

1 **BILL NO. 2011-46**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO REMOVE THE LICENSING AND ZONING PROVISIONS THAT
4 PROHIBIT CLASS III JEWELRY STORES, PAWN SHOPS, AUTO PAWN BUSINESSES AND
5 SECONDHAND DEALERS FROM LOCATING ON LAS VEGAS BOULEVARD BETWEEN
6 CHARLESTON BOULEVARD AND SAHARA AVENUE, AND TO PROVIDE FOR OTHER
7 RELATED MATTERS.

8 Sponsored by: Mayor Carolyn G. Goodman

Summary: Removes the licensing and zoning provisions that prohibit Class III jewelry stores, pawn shops, auto pawn businesses and secondhand dealers from locating on Las Vegas Boulevard between Charleston Boulevard and Sahara Avenue.

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

12 SECTION 1: Title 6, Chapter 74, Section 50, of the Municipal Code of the City of
13 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14 **6.74.050:** A secondhand dealer's license must not be issued to a location on Fremont Street, [or
15 on Las Vegas Boulevard South between Charleston Boulevard and Sahara Avenue, unless a variance
16 has been granted, in accordance with the provisions of Title 19, permitting such use at that location.]

17 SECTION 2: Title 19, Chapter 12, Section 70, of the Municipal Code of the City of
18 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the entry for the use "Jewelry
19 Store, Class III" so that the list of Conditional Use Regulations applicable to that use reads as follows:

20 **Conditional Use Regulations:**

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

25 SECTION 3: Title 19, Chapter 12, Section 70, of the Municipal Code of the City of
26 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the entry for the use "Jewelry
27 Store, Class III" so that the list of Minimum Special Use Permit Requirements applicable to that use
28 reads as follows:

1 **Minimum Special Use Permit Requirements:**

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

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

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

6 SECTION 4: Title 19, Chapter 12, Section 70, of the Municipal Code of the City of
7 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the entry for the use "Pawn Shop"
8 so that the list of Conditional Use Regulations applicable to that use reads as follows:

9 **Conditional Use Regulations:**

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

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

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

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

19 SECTION 5: Title 19, Chapter 12, Section 70, of the Municipal Code of the City of
20 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the entry for the use "Pawn Shop"
21 so that the list of Minimum Special Use Permit Requirements applicable to that use reads as follows:

22 **Minimum Special Use Permit Requirements:**

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

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

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

27 4. No pawn shop use may be located closer than 200 feet from any parcel used or zoned for residential
28 use. In addition, no pawn shop use may be located closer than 1000 feet from any other pawn shop

1 use or specified financial institution use. For purposes of this Regulation 4, distances shall be
2 measured in a straight line from property line to property line, without regard to intervening obstacles.
3 The term “property line” refers to property lines of fee interest parcels and not leasehold parcels.

4 SECTION 6: Title 19, Chapter 12, Section 70, of the Municipal Code of the City of
5 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the entry for the use “Pawn, Auto”
6 so that the list of Conditional Use Regulations applicable to that use reads as follows:

7 **Conditional Use Regulations:**

- 8 1. The use shall comply with the applicable requirements of LVMC Chapter 6.60.
- 9 2. Except for the parking of automobiles, no outdoor display, sales or storage of any merchandise
10 shall be permitted.
- 11 3. Vehicles that have been pawned may not be parked or stored in parking spaces that are designated
12 as off-street parking necessary to meet the minimum requirements of this [Subchapter] Section. Any
13 parking or storage of such vehicles must occur only in spaces that are in excess of the required
14 minimum parking.
- 15 4. No auto pawn use shall be located on either side of Fremont Street, [or on Las Vegas Boulevard
16 South, between Charleston Boulevard and Sahara Avenue.]
- 17 5. Window signs shall not:
 - 18 a. Cover more than 20 percent of the area of all exterior windows;
 - 19 b. Include flashing lights or neon lighting; or
 - 20 c. Include any text other than text that indicates the hours of operation and whether the
21 business is open or closed.
- 22 6. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
- 23 7. The building or portion thereof that is dedicated to the use shall have a minimum size of 1500
24 square feet, and shall be designed to have sufficient interior space to provide for adequate customer
25 waiting areas, customer queuing, and transaction space (such as “teller” windows or desks).
- 26 8. No auto pawn use may be located closer than 200 feet from any parcel used or zoned for residential
27 use. In addition, no auto pawn use may be located closer than 1000 feet from any other auto pawn use,
28 auto title loan use or specified financial institution use. For purposes of this Regulation 8, distances

1 shall be measured in a straight line from property line to property line, without regard to intervening
2 obstacles. The term “property line” refers to property lines of fee interest parcels and not leasehold
3 parcels.

4 SECTION 7: Title 19, Chapter 12, Section 70, of the Municipal Code of the City of
5 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the entry for the use “Pawn, Auto”
6 so that the list of Minimum Special Use Permit Requirements applicable to that use reads as follows:

7 **Minimum Special Use Permit Requirements:**

- 8 1. The use shall comply with the applicable requirements of LVMC Chapter 6.60.
- 9 2. Except for the parking of automobiles, no outdoor display, sales or storage of any merchandise
10 shall be permitted.
- 11 3. Vehicles that have been pawned may not be parked or stored in parking spaces that are designated
12 as off-street parking necessary to meet the minimum requirements of this [Subchapter] Section. Any
13 parking or storage of such vehicles must occur only in spaces that are in excess of the required
14 minimum parking.
- 15 4. No auto pawn use shall be located on either side of Fremont Street, [or on Las Vegas Boulevard
16 South, between Charleston Boulevard and Sahara Avenue.]
- 17 5. Window signs shall not:
 - 18 a. Cover more than 20 percent of the area of all exterior windows;
 - 19 b. Include flashing lights or neon lighting; or
 - 20 c. Include any text other than text that indicates the hours of operation and whether the
21 business is open or closed.
- 22 6. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
- 23 7. The building or portion thereof that is dedicated to the use shall have a minimum size of 1500
24 square feet, and shall be designed to have sufficient interior space to provide for adequate customer
25 waiting areas, customer queuing, and transaction space (such as “teller” windows or desks).
- 26 8. No auto pawn use may be located closer than 200 feet from any parcel used or zoned for residential
27 use. In addition, no auto pawn use may be located closer than 1000 feet from any other auto pawn use,
28 auto title loan use or specified financial institution use. For purposes of this Regulation 8, distances

1 shall be measured in a straight line from property line to property line, without regard to intervening
2 obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold
3 parcels.

4 SECTION 8: Title 19, Chapter 12, Section 70, of the Municipal Code of the City of
5 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the entry for the use "Secondhand
6 Dealer" so that the list of Conditional Use Regulations applicable to that use reads as follows:

7 **Conditional Use Regulations:**

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

12 SECTION 9: Title 19, Chapter 12, Section 70, of the Municipal Code of the City of
13 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the entry for the use "Secondhand
14 Dealer" so that the list of Minimum Special Use Permit Requirements applicable to that use reads as
15 follows:

16 **Minimum Special Use Permit Requirements:**

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

21 SECTION 10: The Department of Planning is authorized and directed to incorporate
22 into the Unified Development Code the amendments set forth in Sections 2 to 9, inclusive, of this
23 Ordinance.

24 SECTION 11: If any section, subsection, subdivision, paragraph, sentence, clause or
25 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
26 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
27 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
28 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,

1 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
2 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
3 invalid or ineffective.

4 SECTION 12: All ordinances or parts of ordinances or sections, subsections, phrases,
5 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
6 1983 Edition, in conflict herewith are hereby repealed.

7 PASSED, ADOPTED and APPROVED this ____ day of _____, 2011.

8 APPROVED:

9
10 By _____
11 CAROLYN G. GOODMAN, Mayor

12 ATTEST:

13 _____
14 BEVERLY K. BRIDGES, MMC
City Clerk

15 APPROVED AS TO FORM:

16 Val Steed 11-21-11
17 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2011, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the _____ day of
5 _____, 2011, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

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12 APPROVED:

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14 By _____
CAROLYN G. GOODMAN, Mayor

15 ATTEST:

16 _____
17 BEVERLY K. BRIDGES, MMC
City Clerk
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