant to Paragraph (1), the requirements and limitations of the Section pertaining to distance separation and location may be waived by the Director, or in connection with City Council review pursuant to Subparagraph (a) of Paragraph (3), notwithstanding any other provision of this Title, upon a determination that the relocation, under the circumstances, will not have a materially different impact on surrounding properties and uses than the existing sign.

5. Unless otherwise indicated in a written notice of approval pursuant to Subparagraph (a) of Paragraph (3), conditions of approval from any previous Special Use Permit and Variance applications pertaining to the sign at its existing or previous location will apply to the relocated sign, and additional conditions may be added as appropriate.

6. A demolition permit must be obtained for the removal of an existing off-premise sign prior to removal. A building permit must be obtained and constructed related to the relocation of the sign completed within six months after issuance of the demolition permit, unless the Director grants an extension of time.

7. For purposes of this Subsection (F), the "relocation" of a sign includes both the re-erection of a sign at a replacement location and the erection of a new structure at that location.

G. Adjustments, Relocations And Modifications Of Signs Near Freeways

1. The Director shall have the authority to grant approval, by means of a Minor Site Development Plan Review under LVMC 19.16.100(F), to do any of the following regarding an off-premise sign within 660 feet of any highway classified by the State of Nevada as part of the interstate or primary highway system, and, subject to the provision of Paragraph (3) of this Subsection (G), no Special Use Permit or public hearing shall be required in connection therewith:

a. Adjust the height or angle of an off-premise sign to a height or angle that:

i. Restores the visibility of the sign to the same or comparable visibility as before the construction of a noise abatement or highway improvement project;

ii. Is not more than 45 feet above the noise abatement improvement project, measured from the tallest point of the improvement project to the top of the sign; and

iii. Is not more than 65 feet from the existing grade at the base of the sigh to the top thereof;

b. Relocate a sign to another location on the same existing parcel in order to achieve visibility that was obstructed by a noise abatement or highway improvement project; or

c. Make a structural modification to allow a digital display on a sign that adjoins a controlled-access freeway, in compliance with the size limitations and other applicable requirements of this Title.

2. Application for approval under this Subsection (G) shall require signatures by both the property owner and the sign owner.

3. Action by the Director under this Subsection (G) shall be subject to the appeal provision of LVMC 19.00.080(N) and those governing Minor Site Development Plan Reviews under LVMC 19.16.100(F).

4. In the case of an adjustment, relocation or modification that exceeds the scope of the Director's authority under Paragraph (1) above, any approval by the City Council may not be conditioned upon a required periodic review of the sign if a condition requiring a review was not imposed when the sign was initially approved. Action by the City Council under this Paragraph (4) will be pursuant to a Site Development Plan Review with a public hearing rather than by means of the Special Use Permit process otherwise applicable. A sign approved by the City Council under this Paragraph (4) shall maintain any nonconforming status it had immediately before such approval.

MOTOR VEHICLE DEALERSHIPS, TEST DRIVING ROUTE PLANS 19.12.130

In order to facilitate the enforcement of LVMC 11.22.160, each motor vehicle dealership within the City that is engaged in Motor Vehicle Sales (New) or Motor Vehicle Sales (Used) shall file with the Department, for administrative approval, a test-driving plan showing which streets are proposed to be used for the test-driving of vehicles by customers and potential customers of that dealership. This requirement shall be considered to have been satisfied by new or existing dealerships that file such a plan in connection with a condition of zoning approval. For other new or existing dealerships, the requirement must be satisfied within six months after notice from the City to file such a plan. Any changes to an approved plan must be submitted to and approved by the Department. The failure of a dealership to comply with the provisions of the Section shall be grounds for disciplinary action against the dealership's business license.

19.14

Nonconforming Uses and Structures

Unified Development Code
Title 19


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INTENT 19.14.010

Within the zoning districts established by this Title, there may exist lots, structures and uses of land which were lawful before the effective date of this Title or an amendment thereto and which would be prohibited, regulated, or restricted under the terms of this Title. It is generally the intent of this Title to permit these nonconformities to continue until they are removed or abandoned, or until such earlier time as they are ordered to be removed, but not to encourage their survival. It is further the intent of this Title, that such nonconforming lots, buildings, or uses shall not be enlarged upon, expanded or extended, except as otherwise specifically provided, and that such nonconforming lots, buildings or uses may not be used as justification for adding other lots, buildings or uses prohibited elsewhere in the same zoning district. Except as otherwise provided, nonconforming uses are declared to be incompatible with permitted uses in the same zoning districts.

APPLICABILITY 19.14.020

The provisions of this Chapter shall apply to lots, uses and buildings which become nonconforming by reason of the adoption of this Title, as well as to any amendment to this Title, as of the effective date of such amendment.

REGULATIONS 19.14.030

A. Nonconforming Use of a Conforming Building

1. **General Provisions.** A nonconforming use of a conforming building shall not be reestablished in a new building, extended or expanded into any other portion of the conforming building, or relocated on the same parcel or within the same commercial subdivision; provided, however, that an existing use which was made nonconforming by one or more of the following may be expanded or relocated on the same parcel or within the same commercial subdivision in accordance with Paragraph (2) of this Subsection (A):

   a. The adoption of a Special Use Permit requirement for that type of use;

   b. The adoption of a separation requirement between that type of use and a protected use;

   c. The adoption of a separation requirement between two uses of that type;

   d. The establishment of a protected use that, by virtue of a separation requirement, would otherwise prohibit the existing use from expanding; or

   e. The adoption of a different method of measuring distance for purposes of a separation requirement.

2. **Conditions of Allowable Continuation, Expansion, or Relocation of Use.** If the proposed expansion of a nonconforming use or relocation of the same use on the same parcel or within the same commercial subdivision qualifies under Paragraph (1) of this Subsection (A), the nonconforming use may be expanded or relocated on the same parcel or within the same commercial subdivision if the proposed expansion or relocation:

   a. Will not increase the size or extent of the use by more than 50%; and

   b. Will not require a Variance or Waiver regarding any other provision of this Title, including those that pertain to parking, landscaping and residential adjacency requirements.

3. **Discontinuation and Abandonment of Use.** If a nonconforming use of a conforming building is discontinued by ceasing to physically occupy or operate within the building, there shall be a rebuttable presumption that the nonconforming use has been abandoned as of the date the use was discontinued and, for purposes of this Paragraph (3), the Department may deem the use abandoned as of that date. The owner of the property or operator of the use may rebut the presumption of abandonment by demonstrating that the use has continued or existed beyond that date. The owner or operator shall have the burden of establishing the continuation or existence of the use beyond that date, as well as the burden of establishing the existence or continued operation of the use at any particular time.

   a. If a nonconforming use of a conforming building is abandoned for a period of one year, the future use of such building shall be only in conformance with the provisions of this Title.

   b. If a conforming building housing a nonconforming use is damaged or partially destroyed by fire, flood, wind, another calamity or act of God, and the use is abandoned for a period of two years, the future use of such building shall be only in conformance with the provisions of this Title.

c. If it appears, by reason of economic hardship, that a nonconforming use described in Subparagraph (a) or (b) above will be deemed abandoned for a period of time greater than the applicable abandonment period described in those subparagraphs, the owner of the property or operator of the use may request that the abandonment period be extended by the City Council. Such request shall be made by means of an application for an Extension of Time. The application shall include or be accompanied by a letter of justification explaining the economic hardship, which must be based on market conditions or other circumstances beyond the applicant's control, and shall be accompanied by the applicable fees, if any, that are set forth in the fee schedule. The application shall be heard at a public hearing of the City Council. An Extension of Time may be granted by the City Council only upon clear and convincing evidence of qualifying hardship and a determination that the public health, safety and welfare will not be jeopardized. An Extension of Time may not exceed the duration of the applicable abandonment period set forth in Subparagraph (a) or (b) above.

4. Notice to Discontinue Use. Independent of any other provision of this Chapter, a nonconforming use of a conforming building shall be discontinued upon written notice from the City to the owner to discontinue the use. The use shall be discontinued no later than the date described in the notice, which in no event shall be later than five years from the date notice is given. Notice shall be provided by mailing to the owner of the property as shown by the County Assessor's records and recording a copy of the notice in the office of the County Recorder. Such notice shall contain the legal description of the property, a description of the use required to be discontinued, the date that the use is to cease and desist and the section of this Title which declares the use to be nonconforming.

B. Nonconforming Use of a Nonconforming Building

The nonconforming use of a nonconforming building legally existing on the effective date of this Title or an amendment thereto may be continued subject to the following conditions:

1. Unoccupied Structure. A nonconforming building occupied by a nonconforming use which is or becomes vacant and remains unoccupied for one year, shall not be occupied thereafter, except by a use which conforms to the use regulations of that zoning district.

2. Expansion of Use. A nonconforming use of a nonconforming building may be extended or expanded into any other portion of the nonconforming building, provided no structural alterations are made thereto, except those required by law or ordinance.

C. Additions to Nonconforming Buildings

The Director may approve additions to nonconforming buildings when the nonconformance is a result of inadequate setbacks and provided that the addition conforms to all other provisions of this Title. The addition shall not encroach beyond the encroachment of the existing building, must be located in either a side or rear yard, and must not encroach more than 50 percent. In addition, the total of all such additions or enlargements shall not exceed more than 50 percent of the size of the original footprint of the structure. Additions may also be approved to nonconforming residential buildings in nonresidential zoning districts. Additions may be approved to any residential building made nonconforming by an action of a public entity. The addition, in either instance, shall be secondary in nature to the existing use on the property and will not substantially perpetuate the nonconforming use.

D. Nonconforming Use of Land

A nonconforming use of land that does not take place within a principal building, legally existing on the effective date of this Title or an amendment thereto shall be discontinued upon written notice from the City to the owner to discontinue the use. The use shall be discontinued no later than the date described in the notice, which in no event shall be later than five years from the date notice is given. Notice shall be provided by mailing to the owner of the property as shown by the County Assessor's records and recording a copy of the notice in the office of the County Recorder. Such notice shall contain the legal description of the property, a description of the use required to be discontinued, the date that the use is to cease and desist and the section of this Title which declares the use to be nonconforming.

1. Expansion of Use. No such nonconforming use of land shall in any way be extended or expanded either on the same or adjoining property;

2. Discontinuation of Use. If a nonconforming use of land is discontinued for a period of 90 days or changed to a conforming use, any future use of the land shall be in conformity with the provisions of this Title.

EXPANSION OF A NONCONFORMING USE IN A CONFORMING BUILDING 19.14.040

Except as provided in LVMC 19.14.030, a non-conforming use may be continued provided no additions or enlargements are made to the building and no structural alterations are made, except those required by law or ordinance. If such nonconforming use is removed or made to conform, every future use of such building or structure shall be in conformity with all the provisions of this Title.

NONCONFORMING USES AND BUILDINGS – RESTORATION AFTER DAMAGE 19.14.050

A. Use of a Damaged or Destroyed Building

1. Except as otherwise provided in Paragraph (2) of this Subsection (A), a nonconforming use which was located in a building that has been damaged or partially destroyed by fire, flood, wind, another calamity or an act of God shall not be continued when the extent of damage or destruction is more than 50 percent of the replacement value of the building.

2. Paragraph (1) of this Subsection (A) does not apply to a use which was made nonconforming by one or more of the following:

a. The adoption of a Special Use Permit requirement for that type of use;

b. The adoption of a 400-foot or 1500-foot separation requirement between that type of use and a protected use;

c. The adoption of a 1500-foot separation requirement between two uses of that type;

d. The establishment of a protected use that, by virtue of a 400-foot or 1500-foot separation requirement, would otherwise prohibit the existing use from expanding or from continuing following redevelopment; or

e. The adoption of a different method of measuring distance for purposes of a separation requirement.

B. Nonconforming Building

Any nonconforming building which has been damaged or partially destroyed by fire, flood, wind, another calamity or an act of God shall be repaired, moved, remodeled or altered entirely in conformity with the provisions of this Title or entirely demolished within a period of ninety days from the date of such damage when the extent of damage or destruction is more than 50 percent of its replacement value. The City Council may extend this period for an additional 90 days, provided the public health, safety and welfare is not jeopardized.

BUILDING - ABATEMENT IN "R" RESIDENTIAL DISTRICTS 19.14.060

Any nonconforming building or structure, which was designed or intended for a use prohibited in any residential district, shall be completely removed or altered and converted to a conforming building and use. Such removal or conversion shall be required when the use or building has reached the age specified in the following table:

Building Type Under International Building Code	Age in Years When Conformance Required
I or II	50
III	40
IV	30
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RENEWABLE ENERGY SYSTEMS AND NONCONFORMING USES AND BUILDINGS 19.14.070

Notwithstanding any other provision of this Chapter, a solar panel and or small wind energy system that is approved as a conditional use or approved by means of special use permit pursuant to LVMC Chapter 19.12 shall not be considered an impermissible expansion or alteration to a nonconforming use or structure under this Chapter. However, nothing in this Section precludes the denial of a Special Use Permit application for a solar panel and or small wind energy system based upon the extent to which the size, scope and impact of the proposed installation or system would impact surrounding properties or would tend to perpetuate the nonconformity in a manner contrary to the intent of this Chapter as described in LVMC 19.16.010.

NONCONFORMING SIGNS 19.14.080

A. Applicability

This Section shall not apply to any sign approved by a Variance, any sign approved as part of a Master Sign Plan, any off-premise sign, or any other sign protected from such provisions by Nevada law.

B. Continued Use Allowed

A lawfully nonconforming sign, as defined in this LVMC 19.18.020, may continue in use, except as otherwise provided in or authorized by this Section. A change in the information on the face of an existing nonconforming sign is allowed if the change does not increase the area of the sign face.

C. Burden of Proof

In any matter in which a property owner(s), sign owner(s), sign user or other person seeks the protection provided to lawful, nonconforming signs under this Section, the burden of proof shall be on the person seeking such protection to prove:

1. The date of erection or installation of the sign;

2. That the sign fully conformed to the sign ordinance then in effect;

3. That the person erecting the sign obtained all necessary permits for the erection of the sign; and

4. That any changes to the sign have been made in accordance with the requirements of this Section and in compliance with all applicable permit requirements.

D. Public Right-of-Way Improvements

The City may require signs to be modified or moved if streets are widened, or for other improvements made in the public-right-of-way. If a nonconforming sign or sign structure is moved under this requirement, it may be re-established on the same site without being brought into conformance.

E. Ownership

The status of a nonconforming sign or sign structure is not affected by changes in ownership.

F. Maintenance and Repair

Sign maintenance, sign repair, and changing of permanent sign faces is allowed so long as structural alterations are not made and the sign is not increased in size.

G. Termination of Nonconforming Signs.

1. Change to a conforming sign. A nonconforming sign or sign structure may be altered to become or be replaced with a conforming sign or sign structure. Once a sign or sign structure is brought into conformance or is replaced with a conforming sign or sign structure, the nonconforming rights for that sign or sign structure are lost and a nonconforming sign or sign structure may not be re-established.

2. Alteration. Except as provided in Subsection (D) above, sign structures that are moved, replaced, or the supporting structure is substantially altered, must be brought into conformance with this Section.

3. Discontinuance. If there is no sign in place on a sign structure or building wall for 12 continuous months, the nonconforming rights are lost and a nonconforming sign may not be re-established. If the sign structure or building wall sign area is unused for less than 12 continuous months, a nonconforming sign may be re-established.

4. Removal. Except as provided in this Section, if a sign or sign structure is permanently removed or intentionally destroyed, replacement signs and sign structures must comply with the current standards.

5. Damaged or deteriorated nonconforming signs. If a sign or sign structure is damaged or allowed to deteriorate to such an extent that the cost of repair or restoration is fifty percent or more of the cost of replacement of such sign, replacement signs and sign structures must comply with the current standards.

H. Optional Registration

1. A sign owner(s) or user may register a lawful, nonconforming sign in accordance with this Subsection. The registration shall be filed on a form provided by the Director, which form shall require at least the following:

a. Sign certificate number (if any);

b. Date of installation of the sign;

c. Address of premises;

d. Location of the sign on the premises (drawing or precise description of location);

e. Dimensions of the sign;

f. For a freestanding sign, the height of the sign; and

g. Photograph of the sign, as it exists at time of filing registration.

2. The Director shall review the registration within 30 days of receipt and shall notify the applicant of any inaccuracies or other deficiencies in the registration. Such inaccuracies or deficiencies shall be noted in the registration file. All provisions of the registration not subject to such a notice shall be deemed to be accepted by the City.

3. In any proceeding in which the legal status of a sign is material, the unchallenged facts set forth in a registration under this Subsection shall be presumed to be true; any facts subject to a notice from the Director questioning the accuracy or other matters shall not receive such protection unless the applicant amends the registration to cure the deficiencies.

NON-CONFORMITY RESULTING FROM CITY ACTION 19.14.090

No action by the City in connection with the acquisition or use of right-of-way or the installation of off-site improvements shall have the effect of rendering a previously conforming lot or structure non-conforming as to lot width, lot area, landscape buffer area or setback requirements.


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Applications & Procedures


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GENERAL REQUIREMENTS

A. Compliance with General Plan

Except as otherwise authorized by this Title, approval of all Maps, Vacations, Rezonings, Site Development Plan Reviews, Special Use Permits, Variances, Waivers, Exceptions, Deviations and Development Agreements shall be consistent with the spirit and intent of the General Plan.

B. Application

1. **Time of Filing.** In order to provide sufficient time for the necessary investigation by the Department, Planning Commission and/or its Secretary and agents, a complete application for the request must be filed as follows:

   a. Applications that are subject to administrative review must be filed in the office of the Department a minimum of 30 days prior to the date of the meeting at which the application would be heard and considered if it Planning Commission and/or City Council review; and

   b. Applications that are subject to Planning Commission and/or City Council review must be filed in the office of the Department a minimum of 30 days prior to the date of the meeting at which the application is to be heard and considered.

2. **Notarized Application.** Applications shall be signed, notarized and acknowledged by the owner of record of the property for which the General Plan Amendment, rezoning or development application is sought. If the property has multiple owners, the applicant shall provide the City with a list of all persons and entities with an ownership interest in the property if not all of the owners have signed the application.

3. **Pre-application Conference.** A pre-application conference with a designated representative from the Department is required prior to submitting an application for a Tentative Map, General Plan Amendment, Vacation, Rezoning, Major Site Development Plan Review, Special Use Permit, Variance or Development Agreement.

4. **Review of Applications.** Following the submittal of an application, staff shall review the application to verify that the information is complete and fulfills application requirements. If the application is not complete, staff will notify the applicant, and the application will not be scheduled on an appropriate agenda until the application is complete.

5. **Discretion Regarding the Acceptance of Applications.** The Director has the discretion not to accept any application which seeks action that is not available under this Title.

C. Fees

Fees charged related to the filing, processing or noticing of applications under this Chapter shall be in accordance with the Fee Schedule, as adopted pursuant to LVMC 19.00.120(A).

D. Posting of Signs

1. **General**

   a. Notification signs shall be posted by the Department or its authorized agent or contractor. An application will not be processed until the applicant has paid the fees established by the City for the posting of signs.

   b. Notification signs shall be posted in conformance with NRS 278.260 as supplemented by this section.

   c. Each notification sign must be of a size not less than four feet high and three feet wide; provided, however, that, in the case of a store frontage, the minimum size of a notification sign placed in the store front window shall be two feet high and two feet wide.

2. **Number of Signs Required**

   a. One notification sign is required for tracts of five acres or less.

   b. The Director may determine that additional notification signs should be posted for each additional five acres or portion thereof.

3. **Timing.** The required number of notification signs shall be posted on the property at least 10 days before the date of the first scheduled public hearing.

4. **Placement of Signs**

   a. The signs must be posted at a prominent location on the subject property and must be easily visible by the general public.

b. Required signs shall remain visible and legible from 10 days prior to the first public hearing and until final action is taken. The applicant is responsible for ensuring compliance with this paragraph once the required signs have been posted.

c. The City or its authorized agent or contractor is responsible for removing the notification signs after the final action on the case.

5. Inadequate Notice. If it is determined that adequate notice has not been provided in accordance with this Subsection, the Planning Commission or City Council may hold the application in abeyance or deny the application.

6. Illegal Removal of Signs. It is unlawful to intentionally or knowingly remove a notification sign that has been posted pursuant to this Subsection or conceal the sign message.

E. Development Impact Notice and Assessment (DINA)

1. Background. Pursuant to 1999 Statutes of Nevada, Chapter 481, ("Chapter 481"), a person who proposes to develop a project of significant impact is generally required to submit an impact statement to the local zoning authority before specified actions can be taken regarding the project. This Section implements the requirements associated with Chapter 481. The impact statement to be required by the City is identified as a Development Impact Notice and Assessment (DINA), and requires the information described in Chapter 481. The required information includes information regarding vehicle trips, student enrollment, sewage generation, water demand, storm water runoff, distance from public safety facilities, existing and planned capacities of service required for the project, and other anticipated effects of the project.

For the purposes of this Subsection, a project is deemed to be a "project of significant impact" if it would create:

a. Tentative maps, final maps or planned unit developments of 500 units or more;

b. Tourist accommodations of 300 units or more;

c. A commercial or industrial facility generating more than 3,000 average daily vehicle trips; or

d. A nonresidential development encompassing more than 160 acres.

2. Applicability. This subchapter applies to all development within the City, except for any project:

a. Located on property which was the subject of a development agreement with a local government, if the agreement became effective before June 8, 1999; or

b. Which was approved before June 8, 1999.

3. Requirements. Before scheduling a pre-application conference in accordance with LVMC 19.16.010(B), a person proposing a development of significant impact in connection with an application for tentative map, rezoning, site development plan review, or a special use permit must meet with agencies and service providers from which the information required for a DINA report must be obtained. At the pre-application conference, the applicant must present to the Department staff, on forms provided by the Department, the agency and provider responses that have been obtained by the applicant. A completed DINA report must be submitted no later than at the time of making an application under this Chapter. The department is authorized to withhold the processing of an application until a completed DINA report has been submitted.

4. Review. Action by the City Council concerning a project of significant impact shall be in accordance with Chapter 481. Pursuant to the provisions of Chapter 481, the City Council may approve a project with respect to which the capacities of roads, sources of water supply or facilities for wastewater and flood control will not be sufficient to support the project if the Council requires the person who proposes to develop the project to carry out appropriate measures of mitigation to substantially reduce the impact of the project on those elements of infrastructure.

F. Projects of Regional Significance

1. Determination. At the earliest stage feasible, the Department shall determine whether a development proposal, proposed zoning map amendment, proposed local land use plan amendment, proposed Special Use Permit, or other proposal qualifies as a "project of regional significance." Where possible, this determination should be made at the time an application is filed for a proposal that requires review at a public meeting.

2. Assessment and Referral. Upon determining that a proposal qualifies as a "project of regional

significance" by reason of its proximity to the boundary of another municipal corporation or an unincorporated area (the "affected local government"), the Department shall refer the proposal to the affected government(s). The referral shall consist of a description of the proposal, copies of any application materials, and an impact statement that includes at a minimum:

a. The number of vehicle trips that the proposal will generate, estimated by applying to the proposal the average trip rates for the peak days and hours established by the Institute of Transportation Engineers (or its successor).

b. The estimated number of pupils that the proposal will add to the enrollment of each elementary school, junior high/middle school, and high school that will be impacted by the proposal.

c. The distance from the site of the proposal to the nearest facilities from which firefighting, police and emergency services will be provided, including without limitation facilities of a local government that are planned but not yet constructed, and facilities that have been included in a local government's plan for capital improvements prepared pursuant to NRS 278.0226.

d. A brief statement setting forth the anticipated effect of the proposal on housing, mass transit, open space and recreation.

3. Comment by affected Local Government(s). Upon receipt of a referral, an affected local government shall have 15 calendar days within which to provide comments to the Department. The comments may propose suggestions for the mitigation of any negative impacts of the proposal on the affected local government.

4. Consideration of Comments. The Department shall, within its discretion, give consideration to any suggestions for mitigation that have been received from an affected local government and, in accordance therewith, shall require or recommend mitigation of the proposal's potential negative impacts on the affected local government to the maximum practical extent. For purposes of this paragraph, "maximum practical extent" means that under circumstances:

a. Reasonable efforts have been made to minimize any negative impacts of the proposal;

b. The costs of compliance with the suggestions for mitigation clearly exceed the potential benefits to the public, or would unreasonable burden the proposal; and

c. Reasonable steps have been undertaken to minimize any potential harm or adverse impacts resulting from the failure to implement the suggestions for mitigation.

5. Report of Findings. The Department shall prepare a written description of the manner in which the suggestions for mitigation by any affected local government(s) were addressed, and shall include the description with or in the staff report regarding the proposal. The description shall be included in the project file for the proposal. The Department shall send the description to any affected locate government that provided comments regarding the proposal, endeavoring to do so by the time that draft staff reports are distributed for the Planning Commission meeting at which the application for the proposal is to be heard.

6. Interpretation of Notification and Separation Requirements. For purposes of applying the distance-separation and property-owner notification requirements of this Title, distances shall be measured, and property owners notified, without regard to jurisdictional boundaries.

G. Treatment of Certain Tabled Applications

Any application under this Chapter that requires a public hearing and that is tabled at the request of an applicant shall expire six months after the last announced public hearing date, unless:

1. Within that period of time, the applicant has requested that the item be scheduled again for hearing; or

2. The motion to table the application specified otherwise.

After an application has expired in accordance with this Subsection (G), the applicant must submit a new application.

H. Recordation of Zoning Actions

In connection with the approval of any application under this Chapter that includes zoning conditions, requirements or limitations, the Department is authorized to record with the County Recorder's Office a notice advising that:

1. Zoning action regarding the property has been taken;

2. Such action is subject to conditions, requirements or limitations; and

3. Inquiry should be made to the City to obtain further information regarding the nature and extent of those conditions, requirements or limitations.

I. Reconsideration of Council Action to Deny an Application

1. Action by the City Council to deny an application, where such action is "final action" under the provisions of this Chapter, shall be deemed final action for purposes of judicial review, subject to the provisions of Paragraph (2) below. However, for purposes other than judicial review, City Council action taken pursuant to this Paragraph (1) or Paragraph (2) below shall be subject to the provisions of Paragraphs (3) through (5) below.

2. Any member of the City Council who voted with the majority regarding an application referred to in Paragraph (1) above may, at the same meeting at which the action was taken, request that the item be reconsidered at that meeting.

3. During the period of fourteen calendar days following action taken pursuant to Paragraph (1) or (2) above to deny an application, any member of the City Council who voted with the majority regarding the application may file with the City Clerk a written request for the item to be rescinded and reconsidered. If such a request is made (and subject to the provisions of Paragraph (4) below), an appropriate item to rescind the previous vote shall be put on the next available Council agenda, and a follow-up item to reconsider the vote may be put on that same agenda or the next available agenda.

4. No agenda item to rescind or to reconsider an item under this Subsection (I) shall be considered unless:

   a. Consideration of the item is in compliance with the requirements of NRS Chapter 241; and

   b. Notice of consideration of the item has been provided to property owners (and published) to the same extent as when the item was heard previously.

5. The provisions of this Subsection (I) shall apply notwithstanding any other provision of this Chapter, and notwithstanding any custom or procedural rule that governs or has governed action by the City Council.

19.16.020

ANNEXATION

A. Purpose

The purpose of the annexation procedures is to establish a process for incorporating property into the City of Las Vegas. The City of Las Vegas will consider annexation of any developed or undeveloped property that satisfies the eligibility requirements and provisions of NRS 268.570 to 268.608. The City will also zone newly annexed areas under the appropriate zoning category in accordance with procedures and guidelines contained in this Section and the adopted goals and policies of the City's General Plan.

B. Application

A petition for Annexation shall be made on a form provided by the Department and shall be filed with the Director.

C. Zoning Classification of Newly Annexed Territory

1. General

a. Annexation shall be in accordance with the provisions of NRS 268.570 through 268.608.

b. The following guidelines shall be used to determine the zoning classification of any parcel to be annexed to the City:

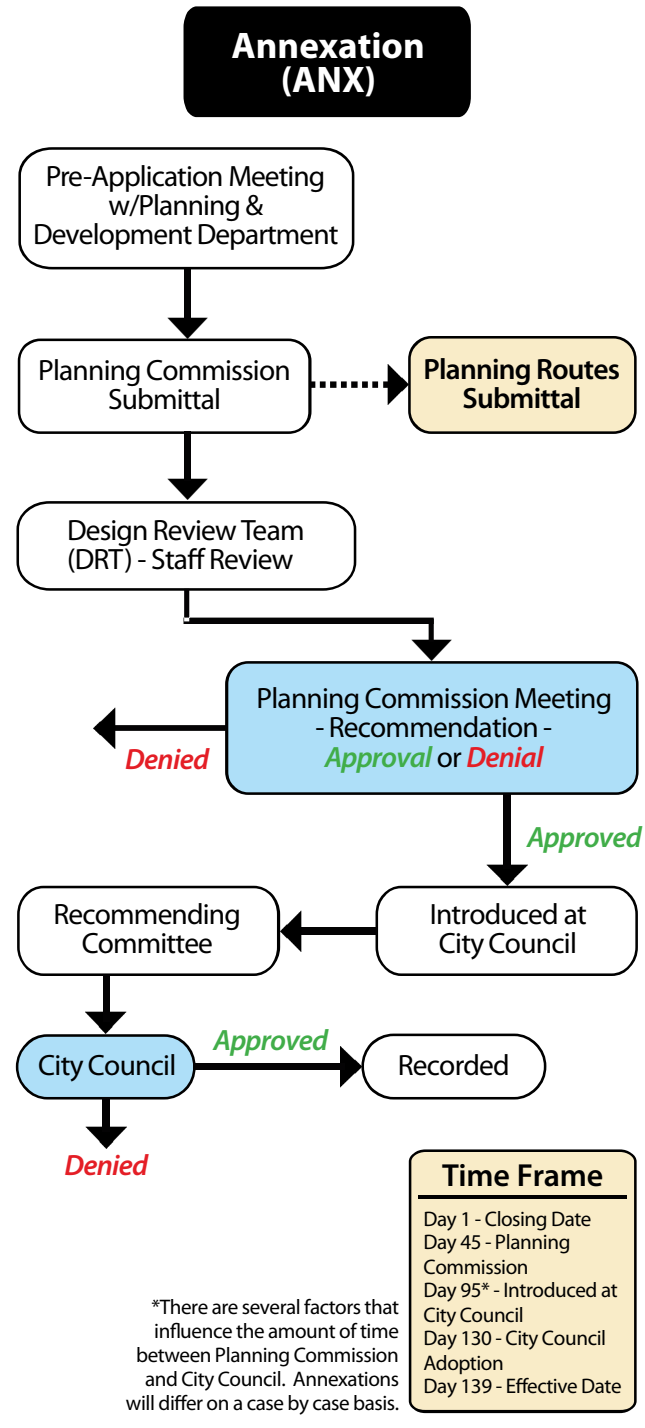
i. Developed. The annexed territory, if developed, shall be classified with the same zoning classification that was in effect on the property prior to annexation or the nearest comparable classification.

ii. Undeveloped. If the property annexed is undeveloped, but is classified for development other than residential uses or for residential uses permitting more than two dwelling units per acre, it shall be classified with the same zoning classification that was in effect on the property prior to annexation or the nearest comparable classification; or the City Council may, as a condition of annexation, change the classification to a more restrictive classification.

iii. Undeveloped and Classified. If the property annexed is undeveloped and classified for residential uses permitting no more than two dwelling units per acre, the parcel shall be classified with

Annexation

Typical Review Process **19.16.020**



the same zoning classification that was in effect on the property prior to annexation or the nearest comparable classification; or the City Council may, as a condition of annexation, classify the parcel(s) as U (Undeveloped) until such time as a proper classification is determined, at which time it may be rezoned under the procedures set forth in LVMC 19.16.090.

iv. **Partially Developed.** If the property to be annexed is partially developed, the property, as described in the above subsections, shall apply separately or collectively to the undeveloped portions and developed portions.

v. **Undeveloped Without Permanent Zoning.** For undeveloped property which has been approved for rezoning by Resolution of Intent or otherwise, but for which the rezoning has not been made permanent by ordinance, the City may, as a condition of annexation, change the zoning to a more restrictive classification.

D. Annexation Process and Procedures

1. **Annexation Process.** Standard annexation of territory must follow the annexation process and procedures established in NRS 268.578 through 268.596.

2. **Alternate Annexation Process.** As an alternative to the procedures set forth in NRS.268.578 through 268.596, the City may annex qualifying territory in accordance with NRS 268.597.

19.16.030

GENERAL PLAN AMENDMENT

A. Purpose

The purpose of this Section is to set forth the procedures by which the Planning Commission and City Council will periodically review and evaluate the General Plan to ensure that it remains an accurate statement of the City's land-use goals and policies based on current data.

B. Authority

Whenever the public health, safety and general welfare requires, the City Council may, upon a resolution of the Planning Commission carried by the affirmative votes of not less than five members, or upon review of a requested General Plan Amendment which has not been approved by resolution of the Planning Commission, change the General Plan land use designation for any parcel or area of land to allow different zoning classifications. Subsequent growth and development factors in the community may be considered, among other factors, when determining whether such amendment to the General Plan promotes the public health, safety and general welfare. For purposes of this Subsection (B), the Planning Commission's resolution may be in the form of a vote reflected in the minutes of the Planning Commission meeting.

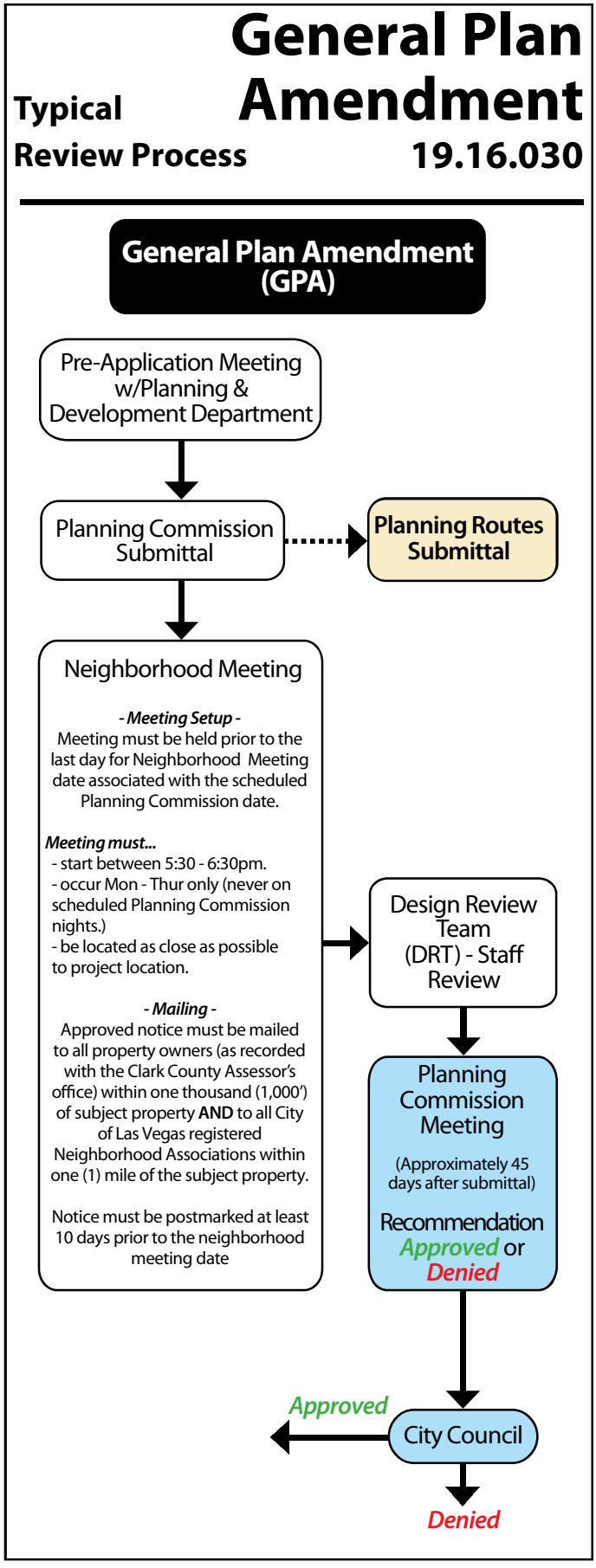
C. Application

1. **Initiation of Application.** A General Plan Amendment may be initiated by the Planning Commission or the City Council, or by means of an application filed by the owner(s) of record of each parcel of property proposed for a General Plan Amendment.

2. **Pre-Application Conference.** Before submitting an application for a General Plan Amendment, the owner or authorized representative shall engage in a pre-application conference with the staff of the Department to discuss preliminary land planning, including land use relationships, density, transportation systems, infrastructure facilities and landscaping and open space provisions.

3. **Form and Filing.**

   a. An application for a General Plan Amendment shall be made to the Planning Commission on a separate application form to be provided by the Department. The application shall be signed, notarized and acknowledged by the owner of record of each parcel of property. This application shall be filed with the Secretary of



the Planning Commission at the office of the Department.

b. In addition, any application for a General Plan Amendment shall specifically list reasons for the request and state why the proposed amendment works to promote the public health, safety and general welfare of the community. The application shall contain a list of factors requiring comment by the applicant, including:

i. Whether there has been unanticipated growth and development of the community in the area surrounding the application site or growth and development not specifically considered when the General Plan was adopted;

ii. Whether the proposed amendment to the General Plan will allow a zoning classification which imposes burdens similar to the burdens imposed by the classification currently provided for under the General Plan;

iii. Whether the amendment to the General Plan continues to promote the objectives of the General Plan as designated in NRS 278.

4. Other Governmental Ownership. With respect to property which is owned by the State of Nevada or the United States of America, a General Plan Amendment application is sufficient if it is signed and acknowledged by a prospective purchaser of that property who has entered into a contract with the governmental entity to obtain ownership of the property.

5. Non-Property Owner. A General Plan Amendment application is sufficient if it is signed and acknowledged by a lessee, a contract purchaser or an optionee of the property for which the General Plan Amendment is sought. However, interest in that property must exist in a written agreement with the owner of record, attached to which is a copy of the General Plan Amendment application and in which the owner of record has authorized the lessee, contract purchaser or optionee to sign the application. The agreement must further stipulate that the owner of record consents to the filing and processing of the application.

6. Multiple Ownership. In the case of multiple ownership of a parcel, only one of the owners of record shall be required to sign the application. A list of all other owners shall be provided with the application.

7. Quarterly Consideration. In the interest of economy and efficiency in the processing of applications, and in the interest of providing for amendments to the General Plan that are orderly and well-considered in relation to each other and to the public interest, the Director is authorized to process applications to amend the General Plan so that such applications are presented to the Planning Commission and City Council on a quarterly basis. Such applications may be filed at any time, but the Director may withhold the processing of such applications in order to accomplish the purposes of this Paragraph. After its initial presentation to the Planning Commission or City Council, any such application may be held in abeyance to and considered at any subsequent meeting. The Director may withhold the scheduling of related zoning applications until a meeting subsequent to the one at which proposed Plan Amendments are heard.

D. Successive Applications

1. Previously Denied Application. An application for a General Plan Amendment for a parcel in which all or any part was the subject of a previous General Plan Amendment application for the same land use category, a similar category or a less restrictive land use category has been denied, or which has been withdrawn subsequent to the noticing of a public hearing, shall not be accepted until the following periods have elapsed between the date of the denial or withdrawal and the date of the meeting for which the proposed application would be scheduled in the normal course:

a. After the first denial or any withdrawal after public notice has been given – one year.

b. After the second or subsequent denial or withdrawal after public notice has been given - two years.

2. Previously Withdrawn Application. The time periods that are described in Paragraph (1) of this Subsection and that otherwise would become effective because of the withdrawal of an application shall not become effective if, after consideration of the timing and circumstances of the withdrawal, the Planning Commission or the City Council specifically approves the withdrawal without prejudice.

E. Request for Abeyance

Any applicant who wishes to have an application held in abeyance following the notice and posting of the agenda of the Planning Commission or the City Council shall state good cause for the request. Good cause shall be more than mere inconvenience to the applicant or lack of preparation.

F. Planning Commission Public Hearing and Action

1. Hearing. Subject to the provisions of LVMC 19.16.030(C)(7), upon receipt of a complete General Plan Amendment application or an Amendment proposed by the Planning Commission or City Council, the Planning Commission shall hold a public hearing.

2. Notice

a. Notice Provided. Notice of the time, place and purpose of the hearing must be given at least 10 days before the hearing by:

i. Publishing the notice in a newspaper of general circulation within the City;

ii. Mailing a copy of the notice to:

A) The applicant;

B) Each owner of real property located within a minimum of one thousand feet of the property described in the application;

C) Each tenant of any mobile home park that is located within one thousand feet of the property described in the application;

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

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

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

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

c. Additional Notice. The Department may give additional notice of the hearing by expanding the area of notification or using other means of notification or both. The Department shall endeavor to provide any additional notice at least 10 days before the date of the hearing.

d. Signs. Notification signs shall be posted in conformance with LVMC 19 .18.010(D).

3. Planning Commission Decision

a. A decision to recommend approval of a General Plan Amendment shall be by resolution of the Planning Commission with the affirmative votes of not less than two-thirds of the total membership of the Commission. For purposes of this Subparagraph (a), the Planning Commission's resolution may be in the form of a vote reflected in the minutes of the Planning Commission meeting. The Planning Commission may approve or deny an application for a General Plan Amendment.

b. In making a decision to approve the proposed General Plan Amendment, the Planning Commission shall consider the facts presented at the public hearing and shall make the determinations contained in Subsection (I) of this Section. The Planning Commission may consider recommending:

i. The approval of a more restrictive land use category than that set forth in the application; or

ii. The amendment of fewer than all parcels described in the application to either the land use category requested in the application or a more restrictive land use category, but only if such parcels are distinct legal parcels.

c. Following the hearing, the Planning Commission shall make its decision to either recommend approval or denial of the application.

4. **Notice of Planning Commission Decision.** Following the date of its decision, the Planning Commission shall transmit a report of its recommendation to the City Council. The report shall recite, among other things, the facts and reasons which, in the opinion of the Commission, make the approval or denial of the Amendment necessary to carry out the provisions and general purposes of this Title. A copy of the report shall be mailed to the applicant, agent, or both, at the address(es) shown on the application filed with the Secretary of the Planning Commission. A copy of the report shall also be filed with the City Clerk, acting as agent for the City Council.

G. Burden of Proof

The applicant bears the burden of proof to establish that the approval of a General Plan Amendment is warranted.

H. City Council Public Hearing and Action

1. **Notice and Hearing.** Subject to the provisions of LVMC 19.16.030(C)(7), the City Council shall consider a proposed General Plan Amendment and the recommendation of the Planning Commission thereon at the next available meeting following the receipt of the recommendation. The City Clerk shall mail written notice of the Council hearing, at least ten days before the hearing, to the property owners who were notified by mail of the Planning Commission hearing, or to the current owners of record in the case of properties whose ownership has changed in the interim.

2. **City Council Action**

   a. **Decision.** The City Council may approve or deny a proposed General Plan Amendment. In making a decision to approve the proposed General Plan Amendment, the City Council shall consider the recommendation of the Planning Commission and the facts presented at the public hearing. The City Council may consider:

      i. The approval of a more restrictive land use category than that set forth in the application; or

      ii. The amendment of fewer than all parcels described in the application to either the land use category requested in the application or a more restrictive land use category, but only if such parcels are distinct legal parcels.

   b. **Change to More Restrictive Category.** If at the Council hearing, the applicant proposes amending the application to a more restrictive land use category, the City Council has the option to refer the application back to the Planning Commission for consideration.

   c. **Significant Changes.** If the applicant proposes significant changes to the application during the hearing or if new information is presented that significantly changes the nature and scope of the application, the request should be referred back to the Planning Commission for consideration.

3. **Notice of City Council Decision.** Following the hearing on a proposed General Plan Amendment, the City Council shall reach a decision concerning the proposal. The decision shall include reasons for the decision. Written notice of the decision shall be provided to the applicant, agent or both. A copy of the notice shall also be filed with the City Clerk, and the date of the notice shall be deemed to be the date that notice of the decision is filed with the City Clerk.

I. General Plan Amendment - Determinations

In order to approve a proposed General Plan Amendment, the Planning Commission and City Council must determine that:

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations;

2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts;

3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan designation; and

4. The proposed amendment conforms to other applicable adopted plans and policies.

J. Certain Minor Amendments

Notwithstanding any other provision of this Section, the City Council, upon appropriate noticing and public hearing, may amend the General Plan, or any part thereof, without action by the Planning Commission and without limitation as to frequency, in order to:

1. Change a boundary that is based on a geographical feature, including , without limitation, topography, slops, hydrographic features, wetland delineation and floodplains, when evidence is produced that the mapped location of the geographical feature is in error;

2. Reflect the alteration of the name of a jurisdiction, agency, department or district by the governing body, governing board or other governing authority of the jurisdiction, agency, department or district, as applicable, or by another entity authorized by law to make such alteration; or

3. Update statistical information that is based on a new or revised study.


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19.16.040

PARCEL MAP

A. Purpose

The provisions of this Section set forth the administrative and procedural requirements for the division of land by a parcel map. The parcel map process does not require Planning Commission or City Council action.

B. Applicability

Whenever a division of real property into four or fewer lots is proposed for purposes of sale, transfer or development the submittal, approval and recordation of a parcel map is required. Parcel maps shall be processed in accordance with the procedures and standards set forth in the remaining sections of this Section.

C. Application -- Form and Copies

The owner of property to be divided by means of the parcel map process shall file with the Director an application on a form to be provided by the Department and made available to the public. The complete parcel map application submission shall be accompanied by a sufficient number of copies, as determined by the Director, of a twenty-four by thirty-two inch original of a parcel map drawing and shall contain the items set forth in Appendix A to this Title.

D. Application -- Review

Upon determining that a parcel map application is complete, the Director shall cause review of the application for a parcel map and obtain comments from other affected departments. This review shall be conducted within the time period specified by NRS Chapter 278.

E. Approval -- Determination

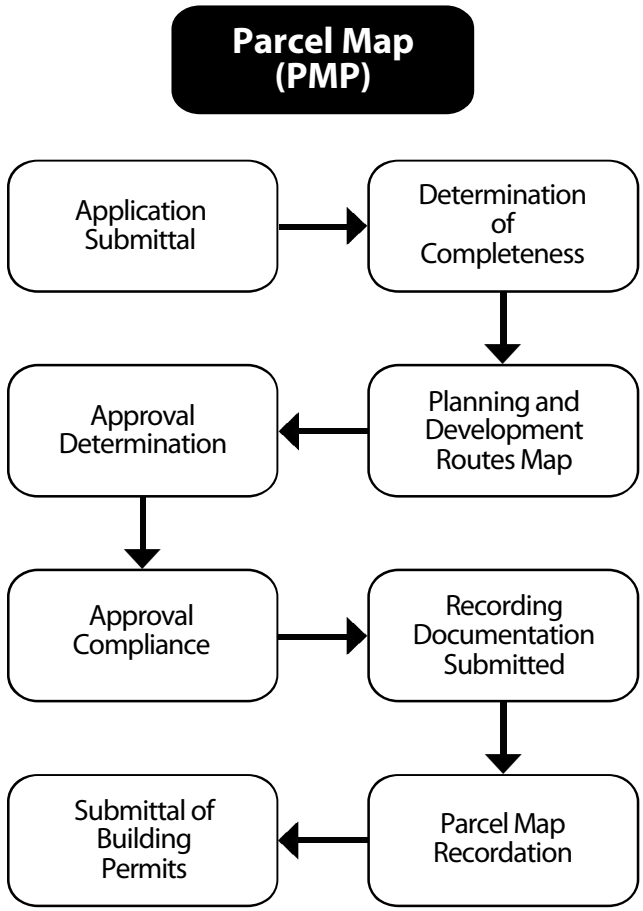
The Director, in conjunction with the Director of Public Works, shall determine whether or not a parcel map complies with this Section. Upon determining, pursuant to this Section, that all conditions and requirements have been met and that all appropriate certification signatures are complete, the Director and the Director of Public Works shall give final approval for the parcel map, sign the appropriate certifications, and release the parcel map for recordation.

F. Approval -- Compliance

Approval of a parcel map shall be contingent upon a determination that the map and the proposed development comply with applicable zoning regulations, the provisions of this Title and all requirements set forth in

Typical Review Process

Parcel Map 19.16.040



Subsections (G) to (S), inclusive, of this Section.

G. Water Supply Systems

Water supply systems shall be installed and maintained in accordance with City standards, Las Vegas Valley Water District standards, Clark County District Board of Health standards or State of Nevada standards, whichever are applicable. Approval of a parcel map does not in any manner ensure the adequacy or availability of future water supplies to service the proposed development.

H. Sanitary Sewer Collection and Disposal Systems

Sanitary sewer collection and disposal systems shall be required, installed and maintained in accordance with City standards. Unless septic systems are permitted by the Clark County Health District, connection to the public sanitary sewer system shall be required. If required improvements are deferred, a public improvements covenant which runs with the land shall be recorded which ensures future installation of any deferred improvements.

I. Public Street Access

All lots resulting from the division of land in accordance with the parcel map process shall have frontage on a public street or access to a public street via a private street or private drive. Public street dedications to ensure lot access or the continuity of necessary public streets adjacent to or through the parcel map site also may be required, as necessary, by the Department of Public Works.

J. Lots Less Than Two And One-Half Acres -- Access By Way of All-Weather Street Required

All lots resulting from the division of land in accordance with the parcel map process that are less than two and one-half acres in size shall have access by way of an all-weather street which meets the requirements of the Air Pollution Control Regulations of the Clark County District Board of Health. Proof of legal access to the parcel map site may be required to be submitted prior to approval of the parcel map.

K. Public Improvements

Except as otherwise specifically provided in this Subsection or in a development agreement, all public improvements adjacent to and, if proposed, interior to the parcel map site shall be fully installed, to current City standards, before the parcel map is released for recordation. The Director of Public Works is authorized to allow the installation of public improvements or any portion thereof to be delayed for any of the following reasons, but only if the applicant provides security, in accordance with Subsection (O), for the installation of all improvements so delayed prior to the release of the parcel map for recordation:

1. The parcel map will create large lots upon which no immediate development is intended;

2. The parcel map site is located more than six hundred sixty feet (one nominal block) from existing full or partial improvements;

3. The parcel map site is located in an area where partial or full public street improvements are not customary;

4. The parcel map site is located in an area where no street improvements currently exist and none have been obligated by means of a public improvements covenant, a covenant running with land agreement, a valid outstanding condition of approval for zoning or site development plan review, a budget appropriation or signed contract, or another similar document or evidence of commitment; or

5. Other extenuating site-related circumstances exist.

L. Dust Control Improvements

The applicant shall be responsible for the installation of all dust control improvements that may be required under applicable law, or the contribution of moneys in lieu of improvements, on all public streets adjacent to the parcel map site. Bonds will not be allowed in lieu of improvements for dust control improvements.

M. Private Street Improvements

Private streets shall be constructed to applicable City standards.

N. Flood Control Requirements

A parcel map site two gross acres or larger in size shall comply with the requirements of LVMC Title 20, relating to flood control. A parcel map site smaller than two acres gross may be required to meet such requirements if the site is determined by the Department of Public Works to be in an area of known flooding or if the site is in an area of unknown flood potential.

O. Completion of Dedication and Required Improvements

Prior to or concurrent with the release of the parcel map for recordation, all dedications and required improve-

ments shall be completed, unless additional time has been granted pursuant to Subsection (K) for the installation of improvements, and security for their installation has been provided. The installation of improvements shall be secured by means of a recorded covenant running with land agreement or as otherwise provided under LVMC Chapter 19.02.

P. Memorandum of Oaths and Certificate of Surveyor

The parcel map shall include the memorandum of oaths described in NRS 625.320 and the certificate of the surveyor required pursuant to NRS 278.375.

Q. Recording -- Documentation Requirements

A parcel map presented for recording shall include the following items:

1. A report from a title company which lists the names of each owner of record of the land to be divided and each holder of record of a security interest in the land to be divided, if the security interest was created by a mortgage or a deed of trust. The report must be updated as necessary so that it is current within seven days of the date the map is released for recording;

2. The written consent of each holder of record of a security interest described in Paragraph (1), consenting to the preparation and recordation of the parcel map. A holder of record may consent by signing the parcel map or a separate document that is filed with the parcel map and that declares his consent to the division of land;

3. Certificates that are in substantial compliance with Appendix E; and

4. All other information required by NRS Chapter 278.

R. Recordation

The parcel map shall be recorded within one year after the map has been approved by the City, or such approval shall become null and void. The approved parcel map and any covenants shall be filed and recorded with the County Recorder prior to the sale or transfer of land that is included within a parcel map. Immediately following recordation of the parcel map, the surveyor (or a designee) shall submit to the Director a reproducible copy of the recorded parcel map or a compatible digital format (or both, if required by the Director).

S. Issuance of Building Permit

No building permit shall be issued for any structure on property within a parcel map land division until:

1. The parcel map has been recorded with the County Recorder;

2. A reproducible copy of the recorded parcel map has been filed in accordance with Subsection (R);

3. All required public streets and easements, including access from public streets to the parcels, have been dedicated; and

4. Required street improvements have been constructed or their construction adequately secured or guaranteed.

T. Appeals

Any person aggrieved by a decision of the Director or the Director of Public Works to approve or deny a parcel map may appeal to the Planning Commission in writing within fifteen days after receiving written notice of the decision. All appeals of parcel map decisions shall be filed with the Director and be accompanied by a nonrefundable fee as set forth in the fee schedule. The Planning Commission shall hear the appeal within thirty days after the appeal is filed. If the appeal is denied, the applicant shall have seven days in which to file an appeal with the City Council. The City Council shall hear the appeal within thirty days after the appeal to the City Council is filed. All appeals granted by the Planning Commission shall be forwarded automatically to the City Council for final action.


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TENTATIVE MAP

A. Purpose

The provisions of this Section set forth the administrative and procedural requirements for the subdivision of land by means of a tentative map. The tentative map process requires Planning Commission review and action.

B. Applicability

Whenever a division of land is proposed that does not meet the criteria for a parcel map, the applicant shall file a tentative map of the proposed subdivision with the Secretary of the Planning Commission at the office of the Department. The preparation and submission of a tentative map shall be in compliance with the provisions of NRS Chapter 278 and any additional regulations contained in this Title.

C. Conformance with Zoning Requirements

1. No application for a tentative map is eligible for approval unless it is determined that the proposed subdivision will be in conformance with all applicable zoning regulations, including all applicable provisions of this Title; the zoning classification of the site; and all zoning, master plan or site plan approvals for the site, including all applicable conditions that are in effect. If the proposed subdivision will not so conform, the Director is under no obligation to accept or process an application for a tentative map until the applicant has made any necessary application for rezoning or site development plan review, or both; the Planning Commission has made a recommendation in support of the zoning-related application(s); and a City Council hearing date has been set for the zoning-related application(s).

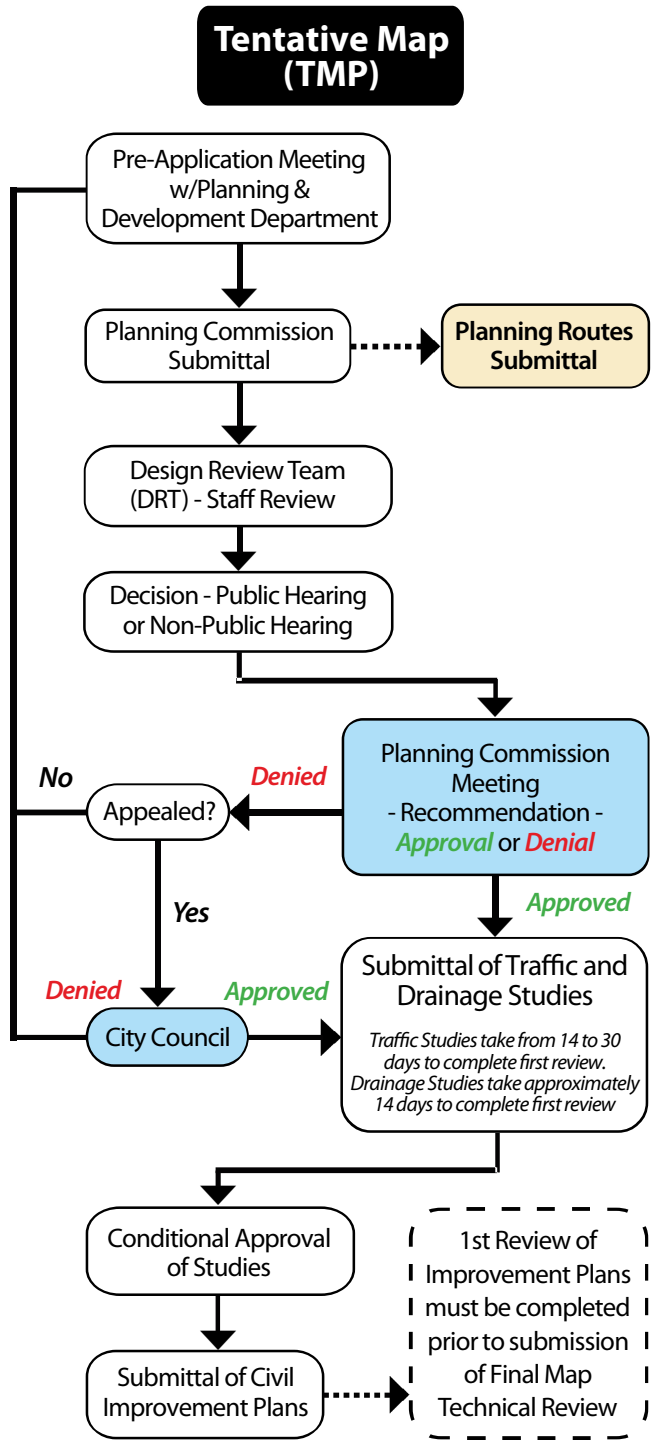
2. In cases where approval of a rezoning or a site development plan review by the City Council is necessary before a tentative map can be approved:

a. The Director shall withhold presentation of the tentative map to the Planning Commission until at least two weeks after the City Council's final approval of the rezoning or site development plan review application, or both; and

b. The Director may extend the time for reviewing the tentative map if the Council's rezoning or site development plan approval requires that additional issues be addressed or changes made before map approval can occur.

Typical Review Process

Tentative Map 19.16.050



3. In cases where a rezoning is unnecessary and the Planning Commission is authorized to take final action on a site development plan review, the Director shall withhold presentation of the tentative map to the Planning Commission until at least two weeks after the Planning Commission has approved the application for site development plan review.

4. The Director's obligation to withhold action or ability to extend time under Paragraph (2) is subject to the time limits referred to in NRS 278.350, as they may be extended by mutual consent. In addition, the Director's failure to comply with any obligation described in this Subsection shall not be deemed a violation subject to criminal or administrative action and shall not invalidate any action taken.

D. Procedure.

Tentative maps shall be processed in accordance with the procedures and standards set forth in the remaining sections of this Section.

E. Pre-Application Conference Required

Before submitting an application for tentative map, the subdivider or a representative shall attend a pre-application conference with the Department to obtain the Department's assessment of the proposed tentative map and notice of any changes necessary to bring the application into conformance with City requirements.

F. Application -- Form -- Copies

A complete application for a tentative map shall be made to the Planning Commission on a separate application form to be provided by the Department. An application for a tentative map shall be accompanied by a sufficient number of copies, as determined by the Director, each twenty-four by thirty-six inches in size, of a tentative map drawing and contain the items set forth in Appendix B to this Title. The drawing shall be made at an engineer's scale and should be such that it will fill no less than seventy-five percent of the sheet. A scale of 1"=20' is preferred, with 1"=40', 1"=100' and 1"=200' the next most preferred scales. If the Director determines that the tentative map will not fit on a twenty-four by thirty-six inch drawing such that all pertinent information is clearly legible, the Director may approve the use of a larger map size that does not exceed thirty-six by forty-eight inches.

G. Application -- Determination of Completeness

The Director shall determine if the application is complete and includes all required data and information necessary to conduct a complete evaluation. Within five working days after submittal of a tentative map application, the Director shall:

1. Accept the application as complete and begin the review process, scheduling the map for consideration on the next available Planning Commission agenda; or

2. Provide written notice to the applicant specifying the deficiencies of the application. Such notice is sufficient if it has been delivered, mailed or faxed to the applicant. The Director shall take no further action on the application until the deficiencies are remedied.

H. Application -- Review

Upon determining that the tentative map application is complete, the Director shall cause review of the application and preparation of a staff report. The Director shall coordinate the review of the application by other departments and shall incorporate appropriate recommendations by those Departments into the staff report. The report shall be made available to the applicant, if possible, at least five days before the Planning Commission meeting for which the application is scheduled to be heard. The Director shall recommend any changes in the design of the proposed subdivision necessary to achieve the purposes of this Title.

I. Tentative Map Requirements

A tentative map shall indicate, without limitation:

1. Demonstration of compliance with the necessary traffic circulation and access requirements set forth in this Title, including those relating to streets, access points, driveways, and site visibility restriction zones, as well as compliance with LVMC 19.02.170 and 19.02.280;

2. Demonstration, by means of preliminary drawings, of compliance with good traffic control practices and applicable standards and ordinances, as determined by the Traffic Engineer;

3. Demonstration of compliance with the requirements of the Title regarding residential parking, walls and landscaping; and

4. Demonstration of how each parcel will be served by the public sewer system including the proposed sanitary sewer layout.

5. Any and all trails that are necessary to be provided

in accordance with the City's Master Plan and ordinances.

J. Proposed Perimeter Grades

1. It is the intent of the City to minimize to the extent possible those instances in which grade changes result in large expanses of monotonous walls facing adjacent property or public streets. Type "B" and Type "C" drainage and cross-fall streets, while undesirable, may be allowed on a case-by-case basis as measures to mitigate large expanses of monotonous walls.

2. Each tentative map application must include, for all sites, a legible schematic cross section drawing which:

a. Has a minimum size of eleven inches by seventeen inches and a maximum size of twenty-four inches by thirty-six inches;

b. Has an exaggerated vertical scale, with labeled horizontal and vertical dimensions at the property lines;

c. Shows the maximum grade differentials;

d. Includes the existing and proposed condition elevations on the cross sections;

e. Includes cross sections that extend a minimum of one hundred feet beyond the limits of the project at each property line, showing the location and finish floor elevations of adjacent structures. Measurements shall be made from the centerline of adjacent streets, or from the property line where no street exists. The Department may require cross sections for up to one hundred feet beyond the property line or the centerline of an abutting street, whichever is greater; and

f. Includes cross sections, to scale, for maximum wall heights, typical wall heights and wall elevations.

3. When considering the tentative map application, the Planning Commission shall take into account the submitted plan of proposed project perimeter grades. Approval of the tentative map shall constitute approval of the associated plan of project perimeter grades.

4. If the final drainage and grading plan for the project changes an approved plan for project perimeter grades by more than two feet in either direction, as determined by the Director or by the Director of Public Works, the tentative map and a new project perimeter grade plan must be reviewed and approved by the Planning Commission as in the first instance. Nothing in this Paragraph (4) affects the application of the maximum retaining wall height limitations contained in this Title.

K. Parks And Playgrounds In Lieu Of Residential Construction Tax

A subdivider who desires to construct parks or playgrounds in lieu of paying the residential construction tax described in LVMC Chapter 4.24 shall show such parks or playgrounds on the tentative map, demonstrating that the parks and playgrounds will conform to all applicable City standards, regulations, plans and policies regarding the construction of such facilities in lieu of paying the tax.

L. Forwarding Copy of Map

1. In connection with an application for tentative map that proposes to subdivide land within one mile of the boundary of an unincorporated area of the county, the City shall forward a copy of the proposed map to the Clark County Planning Commission or its designated representative, as required by NRS 278.345.

2. In connection with any application for tentative map, the City shall forward a copy of the proposed map to the Clark County School District and to any general improvement district in which the property is located, as required by NRS 278.346 and 278.347.

3. Comment and action by the agencies described in this Subsection concerning the proposed map shall be in accordance with and subject to the provisions of NRS 278.345 to 278.347, inclusive.

M. Planning Commission Review

The Planning Commission shall conduct its review and take action on the application for tentative map in accordance with NRS Chapter 278, and within the time frames set forth in NRS 278.349 and 278.350.

N. Revisions or Amendments to Tentative Map

In the event that Planning Commission approval of a tentative map is contingent upon significant revisions or amendments, the applicant shall submit to the Director four new prints of the revised tentative map incorporating such revisions or amendments before the submission of an application for final map.

O. Recordation Time Limits

1. If a final map is not approved and recorded within:

a. Two years following the date of approval of the tentative map;

b. One year following the date of approval of a previously-recorded final map covering a portion of the tentative map; or

c. One year following an extension of time granted pursuant to Subsection (P) of this Section, the tentative map application and approval shall lapse and a new tentative map shall be required.

2. For a phased project, the first of a series of final maps covering a portion of the approved tentative map must be approved and recorded within two years following the date of approval of the tentative map. Subsequent final maps must be approved and recorded within one year following the date of the approval of the previously recorded final map, unless an extension is granted pursuant to Subsection(P) of this Section, or all further proceedings concerning the subdivision shall be terminated.

P. Recordation Extension of Time

By delegation, the Director, upon application, may grant a single one-year extension of time within which to present and record a final map or any one of a series of final maps covering a portion of the tentative map, except that no extension may be granted if a final map, or the first in a series of final maps, is not recorded within two years following the date of approval of the tentative map. In order to qualify for an extension of time under this Subsection, application therefore must be made prior to expiration of the approval.

Q. Appeals

Any person aggrieved by the final action of the Planning Commission with respect to a tentative map may appeal that action, in writing, to the City Council within seven days after receiving written notice of the decision. All appeals shall be filed with the Director and be accompanied by a nonrefundable fee as set forth in the fee schedule. The City Council shall hear the appeal within thirty days after the appeal is filed.

19.16.060

FINAL MAP

A. Purpose of Provisions

The provisions of this Section set forth the administrative and procedural requirements for the subdivision of land by a final map. The final map process requires review and action by the Director, the Director of Public Works, and, in some cases, the Planning Commission.

B. Required

A final map, prepared in accordance with the approved tentative map, or a series of final maps each covering a portion of an approved tentative map, shall be submitted in compliance with the provisions of NRS Chapter 278, LVMC 19.16.050 (O), and the additional regulations contained in this Title.

C. Application -- Fee

A final map application shall be submitted to the Department, along with the fee set forth in the fee schedule. The fee shall be nonrefundable. The application initially shall be processed under the final map technical review process described in this Chapter.

D. Application -- Form -- Copies

1. Application for a final map shall be made on a form established by the Director and made available to the public. The application must be accompanied by a sufficient number of copies, as determined by the Director, of a twenty-four by thirty-two inch original of the final map drawing. In order to be accepted for review under the final map technical review process, the final map application must:

a. Demonstrate compliance with Subsections (N) to (U), inclusive, and Appendix C to this Title;

b. Include documentation from the Department of Public Works that:

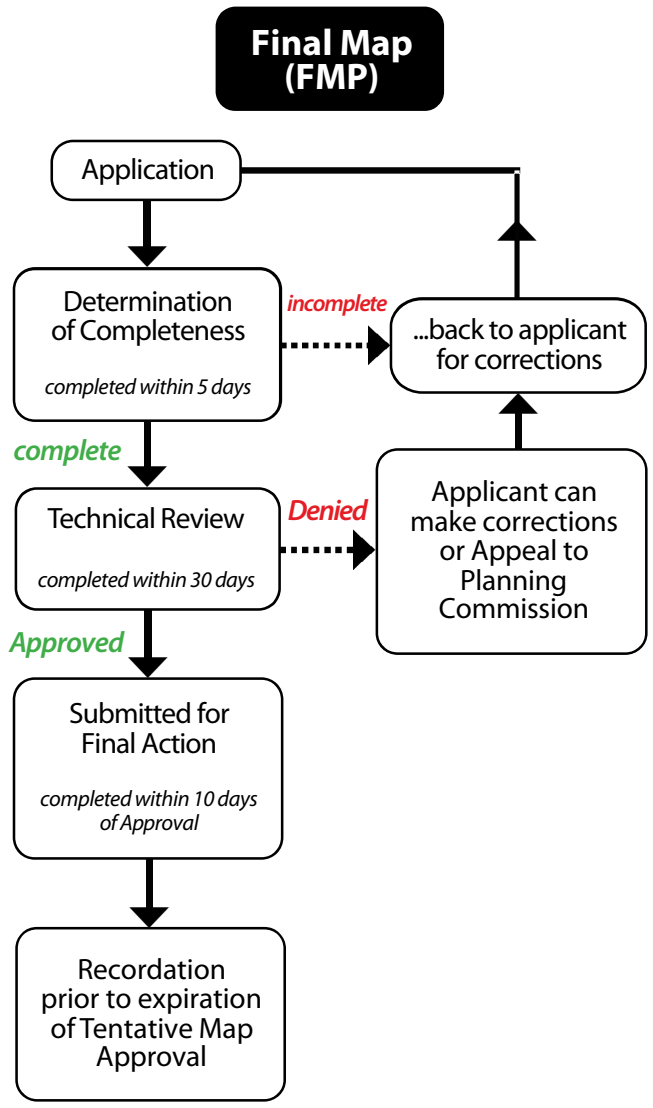
i. A drainage plan and technical drainage study is not required or that the required plan and study have been approved by the Department of Public Works; and

ii. A traffic impact analysis is not required or that the traffic impact analysis has been approved by the Department of Public Works.

2. In order to be deemed complete, the final map application must have been reviewed and approved

Typical Review Process

Final Map 19.16.060



in connection with the final map technical review process described in this Section.

E. Application -- Determination of Completeness

1. The Director shall determine if the application is in proper form and includes all required data and information necessary to conduct the final map technical review in accordance with this Section. Within five working days after submittal of a final map application, the Director shall:

a. Accept the application as being in proper form and containing the necessary information, and begin the final map technical review process; or

b. Provide written notice to the applicant specifying the deficiencies of the application. Such notice is sufficient if it has been delivered, mailed or faxed to the applicant. The Director is under no obligation to take further action on the application until the deficiencies are remedied.

2. If the Director determines that the application is in proper form and contains the necessary information, the Director shall, within the review period, perform the final map technical review, which consists of determining whether the application conforms with the tentative map approved by the Planning Commission, the requirements of NRS Chapter 278, and the provisions of this Title. In connection with that determination, the Director may approve the final map technical review, deny it, or approve it subject to conditions designed to bring it into conformance.

3. Except as otherwise provided in Paragraph (4), the review period described in Paragraph (2) consists of the thirty-day period following the determination that a final map application is in proper form and contains the necessary information.

4. The review period:

a. Does not apply if the Director elects to refer the final map technical review to the Planning Commission to decide if there is compliance with the tentative map or a condition thereof;

b. Does not apply if the subdivider elects to have an adverse decision by the Director concerning the final map technical review considered by the Planning Commission to decide if there is compliance with the tentative map or a condition thereof; and

c. May be waived by the subdivider in order to allow the subdivider additional time to demonstrate that the final map technical review should be approved.

F. Application -- Approval or Denial

1. Upon approval of the final map technical review, the final map application and final map itself may be submitted for final action by the Director. The Director shall review the application and map for conformance with the final map technical review. Except as otherwise provided in Paragraph (2), the Director, within ten days, shall either approve or deny the application and final map.

2. The ten-day period may be waived by the subdivider in order to allow the subdivider:

a. Additional time to demonstrate that the final map should be approved; or

b. As an alternative to denial of the final map by the Director, an opportunity to have the Planning Commission review or consider the final map.

G. Recordation -- Requirements and Conditions

After a final map has been approved, the applicant shall make those modifications necessary to ensure compliance with any conditions imposed by the Director or by the Planning Commission. The Director, together with the Director of Public Works, shall be responsible for determining compliance with all requirements before a final map may be released for recordation. Before signing the final map certificate, the Director must determine that all requirements and conditions have been met, including:

1. Submittal of a corrected final map, if appropriate;

2. Completion of all certification signatures in substantial conformance with Appendix E;

3. Dedication of all easements and rights-of-way approved for inclusion on the final map, and vacation of all existing easements and rights-of way not to be included on the final map;

4. Completion of all public improvements and common area improvements associated with the subdivision, as required by the City, unless the subdivider elects to enter into an agreement with the City to make such improvements pursuant to LVMC Chapter 19.02;

5. Approval of a phasing plan or development agreement, if required by LVMC Chapter 19.02;

6. Payment of all applicable inspection and developer fees and posting of all required bonds or documents of security;

7. Execution of all required agreements; and

8. Submittal of a one inch equals two hundred foot scale version of the final map drawing or a copy of such drawing in compatible digital format.

H. Traffic Studies or Drainage Studies -- Submission and Approval Required

For any subdivision concerning which traffic studies or drainage studies have been required in connection with zoning or other development approval, those studies must have been submitted and approved before the subdivider submits improvement plans pursuant to this Section. The Department of Public Works may require the traffic and drainage studies be submitted in an electronic format. The improvement plans must take into account and be based upon those approved studies.

I. On-Site and Off-Site Improvements Permits

Following approval of a final map, permits for the construction of on-site and off-site improvements may be granted:

1. Upon approval of the following plans, as applicable, by the Department of Public Works:

   a. All public and private street plans, including profiles;

   b. All sewer, storm drains and water plans, including profiles;

   c. All street lighting and traffic plans;

   d. All drainage plans;

   e. All parks plans; and

2. Upon approval by the Director of the plans for any common area improvements or private improvements, other than private streets, which have been required to be installed by the City in connection with development approval.

J. Recordation -- Title Company Report -- Consent of Holders of Record

A final map presented for recording shall include the following items:

1. A report from a title company which lists the names of each owner of record of the land to be divided and each holder of record of a security interest in the land to be divided, if the security interest was created by a mortgage or a deed of trust. If for a common-interest community, as defined in NRS 116.110323, said report shall show that there are no liens of record against the property or any part thereof for delinquent state, county, municipal, federal or local taxes or assessments collected as taxes or special assessments. The report must be updated as necessary so that it is current within seven days of the date the map is released for recording; and

2. The written consent of each holder of record of a security interest described in Paragraph (1), consenting to the preparation and recordation of the final map. A holder of record may consent by signing the final map or a separate document that is filed with the final map and that declares his consent to the division of land.

K. Monuments

Monuments must be set before the final map is recorded unless the subdivider furnishes a performance bond or other suitable assurance to the City guaranteeing that the monuments will be set by a land surveyor on or before a date certain. Monumentation shall comply with the specifications set forth in Appendix D to this Title.

L. Recordation -- Time Limits

The provisions of NRS Chapter 278 and this Title shall govern the time within which a subdivider must record a final map or obtain any extension of time therefor. The subdivider shall be responsible for the timely filing of any extension request.

M. Plans and Specifications -- Documents and Information Required

Construction plans and specifications related to a final map shall be accompanied by or include the documents and information described in Subsections (N) to (U), inclusive, of this Section. Such plans and specifications shall be submitted to and approved by the Director of Public Works prior to start of construction of any improvements.

N. Plans and Specifications -- Plan Sheets

All subdivision construction plans and specifications shall be sealed by an engineer licensed in the State of Nevada and shall comply with City standards. Any deviation from City standards must be noted on the plans. In order to obtain a deviation, the request for deviation must be included in a letter to the Director of Public Works which outlines each deviation and the reasons for requesting the deviation. Plans and specifications shall clearly indicate the distinction between existing and proposed improvements, and each plan sheet shall carry in the lower right-hand corner the name of the subdivision, the type of design shown on the plan, the name of the streets shown on the plan, the name of the engineer, the date, the sheet number and any other information deemed necessary by the Director of Public Works. Each plan sheet shall have a north arrow and indicate the scale used. Submitted plans shall be on original reproducible sheets, mylar preferred, with permanent ink, and shall be twenty four inches by thirty-six inches in dimension. A compatible digital format copy of the approved plans may be required by the Department of Public Works.

O. Submission of Street Plans, Profiles, and Plans for Public Alleys

1. The applicant shall submit street plans and profiles showing curve data, centerline and curb-lines with reference to back of curb, including radius, center angle, tangent and length of curve; curb type; street names; benchmarks; all valley gutters; ADA accommodations; and improvements relating to public transportation. Each profile view shall show the existing ground line prior to construction, percent grades of centerline and centerline elevations at all changes in vertical and horizontal alignment. Any documentation from the City Traffic Engineer that is required by LVMC 19.02.140 shall be submitted with street plans and profiles.

2. The applicant shall submit plans showing any public alleys that are proposed to be dedicated and improved. Public alleys may be included within a subdivision only after consultation with, and approval for inclusion by, the Director of Public Works.

P. Street Lighting

Plans shall indicate the proposed location of each streetlight standard, including pole type and gauge; the number and type of luminaries per pole; luminaire wattage and lamp type; conductor quality, size and insulation type; all underground conduit locations, sizes and types; proposed service connection locations or, if approved prior to submittal, the connection point to an existing street lighting circuit. All equipment and locations shall be in conformance to City standards unless the City Council allows an exception. The installation of conforming lighting may be deferred if the deferral is approved by the City Council and the applicant executes a covenant running with land agreement to secure the installation.

Q. Drainage Patterns

The applicant shall submit sufficient information in the form of maps and profiles prepared by an engineer to indicate the proper drainage of surface water to natural drainage courses or into existing or proposed public drainage-ways. Any modifications to drainage patterns adjacent to the subject site shall also be noted on the plans. If drainage is proposed across lands used as private lots, the location, width and types of rights-of-way and easements shall be indicated on the final map.

R. Sanitary Sewer Collection System

The applicant shall submit sufficient plans and profiles to show all sanitary sewer collection system information necessary to determine compliance with City standards. Each plan view shall show lot lines; lot and block numbers; exact location of wastewater lines with reference to property lines; coordinates for both the location of manholes and house laterals; street names; and benchmark elevations. Each profile view shall show the proposed finished grade above the pipe or, if no street construction is involved, existing ground line; top of manhole elevation; invert elevation; stationing and coordinates (NAD 83) of each manhole; size and type of pipe, percent of grade and distance between manholes.

S. Water Lines, Valves and Fire Hydrants

The applicant shall submit plans showing the exact size and location of all water lines, valves and fire hydrants.

T. Grading Plan

1. The applicant shall submit a grading plan showing:

a. North arrow and scale;

b. Benchmark (City datum);

c. Engineer's dated signature and seal;

d. Existing topography at one-foot contour intervals to extend one hundred feet beyond the tract limits measured from the centerline of adjacent roadways (with the exception that, where grades exceed ten percent, two-foot

contour intervals may be used);

e. Property corners and spot elevations sufficient to show drainage patterns and all conforming conditions;

f. Proposed pad and finished floor elevations;

g. Finished floor elevations of buildings within one hundred feet of the centerline of adjacent roadways or, where no adjacent roadway exists or is planned to exist, the exterior property line of the tract;

h. Proposed curb elevations at grade breaks, beginning and end of curve;

i. Direction of water flow and percent of grade of site;

j. Direction of water flow and percent of grade of existing and proposed drainage ways;

k. Direction of flow, percent of grade and other pertinent features for any off-site drainage improvements which are part of the project;

l. Details of proposed drainage facilities for the lots;

m. Details of all proposed drainage facilities including but not limited to storm drains, pipe sizes, inlets, manholes, valley gutters, swales, berms and easements;

n. Plan and profile drawings of drainage facilities in public rights-of-way or public drainage easements; and

o. Existing walls abutting the subdivision and proposed walls within or adjacent to the subdivision.

2. The grading plan must comply with the cross section drawing required to be submitted with the tentative map pursuant to LVMC 19.16.050(J). The plan shall be considered to be in substantial compliance if the grades are within two feet of the elevations shown on the cross section drawing and tentative map. If actual grading does not conform to the approved grading pan or the requirements of LVMC 19.16.050(J), the Director, or the Director of Public Works, may require the subdivider to re-grade the site or to appear before the Planning Commission for appropriate resolution.

3. The grading plan must comply with the approved drainage study on file as certified by an engineer, and the plan shall include a note indicating such certification.

U. Additional Data

The following data shall be submitted with the plans:

1. Excavation and fill (cubic yards);

2. AC paving and gravel base (square yards);

3. Curb and gutter (lineal feet);

4. Sidewalk (square feet);

5. Valley gutter (square feet);

6. Sewer mains, trunk lines, laterals and connections (size and lineal feet);

7. Manholes (each);

8. Street lighting (each);

9. Water mains (size and lineal feet), water services and number of fire hydrants;

10. Quantity takeoffs in tabular form for public drainage facilities; and

11. Sidewalk ramps (each).

V. Commencement of Construction and Installation Work Relating to Required Public Improvements

The applicant shall notify the Director of Public Works at least twenty-four hours in advance of the scheduled date and time that construction and installation work relating to required public improvements or private streets is to commence. If delays occur, the applicant shall notify the Director of Public Works not less than two hours prior to the rescheduled time.

W. Commercial Subdivisions -- Additional Requirements

In addition to the other provisions and requirements set forth in this Section, a final map for a commercial subdivision shall comply with the following requirements prior to being released for recordation:

1. Within the C-1 District (or its equivalent), the Director of Public Works may require all parcels created through the commercial subdivision process to have perpetual unobstructed access to

driveways servicing the overall subdivision site. For sites larger than ten acres in size, the requirement may be imposed only if the requirement has been recommended in an approved Traffic Impact Analysis. If the requirement is imposed, a note to that effect shall be included on the final map.

2. The on-site sewer system servicing the overall commercial subdivision shall be identified as one of the following types, with the appropriate wording to appear as a note on the final map:

a. A public sewer, with a minimum pipe diameter of eight inches, located within dedicated public sewer easements which are a minimum of twenty feet wide.

b. A common element of the commercial subdivision which is privately owned and which is maintained in accordance with covenants, conditions and restrictions that govern the subdivision.

c. A common element of the commercial subdivision which is privately owned and which is maintained in accordance with a joint use agreement applicable to the subdivision.

3. All subdivided parcels comprising the commercial subdivision shall provide perpetual inter-site common drainage rights across all existing and future parcel limits, and a note to this effect shall appear on the final map.

X. Appeals

Any person aggrieved by the final action of the Director with respect to a final map may appeal that action, in writing, to the Planning Commission within seven days after receiving written notice of the decision. All appeals shall be filed with the Director and be accompanied by a nonrefundable fee as set forth in the fee schedule. The Planning Commission shall hear the appeal within thirty days after the appeal is filed.

19.16.070

REVERSIONARY MAP

A. Amendment of Plats - Generally

Any amendment of a recorded plat, parcel map or other record which changes or purports to change the physical location of any monument, property line or boundary line shall be subject to the requirements of NRS Chapter 278 regarding the amendment of plats.

B. Application -- Review -- Final Action

Any application to revert any final map, parcel map or other instrument to undivided acreage shall comply with the requirements of NRS Chapter 278 regarding the abandonment of maps or reversion of divided land to acreage. The application shall be filed with the Director, who shall be responsible for reviewing and acting upon the application.

C. Merging and Resubdivision of Contiguous Parcels

In accordance with NRS 278.4925, the owner of two or more contiguous parcels may merge and resubdivide the land into new parcels or lots without reverting the preexisting parcels to acreage pursuant to NRS 278.490. The recording of the resubdivided parcels or lots on any map constitutes the merging of the preexisting parcels into a single parcel and then resubdivision into new parcels or lots. For any public street, easement or utility easement that will not remain in effect after the merger and resubdivision, a certificate must be attached to the parcel map or final map indicating that the Planning Commission or Director, as applicable, has determined that the public street, easement or utility easement has been vacated or abandoned in accordance with NRS 278.480. If streets, easements and utility easements are to remain in effect after the merger and resubdivision, they shall be clearly delineated on the map.

D. Final Map of Reversion – Preparation

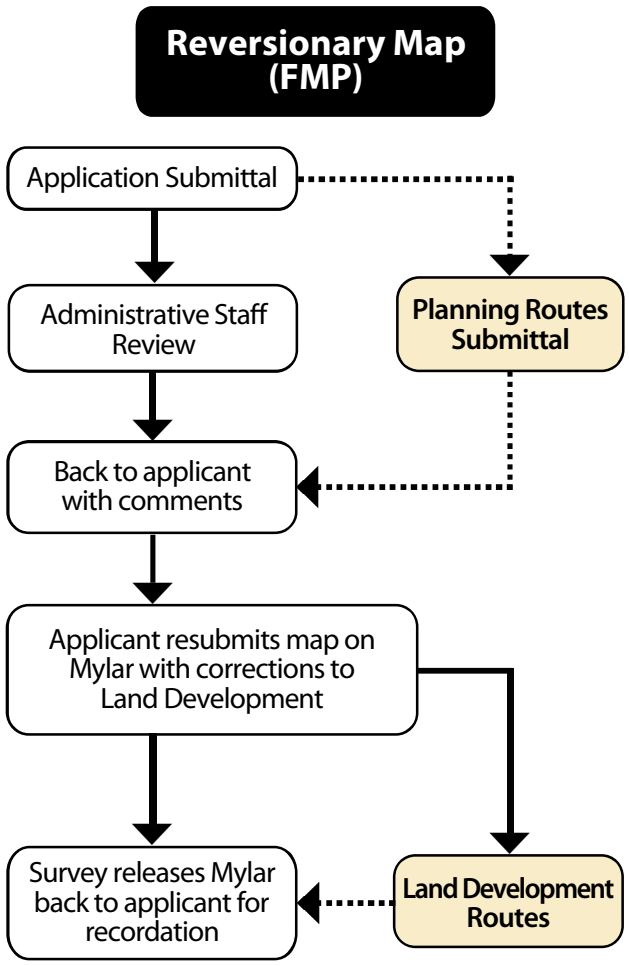
The final map of reversion shall be prepared by a professional land surveyor licensed pursuant to NRS Chapter 625. The surveyor shall include in the required surveyor's certificate all the information required by NRS Chapter 278, including the representation that the map has been prepared from information on a recorded map or maps that are being reverted. The certificate:

1. May include a statement that the professional land surveyor assumes no responsibility for the existence of the monuments or for correctness of other information shown on or copied from the recorded document(s).

Reversionary Map

Typical Review Process

Reversionary Map 19.16.070



2. Shall include information which is sufficient to identify clearly the recorded map or maps being reverted.

E. Final Map of Reversion -- Legibility -- Copies

The final map of reversion shall be clearly and legibly drawn pursuant to the requirements of NRS Chapter 278. The application shall be accompanied by fourteen copies of a twenty-four by thirty-two inch original drawing which complies with the requirements of that Section.

F. Application – Contents

The application for a map of reversion shall include:

1. A report from a title company which lists the names of each owner of record of the land and each holder of record of a security interest in the land, if the security interest was created by a mortgage or a deed of trust. The report must be updated as necessary so that it is current within seven days of the date the map is released for recording; and

2. The written consent of each holder of record of a security interest listed pursuant to the section above to the preparation and recordation of the map of reversion or abandonment. A holder of record of a security interest may consent by signing the map of reversion or abandonment or a separate document that is filed with the map of reversion or abandonment and declares his consent to the reversion or abandonment, provided the map contains a notation that a separate document has been recorded to this effect.

G. Certificate of Consent

A map of reversion or abandonment must include a certificate, signed and acknowledged pursuant to NRS 111.240, by each person who is an owner of the land, consenting to the preparation and recordation of the map for the purpose of reversion or abandonment.

H. Certificate of Planning Commission Approval

A map of reversion or abandonment presented to the county recorder for recording shall include a certificate by the Secretary of the Planning Commission stating that the Planning Commission approved the map.

I. Lien Deemed Not To Be An Interest In Land

For purposes of Subsections (F) and (G) of this Section, a lien for taxes or special assessment and a trust interest under a bond indenture shall be deemed not to be an interest in land.

J. Reversion of City-Owned Street or Easement

If a map of reversion or abandonment includes the reversion of any street or easement owned by the City or other governmental entity, the applicable provisions of NRS 278.480 shall be followed before approval of the map.

19.16.080

VACATIONS

A. Petitions -- Form – Contents

A public street or easement, or the City's interest in a government patent reservation, may be vacated upon the petition of at least one owner of property abutting the area proposed to be vacated, or upon the initiative of the City. In the case of a petition by an abutting property owner, two copies of a properly signed petition shall be filed with the Secretary of the Planning Commission on a form provided by the Department. The petition shall contain a written statement describing the area to be vacated and the reasons for the proposed request, and either a complete legal description from which the right-of way or other property proposed to be vacated may be plotted or a drawing acceptable to the Department showing an accurate representation of the proposed vacation.

B. Petitions – Sufficiency

A petition for vacation must be accompanied by a deed or other sufficient evidence of ownership. In the case of a City-initiated vacation, an appropriate written request shall be filed and processed as if it were a petition under this Section.

C. Petitions -- Public Record

Upon receipt of a properly executed petition, the Secretary of the Planning Commission shall maintain said petition, together with all pertinent attachments and exhibits, in the permanent files of the Department as a public record.

D. Petitions -- Filing – When

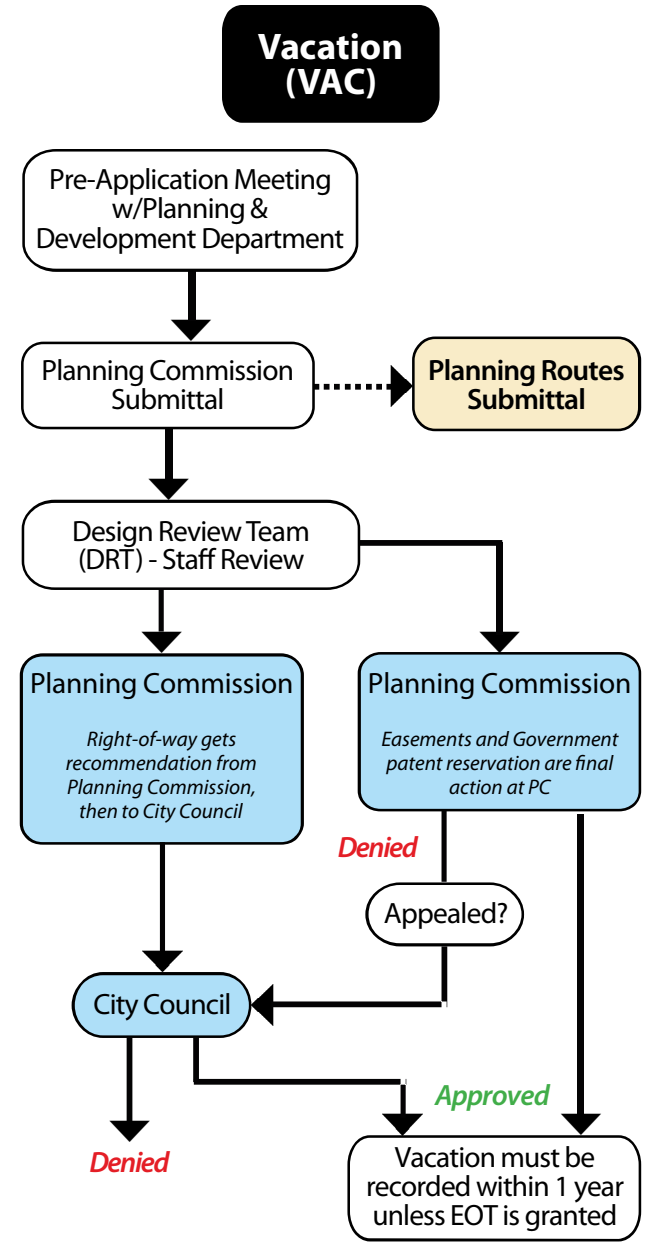
In order to provide sufficient time for the necessary investigation by the Planning Commission and its Secretary and agents, a petition for vacation must be filed with the Secretary of the Planning Commission a minimum of thirty days prior to the date of the meeting of the Planning Commission at which said petition for vacation is to be heard and considered.

E. Public Hearing, Notice And Order Of Vacation – Dedicated Right Of Way

1. In the case of a petition for the vacation of a dedicated right-of-way, the Planning Commission shall hold a public hearing on the petition for vacation. Thereafter, the Planning Commission shall make its finding regarding the petition by way of recommendation, and shall report that recommendation to the City Council.

Vacations

Typical Review Process **19.16.080**



2. The City Council shall consider the recommendation at a public hearing. Not less than ten business days before the public hearing, notice of the hearing, setting forth the extent of the proposed vacation and setting the date of the hearing, shall be:

   a. Sent by mail, sufficient to meet the requirements of NRS 278.480, to each owner of property abutting the proposed vacation; and

   b. Published at least once in a newspaper of general circulation in the City.

3. If, following the public hearing, the City Council is satisfied what the public will not be materially injured by the proposed vacation, it may order the right-of-way vacated. The City Council may make the order conditional, and the order shall become effective only upon the fulfillment of the conditions prescribed.

F. Public Hearing, Notice and Order of Vacation – Easement or Government Patent Reservation

1. In the case of a petition for the vacation of an easement or government patent reservation, the Planning Commission shall hold a public hearing on the petition. Not less than ten business days before the public hearing, notice of the hearing, setting forth the extent of the proposed vacation and setting the date for the hearing, shall be:

   a. Sent by mail, sufficient to meet the requirements of NRS 278.480, to each owner of property abutting the proposed vacation; and

   b. Published at least once in a newspaper of general circulation in the City.

2. Following the public hearing, the Planning Commission shall take final action on the petition. If the Planning Commission is satisfied that the public will not be materially injured by the proposed vacation, it may order the easement or government patent reservation vacated. The Planning Commission may make the order conditional, and the order shall become effective only upon the fulfillment of the conditions prescribed. In the case of the a government patent reservation, the order may take the form of a relinquishment of interest or its equivalent, and the order shall be treated as an order of vacation under the provisions of this Section.

G. Continuation of Utility Easements

If a utility has an easement over any dedicated right-of-way which is vacated, the City Council shall provide in its order for the continuation of that easement. In the case of a vacation of the City's interest in a government patent reservation, easements for utilities will not be retained because they are not included within the City's interest and, therefore, are not affected by vacation of the City's interest.

H. Requirements to Be Met Prior to Recordation of Order

Following the approval of a vacation, all applicable City code requirements and design standards of all City departments must be met prior to recordation of the Order of Vacation.

I. Modification of Public Improvements

All public improvements adjacent to or in conflict with any proposed vacation shall be modified, as necessary, at the expense of the applicant or other responsible person, as required by the Department of Public Works. Approval of the vacation may be conditioned upon a requirement that existing public improvements and appurtenances with a potential salvage value be:

1. Removed in a manner designed to protect that value; and

2. Delivered to a City facility for reuse, as directed by the Department of Public Works.

J. Drainage Plan and Technical Drainage Study

Where determined necessary by the Department of Public Works, a drainage plan and technical drainage study shall be submitted by the applicant to and approved by that department prior to recordation of an order of vacation. All drainage easements recommended within the approved drainage study shall be retained.

K. Signage

As and to the extent deemed necessary by the Department of Public Works, the applicant or other responsible person shall install appropriate signage to clearly state that the area vacated is private property and shall construct appropriate off-site improvements or erect barricades to block through traffic movements.

L. Removal of Streetlights

All public streetlights located within the vacation area shall be removed and delivered to the City Electrical Yard by the applicant or other responsible person, as required by the Department of Public Works. The applicant or other responsible person shall pay all costs associated with the rerouting of conduits and electrical circuits and any additional electrical service which is required to maintain the continuity of surrounding streetlights.

M. Dedication of Radius Corners

Where needed to provide proper transition of right-of-way, the applicant or other responsible person shall dedicate radius corners as required by the Department of Public Works prior to recordation of an order of vacation.

N. Order Not Recorded Until All Requirements Met – Exception

An order of vacation shall not be recorded until all the requirements imposed on the vacation have been met, except that any requirement may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with LVMC 19.02.130((E).

O. Time Limitation on Recordation

If the order of vacation is not recorded within one year after approval by the City Council or within such additional time as may be granted by the Director, approval of the vacation terminates and a new petition must be submitted.


CLV
WEB
E-MAIL

19.16.090

REZONING

A. Purpose

The purpose of this Section is to set forth the procedures by which the Planning Commission and City Council will periodically review and amend the Official Zoning Map Atlas of the City to ensure that it meets the goals and objectives of the General Plan and related land use policies and plans.

B. Authority

Whenever public necessity, safety and general welfare may require, the City Council may, upon recommendation by the Planning Commission, rezone any parcel or area of land within the City from one zoning district to another when the rezoning will conform to the General Plan and the requirements of Subsection (K) of this Section.

C. General Plan Amendment

If a proposed rezoning will not conform as to use or density, the application may not be approved unless the General Plan is amended first to accommodate the proposed rezoning. The applicant may submit an application to amend the General Plan and an application for rezoning at the same time, and the applications may be heard concurrently.

D. Minimum Site Requirements

Property which is proposed to be rezoned to the following zoning districts must meet the minimum criteria denoted below in order to be considered for rezoning:

1. **P-C District.** Minimum site area of three thousand acres.

2. **PD District.** Minimum site area of five acres.

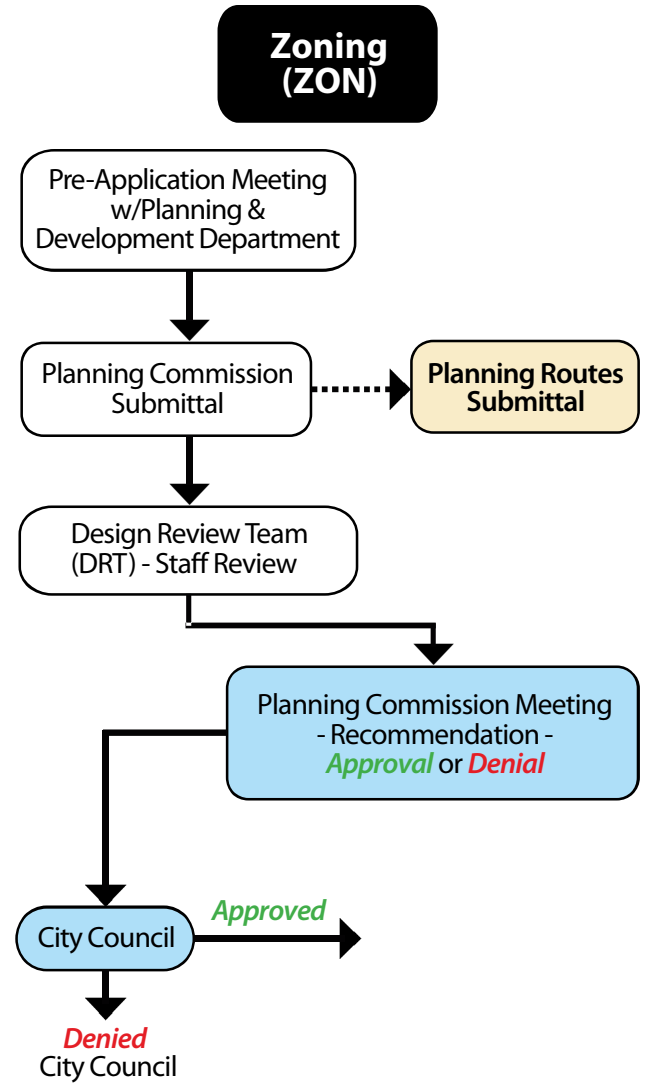
E. Application - General

1. **Application Form.** An application to rezone property shall be on a form provided by the Department. The application shall be signed, notarized and acknowledged by the owner of record of each parcel of property. The application shall be filed with the Secretary of the Planning Commission at the office of the Department.

2. **Initiation of Application.** An application for a rezoning may be initiated by the Department, Planning Commission or by the City Council, or by means of an application filed by the owner(s)

Rezoning

Typical Review Process **19.16.090**



of record of each parcel of property proposed for rezoning.

3. **Other Governmental Ownership.**

   a. **Application Requirements.** With respect to property which is owned by the State of Nevada or the United States of America, a rezoning application is sufficient if it is signed and acknowledged by a prospective purchaser of that property who has:

      i. Entered into a contract with the governmental entity to obtain ownership of the property;

      ii. Provided to the Department a letter from the governmental entity indicating that it consents to the filing of the application and agrees to be bound by the application; or

      iii. Provided to the Department a letter from the governmental entity indicating that it has no objection to the filing of the application.

   b. **Effect of Letter of No Objection.** In the case of an application that is supported by a letter of no objection under Subparagraph (a)(iii) of this Paragraph (3), the applicant shall acknowledge in writing by means of a form provided by the Department or in a form acceptable to the City Attorney, that:

      i. The processing of the application is done as an accommodation only;

      ii. The application, the results thereof, and any entitlements related thereto are dependent upon the applicant's obtaining an enforceable contractual interest in the property; and

      iii. The applicant assumes the risk of proceeding without any assurance that approval of the application will lead to an ability to implement the approval.

4. **Non-Property Owner.** A rezoning application is sufficient if it is signed and acknowledged by a lessee, a contract purchaser or an optionee of the property for which the rezoning is sought. However, interest in that property must exist in a written agreement with the owner of record, attached to which is a copy of the rezoning application and in which the owner of record has authorized the lessee, contract purchaser or optionee to sign the application. The agreement must further stipulate that the owner of record consents to the filing and processing of the application and agrees to be bound by the requested rezoning.

5. **Multiple Ownership.** In the case of multiple ownership of a parcel, only one of the owners of record shall be required to sign the application. A list of all other owners shall be provided with the application.

6. **Contiguous Land.** Except with respect to rezoning applications initiated by the Department, Planning Commission or the City Council, all of the land in the application shall be contiguous with at least one common point.

F. Application - Specific Requirements

1. **Pre-Application Conference.** Before submitting an application to rezone, the owner or authorized representative shall engage in a pre-application conference with the staff of the Department to discuss preliminary land planning, including land use relationships, density, transportation systems, infrastructure facilities and landscaping and open space provisions.

2. **PD District.** A site development plan or concept plan, as required by LVMC 19.10.040, shall be submitted concurrently with any application for rezoning to a PD District.

3. **P-C District.** A concept plan and other documentation specified in LVMC 19.10.030(E) shall be submitted concurrently with any application for rezoning to a P-C District.

G. Successive Applications

1. **Previously Denied Applications.** An application to rezone a parcel in which all or any part was the subject of a previous application for rezoning to the same zoning classification, to a less restrictive classification or for the same use or one of a similar density which has been denied or which has been withdrawn subsequent to the noticing of a public hearing shall not be accepted until the following periods have elapsed between the date of the denial or withdrawal and the date of the meeting for which the proposed application would be scheduled in the ordinary course:

a. After the first denial or withdrawal - one year.

b. After the second or a subsequent denial or withdrawal - two years.

2. Previously Withdrawn Applications. An application for a Rezoning concerning all or any part of a previous application for a Special Use Permit or a Variance for the same use, a similar use or a less restrictive use which has been denied or which has been withdrawn subsequent to the noticing of a public hearing shall not be accepted until the time periods described in Paragraph (1), above, have elapsed.

3. Applications Withdrawn Without Prejudice. The time periods described in Paragraphs (1) and (2) above, and that otherwise would become effective because of the withdrawal of an application, shall not become effective if, after consideration of the timing and circumstances of the withdrawal, the Planning Commission or the City Council specifically approves the withdrawal without prejudice.

H. Request for Abeyance

Any applicant who wishes to have an application held in abeyance following the notice and posting of the agenda of the Planning Commission or the City Council shall state good cause for the request. Good cause shall be more than mere inconvenience to the applicant or lack of preparation.

I. Planning Commission Public Hearing and Action

1. Hearing. The Planning Commission shall hold a public hearing when considering any application for rezoning of property.

2. Notice

a. Notice Provided. Notice of the time, place and purpose of the hearing must be given at least 10 days before the hearing by:

i. Publishing the notice in a newspaper of general circulation within the City;

ii. Mailing a copy of the notice to:

A) The applicant;

B) Each owner of real property located within a minimum of one thousand feet of the property described in the application;

C) Each tenant of any mobile home park that is located within on thousand feet of the property described in the application;

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

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

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

b. Names Provided. The Department shall provide, at the request of the applicant, the name and address of any person notified pursuant to Subparagraph (a)(ii)(F) above.

c. Additional Notice. The Department may give additional notice of the hearing by expanding the area of notification or using other means of notification or both. The Department shall endeavor to provide any additional notice at least 10 days before the date of the hearing.

d. Signs. Notification signs shall be posted in conformance with LVMC 19.16.010 (D).

3. Planning Commission Decision

Following the public hearing or hearings, the Planning Commission shall make its recommendations concerning the application for rezoning. The recommendation may be for approval or denial. In considering whether to recommend approval or denial of an application, the Planning Commission may, when it appears necessary or expedient, consider recommending:

a. The approval of a more restrictive zoning classification than that set forth in the application; or

b. That fewer than all parcels described in the application be rezoned to either the zoning

classification requested in the application or a more restrictive classification, but only if such parcels are distinct legal parcels.

4. Notice of Planning Commission Decision

Following the date of the Planning Commission decision, a report of its findings and decision shall be forwarded to the City Council. The report shall recite, among other things, the facts and reasons which, in the opinion of the Commission, make the approval or the denial of the rezoning necessary or appropriate to carry out the provisions and general purposes of this Title. Written notice of the decision shall be provided to the applicant, agent, or both.

J. Burden of Proof

The applicant bears the burden of proof to establish that the approval of the rezoning is warranted.

K. City Council Public Hearing and Action

1. Notice and Hearing. The City Council shall consider the proposed rezoning and the recommendation of the Planning Commission at the next available meeting following the receipt of the recommendation. The City Clerk shall mail written notice of the Council hearing, at least ten days before the hearing, to the property owners who were notified by mail of the Planning Commission hearing, or to the current owners of record in the case of properties whose ownership has changed in the interim.

2. City Council Decision

a. Decision. The City Council may approve or deny an application for a rezoning. In considering whether to approve or deny an application, the City Council may consider:

i. The rezoning of the property to a more restrictive zoning classification than that set forth in the application; or

ii. The rezoning of fewer than all parcels described in the application to either the zoning classification requested in the application or a more restrictive classification, but only if such parcels are distinct legal parcels.

b. Change to More Restrictive Zoning. If, at the public hearing, the applicant proposes amending the rezoning application to a more restrictive zoning classification, the City Council may act on the request or refer the application back to the Planning Commission for consideration.

c. Significant Changes to Application. If the applicant proposes significant changes to the application during the hearing, or if new information is presented that significantly changes the nature and scope of the application, the request should be referred back to the Planning Commission for consideration.

3. Notice of City Council Decision. Following the hearing on a proposed rezoning, the City Council shall reach a decision concerning the proposal. The decision shall include the reasons for the decision. Written notice of the decision shall be provided to the applicant or his agent, or both. A copy of the notice shall also be filed with the City Clerk, and the date of the notice shall be deemed to be the date that notice of the decision is filed with the City Clerk.

L. Rezoning Determinations—Approval

In order to approve a proposed rezoning, the Planning Commission or City Council must determine that:

1. The proposal conforms to the General Plan.

2. The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.

3. Growth and development factors in the community indicate the need for or appropriateness of the rezoning.

4. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.

M. Rezoning Determinations—Denial or Limited Approval

In order to: (1) Deny a proposed rezoning which conforms to the General Plan as to use or is within the range of density allowable under the General Plan; or (2) Over the applicant's objection, approve the application for a lesser density or for a more restrictive zoning classification than requested, the Planning Commission or City Council must determine that the proposed rezoning is inconsistent with other elements of the General Plan or is incompatible with the surrounding development in the area.

N. Site Development Plan

The Planning Commission and the City Council may, as a part of an approval motion, reserve the right to review any subsequent Site Development Plan for the site.

O. Authorization to Proceed

Approval of a rezoning application by the City Council constitutes a declaration of intent to amend the Official Zoning Map Atlas of the City to reflect the zoning district approved for the property. Such approval authorizes the applicant to proceed with the process to develop and/or use the property in accordance with the development and design standards and procedures of all City departments and in conformance with all requirements and provisions of the City of Las Vegas Municipal Code.

P. Procedures Governing Rezoning Approvals Granted Before July 1, 2007

1. **Resolution of Intent.** Before the City Council adopts an ordinance to effectuate a rezoning, the Council may adopt a Resolution of Intent to reflect the Council's approval of the rezoning. Such a Resolution of Intent is binding upon the City Council in accordance with its terms and shall have a time limit not to exceed two years.

2. **Finalizing Rezoning by Ordinance.** The final step in the rezoning process, whether or not rezoning approval is by means of a Resolution of Intent, is the adoption of a rezoning ordinance in which the zoning classification of one or more parcels is formalized.

3. **Changes.** No substantial change may be made to a development or to the rezoning approval which authorized that development without the approval of the City Council. This approval requirement applies to the rezoned parcel both before and after the adoption of an ordinance rezoning that parcel.

4. **Termination of Rezoning Approvals Subject to a Resolution of Intent**

   a. **Approvals Not Subject to Time Limit.** If development does not occur in a timely manner or if conditions in the area change subsequent to the original approval of a rezoning that is not subject to a time limit, the City Council may schedule a hearing to reconsider the Resolution of Intent. At such time, the Council may rescind the Resolution of Intent or may change the conditions of approval. In addition, if such a rezoning approval no longer conforms to the use and density classification of the General Plan, the City may notify the property owner that the rezoning must be exercised within one year. Thereafter, the approval shall be treated as an approval subject to a time limit in accordance with Subparagraph (b) below.

   b. **Approvals Subject to Time Limit.** Except as otherwise provided in Paragraph (5) below, a rezoning approval which is not exercised within the time limit established for or by the Resolution of Intent shall be void.

   c. **Methods for Exercising Rezoning Approvals.** For purposes of this Paragraph (4), a rezoning approval is exercised as follows:

      i. For applications that require the creation of a residential subdivision, upon the recordation of a final subdivision map;

      ii. For applications that require the construction of one or more new structures, but do not require the creation of a residential subdivision map, upon the issuance of a building permit for the new construction;

      iii. For all other applications, upon the issuance of a certification of occupancy or approval of a final inspection, whichever is applicable.

5. **Extension of Time-General Requirements.** If the approval of a Resolution of Intent is subject to a time limit, the approval expires at the end of that time limit unless the City Council extends the approval period. Extension of an approval period may be granted only if:

   a. Application therefore is made prior to the expiration of the time limit;

   b. The applicant demonstrates good cause; and

   c. The applicant conforms to the additional requirements set forth in Paragraph (6) below.

6. **Extensions of Time-Additional Requirements.** If a time-limited zoning approval that is sought to be extended continues to conform to the use and density classifications of the General Plan, the applicant must demonstrate that the rezoning remains consistent with the surrounding area and the pattern of development in the area. If the rezoning sought to be extended no longer conforms to the use and density classifications of the General Plan, the extension of time, if granted,

shall be limited to a one-year period. If, within that period, the zoning approval is not exercised by means of the recordation of a final subdivision map or by the commencement of actual construction, the approval terminates.

Q. Procedures Governing Rezoning Approvals Granted On or After July 1, 2007

The approval of a rezoning application shall be formalized by the subsequent adoption of an ordinance in which the rezoning of one or more parcels is reflected. No substantial change may be made to a development or to the rezoning approval which authorized that development without the approval of the City Council.

19.16.100

SITE DEVELOPMENT PLAN

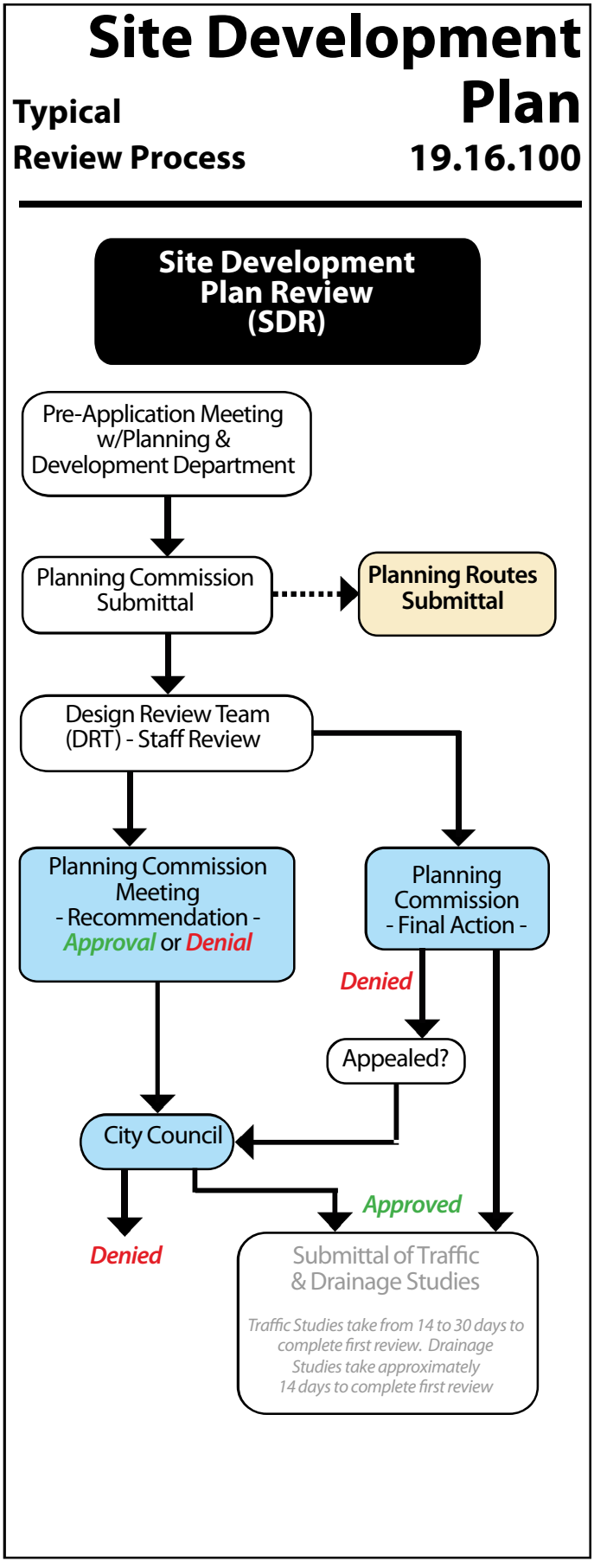
A. Purpose

The purpose of the Site Development Plan Review process is to ensure that each development:

1. Is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards and other regulations, plans and policies of the City;
2. Contributes to the long term attractiveness of the City;
3. Contributes to the economic vitality of the community by ensuring compatibility of development throughout the community; and
4. Contributes to the public safety, health and general welfare.

B. Applicability

1. **Site Development Plans Required.** Except as otherwise provided in this Subsection (B), a Site Development Plan is required for all development in the City.
2. **Exemptions.** Except where the City Council or Planning Commission has specifically reserved the right of review through a prior action, the following activities and improvements do not require a Site Development Plan Review:
   - **a.** Single-family or duplex dwelling units, except as provided in Paragraph (3) below;
   - **b.** Residential accessory buildings;
   - **c.** On-site signs, walls and fences;
   - **d.** Demolition of a structure;
   - **e.** Sculptures, fountains and other similar improvements;
   - **f.** Normal repairs and maintenance of an existing building or structure;
   - **g.** Activities and improvements undertaken in conjunction with a Temporary Commercial Permit; and
   - **h.** Alterations which do not affect the external



dimensions of an existing building or structure, unless the alterations are made to change the use or type of occupancy within part or all of the altered building or structure.

3. **Certain Conversions.** The conversion of any development from multi-family or apartment development to condominium status shall require a Site Development Plan Review.

C. Authority

1. The Director shall have the authority to:

   a. Determine whether an activity or improvement is exempt under Paragraph (2) of Subsection (B) of this Section;

   b. Determine whether a Site Development Plan will be subject to a major review or a minor review under this Section; and

   c. Approve or deny any Site Development Plan which requires a minor review; provided, however, that final approval authority shall rest with:

      i. The Planning Commission, if the Commission specifically has reserved the right, through prior action, to review and maintain approval authority of any Site Development Plan; or

      ii. The City Council, if the Council specifically has reserved the right, through prior action, to review and maintain approval authority of any Site Development Plan, or if a member of the City Council requests a review pursuant to this Section.

2. In approving a Site Development Plan, the Director, or if applicable, the Planning Commission or City Council, may impose conditions deemed necessary to ensure the orderly development of the site.

D. Design Standards

All required Site Development Plans shall meet or exceed the minimum standards established in this Title. In addition, the City may adopt policy documents as a resource for acceptable standards and design solutions. To the extent that such documents establish minimum requirements and standards and are formally adopted by the City Council, Site Development Plans must comply with those documents.

E. Criteria for Review of Site Development Plans

The review of Site Development Plans is intended to ensure that:

1. The proposed development is compatible with adjacent development and development in the area;

2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;

3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;

4. Building and landscape materials are appropriate for the area and for the City;

5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;

6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

F. Minor Review of Site Development Plans

1. **Minor Review Decisions.** Site Development Plans requiring Minor Reviews may be approved administratively by the Director. Minor Reviews include without limitation:

   a. Alterations which affect the external dimensions of an existing building or structure that complies with all applicable requirements of this Title and with any previous conditions or discretionary approval.

   b. New commercial or industrial construction of five thousand square feet or less that complies with all applicable requirements of this Title.

   c. New residential construction consisting of no more than four dwelling units that complies with all applicable requirements of this Title and is not part of a sequential application for additional units.

2. **Minor Review Process.** A Minor Development Review is initiated by the submission of a Site Development Plan Review application or an application for a Building Permit. If submitted as part of a Building Permit application, issuance of the Building Permit shall constitute approval of the Minor Review and no further action is required.

3. **Review by City Council.** The administrative approval of a Site Development Plan pursuant to this Subsection (F) shall be final action unless, within 10 days following the approval, a member of the City Council files with the Director a written request for the Council to review the approval. In the event such a request is filed, the Site Development Plan shall be subject to the Major Development Review Process set forth in Subsection (G) of this Section.

G. Major Review of Site Development Plans

1. **Major Review.** A Major Review of a Site Development Plan is required if:

   a. The Planning Commission or City Council, through prior action, has determined that the proposed project or improvement shall be processed as a Major Review;

   b. The proposed development contains a building which is four stories or greater in height; or

   c. The Director determines that the proposed development could significantly impact the land uses on the site or on surrounding properties.

2. **Major Review Process**

   a. Application. A pre-application conference pursuant to LVMC 19.16.010(B)(3) is required prior to submitting an application for a Major Development Review. A Site Development Plan requiring a Major Development Review shall be filed with the Department. The application shall be signed and notarized:

      i. By the owner of the property, where the development is to be undertaken by the owner or the owner's authorized agent; or

      ii. By a prospective purchaser or the property, where the property is owned by the State of Nevada or the United States of America and the prospective purchaser has:

         A) Entered into a contract with the governmental entity to obtain ownership of the property;

         B) Provided to the Department a letter from the governmental entity indicating that it consents to the filing of the application and agrees to be bound by the application; or

         C) Provided to the Department a letter from the governmental entity indicating that it has no objection to the filing of the application.

      In the case of an application that is supported by a letter of no objection under Subparagraph (a)(ii)(C) of this Paragraph (2), the applicant shall acknowledge in writing by means of a form provided by the Department or in a form acceptable to the City Attorney, that the processing of the application is done as an accommodation only; that the application, the results thereof, and any entitlements related thereto are dependent upon the applicant's obtaining an enforceable contractual interest in the property; and that the applicant assumes the risk of proceeding without any assurance that approval of the application will lead to an ability to implement the approval.

   b. Drawings and Plans Required. Plans describing the proposed development of the property shall be submitted as required by the Director. Complete working drawings are not necessary; however, proposed structures (including building elevations), streets, driveways and access points, sight visibility restriction zones (as described in LVMC 19.02.190), on-site circulation and parking, walls, landscaping, building materials, dumpster locations and other improvements must be shown. Preliminary drawings must contain sufficient information to permit the determination of compliance with good planning practices, applicable standards and ordinances. Floor plans are not normally required. For any development site where twenty percent or more of the aggregate site has a slope of natural grade above four percent, a cross section must be submitted. Each cross section must extend a minimum of one hundred feet beyond the limits of the project at each property line, showing the location and finish floor elevations of adjacent

structures; the maximum grade differentials; and the elevations of existing and proposed conditions.

c. Circulation to Departments. After an application has been determined complete, it shall be forwarded to interested City Departments for their respective comments, recommendations and requirements.

d. Planning Commission Notice and Hearing. After interested City Departments have had the opportunity for comment and the Department has conducted its review, each application for Major Review shall be presented to the Planning Commission. Notice of the time, place and purpose of the hearing must be given at least ten days before the hearing by:

i. Publishing the notice in a newspaper of general circulation within the City;

ii. Mailing a copy of the notice to:

A) The applicant;

B) Each owner of real property located within a minimum of one thousand feet of the property described in the application;

C) Each tenant of any mobile home park that is located within one thousand feet of the property described in the application;

D) The owner of each of the thirty separately-owner parcels nearest to the property described in the application to the extent this notice does not duplicate the notice otherwise required by this Subparagraph (d);

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

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

e. Planning Commission Decision. In making its final decision, the Planning Commission shall consider the recommendation of the City Departments, the evidence presented at the hearing and the criteria set forth in Subsection (E) of this Section. The Planning Commission may approve, approve with conditions, or deny an application for a Major Review. All actions by the Planning Commission are final unless:

i. An appeal is filed by the applicant in accordance with Subparagraph (f) below;

ii. Otherwise required by prior action of the City Council; or

iii. In the case of Planning Commission approval, a member of the City Council files with the City Clerk, within 10 days following the approval, a written request for the Council to review the approval.

f. Appeal of Planning Commission Action. If the applicant is aggrieved by the Planning Commission's denial of an application, or by any condition imposed upon an approval, the applicant may appeal the decision to the City Council by written request. In the case of an approval, an appeal may be filed by any property owner within the area of notification for the Planning Commission hearing, as well as by anyone who appeared, either in person, through an authorized representative or in writing, before the Planning Commission regarding the application. Any appeal must be filed in the Office of the City Clerk within ten days after the Planning Commission's action. Pursuant to LVMC 19.16.010(C), the City Council my establish one or more fees to be paid in connection with the filing of an appeal under this Subparagraph (f), and the amount of any fee so established shall be as set forth in the Fee Schedule.

g. City Council Notice and Hearing. All Major Reviews requiring review by the City Council shall be forwarded to the Office of the City Clerk and shall be placed on the next available City Council agenda for hearing. The City Clerk shall mail written notice of the Council hearing, at least ten days before the hearing, to the property owners who were notified by mail of the Planning Commission hearing, or to the current owners of record in case of properties whose ownership has changed in the interim.

h. City Council Decision. In making its final decision, the City Council shall consider the

recommendation of the City Departments and the Planning Commission, the evidence presented at the hearing and the criteria set forth in Section (E) of this subchapter. The City Council may approve, approve with conditions, or deny an application for a Major Review. All actions by the City Council are final. Written notice of the decision shall be provided to the applicant, agent or both. A copy of the notice shall also be filed with the City Clerk, and the date of the notice shall be deemed to be the date notice of the decision is filed with the City Clerk.

H. Amendment to an Approved Site Development Plan

After a Site Development Plan has been approved, any request to amend the approved Plan shall be submitted to the Department. Upon receipt of an amendment request, the Director shall determine if the amendment is a minor or major change.

1. **Minor Amendment.** Minor relocation or reorientation of buildings, lot lines and/or easements, relocation of internal access and circulation; relocation or rearrangement of parking areas, reduction of established square footage and/or density limitations, and increase of landscape or building setbacks are considered minor amendments and may be approved administratively. However, the Director has no authority to approve any:

   a. Alteration in the basic relationship of the proposed development to adjacent property;

   b. Change necessitating a waiver or variance of development standards set forth in this Title;

   c. Increase in the maximum density, floor area, or height by more than ten percent;

   d. Material decrease in the amount of off-street parking, unless the amount of parking remains sufficient and conforms to the requirements of this Title;

   e. Reduction in the minimum yards or setbacks by more than 10 percent;

   f. Material change in the characteristics of the elevational drawings so as to alter the basic design quality and character of the proposed development; or

   g. Other material change that is not necessitated by the minimum requirements adopted under the authority of LVMC Title 6, LVMC Chapter 20.10 or the Uniform Standard Drawings, as adopted by the City.

2. **Major Amendment.** Any amendment which does not quality as a Minor Amendment shall be deemed to be considered a Major Amendment and shall be processed in the same manner as a new Site Development Plan application.

I. Revocation or Modification

1. **Notice.** The authority responsible for the final approval of a Site Development Plan may hold a hearing to revoke or modify an approved Site Development Plan. In cases where the Director was the approval authority, the Director may issue a written notice of hearing concerning a possible revocation or modification of the Plan, or may refer the item to the Planning Commission. At least ten days prior to any hearing, written notice of the hearing shall be delivered to the owner, developer, or both. Notice may be delivered in person or by certified mail, return receipt requested, to the address shown in the records of the Clark County Assessor.

2. **Grounds.** A Site Development Plan approval may be revoked or modified by the reviewing authority for cause, including a finding of one or more of the following:

   a. That the Site Development Plan approval was obtained by misrepresentation or fraud;

   b. That the development is not in compliance with one or more of the conditions of approval;

   c. That the development is in violation of any State or local law, ordinance or regulation.

3. **Notice of Decision.** Written notice of the decision shall be provided to the owner, developer or agent. A copy of the notice shall also be filed with the City Clerk, and the date of the notice shall be deemed to be the date notice of the decision is filed with the City Clerk.

J. Expiration

A Site Development Plan which is not exercised within the approval period shall be void, unless an extension of time is granted upon a showing of good cause. An extension of time may be granted only if application

therefor is made prior to the expiration of the approval period. For purposes of this Subsection (J):

1. The "approval period" for a Site Development Plan is the time period specified in the approval, if one is specified, and is two years otherwise.

2. A Site Development Plan is exercised upon the issuance of a building permit for the principal structure on the site or, in the case of a residential subdivision, upon the recordation of a final subdivision map.

19.16.110

SPECIAL USE PERMIT

A. Purpose

The purpose of the Section is to establish a Special Use Permit process to ensure that a proposed use is conducted in a manner that is harmonious and compatible with uses located on the same or surrounding properties. The process recognizes that, within a given zoning district, certain uses may be appropriate and compatible in some locations but not in others. The Special Use Permit process allows a site-specific inquiry into the compatibility of a proposed use at a particular location, taking into account: the characteristics of the site and the surroundings; the relevant zoning and planning principles; and the input of the Planning Commission, City Council and other interested parties.

B. Authority

Except as otherwise provided in this Subsection (B), the Planning Commission shall have the authority to approve, approve with conditions, or deny an application for a Special Use Permit, and the decision of the Planning Commission is final. If the decision of the Planning Commission is appealed or forwarded to the City Council in accordance with this Section, the City Council may affirm, modify or reverse the decision of the Planning Commission. The decision of the City Council is final for purposes of judicial review.

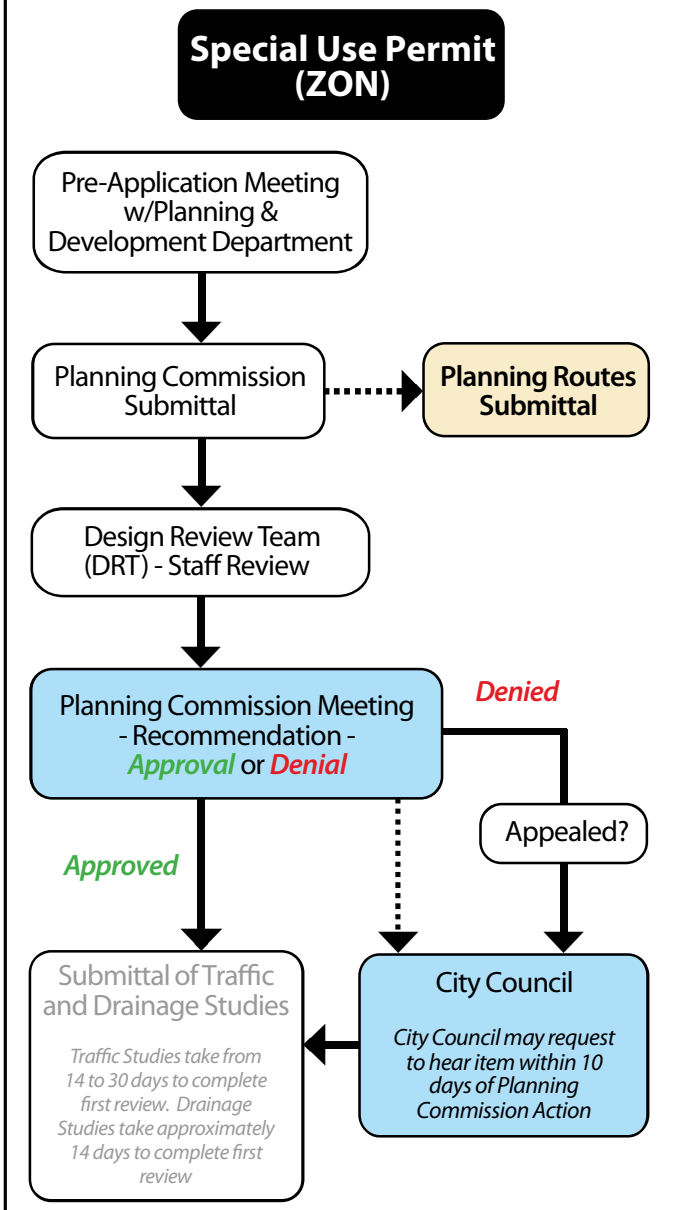
C. Application

A pre-application conference shall be required prior to the submittal of any application for a Special Use Permit. An application for a Special Use Permit shall be made on a form to be provided by the Department. The application shall be filed with the Secretary of the Planning Commission at the office of the Department. The application shall be signed, notarized and acknowledged by the record owner of the property for which the Special Use Permit is sought, provided however, that:

1. **Other Governmental Ownership.** With respect to property which is owned by the State of Nevada or the United States of America, a Special Use Permit application is sufficient if it is signed and acknowledged by a prospective purchaser of that property who has entered into a contract with the governmental entity to obtain ownership of the property;

2. **Non-Owner Applicant.** A Special Use Permit application is sufficient if it is signed and acknowledged by a lessee, a contract purchaser or an optionee of the property for which a Special Use

Special Use Permit
Typical Review Process
19.16.110



Permit is sought. However, interest in that property must exist in a written agreement with the owner of record attached to which is a copy of the Special Use Permit application and, in which, the owner of record has authorized the lessee, contract purchaser or optionee to sign the application. The agreement must further stipulate that the owner of record consents to the filing and processing of the application and agrees to honor and be bound by the requested Special Use Permit if it is approved and by any conditions of approval attached thereto.

3. **SUP for Gaming.** Applications for a Special Use Permit to allow gaming pursuant to the requirements of LVMC 6.40.140 (C) and LVMC 6.40.150 (E) may be signed and acknowledged by a lessee of the premises; provided however, that a lessee/applicant must provide copies of lease agreements to show that there are no prohibitions therein to conducting gaming operations on the leased premises. The application need only be accompanied by the applicable lease documents, the floor plan location of the slot machines and the requisite fee.

D. Successive Applications

1. **Previous SUP Application.** An application for a Special Use Permit, of which all or any part of a previous application for the same use, a similar use or a less restrictive use has been denied, or of which a previous application has been withdrawn subsequent to the noticing of a public hearing thereon, shall not be accepted until the following periods will have elapsed between the date of the denial or withdrawal and the date of the meeting for which the proposed application would be scheduled in the normal course:

   a. After the first denial or any withdrawal after public notice has been given – one year.

   b. After the second or subsequent denial or withdrawal after public notice has been given - two years.

2. **Previous Similar Application.** An application for a Special Use Permit concerning all or any part of a previous application for a Variance or Rezoning for the same use, a similar use or a less restrictive use which has been denied, or concerning a previous application which has been withdrawn subsequent to the noticing of a public hearing, shall not be accepted until the periods described in Paragraph (1) have elapsed.

3. **Withdrawal Without Prejudice.** The time periods that are described in Paragraphs (1) and (2) above, and that otherwise would become effective because of the withdrawal of an application, shall not become effective if, after consideration of the timing and circumstances of the withdrawal, the Planning Commission or the City Council specifically approves the withdrawal without prejudice.

E. Required Drawings Plans and Other Submittals

1. **General.** A Site Development Plan and a floor plan of the site which is the subject of the Special Use Permit application shall be submitted concurrently with any application for a Special Use Permit. Guidelines for the preparation of the site plan, floor plans and building elevations are available in the Department. Complete working drawings are not necessary; however, proposed improvements, streets, landscape areas and similar items must be shown. Preliminary drawings must contain sufficient information to permit the determination of compliance with good planning practices, applicable standards and ordinances.

2. **Non-stealth Design Wireless Communication Facility.** In addition to the information required by Paragraph (1) of this Subsection, the applicant for a Special Use Permit for a non-stealth design wireless communication facility shall provide the Department with the following:

   a. An inventory of all of the communication providers (or antenna tower owners if the providers are not yet known) for existing antenna towers that are within the City and within 1500 feet of the border thereof, including specific information about the location, height and design of each such tower. This information is required with the first Special Use Permit application, but may be waived (in conjunction with subsequent applications) at the discretion of the Director if the applicant provides a written statement indicating that no new antenna towers have been constructed since the initial application.

   b. A map of all existing communication towers, buildings, utility poles or other structures over 60 feet in height within 1000 feet of the proposed tower; and

   c. A photo simulation which identifies the potential visual impacts of the antenna tower, especially from public areas and residences. This requirement may be waived if the Director determines that the visual impacts would be minimal.

d. Assurance that the antenna planned for the proposed antenna tower cannot be accommodated as a stealth design wireless communication facility, or on an existing or approved tower, building or other structure within 1000 feet of the proposed location based on the communications grid established or to be established by the communication provider(s). Reasons which may support a finding that a proposed antenna cannot be accommodated as a stealth design wireless communication facility, or on an existing or approved tower, building or other structure include:

i. That the Director has determined that co-location on an existing or approved tower, building or other structure would be unsightly;

ii. That the owner of the existing tower, building or structure is unwilling to agree to co-location or to provide adequate space on the property for the equipment necessary to support communication antennas;

iii. That the structural capacity for the antenna on the existing tower, building or other structure would be inadequate;

iv. That the new antenna would interfere with existing or other planned equipment on the existing or approved tower, building or other structure;

v. That the existing or approved towers, buildings or other structures in the area are not high enough support the antenna; and

vi. That it is commercially impracticable or technically unfeasible to locate on the existing tower, building or other structure for other reasons. To substantiate these reasons, the applicant shall submit satisfactory written evidence such as correspondence, agreements, contracts, etc., that alternative towers, buildings or other structures are not available for use in the area where the antenna is to be located.

e. In the case of the proposed tower greater than 60 feet in height, a description of the applicant's efforts to design for and accommodate facilities for other communication providers.

3. Amphitheater. In addition to the information required by Paragraph (1) of this Subsection, the applicant for a Special Use Permit for an amphitheater shall provide the Department with the following:

a. A sound study that addresses how noise levels will be attenuated so as not to exceed the ambient noise levels adjacent to and beyond the subject site.

b. An engineering and traffic study that addresses, as applicable, each of the following elements as they pertain to traffic movement and to stopping, standing and parking restrictions:

i. Accident analysis.

ii. Capacity analysis.

iii. Geometric review, including roadway width.

iv. Parking measurements, including parking angle and parking maneuvering area.

v. Pedestrian volume within parking and maneuvering area.

vi. Sight distance, including corner sight distance.

vii. Speed data, including speed limit.

viii. Traffic volumes, including peak-hour volume.

F. Request for Abeyance

Any applicant who wishes to have an application held in abeyance following the notice and posting of the agenda of the Planning Commission or the City Council shall state good cause for the request. Good cause shall be more than mere inconvenience to the applicant or lack of preparation.

G. Planning Commission Public Hearing and Action

1. Hearing. The Planning Commission shall hold a public hearing on each application for a Special Use Permit within 65 days after the application is properly filed.

2. Notice

a. Notice Provided. Notice of the time, place and purpose of the hearing must be given at least

10 days before the hearing by:

i. Publishing the notice in a newspaper of general circulation within the City;

ii. Mailing a copy of the notice to:

A) The applicant;

B) Each owner of real property located within a minimum of one thousand feet of the property described in the application, or in the case of an application to authorize the sale of alcoholic beverages, a minimum of one thousand five hundred (1500) feet;

C) Each tenant of any mobile home park that is located within one thousand feet of the property described in the application, or in the case of an application to authorize the sale of alcoholic beverages, a minimum of one thousand five hundred (1500) feet;

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

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

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

b. Names Provided. The Department shall provide at the request of the applicant, the name and address of any person notified pursuant to Subparagraph (a)(ii)(F) above.

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

d. Signs. Notification signs shall be posted in conformance with LVMC 19.16.010 (D) and NRS Chapter 278.

3. Hearing. The Planning Commission shall conduct a public hearing on the application. In its discretion and for good cause, the Planning Commission may hold the application in abeyance for further study. However, subject to the provisions of State law, the Commission may not grant to an applicant more than two continuances on the same matter, unless the Commission determines, upon good cause shown, that the granting of additional continuances is warranted. Following the hearing or hearings, the Planning Commission shall approve, approve with conditions, or deny the application for a Special Use Permit. The decision shall be based upon the recommendation of City departments and other evidence that makes the grant or denial of the Special Use Permit appropriate under Subsection (L) of this Section.

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

5. Notice of Planning Commission Decision. The Planning Commission shall provide written notice of its decision, which shall include the reasons for the decision,, and if the decision is to approve the Special Use Permit, any modifications, conditions or limitations that the Planning Commission may impose. The notice shall be provided to the owner, developer or agent. A copy of the notice shall also be filed with the City Clerk, and the date of the notice shall be deemed to be the date notice of the decision is filed with the City Clerk.

H. Precedents

The fact that a Special Use Permit for the same or similar use has been granted previously for the subject property or nearby property is a factor to be considered, but is not determinative.

I. Burden of Proof

The applicant bears the burden of proof to establish that the approval of a Special Use Permit is warranted.

J. Appeals and City Council Review

1. **Appeal and Requests for Review.** Except as otherwise provided in Paragraph (2) below, a decision by the Planning Commission becomes final and effective at the expiration of ten days after the date of the decision unless, within that period, a written appeal or written request to review is filed in the office of the City Clerk. An appeal may be filed by the applicant and, with respect to an approval, by any property owner within the area of notification for the Planning Commission hearing, as well as by anyone who appeared, either in person, through an authorized representative or in writing, before the Planning Commission regarding the application. Pursuant to LVMC 19.16.010(C), the City Council may establish one or more fees to be paid in connection with the filing of an appeal under this Paragraph (1), and the amount of any fee so established shall be as set forth in the Fee Schedule. A request to review may be filed by a member of the City Council.

2. **Applications Automatically Forwarded to City Council.** Special Use Permit applications of the following types, whether approved or denied by the Planning Commission, shall be forwarded automatically to the City Council for final decision:

   a. A Special Use Permit application that is required to be heard by the City Council by virtue of prior Council action;

   b. A Special Use Permit application that is related to and was filed in connection with an application for any of the following:

      i. A General Plan Amendment;

      ii. A Rezoning; or

      iii. A Site Development Plan Review that, pursuant to LVMC 19.16.100(G) requires final action by the City Council.

K. City Council Public Hearing

1. **Notice and Hearing.** The City Council shall conduct a public hearing on all Special Use Permit applications which are appealed or are forwarded to the Council for final action. The City Clerk is authorized to consolidate all appeals or requests for review that have been filed regarding a particular application, or to schedule them in sequence or otherwise, in which case the City Council may hear the items separately or consolidate them for purposes of hearing, as the Council deems appropriate. The City Clerk shall mail written notice of the Council hearing, at least ten days before the hearing, to the property owners who were notified by mail of the Planning Commission hearing, or to the current owners of record in case of properties whose ownership has changed in the interim.

2. **City Council Decision.** In considering whether to affirm, modify or reverse the decision of the Planning Commission, the City Council shall consider the decision of the Planning Commission and the evidence presented at the public hearing, and shall be guided by the statement of purpose underlying the regulation of the improvement of land expressed in NRS 278.020. Action by the City Council is final for purposes of judicial review. In the case of an appeal, the City Council:

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

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

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

L. Special Use Permit - Determinations

1. In order to approve a proposed Special Use Permit application, the Planning Commission or City Council must determine that:

   a. The proposed use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan;

   b. The subject site is physically suitable for the type and intensity of land use being proposed;

   c. Street or highway facilities providing access to the property are or will be adequate in size to

meet the requirements of the proposed use; and

d. Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety and welfare or the overall objectives of the General Plan.

2. In order to approve a Special Use Permit application for a non-stealth design wireless communication facility, the Planning Commission or City Council must determine, based upon satisfactory evidence, that:

a. Within an area designated as a Historic Preservation District, the proposed facility has first been reviewed by the Historic Preservation Commission.

b. The antenna planned for the proposed facility cannot be accommodated as part of a stealth design communication facility, or on an existing or approved tower, building or other structure, within 1000 feet of the proposed location based on the communications grid established or to be established by the communication provider.

Reasons which may support such a determination include:

i. That the co-location on an existing or approved tower, building or other structure would be unsightly;

ii. That the owner of the existing tower, building or structure is unwilling to agree to co-location or to provide adequate space on the property for the equipment necessary to support communication antennas;

iii. That the structural capacity for the antenna on the existing tower, building or other structure would be inadequate;

iv. That the new antenna would interfere with existing or other planned equipment on the existing or approved tower, building or other structure;

v. That the existing or approved towers, buildings or other structures in the area are not high enough to support the antenna; and

vi. That it is commercially impracticable or technically unfeasible to locate on the existing tower, building or other structure for other reasons.

c. In the case of a proposed tower greater than 60 feet in height, the applicant has made satisfactory efforts to design for an accommodate facilities for other communication providers.

M. Amendments to an Approved Special Use Permit

Any request to amend or modify an approved Special Use Permit shall be submitted to the Department. Upon receipt of such a request, the Director shall determine if the request constitutes a minor amendment or a major amendment. Minor amendments may be approved administratively. A major amendment requires approval by the Planning Commission or City Council, whichever body took final action to approve the Special Use Permit. Minor and major amendments are categorized as follows:

1. Minor Amendments. An amendment qualifies as a minor amendment if it meets either of the following criteria and does not require the waiver of any minimum Special Use Permit requirement or the increase or expansion of such a waiver that was allowed previously:

a. A reduction or expansion of the use allowed by the Special Use Permit that represents less than fifty percent of the square footage of the original approval.

b. A relocation of the use on the same legal parcel as the original approval where any reduction or expansion of the use qualifies under Subparagraph (a) above.

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

N. Premature Use of Property

The issuance of a building permit or business license for a use that requires a Special Use Permit, before Special Use Permit is approved, does not replace or otherwise affect the Special Use Permit requirement.

O. Revocation

1. Notice. A Special Use Permit may be revoked or modified by the Planning Commission or the City Council, whichever body took final action to

approve the Special Use Permit. Such action must be preceded by a hearing, written notice of which must be delivered to the owner, developer, or both at least ten days before the hearing. Notice may be delivered in person or by certified mail, return receipt requested, mailed to the address shown in the records of the Clark County Assessor.

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

   a. That the Special Use Permit was obtained by misrepresentation or fraud;

   b. That conditions have changed and the use or development is no longer compatible with surrounding land uses or the General Plan;

   c. That the use or development is not in compliance with one or more of the conditions of approval;

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

3. **Notice of Decision.** Written notice of a decision regarding the revocation or modification of a Special Use Permit shall be provided to the owner, developer or agent.

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

P. Termination

1. **Expiration for Failure to Exercise**

   a. A Special Use Permit which cannot be exercised except upon construction of a new building, and which is not exercised within the approval period, shall be void, unless the applicant obtains an extension of time upon a showing of good cause. Application for an extension shall be made to the Planning Commission or City Council, whichever body took final action to approve the Special Use Permit. An extension of time may be granted only if application therefor is made prior to the expiration of the approval period. For purposes of this Subparagraph (a):

      i. The "approval period" for a Special Use Permit is the time period specified in the approval, if one is specified, and is two years otherwise.

      ii. A Special Use Permit is exercised upon the issuance of a building permit for the new construction.

   b. A Special Use Permit which does not require the construction of a new building in order to be exercised, and which is not exercised within the approval period shall be void, unless the applicant obtains an extension of time upon a showing of good cause. Application for an extension shall be made to the Planning Commission or City Council, whichever body took final action to approve the Special Use Permit. An extension of time may be granted only if application therefor is made prior to the expiration of the approval period. For purposes of this Subparagraph (b):

      i. The "approval period" for a Special Use Permit is the time period specified in the approval, if one is specified, and is two years, otherwise.

      ii. A Special Use Permit is exercised upon the approval of a business license to conduct the activity, if one is required, or otherwise, upon the issuance of a no-work certificate of occupancy (where no structural work is required) or the approval for tenant improvements.

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

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

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


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ADMINISTRATIVE DEVIATION

A. Purpose

The purpose this Section is to establish a procedure (entitled an Administrative Deviation) to allow for minor adjustments of specific requirements of this Title where, because of special and unique conditions applicable to a specific lot or structure, the literal enforcement of the requirements as applied to the lot or structure would result in an unnecessary hardship. The Administrative Deviation procedure is available as an alternative to the Variance procedure, to be pursued at the option of the applicant. If an application for Administrative Deviation is denied, the Variance procedure must be followed in order for the applicant to obtain the relief sought.

B. Authority

The Director shall have the authority to grant an Administrative Deviation, in accordance with the provisions of this Subchapter, to allow a deviation of up to ten percent regarding the following:

1. Front, rear and side yard building setbacks;

2. Wall heights;

3. Accessory structure setbacks and heights;

4. Planting areas and materials; and

5. Loading and stacking spaces.

C. Eligibility to Apply

1. No application for an Administrative Deviation regarding a building setback may be submitted unless:

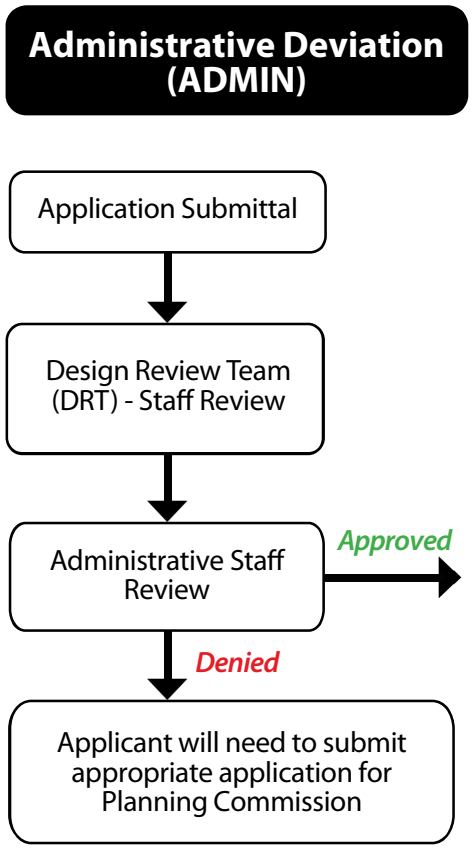
a. In the case of a required side or rear setback of ten feet or less, the requested deviation will not exceed ten percent of the required setback, and construction within the reduced setback will not extend more than 15 feet parallel to the property line from which the setback is measured;

b. In the case of required side or rear yard setback of greater than ten feet or a required front yard setback of greater than ten feet (exclusive of front-loading garages), the requested deviation will not exceed ten percent of the required setback, and construction within the reduced setback will not extend more than 15 feet parallel to the property line from which the

Administrative Deviation

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setback is measured; and

c. The requested deviation is for a structure that will not exceed the greater of one story or 15 feet in height.

2. No application for an Administrative Deviation may be submitted regarding the height of an accessory structure unless the requested height does not exceed 1.2 times the height of the main dwelling and does not exceed the allowable building height for the zoning district in which the property is located.

D. Application

1. An application for an Administrative Deviation shall be made to the Director on a form provided by the Department. The application shall be filed with the office of the Department.

2. The application shall be signed, notarized and acknowledged by the record owner of the property for which the Administrative Deviation is sought.

E. Decision

Within 30 days after a complete application for Administrative Deviation has been filed and accepted, the Director shall make a decision to approve, approve with conditions or deny the application.

F. Administrative Deviation Determinations

In order to approve an Administrative Deviation, the Director must determine that:

1. The request does not exceed the prescribed limitations of Subsection (C);

2. Granting the Administrative Deviation will not be inconsistent with the spirit and intent of the General Plan;

3. The request is not intended to be combined with a previous or future Variance request in order to achieve a deviation that would not likely be granted by means of Variance alone; and

4. That one or more of the following conditions exist:

a. There are special circumstances applicable to the property, such as size, shape, topography, location or surroundings and that the strict application of the Code requirement deprives the property of privileges enjoyed by other property in the vicinity and under the identical land use district classification;

b. Granting the Administrative Deviation is necessary for the preservation and enjoyment of a substantial property right possessed by other property owners in the same vicinity and land use district and is denied to the property for which the Administrative Deviation is sought;

c. The Administrative Deviation will not be materially detrimental to the public health, safety, or general welfare, or injurious to the property or improvements in the vicinity and land use district in which the property is located; or

d. Granting the Administrative Deviation does not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and land use district in which the property is located.

G. Conditions

In connection with the approval of an Administrative Deviation, the Director may impose any conditions, restrictions or limitations as the Director determines to be necessary to meet the general purpose and intent of this Title and to ensure that the public health, safety and general welfare are being maintained.

H. Notice of Decision

The Director shall provide written notice of his or her decision, which shall include the reasons for the decision and, if the decision is to approve the Administrative Deviation, any modifications, conditions or limitations that the Director may impose. The notice shall be provided to the owner or the owner's agent.

I. Precedents

The fact that an Administrative Deviation for the same or similar use has been granted previously for the subject property or nearby property is a factor to be considered, but is not determinative.

J. Burden of Proof

The applicant bears the burden of proof to establish that the approval of an Administrative Deviation is warranted.

K. Premature Use of Property

The issuance of a building permit or business license for

a development or structure that cannot be permitted without an Administrative Deviation, before an Administrative Deviation is approved, does not replace or otherwise affect the Administrative Deviation requirement.

L. Revocation

1. **Notice.** The Director may hold a hearing to revoke or modify an Administrative Deviation. At least 10 days prior to any hearing, written notice of the hearing shall be delivered to the owner or developer, or both. Notice may be delivered in person or certified mail, return receipt requested, mailed to the address shown in the records of the Clark County Assessor.

2. **Grounds.** An Administrative Deviation may be revoked or modified for cause, including a finding of one or more of the following:

   a. That the Administrative Deviation was obtained by misrepresentation or fraud;

   b. That the development or structure is not in compliance with one or more of the conditions of approval;

   c. That the development or structure permitted by the Administrative Deviation is in violation of any statute, ordinance, law or regulation.

3. **Notice of Decision.** Written notice of the decision shall be provided to the owner, developer or agent. A copy of the notice shall also be filed with the City Clerk, and the date of the notice shall be deemed to be the date notice of the decision is filed with the City Clerk.


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WAIVER

A. Purpose

The purpose this Section is to establish a procedure to allow for modifications of specific requirements of this Title where, the applicant can show through convincing and substantial evidence that the modification will not compromise the objective of the City in safeguarding the interests of the citizens of the City, the proposal will substantially meet the intent of the standard, and the granting of the modification will not detrimentally affect the public health, safety or general welfare. The Waiver procedure may be granted in connection with the approval of a Site Development Plan Review or Special Use Permit, or as a stand-alone item.

B. Authority

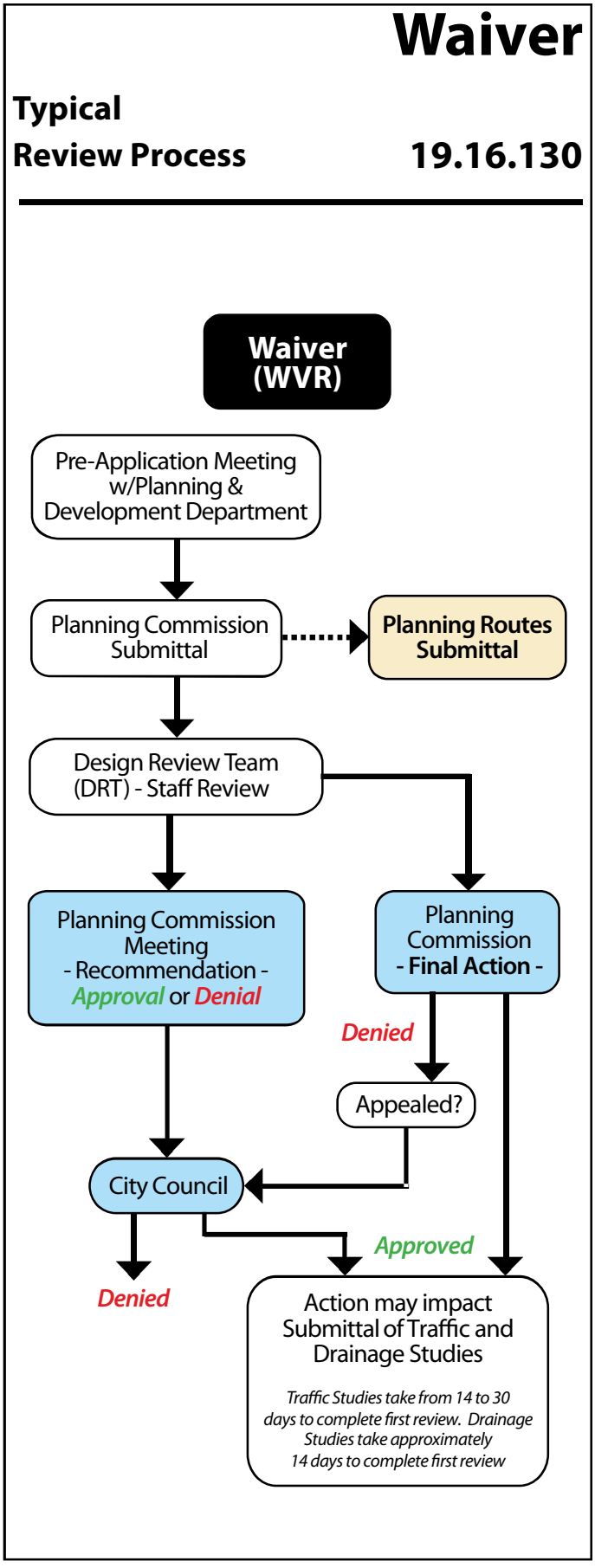
Except as otherwise provided in this Subsection (B), the Planning Commission shall have the authority to approve, approve with conditions, or deny an application for a Waiver, and the decision of the Planning Commission is final. If the decision of the Planning Commission is appealed or forwarded to the City Council, the City Council may affirm, modify or reverse the decision of the Planning Commission. The decision of the City Council is final for purposes of judicial review.

C. Application

The applicant for a Waiver shall schedule and hold a pre-application conference with the Department prior to the submittal of an application. An application for a Waiver shall be filed with the Department in connection with a Site Development Plan Review or Special Use Permit, or as a stand-alone item on a form to be provided by the Department. If submitted in connection with a Site Development Plan Review or Special Use Permit, the Waiver should be requested by submitting a letter to the Director indicating the nature of the Waiver sought and stating why it should be granted. If submitted as a stand-alone item, the application shall be signed and acknowledged by the owner of record of the property for which the Waiver is sought, and shall be notarized as to the owner's signature. Waivers submitted in connection with a Special Use Permit shall follow the application requirements of LVMC 19.16.110(C).

D. Decision

The Planning Commission or City Council, as the case may be, may approve, approve with conditions or deny an application for Waiver. The decision is final, subject to the right of appeal available under State law.



E. Waiver Determinations

In order to approve an Waiver, the following shall be determined:

1. The request does not exceed the prescribed limitations of the applicable provisions of this Title that specifically allow for a Waiver;

2. Granting the Waiver will not be inconsistent with the spirit and intent of the General Plan;

3. That one or more of the following conditions exist:

   a. There are special circumstances applicable to the property, such as size, shape, topography, location or surroundings and that the strict application of the Code requirement deprives the property of privileges enjoyed by other property in the vicinity and under the identical land use district classification;

   b. Granting the Waiver is necessary for the preservation and enjoyment of a substantial property right possessed by other property owners in the same vicinity and land use district and is denied to the property for which the Waiver is sought;

   c. The Waiver will not be materially detrimental to the public health, safety, or general welfare, or injurious to the property or improvements in the vicinity and land use district in which the property is located; or

   d. Granting the Waiver does not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and land use district in which the property is located.

F. Notice of Decision

Written notice of the decision by the Planning Commission or City Council, as the case may be, including the reasons therefor, shall be provided to the applicant or agent. A copy of the notice shall also be filed with the City Clerk, and the date of the notice shall be deemed to be the date notice of the decision is filed with the City Clerk.

G. Precedents

The fact that a Waiver for the same or similar use has been granted previously for the subject property or nearby property is a factor to be considered, but is not determinative.

H. Burden of Proof

The applicant bears the burden of proof to establish that the approval of a Waiver is warranted.

I. Premature Use of Property

The issuance of a building permit or business license for a development or structure that cannot be permitted without a Waiver, before a Waiver is approved, does not replace or otherwise affect the Waiver requirement.

19.16.140

VARIANCE

A. Purpose

The purpose this Section is to establish a procedure to allow for an adjustment of certain specific requirements of this Title, as permitted by State law.

B. Scope and Limitations

Pursuant to NRS Chapter 278 and this Section, the Planning Commission and the City Council have the authority to act upon Variance applications as set forth in this Section and as they deem appropriate. Variance applications shall initially be heard by the Planning Commission. Where a Variance application is proposed in connection with another application to be heard by the Planning Commission, including an application for Special Use Permit, an application for Rezoning, or an application for Site Development Plan Review, the Variance application shall be considered by the Planning Commission, as a separate application, in conjunction with the associated application. A Variance:

1. Is not available to permit a use in a zoning district in which the use is not allowed, or to vary any minimum spacing requirement between uses: and

2. Shall not be granted in order to relieve a hardship which is solely personal, self-created or financial in nature.

C. Application

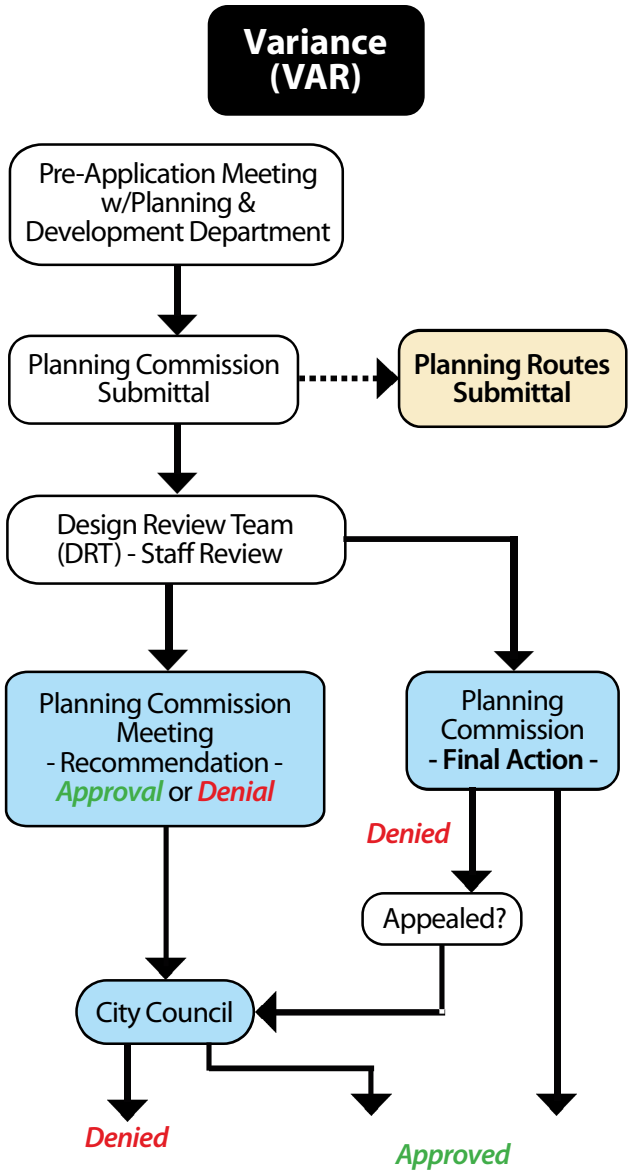
An application for a Variance shall be made on a form provided by the Department. This application shall be filed at the office of the Department. The application shall be signed, notarized and acknowledged by the owner of record of the property for which the Variance is sought; provided however, that:

1. **Other Governmental Ownership.** With respect to property which is owned by the State of Nevada or the United States of America, a Variance application is sufficient if it is signed and acknowledged by a prospective purchaser of that property who has entered into a contract with the governmental entity to obtain ownership of the property;

2. **Non-Owner Applicant.** A Variance application is sufficient if it is signed and acknowledged by a lessee, a contract purchaser or an optionee of the property for which a Variance is sought. However, interest in that property must exist in a written agreement with the owner of record attached to which is a copy of the Variance application and

Variance

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in which the owner of record has authorized the lessee, contract purchaser or optionee to sign the application. The agreement must further stipulate that the owner of record consents to the filing and processing of the application and agrees to honor and be bound by the requested Variance if it is approved and by any conditions of approval attached thereto.

D. Successive Applications

1. **Previous Variance Application.** An application for a Variance on property concerning all or any part of a previous application for the same use, a similar use or a less restrictive use which has been denied, or concerning a previous application which has been withdrawn subsequent to the noticing of a public hearing, shall not be accepted until the following periods will have elapsed between the date of the denial or withdrawal and the date of the meeting for which the proposed application would be scheduled in the normal course:

   a. After the first denial or any withdrawal after public notice has been given – one year.

   b. After the second or subsequent denial or withdrawal after public notice has been given - two years.

2. **Previous Similar Application.** An application for a Variance concerning all or any part of a previous application for a Special Use Permit or Rezoning for the same use, a similar use or a less restrictive use which has been denied, or concerning a previous application which has been withdrawn subsequent to the noticing of a public hearing, shall not be accepted until the periods described in this Paragraph (1) have elapsed.

3. **Withdrawn Without Prejudice.** The time periods that are described in Paragraphs (1) and (2) above, and that otherwise would become effective because of the withdrawal of an application, shall not become effective if, after consideration of the timing and circumstances of the withdrawal, the Planning Commission or the City Council specifically approves the withdrawal without prejudice.

E. Request for Abeyance

An applicant who wishes to have an application held in abeyance following the notice and posting of a hearing before the Planning Commission or the City Council shall state good cause for the request. Good cause shall be more than mere inconvenience to the applicant or lack of preparation. The Planning Commission may not grant to an applicant, and the City Council may not grant to an aggrieved person, more than two continuances on the same matter, unless the Commission or Council determines, upon good cause shown, that the granting of additional continuances is warranted.

F. Drawings and Plans Required

Plans describing the proposed development of the property shall be submitted with the application. Guidelines for the preparation of the site development plan, floor plans and building elevations are available in the Department. Complete working drawings are not necessary; however, improvements, streets, landscape areas and similar items must be shown. Preliminary drawings must contain sufficient information to permit the determination of compliance with good planning practices, applicable standards and ordinances.

G. Public Hearing and Action

1. **Hearing.** The Planning Commission shall hold a public hearing upon each application for a Variance within 65 days after the application is properly filed.

2. **Notice**

   a. Notice Provided. Notice of the time, place and purpose of the hearing must be given at least 10 days before the hearing by:

      i) Publishing the notice in a newspaper of general circulation within the City; and

      ii) Mailing a copy of the notice to:

         A) The applicant;

         B) Each owner of real property located within a minimum of one thousand feet of the property described in the application;

         C) Each tenant of any mobile home park that is located within one thousand feet of the property described in the application;

         D) The owner of each of the 30 separately-owned parcels nearest to the property described in the application to the extent this notice does not duplicate the notice otherwise required by this Paragraph (2);

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

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

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

c. Additional Notice. The Department may give additional notice of the hearing by expanding the area of notification or using other means of notification or both. The Department shall endeavor to provide any additional notice at least 10 days before the date of the hearing.

3. Hearing. The Planning Commission shall conduct a public hearing on the application. In its discretion and for good cause, the Planning Commission may hold the application in abeyance for further study. However, subject to the provisions of State law, the Commission may not grant to an applicant more than two continuances on the same matter, unless the Commission determines, upon good cause shown, that the granting of additional continuances is warranted. Following the hearing or hearings, the Planning Commission shall make a decision to approve, approve with conditions, or deny the Variance application. The decision shall be based upon evidence that makes the grant or denial of the Variance appropriate. The decision shall either be a final decision or a recommendation, as determined in accordance with Subsection (J).

4. Conditions of Approval or Recommendation. In approving or recommending the approval of a Variance, the Planning Commission may impose any conditions, restrictions or limitations as deemed necessary to meet the general purpose and intent of this Title and to ensure that the public health, safety and general welfare are being maintained.

5 Notice of Decision. The Planning Commission shall provide written notice of each decision on a Variance application, which shall include the reasons for the decision and, if the decision is to recommend approval of the Variance, any modifications, conditions or limitations that the Planning Commission may impose or recommend to be imposed in connection with the approval. The notice shall be provided to the owner, developer or agent.

H. Precedents

The fact that a Variance for the same or similar use has been granted previously for the subject property or nearby property is a factor to be considered, but is not determinative.

I. Burden of Proof

The applicant bears the burden of proof to establish that the approval of a Variance is warranted.

J. Appeals

1. Denials Generally. Except as otherwise provided in Paragraph (3), a decision by the Planning Commission to deny a Variance application becomes final and effective at the expiration of 10 days after the date of the decision unless, within that period, the applicant appeals the decision by written request filed with the City Clerk. Pursuant to LVMC 19.16.010(C), City Council may establish a fee to be paid in connection with the filing of an appeal, and the amount of any fee so established shall be set forth in the fee schedule.

2. Approvals Generally. Except as otherwise provided in Paragraph (3), a decision by the Planning Commission to approve a Variance application becomes final and effective at the expiration of 10 days after the date of the decision unless, within that period, a member of the City Council requests that the item be reviewed by the Council, or an aggrieved person appeals the decision by written request filed with the City Clerk. For purposes of this Paragraph (2), an "aggrieved person" means any property owner within the area of notification for the Planning Commission hearing, as well as anyone who appeared, either in person, through an authorized representative or in writing, before the Planning Commission regarding the application. Pursuant to LVMC 19.16.010(C), the City Council may establish a fee to be paid in connection with the filing of an appeal, and the amount of any fee so established shall be as set forth in the fee schedule.

3. Automatic Review by City Council. With respect to any Variance application related to and filed in connection with an application for a General Plan Amendment; an application for rezoning; or an application for a Site Development Plan Review or Special Use Permit that requires final action by the City Council, the decision by the Planning

Commission, whether an approval or denial, constitutes a recommendation to the City Council, which shall make the final decision concerning that Variance application.

K. City Council Public Hearing and Action

1. **Notice and Hearing.** The City Council shall conduct a public hearing on any Variance application which is appealed or forwarded to the Council for final action. The City Clerk is authorized to consolidate all appeals or requests for review that have been filed regarding a particular application, or to schedule them in sequence or otherwise, in which case the City Council may hear the items separately or consolidate them for purposes of hearing, as the Council deems appropriate. The City Clerk shall mail written notice of the Council hearing, at least ten days before the hearing, to the property owners who were notified by mail of the Planning Commission hearing, or to the current owners of record in case of properties whose ownership has changed in the interim.

2. **Penalty.** If a structure which is the subject of a Variance application has been or is being constructed without a building permit and is in violation of any of the provisions of this Title, the City Council, in granting the Variance, may impose a penalty in an amount that does not exceed 10 percent of the value of the structure as determined in accordance with the City's Administrative Code.

3. **City Council Decision.** The City Council may review the Variance application de novo, and has the authority to reverse, modify, or confirm any action of the Planning Commission. In making a decision regarding a Variance application, the City Council shall consider the decision of the Planning Commission and the evidence presented at the public hearing and shall be guided by the statement of purpose underlying the regulation of the improvement of land expressed in NRS 278.020 Action by the City Council is final for purposes of judicial review. In the case of an appeal, the City Council:

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

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

4. **Notice of City Council Decision.** The City Council shall provide written notice of its decision, which shall include the reasons for the decision and, if the decision is to approve the Variance, any modifications, conditions or limitations that the Council may impose. The notice shall be provided to the owner, developer or agent. A copy of the notice shall also be filed with the City Clerk, and the date of the notice shall be deemed to be the date notice of the decision is filed with the City Clerk.

L. Determinations

1. In order to recommend approval of, or to approve a Variance application, the Planning Commission or City Council must determine that the Variance is warranted both under State law and this subchapter. The minimum State law standards are set forth in Paragraph (2) below.

2. Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution.

M. Premature Use of Property

The issuance of a building permit or business license for a development or structure that requires a Variance, before a Variance is approved, does not replace or otherwise affect the Variance requirement.

N. Revocation

1. **Notice.** A Variance may be revoked or modified by the Planning Commission or the City Council, whichever body took final action to approve the Variance. Such action must be preceded by a hearing, written notice of which must be delivered to the owner, developer, or both, at least ten days prior to any hearing. Notice may be delivered in person or by certified mail, return receipt requested, mailed to the address shown in the records of the Clark County Assessor.

2. **Grounds.** A Variance may be revoked or modified for cause, including a finding of one or more of the following:

   a. That the Variance was obtained by misrepresentation or fraud;

   b. That the development or structure is not in compliance with one or more of the conditions of approval; or

   c. That the development or structure permitted by the Variance is in violation of any statute, ordinance, law or regulation.

3. **Notice of Decision.** Written notice of a decision regarding the revocation or modification of a Variance shall be provided to the owner, developer or agent. A copy of the notice shall also be filed with the City Clerk and the date of the notice shall be deemed to be the date notice of the decision is filed with the City Clerk.

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

O. Termination

1. **Expiration for Failure to Exercise**

   a. A Variance which will require the construction of a new building and which is not exercised within the approval period shall be void, unless the applicant obtains an extension of time upon a showing of good cause. Application for an extension shall be made to the Planning Commission or City Council, whichever body took final action to approve the Variance. An extension of time may be granted only if application therefor is made prior to the expiration of the approval period. For purposes of this Subparagraph (a):

      i. The "approval period" for a Variance is the time period specified in the approval, if one is specified, and two years, otherwise.

      ii. A Variance is exercised upon the issuance of a building permit for the new construction.

   b. A Variance which will not require the construction of a new building and which is not exercised within the approval period shall be void, unless the applicant obtains an extension of time upon a showing of good cause. Application for an extension shall be made to the Planning Commission or City Council, whichever body took final action to approve the Variance. An extension of time may be granted only if application therefore is made prior to the expiration of the approval period. For purposes of this Subparagraph (b), a Variance is exercised upon the approval of a business license to conduct the activity, if one is required, or otherwise, upon the issuance of a no-work certificate of occupancy (where no structural work is required) or the approval of a final inspection for tenant improvements.

2. **Cessation of Use.** A Variance to allow a use that is not permitted in a particular zone shall be void without further action if the use approved by the Variance ceases for a period of twelve months or more.


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DEVELOPMENT AGREEMENT

A. Statutory Authority - Conformance Required

Pursuant to the provisions of NRS 278.0201 through 278.0207, the City Council may enter into development agreements to regulate the development of land within the City. The agreements and the procedures applicable thereto shall be governed by and must conform to NRS 278.0201 through NRS 278.0207 and the provisions of this Chapter.

B. Planning Commission Review

Before the City Council enters into a development agreement pursuant to this Section, the agreement shall be reviewed by the Planning Commission for consistency with the City's General Plan.

C. Administration and Enforcement

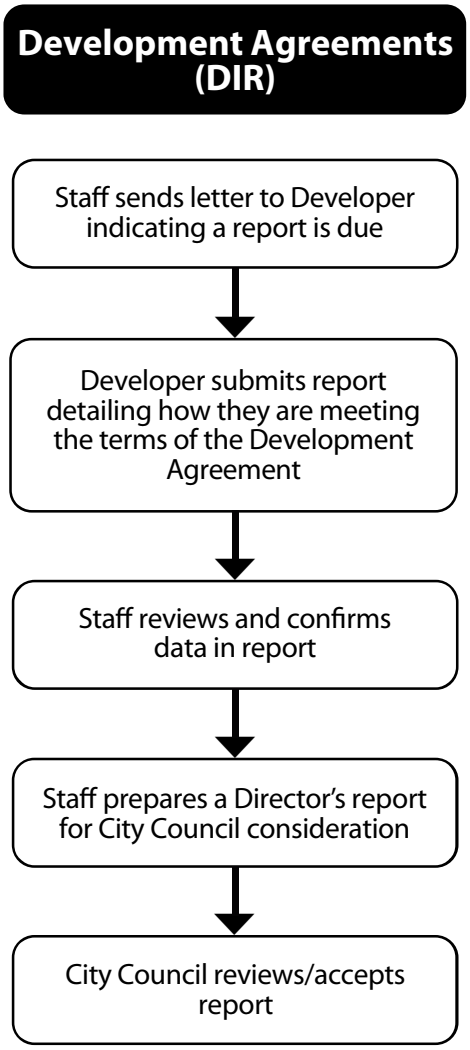
Subject to review and input from other City departments, the Department shall be responsible for applying, administering and enforcing the provisions of this subchapter including the negotiation and enforcement of development agreements.

D. Application of Zoning Provisions

Except as otherwise provided in NRS 278.0201 through 278.0207 or in a development agreement entered into pursuant to this Section, all the procedures and requirements of this Title shall apply to the development of property that is the subject of a development agreement.

Typical Review Process

Development Agreement 19.16.150




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19.16.160

TEMPORARY COMMERCIAL PERMIT

A. Purpose

The purpose of this Section is to provide for a Temporary Commercial Permit to allow certain short-term activities that otherwise would not be allowed and to limit the activities to the circumstances and conditions set forth in this Section. The requirements of this Section apply to the activities specified herein whether or not they are conducted for profit.

B. Authority

1. The Director shall have the authority to approve, approve with conditions, or deny a Temporary Commercial Permit.

2. The Director may at any time refer an application for a Temporary Commercial Permit to the Planning Commission for decision.

C. Permitted Uses

The following temporary uses may be permitted by means of the issuance of a Temporary Commercial Permit.

1. A Temporary Contractor's Construction Yard in conjunction with an approved development project; provided, however, that no Temporary Commercial Permit is required if the use is located on the same site as the approved development and is operated in conformance with all applicable City ordinances and standards.

2. Seasonal Outdoor Sales, but only if such sales are limited to a maximum of thirty days prior to the specified holiday. No Temporary Commercial Permit is required when the sales operation:

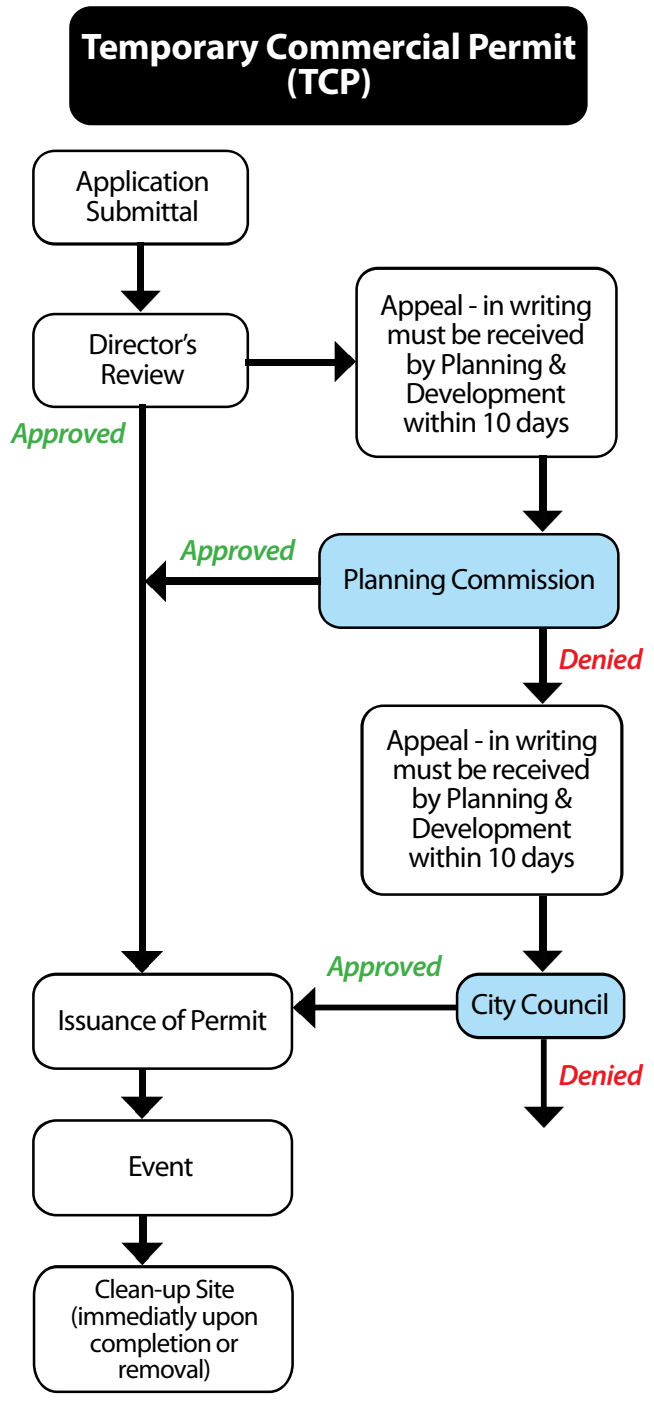
a. Takes place on the same site as, and is in conjunction with, the operation of an established commercial business with a valid business license for that site; and

b. Conforms with all applicable City ordinances and standards.

3. Parking Lot/Sidewalk Sales; provided, however, that such sales:

a. Must take place on the same site as, and be in conjunction with, the operation of an established commercial business with a valid business license for that site;

Temporary Commercial Permit
Typical Review Process 19.16.160



b. Must take place on a paved or concrete area that is located on the same lot or within the same commercial subdivision as the structure that houses the business;

c. Are limited to a duration of seven days each; and

d. Occur no more that four times within a calendar year.

4. Temporary Outdoor Commercial Events; provided, however, that such events:

a. Are limited to a duration of thirty days each; and

b. Occur no more than six times within a calendar year.

5. The sales of new automobiles, new trucks, or new boats at a shopping mall of at least 90 acres in size and located in the C-1 (or a less restrictive) Zoning District. At any one shopping mall, no more than four sales events may occur within any twelve-month period, and no one sale event may last more than three days.

6. Any other temporary use that is similar to those enumerated in this Subsection (C) and that, in the opinion of the Director, is compatible with the zoning district and surrounding land uses.

D. Application and Decision

An application for a Temporary Commercial Permit shall be filed with the Director and shall be accompanied by a filing fee as set forth in the fee schedule. The application shall contain sufficient information and detail to enable the Director to determine the appropriateness of issuing a permit under this Section. Within 30 days after receipt of a complete and sufficient application, the Director shall take appropriate action to approve, approve with conditions or deny the application. The Director may approve a Temporary Commercial Permit if the Director determines that:

1. The proposed use is compatible with existing land uses on the same property and on surrounding properties;

2. The subject site is physically suitable for the type and intensity of the use being proposed;

3. There will be adequate public access to the site and adequate provision for on-site parking;

4. The application is not a continuation of consecutive applications or otherwise an attempt to circumvent the limitations contained in this Section.

E. Appeal

The applicant may appeal a decision of the Director to the Planning Commission by filing a written request with the Department. Any appeal pursuant to this section must be filed within 10 days after the date of the decision that is the subject of the appeal. The decision of the Planning Commission is final, unless appealed to the City Council as in the case of a Variance.

F. Conditions of Approval

In approving a Temporary Commercial Permit, the Director (or, upon appeal, the Planning Commission) may impose conditions, stipulations or limitations as are deemed necessary to ensure that the activity will be consistent with Subsection (D) of this Section. Such conditions may include, but are not limited to the following:

1. Provision for temporary parking facilities, including vehicle ingress and egress;

2. Measures to prevent or reduce nuisance factors such as glare, excessive illumination noise, vibration, smoke, dust, dirt, odors, gases and heat;

3. Regulation of placement, height, size and location of structures, facilities, landscaping and equipment, including provision for buffering and separation;

4. Provision for sanitary facilities and for waste collection and disposal;

5. Measures to promote safety and security;

6. Regulation of signs and other attention-gaining devices;

7. Regulation of operating hours and duration of the temporary commercial use;

8. Regulation of the hours and duration of set-up and dismantling activities;

9. Compliance with applicable provisions of the Las Vegas Municipal Code;

10. Any other conditions which will ensure the operation of the proposed temporary use is conducted in an orderly, efficient manner and in accordance with the intent and purpose of this Section.

G. Cleanup of Temporary Site

The holder of a Temporary Commercial Permit shall be responsible for leaving the property free of debris, litter or other evidence of the temporary use immediately upon completion or removal of the use. If the holder of the Temporary Commercial Permit is not the record owner of the property, the holder and the property owner(s) are jointly and severally responsible for compliance with this Subsection (G).

H. Revocation

A Temporary Commercial Permit may be revoked or modified by the Director, upon notice to the permit holder, if the Director finds that:

1. The permit was obtained by misrepresentation or fraud;

2. The activity is not in compliance with the permit or any condition of approval;

3. The use to be allowed by means of the permit is conducted in violation of any applicable statute, ordinance, or regulation; or

4. The permit is being employed as a means to circumvent the limitations contained in this Title.


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19.16.170

TEMPORARY SIGN PERMIT

A. Procedures

The procedures contained in this Section shall govern the application for, and issuance of, all temporary sign permits under this Title.

B. Authority

The Director shall have the authority to approve, approve with conditions, or deny a Temporary Sign Permit.

C. Application and Decision

An application for a Temporary Sign Permit shall be filed with the Department and shall be accompanied by a filing fee as set forth in the Fee Schedule. The application shall contain sufficient information and detail to enable the Director to determine the appropriateness of issuing a permit under this Section. Within 30 days after receipt of a complete and sufficient application, the Director shall take appropriate action to approve, approve with conditions or deny the application. The Director may approve a Temporary Sign Permit if the Director determines that:

1. The proposed temporary signage is compatible with existing signage and land uses on the same property and on surrounding properties;

2. The subject site is physically suitable for the type and intensity of the temporary signage being proposed;

3. The temporary signage meets all applicable standards of this Title for the zoning district and signage type being requested;

4. The application is not a continuation of consecutive applications or otherwise an attempt to circumvent the limitations contained in this Title.

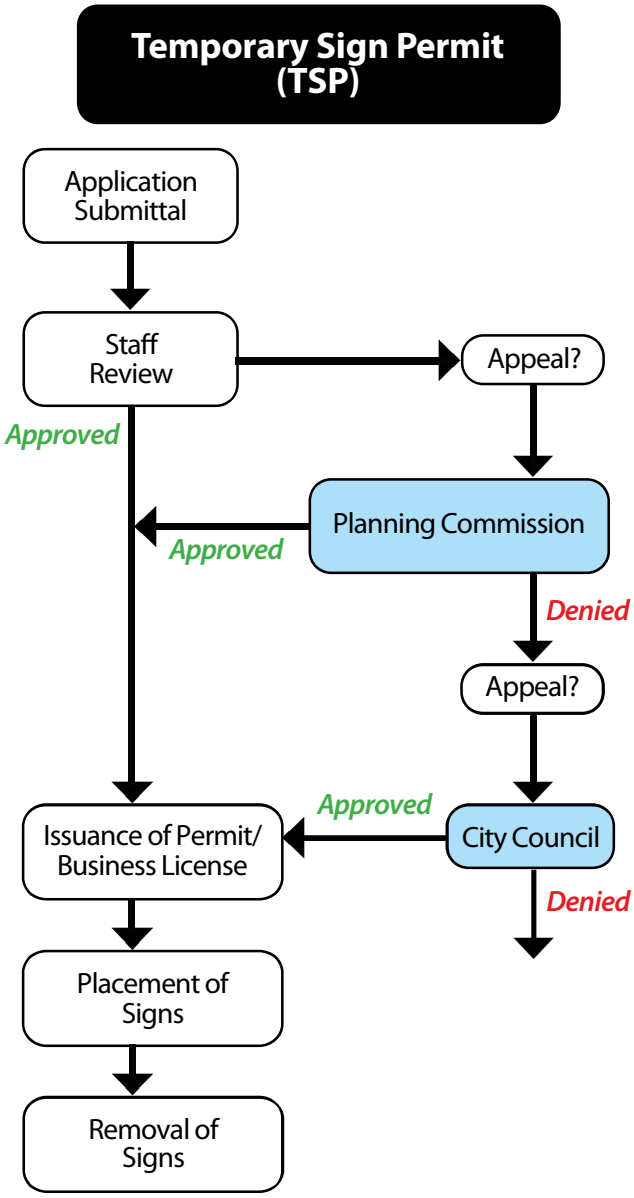
D. Appeal

The applicant may appeal a decision of the Director to the Planning Commission by filing a written request with the Department. Any appeal pursuant to this section must be filed within 10 days after the date of the decision that is the subject of the appeal. The decision of the Planning Commission is final, unless appealed to the City Council as in the case of a Variance.

E. Conditions of Approval

In approving a Temporary Sign Permit, the Director (or,

Temporary Sign Permit
Typical Review Process 19.16.170



upon appeal, the Planning Commission) may impose conditions, stipulations or limitations as are deemed necessary to ensure that the temporary signage will be consistent with Subsection (C) of this Section. Such conditions may include, but are not limited to the following:

1. Measures to prevent or reduce nuisance factors;

2. Regulation of placement, height, size and location of temporary signage, including provision for separation;

3. Compliance with applicable provisions of the Las Vegas Municipal Code;

4. Any other conditions which will ensure the proposed temporary signage is used in accordance with the intent and purpose of this Section.

F. Removal

The holder of a Temporary Sign Permit shall be responsible for the removal of temporary signage within the time frame specified for the signage type pursuant to this Title or as otherwise specified by the permit. If the holder of the Temporary Sign Permit is not the record owner of the property, the holder and the property owner(s) are jointly and severally responsible for compliance with this Subsection (F).

G. Revocation

A Temporary Sign Permit may be revoked or modified by the Director, upon notice to the permit holder, if the Director finds that:

1. The permit was obtained by misrepresentation or fraud;

2. The signage is not in compliance with the permit or any condition of approval;

3. The signage to be allowed by means of the permit is conducted in violation of any applicable statute, ordinance, or regulation; or

4. The permit is being employed as a means to circumvent the limitations contained in this Title.

19.16.180

HOME OCCUPATION PERMIT

A. Purpose

The purpose of this Section is to provide for a Home Occupation Permit to allow limited types of income producing activities within residential zoning districts. A home occupation is an incidental or secondary use so located that the average neighbor, under normal circumstances, would not be aware of its existence. Except as otherwise provided in this Section and Title, no residentially zoned parcel may be used for the purpose of conducting any business or income producing activity except as allowed by means of a Home Occupation Permit.

B. Exceptions

No Home Occupation Permit shall be required for educational activities, including but not limited to music lessons, academic tutoring or religious instruction, provided that no more than two students are present at any one time and the use complies with the requirements of this Section.

C. Authority

The Director or, upon appeal, the Planning Commission, shall have the authority to approve, approve with conditions, or deny a Home Occupation Permit. In approving a Home Occupation application, the Director (or if applicable, the Planning Commission) may impose conditions, stipulations or restrictions as are deemed necessary to ensure that the activity will be consistent with the intent of this Section.

D. Application

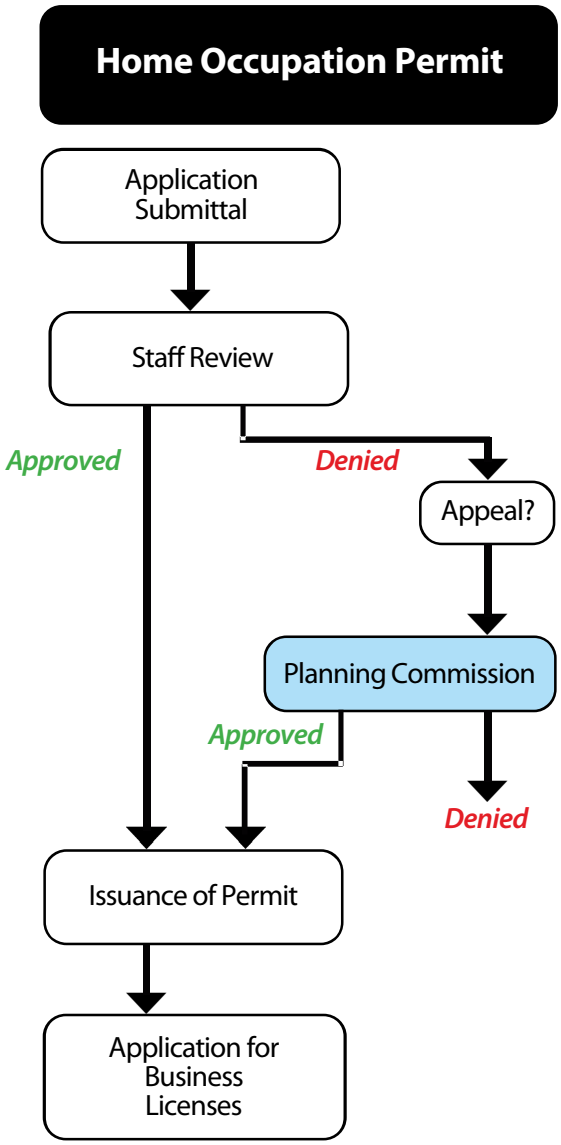
An application for a Home Occupation Permit shall be filed with the Director. The application shall contain sufficient information and detail to enable the Director to determine the appropriateness of issuing a permit under this Section. If the Home Occupation is to be conducted by the tenant of property which is leased or rented, the tenant shall obtain written authorization from the property owner or property manager and submit the authorization with the Home Occupation Permit application.

E. Process and Review

Within 30 days after receipt of a complete application, the Director shall approve, approve with conditions, or deny the application.

Home Occupation Permit

Typical Review Process **19.16.180**



F. Decision and Notice of Decision

1. The Director shall approve a Home Occupation Permit if the Director finds that;

a. The proposed Home Occupation is compatible with the existing residential uses on the property and surrounding properties; and

b. The proposed Home Occupation will conform to the Operational Standards and requirements contained in this subchapter.

2. The Director shall provide written notice of the decision, which shall include the reasons for the decision and, if the decision is to approve the Home Occupation Permit, any modifications, conditions or limitations that the Director may impose. The notice shall be provided to the owner or the owner's agent.

G. Operational Standards

1. In order to approve a Home Occupation Permit, the Director (or if appealed, the Planning Commission) must be satisfied that the proposed Home Occupation can and will comply with the following operational standards:

a. Only the occupants of the dwelling unit shall be engaged in the business activity approved for the Home Occupation Permit;

b. No employees shall report to work or be dispatched from the property;

c. There shall be no transacting of business or offers to transact business with customers or clients who have come to the property;

d. There shall be no signage or other advertising of any kind, whether on the property or elsewhere, which advertises the address or physical location of the property or identifies the existence of a Home Occupation on the property. A home telephone number or a post office box may be advertised by any medium other than on-site signage;

e. No motor vehicle repair, paint or body work; commercial preparation of food for service on the premises; business related to or involving explosives, ammunitions or weapons; beauty parlor or barber shop; or ambulance or related emergency services shall be permitted as a Home Occupation;

f. A Home Occupation shall not create pedestrian, automobile or truck traffic in excess of the normal amount associated with residential uses in the district;

g. A Home Occupation shall be conducted exclusively within the main dwelling or within an accessory structure which has been approved for the Home Occupation Permit, except for horticultural activities;

h. No more than one vehicle, with a maximum capacity of one-ton, shall be used in connection with a Home Occupation Permit;

i. The number of on-site parking spaces shall not be reduced to less than two;

j. There shall be no outdoor storage or use of any toxic chemicals or hazardous materials of any type or in any amount not normally found in a residential structure;

k. There shall be no electrical or mechanical equipment which is not normally found in a residential structure, and no equipment found on the premises shall cause a change in the fire safety or occupancy classification of the dwelling unit; and

l. No Home Occupation shall create or cause noise, dust, light, vibration, gas, fumes, toxic/hazardous materials, smoke, glare, electrical interference or other hazards or nuisances.

2. The following uses are uses that normally may be permitted by means of Home Occupation Permit if they can be conducted in compliance with the Operational Standards in Paragraph (1) of this Subsection. This is not a comprehensive list but should be used to establish appropriate types of uses for Home Occupations.

a. 800 and 900 number telephone services;

b. Accounting, bookkeeping, tax preparation or related services;

c. Appraisal, real estate or related services;

d. Architectural, engineering, general contractor or related professional services;

e. Artist, artisans, hobbyists, jeweler or related services;

f. Computer based businesses, desktop

publishing, drafting or related services;

g. Consulting or related services;

h. Employment services;

i. Financial investment, brokerage or related services;

j. Handicrafts, gift basket assembly, floral, ceramics or related services;

k. Health fitness training services;

l. Home improvement and repair services;

m. Incidental office and telephone uses;

n. Information services;

o. Insurance services;

p. Interior design and decorating services;

q. Legal, court reporting or related services;

r. Mail order and catalog services;

s. Mobile serve businesses;

t. Network marketing services;

u. Janitorial, maintenance and repair services;

v. Party planning services;

w. Photography, video or related services;

x. Secretarial, typing, answering or related services;

y. Tailoring and sewing services;

z. Teaching or related services with a maximum of two students at any one time;

aa. Travel services;

bb. Vending machine businesses; and

cc. Writers, authors or related professionals.

3. Any Home Occupation Permit which is found to be similar to those enumerated in this Subsection and which, in the opinion of the Director, is compatible with the intent of this Section, may be approved or approved with conditions. If the Director determines that a proposed Home Occupation would be detrimental to the public health, safety and welfare or injurious to the existing land uses on the property or to the surrounding properties, or does not substantially conform to the Operational Standards contained in this Section, the Director shall deny the Home Occupation Permit.

H. Appeal of Director's Action

If the applicant is aggrieved by the Director's decision, or any conditions attached thereto, the applicant may appeal the decision to the Planning Commission by written request within 10 days after the date of decision by the Director. The appeal must be filed with the Department. The appeal hearing shall be scheduled as soon as is reasonably possible, and appropriate notice of the hearing shall be provided. The Planning Commission may affirm, reverse or modify the Director's decision. Notice of the Planning Commission's decision shall be provided to the applicant or the applicant's agent, and the date of the notice shall be deemed to be the date notice of the decision is filed with the City Clerk.

I. Optional Treatment of Appeal

The Director or Planning Commission may require that an appeal filed pursuant to Subsection (H) be heard as a public hearing item. The requirement for a public hearing must be based upon a determination that, in the instance of that particular application, the public interest will best be served by providing notice and an opportunity to be heard to surrounding property owners. In such event, the Director shall process the application in accordance with the standards and procedures for Special Use Permit applications.

J. Transfer of Permits

A Home Occupation permit shall not be transferable to:

1. Another address, or

2. Any person other than the applicant, a family member residing in the home, or a legal entity in which the applicant or resident family member has a controlling interest.

K. Expiration

Home Occupation Permits not exercised within one year after approval shall be void without further action unless a greater time limit is specified in the approval. Home Occupation uses which cease for more than 6 months shall be void without further action.

L. Revocation or Modification

1. **Notice and Hearing.** Upon proper notice to, and an opportunity to be heard by, the permit holder, the Director may revoke or modify a Home Occupation permit if the Director determines one or more of the following:

   a. That the Home Occupation is not in compliance with one or more of the Operational Standards of this subchapter;

   b. That the Home Occupation Permit was obtained by misrepresentation or fraud;

   c. That the Home Occupation is being conducted in violation of any statute, ordinance, law or regulation.

2. **Appeal and Notice of Decision.** The Director's decision may be appealed in the same manner as the initial denial of a Home Occupation Permit, in accordance with Subsection (H). The provisions of Subsection (I) shall not apply to the appeal, except that the Director and the or the Planning Commission may provide notice and opportunity to be heard to surrounding property owners.

19.16.190

MODEL HOME PERMIT

A. Issuance -- Required Conditions

With respect to any separately identified subdivision, building permits may be issued for not more than six model homes before the final subdivision map pertaining thereto is recorded if and only if all of the following conditions are met:

1. The final map has been approved by the Director or the Planning Commission.

2. All preconstruction requirements of zoning and plot plan approvals have been met.

3. The site and setbacks of the model homes are in conformance with the final map and the approved zoning.

4. Plan checking of the model homes has been completed and all the items described in LVMC 19.16.060 have been submitted and approved in accordance therewith.

5. The following departments have certified in writing, through their authorized representatives, that their respective preconstruction requirements have been met:

a. The Department of Public Works;

b. The Department of Planning and Development; and

c. The Department of Fire and Rescue.

6. The applicant for such model home permits has acknowledged and agreed in writing that:

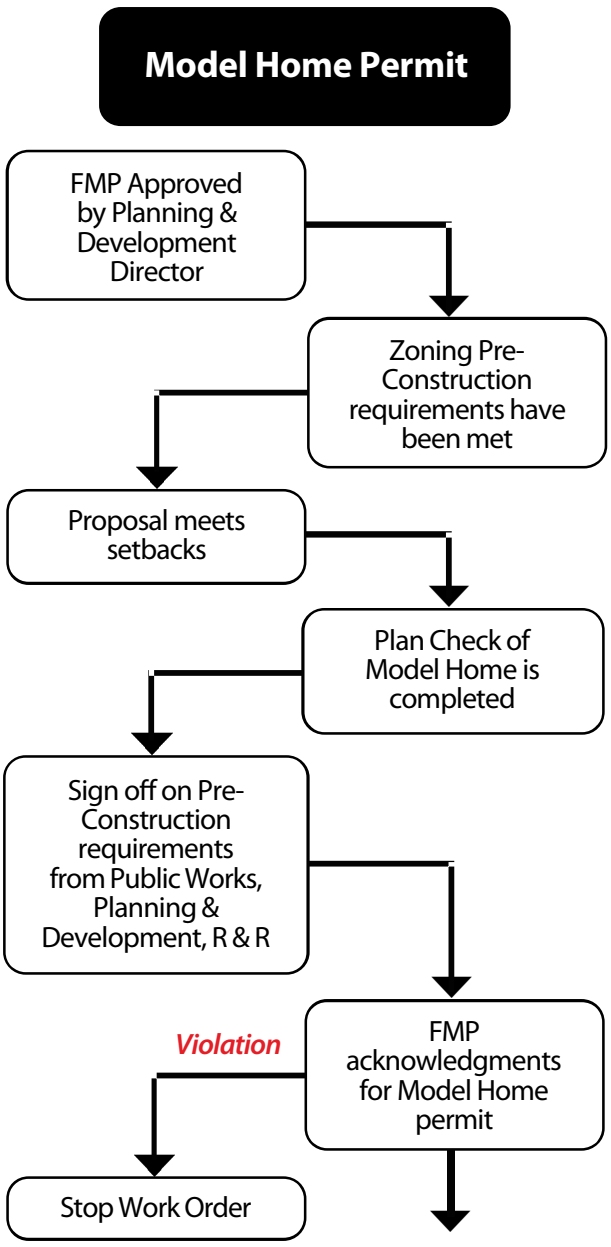
a. No changes to the final map as approved will be made, except those required by the City, and all construction and improvements will conform to the approved map.

b. The permitted model homes will not be sold or occupied for residential purposes until the final map has been recorded.

c. The issuance of model home permits will be expressly limited to the model home use and will not be construed as a commitment by the City to approve the final map or to approve any zoning matter.

d. The applicant will indemnify, defend and hold

Model Home Permit
Typical Review Process
19.16.190



the City and its officers, agents and employees harmless from any liability and from and against any claim, loss or damage it or they may incur because of the issuance of any such permit.

B. Violation -- Revocation -- Stop-Work Order

If the permittee or applicant violates or fails to comply with any requirement of this Title or breaches any promise or obligation entered into pursuant to this Section, the City may deny, suspend or revoke any building permit for a model home and may issue a stop-work order with respect thereto.

19.16.200

SIGN CERTIFICATE

A. Procedures

The procedures contained in this Section shall govern the application for, and issuance of, all sign certificates under this Title.

1. All applications for sign certificates of any kind shall be submitted to the Department on an application form or in accordance with application specifications published by the Department.

2. Within 5 days of receiving an application for a sign certificate, the Department shall review it for completeness. If the application is complete, then the application shall be processed. If the application is incomplete, then notice shall be sent to the applicant, within a 5-day period, of the specific ways in which the application is deficient.

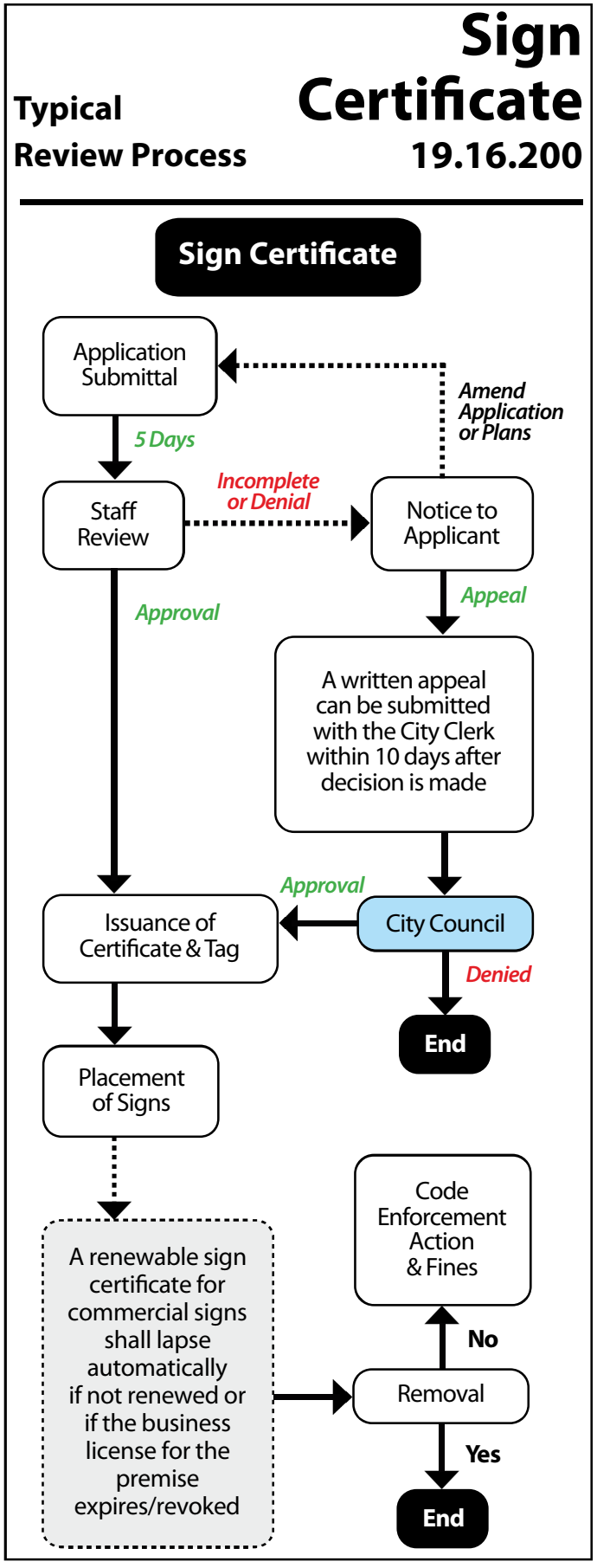
3. Upon approval, the City will issue a certificate and tag for the sign. The tag shall be affixed to the sign in a location where it is plainly visible. Absence of the tag or any record of the issuance of the tag on any sign, which is required by this Title to have a certificate, shall subject that sign to removal in the same manner as in LVMC 19.08.120(D).

4. A renewable sign certificate for a commercial sign shall lapse automatically if not renewed or if the business license for the premise expires or is revoked.

5. Any sign that is the subject of an application received after the effective date of this Title, or any amendment thereto, shall be subject to all the provisions of this Section and shall not be subject to the nonconforming sign protections described in LVMC 19.14.080. For any sign on property annexed into the City after the effective date of this Title, an application for a sign certificate shall be submitted within three months of the effective date of the annexation or within such period as may be established in an annexation agreement between the City and the land owner(s).

B. Removal

Any sign for which a certificate has lapsed shall be removed immediately. The owner(s) of the property on which the sign is erected or displayed, the certificate holder, the owner(s) of the sign, or any person that caused the sign to be installed shall be jointly and severally responsible for the removal of the sign, provided that nothing herein shall be construed to allow any pri-



vate person to enter onto the property of another person without the permission of the property owner(s).

C. State Sign Permit Required

For any sign that does not qualify as an on-premise sign and that is proposed within 660 feet of any highway classified by the State of Nevada as part of the interstate and primary highway system, a State of Nevada sign permit shall be obtained prior to the issuance of a construction permit or sign certificate by the City. The issuance of a State of Nevada permit does not take the place of the City's Special Use Permit requirement nor compel the granting of a Special Use Permit. Likewise, the approval of a Special Use Permit by the City does not affect the State of Nevada's authority or discretion to deny a state permit.

D. Appeal

Any person aggrieved in connection with the inability to obtain a sign certificate or by any other decision of any administrative officer or agency based upon or made in the course of the administration or enforcement of any provision of this Section may appeal the decision to the City Council. An appeal must be in written form and must be filed in the office of the City Clerk, with a copy to be filed with the Department. The appeal must be filed within 10 days after the administrative decision is made and shall specifically describe the decision at issue and the basis for the appeal. The appeal shall be considered on the next available agenda of the City Council. This Section shall not apply to actions on Master Sign Plans, which shall follow the procedures, including appeals, set forth in LVMC 19.16.270.

E. Violations, Remedies, Penalties

1. Violations

Any of the following shall be a violation of this Section and shall be subject to the enforcement remedies and penalties provided for in this Title:

a. To install, create, erect or maintain any sign in any manner that is inconsistent with any Master Sign Plan;

b. To install, create, erect, or maintain any sign in a way that is inconsistent with any site plan review or aesthetic review governing the sign for the lot on which sign is located;

c. To install, create, erect, or maintain any sign requiring a certificate without such a certificate;

d. To fail to display a tag in conformance with this Section;

e. To fail to remove any sign that is installed, created, erected, or maintained in violation of this Section, or for which the sign certificate has lapsed;

f. To continue any violation. Each day of a continued violation shall be considered a separate violation when applying the penalty portions of this Section;

g. To install, create, erect, or maintain any sign prohibited by or in violation of this Section; or

h. To abandon any sign.

2. Remedies and Penalties

Any sign installed or placed on any property in violation of the requirements of this Section shall be subject to the following:

a. With respect to any sign that constitutes a hazard to the public or a sign without proper certification that has been installed or placed on unimproved property, on public property or within public right-of-way, the sign may be immediately removed and impounded. The City shall notify the sign owner(s) or installer (or other responsible person) of the impoundment, if the person or persons are known to or reasonably can be determined by the City. The notice shall be given within 5 days after impoundment of the sign, or within the additional time as may be necessary in order to identify and locate the person or persons. The City will keep the sign for a period of 30 days following the sign's removal, during which time the owner(s) or other responsible person may reclaim the sign. At the end of the 30-day period, the sign may be destroyed.

b. Signs that are not made subject to the impoundment provisions described in Subparagraph (a) above are subject to removal and impoundment 10 days after appropriate notice has been given, or after such shorter period as the notice may indicate. Appropriate notice shall be deemed to have been given if the City provides written notice to the owner(s) or installer of the sign (or other responsible person). If the notice cannot be given after reasonable efforts to identify and locate the person or persons, the City may affix a notice of noncompliance to the sign itself. If the sign has not been removed or brought into compliance

within 10 days, or such shorter time as the notice may indicate, the City may remove and impound the sign. Following the removal and impoundment of a sign, the City will keep the sign for a period of 30 days following the sign's removal, after which the sign may be destroyed.

c. In addition to other remedies, the City shall have the right to recover from the owner(s) or installer of such a sign, or the owner(s) of the property on which it is located, or any other responsible person, the full costs of removal and disposal of the sign. The City shall certify the removal and may charge the owner(s) or installer or other responsible person for the removal, payable within 10 days after receipt of a statement of charges or the charges may be a special assessment and a lien on the property involved and subject to the provisions of LVMC 9.12.150, 9.12.160 and 9.12.170. It is presumed that the person or entity whose identity is represented on the sign is a person responsible for installing the sign, which presumption may be rebutted by competent evidence. However, the presumption is not rebutted if the sign was erected or placed by a person or entity who, pursuant to contract or otherwise, is acting on behalf of the person or entity whose identity is represented on the sign.

d. Removal pursuant to this Subsection may be accomplished by the City or its authorized agent.

e. For any premises on which there is an existing sign that violates any part of this Section, the City may withhold permits for any other signs, including temporary signs, until the violation has been corrected or the property owner(s) has entered into a written agreement with the City for abatement of the violation by a specified date. The provisions of this Paragraph (2) shall not apply to any sign that is not under the legal control of the applicant for a new sign, whether as owner(s) or lessee(s). A sign user simply renting one space on a larger "tenant board" or other sign advertising multiple businesses shall not be considered to be in control of such sign.

f. Any violation of this Section shall be a misdemeanor. The City may issue a citation and upon conviction seek imposition of fines in accordance with the following schedule:

i. Upon a first conviction, a minimum of $250;

ii. Upon a second conviction within a period of one year, or a first conviction within a period of one year following a finding of civil liability regarding a violation of this Subchapter, a minimum of $500; and

iii. Upon each subsequent conviction a fine of $1,000.

g. As an alternative to a criminal prosecution regarding a particular violation, the City may process the violation as a civil nuisance under LVMC 9.04.04. et seq. Upon a finding of civil liability, the City may seek an imposition of civil liability in accordance with the following schedule:

i. Upon the first finding of civil liability, a minimum of $250;

ii. Upon a second finding of civil liability within period of one year; a first finding of civil liability within a period of one year following a conviction; or any subsequent such finding, a minimum of $500.

h. Each day that any sign has been installed, created, erected, maintained or abandoned in violation of this Section shall be considered a separate violation when applying the criminal or civil penalty portions of this Section.


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19.16.210

MAINTENANCE DISTRICT

A. State Law Subjectivity

This Section is enacted pursuant to, and is subject to, the provisions of NRS 278.478 to 278.4787, inclusive.

B. Definitions

As set forth in this Section, the following terms shall have the meanings ascribed to them:

"Assessment" means the monetary amount levied against each tract or assessment unit as an assessment against a lot or parcel of real property within a development or subdivision for any given assessment period benefitted by an improvement.

"Assessment amount" means the monthly amount established by the City as the amount necessary to pay the proportionate share of the cost to maintain the improvements included within the maintenance district, to include, without limitation, the City's administrative costs, the actual cost for contracted services performed, and the associated labor, equipment, insurance, utility, and material costs.

"Assessment period" means each successive period of time running from and including July 1 to and including June 30 of the following year.

"Assessment unit" means each legal lot or parcel of real property comprising, and being included within, the boundaries of the maintenance district and upon which a building may be constructed, whether such building has been constructed or not.

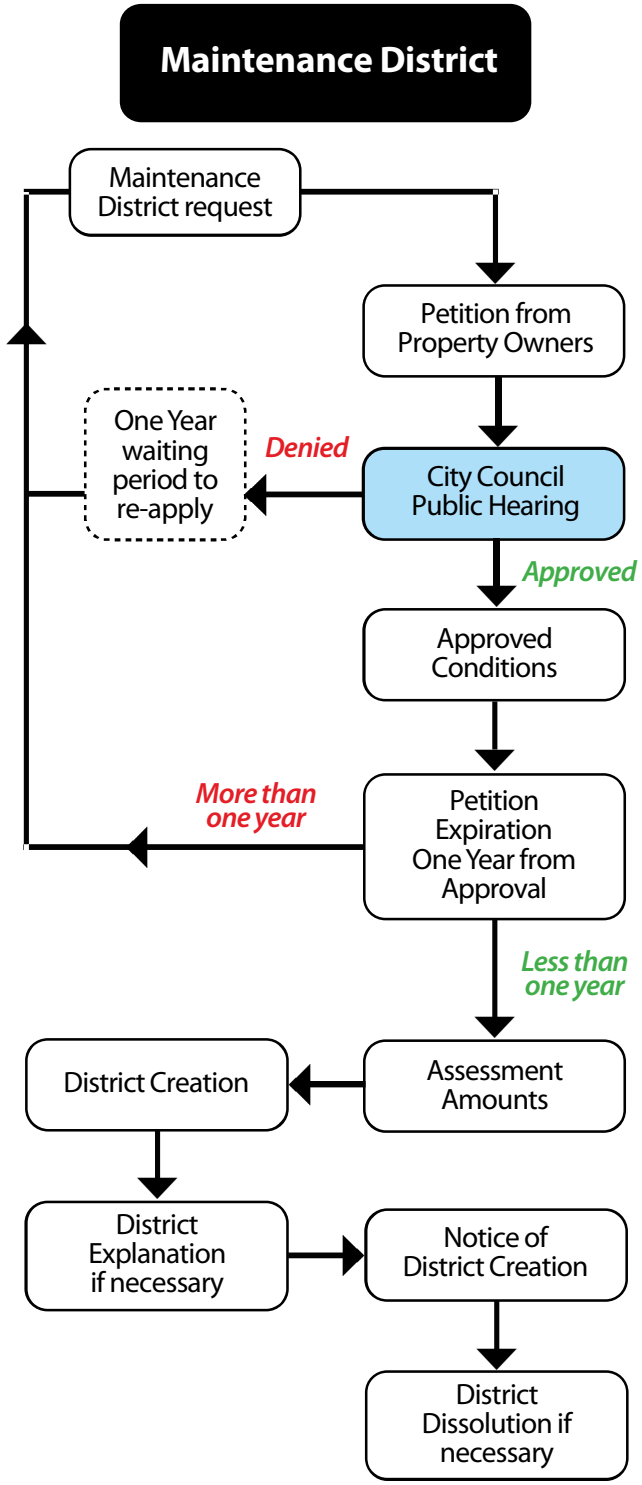
"Improvement" or "improvements" means any of the following improvements that are included or proposed to be included within a maintenance district in accordance with this Section:

1. Landscaping;
2. Public lighting;
3. Security walls; or
4. Trails, parks and open space that provide a substantial public benefit or are required by the City for the primary use of the public.

"Improvement plan" means the plan approved by the City which details the installation of the improvements proposed to be maintained within the maintenance district.

Typical Review Process

Maintenance District 19.16.210



"Landscaping" has the meaning ascribed to it in NRS 278.4781.

"Maintenance" means the care for and upkeep of improvements, including normal repair and replacement of materials and items to sustain an improvement to a level and quality acceptable to the City.

"Maintenance district" means the assessment district created, formed, and established pursuant to this Subchapter to provide for the maintenance of improvements.

"Maintenance district property" means the sum of all legal parcels of real property containing improvements that are requested by the applicant to be included and maintained within the maintenance district. The maintenance district property shall be shown as common area on the final map for a development or subdivision. The ownership of the maintenance district property will be ownership in common shared by the applicant and all future owners of property within the development or subdivision.

"Public lighting" has the meaning ascribed to it in NRS 278.4783.

"Security wall" has the meaning ascribed to it in NRS 278.4785.

C. Right to Petition the City

Pursuant to NRS 278.4787, persons who propose to divide land for transfer or development into four or more lots pursuant to NRS 278.360 to NRS 278.460, inclusive, or NRS Chapter 278A may, in lieu of providing for the creation of an association for a common interest community, petition the City to assume the maintenance of improvements within the development or subdivision. Additionally, if persons who own tracts of land or residential units within an existing subdivision or development with existing improvements, agree to dissolve the association for their common interest community in accordance with the governing documents of their common interest community they may, in lieu of said association, petition the City to assume the maintenance of those existing improvements.

D. Petition Requirements--General

A request for the City to maintain improvements from a person who proposes to divide land for transfer or development into four or more lots pursuant to NRS 278.360 to NRS 278.460, inclusive, or NRS Chapter 278A, shall be filed with the Department at least one hundred twenty days before the approval of the final map for the land, unless such time is otherwise waived by the City. The request must be made by written petition, on a form to be provided by the City. In order to be deemed complete, the petition must include, or be accompanied by the following:

1. The notarized signature(s) of at least a majority of the owners whose property will be assessed;
2. A description of all tracts of land or residential units that would be subject to an assessment;
3. A list of the improvements (including plans) that are proposed to be maintained by the City;
4. An explanation of why the City should accept maintenance of the improvements and what public benefit the City derives from the maintenance of the improvements;
5. An instrument granting the City, its officers, agents, employees, and contractors the right to enter and access the proposed maintenance district property to the extent necessary to inspect the improvements which are proposed to be maintained within the maintenance district;
6. Such other information as the City deems necessary in order to properly evaluate the petition; and
7. An application fee and inspection fee as set forth in the fee schedule.

E. Petition Requirements--Property Owners

A request for the City to maintain existing improvements from property owners in an existing development or subdivision, who propose to dissolve, or have dissolved, their common interest association in accordance with the governing documents of their common interest association, shall be filed with the Department. The request must be made by written petition, on a form to be provided by the City. In order to be deemed complete, the petition must include, or be accompanied by the following:

1. Notarized signatures from at least fifty-one percent of those property owners who would be subject to an assessment, or notarized signatures from at least the same percentage of property owners that would be required by the governing documents of the common-interest community to dissolve the common interest association, whichever is greater;
2. A description of all tracts of land or residential units that would be subject to an assessment;

3. A list of the improvements (including plans) that are proposed to be maintained by the City;

4. An explanation of why the City should accept maintenance of the improvements and what public benefit the City derives from the maintenance of the improvements;

5. Documentation evidencing that a conditional affirmative vote was had by the membership of the common interest association to dissolve the common interest association upon the City's acceptance of the petition for maintenance;

6. An instrument granting the City, its officers, agents, employees, and contractors the right to enter and access the proposed maintenance district property to the extent necessary to inspect the improvements which are proposed to be maintained within the maintenance district;

7. Such other information as the City deems necessary in order to properly evaluate the petition; and

8. An application fee and inspection fee as set forth in the fee schedule.

F. Petition--Public Hearing

1. Unless the requirement is waived by the City Council, the Council shall hold a public hearing regarding a complete petition described in Subsection (D) of this Section at least ninety days before the approval of the final map for the land. The City Council shall hold a public hearing regarding a complete petition as described in Subsection (E) of this Section within one hundred twenty days of its receipt of the completed petition. This time period may be extended at the discretion of the City Council. A petition shall be deemed complete if, in the City's judgment and discretion, it fully complies with the requirements of Subsection (D) or (E) of this Section. Any petition may be reviewed by City staff, by a committee, or by both, for the purpose of providing a recommendation to the City Council.

2. The purpose of the public hearing described in Paragraph (1) shall be for the City to determine the desirability of assuming the maintenance of the specified improvements. The maintenance assessments shall not, however, be effective until the City inspects and accepts the constructed improvements for maintenance. In determining if it is desirable for the City to assume maintenance of the improvements, the following factors may be considered by the City Council:

   a. Whether the maintenance of the improvements on the subject property alone, or cumulatively with other maintenance districts in the City, would create an unreasonable administrative or financial burden upon the City;

   b. Whether the location of the proposed maintenance district would interfere with the City's ability to efficiently and effectively maintain improvements on the subject property;

   c. The extent to which the maintenance district property is located on parcels that are contiguous;

   d. Whether the improvement plan submitted by the applicant is consistent with the requirements of the City, City policies, and the City's master plan, including the applicable land use guide approved by the City;

   e. Whether the proposed improvements are compatible with the character of the area of the City in which the improvements will be located;

   f. Whether the improvements are constructed to any standards for such improvements that have been adopted by the City and are otherwise acceptable to the City;

   g. The number and percentage of property owners who signed the petition and the number of protests received from property owners who would be subject to the assessment;

   h. Whether the maintenance of the proposed improvements will promote the health, safety and general welfare of the community;

   i. The extent to which the proposed maintenance district would be in the public interest;

   j. Any recommendation by City Staff and by any committee that may review the petition; and

   k. Any other factor deemed by the City Council to be relevant to the petition or to the proposed maintenance district.

G. Petition--Decision by Council

1. If the City makes a determination that it is desirable to assume the maintenance of the improvements,

the City shall form a maintenance district, by ordinance, in accordance with NRS 278.4787(4).

2. If the City Council determines that it would be undesirable for the City to maintain the specified improvements, the Council shall specify the reasons therefor.

3. An applicant whose petition has been considered by the City Council and denied may not repetition the City for a maintenance district within the same development or subdivision for a period of one year.

H. Petition Approval--Council's Right to Impose Certain Conditions

1. In approving a petition, the City Council may impose conditions designed to address the impacts that otherwise would make maintenance of the improvements by the City undesirable. Such conditions may include, without limitation, a requirement to:

a. Submit an agreement or instrument, acceptable to the City, granting the City, its officers, agents, employees, and contractors an exclusive right to enter and access the maintenance district property to the extent necessary to maintain the improvements on the maintenance district property;

b. Submit a written agreement, acceptable to the City, providing a warranty for all improvements for a period of twelve months, or for a shorter period if agreed to by the City, and indemnifying the City for damage or loss resulting from the improper installation or defective design of the improvements.

c. Provide an assessment deposit, equal to the first year of assessments and start up costs, as estimated by the City, for the maintenance district and the costs associated with recording notice with the Clark County Recorder's Office as required in NRS 278.4787(6);

d. Provide an easement, in a form suitable for recordation, that will provide the necessary access by which the City, through its officers, employees, agents and contractors, may perform the maintenance associated with the maintenance district; and

e. If applicable, submit documentation, acceptable to the City, evidencing the costs that have been incurred in maintaining the improvements that are proposed to be maintained by the City. Documentation regarding the maintenance costs shall be for the three-year period preceding the submission of the petition, unless a different time period is agreed to by the City.

2. The City may impose additional conditions as it deems necessary and appropriate at the time of the public hearing at which the creation of the maintenance district is considered.

I. Petition Expiration

A petition approved by the City shall expire one year from the date of the approval, unless all conditions of approval are met and construction of the improvements in question are commenced within that time period. The City shall have the discretion to establish a different expiration period for any particular maintenance district.

J. Assessment Amounts

1. The assessment amount for each assessment unit, including the billing cycle, shall be determined for each assessment period, subject, however, to an annual adjustment. The maintenance district may be considered for revision or adjustment annually and the assessment amount shall be adjusted accordingly based upon the bids received and the actual contracts approved by the City. Additionally, if costs and expenses are increased within the maintenance district by ten percent or more, the assessment amount shall be increased accordingly during the remainder of the assessment period.

2. Assessment amounts shall be payable according to the payment schedule adopted with the establishment of the maintenance district. The City, or its agent, shall mail to the property owner of the assessment unit a bill for the assessment amount to the same address for the property owner of such assessment unit as billings for real property taxes are sent by the Clark County Assessor's Office.

3. Assessment amounts for any partial assessment period shall be prorated based on a three hundred sixty-five day year.

4. The City shall assess a ten percent penalty for each assessment not paid within sixty days from the due date. Interest shall accrue on delinquent payments at the legal rate with unpaid principal, penalties, and accrued interest compounded semi-annually.

K. Improvement Installation Prior To Maintenance District Creation

1. Prior to the creation of a maintenance district, the improvements to be included therein must be fully installed:

   a. In accordance with the City-approved improvement plan supplied by the applicant;

   b. In accordance with any standards for such improvements that have been adopted by the City; and

   c. In a good, workmanlike, and lien free manner.

2. The City may accept a right-of-entry for access purposes at such time as the maintenance district is created.

3. Once the improvements are installed, the applicant shall notify the City, so that the City may inspect the improvements for compliance with the approved improvement plan and other applicable requirements and standards.

4. The City may undertake, or cause to be undertaken, the maintenance of the improvements consistent with the levels and standards approved by the City upon the City's creation of the maintenance district and acceptance of the public access rights. The maintenance of the improvements may be provided by the City or by a contract approved and administered by the City or its agent, under the provisions of NRS Chapters 271, 332 and 338 where applicable.

L. Maintenance District Expansion

Upon the filing of a supplemental petition, containing the same information as required for a complete petition in Subsections (D) and (E) of this Section, and by compliance with all provisions of this Section, the maintenance district may be expanded to include future phases of a development or subdivision provided that the same conditions as required for the creation of the original maintenance district are satisfactorily fulfilled, as determined by the City.

M. Notice Of District Creation

Subsequent to the creation of a maintenance district, the City shall record, in the office of the Clark County Recorder, a notice of the creation of the maintenance district or unit of assessment against the property located within the maintenance district that is sufficient to advise the owners of tracts of land or residential units that the tracts of land or residential units are subject to the assessment. The costs of recording the notice shall be paid by the petitioners. The notice shall be in such form and content so as to encumber the property located within the maintenance district and run with the title thereto.

N. District Dissolution

1. A maintenance district may be dissolved by the City if:

   a. The City determines that the improvements that are covered by the maintenance district are no longer necessary, or maintenance of those improvements is no longer necessary;

   b. A majority of the property owners of the assessment units request that the City dissolve the maintenance district, and an association for a common-interest community has been formed to maintain the improvements in lieu of the maintenance district; or

   c. The City otherwise determines that it is no longer desirable for the City to maintain the improvements within the maintenance district and that an association or other means has been or will be established to maintain the improvements.

2. Any money that may remain in the maintenance district fund after the dissolution of the district may be remitted to an entity that has been created within the development or subdivision to maintain the improvements.


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E-MAIL

19.16.220

UNIFIED DEVELOPMENT CODE (UDC) TEXT AMENDMENT

A. Purpose

The purpose of this Section is to provide for a process to amend the text of this Title.

B. Authority

1. Whenever public health, safety and general welfare may require, the City Council may amend, supplement, modify, change, or repeal any of the regulations contained in this Title.

2. Except where immediate concern for the public health, safety or general welfare dictate otherwise, the substance of any proposed amendment to the text of this Title shall be presented to the Planning Commission for its recommendation.

C. Planning Commission Public Hearing and Action

1. The Planning Commission shall hold a public hearing upon any proposed text amendment that has been presented to the Planning Commission for review.

2. Notice of the time, place and purpose of the hearing shall be given at least 10 days before the hearing by publishing a notice in a newspaper of general circulation within the City.

3. The Planning Commission shall hear and consider evidence and facts from any person present at the public hearing who desires to be heard and shall consider written communication from any person.

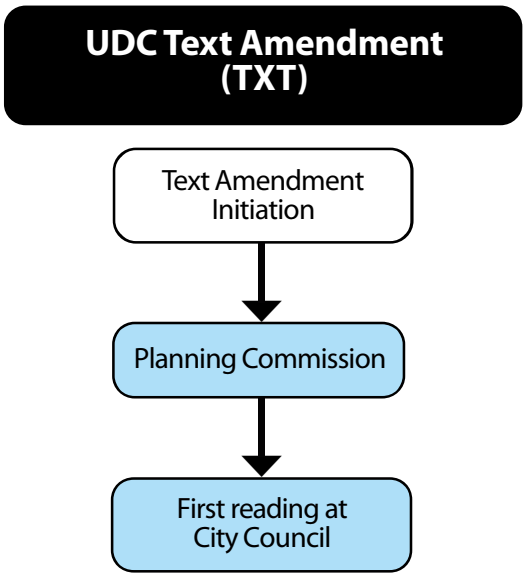
4. At the conclusion of the public hearing on the text amendment, the Planning Commission may recommend approval, approval with modification or disapproval of the amendment, or may hold the item in abeyance for further study.

D. City Council Consideration

The recommendation of the Planning Commission shall be made available to the City Council in connection with the Council's consideration, if any, of the substance of the text amendment.

Typical Review Process

UDC Text Amendment 19.16.220




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E-MAIL

19.16.230

STREET NAME CHANGE

A. Purpose

1. The purpose of this Section is to establish a procedure to change the name of any street or a portion of a street.

2. Street name changes will be made consistent with LVMC 19.04.060 and the edition of the City of Las Vegas Street Naming and Address Assignment Regulations adopted therein, as it may be amended from time to time.

B. Application

A petition for Street Name Change shall be made on a form to be provided by the Department. The applicant shall file two copies of the petition with the Director. The petition shall describe with certainty the portion of the street or streets to be affected. The petition shall be signed by all abutting property owners or a representative of the local government initiating the petition.

C. Time of Filing

In order to provide sufficient time for the necessary investigation by the Planning Commission and/or the Director, an application for a Street Name Change must be filed with the Director a minimum of 30 days prior to the date of the meeting of the Planning Commission at which the Street Name Change application is to be heard and considered.

D. Planning Commission Public Hearing and Action

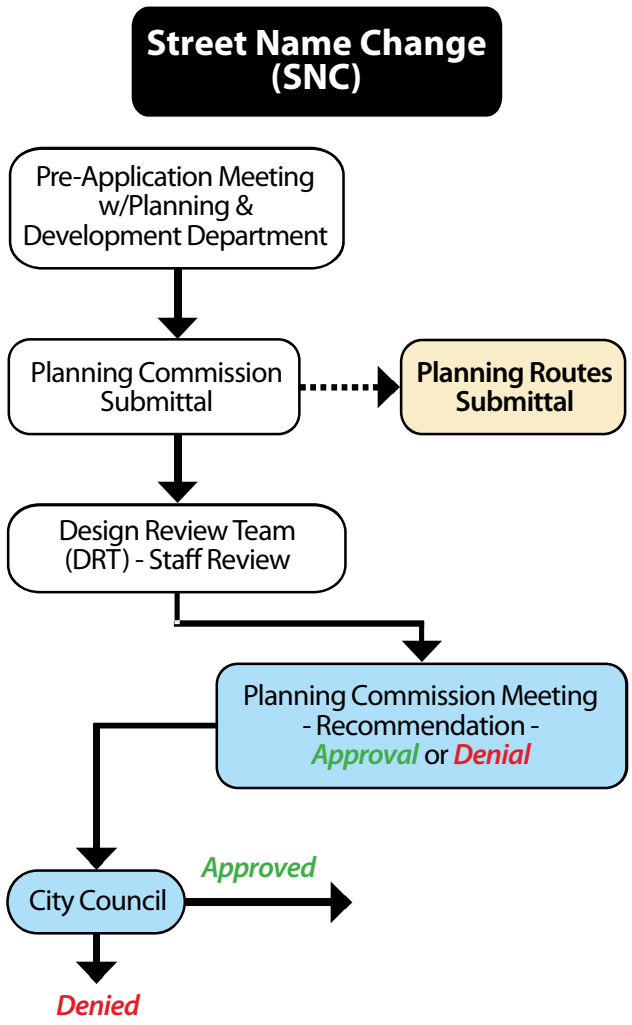
1. **Process and Review.** The Planning Commission shall hold a public hearing upon a completed application for Street Name Change following receipt of the petition.

2. **Notice.** The Director shall endeavor to mail notices of the Planning Commission meeting at which the petition will be considered to all persons owning property abutting the street or streets to be affected by the proposed name change; however, the failure to do so shall not invalidate any action taken at the meeting.

3. **Decision and Report.** Following the conduct of a public hearing or hearings, the Planning Commission shall make its recommendation either to grant or deny the application for a Street Name Change. The Planning Commission shall transmit a report of its recommendation to the City Council.

Typical Review Process

Street Name Change 19.16.230



E. City Council Public Hearing and Review

The City Council shall consider the application for Street Name Change and the recommendation of the Planning Commission at its next available meeting. If the City Council finds that it is in the best interest of the public and that no person will be materially injured, the City Council may order that the name of the street be changed.

F. Recording

The order contemplated in Subsection (E) of this Section shall be recorded in the office of the County Recorder and in the event the original name of the affected street is indicated on a subdivision map, parcel map or plat on file with the Recorder, the County Recorder shall make a written notation of the change on any map affected by the order.

19.16.240

REVIEW OF CONDITIONS

A. Purpose and Intent

The purpose of a Review of Condition is to provide a mechanism for reviewing proposed modifications to conditions of approval imposed by the City Council or Planning Commission. The provisions of this Section are intended to govern whenever there is a proposal to amend, modify or review a condition of approval of an application under this Chapter, notwithstanding the fact that other provisions of this Chapter regarding amendments and modifications to approved applications or plans might otherwise apply. The provisions of this Section are not intended to limit the authority of the Planning Commission or City Council.

B. Application

The applicant for a Review of Condition shall schedule and hold a pre-application conference with the Department prior to the submittal of an application. An application for Review of Condition shall be filed with the Department on a form to be provided by the Department. The application shall be signed and acknowledged by the owner of record of the property for which the Review of Condition is sought, and shall be notarized as to the owner's signature.

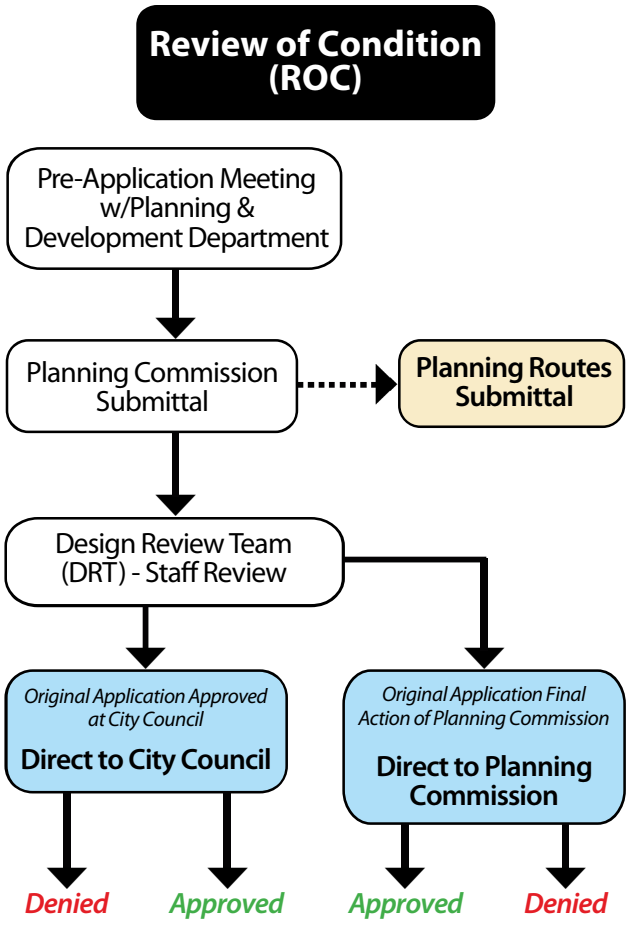
C. Hearing

An application for Review of Condition shall be heard by the Planning Commission or City Council, depending on which body took final action to impose the condition or conditions being reviewed. Notice of the time, place and purpose of the hearing must be given at least ten days before the hearing by:

1. Publishing the notice in a newspaper of general circulation within the City; and
2. Mailing a copy of the notice to:
   - **a.** The applicant;
   - **b.** Each owner of real property located within a minimum of one thousand feet of the property described in the application;
   - **c.** The president or head of any registered local neighborhood organization whose organization boundaries are located within the minimum of one mile of the property described in the application; and
   - **d.** The owner of each of the 30 separately-owned

Typical Review Process

Review of Conditions 19.16.240



parcels nearest to the property described in the application to the extent this notice does not duplicate the notice otherwise required by this Paragraph (2).

D. Decision

The Planning Commission or City Council, as the case may be, may approve, approve with conditions or deny an application for Review of Condition. The decision is final, subject to the right of appeal available under State law.

E. Notice of Decision

Written notice of the decision by the Planning Commission or City Council, as the case may be, including the reasons therefor, shall be provided to the applicant or agent. A copy of the notice shall also be filed with the City Clerk, and the date of the notice shall be deemed to be the date notice of the decision is filed with the City Clerk.

19.16.250

REQUIRED REVIEW

A. Purpose

The Planning Commission and City Council are authorized by the provisions of this Title to impose conditions in connection with their approval of applications under this Title. From time to time, such conditions of approval include a condition requiring that the application so approved (the "approved item") be brought back for review, either an administrative review or a review by the approving body. The purpose of the Required Review process described in this Section is to provide the mechanism by which approved items may be reviewed for compliance with the provisions of this Title and with conditions that were imposed in connection with the approval.

B. Application

An application for a Required Review shall be filed with the Department on a form to be provided by the Department. The application shall be signed and acknowledged by the owner of record of the property for which the Required Review is sought, and shall be notarized as to the owner's signature. In the absence of a voluntary application, the Department may process the Required Review on its own initiative.

C. Types of Required Review

Where the type of review required by a condition of approval was an administrative review, the Required Review shall be performed by the Director. Where the type of review required by a condition of approval was not an administrative review, the provisions of Subsections (D) through (F) of this Section shall apply.

D. Hearing

An application or agenda item for a Required Review shall be heard by the Planning Commission or City Council, depending on which body took final action to approve the items subject to a Required Review. Notice of the time, place and purpose of the hearing must be given at least ten days before the hearing by:

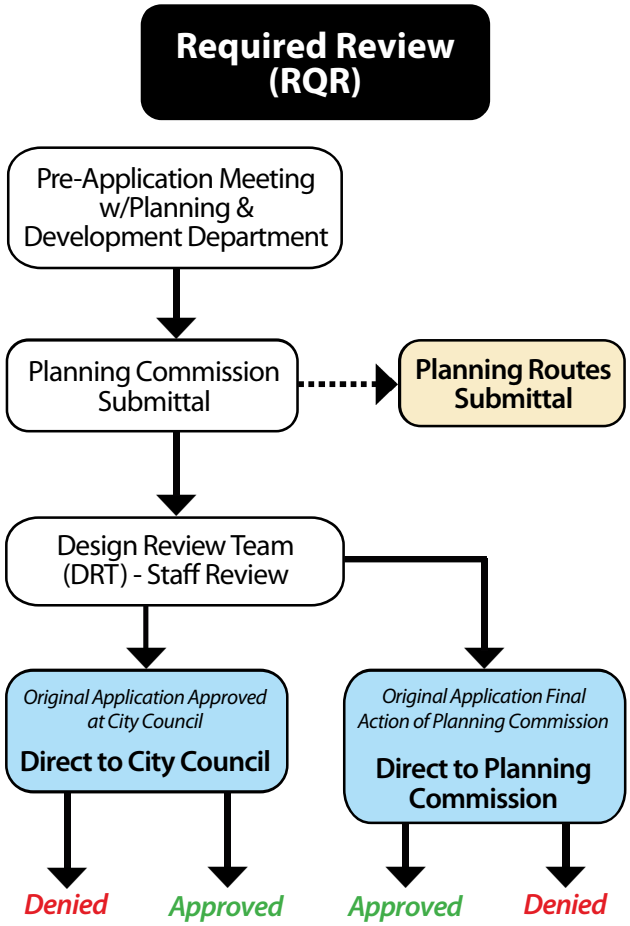
1. Publishing the notice in a newspaper of general circulation within the City; and

2. Mailing a copy of the notice to:

a. The applicant, if any, or otherwise to the property owner, operator of the use, or other representative;

Typical Review Process

Required Review 19.16.250



b. Each owner of real property located within a minimum of one thousand feet of the property described in the application;

c. The president or head of any registered local neighborhood organization whose organization boundaries are located within the minimum of one mile of the property described in the application; and

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

E. Decision

The Planning Commission or City Council, as the case may be, may take such action as it deems appropriate regarding the application, including without limitation:

1. Allowing the previous approval to continue subject to further review;

2. Allowing the previous approval to continue without further review;

3. Allowing the previous approval to continue subject to a different scope, or subject to conditions other than any previously imposed; or

4. Revoking or otherwise terminating the previous approval, but only if notice of the potential to take such action is provided at least fourteen days in advance of the hearing to:

a. The applicant (if any) or to the applicant's agent; or

b. Otherwise, to the property owner or operator of the use (or an agent).

F. Notice of Decision

Written notice of the decision by the Planning Commission or City Council, as the case may be, including the reasons therefor, shall be provided to the applicant, if any, or the applicant's agent, or otherwise to the property owner, the operator of the use, or an agent thereof. A copy of the notice shall also be filed with the City Clerk, and the date of the notice shall be deemed to be the date notice of the decision is filed with the City Clerk.

19.16.260

EXTENSION OF TIME

A. Purpose

The purpose of an Extension of Time is to provide a mechanism for extending the approval period of an approved application with time limitations imposed by the City Council or Planning Commission. The provisions of this Section are intended to govern whenever there is a proposal to extend an application under this Chapter, unless otherwise addressed any other provision of this Title. The provisions of this Section are not intended to limit the authority of the Planning Commission or City Council.

B. Application

An application for an Extension of Time shall be filed with the Department on a form to be provided by the Department. The application shall be signed and acknowledged by the owner of record of the property for which the Extension of Time is sought, and shall be notarized as to the owner's signature.

C. Hearing

An application for an Extension of Time shall be heard by the Planning Commission or City Council, whichever body took final action to approve the item subject to an Extension of Time. Notice of the time, place and purpose of the hearing must be given at least ten days before the hearing by publishing the notice in the newspaper of general circulation within the City.

D. Decision

The Planning Commission or City Council, as the case may be, may take such action as it deems appropriate regarding the application, including without limitation:

1. Allowing the extension of the previous approval;

2. Allowing the extension of the previous approval subject to conditions other than any previously imposed; or

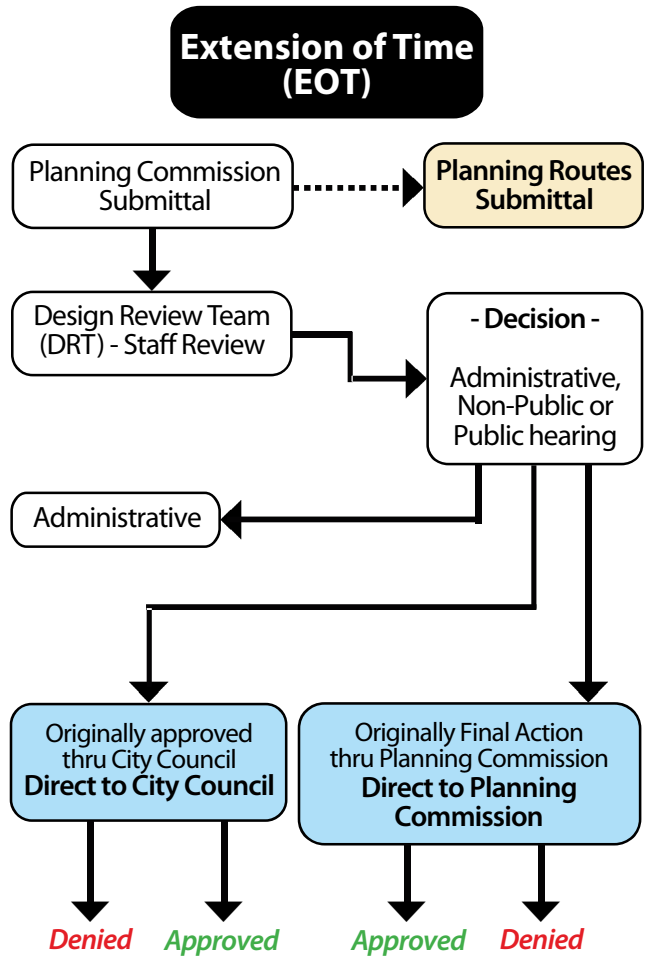
4. Denial of the extension of the previous approval.

E. Notice of Decision

Written notice of the decision by the Planning Commission or City Council, as the case may be, including the reasons therefore, shall be provided to the applicant, if any, or the applicant's agent, or otherwise to the property owner, to the operator of the use, or an agent

Typical Review Process

Extension of Time 19.16.260



thereof. A copy of the notice shall also be filed with the City Clerk, and the date of the notice shall be deemed to be the date notice of the decision is filed with the City Clerk.

19.16.270

MASTER SIGN PLAN

A. Purpose

A Master Sign Plan is required for certain types of development in order to allow the Planning Commission and City Council to ensure the appropriate relationships among building elevations, signage and circulation. Larger commercial developments are likely to generate greater impacts on surrounding residential properties than smaller commercial projects. An effective Master Sign Plan encourages integrated signage, with an emphasis on wall signs and central identification signage rather than multiple freestanding signs along the street frontage. Reducing the amount of sign clutter along street frontages allows the customer of the commercial center to readily identify establishments that have the goods and services they seek.

B. Applicability

1. A Master Sign Plan shall be submitted and approved before any on-premise signage may be installed for the following:

a. Any non-residential project with a site larger than 15 net acres; or

b. Any non-restricted gaming establishment.

2. A Master Sign Plan may be submitted for any development or property not otherwise required to submit a Master Sign Plan to accomplish one or more of the following:

a. To establish the requirements and limitations for signs located in the Gaming and Downtown Overlay districts, and for signs relating to uses that are not regulated elsewhere in this Title and that are located on property in the Planned Community and Planned Development districts;

b. To establish requirements and limitations for signs in a specific development that are more restrictive than would otherwise be required by this Title; or

c. To satisfy a condition or requirement imposed by the Planning Commission or City Council.

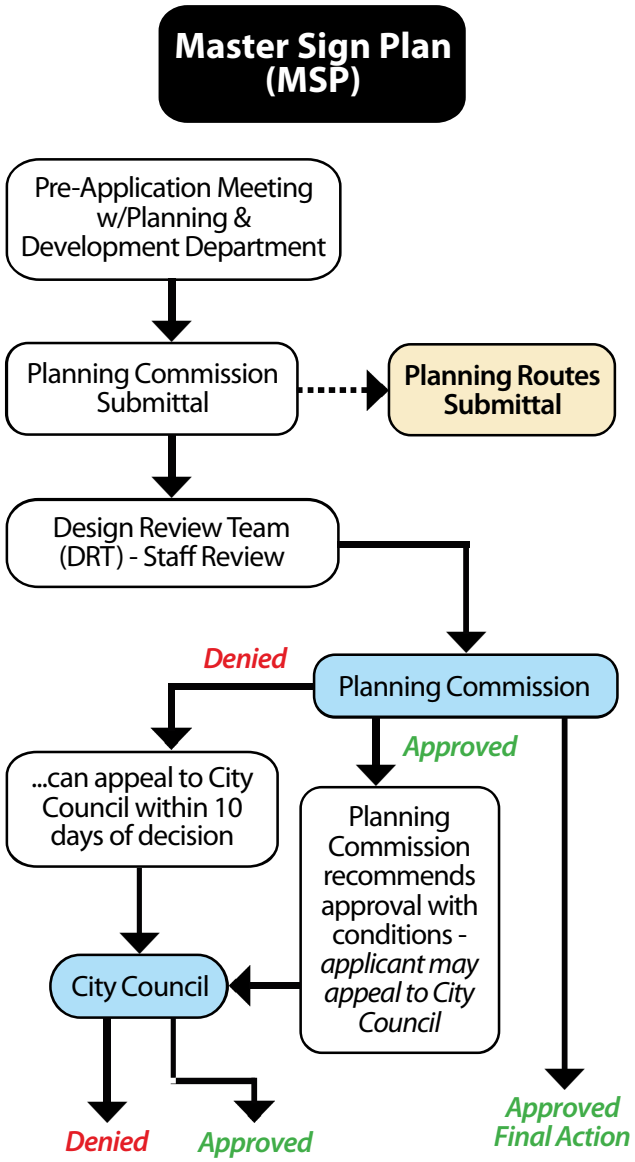
C. Master Sign Plan Requirements

A proposed Master Sign Plan generally may be submitted in connection with a Site Development Plan Review. The Master Sign Plan shall be signed by all the owners

Master Sign Plan

Typical Review Process

19.16.270



or the owner's authorized agent of the subject property on the form the Director requires, and shall include the following:

1. An accurate site plan of the lot, drawn to scale, indicating the location of buildings, parking lots, driveways and landscaped areas on the lot;

2. An accurate indication of the location of each present and proposed sign of any type, whether or not the sign requires a sign certificate, except that incidental signs need not be shown;

3. Design drawings which allow the computation of the sign area and the height of any existing or proposed signs and which indicate any sign characteristics such as illumination or moving parts;

4. A copy of any private restrictions or sign criteria which the owner(s) or developer agrees will govern all signs affected by the Master Sign Plan;

5. The applicable fees set forth in the Fee Schedule;

6. If applicable, standards for window signs that indicate the general type of window signage to be allowed (e.g., paper affixed to window, painted, etched on glass, or some other material hung inside the window); and

7. If applicable, a schedule for bringing all existing signs into conformance with the requirements in the Master Sign Plan.

D. Procedures

1. Hearing

The Planning Commission shall review a proposed Master Sign Plan within 65 days after it is properly submitted for review. The Planning Commission, in its discretion, may hold the Master Sign Plan in abeyance for good cause. Following the review, the Planning Commission shall make its recommendation to approve, approve with conditions, or deny the Master Sign Plan. The decision shall be based upon evidence that makes approval or denial of the Master Sign Plan appropriate.

2. Conditions of Approval

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

a. Either conform to all standards for the zoning district in which the sign will be located, under this Title, or establish sign requirements and limitations that are more restrictive than those set forth in this Title and that are consistent with the standards and criteria set forth in the following Subparagraphs (b) through (g). Master Sign Plans may also be used to establish the requirements and limitations for signs located in the Gaming and Downtown Centennial Plan Overlay districts, and the Planned Community and Planned Development Districts;

b. Conform to the Residential Protection Standards set forth in this Title;

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

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

e. Be professionally designed and fabricated from materials that meet the physical demands of an urban setting;

f. Be creative in the use of two- and three-dimensional forms, iconographic representations, illumination and graphic design, including the use of color, pattern, typography, and materials; and

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

3. Effect of Denial; Appeal

A decision by the Planning Commission to deny a Master Sign Plan becomes final and effective at the expiration of 10 calendar days after the date of the decision unless, within that period, the applicant appeals the decision by written request filed with the City Clerk.

4. Final Action Concerning Appeal or Approval

A decision by the Planning Commission to approve a Master Sign Plan constitutes final action, unless, with respect to a conditional approval, the applicant appeals the decision by written request filed with the City Clerk within ten calendar days after the date of the decision. The City Council shall review and make the final decision concerning each Master Sign Plan which has been appealed to the City Council.

5. City Council Decision

In the case of an appeal, the City Council may approve, approve with conditions, or deny the Master Sign Plan. In doing so, the City Council shall consider the decision of the Planning Commission and the evidence presented at the public hearing. Action by the City Council is final.

6. Deemed Disapproval

If there is no final action by the Planning Commission or City Council on a Master Sign Plan within 90 days after the filing of a complete Master Sign Plan application, exclusive of any period of delay agreed to by the applicant thereof, it shall constitute a denial of the proposed Master Sign Plan. In the case of a failure by the City Council to reach final action on a Master Sign Plan, the applicant may seek direct judicial review of that denial based on the record then pending before the City Council.

E. Amendments

1. Minor Amendment

a. Applicability. This Minor Amendment process shall apply to any amendment to a Master Sign Plan which does not propose any of the following:

i. Any increase by greater than ten percent in the number or size of freestanding or consolidated signs requiring certificates;

ii. Any substantial increase in the size, or illumination of wall, awning, roof, marquee or permanent window signs located within 200 feet of property zoned or shown on the General Plan as planned for single-family residential (attached or detached) use; or

iii. Any substantial change in the location of wall, awning, roof, marquee or permanent window signs located within 200 feet of property zoned or shown on the General Plan as planned for single-family residential (attached or detached) use.

b. Procedure. The applicant shall file an application in writing, with supporting drawings, specifically identifying the proposed changes to the approved Master Sign Plan. The Director shall review the application for completeness, and the applicability of the Minor Amendment process under this Section, within 5 business days of the date the application is received. After the Director finds that the application is complete, and that the Minor Amendment process applies, the Director shall review and act on the Amended Master Sign Plan application within 15 business days of the date the application is received. The application shall be reviewed for consistency with any conditions included in the original Master Sign Plan. If the "Master Sign Plan with Minor Amendments," is consistent with any conditions included in the original Master Sign Plan, the Director shall approve the application. The Director shall mark the approved plan as "Master Sign Plan with Minor Amendments," and indicate the date of approval. From that date, the amended Master Sign Plan shall be the official Master Sign Plan.

c. Resubmission or Appeal. If the Minor Amendment is denied under this Paragraph (1), the applicant may revise and resubmit the application or may submit the complete application as a Major Amendment, in accordance with Paragraph (2). The submission of the application as a Major Amendment shall be in lieu of any appeal.

2. Major Amendment

a. Applicability. Any amendment to a Master Sign Plan, which does not meet the criteria for a "Minor Amendment," as set forth in Paragraph (1), shall be reviewed as a Major Amendment.

b. Procedure. A Major Amendment Master Sign Plan is accomplished by the same process and procedures required establishing a new Master Sign Plan. The proposed Major Amendment shall specifically identify the proposed changes to the existing Master Sign Plan that is in effect.

c. Schedule for Achieving Conformance. If any application for a Major Amendment to a Master Sign Plan is filed for a property on which

existing signs are located, the application for the amended Master Sign Plan shall include a schedule for bringing into conformance all signs that do not conform to the proposed amended Master Sign Plan.

F. Effect

After approval of a Master Sign Plan, or amended Master Sign Plan, no sign shall be erected, placed, or altered, except in conformance with the Master Sign Plan, and the Master Sign Plan shall be enforced in the same way as any provision of this Title.

19.16.280

APPENDICES

A. Adopted

There are adopted, as part of this Chapter, five appendices, designated as Appendices "A," "B," "C," "D," and "E," which are incorporated by this reference and copies of which shall be maintained in the office of the City Clerk and the Department. The appendices are related to the preparation and submittal of parcel maps, tentative subdivision maps, final subdivision maps under the applicable provision of this Title and requirements related to boundary line adjustments as authorized and described by State law. The appendices are listed as follows:

1. Appendix A - Parcel Map Application Checklist ;
2. Appendix B - Tentative Map Application Checklist;
3. Appendix C - Final Map Application Checklist;
4. Appendix D - Monumentation Requirement ;
5. Appendix E - Required Certificates;


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19.18

Definitions & Measures

Unified Development Code
Title 19


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19.18 Definitions & Measures

19.18.010 General 339

19.18.020 Words and Terms Defined 339

19.18.030 Measurement Rules 373


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GENERAL 19.18.010

Terms which are used in this Title and are not specifically defined shall be given their ordinary meaning, unless the context requires or suggests otherwise. In the case of ambiguity or uncertainty concerning the meaning of a particular term, whether or not defined, the Director and staff of the Department shall have the authority to assign an interpretation which is consistent with the intent and purpose of this Title, or an interpretation which is consistent with previous usage or interpretation.

WORDS AND TERMS DEFINED 19.18.020

Abandoned Sign. A sign that:

1. Has ceased to be used to display a message relating to an on-going business, product, service, idea or commercial activity and where the owner(s) of the sign has manifested an intention to permanently cease to use the sign. A sign shall be presumed to be abandoned if it has not been used to display or support such a message during any continuous one-year period;
2. Is an on-premise sign pertaining to a building that has been destroyed or damaged beyond use, and substantial construction work for its repair or replacement has not begun within six months after such destruction. This period may be extended by the Planning Commission upon application of the property owner(s) for good cause shown; or
3. Is an on-premise sign pertaining to a business that has advertised or otherwise publicly indicated that it is "going out of business," closing, moving, or closing at this location by a date that has passed.

Abandoned. Concerning a building or use, means not having been developed or maintained for a stated period of time.

Abut. To physically touch or border upon; or to share a common property line, but not overlap.

Access. A way or means of approach to provide vehicular or pedestrian physical entrance to a property.

Accessory Structure. A structure that is:

1. Located on the same lot as a principal structure;
2. May be detached from or attached to the principal structure; and
3. Incidental or subordinate to the principal structure.

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

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

Accessory Use. A use incidental or secondary to the principal use of a lot, building or structure and located on the same lot as the principal use.

Action. The decision made by the reviewing authority on a land use application; the determination made and any conditions of approval.

Adjacent. To be separated by common property lines, lot lines, or is directly across a street, private street or access easement, or right-of-way (other than a freeway or arterial) from the subject property.

Adult Day Care Center. A facility that provides personal care and related services to more than ten dependent adults in a supervised, protective, congregate setting during some portion of a twenty-four hour day. Services typically offered in conjunction with an adult day care center include social and recreational activities, training, meals, and services such as rehabilitation and medication assistance.

Advertising. Any writing, painting, display, emblem, drawing, sign or other device designed, used, or intended for display or any type of publicity for the purpose of making anything known or attracting attention to a place, product, goods, services, idea or statement.

Air Rights. The right to use space above ground level.

Airport Elevations. The highest point of an airport's useable landing area measured in feet above mean sea level.

Airport, Heliport or Landing Field. Any area of land designated and set aside for the landing and taking off of any aircraft regulated by the Federal Aviation Administration, together with related refueling and terminal facilities.

Alley. A private or public way which affords only a secondary means of access to abutting property and which is not intended for general travel or circulation.

Alter. To make any change in the structural members or other features of a building; or any change to allow the building to be used for purposes other than those for which it was originally intended. "Alter" includes "enlarge".

Amenity. A natural or created feature that enhances the aesthetic quality, visual appeal or attractiveness of a particular property, place or area.

Amphitheater. An oval, circular or semicircular outdoor theater in which the stage or screen area is surrounded by rising tiers of seating or assembling areas, or both.

Ancillary Lounge Bar. A bar located in a lounge area of a hotel or approved mixed-use building which has a minimum of one hundred-fifty rooms or residential units, unless the City Council determines that public health, safety and welfare are not compromised by a lesser number of rooms or units, where the lounge bar makes available alcoholic beverages for consumption in specified areas only. The term does not include a bar that is ancillary to a "Non-restricted Gaming Establishment," as defined in this Title

Ancillary Use. A use incidental to and customarily associated with a specific principal use and which is located on the same parcel or lot.

Animal Hospital, Clinic, or Shelter. A facility that provides medical or surgical treatment for animals or pets, as well as shelter and care during the time of such treatment. Such a facility may, but does not necessarily, include the use of outdoor pens in providing such shelter and care.

Animal Keeping and Husbandry. The raising, keeping and breeding of domestic animals, including without limitation dogs, cats, birds, sheep, goats and pot-bellied pigs. The use must be ancillary to the principal use, but may be conducted for commercial purposes.

Animal Keeping, Wild or Exotic. The keeping of nondomestic animals, including without limitation wild animals as defined in LVMC 7.04.500.

Animal Production. A facility or area for raising animals (including fish and birds) and the development of animal products, such as meat, fur or eggs on a commercial basis. This use does not include raising animals to sell as pets.

Antenna. Any exterior apparatus that is mounted on a structure and is used for transmitting or receiving communications, including electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless communication signals or other communication signals.

Antenna Tower. A pole or other structure, including any supporting elements, that is used to support one or more wireless communication antennas. The term includes a pole or other structure that supports a wireless communication antenna and that is attached to a trailer or other portable support.

Antenna Tower Alternative Structure. A structure such as a flagpole, man-made tree, clock tower, bell steeple, or similar alternative-design mounting structure that substantially camouflages or conceals the presence of wireless communication antennas or antenna towers.

Antique/Collectible Store. Any building used for the sale of:

1. Any old and authentic object of personal property which was made, fabricated or manufactured sixty or more years earlier and which has a unique appeal and enhanced value mainly because of its age; or
2. Any article of personal property which was made, fabricated or manufactured twenty or more years earlier and because of public demand has attained value in a recognized commercial mark which is in excess of its original value.

Apartment House. A structure which contains three or more apartment dwelling units and which does not qualify as a condominium, townhouse dwelling or residence hotel.

Apartment. A room, or suite of rooms, within an apartment house which has facilities for the preparation of meals, is designed for and used or intended to be used by one family and is intended to be occupied on a rental basis with a rental period of at least one week.

Arcade Sign. A wall or projecting sign attached to the roof or the wall of an arcade and totally within the outside limits of the structural surfaces that delineate the arcade.

Archeological Site. A site that has yielded, or exhibits the promise of yielding, information important in the understanding of human prehistory or history. Such information may consist of evidence of past human life, habitation or activity, as well as material remains.

Architectural Feature. A decorative element intended to enhance the character of a structure and may be an integral part of the structure. Architectural features may include, but are not limited to, porches, eaves or freestanding forms and monuments.

Asphalt or Concrete Batch Plant. A permanent facility or area for the mixing of concrete or asphalt.

Assisted Living Apartment. An apartment or apartment complex which provides personal care services to senior citizens for daily living needs. Such services may include, but are not limited to, preparation and service of meals, housekeeping, laundry, monitoring of rooms, monitoring of medication, or assistance with bathing. The term includes commercial uses that are ancillary to an apartment complex

as long as the total amount of floor space dedicated to such uses does not exceed 5% of the total gross floor area of the apartment complex and there is no external signage for, nor external access to, the commercial uses. The term does not include a convalescent care facility/nursing home or other medical facility that is specifically defined in this Chapter.

Astrologer, Hypnotist, or Psychic Art & Science. Any person who practices, teaches, or professes to practice the business of astrology, hypnotism or the psychic arts and sciences for a fee, gift, donation, or otherwise. Psychic arts and sciences may include palmistry, phrenology, life reading, fortune telling, cartomancy, clairvoyance, clairaudience, crystal gazing, mediumship, prophecy, augury, divination, magic or necromancy. The term does not include a hypnotherapy practice.

Attached Sign. Any sign that is attached to an occupied building or building designed for occupancy.

Attention Gaining Device. Any streamer, pennant, propeller, inflatable sign, tethered balloon, portable sign, bunting or other artificial device, figure, shape, color, sound, light or exhibit, whether live, animated or still, that is intended to attract attention to a use or business being conducted either on or off site.

Auction House. An enclosed establishment for the temporary storage and offering by an auctioneer of qualified property which is offered or sold to the highest bidder by means of a request or invitation for bids. For purposes of this definition, the term "qualified property" means property of any kind belonging to another, but excluding animals, motor vehicles and business inventory to be liquidated following or in connection with the closing of a business. The term "auction house" does not include a secondhand dealer.

Auctioneer. A person who cries out or otherwise requests or solicits bids for purposes of offering to sell property to the highest bidder.

Auto Broker. A facility or area used primarily for the wholesaling of used motor vehicles, typically on an intermediary basis between an auction house and a used car dealership. The term does not include a facility or area used for the retail sales of used vehicles.

Auto Dealer Inventory Storage. The parking or storage, other than for purposes of display, of new motor vehicles which constitute inventory of a new motor vehicle sales dealership, where such parking or storage is maintained by the dealership either on the same parcel as the dealership or on a separate parcel.

Auto Paint & Body Repair Shop. A facility for collision services including body, frame or fender straightening or repair and painting of vehicles in an appropriate paint booth.

Auto Parts (Accessory Installation). A facility for the retail sale and installation of auto accessories such as stereos, alarms and other types of accessories.

Auto Parts (New & Rebuilt) (Accessory Sales & Service). A facility for the retail sale and installation of lubricating oils, tires, filters and other new or rebuilt goods for use in motor vehicles. The resurfacing of rotors, pressing of bearings, grinding of brake drums, and similar activities are permitted as incidental uses, as well as the installation of auto accessories.

Auto Repair Garage, Major. A facility for the repair or reconditioning of any type of motorized vehicle, other than the types of repair and service authorized to be performed in a minor auto repair garage. The term includes a facility which performs any repairs to vehicles with a gross vehicle weight over 10,000 pounds.

Auto Repair Garage, Minor. A facility for the performance of minor repairs and service on vehicles of 10,000 pounds gross vehicle weight or less. Such repairs and service are limited to electronic tune ups, brake repairs (including drum turning), air conditioning repairs, generator and starter repairs, tire repairs, front end alignments, battery recharging, lubrication, selling/installing minor parts and accessories, and other similar activities. The term also includes the repair and installation of other minor elements of an automobile such as windshield wipers, hoses, windows, etc., but excludes general engine repairs, engine installation, and the repair and installation of transmissions and differentials.

Auto Sales Showroom. A completely enclosed facility for the display, storage and sale (or leasing) of new or used automobiles and trucks, along with related accessories. This use does not include a motor vehicle sales use as defined in this Title and does not include any ancillary activity normally associated with such uses, including without limitation the service, repair and rental of vehicles.

Auto Smog Check. A facility for the testing of vehicle emissions.

Auto Title Loan. A business whose primary function is to lend money on the security of the title to a motor vehicle rather than on the security of the vehicle itself.

Automobile Detailing Shop. Any building or premises used for washing and cleaning of passenger vehicles.

Automobile Rental. A facility for the rental of new or used automobiles or other passenger vehicles. For purposes of the limitations of this Title on outside storage, vehicles kept

on a lot for rental purposes are not considered to be outside storage.

Automobile Repossession Agency. Any parking area used for the storage of up to two operable vehicles which have been repossessed by or on behalf of a lender, together with related office operations. The term does not include the storage of more than two vehicles, which shall be treated as if the use were motor vehicles sales.

Auxiliary Kitchen. A second kitchen in a single-family detached dwelling that is:

1. Intended solely for use by members of the household for private dinner parties or social gatherings; and
2. Not located within an accessory structure and is directly accessible from the rest of the dwelling.

Average Daily Traffic (ADT). The average number of motor vehicles per day that pass a given point.

Awning. A roof-like cover that projects from the wall of a building for the purpose of shielding a doorway or window from the elements.

Awning Sign. Any sign that is a part of or attached to an awning, or other fabric, plastic or structural protective cover over a door, entrance, window or outdoor service area.

Bailbond Service. An establishment that makes available to the public undertakings of bail in connection with judicial proceedings.

Bakery, Retail. An establishment which specializes in the retail sale of baked goods, such as doughnuts, cookies, pastries and other similar goods, but does not provide meals as found in a restaurant.

Banner. Any sign of lightweight fabric or similar material that is mounted to a pole or a building at one or more edges. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered banners.

Banquet Facility. Establishment which is rented by individuals or groups to accommodate private functions such as banquets, weddings, anniversaries, and other similar celebrations. Such a use may or may not include: 1) kitchen facilities for the preparation or catering of food; 2) the sale of alcoholic beverages for on-premises consumption, only during an event, and 3) outdoor gardens or reception facilities.

Basement. A story partly or completely underground. A basement shall be counted as a story for purposes of height measurement where any portion of a basement has more than one-half of its height above grade.

Beacon. Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source; also, any light with one or more beams that rotate or move.

Bed & Breakfast Inn. A facility wherein overnight accommodations and a morning meal are provided in a dwelling unit to tourists for compensation.

Beer/Wine/Cooler Cultural Establishment. An establishment:

1. Whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers for consumption only:
   a. At a museum, performing arts theater, or facility licensed as an art studio or otherwise licensed for art sales or display (or both); and
   b. During the hours of an artistic exhibition, presentation or performance; and
2. That meets the criteria for a beer/wine/cooler cultural establishment as set forth in LVMC 19.12.070.

Beer/Wine/Cooler Off-Sale Establishment. An establishments whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers to consumers only and not for resale, in original sealed or corked containers, for consumption off the premises where the same are sold, and is operated in connection with a grocery store, drug store, convenience store or specialty merchandise store.

Beer/Wine/Cooler On-Sale Establishment. An establishment whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers for consumption only in connection with a meal on the premises where the same is sold, and is operated in connection with a restaurant in which thirty or more people may be served with meals at any one time at tables or stools.

Beer/Wine/Cooler On- and Off-Sale Establishment. An Establishment:

1. Whose license to sell alcoholic beverages is limited to:
   a. The sale of beer, wine and coolers for consumption only in connection with a meal on the premises where the same is sold; and
   b. The sale of beer, wine and coolers to consumers only and not for resale, in original sealed or corked containers, for consumption off the premises where the same are sold; and

2. Is operated in connection with a restaurant, grocery store or convenience store in which thirty or more people may be served with meals at any one time at tables or stools.

Benchmark. Grade elevations as determined by standardized vertical ground controls established by the National Geodetic Survey, the City of Las Vegas or Clark County.

Billiard Parlor or Pool Hall. A business establishment whose principal purpose is to make billiard tables available for use by the public for amusement or entertainment.

Block. Property designated on an officially recorded map and bounded by streets and other natural or physical barriers which make it a unit not to exceed 660 feet in length.

Blood Plasma Donor Center. A building used for the collection of human blood plasma from plasma donors. The term does not include a facility for the provision of medical care or treatment.

Boarding or Rooming House. A building or portion thereof, other than a hotel, with no more than four guest rooms where, for compensation, lodging and meals are provided for no more than four persons who are not members of the immediate family occupying such building.

Boat and Trailer Dealership (New and Used). The use of any building or lot for the display and sale of new or used boats, jet skis or other marine vessels, along with corresponding trailers.

Bubbler Heads. An irrigation head that delivers water to the root zone by "flooding" the planted area, usually measured in gallons per minute. Bubblers emit a trickle, umbrella or short stream pattern.

Building. A structure having a roof supported by columns or walls for the housing or enclosure of persons, animals or chattels. "Building" includes "structure".

Building & Landscape Material/Lumber Yard. A facility for the sale of home, lawn and garden supplies and construction materials such as brick, lumber and other similar materials.

Buildable Area. That portion of a building site exclusive of the required setback areas in which a structure or building improvements may be erected including the actual structure, driveway, parking lot, pool and other construction as shown on a Site Development Plan.

Building Coverage. The ratio of the horizontal area measured from the exterior surface of exterior walls of the ground floor of all principal and accessory buildings on a lot to the total lot area.

Building Elevation. The exterior face of a building, including all vertical elements of the building facing in the same general direction.

Building Height. Building height refers to the vertical distance between the average finished grade along the front of a building and either 1) the highest point of the coping of a flat roof; 2) the deck line of a mansard roof; or 3) the average height level between the eaves and ridge line of a gable, hip or gambrel roof.

Building Line. A line established by measuring from the property line, a distance equal to the required setback line, which is generally parallel to the curb line or edge of pavement. No part of a building shall project into the area between the property line and the building line except as otherwise provided in this Title.

Building Maintenance Service & Sales. A facility or area for contracting services such as building repair and maintenance, the installation of plumbing, electrical, air conditioning and heating equipment, janitorial services, and exterminating services. The retail sale of supplies is permitted as an accessory use.

Building Marker. Any sign indicating the name of a building, date or incidental information about its construction. Building markers are cut into the exterior building materials or made of bronze or other permanent material.

Building Mass. The height, width and depth of a structure.

Building Permit. Written permission issued by the Department of Planning and Development for the construction, repair, alteration or addition of a structure.

Building Scale. The relationship of a particular building, in terms of building mass, to other nearby and adjacent buildings.

Building Site. The total area of the building together with all yard areas adjacent thereto, as required by this Title.

Building, Detached. One building on one building lot surrounded by yards or open space; or buildings in a building group that are physically detached one from the other.

Building, Principal. A building in which the principal use of the lot is conducted.

Build-to Line. A line established at a certain distance from the corresponding lot line along which the building, or a portion thereof, must be built.

Bus Charter Service & Service Facility. Any premises for the transient housing, parking, servicing or repair of motor-driven buses.

Business School. A facility or area for instruction and training in secretarial and related office skills, cosmetology, commercial art, computer software, cooking or similar training.

Caliper. The diameter of a tree trunk measured four and one-half feet above the ground.

Canopy. A rigid roof, generally supported at all corners or extremities by poles, posts or direct attachment to a building. A canopy typically has little vertical or wall space on it and is only as thick as necessary to create a functional roof. See "Marquee" and "Awning."

Canopy Sign. A sign attached to or painted on a canopy.

Car Wash, Full Service or Auto Detailing. An establishment that provides for the washing, cleaning, waxing or detailing of passenger vehicles, either by means of employees or by means of automated or semi-automated methods of cleaning, or by a combination thereof.

Car Wash (Self-Service). A coin operated car wash facility operated by the customer and which does not utilize automobile conveyors or other automatic methods of cleaning.

Carport. A permanent roofed structure for vehicle parking which is not completely enclosed.

Casino. A room or structure whose principal use is for the conduct of gaming activities.

Catering Service. A service that provides for the preparation, storage, and delivery of food and food utensils for off-premise consumption.

Cemetery/ Mausoleum. Property and facilities used for interring of the dead.

Changeable Copy Sign. Any sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign. The message may be changed manually or electronically. Animated signs shall not be considered changeable copy signs.

Chat. Coarse fragments of hard silica rock principally used for railway ballast, highway construction and concrete production.

Check Cashing Service, Limited. The service of cashing checks for a fee, service charge or other consideration as a service that is supplemental to a retail business that otherwise does not provide services normally associated with a financial institution. The term does not include a general financial institution, specified financial institution, or any business that provides any kind of loan, cash advance, or deferred deposit service.

Child Care Center. Any commercial facility which provides day or overnight care for more than twelve children. Such a use is subject to the child care regulations and standards of the State of Nevada.

Child Care – Family Home. A residential dwelling used primarily as a residence which also provides day or overnight care for a maximum of six children for compensation. Such a use is subject to the child care regulations and standards of the State of Nevada.

Child Care – Group Home. A residential dwelling used primarily as a residence which also provides day or overnight care for a minimum of seven and a maximum of 12 children for compensation. Such a use is subject to the child care regulations and standards of the State of Nevada.

Church, House of Worship. Any building used for religious worship services, religious education and fellowship activities and programs of a religious organization. The term includes the use of the building and premises for other related activities, such as child care, formal educational programs, preschool classes and recreational activities, but only when those activities are ancillary to the religious use and only after those uses have been approved by means of a use review or other procedure under Chapter 19.16. The term does not include any class of child care center, general education classroom or facility, thrift shop, homeless shelter or commercial activity.

City. The City of Las Vegas, Nevada.

City Council (Council). The Mayor and City Council of the City of Las Vegas, Nevada.

City Standards. In their most recent editions and with the most recent amendments adopted by the City, the Standard Drawings for Public Works Construction Off-Site Improvements, Clark County, Nevada, Uniform Standard Specifications for Public Works Construction Off-Site Improvements, Clark County, Nevada; Uniform Regulations for the Control of Drainage and Hydrologic Criteria and Drainage Design Manual, Clark County Regional Flood Control District; Design and Construction Standards for Wastewater Collection Systems of Southern Nevada; Summerlin Development Standards; Summerlin Revised Improvement Standards; Urban Design Standards; Landscape, Wall and Buffer Standards; and any other engineering, development or design standards and specifications adopted by the City Council. The term

includes standards for public improvements and standards for private improvements required under this Title.

Civic Event Sign. A temporary sign, other than a commercial sign, posted to advertise a civic event sponsored by a public agency, school, church or religious institution, civic fraternal or other organization.

Cleaners, Commercial/Industrial. A facility or premises which is used for cleaning items in bulk quantities, such as clothing and linens. The term includes diaper cleaning services and cleaning services for hospitals, restaurants, hotels and similar clients, as well as rug and dry cleaning plants, and may include on-premise retail services to individual households as a use incidental to the operation of the plant.

Clinic. A facility which is occupied and used for the purpose of providing dental or medical care, and which regularly provides any of those services to the general public on an emergency basis or without appointment. The term does not include a hospital or a facility which provides for the overnight care or overnight stay of patients.

Club. Private quarters for a private organization; a principal purpose of which is the preparation and service of food and/or drink for members and their guests only.

Cold Storage Plant. A facility for the protective storage or items such as food or furs, in a refrigerated place.

College, University or Seminary. A college or university is an academic institution of higher learning beyond the level of secondary school. A seminary is an institution for the training of candidates for the priesthood, ministry, rabbinate or other religious order.

Collocation. The use of wireless communication facilities by more than one communication provider.

Commercial Message. Any sign wording, logo or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, idea or commercial activity. The term does not include sign copy that consists solely of the electronic indication of time, temperature, or both.

Commercial Recreation/Amusement (Inside). An enclosed facility or area for sport, entertainment, games of skill, or recreation that is open to use by the general public for a fee. The term includes without limitation bowling alleys, indoor miniature golf courses, roller and ice skating rinks, game courts, swimming pools, walk-in movie theaters, physical fitness centers, gyms and video arcades.

Commercial Recreation/Amusement (Outside). An outdoor facility or area for sport, entertainments, games of skill or recreation that is open to use by the general public for a fee. The term includes without limitation game courts, water slides, golf courses, outdoor miniature golf courses, drive-in theaters, batting cages, practice/instructional fields, amusements parks, and sports events, but does not include an amphitheater.

Commercial Vehicle. A vehicle customarily used as part of a business for the transportation of goods or people.

Commission. The Planning Commission of the City of Las Vegas.

Common Interest Community. Real estate with respect to which a person, by virtue of his ownership of a unit, is obligated to pay for real estate other than that unit. "Ownership of a unit" does not include holding a leasehold interest of less than twenty years in a unit, including options to renew.

Communication Provider. A person or entity that provides a communicative service to the community by means of transmission lines or by electronic transmission via wireless service, such as radio, television, microwave or other means of communicative transmission.

Community Center, Private (Accessory). A facility associated with a planned residential development or multi-family development which provides for community activities for residents of the development.

Community Interior Directional Sign. A sign placed within the interior of a subdivision to provide directions within the subdivision.

Community Recreational Facility, Public. A facility which provides for community activities and is available to the general public.

Community Residence. A residential family-like living arrangement for five to ten unrelated individuals with disabilities who are in need of the mutual support furnished by other residents, as well as the support services, if any, provided by the operator of the Community Residence. Residents may be self-governing or supervised by a sponsoring entity or its staff which furnishes habilitative or rehabilitative services related to the needs of the residents. Interrelationships among residents are an essential component of a Community Residence. A Community Residence shall be considered a residential use of property for purposes of all zoning and building codes. However, the Fire Marshal, pursuant to and consistent with the City's Fire Code, may require enhanced fire protection, including the installation of fire sprinklers and other mitigating measures, where one or more residents has a lessened ability to ambulate adequately. The use includes a Family Community

Residence and a Transitional Community Residence, but does not include any of the following:

1. Senior Citizen Apartment;
2. Adult Day Care Center;
3. Convalescent Care Facility/Nursing Home;
4. Facility for Transitional Living for Released Offenders;
5. Facility to Provide Testing, Treatment, or Counseling for Drug and Alcohol Abuse;
6. Hospice;
7. Sex Offender Counseling Facility;
8. Boarding House or Rooming House;
9. Any other group living arrangement for unrelated individuals who are not disabled; or
10. Any of the following, as defined by NRS Chapter 449:
    a. Facilities for the Treatment of Drug and Alcohol Abuse;
    b. Modified Medical Detoxification Facilities;
    c. Transitional Living Facilities for Released Offenders;
    d. Facility for the Treatment of Narcotics; or
    e. Community Triage Center.

Condominium. A multi-family dwelling or a commercial building within which the occupied area is owned individually and the structure, land, common open space areas and facilities are owned by all of the owners on a proportional, undivided basis.

Connectivity. A measure of how efficiently a transportation network provides access between destinations.

Connectivity Ratio. A measure of connectivity computed by taking the ratio of links (street segments) to nodes (intersections and cul-de-sac terminuses). It is determined by dividing the number of street segments (street sections between intersections and or cul-de-sac terminuses) by the number of intersections and cul-de-sac terminuses. For the purposes of this calculation, proposed street intersections with existing roads and stub roads for future access to vacant developable lands shall count as 0.5 intersections.

Consolidated Sign. An oversized freestanding ground sign which advertises one or more tenants within a non-residential development. Consolidation occurs when the conditions for such signs are met, and the area for multiple signs is consolidated into one sign.

Construction Material Supply Yard. A facility for the storage and sale of construction materials.

Construction Permit. A permit issued pursuant to the City's building and technical codes for the construction of any sign.

Construction Sign. A sign advertising a construction project and the parties involved in its development, proposed to be located on the lot or parcel of land on which the sign is located.

Contractor's Plant, Shop & Storage Yard. A facility for the storage and maintenance of contractor's supplies and operational equipment. Offices are considered an accessory use.

Contributing Property. A classification applied to an individual property within a designated Historic District, signifying that the property contributes generally to the distinctive character of the District, or an archeological site.

Convalescent Care Facility/Nursing Home. A building or structure designed, used, or intended to be used to house and provide care for persons who have a chronic physical or mental illness or infirmity, but who do not need medical, surgical or other specialized treatment normally provided by a hospital. The term includes a "rest home" and "nursing home," as well as a use that would qualify as a Community Residence except for the limitation on the number of residents, but does not include an "assisted living apartment," "hospital" or other medical facility that is specifically defined in this Chapter.

Covenant, Public Improvements. A recorded agreement wherein the owner and all successors in ownership of a parcel of land acknowledge and consent that normal public improvements required under this Code have been deferred with concurrence of the City until such future time that the improvements are then required to be installed per written request of the City or via a special improvement district, or other means, either individually or jointly with other land owners in the vicinity of the parcel. (Also referred to as a "covenant running with land agreement".)

Convent or Monastery. A house or set of buildings used as a residence by persons under religious vows.

Convention Facility. A structure which has at least 100,000 square feet of floor space utilized for scheduling, hosting or accommodating a convention, trade show or temporary event whether the activity is open or closed to the general public. For purposes of this Title, the term includes a stadium facility that is operated in conjunction with a convention facility.

Convenience Store. A facility, limited in size and scope that is primarily used for the retail sale to the public

of merchandise for off-site consumption, including prepackaged food products, sundries, household items and similar consumer items. The term does not include a retail business licensed as a "drugstore" pursuant to LMVC Title 6.

Copy Center. A facility for the custom reproduction of written or graphic materials on a custom order basis for individuals or businesses. Typical processes include, but are not limited to, photocopying, small offset printing, blueprint, and facsimile sending and receiving.

Corner Lot. A lot situated at the intersection of two or more streets, with frontage on at least two streets.

Country Club, Private. A facility that is made available for use on a membership basis for recreational or athletic purposes, where membership is limited and the use of the facility is primarily restricted to members and their guests. The term includes accessory uses, such as:

1. A clubhouse.
2. Retail and restaurant facilities which do not have separate signage or advertising.

County. Clark County.

Court. An open, unoccupied space, other than a required yard, on the same lot with a building and bounded on two or more sides by the walls of a building.

Crematory. A facility used for the cremation of corpses.

Crop Production. An area for raising or harvesting agricultural crops.

Cul-de-sac. A local street with only one connection to other streets and with an approved method of termination at the closed end.

Curb. A stone, concrete or other improved boundary usually marking the edge of the roadway or paved area.

Curb Cut. The opening along the curb line at which point vehicles may enter or leave the roadway to access adjacent property.

Custodial Institution. One or more buildings and related facilities used for the housing or detention of persons who have been charged with or have been convicted of felonies or misdemeanors.

Custom & Craft Work. A facility in which finished, personal or household items which are either made to order or which involve considerable handwork are produced. Examples include, but are not limited to textiles, pottery, furniture repair or refinishing, wood working, upholstery, sculpting and other work or wood products on an individualized single item basis. The term does not include cabinet making, cabinet assembly or the use of mechanized assembly line production.

Cut. The excavation and mechanical removal of earth material.

Cut and Fill. The excavation and mechanical removal of earth material, and the relocation thereof, for purposes of altering the level or slope of land.

Daily Labor Service. Any building or premises which serves as a staging point or gathering place for persons who are seeking immediate employment in daily labor activities and who accept or are assigned such employment in accordance with whatever employment is available on that particular day. For purposes of this paragraph, "daily labor" means manual labor, including without limitation, construction cleanup, garbage pickup and removal, demolition, convention setup and takedown, landscaping, planting and digging.

Deciduous Shade Tree. A tree that sheds all its leaves every year during a certain season.

Decorative Block. Generally refers to non-standard masonry building block. The face of the block is typically textured and contains a non-standard finish or shape. Gray, smooth finish CMU is not considered decorative block.

Decorative Wall. A masonry wall where at least 20 percent of the wall is of a type of masonry which is differentiated by texture, color, style or a combination of all three characteristics.

Deed. A legal document conveying ownership of real property.

Delivery and Service Vehicle Storage. The use of an area or facility for the parking and storage of commercial fleet vehicles that are used primarily in connection with the delivery of goods and services to the surrounding community.

Density. The number of families, individuals, dwelling units, households or housing structures per unit of land.

Department. The City's Planning and Development Department.

Design. The design elements of a development site, including the planning and engineering of the following: street alignments, grades and widths; drainage and sanitary facilities and utilities, including alignment and grades thereof; location and size of all easements and rights-of-way; lot size and configuration; traffic access; grading; land

to be dedicated for parks or recreational purposes; building design and configuration; landscaping and open space; and other such specific physical requirements.

Designated Property. Any property which has been classified as a Landmark, Historic Property or a contributing property within an Historic District.

Desktop Publishing. An establishment that provides custom set-up of graphics and text for publication in an office setting. The term does not include an establishment that performs off-set printing or related distribution.

Detached. Any building or structure that does not have a roof or wall in common with any other building or structure.

Determination of Application Sufficiency (Completeness). A determination that an application for review and approval of a parcel map, tentative, or final map is or is not complete at the time of filing. Failure to submit all required forms, fees, studies, drawings, maps and other submission requirements may result in a finding of insufficiency, and no further review or effort to schedule the application for processing is required until sufficiency is achieved.

Development Entry Statement Sign. A sign placed at the entry to a subdivision, apartment development, or identifiable community to identify the subdivision, apartment development, or identifiable community.

Development Plan. A map or maps that identify in the proposed general land use designations, design standards, transportation plans, open space and community facilities.

Development Standards. Documentation that identifies the requirements and standards for commercial and residential development, including, but not limited to, densities; building height, bulk and setback requirements by land use type; signage; landscaping; parking; open space. The "Design Standards Manual," to the extent adopted by the City Council, contains required development standards for development within the City.

Development. The division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any mining, excavation, landfill or land disturbance; or any use or extension of the use of land.

Director. The Director of the Department of Planning and Development of the City.

Directory Sign. A sign that provides a map or listing of the names of businesses, activities, addresses, locations, uses or places within a building or complex of buildings for the purpose of identification only.

Disability or Disabilities. Refers to:

1. A physical or mental impairment which substantially limits one or more of such person's major life activities;
2. A record of having such impairment; or
3. Being regarded as having such an impairment.

The terms are intended to be coextensive with the terms "handicap" and "disability" as set forth in Federal fair housing legislation and other Federal legislation protecting individuals with a handicap or disability. The terms include the impairment associated with recovery from alcohol and drug abuse, but do not include impairment caused by current, illegal use of, or addiction to a controlled substance.

Domestic Animal. Any animal which is not a wild or exotic animal and which is typically considered to be capable of being kept in or near residential dwellings.

Drainage Facilities. Any type of on-site or off-site berm, containment, conveyance, inlet or discharge improvement to manage storm or nuisance waters within, through or adjacent to a development site.

Drainage Facilities, Type A. Refers to lots which are graded to drain surface water directly to the street independently of other properties.

Drainage Facilities, Type B. Refers to lots which are graded to drain surface water from the rear yards of lots which are higher in elevation onto adjacent lots which are lower in elevation. Surface water from the front and/or side yards drains to the street independently of other properties.

Drainage Facilities, Type C. Refers to lots which are graded to drain all surface water from lots which are higher in elevation onto lots which are lower in elevation.

Drive, Private. A private roadway that provides access:

1. To a limited number of individual dwelling units and their respective garage units, driveways or parking spaces within developments in which the private roadway is held in common; or
2. Within a commercial subdivision.

A private drive typically is a dead-end or looped roadway that intersects with a public roadway.

Driveway. The improved area that provides ingress and egress between a roadway and adjoining property.

Drought Tolerant Plant. A plant that can survive with minimum supplemental water, as defined by the Las Vegas Valley Water District.

Dry Cleaners. A facility which is used to provide, to individual households, cleaning services for items such as clothing and linens. The term includes such facilities whether the plant operation is located on- or off-site.

Duplex. A building containing two attached single-family dwelling units totally separated from each other by an unpierced wall extending from ground to roof with both dwellings located on the same lot or parcel.

Dwelling. A structure with one or more rooms that is used exclusively for human habitation; designed, occupied, or intended for occupancy as a separate living quarter with sleeping, cooking and sanitary facilities provided.

Dwelling, Attached. A one-family dwelling attached to two or more one-family dwellings by common vertical walls.

Dwelling, Detached. A dwelling that is not attached to any other dwelling by any means.

Dwelling, Multi-family. A building or group of buildings which contain at least three attached dwellings and may include units that are located one over the other.

Dwelling, Patio Home. A single-family detached dwelling with open space setbacks on three sides and with a court.

Dwelling, Single-Family Attached. A dwelling unit attached to one or more other dwelling units where each dwelling unit is located on a separate lot. (Such a dwelling unit could include duplexes, townhouses, four-plexes, six-plexes, etc.)

Dwelling, Single-Family Detached. A dwelling unit:

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

Nothing in this definition, however, prohibits the construction or use of a Class I accessory structure in accordance with this Title or the construction or use of an auxiliary kitchen as defined in this Chapter.

Dwelling, Townhouse. A row or cluster of at least three attached dwellings in which each dwelling is located on separately owned lot; each unit is separated by one or more common vertical walls; each unit has its own front and rear yard access; and no unit is located over another unit. A townhouse complex may include common open space and recreational areas and facilities which are owned by all owners on a proportional, undivided basis.

Dwelling Unit. One or more rooms, designed, occupied, or intended for occupancy as a separate living quarters, with cooking, sleeping, and sanitary facilities provided within the dwelling unit for the exclusive use of a single family maintaining the household. Easement. A grant of one or more property rights by the property owner for use by the public, a corporation or another person or entity.

Easement. A grant of one or more property rights by the property owner for use by the public, a corporation or another person or entity as defined by the granting document.

Egress. An exit.

Electric Generating Plant. A facility that generates electricity from mechanical power produced by solar, gas, coal, hydraulic power sources or nuclear fission and that is properly licensed or franchised by the authorities having jurisdiction.

Electric Message Unit. A sign or portion of a sign which provides a message, image or combination of the two that is changed electronically. A sign that is changed fewer than eight times per 24-hour period or that is changed only to reflect changing time or temperature shall not be considered an electric message unit under this Chapter.

Electric Utility Substation. A facility for transforming electricity for distribution to individual customers.

Electrical, Watch, Clock, Jewelry & Similar Repair. An establishment that provides repair services for small electronics, clocks, watches, jewelry and other similar items.

Electronic Reader Board. A sign or portion thereof which can be electronically changed or rearranged without altering the face or the surface of the sign. The term does not include a sign on which the only copy that changes is an electronic or mechanical indication of time or temperature.

Elevation. (1) A vertical distance above or below a fixed reference level; (2) A fully dimensional drawing of the front, rear and sides of a building showing features such as construction materials, design, height, dimensions,

windows, doors, other architectural features and relationship of grade to floor level.

Embellishment. A frame or bracket around the outside of a sign that is used to define the boundaries of or hold the sign, or an extension around the outside of the sign that is used as decoration.

Emergency Ambulance Services, Ground. A facility which provides emergency ambulance service and does not include the use of helicopters.

Employment Agency. Any establishment, other than a daily labor service, which provides one or both of the following:

1. Assistance to employers in finding and employing permanent or temporary employees, whether part-time or full-time.
2. Assistance to potential employees in identifying and obtaining permanent or temporary employment, whether part-time or full-time.

Engineer. A person currently registered as a professional engineer under the provisions of NRS Chapter 625.

Enlargement. An increase in the size of an existing structure or use, including physical size of the property, building, parking and other improvements.

Entrance, Public. Any exterior entrance to a building regularly used by the public for ingress or egress. Entrances to storage areas, emergency exits and employee entrances are not considered public entrances.

Environmentally Hazardous Materials. The location of activities or products which have the potential to be dangerous, extremely obnoxious, or cause substantial environmental impacts on or beyond the boundaries of the property on which the activity or use is conducted. Environmentally hazardous materials include, but are not limited to, the following activities:

1. The manufacture, storage and testing of explosives, fireworks or munitions.
2. The refining of petroleum and the storage and distribution of natural and liquid gas or other petroleum derivatives in bulk including terminals, tank farms or other similar facilities.
3. The manufacture, blending, or mixing of pesticides, certain acids and fertilizer.
4. Stockyards; feed pens; livestock sales with pens and/or shipping facilities; rendering of animal fats; slaughtering or processing of animals; and industrial manufacturing process using the following raw materials: bones, garbage, offal and dead animals.
5. The refining of raw materials, such as, but not limited to, chemicals, rubber, wood or wood pulp, into other products.
6. The forging, casting, melting, refining, extruding, rolling, drawing or alloying of metals.
7. The testing of jet engines or other engines.
8. Refuse disposal services not listed elsewhere in the Title, including but not limited to landfills, incinerators and other locations which receive garbage and refuse generated off-site for storage, treatment or disposal.
9. Boiler works.

Erect. To "construct," "reconstruct," "alter," "move in," or "move upon".

Escort Bureau. A business establishment which, for a fee, commission, hire, or profit, furnishes or arranges for escorts to accompany other persons for social engagements.

Establishment. A use, building, structure or premises which is used for business, office, or commercial purposes.

Evergreen Tree. A tree, either broad leaf or conifer, which maintains at least a portion of its leaves or needles throughout the year.

Existing Use. Unless otherwise specified, the use of a lot or structure at the time of the enactment of this Title or an amendment thereto. For purposes of applying any limitation or requirement of this Code with regard to distances between uses, a use shall be deemed to be an existing use if any necessary special use permit approval has been obtained for such use or, if no such approval is necessary, a building permit has been properly issued for the structure in which the use will occur. The lapse of any necessary special use permit approval or, alternatively building permit approval regarding the use shall be sufficient to remove the its status as "existing" for purposes of applying measurement criteria.

Facility for Transitional Living for Released Offenders. A dwelling unit of a residential character that provides housing and a living environment for up to six persons who have been released from prison and who require assistance with reintegration into the community, other than such a residence that is operated or maintained by a state or local government or an agency thereof. The term does not include a Transitional Community Residence or a Facility for the Treatment of Abuse of Alcohol or Drugs. As used in

this definition, "person who has been released from prison" means:

1. A parolee;
2. A person who is participating in:
   a. A judicial program pursuant to NRS 209.4886 or 213.625; or
   b. A correctional program pursuant to NRS 209.488 or 21.3632;
3. A person who is supervised by the Division of Parole and Probation of the Department of Public Safety through residential confinement pursuant to NRS 213.371 to 213.410, inclusive; or
4. A person who, within the past twenty years, has been released from prison by expiration of his term of sentence.

Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse. A facility that:

1. Operates under or is subject to the provisions of NRS Title 40 and, by means of certified detoxification technicians or otherwise, provides care or treatment related to the physical and mental effects of the abuse of alcohol or drugs, or the effects of alcohol or drug dependency; or
2. Provides court-ordered or court-sanctioned testing, analysis, treatment or counseling related to the physical and mental effects of the abuse of alcohol or drugs, or the effects of alcohol or drug dependency.

Family. With respect to the occupancy of a dwelling unit:

1. One or more individuals related by blood, marriage, adoption, guardianship or legal custody; or
2. No more than four unrelated individuals living together as a single housekeeping unit.

Family Community Residence. A Community Residence other than a Transitional Community Residence.

Fee Schedule. The schedule of fees which has been adopted by the City Council and which authorizes the City to charge fees for the processing of applications and other activities in connection with zoning and development approval.

Fence. An artificially constructed barrier of any material or combination of materials erected to enclose, screen, or separate areas.

Fill. The placement of sand, gravel or other earth material for purposes of building up the level of land or altering slope.

Final map. A map prepared in accordance with the NRS Chapter 278 and the provisions of LVMC 19.16.060 of this Title.

Final Map Technical Review. The process by which all technical aspects of a proposed final map are reviewed, excluding the final submittal of approvable mylar copies in preparation for recordation.

Financial Institution, General. Any business or organization, whose primary service is the exchange of currency. The term includes without limitation banks and credit unions, with or without drive-through service, but does not include any business engaged in retail sales or a business whose primary service is to lend money for repayment at a future date.

Financial Institution, Specified. Any business whose primary function is to lend money; to cash checks or other negotiable instruments for a fee, service charge or other consideration; or to provide funds in exchange for the acceptance of a check on a post-dated or deferred-deposit basis. The term includes without limitation a business that provides check cashing services as a principal service offered, a paycheck advance service, and any business primarily providing cash loans, installment loans or cash advances. The term does not include a pawn shop or a limited check cashing service, as defined in this Section.

Finished Elevation. The proposed elevation of the land surface of a site after completion of all site preparation work.

Flag. Any fabric, banner or bunting containing distinctive colors, patterns, logos or symbols, used as a representative symbol of a government, political subdivision or private entity.

Floor Area, Gross. The sum of the gross horizontal areas of all the floors of a building or structure measured from the exterior face of exterior walls, but excluding any space where the floor-to-ceiling height is less than six feet.

Floor Area, Net. The total of all floor areas of a building, excluding stairwells and elevator shafts, equipment rooms, and interior vehicular parking or loading. The term excludes any floors which are not used or intended to be used for human habitation or service to the public.

Floor Area Ratio. The gross floor area of all buildings or structures on a lot divided by the total gross lot area.

Food Processing. A facility in which food for human consumption is provided in its final form, such as candy,

baked goods and ice cream, and the food is distributed to retailers or wholesalers for resale on or off the premises. The term does not include food or beverage processing which uses any mechanized assembly line production of canned or bottled goods.

Fraternity, Sorority House or Private Dorm. A residential building associated with a college or university that provides sleeping quarters, but not separate dwelling units, and may include common dining, cooking, recreation or bathing facilities.

Freestanding Sign. A detached sign which is supported by columns, uprights, poles or braces from the ground or from an object on the ground, or a detached sign which is erected on the ground, provided that no part of the sign is attached to any part of any building, structure, or other sign.

Functional Classification. A classification system that defines the purposes and hierarchy of all streets and highways within the Master Plan of Streets and Highways.

Gaming Establishment, General Business Related. A building or structure which is primarily used for some business other than gaming but in which restricted gaming is permitted pursuant to Title 6. For purposes of the Special Use Permit requirements of this Title, the term does not include a location that has obtained and maintains current licensing and zoning approvals to sell alcoholic beverages.

Gaming Establishment, Non-restricted. An establishment which is used or intended to be used for the conduct of gaming activities for which a non-restricted gaming license is required pursuant to LVMC Title 6. For informational purposes, the term refers to an establishment whose gaming operations consist of sixteen or more slot machines, or any number of slot machines together with any other game, gaming device, race book or sports pool at that establishment. When operated in conjunction with a hotel having more than 200 rooms, the use includes any number of ancillary alcoholic beverage-related uses with an on-sale component, without regard to the requirements of LVMC Chapter 19.12, but only to the extent such uses conform to the applicable requirements of LVMC Chapters 6.40 and 6.50.

Gaming Establishment, Restricted. An establishment which is used or intended to be used for gaming activities for which a restricted gaming license is required pursuant to Title 6 of the Las Vegas Municipal Code. For informational purposes, the term refers to an establishment whose gaming operations are limited to not more than fifteen slot machines, incidental to the primary business at the establishment, and no other game or gaming device.

Gaming or Gambling. Any activities which are regulated pursuant to Chapter 6.40 of the Las Vegas Municipal Code.

Garage. An enclosed building, or a portion of an enclosed building, used for the parking of vehicles.

Garage, Side-load. A private garage where the overhead doors are perpendicular to the front lot line and generally not visible from a public way.

Garage Sale. Garage or Yard Sale means the sale of personal property from a parcel that is located within a residential district and upon which is located a dwelling.

Garden Supply/Plant Nursery. A facility for the growing, display, or sale of plant stock, seeds or other horticulture items. This use may include raising plants outdoors or in greenhouses for sale either as food or for use in landscaping.

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

General Plan. The adopted General Plan or Master Plan of the City, as amended.

General Retail Store, Other than Listed. A facility for the retail sale of general merchandise to the general public for direct consumption and not for wholesale. The term does not include a "grocery store," "convenience store," or other retail facility that is specifically defined in this Chapter.

Gift Basket Limited. A facility which sells alcoholic beverages in original sealed or corked containers in quantities not greater than 25.4 ounces measured in the English system of weights and measures, or in quantities not greater than seven hundred fifty milliliters, measured in the metric system of weights and measurements, to be packaged in a receptacle or a container along with other assorted food items or novelty items, or both, which items have a minimum retail value of thirty-five dollars apart from the retail value of the alcoholic beverages; provided, however:

1. The contents of the gift baskets are not sold separately but, instead, are included as part of the unit price of the gift basket; and
2. The alcoholic beverages are consumed off the premises where the gift basket is sold.

Gift Shop Limited. A facility located within the physical structure of a nonrestricted gaming establishment which sells, to customers only and not for resale, alcoholic beverages in original sealed or corked containers in quantities less than

one pint, measured in the English system of weights and measures, or in quantities less than three hundred seventy-five milliliters, measured in the metric system of weights and measures, for consumption off the premises where the same are sold.

Golf Driving Range. A facility or area that is made available to the public for the practice of golf driving techniques.

Governing Body. The City Council of the City.

Government Facility. A facility or area used for public purposes and owned or operated by an instrumentality or agency of Federal, State, or local government.

Grade. The degree of rise or descent of a sloping surface (see Slope).

Grade, Finished. The average proposed level of the finished surface of the ground adjoining a building after all site development work has been completed.

Grade, Natural. The average proposed level of the finished surface of the ground adjoining a building prior to site development work.

Grading. Any stripping, cutting, filling, or stockpiling of earth or land, including the land in its cut or filled condition, to create new grades.

Grand Opening. A one-time promotional activity not exceeding 30 calendar days used by newly established businesses, within two months after occupancy, to inform the public of their location and service available to the community.

Grocery Store. A facility, over 5,000 square feet in size, that is primarily used for the retail sale of household foodstuffs for off-site consumption, including any combination of fresh produce, meats, poultry, fish, deli produces, dairy products, canned foods, dry foods, baked foods, prepared foods, and beverages. A "grocery store" may include the sale of other household supplies and products, buy only if secondary to the primary purpose of food sales.

Gross Acreage. The total area within the property lines of a lot or parcel of land before public streets, easements or other areas to be dedicated or reserved for a public use are deducted from such lot or parcel. The term does not include adjacent property which has already been dedicated for such purposes.

Gross Density. The number of dwelling units per acre of land, without deduction for public streets, easements or other areas to be dedicated.

Gross Floor Area. The sum of the gross horizontal areas of all the floors of a building or structure measured from the exterior face of exterior walls, but excluding any space where the floor-to-ceiling height is less than six feet.

Ground Cover. Plants grown for their low spreading capabilities for the protection of soils, to prevent growth of weeds and for aesthetic purposes.

Group Dwelling. Two or more detached one-family, two-family or multiple-family dwellings, occupying a parcel of land in one ownership, which may have a yard or porch in common, but not including automobile courts, as herein defined.

Gun Club, Skeet or Target Range. A facility or area used for archery or the shooting of firearms, whether for practice or sport.

Harmonious Relationship. The design, arrangement and location of buildings or other created or natural elements of the urban environment that are sufficiently consistent in design, scale, height, color, character and siting with other buildings, or created or natural elements in the area so as to avoid abrupt or severe differences or incompatibilities.

Hazard to Air Navigation. An obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.

Health Club. An establishment that operates physical fitness facilities, sports clubs or recreation clubs.

Heavy Construction Trade Yard. A lot or facility used for the storage of heavy construction equipment, machinery and vehicles.

Heavy Machinery & Equipment (Storage). A lot or facility used for the storage of heavy construction equipment, machinery and vehicles.

Height, Airport Zoning. For the purpose of determining the height limits in all zones shown on an airspace zoning map, the datum shall be mean sea level elevation unless otherwise specified.

Helipad. A facility for the landing and taking off of helicopters, but with no accessory gas sales, maintenance or other services.

Hillside Area. Land with a slope of 15% or greater.

Historic District. A designation, in the form of overlay zoning, applied to all properties within an area with defined boundaries, as a result of formal adoption by the City Council, which expresses a distinctive character worthy of preservation.

Historic Preservation Plan. A document, formally adopted by the City Council, containing goals and policies directing historic preservation activity within the City.

Historic Property. A designation, in the form of overlay zoning, applied to an individual property, as a result of formal adoption by the City Council, which expresses a distinctive character worthy of preservation; or an archeological site.

Historic Sign. A sign designated as historic in accordance with LVMC 19.10.150 (Q).

Home Occupation. An income producing activity conducted in a residential zone pursuant to LVMC 19.16.170.

Horse Corral or Stable (Commercial). A structure for the keeping of horses, mules or ponies which are boarded for compensation or for use in providing instructional or recreational activities for persons other than occupants of the premises.

Horse Corral or Stable (Private). An accessory structure for the keeping of horses, mules or ponies for the use of occupants of the premises.

Hospice. A home for the terminally ill.

Hospital. An institution, designed within an integrated campus setting for the diagnosis, care, and treatment of human illness, including surgery and primary treatment.

Hotel, Motel, or Hotel Suites.

1. Hotel. A building or group of buildings whose main function is to provide rooms for temporary lodging where entrance to each room is gained from a completely enclosed area. A hotel may also contain restaurants, conference rooms and personal service shops. The phrase "temporary lodging" refers to a rental period with a normal duration of no more than one week.
2. Motel. A building or group of buildings whose main function is to proved rooms for temporary lodging, rooms which are directly accessible from an outdoor parking area. The phrase "temporary lodging" refers to a rental period with a normal duration of no more than one week.
3. Hotel Suites. A facility offering temporary lodging accommodations to the general public in which rooms or suites may include kitchen facilities and sitting rooms in addition to the sleeping room. The phrase "temporary lodging" refers to a rental period with a normal duration of no more than one week.

Hotel, Residence. A multi-dwelling unit for extended stay lodging consisting of efficiency units or suites with a complete kitchen suitable for long term occupancy; customary hotel services such as linen, maid service, telephone and upkeep of furniture; and optional resident and guest amenities such as meeting rooms, club house and recreation facilities. The term does not include facilities which qualify as other types of dwelling units defined in this title.

HPC. The Historic Preservation Commission.

HPO. The Historic Preservation Officer.

Hypnotherapy Practice. A facility in which one or more duly licensed or certified mental health professionals provide psychotherapeutic treatment utilizing hypnosis, or training in self-hypnosis conditioning, to patients or clients. For purposes of this definition "duly licensed or certified" means:

1. Licensed by the State of Nevada Psychological Examiner's Board; or
2. Certified by a nationally recognized professional hypnotherapy organization, with a current membership of a least one thousand members, that is dedicated to providing training, continuing education, and performance testing in hypnotherapy.

Illegal Sign. A sign erected on public property, including the public right-of-way, in violation of this Code; a temporary sign for which the period allowed for its display has expired; or any other sign for which a time period included as a condition of its certificate has expired.

Improvement. Any building, structure, landscaping, place, work of art or other object constituting a physical betterment of real property, or any part of such betterment.

Incidental Sign. A sign, generally informational, that has a purpose secondary to the use of the lot on which it is located, such as "no parking," "entrance," "loading only," and "telephone" signs; directory signs and drive-through menu boards; and other similar directives or identifying messages. In order to qualify as an incidental sign, a sign may contain the logo or name of the business that is on the same parcel as the sign but shall not contain any other commercial message legible from a position off the lot on which the sign is located.

Infeasibility Determination. A determination that the Connectivity Ratio is impractical to meet due to topographic conditions, environmental constraints, and property shape or accessibility.

Ingress. Access or entry.

Intensity of Use. The number of dwelling units per acre for residential development and floor area ratio for nonresidential development.

Interconnectivity. Physical connections of roadways and sidewalks between two or more independent developments or residential subdivisions.

Internet Café. An establishment that provides for public use five or more computers or other electronic devices:

1. For purposes of accessing the internet, a local area network, e-mail programs or other computer software programs; and
2. The public use of which is in exchange for compensation of any kind and paid in any manner, including but not limited to the payment of a membership fee.

This term will generally include establishments commonly known as PC cafés, cyber cafés , cyber centers, and similar designations.

Internet/Catalogue Sales Office. An establishment which specializes in the sale of products via the internet or by catalogue for delivery to a customer's home or business. This use may include in-person customer consultations at the establishment.

Institutional Sign. An on-premise sign designed to communicate information about any house of worship, school, or other institution that is a permitted use in the subject zoning district.

Intra-connectivity. Physical connections of streets and sidewalks within a single development or residential subdivision.

Irrigation System. The combination of elements such as automatic controllers, meters, pressure vacuum breakers, pipes, valves, emitters, bubblers, spray heads, tubing and other materials designed for the purpose of transporting water to landscaping.

Jewelry Store, Class III Type. A store which buys and sells scrap precious metals for marketing as a commodity in bar form or in other than jewelry form, or which buys and sells precious metal bars and coins that are sold as a commodity rather than for numismatic purposes. This may include operations similar to a new jewelry store.

Jewelry Store, New. A store which primarily sells new merchandise and some used merchandise from estate sales or reconstitutes precious metals into jewelry forms which are sold at retail on the premises.

Keeping of Carrier or Racing Pigeons. The keeping of pigeons that are bred and kept for the purpose of demonstration or racing, are registered with a national pigeon registry or organization, and are identified as to ownership and registration by a stamp or a band.

Keg Beer. A facility which sells beer in keg containers having a capacity of at least one-quarter barrel size for delivery only to the premises of a purchaser.

Kiosk. A freestanding structure upon which temporary information and/or posters, notices, and announcements are posted.

Kitchen. That portion of a dwelling unit devoted to the cooking or preparation of food for the purpose of consumption by residents of the dwelling unit. The term includes a "kitchenette," "wet bar" or any area equipped with items such as a counter-top hot plate, counter-top grill, or microwave oven, together with an under-counter refrigerator and sink. "Full Kitchen Facilities" indicates the presence of complete cooking facilities (i.e., stove, oven or microwave oven, refrigerator, and sink). The presence within any food preparation area of a ventilation hood, gas stub, two hundred-twenty volt electrical outlet or wiring, or any combination thereof, shall be considered "full kitchen facilities."

Laboratory, Medical or Dental. A facility, other than a hospital, that:

1. Conducts general medical or scientific research, investigation, testing, or experimentation; or
2. Upon referral by or request of a medical professional, provides radiological or medical testing, or creates prosthesis or artificial dental work.

The term does not include a facility for the manufacture or sale of other products, except as incidental to the main purpose of the laboratory. The term also does not include a "facility to provide testing, treatment, or counseling for drug or alcohol abuse," as that term is defined in this Section.

Land Surveyor. One who is licensed by the State as a land surveyor and is qualified to make accurate field measurements and to mark, describe, and define land boundaries.

Landfill. A lot or premises used for the disposal of garbage, trash, refuse or waste material, but not including sewage, which is officially sanctioned by proper authorities of the jurisdiction in which it is located.

Landmark. A designation applied to an individual property as a result of formal action by the City Council in accordance with LVMC 19.10.150.

Landscaping. The combination of natural elements such as trees, shrubs, ground covers, vines, and other living organic and inorganic material which are installed for purposes of creating an attractive and pleasing environment; screening unsightly views; reducing environmental heat; filtering particulate matter from the air; and boosting oxygen levels.

Laundry, Self-Service. A laundry facility that provides coin operated washing and drying machines for customer operation. The term includes a facility that provides additional services such as fluff and fold or dry cleaning, provided that no dry cleaning equipment is located on the premises. The term does not include a laundry room located within a residential development that is provided solely for the use of residents of the development.

Library, Art Gallery or Museum (Public). A publicly-operated facility used for:

1. The housing of a collection of books, magazines, audio and video tapes, or other material for borrowing and use by the general public; or
2. The acquisition, preservation, study or exhibition of works of artistic, historic or scientific value.

Light Assembly & Fabrication. The assembly or manufacturing of objects or items that:

1. Are made from standard parts or components;
2. Are distinct from the individual parts or components; and
3. Are not of another type of assembly or fabrication specifically described in Table 2, as adopted in LVMC 19.12.010.

Linkages. Roadways, sidewalks, access-ways and walkways that connect between adjacent development parcels and subdivisions.

Liquefied Petroleum Gas Installation. A facility or system which includes tanks, piping or gas equipment (or any combination thereof) and is used or intended to be used for the storage, dispensing or other utilization of liquefied petroleum gas.

Liquefied Petroleum Gas. Any material which is composed predominantly of any of the following hydrocarbons, or mixtures of propane, propylene, butanes (either normal butane or isobutane) and butylenes.

Liquor Caterer. A person who dispenses, serves or sells alcoholic beverages only for consumption on the premises where the same are dispensed, served or sold during the times, dates and places specified by permit.

Liquor Establishment (Tavern). A facility which sells alcoholic beverages for consumption on the premises where the same are sold and authorizes the sale, to consumers only and not for resale, of alcoholic beverages in original sealed or corked containers, for consumption off the premises where the same are sold.

Live/Work Unit. A structure or portion thereof that combines a low-intensity nonresidential work space with an integrated residential space, with the residential space being subordinate and accessory to the nonresidential use.

Livestock Farming (Bovines/Horses). The raising or keeping of bovine animals or horses for recreational, entertainment or training purposes only. The term does not include the breeding or raising of animals for consumption or sale.

Loading Space. An off-street space or berth used for loading or unloading of cargo, products or materials from vehicles.

Lodge or Fraternal Organization. A facility or area for a special purpose organization or for the sharing of sports, arts, literature, politics or other similar interest; but not primarily for profit or to render a service that is customarily carried on as a business, excluding churches, synagogues or other houses of worship.

Lot. A tract, plot or portion of a subdivision, addition or other parcel of land whose existence, location and dimensions have been defined on a legally recorded subdivision map, survey map of record or a metes and bounds description occupied or to be occupied by a building and its accessory buildings, and including such open spaces as are required under this ordinance and other development regulations, and having its principal frontage upon a public street or officially approved private access easement. Lot includes the words Plot, Parcel, Tract and Premises.

Lot Area. That area of a horizontal plane bounded by the front, side and rear property lines including any portion of an easement which may exist within such property lines but exclusive of rights-of-way for street purposes.

Lot, Corner. A lot situated at the intersection of two or more streets, with frontage on at least two streets.

Lot Coverage. The percentage of lot area covered by all buildings and structures after the area required for dedicated public right-of-way is subtracted.

Lot Depth. The length of a line connecting the mid-point of the front and rear property lines.

Lot, Double Frontage. A lot (not a corner lot) which adjoins two streets which are parallel or within forty-five degrees of being parallel to each other. On a double frontage lot, both street property lines shall be deemed front lot lines, unless designated otherwise on a recorded Final Map.

Lot, Flag. A lot having access or an easement to a public or private street by a narrow, private right-of-way.

Lot Frontage. The side of the lot which fronts on a street or drive. In the case of a corner lot, the "front" of the lot shall be considered to be the side which has the lesser dimension in width, unless the Director authorizes another side to be designated as the "front" and attaches whatever conditions are deemed necessary to ensure that such alternative designation does not result in land use incompatibility with the surrounding area. In the case of a through lot, either side which abuts a street or drive may be considered the "front," except in cases where deed restrictions, covenants or map notes prohibit access from one street.

Lot, Improved. (1) A lot upon which a building can be constructed and occupied; (2) A lot with existing buildings or structures.

Lot, Interior. A lot other than a corner lot.

Lot, Key. A lot with a side property line that abuts the rear property line of any one or more adjoining lots.

Lot Line. A property line that divides one lot from another lot or from a public or private street or any other public space.

Lot Line, Corner. The property line abutting a street or drive, other than a front lot line.

Lot Line, Front. The property line separating the lot frontage from a street right-of-way.

Lot Line, Rear. The property line opposite and most distant from the front property line. In the case of a triangular or otherwise irregularly shaped lot, a line 10 feet in length entirely within the lot, parallel to and at a maximum distance from the front property line.

Lot Line, Side. Any property line which is not a front lot line, rear lot line or corner lot line and is generally perpendicular to a front or rear property line.

Lot, Minimum Area. The smallest lot area permissible in a particular zoning district on which a use or structure may be located.

Lot of Record. A lot that exists as shown or described on a plat or deed in the records of the County Recorder.

Lot, Reverse Corner. A corner lot, the rear of which abuts the side of another lot.

Lot, Substandard. A parcel of land that has less than the minimum area or minimum dimensions required in the zoning district in which the lot is located.

Lot, Through. A lot that fronts upon two parallel streets or that fronts upon two streets that do not intersect at the boundaries of the lot.

Lot, Transition. A lot in one zoning district which abuts another zoning district.

Lot Width. The mean horizontal distance between the side lot lines.

Main Building. A building devoted to the principal use of the lot on which it is situated. On any lot in a residential district, the term refers to the principal dwelling located on that lot.

Maintenance. The upkeep of property, building, structures, amenities, parking facilities, landscaping or lot including repair, painting, trimming, pruning, as well as watering and other on-going activities that are associated with maintenance.

Manufactured Home. A structure as defined in NRS 489.113. A manufactured home may or may not qualify for State-law zoning treatment as a single-family detached dwelling pursuant to Table 2, as adopted in Section 19.10.010.

Manufactured Slope. Slope that results from mechanical excavation or fill activity.

Manufacturing, Heavy. A facility for the general mass producing of goods, usually for sale to wholesalers or other industrial or manufacturing uses. The term includes any use which employs any of the following or similar types of processes:

1. Milling of grain as retail sales and service.
2. Production of animal food, and the tanning of animal hides.
3. Production of large durable goods such as, but not limited, to motorcycles, cars, manufactured homes or airplanes.
4. Canning or bottling of food or beverages for human consumption using a mechanized assembly line.
5. Manufacturing of paint, oils, pharmaceuticals, cosmetics, solvents and other chemical products, and use of a foundry for metals.

6. Production of items made from stone, clay, metal or concrete.
7. Tire recapping or retreading.
8. Production of items by means of the chemical processing of materials.

Manufacturing, Light. A facility for producing goods without the use of any of the processes described within the definition of "Heavy Manufacturing." The term includes without limitation the following activities:

1. Assembly, finishing, and/or packaging of small items from component parts made at another location. Examples include but are not limited to cabinet making or the assembly of clocks, electrical appliances, or medical equipment.
2. Production of items made from materials derived from plants or animals including, but not limited to, leather, pre-milled wood, rubber, paper, wool or cork, or from textiles or plastics.
3. Electrical component manufacturing.
4. Reproduction, cutting, printing, or binding of written materials, drawings or newspapers on a bulk basis using lithography, offset printing, blue printing and other similar methods.
5. Machine shop where material is processed by machinery, cutting, grinding, or similar processes.

Map. The Official Zoning Map of the City of Las Vegas.

Marquee or Porte Cochere. Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

Marquee Sign or Porte Cochere Sign. Any sign attached to, in any manner, or made a part of a marquee or porte cochere.

Martial Arts Studio. An establishment whose principal business activity is the instruction of the martial arts as defined by LVMC 6.53.020(C). The term does not include any nonprofit organization or entity that offers martial arts instruction only as an incidental service in its overall program of activities.

Massage, Accessory. The performing of massage therapy or therapeutic massage that:

1. Is accessory to a principal permitted use that is one of the following:
   a. A medical office or physical rehabilitation clinic;
   b. A fitness and health center;
   c. A country club or golf course clubhouse;
   d. A hotel with more than one hundred rooms; or
   e. A facility similar in nature to any of the facilities listed above;
2. Does not occupy more than 150 square feet of space; and
3. Is not advertised on any exterior signage.

Massage Establishment. A facility which is occupied and used for the purpose of practicing massage therapy as defined in LVMC Chapter 6.52.. The term does not include the use "accessory massage," as defined in this Title.

Master Sign Plan. A plot plan and accompanying documentation which identifies all existing and proposed on-premise signage on a development or complex of buildings.

Median. A paved or planted area separating lanes of travel on a street.

Mining, Sand & Gravel Extraction. The excavation of sand, gravel, minerals or other resources from the earth.

Mini-Storage Facility. A facility with enclosed storage space, divided into separate compartments no larger than five hundred square feet in size, which is provided for use by individuals to store personal items or by businesses to store materials for operation of a business establishment.

Miscellaneous Residential Sign. Any incidental or real estate sign on a single dwelling unit lot or other residential lot.

Mixed-Use. The vertical integration of residential uses and commercial or civic uses within a single building or a single development, where the uses share pedestrian access, vehicular access, parking functions, or any combination thereof.

Mobile Home. A factory-assembled structure equipped with the necessary service connections and made so as to be movable as a unit on its own running gear and designed to be used for a one-family residential use.

Mobile Home Park. An area or tract of land where two or more mobile homes or mobile home lots are rented or held out for rent. The term does not include an area or tract of land where: (a) More than half of the lots are rented overnight

or for less than three months for recreational vehicles. (b) Mobile homes are used occasionally for recreational purposes and not as permanent residences.

Mobile Home Space Boundary Line. The lines which bound a mobile home site on its front, sides or rear.

Mobile Home Space. That portion of a mobile home park designated, used, or designed for the occupancy of not more than one mobile home and includes that area set aside or used for automobile parking, carports, cabanas, awnings, accessory buildings or other structures, and the yard area as required herein.

Monorail. A non-technology specific system used to transport passengers, including any system on a fixed land route installed and operated on an exclusive fixed guideway or rail, and including a monorail as defined in NRS Chapter 705. The term does not include a system to transport passengers between two end points with no intermediate stops, or a monorail that function only as part of a theme park or permanent exhibition under LVMC Chapter 6.81.

Monument Sign. A freestanding sign where the base of the sign structure is on the ground or a maximum of 12 inches above the lowest point of the ground adjacent to the sign.

Moped. Means a motor-driven scooter, motor-driven cycle or similar vehicle that is propelled by a small engine which produces not more than two gross brake horsepower, has a displacement of not more than fifty cubic centimeters or produces not more than fifteen hundred watts final output, and is capable of a maximum speed of not more than thirty miles per hour on a flat surface with not more than one percent grade in any direction when the motor is engaged. For purposes of the provisions of this Title relating to vehicle sales, mopeds shall be considered retail goods rather than motor vehicles.

Mortuary or Funeral Chapel. A facility in which one or both of the following activities occur:

1. Dead bodies are prepared for burial or cremation.
2. Funeral services are conducted.

Motorcycle/Motor Scooter Sales. A facility or area for the display and sale of motorcycles and motor scooters, whether new or used, but excluding mopeds. The term includes service bays which are incidental and accessory to the sales use. The term is used for the sole purpose of allowing the use by means of Special Use Permit in the C-1 District. For all other purposes, the use described in this definition shall be treated under the appropriate category of motor vehicle sales.

Motor Vehicle Sales (New). A facility or area, other than an auto sales showroom, for the display and sale (or leasing) of new automobiles, trucks, motorcycles and motor scooters, but excluding mopeds. The term includes service bays and auto body shops which are incidental and accessory to the sales use.

Motor Vehicle Sales (Used). A facility or area, other than an auto sales showroom, used primarily for the display and sale (or leasing) of used automobiles, motorcycles and motor scooters, but excluding mopeds. The term includes service bays and auto body shops which are incidental and accessory to the sales use.

Mounted Antenna. An antenna, other than a wireless communication facility, that is attached to a structure as permitted under this Code.

Mulch. A protective covering of inorganic material including rock, gravel, and decomposed granite, which is placed on the earth around plants to reduce weed growth, to minimize evaporation of moisture from the soil surface, to maintain even temperatures around plant roots, and to retard erosion.

Multi-Family Residential. A structure used or designed as a residence for three or more families or households living independently of each other.

Multi-phase Development. A development project that is constructed in stages, each stage being capable of existing independently of the others.

Museum, Art Display, or Art Sales (Private). A privately-operated facility or area for the acquisition, preservation, study, exhibition or sales of works of artistic, historic or scientific value.

Natural Area or Feature. May include slopes in excess of Hillside Ordinance for maximum slopes or conservation natural areas.

Natural Slope. Slope which is not manufactured.

Neighborhood. An area of a community with characteristics that distinguish it from other areas and that may include distinct ethnic or economic characteristics, housing types, schools, or boundaries defined by physical barriers, such as major highways and railroads or natural features.

Net Lot Area. The total area within the property lines of a lot or parcel of land after public street rights-of-way or other areas to be dedicated or reserved for public use are deducted from such lot or parcel.

Night Club. An establishment, other than a teen dance center, that is operated as a place of entertainment, characterized by any or all of the following as a principal use:

1. Live, recorded, or televised entertainment, including but not limited to performance by magicians, musicians or comedians.
2. Dancing.

Noncommercial Message. A message, the sole purpose of which is to direct attention to a political, social, community or public-service issue.

Non-Conforming Lot. A lot which was lawful in terms of the area, dimensions or location prior to the adoption, revision or amendment of this Title, but which fails by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning district in which it is located.

Non-Conforming Sign. Unless otherwise provided, any sign that conformed to existing sign regulations at the time it was erected but that would no longer be permitted by virtue of the adoption of this Title, or an amendment thereto.

Non-Conforming Structure. A building or structure legally and properly located on a lot or parcel at the time of construction or erection of said building, but which subsequently would not be permitted to be constructed at that location by virtue of adoption of this Title, or an amendment thereto.

Non-Conforming Use. Any legally pre-existing use of land which is inconsistent with the provisions of this Title, or an amendment thereto.

Non-Contributing Property. A classification applied to an individual property located within a designated Historic District, signifying that the property does not contribute to the distinctive character of the District.

Nonprofit Club General. Any nonprofit corporation, association or organization which has been in continual existence for at least two years and:

1. Is organized or qualified to do business and operate under the laws of the State;
2. Has tax-exempt status granted by the United States Internal Revenue Service;
3. Has a membership of at least one hundred members who are twenty-one years of age or older and who pay dues to the nonprofit corporation, association or organization; and
4. Operates a clubhouse, clubroom or meeting room in a permanent location which it owns or leases.

Nonprofit Club Restaurant Service Bar. A bar wherein alcoholic beverage drinks are prepared for service in connection with meals at tables in the restaurant area of a nonprofit club where members of the general public are invited to dine.

Nuisance. An interference with the enjoyment and use of property.

Obstruction. Any structure, growth or other object, including a mobile object, which exceeds a limiting height.

Occupancy or Occupied. With respect to a structure, refers to the residing of one or more individuals in a dwelling or to the storage or use of equipment, merchandise or machinery in any public, commercial, or industrial building.

Off-Premise Sign. Any sign advertising or announcing any place, product, goods, services, idea or statement whose subject is not located nor available on the lot where the sign is erected or placed.

Off-Site Improvements. Refers to any Public Improvements, Public Roadway Improvements, or Private Roadway Improvements as defined by this Title, separately or in any combination.

Off-Site Parking. Parking provided for a specific use but located on a site other than the one on which the specific use is located.

Off-Street Loading. Designated areas on a development site for the loading and unloading of cargo adjacent to buildings and not in the public right-of-way.

Office. A building used primarily for conducting the affairs of a business, profession, service, industry or government and which may include ancillary services for office workers, such as restaurants, newsstands or other minor commercial establishments.

Office, Medical or Dental. A professional office for the administration of professional medical or dental care, including examinations, screenings and minor outpatient surgical procedures. The term does not include a facility that provides housing for individuals, a clinic, or any other facility that is specifically defined in this Title.

Office Park. A development which contains a number of separate office buildings, accessory and supporting uses, and open space and which is designed, planned, constructed, and managed on an integrated and coordinated basis.

Office, Other Than Listed. A building or rooms used for conducting the affairs of a business, profession, service, industry or government other than those which are specifically listed in this Title.

On-Premise Sign. Any sign advertising or announcing any place, product, goods, services, idea or statement whose subject is available or located at or on the lot, same site, or within the same Master Sign Plan area where the sign is erected or placed.

On-Site. Located on the lot that is the subject of an application for development.

Open Air Vending/Transient Sales Lot. An area that is used exclusively for the sale or taking of orders for any merchandise where:

1. Such merchandise is displayed or sold in the open area;
2. The activity is not part of the operation of an established business; and
3. No permanent physical structures or facilities are used as integral parts of the sales or order taking operations.

The term includes the display or sale of merchandise in or in connection with a truck, trailer or movable building of any type.

Open Space. Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated, or reserved for public use or enjoyment or for the private use and enjoyment of owners and occupants of land adjoining or neighboring such open space.

Open Space, Common. Land within or related to a development that is designed and intended for the common use or enjoyment of the residents of the development and their guests.

Open Space, Private. Open space which is normally limited to the use of the occupants of a single dwelling or building or property that abuts such open space.

Open Space, Public. Open space owned and maintained by a public agency for the use and enjoyment of the general public.

Outcall Entertainment Referral Service. A business which, for a fee, sends or refers an entertainer to an entertainment location (as defined in LVMC 6.57.030) in response to a telephone or other request to entertain a patron at the entertainment location.

Outdoor Storage, Accessory. The use of a significant portion of a lot or area for the long term retention (more than twenty-four hours) of materials and machinery or equipment, regardless of whether the materials, machinery or equipment are to be bought, sold, repaired, stored, incinerated, or discarded. The term does not include new or used motor vehicle sales and rental display, nor does it include accessory and incidental parking of vehicles for residents, guests, customers or employees in connection with a principal use.

Overlay Zone. A zoning district that is imposed on one or more underlying base zoning districts and which provides additional requirements and limitations beyond those required by the underlying zoning district.

Owner. An individual, firm, association, syndicate, partnership or corporation having sufficient proprietary interest to seek development of land.

Package liquor off-sale establishment. An establishment, other than a retail establishment with package liquor off-sale, whose license to sell alcoholic beverages authorized their sale to consumers only and not for resale, in original sealed or corked containers, for consumption off the premises where the same are sold. The term includes an establishment that provides on-premises wine, cordial and liqueur tasting if the licensee also holds a wine, cordial and liqueur tasting license for that location.

Painted Wall Sign. Means any sign that is painted directly on a building wall surface.

Parcel Map. A map prepared for recording in accordance with NRS Chapter 278 and with the provisions of this Title.

Park and Ride. A facility for the boarding and deboarding of transit vehicles that includes an area for the parking of commuters' vehicles in connection with their use of transit vehicles.

Parking Area. A paved area, other than a public right-of-way, used for the parking of automobiles.

Parking, Commercial. A facility for parking that is operated as a business enterprise by charging the public a fee and is not reserved or required to accommodate occupants, clients, customers or employees of a particular establishment or premises.

Parking Lot/Sidewalk Sale. A promotional sales event that is conducted by a business operation outside the confines of the commercial or manufacturing structure in which the business operation is normally conducted.

Parking Space. A space within a building, garage or parking area, as defined, for the temporary parking or storage of one automobile with continuous and unimpeded access to a public right-of-way, service drive or aisle.

Patio Cover. An attached or detached accessory structure which is not enclosed and provides sheltered outdoor space.

Pawn, Auto. A Pawn Shop that lends money on the security of a motor vehicle, which the pawn shop takes possession of as the pledged property.

Pawn Shop. A facility (other than a bank, saving and loan or mortgage banking company) used for the business of lending money on the security of pledged goods or for the business of the purchase of tangible personal property on condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time.

Pennant. Any lightweight plastic, fabric or other material, whether or not containing a message of any kind, suspended from a rope, wires, or string, usually in a series, designed to move in the wind. A pennant shall be considered a temporary sign.

Permanent Makeup Establishment. A facility that applies natural pigment to the dermal layer of the skin, by the use of needles or other instruments designed to contact or puncture the skin, for the sole purpose of providing either permanent coloration for medical skin restoration or cosmetic coloration to enhance or diminish personal features.

Permitted Use. Any use allowed in a zoning district as a matter of right if it is conducted in accordance with the restrictions applicable to that district. Permitted uses are designated in the Land Use Table by the letter "P".

Person. An individual, firm, partnership, corporation, company, association, joint stock association, governmental entity, trustee, receiver, assignee or similar representative of any of them.

Pet Boarding. A lot, building, premises or structure on which four or more household pets kept regularly and for extended periods of time for the benefit of persons who do not reside on the premises. The term included facilities that provide shelter, care, feeding, exercising, grooming or incidental medical care for household pets for remuneration or otherwise on a commercial basis. The term includes a kennel operation.

Pet Shop. A retail establishment engaged in the sale of pets, small animals, pet supplies, or pet grooming services.

Physical Constraints. Limitation on development or access created by topographical features on the development parcel, or adjacent parcels, such as spacing of existing adjoining streets, freeways, or other physical structures.

Planned Community Program. The development plan and development standards for a development in the P-C (Planned Community) District.

Planning Commission. The Planning Commission of the City of Las Vegas duly appointed by the Mayor with the approval of City Council. The Planning Commission shall have the powers and duty to provide for development as prescribed by State law and City ordinances.

Pole Sign. A Freestanding sign supported by one column, upright, pole, or brace in or upon the ground the sum width/diameter of which is less than 25 percent of the width of the sign.

Political Sign. Any sign relating to a candidate, issue, proposition, ordinance or other matter in a public election or referendum, or any sign pertaining to the advocacy of political views or policies by persons, groups, or parties.

Portable Sign. Any sign which is not permanently attached to the ground or to another permanent structure; including, but not limited to, temporarily placed signs designed to be transported; signs by means of wheels; signs converted to A- or T-frames; movable menu and sandwich board signs; tethered balloons used as signs; and signs attached to or painted on a vehicle or trailer which is parked and visible from the public right-of-way, unless the vehicle is used in the normal day-to-day operations of the business.

Post Office, Local Service. A branch office of the United States Postal Service that handles the mail for no more than five zip codes.

Post Office, Regional. A branch office of the United States Postal Service that handles the mail for more than five zip codes.

Potentially Developable or Re-developable Land. Land that is not restricted from development by virtue of factors such as parklands, conservation transfer areas, federal or state lands, reservation areas or excluded due to environmental constraints.

Pre-Existing Use. A lawful and conforming existing use of a lot or structure prior to the time of the enactment of this Title.

Preservation Covenant. A recorded deed restriction which requires the preservation of a property for an agreed-upon period of time.

Preservation Easement. A non-possessory interest in real property which creates rights and obligations related to the preservation of the distinctive character of that property or a portion thereof.

Primary Ridgeline. The ridgeline that has the greatest prominent public visibility from existing and undeveloped portions of the City.

Principal Building. The building in which the principal use of the lot is conducted. Lots with multiple uses may have multiple principal buildings. The term does not include storage buildings, garages or other buildings which normally are considered accessory buildings.

Principal Use. The purpose for which land, premises or building is designed, arranged or constructed.

Printing & Publishing. An establishment that provides printing, publishing, duplicating, or collating services using photocopy, blueprint, off-set printing, or related equipment.

Private Club, Lodge or Fraternal Organization.

1. Club. A facility of a private organization for the preparation and service of food and/or drink for members and their guests.
2. Lodge or Fraternal Organization. A facility for a special purpose organization for the sharing of sports, arts, literature, politics or other similar interests; but not primarily\ for profit or to render a service that is customarily carried on as a business.

Private Garage. An accessory building, or an attached portion of the main building, designed or used for the shelter and storage of automobiles.

Private Improvements. Improvements installed within a development for private or quasi-public purposes, but not owned or maintained by the City.

Private Roadway Improvements. Roadway improvements within or adjacent to private roadways which may include, but are not limited to, paving, curbs, gutters, sidewalks, medians, street lighting systems, traffic control signage and systems, traffic signal systems and interconnected facilities, drainage facilities, fire hydrants and sanitary sewer facilities.

Private Sports Arena, Stadium or Track. A facility that:

1. Is used for playing and watching sports, concerts, plays, etc.; and
2. Is not owned or operated by a public or quasi-public organization.

Private Street. Any roadway, other than a private drive, that is not owned by a public entity or is designated for use by specified property owners, maintained by or on behalf of those property owners, and not dedicated to nor intended for access by the general public.

Prohibited Use. A use that is not permitted by any means in a particular zoning district.

Project of Regional Significance. Any of the following:

1. A site-specific building or development project, whether private, public or quasipublic in nature, that is proposed within one-half mile of the boundary of another municipal corporation or an unincorporated area, and that qualifies as one or more of the following:
   a. A project with a tentative map including 500 lots or more;
   b. A planned unit development of 500 units or more;
   c. A development including tourist accommodations of 300 units or more;
   d. A commercial or industrial facility that is estimated to generate more than 6250 average daily vehicle trips, as defined by the Institute of Transportation Engineers (or its successor); or
   e. A nonresidential development encompassing more than 160 acres.
2. A zoning map amendment or local land use plan amendment that is proposed within one-half mile of the boundary of another municipal corporation or an unincorporated area, and that could result in development meeting or exceeding any of the criteria listed in Paragraphs 1(a) through 1(d) above.
3. A Special Use Permit application concerning property within 500 feet of the boundary of another municipal corporation or an unincorporated area.

Projecting Sign. Any sign affixed to a building in such a manner that its leading edge extends more than twelve inches beyond the surface of the building. The term does not include a decorative awning or canopy.

Property. A lot, parcel, or tract of land together with the building and structures located thereon.

Psychology Practice. A professional office in which a licensed professional, including a psychiatrist, psychologist, social worker, marriage and family therapist, or occupational therapist, provides evaluation, testing, treatment or counseling services related to mental conditions or disorders. The term includes a hypnotherapy practice, but does not include a "facility to provide testing, treatment, or counseling for drug or alcohol abuse," or a "sex offender counseling facility," as those terms are defined in this Section.

Public Areas. Parks, playgrounds, trails, paths, and other recreational areas and open spaces; scenic and historic sites; schools and other publicly operated buildings; and other places where the public is directly or indirectly invited to visit or permitted to congregate.

Public Hearing. A meeting, announced and advertised in advance and open to the public, in which members of the public have an opportunity to participate.

Public Improvement. Improvements may include but are not limited to, drainage facilities, fire hydrants, sanitary sewer systems, trails, trail paths, and other miscellaneous facilities and improvements to be owned by a public entity and are generally for the benefit of the public. These improvements are to be constructed and accepted within public rights-of-way, public easements, or City owned real property. The term may also include the dedication and construction of park facilities to be accepted by the City.

Public Notice. The advertisement of a public hearing in a paper of general circulation and through the mail, or the posting of a sign on property, each designed to indicate the time, date, place, and nature of a public hearing.

Public or Private School, Primary. An institution that provides kindergarten through 8th grade education and is supported by a public, religious or private organization.

Public or Private School, Secondary. An institution that provides 9th through 12th grade education and is supported by a public, religious or private organization.

Public Park or Playground. A park, playground, swimming pool, reservoir, golf course, or athletic field owned, operated and maintained by a local or State level government entity.

Public Right-of-Way. A strip of land acquired by reservation, dedication, prescription or condemnation and intended to be occupied by a road, trail, water line, sanitary sewer and/or other public utilities or facilities.

Public Roadway Improvements. Roadway improvements within or adjacent to public roadways which may include, but are not limited to, paving, curbs, gutters, sidewalks, medians, street lighting systems, traffic control signage and systems, traffic signal systems and interconnected facilities, drainage facilities, fire hydrants and sanitary sewer facilities.

Public Use Airport. Any of the facilities of McCarran International Airport and North Las Vegas Airport.

Public Utility. A regulated enterprise with a franchise for providing to the public a utility service deemed necessary for the public health, safety and welfare.

Pylon Sign. A freestanding sign supported by two or more columns, uprights, poles, or braces in or upon the ground, or a freestanding sign supported by a single column, upright, pole or brace in or upon the ground the sum width/diameter of which is 25 percent or more of the width of the sign.

Quarter Mile Section. A square quarter mile bounded by 1,320 feet offset increments from a section line.

Quasi-Public Use. A use owned or operated by a nonprofit, religious, or eleemosynary institution and providing educational, cultural, recreational, religious, or similar types of programs.

Radio Broadcasting. A building or portion of a building used as a place for radio broadcasting. The term does not include any antenna or antenna structure.

Radio, TV, Microwave Communication Tower. A freestanding structure which supports antennae that transmit or receive any portion of the electromagnetic spectrum.

Rail/Transit yard or Shop. A facility or area for the maintenance, repair, or storage of bus, rail or other transit vehicles.

Ramada. Any freestanding roof or shade structure installed or erected above an occupied mobile home or any portion thereof.

Raw Land. Unimproved land without buildings, structures, utilities or streets.

Real Estate Sign. A sign to advertise a commercial or residential property for sale, lease, or rent.

Recording Studio. A building or portion of a building used as a place to record music and videos. The term does not include broadcasting facilities.

Recreational Vehicle. A vehicle towed, or self-propelled on its own chassis, or attached to the chassis of another vehicle and designed or used for recreational or sporting purposes. The term includes, but is not limited to, travel trailers, pick-up campers, camping trailers, motor coach homes and converted trucks or buses.

Recreational Vehicle and Boat Storage. The storage of recreational vehicles, boats, or any combination thereof.

Recycling Collection Center. A facility used for the collection and temporary storage of empty beverage containers, aluminum, glass, paper or clothing for recycling purposes conducted totally within an enclosed structure or

container. The term does not include processing except for "can banks" that crush cans as they are deposited.

Rental Store. A facility for the rental of general merchandise to the general public and not specifically listed as a different use elsewhere in this Title. Typical general merchandise includes clothing and other apparel; electronics; videos; tools and garden equipment; furniture and other household appliances; special occasion or seasonal items; and similar consumer goods.

Regional Mall. An enclosed structure with a minimum square footage of three hundred fifty thousand square feet:

1. That is used or intended to be used as an assemblage of various tenants, including without limitation, retail uses, personal service uses, food service uses, and other ancillary uses;
2. That includes a minimum of two major anchor tenants; and
3. In which the typical means of access to the various uses in from inside the mall structure.

Rescue Mission or Shelter For The Homeless. A building that is used or intended to be used to provide to homeless individuals temporary accommodations, shelter, meals or any combination thereof. For purposes of this Title, a "homeless individual" includes an individual who lacks a fixed, regular and adequate nighttime residence.

Restaurant. A use providing preparation and retail sale of food and beverages, including cafes, coffee shops, sandwich shops, ice cream parlors, fast food take-out (i.e. pizza) and similar uses.

Restaurant, Carry-Out. An establishment designed for selling prepared foods for off-premise consumption.

Restaurant with Drive-Through. A restaurant that includes one or more drive-through lanes for ordering and dispensing food and beverages to patrons remaining in their vehicles.

Restaurant with Service Bar. A bar wherein alcoholic beverage drinks are prepared for service only at tables in a restaurant and for consumption only in connection with a meal served on the premises, and where customers are not permitted to purchase alcoholic beverage drinks directly from the bar or for off-premise consumption.

Review Authority. The authority responsible for the review and final action on an application filed under this Title, such as the City Council, Planning Commission or the Director.

Retail Establishment With Package Liquor Off-Sale. A retail establishment:

1. Whose license to sell alcoholic beverages authorizes their sale to consumer only and not for resale, in original sealed or corked containers, for consumption off the premises where the same are sold; and
2. In which the sale of alcoholic beverages is ancillary to the retail use, and in which no more than ten percent of the retail floor space is regularly devoted to the display or merchandising of alcoholic beverages.

The term includes an establishment that provides on-premises wine, cordial and liqueur tasting if the licensee also holds a wine, cordial and liqueur tasting license for that location.

Rezone. To change the zoning classification of particular lots or parcels of land.

Ridgeline. A line connecting the series of the highest elevation points of a ridge, mountain, shoulder, hill or mesa.

Right of Access. The legal authority to enter or leave a property.

Right-of-Way. A strip of land acquired by reservation, dedication, forced dedication, prescription, or condemnation and intended to be occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer or other public utility or facility.

Right-of-Way Line. The property line that separates the public right-of-way and an adjacent property.

Roadway. A public or private corridor for pedestrian or vehicular movements (or both), along with corresponding right-of-way and easements, and any improvements constructed therein.

Roof Sign. Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically above the roof or parapet of the building.

Runoff. Irrigation water that is not absorbed by the soil to which it is applied and which flows onto hard-surfaced areas. Runoff may result from water that is applied at too great a rate (application rate exceeds infiltration rate) or where a severe slope exists.

Runway. A defined area on an airport prepared for landing and takeoff of aircraft along its length.

Runway Protection Zone. A trapezoidal area at ground level for the purpose of protecting the safety of approaches and keeping the area clear of the congregation of people.

Rural Preservation Neighborhood. A subdivided or developed area:

1. Which consists of ten or more residential dwelling units;
2. Where the outer boundary of each lot that is used for residential purposes is not more than three hundred thirty feet from the outer boundary of any other lot that is used for residential purposes;
3. Which has no more than two residential dwelling units per acre; and
4. Which allows residents to raise or keep animals non-commercially.

Salvage or Reclamation of Products. A facility or area for storing, keeping, selling, dismantling, or salvaging scrap or discarded material or equipment which is not considered as another use under this Title. Scrap or discarded material includes, but is not limited to, metal, paper, rags, tires, bottles or inoperable or wrecked motor vehicles, motor vehicle parts, machinery, structural steel, equipment and appliances. The term includes facilities for recycling recoverable resources, such as newspapers, magazines, books, and other paper products, glass, metal cans and other products, which can be returned to a condition in which they may again be used for production.

Satellite Dish. A device which:

1. Incorporates a reflective surface that is solid, open mesh, or bar-configured;
2. Has the shape of a shallow dish, cone, horn, or cornucopia; and
3. Is used to receive electromagnetic signals.

Scale of Development. The physical development of a particular project, in terms of its size, height, bulk, intensity and aesthetics.

Seasonal Outdoor Sales. The temporary outdoor sale and display of the following (and only the following) holiday goods in connection with the corresponding holidays:

1. Christmas trees;
2. Halloween pumpkins;
3. Valentine's Day flowers; and
4. Mother's Day flowers.

The term does not include fireworks sales, which are governed by LVMC Chapter 9.28 and are subject to the requirements of the Department of Fire and Rescue.

Secondhand Dealer. A specialty shop which deals solely in one kind of used commodity with no new commodities, or a business in which the sale of secondhand or used articles is incidental to the sale of new articles of the same kind. For purposes of this definition, the sale of secondhand or used articles is deemed to be incidental to the sale of new articles. Used articles may include wearing apparel, furniture, fixtures, appliances, tableware, offices supplies, pictures, paintings, jewelry, cutlery or guns. The term includes the sale of jewelry (Class III type) and scrap precious metals as defined in LVMC Chapter 6.74, but does not include the sale of junk as defined in that Chapter, the sale of used cars or the sale of other items which the City Council determines do not fit within the intent of this term. The term does not include the buying and selling of foreign or domestic coins for numismatic purposes or used books, which shall be allowed where retail sales of new merchandise, is permitted. The term also does not include a thriftshop or nonprofit thriftshop.

Section Area. A one square mile area bounded by section lines.

Senior Citizen Apartments. An apartment house or other multi-family dwelling in which each unit is occupied by at least one person fifty-five years of age or older. The term includes an apartment house or other multi-family dwelling that qualifies as "housing for older persons" under the provisions of Federal law, including without limitation housing developments that:

1. Provide significant facilities and services specifically designed to meet the physical or social needs of older persons; and
2. Publish and adhere to policies and procedures that demonstrate an intent to provide housing for persons fifty-five years of age or older to the extent allowed by applicable State or Federal law.

Service Station. Any building, or premises used for the dispensing and sale of fuels or oils and accessories for the motor vehicle trade, together with any incidental minor automotive repair or automatic car wash facility.

Setback. The minimum required separation distance between the nearest portion of a structure and the lot line.

Setback Area, Corner Side. A yard area of which the width is measured between the non-frontage street right-of-way line and the required corner side yard setback line and the

depth is measured between the front yard setback line and the rear yard setback line

Setback Area, Front. A yard area of which the width is measured the entire length of the front property line between the side property lines; and the depth is measured as the distance between the street right-of-way line and the required front setback line.

Setback Area, Rear. A yard area of which the width is measured the entire length of the rear property line between the side property lines; and the depth is measured as the distance between the rear property line and the required rear yard setback line.

Setback Area, Required. That portion of a lot which is required to be unoccupied and unobstructed from the ground to the sky between a required setback line and the property line, except as otherwise provided in this Title.

Setback Area, Side. A yard area of which the width is measured between the side property line and the required side yard setback line and the depth is measured between the front yard setback line and the rear yard setback line.

Sex Offender Counseling Facility. A facility that regularly provides court-ordered or court-sanctioned treatment or counseling to sex offenders.

Sexually-Oriented Business. See LVMC 19.12.070.

Shopping Center. Any structure or group of structures that:

1. House any assemblage of various commercial tenants, including without limitation, retail uses, personal service uses, food service uses, and other ancillary uses;
2. Have a minimum combined gross floor area of 25,000 square feet;
3. Are located upon a single parcel of land or upon contiguous parcels of land; and
4. Have common vehicular access and parking facilities.

This term includes a regional mall.

SHPO. The State Historic Preservation Office.

Short-Term Residential Rental. 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 thirty-one consecutive calendar days.

Sidewalk/Parking Lot Sale. A promotional sales event which is conducted outside the confines of the commercial or manufacturing structure in which such business is normally conducted and which occurs on a paved or concrete area on the same lot as the structure.

Sign. Any device, fixture, placard, structure or other medium, including its structure and component parts, that uses any color, form, graphic, illumination, symbol or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.

Sign, Animated. Any sign that uses any of the following: animation or movement; mechanical devices such as spinning, rotating, revolving or oscillating mechanical or structural components; flashing, sequential or oscillating lights; lighting that moves from bright to dim and back to bright; or other similar continuously automated methods or dynamic devices, such as steam, fog, misting, or change of lighting or message, to depict action or create a special effect or alternating scene that results in movement, the appearance of movement, or the changing of sign image or message. The term includes any sign or portion thereof with characters, letters or illustrations, that can be changed or rearranged manually or electronically without altering the face or the surface of the sign. The term does not include a sign on which the only copy that changes is the electronic indication of time, temperature, or both.

Sign, Off-Premise. Any sign whose copy advertises or announces any place, product, goods, services, idea or statement whose subject is not available, located at, nor on the lot where the sign is erected or placed.

Sign, On-Premise. Any sign whose copy is limited to advertising or announcing any place, product, goods, services, idea or statement whose subject is available or located at or on the lot where the sign is erected or placed.

Sign Certificate. A certificate issued by the Department of Planning and Development to authorize a sign pursuant to Chapter 19.14.

Similar Use. A use that has the same characteristics as the specifically cited uses in terms of the following; trip generation and type of traffic, parking and circulation, utility demands, environmental impacts, physical space needs and clientele.

Single Family Attached Dwelling. See Dwelling, Single-Family Attached.

Single Family Detached Dwelling. See Dwelling, Single-Family Detached.

Single Family Unit Equivalent. A residential density value based on the vehicular traffic generated by a single family dwelling.

Single Family, Zero Lot Line. A single family dwelling unit that is located directly on 1 or more lot lines.

Single Room Occupancy Residence. A residential facility in which furnished rooms are rented on a weekly or monthly basis and which provides common facilities and services for laundry, cleaning and meals.

Site Built Single Family Home. A single family dwelling which is constructed under the standards of the Uniform Building Code (UBC), Uniform Electrical Code (UEC), Uniform Fire Code (UFC), Uniform Mechanical Code (UMC) and the Uniform Plumbing Code (UPC) as adopted in the Las Vegas Municipal Code (LVMC), including all appurtenant supplements thereto.

Slaughtering and Processing of Live Poultry. An operation in which live poultry is slaughtered and processed in preparation for human consumption.

Slope. The incline associated with a land surface.

Small Wind Energy System. A wind energy conversion system consisting of a wind turbine, a tower or supporting structure, and associated control or conversion electronics, which has a rated capacity of not more than 100kW and which is intended to primarily reduce on-site consumption of utility power. For purposes of this Title, the use shall not be deemed an accessory structure.

Social Event With Alcoholic Beverage Sales. The sale of alcoholic beverages for consumption only on the premises where the same are sold in connection with weddings, school graduations, employer and employee events, recognition ceremonies, awards ceremonies, family gatherings, fund-raising events, club and organization events or other similar events which occur six times or more per month at a facility not licensed for the sale of alcoholic beverages.

Social Service Provider. A facility that provides assistance to persons with limited ability for self-care, but for whom medical care is not a major element. The term includes a facility that provides assistance concerning psychological problems, employment, learning disabilities or physical disabilities, but does not include a rescue mission or homeless shelter, or an adult day care center.

Soil. All unconsolidated mineral and organic material that overlies bedrock and can be readily excavated.

Soil Amendments. Organic and inorganic material added to soils to improve texture, nutrients, moisture holding capacity and infiltration rates.

Solar Panel. A small-scale unit that is designed and used, on an incidental or accessory basis, to generate power or heat (or both) to be supplied to the principal use on the site. A "solar panel":

1. Does not include an "electric generating plant" or any other utility facility that is specifically defined in Chapter 19.18; and
2. Shall not be deemed an accessory structure for purposes of the standards of this Title that govern accessory structures.

Sound Stage. A building or portion of a building used for the production of movies.

Special Use Permit. A specific approval for a use which has been determined to be more intense or to have a potentially greater impact than a permitted or conditional use within the same zoning district.

Spot Zoning. Rezoning of a lot or parcel of land to benefit an owner for a use incompatible with surrounding land uses and that does not further the General Plan.

Stacking Lane. An area for temporary queuing of motor vehicles.

Standard Conditions. Conditions which have been approved by the Planning Commission or the City Council and which are designed to be imposed as a matter of course, where applicable, on the approval of development applications.

Standards for Private Drives. Those adopted City standards governing the design and construction of private drives.

Standards for private streets. "Standards for private streets" means those adopted standards governing the design and construction of private streets and detailed in the City standards.

Stem Wall. A wall, usually less than two feet in height, used to divert or direct storm water flows within an area specified by the Department of Public Works.

Storage. A space or place where goods, materials or personal property is placed and kept for more than 24 consecutive hours.

Stored. With reference to vehicles or vehicle parts, means allowed to remain in one place for more than 72 consecutive hours.

Story. That portion of a building between the surface of any floor and the surface of the floor next above it; or if there is

no floor above it, then the space between the floor and the ceiling next above.

Street. A strip of land or way subject to vehicular traffic (as well as pedestrian traffic) that provides direct or indirect access to property; including, but not limited to, alleys, avenues, boulevards, courts, drives, highways, lanes, places, roads, terraces, trails or other thoroughfares.

Street, All-weather. A public or private roadway which is surfaced with materials that allow ordinary motorized vehicles to utilize the street in all weather conditions.

Street Classification.

1. Freeway. A divided highway with 150 foot wide minimum right-of-way and classified as "controlled access"; a high-speed road with grade-separated interchanges.
2. Expressway. A divided highway with a 150 foot wide minimum right-of-way and classified as "limited access"; a high-speed road with at-grade, cross-traffic intersections.
3. Parkway Arterial. A street or highway which has a minimum right-of-way width of 120 feet and an existing or potential design capacity of three or more travel lanes of traffic in each direction with 10 feet for an amenity zone and sidewalk on each side and divided by a landscaped median.
4. Primary Arterial. A street or highway which has a minimum right-of-way width of 100 feet and an existing or potential design capacity of three or more travel lanes of traffic in each direction, divided by a raised median with left turn pockets.
5. Major Collector. A street which has a minimum right-of-way width of 80 feet and an existing or potential design capacity of two travel lanes of traffic in each direction with a center turn lane or raised median with left turn pockets.
6. Minor Collector. A street with a minimum right-of-way width of 60 feet which collects traffic from the local streets and distributes it to the major collector or arterial system.
7. Residential Street. A street which is designed to carry residential traffic between minor collectors.
8. Local Street. A street which is designed to carry a combination of light commercial and residential traffic between minor collectors, major collectors and primary arterials.
9. Local Access or Service Road. A street or that portion of a major or secondary thoroughfare lying outside of the principal roadway designed to provide frontage for individual lots and which primarily carries traffic having a destination or origin on the street itself.

Street Frontage. The distance along which a property line of a lot adjoins a public street, from one side lot line intersecting the street to the furthest distance side lot line intersecting the same street.

Streetscape. The visual image of a street, including the combination of buildings, parking, signs and other hardscape and street furniture.

Structure. An object, including a mobile object, constructed or installed including, but not limited to, a building, tower, crane, smokestack, earth formation, sign, overhead transmission line and an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

Subdivider. A person, firm, corporation, partnership or association that has legal or beneficial ownership of land and who causes that land to be divided by means of the parcel map or tentative/final map processes of this Title.

Subdivision. Has the meaning ascribed to that term in NRS Chapter 278.

Subdivision Development Sale Sign. A sign located within the subject residential subdivision that advertises the availability of lots or dwellings for sale.

Subdivision Development Directional Sign. A sign not located within the subject residential subdivision that advertises the availability of lots or dwellings for sale.

Sub-Surface Irrigation System. The application of water via buried pipe and emitters, with flow rates measured in gallons per hour.

Supper Club. A restaurant and bar operation with alcoholic beverage sales in which:

1. The bar area is separated from the restaurant area by a barrier sufficient to prevent access to the bar by minors;
2. The actual seating available at all times within the dining area will accommodate at least one hundred twenty-five persons. For purposes of this requirement, the "dining area" does not include bar stool seating at the bar or lounge seating, but may include table or booth seating within the bar area and table seating within a patio area.
3. Alcoholic beverages are served in the restaurant area only in conjunction with the service of food;

4. Full-course meals are available during all hours the bar area is open to the public;
5. A cook and food server, other than a bartender, are available at all times the bar area is open to the public; and
6. The restaurant operation is the principal portion of the business.

Surveyor. A person currently licensed as a professional land surveyor under the provisions of NRS Chapter 625.

Suspended Sign. A sign that is suspended from the underside of a horizontal plane surface and is supported by the surface.

Swap Meet. A facility (whether indoor or outdoor) in which multiple vendors, dealers, sellers or traders have rented, leased, purchased or otherwise obtained an area from a swap meet operator for the purpose of selling, bartering, exchanging or trading new or used items of personal property, where the aggregate value of all such property exceeds the amount of one thousand dollars.

Tavern-Limited Establishment. An establishment that is licensed with a tavern-limited license in accordance with LVMC Chapter 6.50.

Tattoo Parlor/Body Piercing Studio. An establishment whose principal business activity, either in terms of operation or as held out to the public, is the practice of one or more of the following:

1. The placing of designs, letters, figures, symbols or other marks upon or under the skin of any person, using ink or other substances which result in the permanent coloration of the skin by means of the use of needles or other instruments designed to contact or puncture the skin.
2. The creation of an opening in the body of a person for the purpose of inserting jewelry or other decoration. This term does not include a permanent makeup establishment.

Taxicab/Limo Yard. An area or facility used for the storage or dispatch of taxicabs or limousines.

Teen Dance Center. An establishment that is primarily operated as a place of entertainment for persons under the age of 18 years, characterized by any or all of the following as a principal use:

1. Live, recorded, or televised entertainment, including but not limited to performance by magicians, musicians or comedians.
2. Dancing.

Temporary Contractor's Construction Yard. An on-site or off-site facility for the storage of construction materials and equipment intended for use in conjunction with a specific development, to be removed at the time the development is completed. The term may include a temporary batch plant.

Temporary Outdoor Commercial Event. A promotional activity, fair, circus, rodeo, festival, carnival, arts and crafts fair, tent revival, haunted house, amusement system, or concert that will be conducted at a location other than a stadium, auditorium or other public assembly facility that is designed to accommodate such an event. The term does not include on-day residential celebrations; uses within public facilities or recreational facilities regulated or organized through the Department of Leisure Services; parades and similar events that occur in the public right-of-way and are regulated by or organized through the Las Vegas Metropolitan Police Department; or grand openings of new businesses that meet all requirements of the Department of Fire and Rescue.

Temporary Real Estate Sales Office. An office operating at a fixed location within an existing model home, trailer or commercial structure which is used temporarily for the purpose of real estate sales.

Temporary Sign. Any sign not constructed or intended for long term use, such as for sale or for rent signs, pennants, political campaign signs or other similar signs. The term does not include a temporary special event sign.

Temporary Special Event Sign. Any sign that is used only temporarily and is not permanently mounted, such as banners, pennants, inflatable signs, tethered balloons, portable signs and similar devices.

Temporary Use. A use established for a specified period of time with the intent to discontinue the use at the end of the designated time period.

Tennis Courts, Accessory. Tennis courts that are available for use only as an incidental or accessory use in connection with the principal residential or commercial use of the premises.

Tentative Map. A preliminary plan or map prepared for the purpose of showing the location, design and conditions of a proposed subdivision.

Thirty-Six Inch Box Trees. Trees measuring a minimum of 12 feet in height, and 8 feet in spread with a 3 inch trunk caliper measured at 4 1/2 feet above the soil line.

Thriftshop. A business operation that deals primarily in secondhand wearing apparel.

Thriftshop, Nonprofit. A shop that is operated by a nonprofit organization and that sells donated used merchandise only.

Time-Share Development. A development consisting of a minimum of 50 units that are made available for use and occupancy on a recurrent periodic basis according to an arrangement allocating this right among various holders of a time-share ownership, leasehold or other similar interest.

Topsoil. The top layer of native soil. The term is also used to describe good soil imported for landscaping.

Towing & Impound Yard. A lot or building used for the storage of damaged, wrecked or impounded motor vehicles for a limited period of time, usually awaiting insurance adjustment, transport to a repair shop, or recovery by the owner operator.

Towing Service (with No Storage). An establishment that provides the service of transporting damaged, wrecked or impounded motor vehicles to an off-site storage area or other facility.

Townhouse. See Dwelling, Townhouse.

Trade School. A facility for instruction and training in trades or crafts such as auto repair, welding, bricklaying, machinery operation or other similar trades or crafts which require the use of large equipment, or outdoor training activities, or both.

Traffic and Transportation Plan (TTP). A plan document submitted to the City as part of a complete application for development approval of subdivision streets or of access to development parcels that are 10 acres or larger, depicting proposed local street layout and proposed locations for connections to higher order roads.

Traffic Entry Study (TES). A study of an entry to a residential development with focus on the entry and its impact on the adjacent roadway.

Traffic Impact Analysis (TIA). A study that provides information on the projected traffic likely to be generated by a proposed development and assesses its impact on the roadways in the immediate proximity of a proposed development. The TIA should identify any potential traffic operational problems or concerns and recommend appropriate actions to address such problems or concerns.

Traffic Impact Study. A report which analyzes the conditions of a particular roadway or roadways as they are anticipated to exist if a particular proposed development occurs, as well as if the development does not occur.

Trailer. A vehicle, other than a vehicle defined as a Recreational Vehicle, that is without motor power and is designed for carrying persons, property, equipment or other items on its own structure, including, but not limited to semi-trailers, utility trailers, flatbed trailers and hauling trailers.

Trailer Coach. Any building, structure or vehicle equipped with wheels to facilitate movement from place to place or to travel on a public thoroughfare, and designed, used, and maintained for human habitation. Such definition shall include automobiles or trucks where used for living or sleeping purposes.

Trailer/RV Camp or Park. Any lot or tract of land used, or intended to be used, for renting of space to accommodate two or more recreational vehicles.

Transit Passenger Facility. A facility, including a park and ride, for the loading and discharging of train or bus passengers.

Transition Zone. A zoning district that permits uses compatible with uses permitted in two adjacent zones that, without the transition zones, could be considered incompatible to each other.

Transitional Area. (1) An area in the process of changing from one use to another; (2) An area that acts as a buffer between two land uses of different intensity and compatibility.

Transitional Community Residence. A Community Residence that provides housing and a living environment for recovering alcohol and drug abusers and is operated to facilitate their reintegration into the community, but does not provide any treatment for alcohol or drug abuse.

Truck Rental. A facility for the rental of new or used trucks. Trucks kept on the lot for rental purposes are not considered to be outside storage.

Trucking Company. A business, service or industry involving the use of commercial vehicles in the loading, unloading and transportation of cargo. The term may also include the fueling, maintenance, servicing, storage or repair of commercial vehicles or the storage of cargo.

Turf. Any grassy area maintained by frequent mowing, fertilization and watering, commonly used for lawns and playing fields.

Tutoring Center. An institution or place of education or instruction, other than a public or private school (primary or secondary), business school, or trade school, that is owned and operated privately for profit and that does not offer a complete educational curriculum. The term includes an educational testing center.

TV Broadcasting & Other Communication Service. A building or portion of a building used as a place for television broadcasting or similar communication related activities.

Twenty-four Inch Box Trees. Twenty-four inch box trees shall be a minimum of 8 feet in height, 6 feet in spread and 2 inch trunk caliper measured at 4 1/2 feet above the soil line.

Two-Family Dwelling. A detached dwelling designed for and occupied exclusively by two families living independently of each other in separate swelling units on a single lot.

Ultimate Height. With regard to an antenna, the maximum height of the antenna above ground level.

Urban Core Area. Means the area defined as the Downtown Centennial Plan Overlay District in LVMC 19.10.110.

Urban Lounge. An establishment that:

1. Is licensed for the sale of alcoholic beverages for consumption o the premises where the same are sold, and the sale, to consumers only and not for resale, of alcoholic beverages in original sealed or corked containers, for consumption off the premises where the same are sold; and
2. Meets the criteria for an urban lounge as set forth in LVMC 19.12.070.

Use. The purpose (type and extent) for which land or a building is arranged, designed, or intended, or for which either land or a structure is occupied or maintained.

Used For Residential Purposes. A lot that is five acres or less in area and contains a residential dwelling unit of a permanent nature.

Utility Installation, Other than Listed. A facility or area used as (or for) a utility installation not specifically listed in this Title. The term does not include any type of wind energy conversion system.

Utility Transmission Lines. An utility infrastructure that:

1. Provides electrical power, telephone, or cable television; and
2. Is installed, operated and maintained by a municipality or a franchised utility company.

Vacation. The abandonment of a right-of-way or easement, or the relinquishment of the City's interest (if any) in a government patent reservation.

Valet Parking. A service provided in conjunction with a business or other establishment by which employees (or others acting on behalf of the establishment) park the vehicles of patrons or visitors in an area set aside for that purpose.

Variance. Approval to vary from the requirements of a development regulation.

Vehicle, Classic or Antique. A motor vehicle that is 25 or more years old and, because of its limited production or exceptionally fine workmanship, is a rarity or of historic interest and has been, or is in the process of being restored, maintained, or preserved by automobile hobbyists.

Vehicle, Junked. Any vehicle which is wrecked, partially wrecked, dismantled, or partially dismantled.

Vehicle, Mechanically Inoperable. A vehicle that is temporarily inoperable due to the need for normal, reasonable and customary repairs before the vehicle can be operated on the roadways.

Vehicle, Parking, Storage or Repair in Residential Zoning Districts. The parking, storage or repair of vehicles as an accessory use in residential zoning districts.

Vehicle, Recreational. Any vehicle or trailer designed and used as a travel trailer, camper, motor home, tent trailer, boat, boat trailer, snowmobile, snowmobile trailer, camping trailer or other vehicle of a similar nature.

Vehicle, Stored. A vehicle that has remained stationary in one place on any property in a residential zoning district for more than seventy-two consecutive hours.

Wall/Fence, Front Yard. A structure which is designed to delineate or provide security along the front property line of a residential parcel, or to provide security within the front setback area of a residential parcel.

Wall, Perimeter. An opaque structure constructed in accordance with the applicable standards of this Title with the purpose of providing security or a visual buffer within, along or in proximity to the property line of a subdivision or parcel and separating the subdivision or parcel from right-of-way, another land use or another property.

Wall, Retaining. A wall with the grade on one side greater than the grade on the opposite side that is designed and constructed to withstand the lateral earth and hydrostatic pressures upon it.

Wall, Screen. An opaque structure constructed in accordance with the applicable standards of this Title with the purpose of providing a buffer for privacy or to mitigate a potentially negative noise or visual impact.

Wall Sign. Any sign (other than a projecting sign) which is attached parallel to a wall or building, or to a canopy or awning attached to a building. The sign may be painted on or erected upon the building, awning, or canopy.

Warehouse/Distribution Center. An enclosed structure for the storage of goods for distribution or transfer to another location.

Wedding Chapel. A facility which is made available to be rented for wedding ceremonies. Such facilities may include a chapel, dressing rooms, offices, reception facilities and gardens.

Weekend Directional Sign. A sign used to direct traffic to residential subdivisions for sale.

Welding Repair. A facility in which products made of metal or metal alloy are repaired by means of welding.

Wholesale Showroom Facility. A building used primarily for the storage of goods and materials and secondarily for the display of merchandise for wholesale purchase.

Window Sign. Any sign, picture, symbol or combination thereof, designed to communicate information about an on-premises activity, business, commodity, event, sale or service, that is placed inside a window or upon the window panes or glass and is legible from the exterior of the window from a public right-of-way a distance of more than three feet beyond the lot line of the lot or parcel on which the sign is located.

Wireless Communication Antenna. An antenna that transmits or receives, or both transmits and receives, wireless communication signals. The term does not include any device, such as a radio antenna, telephone antenna, television antenna, satellite dish antenna or amateur radio antenna, that is accessory or incidental to a residential use and is employed by an ultimate user to receive radio, television or other communication signals.

Wireless Communication Facility. An antenna tower, wireless communication antenna, or any associated structure or equipment, or combination thereof, that is intended for commercial or institutional use in connection with the transmission or reception of wireless communication signals.

Wireless Communication Facility, Non-stealth Design. A wireless communication facility that does not qualify as a stealth design wireless communication facility.

Wireless Communication Facility, Slim-line Design Pole. A wireless communication facility, consisting of a pole and one or more antennas, on which the antenna panels are narrow and closely spaced with one another atop the pole and extend no more than one foot beyond the circumference of the pole.

Wireless Communication Facility, Stealth Design. A wireless communication facility that is designed to blend into the surrounding environment. Examples include without limitation: antenna tower alternative structures; roof-mounted antennas (with architectural screening when appropriate); building-mounted antennas painted to match the existing structure; antennas integrated into architectural elements (such as steeples or cupolas); antennas and antenna structures designed to look like light poles, flagpoles, or any other camouflaging techniques available on the market; and a cable microcell network which utilized multiple low-powered transmitters/receivers or repeaters attached to existing wireline systems, such as conventional cable or telephone wires, or similar technology that does not require the use of towers.

Wireless Communication Signals. Communication signals, including electromagnetic waves, analog signals, digital signals and other spectrum-based communication signals, that operate within the range of frequencies from 100KHz to 300GHz. The term does not include television broadcast signals; direct broadcast signals; direct broadcast satellite services; multi-channel, multi-point distribution services; or amateur radio signals.

Xeriscape. The use of sound horticultural and creative landscaping practices to achieve water conservation, including proper planning and design, soil improvements; and the use of limited turf areas, mulches, low water demand plants, efficient irrigation and appropriate maintenance.

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

Yard, Corner Side. The yard of a corner lot extending from the front yard to the rear yard and between the street and the primary structure.

Yard, Front. The yard area extending along the entire length of the front property line and the depth between the street right-of-way line and the primary structure.

Yard, Rear. The yard area extending along the entire length of the rear property line and the depth between the rear property line and the primary structure.

Yard, Side. The yard area extending from the front yard to the rear yard and between the side property line and the primary structure.

Zoning District. An area designated on the Official Zoning Map in which certain uses are permitted and certain others are not permitted, all in accordance with this Title.

MEASUREMENT RULES 19.18.030

This Section explains how to calculate results and determine various measurements referenced in this Title.

A. Density/Intensity

1. Gross Acreage

Gross acreage is calculated by measuring the total land area within the property lines of a lot or parcel of land before public streets, easements or other areas to be dedicated or reserved for a public use are deducted from such lot or parcel.

2. Density

Density is calculated by dividing the number of dwelling units on a site by the gross acreage of the site on which the dwelling units are located.

For purposes of calculating residential density, dedicated rights-of-way within a site, and that portion of existing dedicated rights-of-way adjoining a site that is between the street or alley centerline and the site boundaries shall not be included.

3. Lot Coverage

Measured as a percentage of the lot area covered by all buildings and structures (not including non-building impervious surfaces such as driveways, patio slabs, and sidewalks), as measured from the outside of the building or structure at ground level unless otherwise specified in this Title.

4. Gross Floor Area (GFA)

Measured as the sum of the horizontal areas of all floors of a building or structure measured from the exterior face of exterior walls, but excluding any space where the floor-to-ceiling height is less than six feet.

5. Net Floor Area

Measured as the difference of the gross floor area and the sum of the horizontal areas of all floors of a building or structure used for stairwells and elevator shafts, equipment rooms, interior vehicular parking or loading spaces and any floors which are not used or intended to be used for human habitation or service to the public.

6. Floor Area Ratio (FAR)

Measured as the ratio of the gross floor area of all buildings and structures on a lot divided by the total site area.

B. Height

1. Building Height (See Figure 1)

Measured as the vertical distance in feet between the average finished grade along the front of a building and either the highest point of the coping of a flat roof, the deck line of a mansard roof or the average height level between the eaves and ridge line of a gable, hip or gambrel roof.

2. Wall/Fence Height (See Figure 2)

Measured as the vertical distance in feet from the finished grade, on the side with the greatest vertical exposure above the finished grade, to the top of the fence or wall.

C. Setbacks

1. Attached Buildings

Attached buildings, whether principal or accessory, shall be treated as a single structure for the purpose of applying setbacks. This requirement shall not apply to residential patio covers, carports, or open shade structures.

2. Measurement (See Figure 3)

Setbacks shall be measured as the distance between the nearest lot line and the foundation of a building or structure along a line at right angles to the lot line. Where no minimum front, side, or rear yards are specified, the setback line shall be coterminous with the corresponding lot line.

Allowable projections into setback areas shall not be utilized for measurement of setbacks.

D. Computing Parking

1. Parking-Impaired Development

A land use or building which is existing on the effective date of this Title and which complied with the applicable parking standards at the time the use or building was established, but which does not comply with the on-site parking requirements of this Title, shall not be considered a nonconforming use or non-conforming building; but rather, it shall be considered a "parking-impaired development." The following rules shall apply to the remodeling, alteration, expansion or reuse of parking-impaired developments:

a. Building permits and certificates of occupancy may be issued for remodeling or structural alterations of parking-impaired developments without requiring compliance with the on-site parking requirements of this Title, provided that such work does not increase the building area or result in a change of use that requires an increase in the number of required parking spaces.

b. For any remodeling, alteration, or expansion of a parking-impaired development that requires an increase in the number of required parking spaces, including the expansion of existing buildings or the construction of new buildings, only the increased number of parking spaces shall be required.

c. For any change of use that requires an increase in the number of required parking spaces, only the increased number of parking spaces shall be required.

2. On-Site Parking Requirements

a. Calculations. When measurements of the number of required spaces for one or more uses on a site result in fractions, the space requirements for each use shall be rounded upward to the next whole number of spaces.

c. Different Use Areas. Parking shall be calculated separately for each different use area in a building or on a site, including any ancillary use, unless otherwise allowed by a provision of this Title.

d. Parking Based on Seating. When the parking requirements are based on seating and the

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FIGURE 1 - BUILDING HEIGHT MEASUREMENT

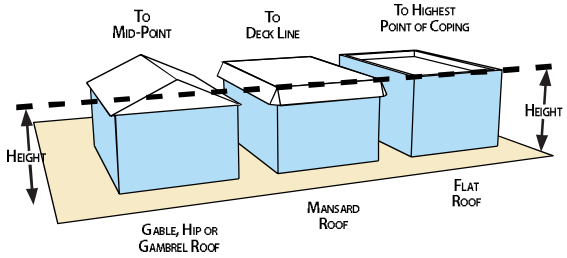
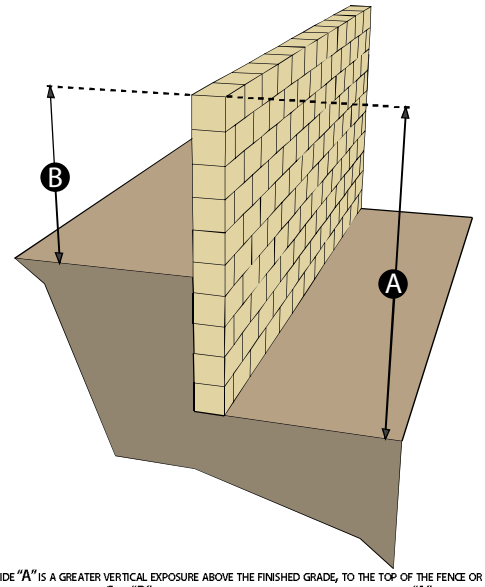
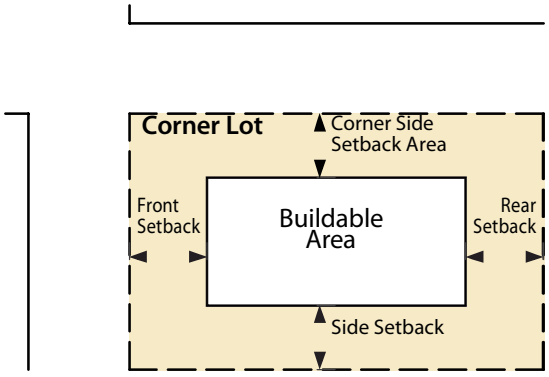


FIGURE 2 - WALL/FENCE HEIGHT MEASUREMENT



SIDE "A" IS A GREATER VERTICAL EXPOSURE ABOVE THE FINISHED GRADE, TO THE TOP OF THE FENCE OR WALL THAN SIDE "B" THEREFORE THE WALL HEIGHT IS DETERMINED BY SIDE "A"

FIGURE 3 - SETBACKS



seating consists of benches or pews, each twenty linear inches of bench or pew shall be considered one seat.

e. Parking Based on Floor Area. Unless specifically stated otherwise, when computing parking requirements based on the amount of square footage in buildings, all calculations shall be on a gross floor area basis.

f. Parking Based on Employees. For the purpose of computing parking requirements based on the number of employees, calculations shall be for the largest number of persons working on any single shift.

g. Single-family Parking. Driveways may be used to satisfy minimum on-site parking requirements for single-family dwellings, provided that sufficient space is available to satisfy the minimum design standards.

h. Unimpeded Parking. No parking space shall be located so as to require the moving of any vehicle on the premises in order to enter or leave any other space.

3. Handicapped Parking Calculations

a. Except as otherwise required by the City's Building Code, handicapped parking spaces shall be provided for all uses other than residential at the rate shown in Table 1 below:

HANDICAP PARKING REQUIREMENTS — TABLE 1

Total Number of Required Parking Spaces	Number of Handicapped Parking Spaces Required
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total required spaces
1,001 and above	20 spaces, plus 1 space for each 100 over 1,000 spaces or fraction thereof.

4. Parking Alternatives. The Director is authorized to allow parking requirements to be met by any method described in this Paragraph (4), or any combination of such methods.

a. Off-Site Parking. The parking requirements may be met by locating the required parking spaces on a separate parcel from the lot on which the principal use is located. Off-site parking may be approved only if:

i. The parcels containing the use and the off-site parking are under common ownership;

ii. The parcel to be used for parking is located not more than three hundred feet from the building or use it is intended to serve;

iii. The parcel to be used for parking is not separated or divided from the building or use it is intended to serve by a freeway, expressway, highway or primary thoroughfare;

iv. The applicant satisfies the Director that the use of the off-site parcel for parking will not be detrimental to public safety; and

v. The owner of the parcels executes an agreement or similar document, satisfactory to the City Attorney, which outlines the terms and conditions of the off-site parking use. The document must contain the legal description of both the off-site parcel and the parcel where the principal use is located and must be of sufficient duration to ensure the continued use of the off-site parcel for parking. In order to provide record notice of the existence of the off-site parking arrangement, the City may record the document in the office of the County Recorder, or require the applicant to do so.

b. Shared Parking. The parking requirements may also be met by securing the consent to share parking facilities on another parcel and under another ownership. Shared parking may only be approved if:

i. The shared facilities are located on a parcel zoned for such use;

ii. The shared facilities are not more than three hundred feet from the building or use they are intended to serve;

iii. The shared facilities are not separated or divided from the building or use they are intended to serve by a freeway, expressway, highway or primary thoroughfare;

iv. The owners of the parcels cooperatively establish and operate the facilities;

v. The uses separately generate parking demands, primarily during hours when the remaining uses are not in operation;

vi. A minimum number of spaces are provided to meet the requirements of the use with the single greatest parking demand;

vii. Satisfactory evidence, as deemed by the Director, has been submitted describing the nature of the uses and the times when the uses operate so as to demonstrate the lack of potential conflict; and

viii. The owners of the parcels execute an agreement, satisfactory to the City Attorney, which outlines the terms and conditions of the shared parking arrangement. The agreement must contain the legal description of both parcels and must be of sufficient duration to ensure the continued use of the shared parking facilities. In order to provide record notice of the existence of the shared parking arrangement, the City may record the agreement in the office of the County Recorder, or require the applicant to do so.

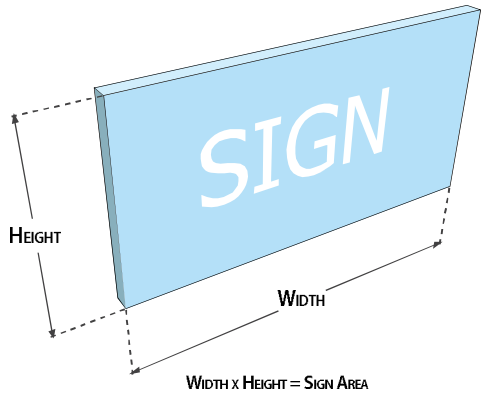
c. Mixed-Use Development—Alternative Parking Requirements. Mixed-use developments that are approved pursuant to LVMC Chapter 19.12 may utilize Table 2 below for determining parking requirements as an alternative to those otherwise applicable under this Paragraph and LVMC Chapter 19.12. A hotel/casino mixed-use development may choose the alternative determination available under this Subparagraph (c) or the administrative reduction available under Subparagraph (d) of this Subsection, but may not take advantage of both alternatives or any combination thereof.

MIXED-USE DEVELOPMENTS-ALTERNATIVE PARKING REQUIREMENTS			TABLE 2
GENERAL LAND USE CLASSIFICATION	WEEKDAYS		
	Mid - 7am	7am - 6pm	6pm - Mid
Office & Professional	5%	100%	5%
Retail & Personal Services	0%	100%	80%
Residential	100%	55%	85%
Restaurant	50%	70%	100%
Hotel	100%	65%	90%
Theaters/ Entertainment & Amusement	0%	70%	100%
	WEEKENDS		
	Mid - 7am	7am - 6pm	6pm - Mid
Office & Professional	0%	60%	10%
Retail & Personal Services	0%	100%	60%
Residential	100%	65%	75%
Restaurant	45%	70%	100%
Hotel	100%	65%	80%
Theaters/ Entertainment & Amusement	5%	70%	100%

i. Calculation of Parking Requirement. Calculate the number of spaces required for each use based on the applicable parking requirements calculated under this Paragraph and LVMC Chapter 19.12. Applying the general land use category listed above to each proposed use, utilize the percentages to calculate the number of parking spaces required for each time period (six time periods per use). Add the number of spaces required for all applicable land uses to obtain a total parking requirement for each time

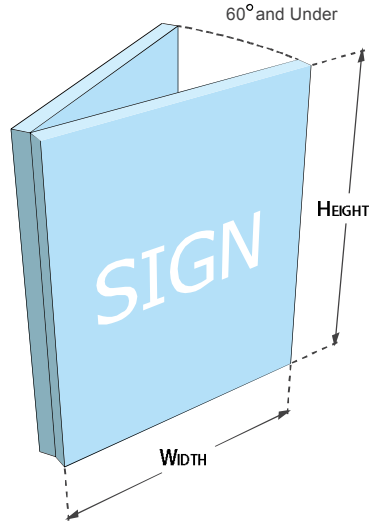
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FIGURE 4 - SIGN AREA MEASUREMENT - 2 SIDED FLAT SIGN

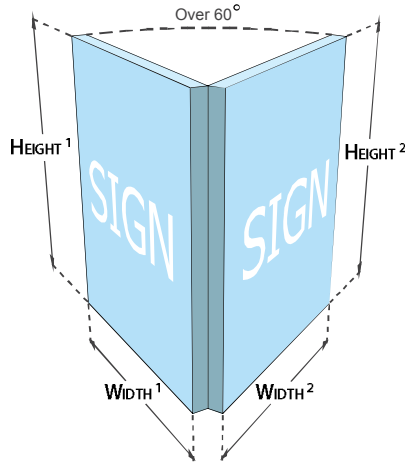


WIDTH X HEIGHT = SIGN AREA

FIGURE 5 - SIGN AREA MEASUREMENT - 2 SIDED ANGLED SIGNS



IF ANGEL IS 60° OR LESS THEN, WIDTH X HEIGHT = SIGN AREA



IF ANGLE IS GREATER THAN 60° THEN, (WIDTH 1 X HEIGHT 1) + (WIDTH 2 X HEIGHT 2) = SIGN AREA

period. Select the time period with the highest total parking requirement, and utilize that total as the mixed-use parking requirement.

ii. **Changes in Use.** Any proposed changes in the commercial uses for an existing approved mixed-use development shall be submitted to the Department for review and a determination of consistency with the parking requirements set forth in Table 2. Where a change in use will increase the number of parking spaces required, the additional spaces shall be provided.

d. **Alternative Parking Standard—Parking Demand Analysis.** Where the unique operation of a particular use creates a lesser parking demand than the parking requirements otherwise applicable under this Subsection and LVMC Chapter 19.12, an alternative parking standard for the use may be established in conjunction with the submittal of a Parking Demand Analysis. In order to qualify for consideration, a Parking Demand Analysis must be signed and sealed by a professional traffic engineer, must document the weekday and weekend peak parking demand for the proposed use(s) for the site, and must provide justification for the alternative parking standard. The request for an alternative parking standard pursuant to this Subparagraph (d):

i. Shall follow the process for a Special Use Permit application under LVMC 19.16.0110, to the extent the process can be made applicable.

ii. May be approved as requested, or as modified, and may be made subject to conditions if the Planning Commission or City Council, as the case may be, determines that approval of the alternative parking standard is warranted.

e. **Hotel/Casino Mixed-Use Parking Requirements.** The Director may authorize a reduction in the total number of required parking spaces for hotel/casino mixed-use developments. Such reduction shall apply only to such uses as restaurants, retail stores, amusement/recreational facilities and similar uses which are clearly ancillary to the hotel. Required parking for supplementary uses

may be reduced to one-half of the parking required for each use as specified in this Title. In determining the parking requirement, the following shall be considered:

i. The characteristic of each use and the projected peak parking demand, including hours of operation;

ii. The potential reduction in vehicle movements afforded by multi-purpose use of spaces by employees or customers;

iii. The potential reduction in vehicle trips afforded by multiple use of the facilities by guests and customers; and

iv. The extent to which the applicant can document the lack of potential conflict among parking needs and facilities.

E. Signage

1. Measurement of Sign Area -- General

a. The area of a sign face shall be computed by means of the smallest square, circle, rectangle, triangle or combination thereof that encompasses the smallest perimeter of the sign's message.

b. Except as otherwise provided in this Subsection, the area of a sign face does not include any supporting framework, bracing, architectural detail or decorative fence or wall which is clearly incidental to the sign. Where the supports or structural elements constitute a commercial symbol, logo, or text, those elements shall be computed as part of the sign area.

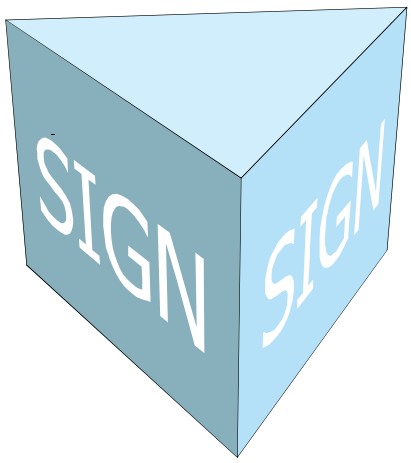
2. Measurement of Sign Area – Specific Types

a. Sign cabinets. The area of sign faces enclosed in frames or cabinets is determined based on the outer dimensions of the frame or cabinet surrounding the sign face. (See Figure 4)

b. Two sided freestanding signs (See Figure 5)

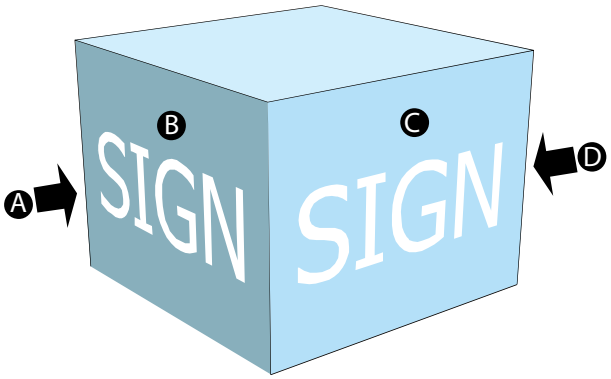
i. Signs with two faces intersecting at an angle of 60 degrees or less shall be computed by measuring the area of the largest sign face.

FIGURE 6 - SIGN AREA MEASUREMENT - 3 SIDED SIGN



LARGEST SIDE (WIDTH X HEIGHT) + 2ND LARGEST SIDE (WIDTH X HEIGHT) = SIGN AREA

FIGURE 7 - SIGN AREA MEASUREMENT - 4 SIDED SIGN



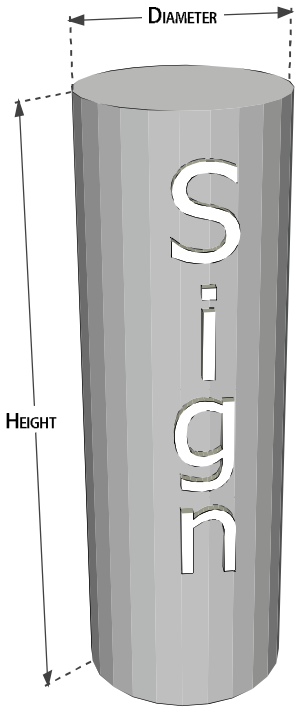
IF SIDE Ⓐ IS LARGER THAN SIDE Ⓒ AND SIDE Ⓑ IS LARGER THAN SIDE Ⓓ THEN,

SIDE Ⓐ (WIDTH X HEIGHT) + SIDE Ⓑ (WIDTH X HEIGHT) = SIGN AREA.

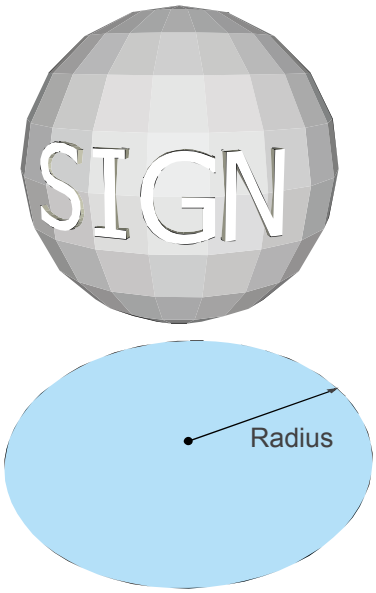
IF OPPOSING SIDES ARE EQUAL THEN, SIDE Ⓑ (WIDTH X HEIGHT) + SIDE Ⓒ (WIDTH X HEIGHT) = SIGN AREA.

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FIGURE 8 - SIGN AREA MEASUREMENT - CYLINDRICAL/SPHERICAL



CYLINDER HEIGHT x DIAMETER = SIGN AREA



3.14 x (RADIUS ^{2}) = SIGN AREA FOR CIRCLE OR SPHERE

ii. Signs with two faces intersecting at an angle of greater than 60 degrees shall be computed by measuring the area of both sign faces.

c. **Three sided signs.** The total area of signs with three faces shall be the sum total area of the two largest faces. (See Figure 6)

d. **Four-sided signs.** The total area of signs with four sign faces arranged in a square, rectangle, or diamond shall be the sum total area of the two largest opposing faces. If the faces are equal in size, the total area of the sign shall be the sum of two of the intersecting faces. (See Figure 7)

e. **Cylindrical or spherical signs.** The area of a cylindrical sign shall be the diameter multiplied by the height of the cylinder. The area of a spherical sign shall be the radius of the sphere squared multiplied by 3.14. (See Figure 8)

f. **Multiple cabinets.** For freestanding and projecting signs that contain multiple cabinets on one structure and oriented in the same direction, the modules together are counted as one sign face

g. **Signs on a base material.** When a sign is on a base material and attached without a frame, such as a wood board or Plexiglas panel, the dimensions of the base material are to be used.

h. **Individual elements.** When signs are constructed of individual elements attached to a building elevation, the overall sign display shall be measured by determining the sum of the area of each square, rectangle, triangle, portion of a circle or any combination thereof which creates the smallest single continuous perimeter enclosing the limits of the sign message. (See Figures 9, 10 and 11)

i. **Painted wall signs.** Painted wall signs shall be measured by determining the sum of the area of each square, rectangle, triangle, portion of a circle or any combination thereof which creates the smallest single continuous perimeter enclosing the limits of the sign elements. Visible area of the building elevation includes windows and doors, but not openings such as loading entrances.

j. Awnings and marquees. When signs are incorporated into awnings, the sign area is determined by computing the area of an imaginary rectangle drawn around the sign face. When the ends of awnings or marquees are parallel or within 60 degrees of parallel and contain sign faces, only one side is counted in addition to the sign face area on the front.

k. Changing Image Sign

i. Changing image sign features are measured by drawing an imaginary rectangle around the edge of each of the changing elements. Sign elements will be measured as one unit when the individual elements are read as one single message.

ii. When used as a border around an otherwise static sign, changing image sign elements are measured by drawing a series of rectangles around the changing elements.

iii. When the changing image sign feature is composed of moving light from a projected source, including laser light, or other display that has the appearance of a static element moving across a static background, the changing image sign element shall be computed by means of the smallest square, circle, rectangle, triangle or combination thereof that encompass the limits of the projected image.

3. Height Computation (See Figure 12)

a. The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign.

b. Normal grade shall be the lower of:

i. Existing grade prior to construction; or

ii. Newly established grade after construction, exclusive of any filling, berming, mounding or excavating for the sole purpose of locating the sign.

c. In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the

Illustrations & Graphics 19.18.030

FIGURE 9 - SIGN AREA MEASUREMENT - INDIVIDUAL ELEMENTS

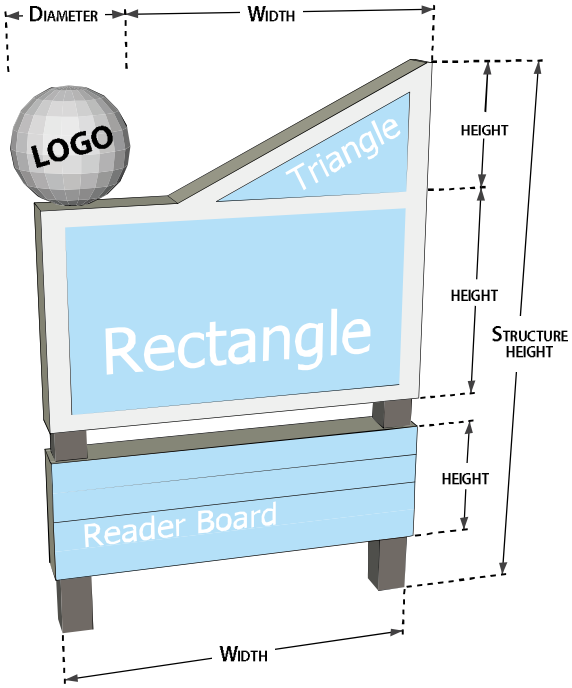
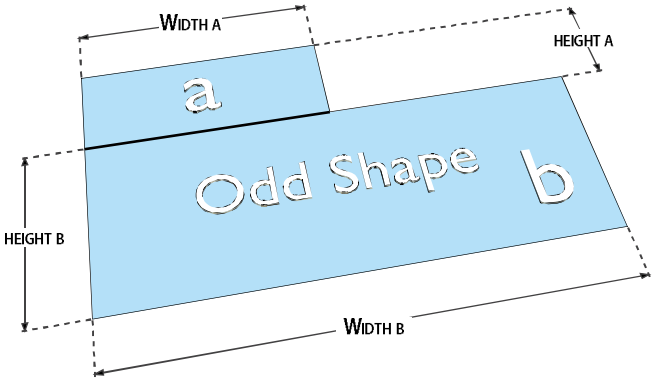


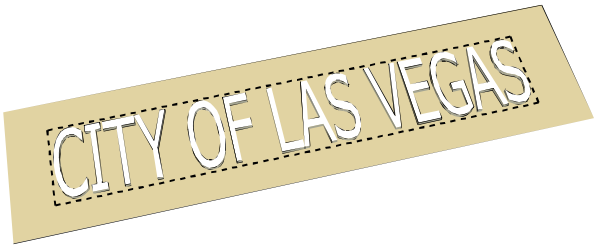
FIGURE 10 - SIGN AREA MEASUREMENT - INDIVIDUAL ELEMENTS



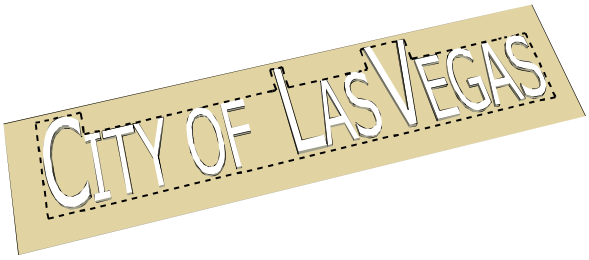
IN THE CASE OF AN ODD SHAPE, CALCULATE THE SMALLEST REGULAR GEOMETRIC SHAPE (TRIANGLE, RECTANGLE OR CIRCLE) THAT ENCOMPASSES THE PERIMETER OF THE SIGN AND ADD THE AREAS TOGETHER FOR THE TOTAL AREA.

Illustrations & Graphics 19.18.030

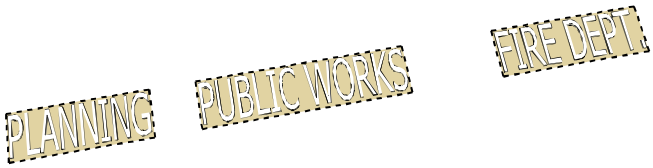
FIGURE 11 - SIGN AREA MEASUREMENT - CHANNEL LETTERS



THE SMALLEST CONTINUOUS PERIMETER THAT ENCOMPASSES THE ENTIRE COHERENT MESSAGE IS USED

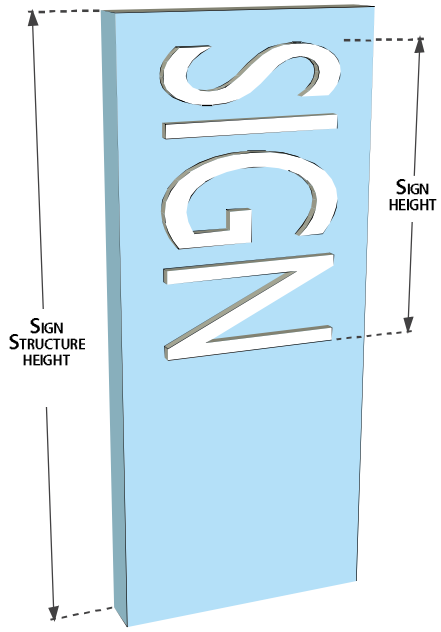


THE SMALLEST CONTINUOUS PERIMETER THAT ENCOMPASSES THE ENTIRE COHERENT MESSAGE IS USED, IN THIS CASE, THE PERIMETER IS ADJUSTED FOR THE SMALLER HEIGHT LETTERS



THE SMALLEST CONTINUOUS PERIMETER THAT ENCOMPASSES THE ENTIRE COHERENT MESSAGE IS USED, IN THIS CASE, THE WORDS MAKING UP THE MESSAGE ARE INTENTIONALLY SPREAD FAR APART

FIGURE 12 - SIGN HEIGHT MEASUREMENT



elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal building, whichever is lower.

4. Building Elevation, Determination, and Computation

a. In general, a building will have four elevations, one for each side. A building elevation shall include all vertical elements of the building facing in the same general direction, including articulations and offsets.

b. The area of the building elevation shall be the surface area of the elevation, measured from normal grade (see definition under "height computation") to the top of the wall, including windows, doors and other voids but not including the area of intervening portions of the elevation that face in another direction and that create offsets, articulations, entries or other architectural features.

c. The area of a building elevation shall not include any part of the roof or any part of the wall that deviates from a vertical, 90-degree angle to the plane surface of the lot, by more than 10 degrees.


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Appendices

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Appendix A

Parcel Map Application Checklist

The following information/data shall be submitted with each parcel map application:

☐ A. One (1) copy of the County Assessor's map showing all area within six hundred sixty (660) feet of subject property and depicting all area therein owned by the applicant.

☐ B. One (1) copy of the recorded deed reflecting current ownership and description of property, or one (1) copy of any other document which shows such ownership to the satisfaction of the City Attorney.

C. Parcel Map Contents:

☐ 1. Certificate of ownership and easement dedication, dedicating easements, alleys, streets, highways or other public ways as shown on the map (per Appendix E);

☐ 2. Certificate of land surveyor, signed and sealed by the professional land surveyor who was responsible for the survey (per Appendix E);

☐ 3. All monuments found, set, reset, replaced or removed, describing kind, size and location and other data relating thereto;

☐ 4. Bearing or witness monuments, basis of bearings, bearing and length of lines and scale of map;

☐ 5. Name and legal description of tract in which survey is located and ties to adjoining tracts;

☐ 6. Existing easements granted or dedications made within one hundred fifty (150) feet of the parcel boundaries, if applicable;

☐ 7. Street names, location and width of existing and proposed rights of way to serve as access for the parcels, up to a minimum of one hundred fifty (150) feet from boundary of proposed division, and access streets connecting development to existing dedicated streets;

☐ 8. Where applicable, proposed street names and addresses for each lot, in accordance with the City's street addressing regulations;

☐ 9. Survey analysis sufficient to delineate boundary controlling monuments;

☐ 10. Identification of adjoining properties;

☐ 11. A legend, as necessary, which denotes the meaning of all symbols utilized and includes the date and north arrow;

☐ 12. Dimensions of property and parcels to be created, which shall be shown in acres, calculated to the nearest one hundredth (0.01) of an acre, if an area is two (2) acres or more, or in square feet if area is less than two (2) acres;

☐ 13. All proposed and existing structures and other physical features that have bearing on the proposed division, which shall be shown to scale and with setbacks clearly defined;

☐ 14. Certificate of approval by the Director of Planning and Development and the City Surveyor;

☐ 15. Impact Statement, if required; and

☐ 16. Location of all trails.

D. Supplemental Information

The following supplemental information may be required by the Department of Public Works prior to the approval of the parcel map. When required, it shall be submitted on separate drawings or sheets:

☐ A. All off site improvements proposed by the applicant that have a bearing on the proposed division; and

☐ B. Certification by a surveyor that the parcel map complies with NRS Chapter 278, if the City Surveyor has waived the requirement for a new survey and the map is prepared from a previously recorded survey.

Appendix B

Tentative Map Application Checklist

The following information/data shall be submitted with each tentative map application:

A. Tentative Map Contents

☐ 1. Name of the proposed subdivision.

☐ 2. Names, addresses and phone numbers of owner, subdivider and surveyor or engineer.

☐ 3. A legend which denotes the meaning of all the symbols used and which includes the date, north arrow and scale.

☐ 4. A location map giving sufficient legal description to describe tract boundaries and relationships to surrounding areas and existing public streets.

☐ 5. Identification of adjoining properties.

☐ 6. Existing topography (obtained by actual survey at one (1) foot contours (based on city datum) on site and within one hundred fifty (150) feet of the proposed subdivision (except for the interior of existing subdivisions within one hundred, fifty (150) feet). The Department of Public Works may require larger contour intervals for large tracts.

☐ 7. Existing structures and other physical features.

☐ 8. Existing and proposed lot lines and dimensions. Each proposed lot shall be numbered in sequence, and each block shall be numbered or lettered. Letters may be used to identify common lots.

☐ 9. Existing and proposed street right of way widths, grades (with the direction of drainage indicated) and corner radii.

☐ 10. Existing and proposed street names.

☐ 11. Except for commercial subdivisions, existing and proposed street addresses or address ranges for each block, in accordance with the City's street addressing regulations.

☐ 12. Locations and widths of existing and proposed utility rights-of-way and easements.

☐ 13. Locations and widths of existing and proposed irrigation or drainage ditch rights-of-way and easements.

☐ 14. Existing and proposed storm drains.

☐ 15. Proposed sanitary sewer systems, showing pipe sizes, manholes, direction of flow and point of connection to existing facilities.

☐ 16. Existing and proposed potable water mains and, for subdivisions to be supplies by wells, the location, pressure and capacity of such wells, and the potential population capable of being served by such wells. The wells must be authorized under State certificate.

☐ 17. Proposed reservations or dedications for parks, trails, open spaces, schools, or other public or quasi public uses.

☐ 18. Existing street names, rights of way and pavement widths for streets within one hundred fifty (150) feet of the proposed subdivision.

☐ 19. If required, an Impact Statement in accordance with Section 18.08.090 and a Traffic Management Plan.

☐ 20. Note on the map indicating whether streets, drainage corridors, sewer corridors, parks, trails, open spaces and schools are to be public or private.

☐ 21. Note on the map that above ground utility boxes shall not be placed within trail corridors, if trail areas are designated on the map.

B. Supplemental Information

The following supplemental information may be required by the Department of Public Works or the Department of Planning and Development. When required, it shall be submitted on separate drawings or sheets.

☐ 1. A Traffic Impact Analysis, Single Subdivision Access Report, or Master Driveway and Onsite Circulation Plan, prepared in accordance with City standards or as directed by the City Traffic Engineer.

☐ 2. Development Impact Notice and Assessment (DINA) per Section 19A.18.O1O(E) of the Zoning Code.

☐ 3. Any proposed deviations from City standards.

☐ 4. A copy of the deed for the property, if required.

☐ 5. Whenever, on the perimeter of a project, walls are proposed which (1) face a public street or adjoining property not in common ownership; (2) are within a single plane and are not separated by landscaping; and (3) exceed the maximum acceptable wall heights indicated in Table "A" contained in Chapter 18.08, the applicant shall submit three copies of a plan or proposed perimeter grades which indicates all such walls. This plan may be superimposed on the tentative map but must be legible. The plan shall include cross sections of all sections of the project perimeter with walls which exceed the heights indicated in Table "A".

☐ 6. A compatible digital format copy of the tentative map.

☐ 7. If applicable, a letter indicating that an in lieu of park is proposed.


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Appendix C
Final Map Application Checklist

The following information/data shall be submitted with each final map application:

A. Final Map Contents

☐ 1. Name of proposed subdivision (which should include designation as a condominium, townhouse, residential planned development or commercial subdivision, if applicable).

☐ 2. A legend which denotes the meaning of all the symbols used and which includes the date, north arrow and scale.

☐ 3. Identification of adjoining properties.

☐ 4. A survey analysis sufficient to delineate boundary controlling monuments.

☐ 5. Existing and proposed lot lines and dimensions, including the square footage of all proposed lots. Each lot shall be numbered in sequence, and each block shall be numbered or lettered. Letters may be used to identify common lots.

☐ 6. Existing and proposed street right of way widths and corner radii.

☐ 7. A reproduction of the approved tentative map showing all proposed addresses for the tentative map.

☐ 8. A list, separate from the final map, of proposed addresses for every legal lot shown on the final map.

☐ 9. Locations and widths of existing and proposed utility rights of way and easements.

☐ 10. Locations and widths of existing and proposed irrigation or drainage ditch rights of way and easements.

☐ 11. All monuments found, set, reset, replaced or removed, describing kind, size and location and other data relating thereto.

☐ 12. Bearing or witness monuments, basis of bearings, bearing and length of lines and scale of map.

☐ 13. Name and legal description of tract in which survey is located and ties to adjoining tracts.

☐ 14. Areas of unobstructed vision at intersections, as described in Chapter 18.12.

☐ 15. Note on the map whether streets, drainage corridors, sewer corridors, parks, trails, open spaces and schools are to be public or private.

☐ 16. Note on the map that above ground utility boxes shall not be placed within trail corridors, if trail areas are designated on the map.

B. Required Certifications

In addition to any other certifications required by State law, the following certifications shall appear on the title sheet of the final map. Copies of required certificate format are presented in Appendix E.

☐ 1. Certificate of ownership and easement dedication. All final maps shall contain a certificate of ownership and easement dedication, dedicating easements and rights of way for alleys, streets, highways or other public ways as shown on the map.

☐ 2. Certificate of land surveyor. All final maps shall be signed and sealed by the professional land surveyor who was responsible for the survey.

☐ 3. Certificate of City Engineer or City Surveyor. All final maps shall be certified by the City Engineer or City Surveyor stating that the final map is technically correct and complies with City standards.

☐ 4. Certificate of Clark County District Board of Health. All final maps shall be certified by the Clark County District Board of Health that they comply with all requirements relating to wastewater disposal, water pollution, water quality and water supply and that they are predicated upon plans for public/private potable water supply and community/individual wastewater system.

☐ 5. Certificate of Water Resources Division. All final maps shall be certified by the Division of Water Resources of the State Department of Conservation and Natural Resources as to their compliance with all water quantity requirements.

☐ 6. Certificate of Director of Planning and Development/Planning Commission approval. All final maps shall be certified by the Director as to compliance with the approved tentative map, all applicable regulations and all conditions imposed upon the final map. No final map shall be filed with the County Recorder until it has been certified by the Director that he or she (or the Planning Commission) has approved the final map and accepted all rights of way, easements or parcels for public dedication.

☐ 7. Certificate of easement recipients.

☐ 8. Certificate of acknowledgment.

C. Supplemental Requirements

The following supplemental information may be required by the Department of Public Works or the Department of Planning and Development. When required, it shall be submitted on separate drawings or sheets.

☐ 1. Evidence that a Drainage Plan and Technical Drainage Study has been submitted in proper form to the Department of Public Works or that said study is not required.

☐ 2. A copy of the deed attesting to the current ownership of the property.

☐ 3. A statement from the Title Company which complies with the requirements of NRS Chapters 278 and 116 listing the names of the current owners of record of the land and the holders or record of a security interest in the land and the written consent of each.

☐ 4. A copy of a sewer connection agreement verifying that downstream sewer capacity is available or that sewer capacity mitigation measures acceptable to the Department of Public Works will be provided.

D. Final Map Drawings

Following all required final revisions and before the Director signs the final map, the final map drawings shall be submitted at a scale of one (1) inch equals two hundred (200) feet or a digital format as specified by the Department of Planning and Development.


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Appendix D
Monumentation Requirements

A. General Requirements

A complete and accurate survey of the land to be divided, developed or improved, which is delineated by a parcel map, final map, improvements or other plans, shall be made by a Nevada Licensed Professional Land Surveyor in accordance with the standard practices and principals of land surveying. Where survey monuments are to be set, or are subject to disturbance and replacement, only a professional land surveyor, duly licensed by the State of Nevada shall be authorized to determine or establish the exact location for a survey monument and only such professional land surveyor shall be authorized to perpetuate and reference existing survey monuments located within the limits of public rights of way or private streets and easements.

B. Monuments

1. General

a) Monuments shall be set in conformance with the standard detail drawings and the applicable parcel or final maps recorded under authority of NRS Chapter 278, or those maps and plans approved and on file with the Department of Public Works. Such monuments shall be set within or directly adjacent to the project at:

(1) All street centerline intersections.

(2) All angle points of tangency and points of curvature in street centerlines.

(3) All intersections of street centerlines with survey boundaries.

(4) All section corners, quarter corners and sixteenth section corners. All the above established points which fall within the limits of public rights of way or private streets and easements shall be referenced to four (4) firmly established ties within a radius of twenty (20) feet to one hundred (100) feet. The angle from tie to tie shall be as near ninety degrees (90) as possible, radiating from the established intersection or control monument.

b) All monuments set within the limits of public rights of way or private streets and easements shall have a nonferrous metal cap securely attached to the top of the monument permanently marking the exact center. The professional land surveyor's registration or license number shall be stamped on the nonferrous metal cap, preceded by the letters: "P.L.S."

c) Monuments may be set after approval of the map or plan, but must be set prior to the final acceptance of the improvements. If the monuments are to be set after recordation of an applicable parcel map of final map or prior to the final acceptance of the improvements or other plans, a cash deposit or approved bond in an amount set by the Department of Public Works shall be filed guaranteeing such work.

d) All monuments shall conform to City standards. Prior approval of alternate survey monuments is recommended prior to a request for acceptance of final improvements. All alternate types of survey monuments must equal or surpass City standards regarding quality, durability and conformance with applicable laws or ordinances.

e) Where hard rock or other physical obstructions are encountered, monument length may vary within reasonable limits as long as length is sufficient to resist removal.

f) All monuments shall be set in such a manner that the accuracy of their relative positions is not less than the requirements of the "Standards of Practice for Professional Land Surveyors" as enumerated by Nevada Administrative Code (NAC), Sections 625.651 to 625.795, inclusive.

g) A reproducible original of a Survey Monumentation Plan, clearly identifying all monument locations, including reference monuments, shall be prepared and certified by a Nevada Professional Land Surveyor. This plan shall be submitted to the City Surveyor prior to the release of the improvement bond or prior to release or the final map if improvements are to be installed without bond, and shall certify that the monuments are of the character and occupy the positions shown.

(1) The following documents may constitute a Survey Monumentation Plan providing they are in accordance with the requirements of this Chapter, and are delivered as a formal document to the City Surveyor for approval.

a. Record of Survey in accordance with NRS 625.340;

b. Corner Record in accordance with NRS Chapter 329.

(2) The following certificate prepared and certified by a Professional Land Surveyor is required on all monumentation plans:

I, _____, a Licensed Professional Land Surveyor in the State of Nevada, do hereby certify that the monuments that have been set and the tie distances established as shown hereon. This survey was completed on _____.

2. Types of Monuments

a) Type I. This monument shall be installed as a section corner or section corner surface monument in a public right of way or private street or easement which is paved with Portland Cement Concrete or Asphaltic Concrete. For construction, see Standard Drawing No. 239.

b) Type II. This monument shall be installed as a surface monument at 1/16 section corners within a street or road section which is paved with Portland Cement Concrete or Asphalt Concrete. Type II monuments may also be used as subsurface section corner and ¼ section corner monuments in an unimproved street or road section where maintenance would preclude the use of surface monuments. For construction, see Standard Drawing No. 240.

c) Type III. This monument shall be installed at all other survey control points located in paved or unpaved streets, roads or other public or private rights of way shown on the parcel map or final map. Such locations may include: secondary street intersections, center of hammerhead turnarounds or circular cul de sac, points of curvature and/or tangency, points of intersection and points of reverse and/or compound curvature. For construction, see Standard Drawing No. 241.

d) Type IV. This monument is a reference monument to be placed in accordance with Standard Drawing No. 243 and with a tie to tie angle as near to 90 degrees as possible. For construction see Standard Drawing No. 242. If the monuments are to be set in a concrete curb, they must be placed in a tangent section of curb, approximately two (2) feet from the end of the return.

3. Nevada State Plan Coordinates

a) Where sufficient control exists within one half (½) mile of a site, Nevada State Plane Coordinates shall be established in accordance with NRS Chapter 327 for monuments located within the limits of public or private rights of way which are coincident with section corners, ¼ sections corners or 1/16 section corners, as a the case may be, and shown on the Monumentation Plan. The professional land surveyor shall consult with the City Surveyor with regard to the availability of sufficient survey controls.

b) In situations where street centerlines are obstructed by median islands, planting, streetlights or other structures, consideration should be given to placing clearly identified monuments on an offset line.

c) Monumentation at a Point of Intersection which falls within the limits of a public or private right of way will be preferred over setting monuments at a Point of Curvature or Point of Tangency, unless the Point of Intersection falls outside the paved area.

d) In places where the placement of monuments as outlined above is impossible or impractical, the City Surveyor may approve additional or alternate monument locations.

4. Monument Construction

The physical construction of monuments must be performed under the direct supervision of a Professional Land Surveyor. All requirements of City standards must be met. Poor workmanship or substandard materials will not be accepted.

Appendix E
Required Certificates

A. Certificate of ownership and easement dedication

1. The Certificate of Ownership and Easement Dedication shown on the final map shall be in substantially the following form, with necessary modifications consistent with project needs to be made by the owner or map applicant:

(I/We), _____, do hereby certify that (I/we) am/are the owner(s) of the parcel of land which is shown upon the map of _____, and do hereby consent to the preparation and recordation of this map, and do hereby offer and dedicate all public streets, alleys, easements, rights of way and public places (exclude items not applicable) as indicated and outlined hereon, for the use of the public. No part of the parcels marked "Not a part of this subdivision" is offered for dedication.

Furthermore, (I/we) hereby grant and convey to Nevada Power Company and Sprint Corporation (jointly and severally), Southwest Gas Corporation, Las Vegas Valley Water District, Cox Communications Las Vegas, Inc., and _____ (any other utilities authorized to provide service) and to their respective successors and assigns: (i) a three foot wide easement on all side property lines, exclusive of easements for drainage, sewer, trails, and all other public use easements; (ii) a three foot wide easement from property line to meter panel to provide access for underground service; (iii) a five-foot wide easement on all property lines that abut public and private streets, exclusive of easements for drainage, sewer, trails, and all other public use easements, to include access to above ground transformer pads; and (iv) a two foot wide easement around each transformer pad within the platted lands for the construction, maintenance, operation and final removal of street lights, fire hydrants, underground power, telephone, gas, water and cable television lines and appurtenances, together with the right of ingress thereto and egress therefrom.

Provided, however, that no above ground utility vaults that would substantially interfere with the intended use of the trail corridor shall be allowed within any easements, corridors, or common lots designated as public multi use trail easement areas, and no such easement rights shall be granted to the above listed utility companies, nor any other parties, in conflict with this statement.

Further, the undersigned owner hereby grants and conveys to the City of Las Vegas and to its successors and assigns a five foot wide easement adjacent to all property lines where lots or common areas abut public streets for purposes of placing public fire hydrants and public streetlights and an additional easement of up to two feet in radius from each fire hydrant and streetlight, to extend beyond the five foot easement if necessary, together with the right of ingress to and egress from these easements. (If private roadways are utilized, this paragraph should be modified to refer to easements adjacent to "private" streets and refer to "public fire hydrants" only.)

Dated this _____ day of 20____.

2. For commercial subdivision, planned unit developments and condominium developments, the dedication of utility type easements shall be in substantially the following form:

Furthermore, (I/we) hereby grant and convey to Nevada Power Company and Sprint Corporation (jointly and severally), Southwest Gas Corporation, Las Vegas Valley Water District, Cox Communications Las Vegas, Inc. and _____ (any other utilities authorized to provide service) and to their respective successors and assigns: (i) a three foot wide easement on all side property lines, exclusive of easements for drainage, sewer, trails, and all other public use easements; (ii) a three foot wide easement from property line to meter panel to provide access for underground service; (iii) a five-foot wide easement on all property lines that abut public and private streets, exclusive of easements for drainage, sewer, trails, and all other public use easements, to include access to above ground transformer pads; and (iv) a two foot wide easement around each transformer pad within the platted lands for the construction, maintenance, operation and final removal of street lights, fire hydrants, underground power, telephone, gas, water and cable television lines and appurtenances, together with the right of ingress thereto and egress therefrom.

Provided, however, that no above ground utility vaults that would substantially interfere with the intended use of the trail corridor shall be allowed within any easements, corridors, or common lots designated as public multi use trail easement areas, and no such easement rights shall be granted to the above listed utility companies, nor any other parties, in conflict with this statement.

Further, the undersigned owner hereby grants and conveys to the City of Las Vegas and to its successors and assigns a five foot wide easement adjacent to all property lines where lots or common areas abut public streets for purposes of placing public fire hydrants and public streetlights and an additional easement of up to two feet in radius from each fire hydrant and streetlight, to extend beyond the five foot easement if necessary, together with the right of ingress to and egress from these easements. (If private roadways are utilized, this paragraph should be modified to refer to easements adjacent to "private" streets and refer to "public fire hydrants" only.)

Further, the undersigned owner hereby grants and conveys to the City of Las Vegas and to its successors and assigns a permanent easement within the area shown hereon as private streets, common areas and all areas not occupied by any building for the construction, maintenance, operation and final removal of public street lights, if any, and public fire hydrants, together with the right of ingress to and egress therefrom.

B. Surveyor's Certificate

I, _____(name of surveyor)_____, a Professional Land Surveyor licensed in the State of Nevada, certify that:

1. This plat represents the results of a survey conducted under my direct supervision at the instance of (owner).

2. The lands surveyed lie within (Section, Township, Range, Meridian and, if required by the City Surveyor, a description by metes and bounds for any subdivision which is divided into lots containing 5 acres in area or less), and the survey was completed on _____.

3. This plat complies with the applicable state statutes and any local ordinances in effect on the date that the local government gave its final approval.

4. The monuments depicted on the plat are of the character shown, occupy the positions indicated and are of sufficient number and durability.

(Or)

4a. The monuments depicted on the plat will be of the character shown and occupy the positions indicated by (a day certain) and an appropriate financial guarantee will be posted with the City before recordation to assure the installation of the monuments.

_____ _____

Name of Surveyor | License/Registration No. and Seal

C. Certificate of City Surveyor (or City Engineer)

I, (name), City Surveyor (or City Engineer) of the City of Las Vegas, do hereby certify that I have examined the Final Subdivision map of (name of subdivision) and am satisfied that the map is technically correct.

(If monuments have not been set, the certificate must include the following statement:)

Monuments have not been set, but a proper performance bond has been deposited to guarantee their setting on or before (a day certain).

_____ _____

City Surveyor (or City Engineer, PE) | Date

D. Certificate of District Board of Health

This final map is approved by the Clark County District Board of Health. This approval concerns sewage disposal, water pollution, water quality and water supply facilities and is predicated upon plans for a public water supply and a community system for the disposal of sewage.

_____ _____

Date

_____

Clark County District Board of Health

(Print name under signature)

E. Certificate of District Board of Health

This final map is approved by the Division of Water Resources of the Department of Conservation and Natural Resources concerning water quantity, subject to the review of approval on file in this office.

_____ _____

Date

_____

Division of Water Resources

(Print name under signature)

F. Certificate of Director of Planning and Development/Planning Commission

I certify that this final map substantially complies with the tentative map and any approved alterations thereto; that the map complies with applicable statutory and ordinance provisions; that all conditions imposed upon the final map have been met; and that the map was approved and the parcels herein were accepted for dedication by the Director of Planning and Development (or by the Planning Commission of the City of Las Vegas) on the _____ day of _____,20____.

_____ _____

Date

_____

Director of Planning and Development/

Secretary of Planning Commission

(Print name under signature)

G. Certificate of Easement Recipients

We, the herein named easement recipients, approve the grant of the designated easements:

Southwest Gas Corporation

_____ _____
Date

_____
(Print name under signature)

Nevada Power Company

_____ _____
Date

_____
(Print name under signature)

Sprint Corporation

_____ _____
Date

_____
(Print name under signature)

Cox Communications Las Vegas, Inc.

_____ _____
Date

_____
(Print name under signature)

Las Vegas Valley Water District

_____ _____
Date

_____
(Print name under signature)

City of Las Vegas, City Engineer

_____ _____
Date

_____
(Print name under signature)

(Additional Authorized Utility, if any)

_____ _____
Date

_____
(Print name under signature)

H. Certificate of Acknowledgment

1. The following certificate is sufficient for an acknowledgment in an individual capacity:

ACKNOWLEDGMENT

State of Nevada
County of Clark

This instrument was acknowledged before me on _____(date)_____
by _____name(s) of person(s)_____.

_____
(Signature of notarial officer)
(Seal, if any)

_____
(Title and rank)
(My commission expires: _____)

2. The following certificate is sufficient for an acknowledgment in a representative capacity:

ACKNOWLEDGMENT

State of Nevada
County of Clark

This instrument was acknowledged before me on _____(date)_____
by _____names(s) of person(s)_____
as _____(type of authority, e.g., officer, trustee, etc.)_____
of _____(name of party on behalf of whom instrument was executed)_____.

_____
(Signature of notarial officer)
(Seal, if any)

_____
(Title and rank)
(My commission expires: _____)

NOTE: An appropriate Certificate for Attorney-in-Fact may be substituted for the Certificate of Acknowledgement if deemed equivalent by the Director of Public Works.


CLV
WEB
E-MAIL