City of Las Vegas

PLANNING COMMISSION AGENDA

COUNCIL CHAMBERS · 400 STEWART AVENUE · PHONE 229-6011
CITY OF LAS VEGAS INTERNET ADDRESS: www.lasvegasnevada.gov

LAS VEGAS CITY COUNCIL

Mayor Carolyn G. Goodman, (At-Large)
Mayor Pro-Tem Stavros S. Anthony, (Ward 4)
Councilman Steve Wolfson, (Ward 2)
Councilwoman Lois Tarkanian, (Ward 1)
Councilman Steven D. Ross, (Ward 6)
Councilman Ricki Y. Barlow (Ward 5)
Councilman Bob Coffin, (Ward 3)
City Manager Elizabeth N. Fretwell

COMMISSIONERS

Glenn E. Trowbridge, Chair
Vicki Quinn, Vice Chair
Byron Goynes
Richard Truesdell
Gus W. Flangas
Todd L. Moody
Trinity Haven Schlottman

Facilities are provided throughout City Hall for convenience of persons with disabilities. For meetings held in the Council Chambers, sound equipment is available for persons with hearing impairments. If you need an accommodation to attend and participate in this meeting, please call the DEPARTMENT DESIGNEE at (702) 229-6301 and advise of your need at least 48 hours in advance of the meeting. The City's TDD number is (702) 386-9108.

December 13, 2011

6:00 PM

ITEMS MAY BE TAKEN OUT OF THE ORDER PRESENTED AT THE DISCRETION OF THE CHAIRPERSON. TWO OR MORE AGENDA ITEMS FOR CONSIDERATION MAY BE COMBINED; AND ANY ITEM ON THE AGENDA MAY BE REMOVED OR RELATED DISCUSSION MAY BE DELAYED AT ANY TIME.

NOTICE: This meeting has been properly noticed and posted at the following locations:

City Hall Plaza, 400 Stewart Avenue, Vending Area
City Clerk's Bulletin Board, 400 Stewart Avenue, 2nd Floor Skybridge
Clark County Government Center, 500 South Grand Central Parkway
Las Vegas Library, 833 Las Vegas Boulevard North
Grant Sawyer Building, 555 East Washington Avenue

ACTIONS: ALL ACTIONS EXCEPT GENERAL PLAN AMENDMENTS, REZONINGS AND RELATED CASES THERETO ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN TEN DAYS AND PAYMENT OF THOSE COSTS SHALL BE MADE UPON FILING OF THE APPLICATION.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION AND AGREED TO BY THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDAED ITEM.

PLANNING COMMISSION MEETING RULES OF CONDUCT:

1. Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.

2. The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.

3. If areas of concern are known in advance, or if the applicant does not accept staff's condition, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.

4. Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.

5. Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.

6. After all objectors' input has been received; the applicant will be invited to respond to any new issues raised.

7. Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst themselves, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.

8. Letters, petitions, photographs and other submissions to the Commission will be retained for the record. Large maps, models and other materials may be displayed to the Commission from the microphone area, but need not be handed in for the record unless requested by the Commission.

As a courtesy, we would ask those not speaking to be seated and not interrupt the speaker or the Commission. We appreciate your courtesy and hope you will help us make your visit with the Commission a good and fair experience.

BUSINESS ITEMS:

1. CALL TO ORDER

2. ANNOUNCEMENT: COMPLIANCE WITH OPEN MEETING LAW

3. ROLL CALL

4. PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS ON THE AGENDA FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

5. FOR POSSIBLE ACTION TO APPROVE THE FINAL MINUTES FOR THE PLANNING COMMISSION MEETING OF NOVEMBER 8, 2011

6. FOR POSSIBLE ACTION - Any Items from the Planning Commission, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time.

CONSENT ITEMS:

CONSENT ITEMS ARE CONSIDERED ROUTINE BY THE PLANNING COMMISSION AND MAY BE ENACTED BY ONE MOTION. HOWEVER, ANY ITEM MAY BE DISCUSSED IF A COMMISSION MEMBER OR APPLICANT SO DESIRES.

ONE MOTION - ONE VOTE

THE FOLLOWING ARE ITEMS THAT MAY BE CONSIDERED IN ONE MOTION/ONE VOTE. THEY ARE CONSIDERED ROUTINE NON-PUBLIC AND PUBLIC HEARING ITEMS. ALL PUBLIC HEARINGS AND NON-PUBLIC HEARINGS WILL BE OPENED AT ONE TIME. ANY PERSON REPRESENTING AN APPLICATION OR A MEMBER OF THE PUBLIC OR A MEMBER OF THE PLANNING COMMISSION NOT IN AGREEMENT WITH THE CONDITIONS AND ALL STANDARD CONDITIONS FOR THE APPLICATION RECOMMENDED BY STAFF, SHOULD REQUEST TO HAVE THAT ITEM REMOVED FROM THIS PART OF THE AGENDA.

7. **RQR-43777 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: SG PROPERTIES, LLC** - For possible action on a request for a Required Review of a previously approved Special Use Permit [U-0002-98(2)] WHICH ALLOWED A 55-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN at 845 West Bonanza Road (APN 139-28-801-008), M (Industrial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

8. **RQR-43778 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: REBEL OIL COMPANY, INC.** - For possible action on a request for a Required Review of a previously approved Special Use Permit (U-0005-97) WHICH ALLOWED A 40-FOOT TALL, 14-FOOT BY 28-FOOT OFF-PREMISE SIGN at 1080 South Rainbow Boulevard (APN 138-34-819-014), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

9. **RQR-43779 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: RHDH PROPERTIES, LLC** - For possible action on a request for a Required Review of a previously approved Special Use Permit (U-0314-94), WHICH ALLOWED A 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN at 1600 North Rancho Drive (APN 139-20-411-005), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

10. **RQR-43801 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR, INC. - OWNER: WILLICK INVESTMENTS, INC.** - For possible action on a Required Review of a previously approved Special Use Permit (U-0176-90) FOR A 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN at 3591 East Bonanza Road (APN 140-31-121-006), C-1 (Limited Commercial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

11. **RQR-43802 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR, INC. - OWNER: I RENT B & E, LLC** - For possible action on a Required Review of a previously approved Special Use Permit (SUP-2537) FOR A 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN at 3500 West Sahara Avenue (APN 162-05-402-007), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

12. **RQR-43803 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: STORAGE EQUITIES, INC.** - For possible action on a Required Review for an approved Special Use Permit (U-0159-89) FOR A 55-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN at 275 South Martin L. King Boulevard (APN 139-33-501-012), M (Industrial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

13. **RQR-43804 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR, INC. - OWNER: BELL REAL ESTATE** - For possible action on a Required Review of a previously approved Special Use Permit (U-0103-95) FOR A 40-FOOT TALL, 12-FOOT BY 24-FOOT OFF-PREMISE SIGN at 1910 Industrial Road (APN 162-04-704-006), M (Industrial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

14. **SUP-43685 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: DENNY'S INC. - OWNER: FAEC HOLDINGS WIRRULLA, LLC** - For possible action on a request for a Special Use Permit FOR A PROPOSED 6,300 SQUARE-FOOT SUPPER CLUB at 450 Fremont Street, Suite #195 (APN 139-34-513-002), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

15. **SUP-43705 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: THE SMITH CENTER - OWNER: CITY PARKWAY V, INC.** - For possible action on a request for a Special Use Permit FOR A PROPOSED LIQUOR ESTABLISHMENT (TAVERN) WITH WAIVERS TO ALLOW A 500-FOOT DISTANCE SEPARATION FROM ANOTHER LIQUOR ESTABLISHMENT (TAVERN) AND AN 850-FOOT DISTANCE SEPARATION FROM A CHURCH/HOUSE OF WORSHIP WHERE 1,500 FEET IS REQUIRED at 388 Promenade Place and 464 Symphony Park Avenue (APNs 139-34-211-001 and 139-33-610-026), PD (Planned Development) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

16. **VAC-43701 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: WILLIAM LYON HOMES, INC.** - For possible action on a request for a Petition to Vacate THE EMERGENCY ACCESS EASEMENT WITHIN COMMON ELEMENT D OF THE RECORDED FINAL MAP ENTITLED STRATTON 35 at the south intersection of Steady Breeze Avenue and Purple Wisteria Street, Ward 6 (Ross). Staff recommends APPROVAL.

17. **VAC-43714 - VACATION - PUBLIC HEARING - APPLICANT: DWYER ENGINEERING - OWNER: MARK III, LLC** - For possible action on a request for a Petition to Vacate A PUBLIC SEWER EASEMENT on property located at the northwest corner of Stange Avenue and Grand Canyon Drive (APN 138-06-203-003), Clark County. Staff recommends APPROVAL.

PUBLIC HEARING ITEMS

18. **ABEYANCE - VAR-42988 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: JACK W. ZERKLE, JR. AND ORPHA ZERKLE** - For possible action on a request for a Variance TO ALLOW AN EXISTING SIX-FOOT TALL SOLID CORRUGATED METAL SCREEN FENCE WITH NO CONTRASTING MATERIALS OR COLOR WHERE A FIVE-FOOT TALL FENCE WITH A MAXIMUM OF TWO FEET THAT IS SOLID IS ALLOWED IN THE FRONT YARD OF A RESIDENTIAL PROPERTY AND 20 PERCENT CONTRASTING MATERIALS AND/OR COLOR IS REQUIRED on 2.26 acres at 6902 Bradley Road (APN 125-24-203-010), R-E (Residence Estates) Zone, Ward 6 (Ross). Staff recommends DENIAL.

19. **ABEYANCE - VAR-43359 - VARIANCE - PUBLIC HEARING - APPLICANT: BUSTN' SUDS CARWASH - OWNER: JGM HOLDINGS, LLC** - For possible action on a request for a Variance TO ALLOW 21 PARKING SPACES WHERE 27 PARKING SPACES ARE REQUIRED on 0.88 acres at 1326 North Martin Luther King Boulevard (APN 139-28-501-005), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

20. **ABEYANCE - SUP-43358 - SPECIAL USE PERMIT RELATED TO VAR-43359 - PUBLIC HEARING - APPLICANT: BUSTN' SUDS CARWASH - OWNER: JGM HOLDINGS, LLC** - For possible action on a request for a Special Use Permit FOR A CAR WASH, FULL SERVICE OR AUTO DETAILING at 1326 North Martin Luther King Boulevard (APN 139-28-501-005), C-1 (Limited Commercial) Zone , Ward 5 (Barlow). Staff recommends APPROVAL.

21. **ABEYANCE - SDR-43360 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-43359 AND SUP-43358 - PUBLIC HEARING - APPLICANT: BUSTN' SUDS CARWASH - OWNER: JGM HOLDINGS, LLC** - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 3,985 SQUARE-FOOT CAR WASH, FULL SERVICE OR AUTO DETAILING on 0.88 acres at 1326 North Martin Luther King Boulevard (APN 139-28-501-005), C-1 (Limited Commercial) Zone , Ward 5 (Barlow). Staff recommends APPROVAL.

22. **ABEYANCE - SUP-43005 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: SEQUOIA ELECTRIC - OWNER: SAGEBRUSH PROPERTY VENTURES, LLC** - For possible action on a request for a Special Use Permit FOR BUILDING MAINTENANCE SERVICE AND SALES at 4485 North Rainbow Boulevard (APN 138-03-602-013), C-1 (Limited Commercial) Zone, Ward 4 (Anthony). Staff recommends APPROVAL.

23. **ABEYANCE - SDR-43004 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-43005 - APPLICANT: SEQUOIA ELECTRIC - OWNER: SAGEBRUSH PROPERTY VENTURES, LLC** - For possible action on a request for a Site Development Plan Review FOR THE ADDITION OF AN EXISTING 4,970 SQUARE-FOOT BUILDING TO A SITE CONTAINING AN EXISTING 4,011 SQUARE-FOOT OFFICE WITH A WAIVERS TO ALLOW A TWO-FOOT LANDSCAPE BUFFER ALONG A PORTION OF THE NORTH PERIMETER WHERE EIGHT FEET IS REQUIRED AND TO ALLOW NO BUILDING ARTICULATION OR ARCHITECTURAL FEATURES WHERE REQUIRED on 1.21 acres at 4485 North Rainbow Boulevard (APN 138-03-602-013), C-1 (Limited Commercial) Zone, Ward 4 (Anthony). Staff recommends APPROVAL.

24. **ABEYANCE - SUP-43285 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: ROCK SPRING PLAZA, LLC** - For possible action on a request for a Special Use Permit FOR A 40-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE SIGN at 7175 West Lake Mead Boulevard (APN 138-22-701-007), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

25. **ABEYANCE - SUP-43354 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: NUEVO RECYCLING - OWNER: NEVADA SPACE, INC**. - For possible action on a request for a Special Use Permit FOR A PROPOSED 26,300 SQUARE-FOOT SALVAGE OR RECLAMATION OF PRODUCTS (OUTDOOR) USE WITH AN EXISTING SIX-FOOT TALL CHAIN LINK FENCE WITH BARBED WIRE ALONG THE REAR PROPERTY LINE at 2866 South Highland Drive (APN 162-09-202-007), M (Industrial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

26. **ABEYANCE - SDR-42987 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: CIM/POB LAS VEGAS, LLC - OWNER: CITY OF LAS VEGAS** - For possible action on a request for a Site Development Plan Review FOR A PROPOSED GENERAL RETAIL STORE, OTHER THAN LISTED AND PLAZA on 2.83 acres at 300 North Casino Center Boulevard (APN 139-34-501-008), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

27. **VAR-43719 - VARIANCE - PUBLIC HEARING - APPLICANT: CONTINENTAL SUITES - OWNER: 1213 S. LAS VEGAS BLVD., LLC** - For possible action on a request for a Variance TO ALLOW A PROPOSED 25-FOOT TALL FREESTANDING SIGN TO HAVE A ZERO-FOOT SETBACK WHERE FIVE FEET IS REQUIRED on 1.17 acres at 1213 South Las Vegas Boulevard (APN 162-03-112-028), C-2 (General Commercial) and C-1 (Limited Commercial) Zones, Ward 3 (Coffin). Staff recommends DENIAL.

28. **ARC-43672 - PUBLIC HEARING - APPLICANT: CONTINENTAL SUITES - OWNER: 1213 S. LAS VEGAS BLVD., LLC** - For possible action on a request of appeal of the Approval by the Downtown Development Review Committee on a request for a Signage Design Review for an existing Motel at 1213 South Las Vegas Boulevard (APN 162-03-112-028), C-2 (General Commercial) and C-1 (Limited Commercial) Zones, Ward 3 (Coffin). Staff recommends DENIAL.

29. **VAR-43723 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: OAKBROOK REALTY AND INVESTMENTS II, LL**C - For possible action on a request for a Variance TO ALLOW TEN 210 SQUARE-FOOT PROJECTING SIGNS ON AN EXISTING BUILDING WHERE EIGHT SIGNS WITH A MAXIMUM AREA OF 32 SQUARE FEET PER SIGN ARE ALLOWED at 321 South Casino Center Boulevard (APN 139-34-201-020), C-2 (General Commercial) Zone, Ward 3 (Coffin). Staff recommends DENIAL.

30. **VAR-43728 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: SCENIC VISTAS, LLC** - For possible action on a request for a Variance TO ALLOW 84 PARKING SPACES WHERE 111 PARKING SPACES ARE REQUIRED on 1.26 acres at 2905 and 2809 West Charleston Boulevard (APNs 162-05-510-004 and 005), C-D (Designed Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL.

31. **SDR-43726 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-43728 - PUBLIC HEARING - APPLICANT/OWNER: SCENIC VISTAS, LLC** - For possible action on a request for a Site Development Plan Review TO ADD A 6,036 SQUARE-FOOT SECOND STORY TO AN EXISTING MEDICAL OFFICE BUILDING FOR A TOTAL HEIGHT OF 32 FEET WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS TO ALLOW ZERO FEET ALONG THE EAST, WEST AND SOUTH PROPERTY LINES WHERE EIGHT FEET IS REQUIRED on 1.26 acres at 2905 and 2809 West Charleston Boulevard (APNs 162-05-510-004 and 005), C-D (Designed Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL.

32. **SUP-43700 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: SAHARA CROSSING, LP** - For possible action on a request for a Special Use Permit FOR A THRIFTSHOP, NON-PROFIT at 4580 West Sahara Avenue, Suite #110 (APN 162-06-411-004), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

33. **SDR-43702 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: THE ANIMAL FOUNDATION - OWNER: CITY OF LAS VEGAS** - For possible action on a request for a Site Development Plan Review FOR THREE EXISTING MODULAR BUILDINGS TOTALING 7,660 SQUARE FEET AT AN EXISTING ANIMAL HOSPITAL, CLINIC, OR SHELTER (WITH OUTSIDE PENS) on 8.39 acres at 655 North Mojave Road (APN 139-25-405-008), C-V (Civic) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

34. **SUP-43703 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: THE ANIMAL FOUNDATION - OWNER: CITY OF LAS VEGAS** - For possible action on a request for a Special Use Permit FOR A CEMETERY/MAUSOLEUM (ANIMALS) AT AN EXISTING ANIMAL HOSPITAL, CLINIC, OR SHELTER (WITH OUTSIDE PENS) at 655 North Mojave Road (APN 139-25-405-008), C-V (Civic) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

35. **SDR-43704 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-43703 - PUBLIC HEARING - APPLICANT: THE ANIMAL FOUNDATION - OWNER: CITY OF LAS VEGAS** - For possible action on a request for a Site Development Plan Review FOR TWO PROPOSED BUILDINGS WITH A TOTAL FLOOR AREA OF 28,495 SQUARE FEET AT AN EXISTING ANIMAL HOSPITAL, CLINIC, OR SHELTER (WITH OUTSIDE PENS) on 8.39 acres at 655 North Mojave Road (APN 139-25-405-008), C-V (Civic) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

36. **SUP-43708 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CASHMAN FIELD INN - OWNER: PANTHEON 1101 LAS VEGAS, LLC** - For possible action on a request for a Special Use Permit FOR A HOTEL, RESIDENCE USE WITHIN AN EXISTING HOTEL at 1101 North Las Vegas Boulevard (APN 139-27-603-007), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

37. **SUP-43724 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CROSS CREEK DEVELOPMENT, LLC - OWNER: THE VISTA COMMONS CENTER, LLC** - For possible action on a request for a Special Use Permit FOR A PROPOSED 2,950 SQUARE-FOOT PUB, BAR OR LOUNGE (TAVERN) at 11770 West Charleston Boulevard, Suite #150 (APN 137-34-818-002), P-C (Planned Community) Zone [VC (Village Center) Summerlin Land Use Designation], Ward 2 (Wolfson). Staff recommends APPROVAL.

38. **SUP-43897 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: COX COMMERCIAL FLEET SERVICES, LLC - OWNER: DFA, LLC** - For possible action on a request for a Special Use Permit FOR A PROPOSED AUTO REPAIR GARAGE, MAJOR at 4655 North Rancho Drive (APN 138-02-101-009), C-2 (General Commercial) Zone, Ward 6 (Ross). Staff recommends APPROVAL.

39. **SDR-43718 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: TRUE LOVE BAPTIST CHURCH** - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 5,445 SQUARE-FOOT ADDITION TO AN EXISTING CHURCH/HOUSE OF WORSHIP on 2.28 acres at 1941 "H" Street (APNs 139-21-703-003), C-V (Civic) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

40. **SDR-43737 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: JRJ PROPERTIES** - For possible action on a request for a Site Development Plan Review FOR A PROPOSED MOTOR VEHICLE SALES (NEW) FACILITY WITH WAIVERS TO ALLOW LANDSCAPE BUFFER WIDTHS OF ZERO FEET ALONG PORTIONS OF THE SOUTH AND EAST PROPERTY LINES WHERE 15 FEET IS REQUIRED AND ALONG THE NORTH AND WEST PROPERTY LINES WHERE EIGHT FEET IS REQUIRED on 5.40 acres at the northwest corner of Sahara Avenue and Decatur Boulevard (APNs 163-01-803-004 and 005), C-2 (General Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

DIRECTOR'S BUSINESS:

41. **ABEYANCE - TXT-43007 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - For possible action to amend the LVMC Title 19, Unified Development Code (UDC) of the City of Las Vegas, to make various corrections, clarifications and updates as part of the UDC's six month review. Staff recommends APPROVAL.

42. **DIR-43788 - DIRECTOR'S BUSINESS - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - Election of the 2012 Planning Commission Officers. Staff has NO RECOMMENDATION.

CITIZENS PARTICIPATION:

43. CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE PLANNING COMMISSION. NO SUBJECT MAY BE ACTED UPON BY THE PLANNING COMMISSION UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

City of Las Vegas Agenda Item No.: **1.**

AGENDA SUMMARY PAGE - PLANNING

PLANNING COMMISSION MEETING OF: DECEMBER 13, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG

SUBJECT:
CALL TO ORDER

City of Las Vegas Agenda Item No.: **2.**

AGENDA SUMMARY PAGE - PLANNING

PLANNING COMMISSION MEETING OF: DECEMBER 13, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG

SUBJECT:
ANNOUNCEMENT: COMPLIANCE WITH OPEN MEETING LAW

City of Las Vegas Agenda Item No.: **3.**

AGENDA SUMMARY PAGE - PLANNING

PLANNING COMMISSION MEETING OF DECEMBER 13, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG

SUBJECT:
ROLL CALL

City of Las Vegas Agenda Item No.: **4.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF DECEMBER 13, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG

SUBJECT:
PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS ON THE AGENDA FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

City of Las Vegas Agenda Item No.: **5.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF DECEMBER 13, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG

SUBJECT:
FOR POSSIBLE ACTION TO APPROVE THE FINAL MINUTES FOR THE PLANNING COMMISSION MEETING OF NOVEMBER 8, 2011

City of Las Vegas Agenda Item No.: **6.**

AGENDA SUMMARY PAGE - PLANNING

PLANNING COMMISSION MEETING OF: DECEMBER 13, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:

Any items from the Planning Commission, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time.

City of Las Vegas Agenda Item No.: **7.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: DECEMBER 13, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

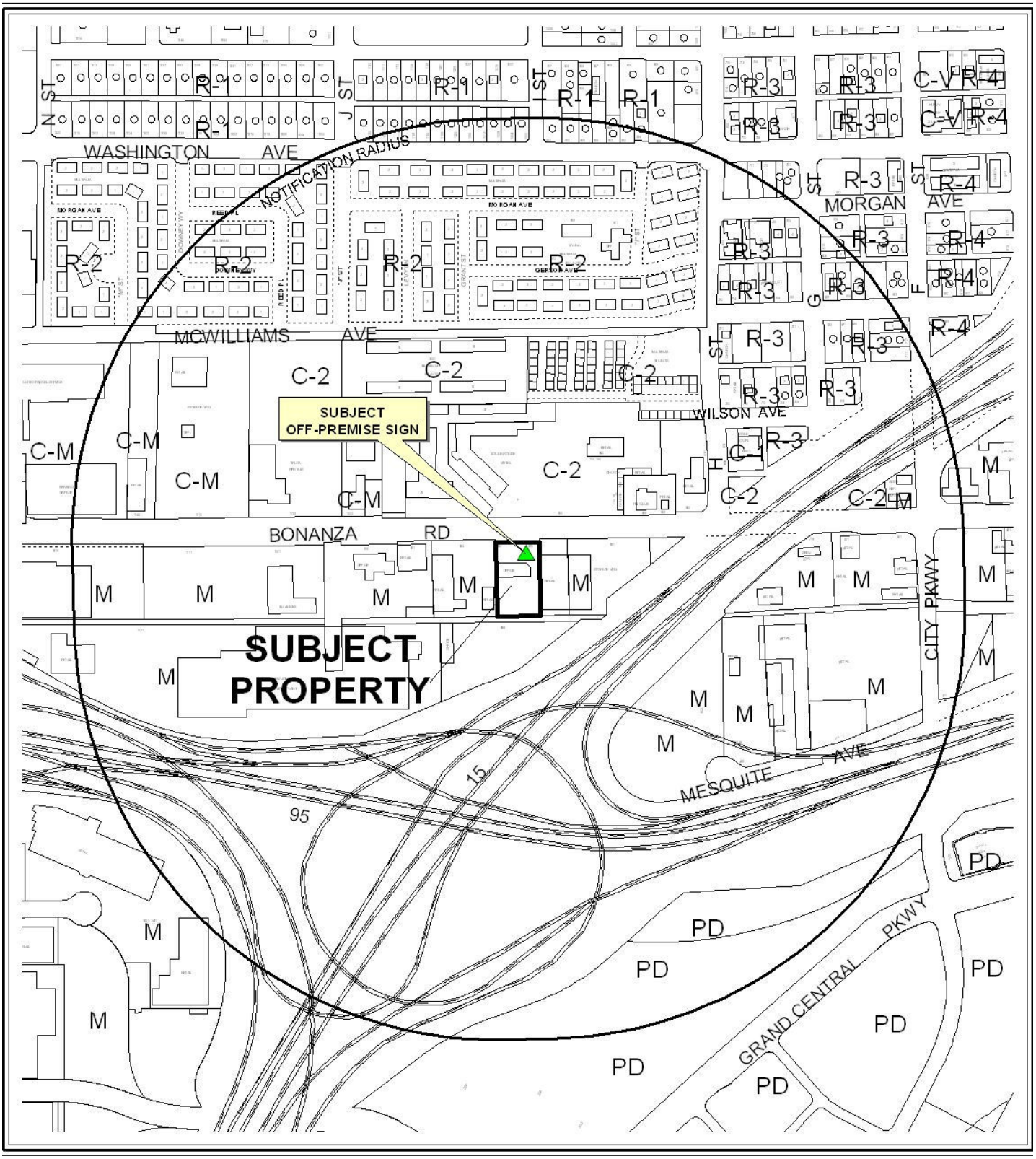
SUBJECT:
RQR-43777 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: SG PROPERTIES, LLC - For possible action on a request for a Required Review of a previously approved Special Use Permit [U-0002-98(2)] WHICH ALLOWED A 55-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN at 845 West Bonanza Road (APN 139-28-801-008), M (Industrial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 01/18/2012
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. City Council Approval Letter RQR-28937



0 400 800 Feet

CASE: **RQR-43777**

RADIUS: 1500 FEET

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

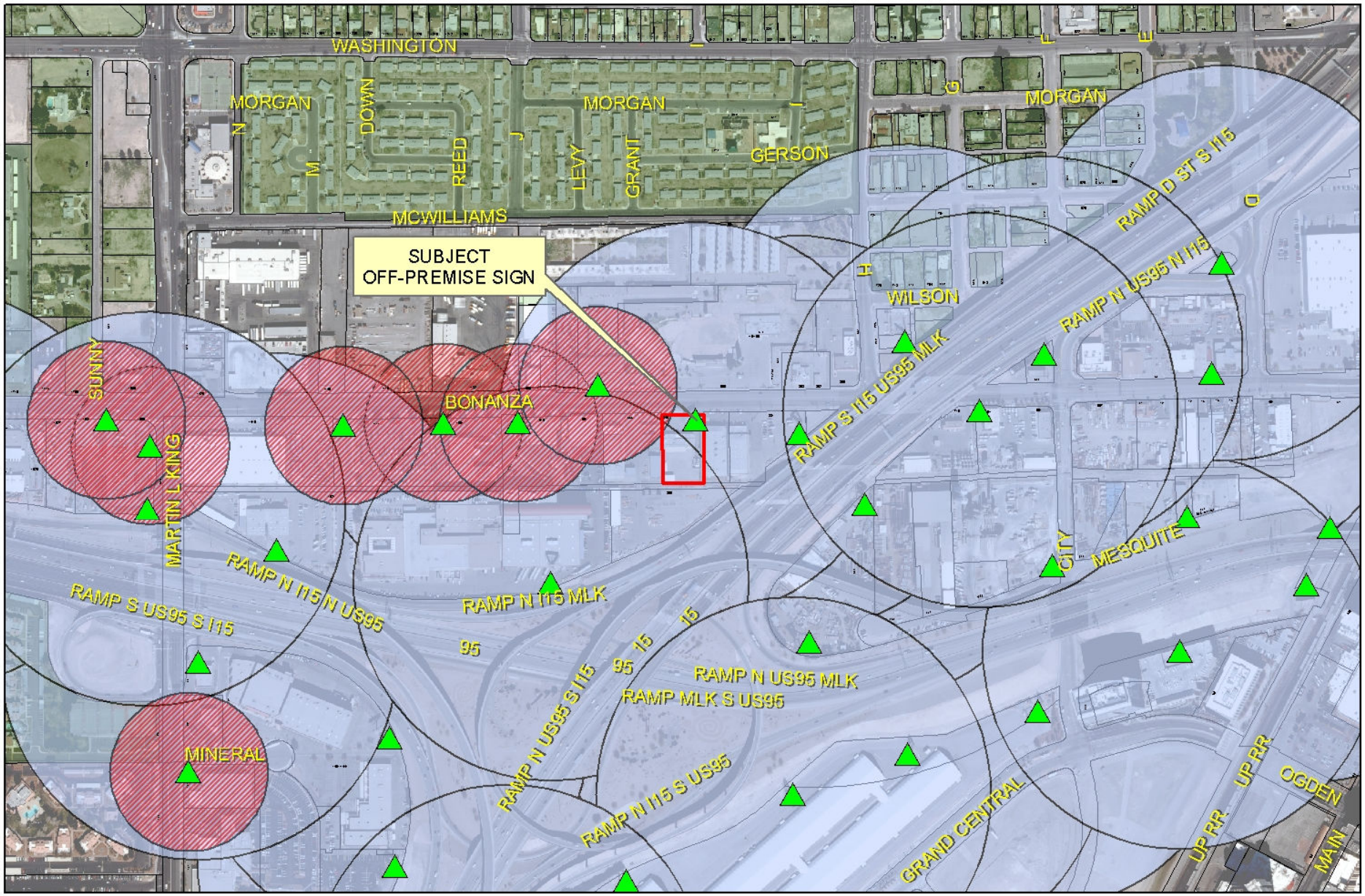
N



CASE: **RQR-43777**

RADIUS: 1500 FEET

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)



RQR-43777

City of Las Vegas Billboard Data

- Subject Parcel
- City of Las Vegas Billboard Location
- Clark County Billboard Location
- 300 Foot Buffer Around Billboard
- 750 Foot Buffer Around Freeway Billboard
- Residential Zoned Property
- Off Premise Sign Exclusion Area
- Exempt - Off Premise Area Sign Area

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: DECEMBER 13, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: SG PROPERTIES, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
RQR-43777	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

RQR-43777 CONDITIONS

1. Conformance to the Conditions of Approval for Special Use Permit (U-0002-98).

2. This Special Use Permit shall be reviewed in three (3) years, at which time the City Council may require the Off-Premise Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Sign is removed.

3. The Off-Premise Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Sign.

4. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.

5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

** STAFF REPORT **

PROJECT DESCRIPTION

This request is in response to a three-year Required Review of an approved Special Use Permit (U-0002-98) to allow a 55-foot tall, 14-foot by 48-foot Off-Premise Sign at 845 West Bonanza Road. This is the sixth review of the Special Use Permit for this Off-Premise Sign since it was constructed in 1998. The Off-Premise Sign meets all provisions of Title 19 and conditions in the area have not changed significantly since the previous approval; therefore, staff recommends approval with conditions. If denied, the Off-Premise Sign would have to be removed.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
08/10/98	The City Council approved a Special Use Permit (U-0002-98) for a 55-foot tall, 14-foot by 48 foot Off-Premise Sign (Billboard) on the subject property, subject to review in two years. Staff recommended approval, subject to a height of 40 feet; however, in recommending approval, the Planning Commission amended the height to the requested 55 feet.
10/04/00	The City Council approved a Two Year Review [U-0002-98(1)] of the subject Special Use Permit, subject to review in one year. The Planning Commission recommended approval. Staff recommended denial.
12/19/01	The City Council approved a One-Year Review [U-0002-98(2)] of the subject Special Use Permit, subject to review in two years. The Planning Commission and staff recommended approval.
01/21/04	The City Council approved the appeal of the Planning Commission denial of a Two-Year Review (RQR-3233) of the subject Special Use Permit, subject to review in two years. Staff recommended denial.
03/15/06	The City Council approved a Two-Year Review (RQR-11174) of the subject Special Use Permit, subject to review in two years. Staff recommended denial.
09/17/08	The City Council approved a Two-Year Review (RQR-28416) of the subject Special Use Permit, subject to review in three years. Staff recommended approval.

Most Recent Change of Ownership	
12/22/08	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
10/07/98	Building permit #98-020146 was issued for an Off-Premise Sign at 845 West Bonanza Road. A final sign inspection was completed on 12/21/98.

Pre-Application Meeting
A pre-application meeting is not required for this application, nor was one held.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
11/08/11	Staff visited the site and found a well maintained Off-Premise Sign.

Details of Application Request	
Site Area	
Net Acres	0.90

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Office	LI/R (Light Industry/Research)	M (Industrial)
North	Vacant	MXU (Mixed Use – Downtown Redevelopment Plan)	C-2 (General Commercial)
South	Office	LI/R (Light Industry/Research)	M (Industrial)
East	Wholesale Supply	LI/R (Light Industry/Research)	M (Industrial)
West	Warehouse	LI/R (Light Industry/Research)	M (Industrial)

Master Plan Areas	***Yes***	***No***	***Compliance***
West Las Vegas Plan	X		Y
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
A-O (Airport Overlay) District (175 feet)	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Standards	***Code Requirement***	***Provided***	***Compliance***
Location	No Off-Premise Sign may be located within the public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas.	The Off-Premise Sign is not in the right-of-way.	Y
Zoning	Off-Premise Signs are permitted in the C-1, C-2, C-V, C-M, and M Zoning Districts only.	The Off-Premise Sign is in the M (Industrial) zoning district.	Y
Area	No Off-Premise Signs shall have a surface area greater than 672 square feet.	The Off-Premise Sign is 672 square feet in size.	Y
Height	No higher than 40 feet from grade at the point of construction; may be raised to 55 feet with City Council approval.	The Off-Premise Sign is 55 feet tall.	Y
Off-Premise Sign	At least 750 feet to another Off-Premise Sign along U.S.-95.	The Off-Premise Sign is not located along U.S. – 95.	N/A
Off-Premise Sign	At least 300 feet to the nearest property line of a lot in any "R" zoned district.	The nearest "R" zoned district is 755 feet to the north.	Y
Other	All Off-Premise Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	The Off-Premise Sign is secured to the ground on a non-residential property.	Y

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Actual Street Width (Feet)*	*Compliance with Street Section*
Bonanza Road	Primary Arterial	Master Plan of Streets and Highways	100	Y

ANALYSIS

This is the sixth review of the Special Use Permit [U-0002-98(2)] for an Off-Premise Sign since its initial approval on 08/10/98. Since the initial approval of the Special Use Permit and the subsequent review periods there has been no tangible redevelopment within the surrounding area. The sign has the required building permit with final inspection completed. The subject site is located within the Airport Overlay District with height restriction of 175 feet and the existing Off-Premise Sign height is 55 feet. A field check conducted by staff on November 8, 2011, established that the sign is in conformance with Title 19 standards.

FINDINGS (RQR-43777)

The Off-Premise Sign conforms to the requirements of Title 19, conditions of approval of Special Use Permit [U-0002-98(2)] and conditions in the area have not changed significantly since approval of the Special Use Permit. Staff recommends approval of this review, with conditions. This Off-Premise Sign will be subject to another review in three (3) years.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 21

NOTICES MAILED 101

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-43777** APN: 139-28-801-008

Name of Property Owner: SG Properties, LLC

Name of Applicant: Lamar Central Outdoor, LLC

Name of Representative: Same as applicant

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes ☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Gary Crowe Mg. member

Print Name: Gary Crowe

Subscribed and sworn before me

This 28 day of October, 2011

James A. Kino

Notary Public in and for said County and State

Blaine County, ID

JAMES A. KINO NOTARY PUBLIC STATE OF IDAHO

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Required Review

Project Address (Location) 845 W. Bonanza Road

Project Name SG Properties sign **Proposed Use** _____

Assessor's Parcel #(s) 139-28-801-008 **Ward #** 5

General Plan: existing _____ proposed _____ **Zoning:** existing M proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** _____ **Density** _____

Additional Information Required review of an existing billboard

PROPERTY OWNER SG Properties, LLC **Contact** Gary Crowe

Address 9132 Golden Eagle Drive **Phone:** _____ **Fax:** _____

City Las Vegas **State** NV **Zip** 89134

E-mail Address _____

APPLICANT Lamar Central Outdoor, LLC **Contact** Scott Naftzger

Address 1863 Helm Drive **Phone:** (702) 873-4600 **Fax:** (702) 873-4344

City Las Vegas **State** NV **Zip** 89119

E-mail Address snaftzger@lamar.com

REPRESENTATIVE Same as applicant **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

E-mail Address _____

Property Owner Signature* Gary Crowe Mgr Member

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Gary Crowe

Subscribed and sworn before me

This 28 day of October, 2011.

James A. Kino

Notary Public in and for said County and State

Blaine County, ID

JAMES A. KINO NOTARY PUBLIC STATE OF IDAHO

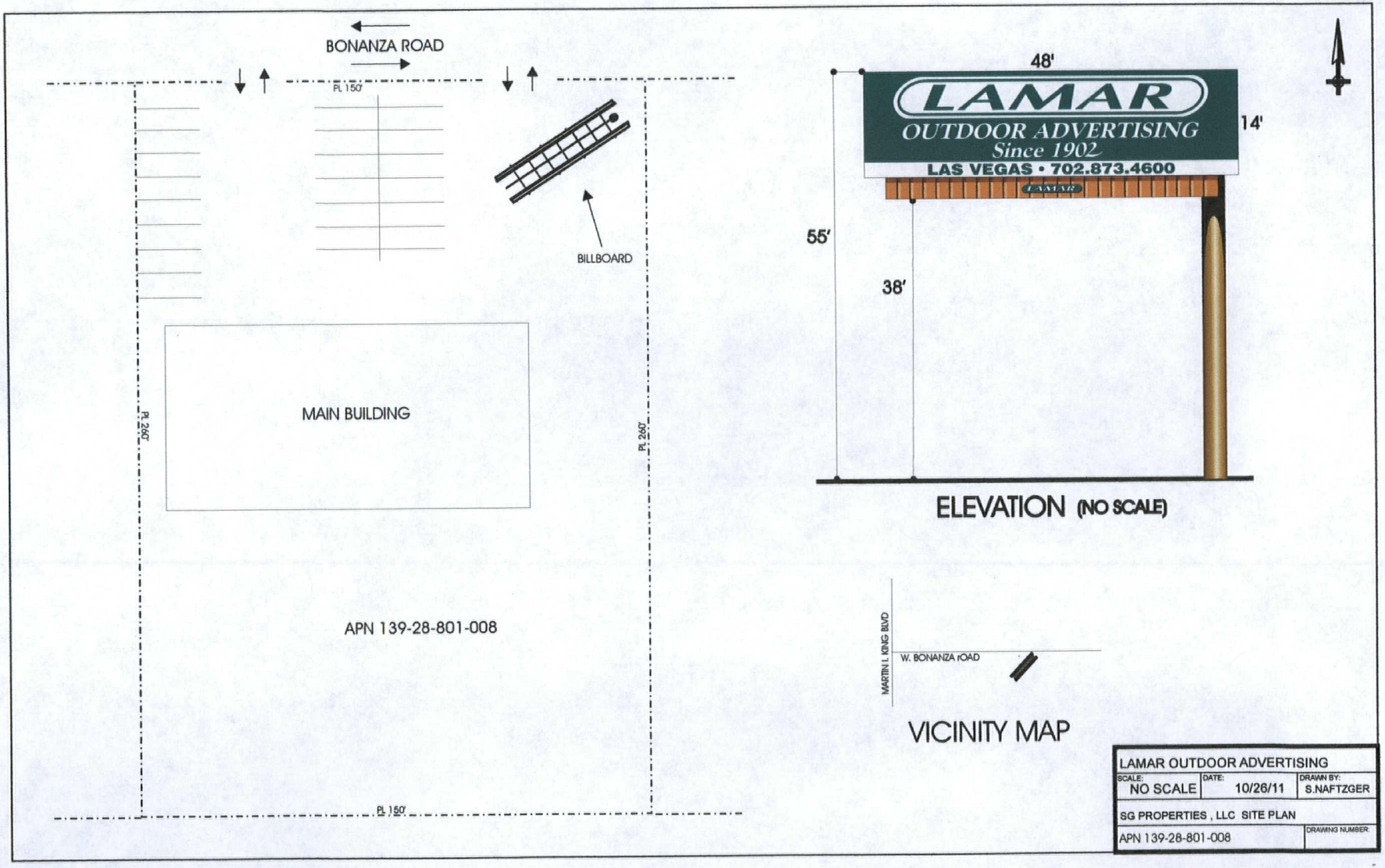
Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	ZQR-43777
Meeting Date:	~~12/21/11~~ CC 12-13-11 PC
Total Fee:	$800.00
Date Received:*	11/7/11
Received By:	

*The application will not be deemed complete until the submitted materials have been reviewed by the Department of Planning for consistency with applicable sections of the Zoning Ordinance.

f:\depot\Application Packet\Application Form.pdf



RECEIVED
NOV - 7 2011

RQR-43777



RQR-43777 - APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: SG PROPERTIES, LLC
845 WEST BONANZA ROAD

11/08/11



RQR-43777 - APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: SG PROPERTIES, LLC
845 WEST BONANZA ROAD

11/08/11



RQR-43777 - APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: SG PROPERTIES, LLC
845 WEST BONANZA ROAD

11/08/11

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW

DOUGLAS A. SELBY
CITY MANAGER

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

September 19, 2008

Mr. Gary Crowe
S.G. Properties, LLC
9132 Golden Eagle Drive
Las Vegas, Nevada 89134

RE: RQR-28416 – REQUIRED REVIEW
CITY COUNCIL MEETING OF SEPTEMBER 17, 2008

Dear Mr. Crowe:

The City Council at a regular meeting held September 17, 2008 APPROVED the Required Two Year Review of an approved Special Use Permit [U-0002-98(2)] WHICH ALLOWED A 55-FOOT TALL, DOUBLE-FACED 14-FOOT BY 48-FOOT OFF PREMISE ADVERTISING (BILLBOARD) SIGN at 845 West Bonanza Road (APN 139-28-801-008), M (Industrial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on September 18, 2008. This approval is subject to:

Planning & Development

1. Conformance to the Conditions of Approval for Special Use Permit (U-0002-98) and Required Review (RQR-11174).

2. This Special Use Permit shall be reviewed in three (3) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.

3. All of the supporting structure shall be repainted, as required by the Planning and Development Department, within 30 days of final approval of this review by the City Council. Failure to perform the required painting may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

4. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

5. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

093604

RQR-43777

6. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.

7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Sincerely,

Gabriela Portillo-Brenner
Deputy City Clerk II for
Beverly K. Bridges, CMC, City Clerk

cc: Mr. Scott Naftzger
Lamar Outdoor Advertising
1863 Helm Drive
Las Vegas, Nevada 89119

RQR-43777

City of Las Vegas Agenda Item No.: **8.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: DECEMBER 13, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

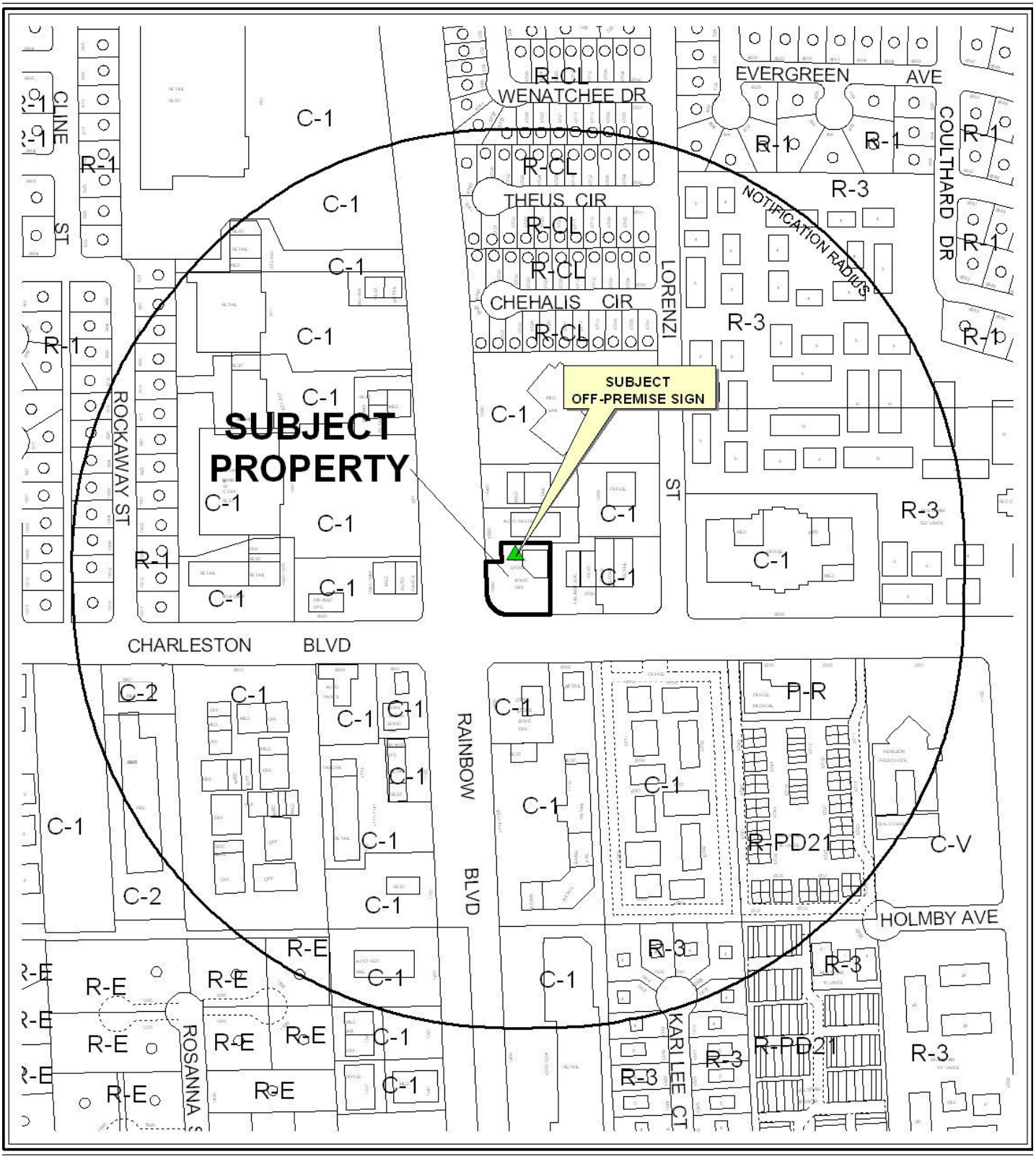
SUBJECT:
RQR-43778 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: REBEL OIL COMPANY, INC. - For possible action on a request for a Required Review of a previously approved Special Use Permit (U-0005-97) WHICH ALLOWED A 40-FOOT TALL, 14-FOOT BY 28-FOOT OFF-PREMISE SIGN at 1080 South Rainbow Boulevard (APN 138-34-819-014), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 01/18/2012
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. City Council Approval Letter for RQR-28416



0 600 Feet

CASE: **RQR-43778**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

N



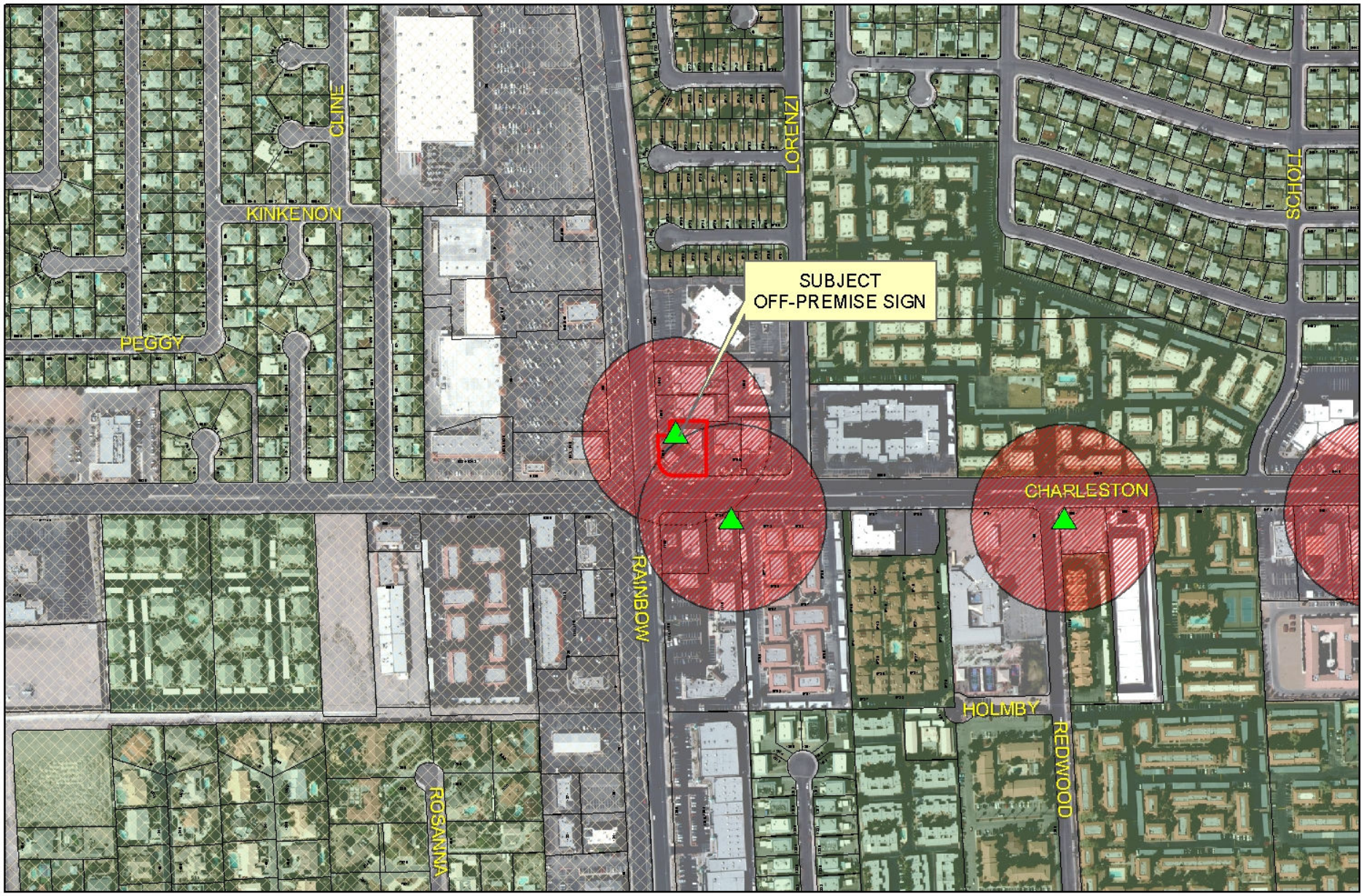
0 600 Feet

CASE: **RQR-43778**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

N



RQR-43778

City of Las Vegas Billboard Data

- Subject Parcel
- City of Las Vegas Billboard Location
- Clark County Billboard Location
- 300 Foot Buffer Around Billboard
- 750 Foot Buffer Around Freeway Billboard
- Residential Zoned Property
- Off Premise Sign Exclusion Area
- Exempt - Off Premise Area Sign Area

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: DECEMBER 13, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: REBEL OIL COMPANY, INC.

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
RQR-43778	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

RQR-43778 CONDITIONS

1. Conformance to the Conditions of Approval for Special Use Permit (U-0005-97).

2. This Special Use Permit shall be reviewed in three (3) years, at which time the City Council may require the Off-Premise Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Sign is removed.

3. The Off-Premise Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Sign.

4. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.

5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

YK

** STAFF REPORT **

PROJECT DESCRIPTION

This request is in response to a three-year Required Review of an approved Special Use Permit (U-0005-97) to allow a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 1080 South Rainbow Boulevard. This is the fourth review of the Special Use Permit for this Off-Premise Sign since it was constructed in 1997. The Off-Premise Sign meets all provisions of Title 19 and conditions in the area have not changed significantly since the previous approval; therefore, staff recommends approval with conditions. If denied, the Off-Premise Sign would have to be removed.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
04/14/97	The City Council approved a Special Use Permit (U-0005-97) to allow a 40-foot high 14-foot x 48-foot high Off-Premise Advertising (Billboard) Sign at 1080 S. Rainbow Boulevard. The Board of Zoning Adjustment recommended denial, but staff recommended approval.
08/21/02	The City Council approved a Required Five Year Review [U-0005-97(1)] of an approved Special Use Permit (U-0005-97) which allowed a 40-foot high, 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign at 1080 South Rainbow Boulevard. The Planning Commission and staff recommended approval.
09/14/06	A request for a Off-Premise Sign Modification (DIR-16647) was administratively approved to permit a tri-vision component of the sign within the existing overall sign on one face for an existing billboard located at 1080 S. Rainbow Blvd.
09/20/06	The City Council approved a Required Five Year Review (RQR-14207) of an approved Special Use Permit (U-0005-97) which allowed a 40-foot high, 14-foot x 48-foot Off-Premise Sign (Billboard) at 1080 South Rainbow Boulevard. The Planning Commission and staff recommended approval.
10/01/08	The City Council approved a Required Two Year Review (RQR-28937) of an approved Special Use Permit (U-0005-97) which allowed a 40-foot high, 14-foot x 48-foot Off-Premise Sign (Billboard) at 1080 South Rainbow Boulevard. The Planning Commission and staff recommended approval.

Most Recent Change of Ownership	
01/09/06	A deed was recorded for a change in ownership.

YK

Related Building Permits/Business Licenses	
10/21/97	A building permit (# 97-015354) was issued for the subject Off-Premise Sign at 1080 South Rainbow Boulevard. It received a final inspection on 10/21/97.

Pre-Application Meeting
A pre-application meeting is not required for this application, nor was one held.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
11/08/11	Staff visited the site and found a well maintained Off-Premise Sign.

Details of Application Request	
Site Area	
Net Acres	0.56

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)
North	Office Complex	SC (Service Commercial)	C-1 (Limited Commercial)
South	Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)
East	Restaurant Financial Institution, Specified	SC (Service Commercial)	C-1 (Limited Commercial)
West	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)

Special Purpose and Overlay Districts	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Standards	*Code Requirement*	*Provided*	*Compliance*
Location	No Off-Premise Sign may be located within the public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas.	The Off-Premise Sign is not in the right-of-way.	Y
Zoning	Off-Premise Signs are permitted in the C-1, C-2, C-V, C-M, and M Zoning Districts only.	The Off-Premise Sign is in the C-1 (Limited Commercial) zoning district.	Y
Area	No Off-Premise Signs shall have a surface area greater than 672 square feet.	The Off-Premise Sign is 672 square feet in size.	Y
Height	No higher than 40 feet from grade at the point of construction; may be raised to 55 feet with City Council approval.	The Off-Premise Sign is 40 feet tall.	Y
Off-Premise Sign	At least 300 feet to the nearest property line of a lot in any "R" zoned district.	The nearest "R" zoned district is 350 feet to the northeast.	Y
Other	All Off-Premise Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	The Off-Premise Sign is secured to the ground on a non-residential property.	Y

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Actual Street Width (Feet)*	*Compliance with Street Section*
Rainbow Boulevard	Primary Arterial	Master Plan of Streets and Highways	100	Y

ANALYSIS

This is the fourth required review since the initial approval of Special Use Permit (U-0005-97) for an Off-Premise Sign at 1080 South Rainbow Boulevard. There have been no significant changes in the surrounding land use since the installation of the sign. A research of the building permit activity found that the Off-Premise Sign was constructed under sign permit #97-015354 and received a final inspection on 10/21/97 under the address 1080 South Rainbow Boulevard. This Off-Premise Sign received administrative approval for a tri-vision panel that consisted of three shutter panels that display different signage on a rotating basis. This sign is located within a C-1 (Limited Commercial) zoning district and is not located within the Off-Premise Sign Exclusionary Zone. Upon a site inspection on 11/08/11, staff found the subject sign was in good condition with no graffiti and proper structural screening in place, but there was no indication of the tri-vision panel being used at this time.

FINDINGS (RQR-43778)

There is no adverse impact regarding the continued use of this sign at this time, as there have been no significant changes in development or land use in the surrounding area since the installation of the sign. Therefore, staff recommends approval, subject to a three-year review.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

NOTICES MAILED 279

APPROVALS 0

PROTESTS 0

YK

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: RQR-43778 APN: 138-34-819-014

Name of Property Owner: Rebel Oil Company, Inc.

Name of Applicant: Lamar Central Outdoor, LLC

Name of Representative: _____

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes ☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Dana Cason Teepe

Print Name: Dana Cason Teepe

Subscribed and sworn before me

This 2 day of November, 20 11

P. Gregory Shupe

Notary Public in and for said County and State

RECEIVED

NOV -7 2011

P. GREGORY SHUPE
Notary Public State of Nevada
No. 96-1968-1
My appt. exp. Apr. 3, 2012

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Required Review

Project Address (Location) 1080 S. Rainbow Blvd.

Project Name Rainbow / Charleston billboard **Proposed Use** _____

Assessor's Parcel #(s) 138-34-819-014 **Ward #** 1

General Plan: existing _____ proposed _____ **Zoning:** existing C-1 proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** _____ **Density** _____

Additional Information Required review for an existing billboard

PROPERTY OWNER Rebel Oil Company, Inc. **Contact** Jack Cason

Address 2200 S. Highland Ave. **Phone:** _____ **Fax:** _____

City Las Vegas **State** NV **Zip** 89107

E-mail Address _____

APPLICANT Lamar Central Outdoor, LLC **Contact** Scott Naftzger

Address 1863 Helm Drive **Phone:** (702) 873-4600 **Fax:** (702) 873-4344

City Las Vegas **State** NV **Zip** 89119

E-mail Address _____

REPRESENTATIVE Same as applicant **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

E-mail Address _____

Property Owner Signature* Dana Cason Teepe

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name DANA CASON TEEPE

Subscribed and sworn before me

This 2 day of November, 20 11.

P. Gregory Shupe

Notary Public in and for said County and State

P. GREGORY SHUPE
Notary Public State of Nevada
No. 96-1968-1
My appt. exp. Apr. 3, 2012

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	PQR-43778
Meeting Date:	12/21/11 CC 12-13-11 PC
Total Fee:	$800.00
Date Received:*	11/7/11
Received By:	

*The application will not be deemed complete until the submitted materials have been reviewed by the Department of Planning for consistency with applicable sections of the Zoning Ordinance.

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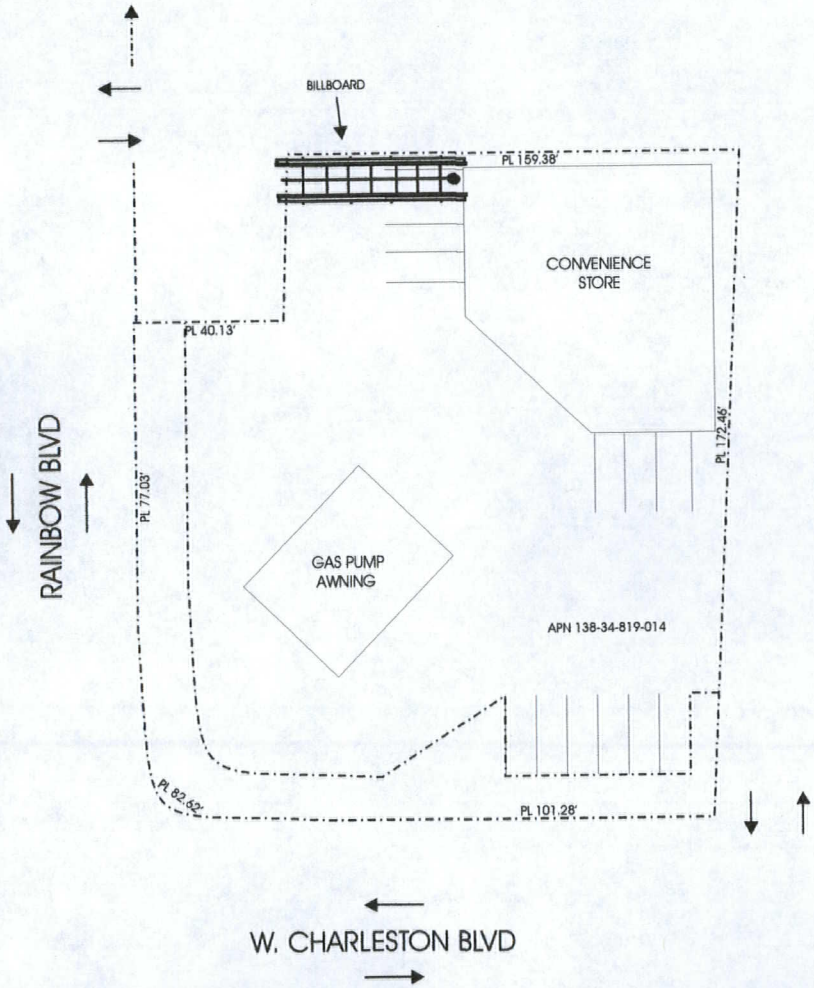
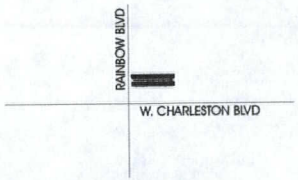




ELEVATION (NO SCALE)



VICINITY MAP

LAMAR OUTDOOR ADVERTISING		
SCALE: NO SCALE	DATE: 10/26/11	DRAWN BY: S.NAFTZGER
REBEL OIL (RAINBOW) SITE PLAN		
APN 138-34-819-014		DRAWING NUMBER:

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RQR-43778



RQR-43778 - APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: REBEL OIL COMPANY, INC.
1080 SOUTH RAINBOW BOULEVARD

11/08/11



RQR-43778 - APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: REBEL OIL COMPANY, INC.
1080 SOUTH RAINBOW BOULEVARD

11/08/11



RQR-43778 - APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: REBEL OIL COMPANY, INC.
1080 SOUTH RAINBOW BOULEVARD

11/08/11



RQR-43778 - APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: REBEL OIL COMPANY, INC.
1080 SOUTH RAINBOW BOULEVARD

11/08/11

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW

DOUGLAS A. SELBY
CITY MANAGER



CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

October 2, 2008

Mr. Jack Cason
Rebel Oil, Inc.
2200 South Highland Avenue
Las Vegas, Nevada 89107

RE: RQR-28937 – REQUIRED REVIEW
CITY COUNCIL MEETING OF OCTOBER 1, 2008

Dear Mr. Cason:

The City Council at a regular meeting held October 1, 2008 APPROVED the Required Two-Year Review of an approved Special Use Permit (U-0005-97) FOR A 40-FOOT HIGH, 14-FOOT X 28-FOOT OFF-PREMISE SIGN (BILLBOARD) at 1080 South Rainbow Boulevard (APN 138-34-819-014), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on October 2, 2008. This approval is subject to:

Planning & Development

1. Conformance to the Conditions of Approval for Special Use Permit (U-0005-97), if approved.

2. This Special Use Permit shall be reviewed in three (3) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.

3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

5. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.

RQR-43778

6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Sincerely,

Angela Crolli

Angela Crolli
Senior Deputy City Clerk for
Beverly K. Bridges, CMC, City Clerk

cc: Mr. Scott Naftzger
Lamar Outdoor Advertising
1863 Helm Drive
Las Vegas, Nevada 89119

City of Las Vegas Agenda Item No.: **9.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: DECEMBER 13, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

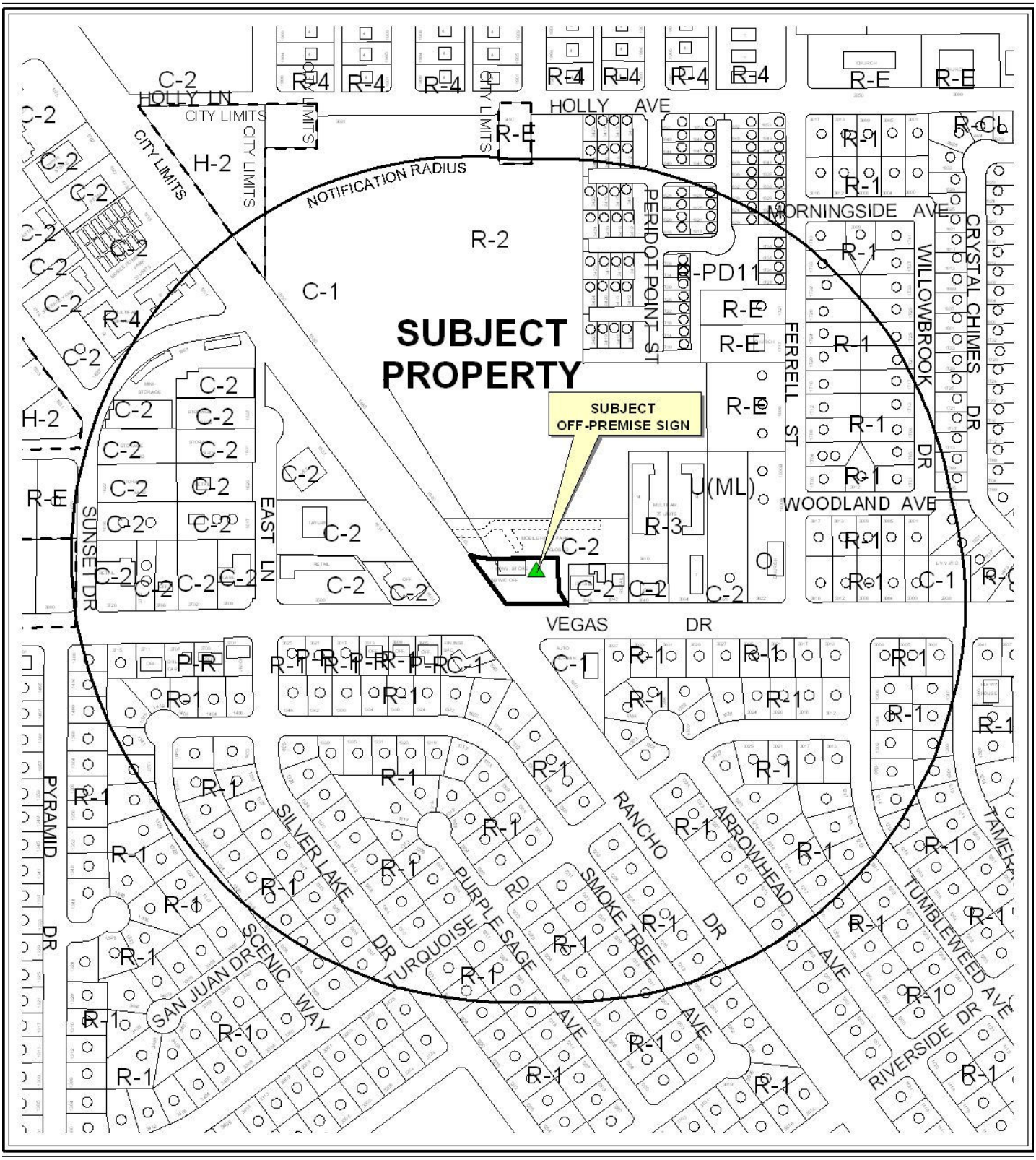
SUBJECT:
RQR-43779 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: RHDH PROPERTIES, LLC - For possible action on a request for a Required Review of a previously approved Special Use Permit (U-0314-94), WHICH ALLOWED A 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN at 1600 North Rancho Drive (APN 139-20-411-005), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 01/18/2012
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. City Council Approval Letter for RQR-22270



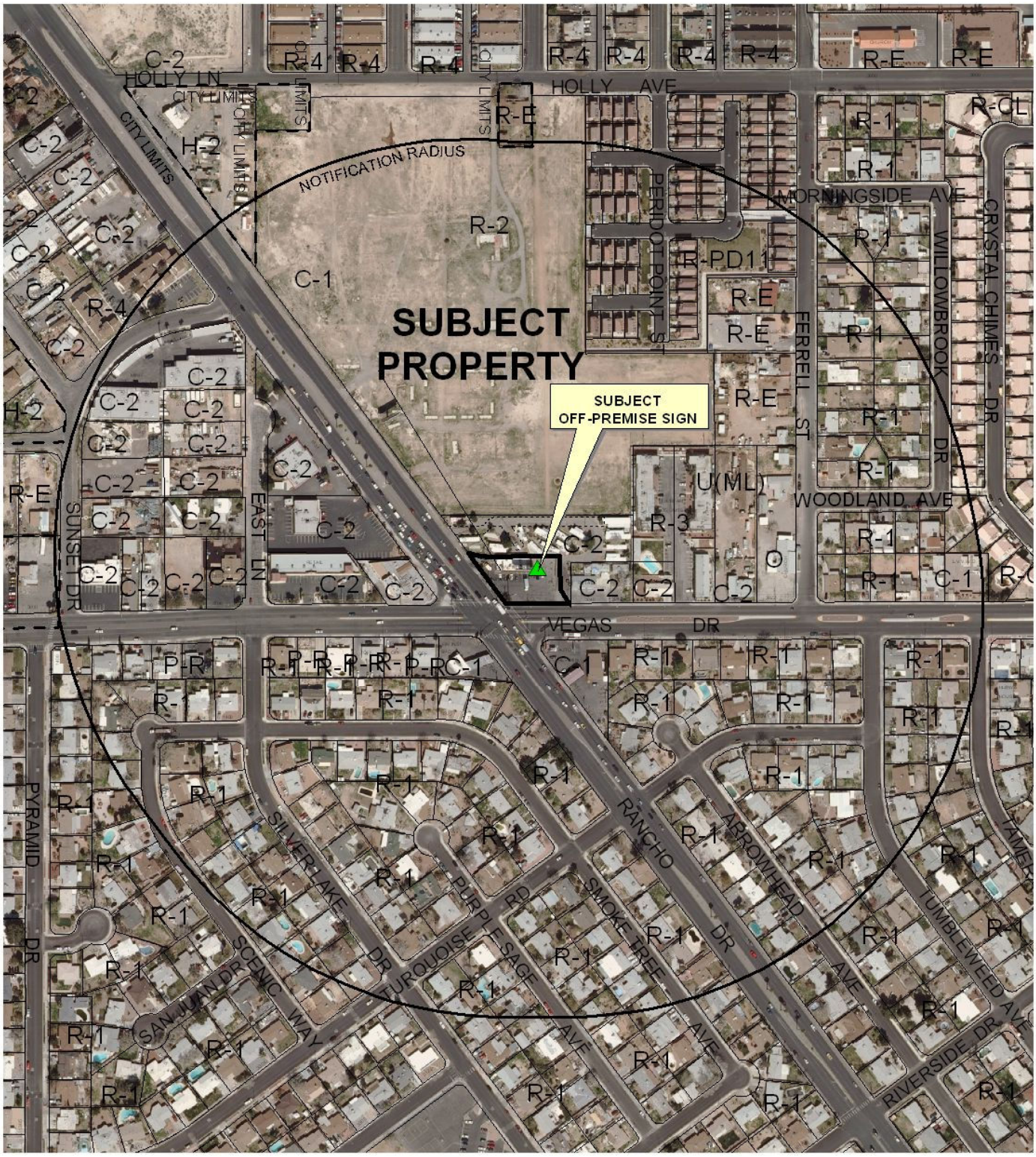
0 300 600 Feet

CASE: **RQR-43779**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N



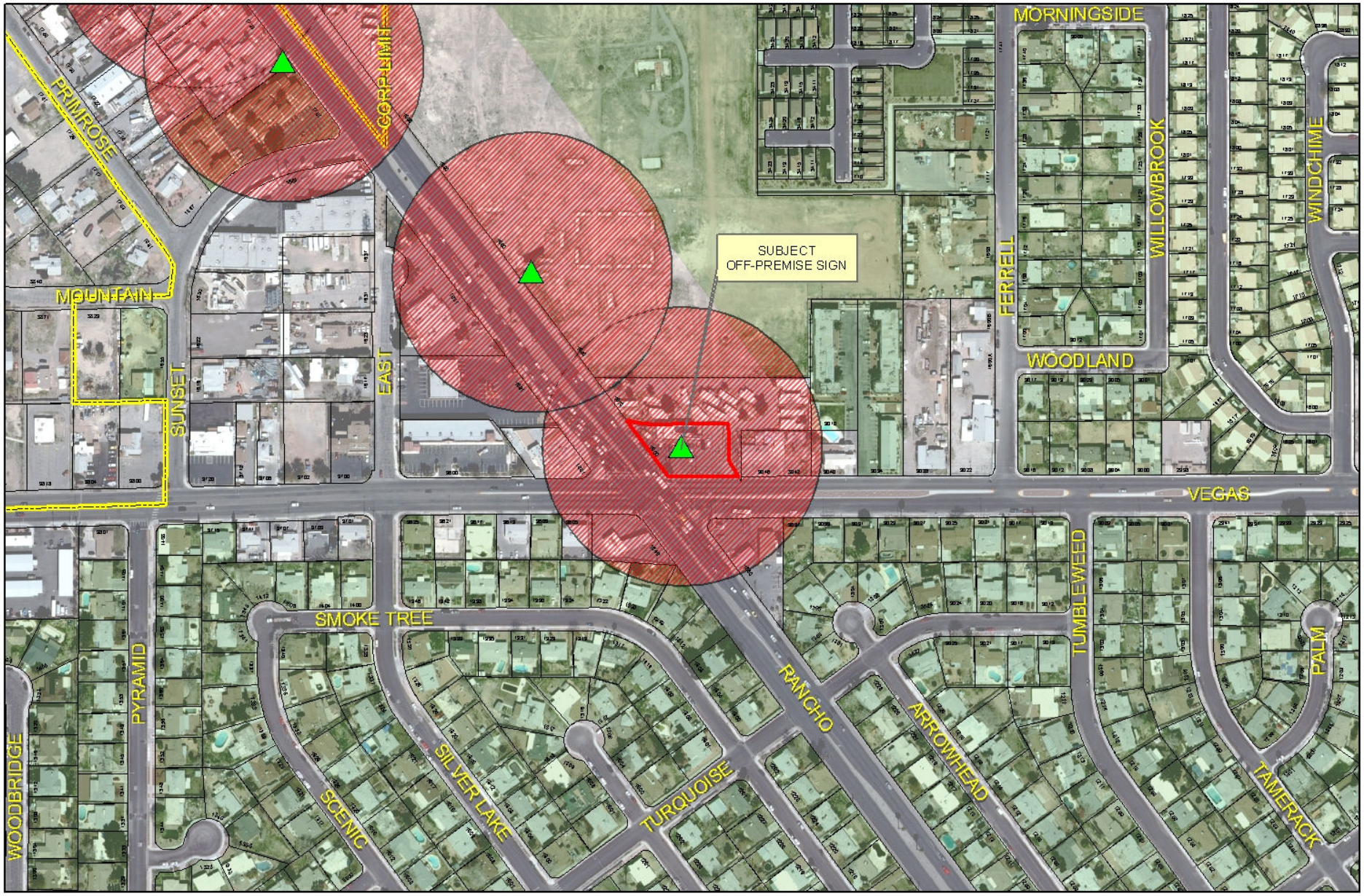
0 300 600 Feet

CASE: **RQR-43779**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N



RQR-43779

City of Las Vegas Billboard Data

- Subject Parcel
- City of Las Vegas Billboard Location
- Clark County Billboard Location
- 300 Foot Buffer Around Billboard
- 750 Foot Buffer Around Freeway Billboard
- Residential Zoned Property
- Off Premise Sign Exclusion Area
- Exempt - Off Premise Area Sign Area

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: DECEMBER 13, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: RHDH PROPERTIES, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
RQR-43779	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

RQR-43779 CONDITIONS

1. Conformance to the Conditions of Approval for Special Use Permit (U-0314-94).

2. This Special Use Permit shall be reviewed in four (4) years, at which time the City Council may require the Off-Premise Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Sign be removed.

3. The Off-Premise Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Sign.

4. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.

5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a four-year Required Review of an approved Special Use Permit (U-0314-94) to allow a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 1600 North Rancho Drive. This is the fifth review of the Special Use Permit for this Off-Premise Sign since its construction in 1995. The Off-Premise Sign meets all provisions of Title 19, except for the required 300-foot distance separation from a residentially zoned lot. This is an ongoing condition that has not negatively impacted the area. As the conditions overall in the area have not changed significantly since the previous approval, staff recommends approval with conditions. If denied, the Off-Premise Sign would have to be removed.

ISSUES

- The existing Off-Premise Sign is legally nonconforming with respect to the minimum required distance separation of 300 feet from a residentially zoned property.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
01/18/95	The City Council approved a Special Use Permit (U-0314-94) for a 14-foot x 48 foot Off-Premise Advertising Sign at 1600 North Rancho Drive, subject to a five-year review. The Board of Zoning Adjustment and staff recommended approval.
03/01/00	The City Council approved a request for a Five-Year Review [U-0314-94(1)] of an approved Special Use Permit for a 14-foot by 48-foot Off-Premise Sign at 1600 North Rancho Drive, subject to a two-year review. The Planning Commission and staff recommended approval.
05/01/02	The City Council approved a request for a Two-Year Review [U-0314-94(2)] of an approved Special Use Permit for a 14-foot by 48-foot Off-Premise Sign at 1600 North Rancho Drive, subject to a two-year review. The Planning Commission and staff recommended approval.
07/07/04	The City Council approved a request for a Two-Year Review (RQR-4242) on an approved Special Use Permit for a 14-foot by 48-foot Off-Premise Sign at 1600 North Rancho Drive, subject to a two-year review. The Planning Commission and staff recommended approval.
08/15/07	The City Council approved a Required Two-Year Review (RQR-22270) on an approved Special Use Permit (U-0314-94) for a 14-foot by 48-foot Off-Premise Sign at 1600 North Rancho Drive, subject to a four-year review. The Planning Commission and staff recommended approval.

Most Recent Change of Ownership	
01/25/05	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
04/26/95	A building permit (#95374861) was issued for the subject sign. A final inspection was conducted on 10/12/95.

Pre-Application Meeting
No pre-application meeting was required for this application, nor was one held.

Neighborhood Meeting
No neighborhood meeting was required, nor was one held.

Field Check	
11/08/11	During a site inspection, it was noted that the subject off-premise sign was in good condition with no graffiti or bird waste on or near the sign.

Details of Application Request	
Site Area	
Net Acres	0.45

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Convenience Store	SC (Service Commercial)	C-2 (General Commercial)
North	Mobile Home Park	SC (Service Commercial)	C-2 (General Commercial)
South	Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)
East	Mobile Home Park	SC (Service Commercial)	C-2 (General Commercial)
West	Offices	GC (General Commercial)	C-2 (General Commercial)

Master Plan Areas	***Yes***	***No***	***Compliance***
West Las Vegas Plan	X		Y
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
A-O (Airport Overlay) District (70 feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Standards	***Code Requirement***	***Provided***	***Compliance***
Location	No Off-Premise Sign may be located within the public ROW. May not be located within the Off-Premise Sign Exclusionary Zone, except in exempted areas.	The Off-Premise Sign is not in the ROW or the exclusionary zone.	Y
Zoning	Permitted in the C-1, C-2, C-V, C-M, and M Zoning Districts only	Located in the C-2 (General Commercial) District.	Y
Area	Maximum surface area of 672 SF, except that an embellishment of up to 128 SF is allowed to extend up to 5 feet from the rectangular surface of the sign	672 SF with no embellishments	Y
Height	No higher than 40 feet from grade at the point of construction; may be raised to 55 feet with City Council approval	40 feet	Y
Off-Premise Sign Separation	At least 300 feet to the nearest property line of a lot in any "R" zoned district	Nearest "R"-zoned districts are 260 feet to the east and southeast	N
Other	All Off-Premise Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Secured to the ground on a nonresidential property	Y

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Actual Street Width (Feet)*	*Compliance with Street Section*
Rancho Drive	Expressway	Master Plan of Streets and Highways	125	N
Vegas Drive	Primary Arterial	Master Plan of Streets and Highways	100	Y

ANALYSIS

This is the fifth review of the Off-Premise Sign use on this site. The sign is properly permitted and inspected. A recent visual inspection of the sign revealed that it remains in good condition and is well maintained. The sign continues to conform to conditions of approval of the original Special Use Permit. The sign is less than 300 feet from residentially zoned property; however, the sign conformed to code at the time of construction and has had favorable reviews throughout its tenure.

The subject site is located within the Airport Overlay District with a height restriction of 70 feet; the existing Off-Premise Sign height is 40 feet, well within limits.

FINDINGS (RQR-43779)

The Off-Premise Sign conforms to all but one of the requirements of Title 19. Despite this, the sign has not had a negative effect on the area. The subject sign continues to conform to conditions of approval of Special Use Permit [U-0002-98(2)]. Finally, conditions in the area have not changed significantly since the previous review. Staff therefore recommends approval of this review, with conditions. This Off-Premise Sign will be subject to review in another four (4) years.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 13

NOTICES MAILED 285

APPROVALS 0

PROTESTS 0

SS

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-43779** APN: 139-20-411-005

Name of Property Owner: RHDH Properties, LLC

Name of Applicant: Lamar Central Outdoor, LLC

Name of Representative: _____

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes ☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Robert J Dellatorre

Print Name: Robert J. Dellatorre, Jr.

Subscribed and sworn before me

This 28th day of OCTOBER, 2011

Notary Public in and for said County and State

OFFICIAL SEAL
ERIC L GRABOWSKI
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:03/05/15

Revised 11-14-06

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DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Required Review

Project Address (Location) 1600 N. Rancho Drive

Project Name Rancho / Vegas billboard **Proposed Use** _____

Assessor's Parcel #(s) 139-20-411-005 **Ward #** 5

General Plan: existing _____ proposed _____ **Zoning:** existing C-2 proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** _____ **Density** _____

Additional Information Required Review of an existing billboard

PROPERTY OWNER RHDH Properties, LLC **Contact** Bob Dellutri

Address 399 Wall Street, Suite H **Phone:** (630)894-0099 **Fax:** (630)894-0495

City Glendale Heights **State** Ill **Zip** 60139

E-mail Address bob@heidnerinc.com

APPLICANT Lamar Central Outdoor, LLC **Contact** Scott Naftzger

Address 1863 Helm Drive **Phone:** (702) 873-4600 **Fax:** (702) 873-4344

City Las Vegas **State** NV **Zip** 89119

E-mail Address snaftzger@lamar.com

REPRESENTATIVE Same as applicant **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

E-mail Address _____

Property Owner Signature* Robert J Dellutri

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Robert J. Dellutri, JR.

Subscribed and sworn before me

This 28TH day of OCTOBER, 20 11.

Notary Public in and for said County and State

OFFICIAL SEAL
ERIC L GRABOWSKI
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:03/06/15

FOR DEPARTMENT USE ONLY

Case #	RQR-43779
Meeting Date:	~~12/21/11 CC~~ 12.13.11 PC
Total Fee:	$800 ck
Date Received:*	11/7/11
Received By:	M. Howe

*The application will not be deemed complete until the submitted materials have been reviewed by the Department of Planning for consistency with applicable sections of the Zoning Ordinance.

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Revised 10/27/08

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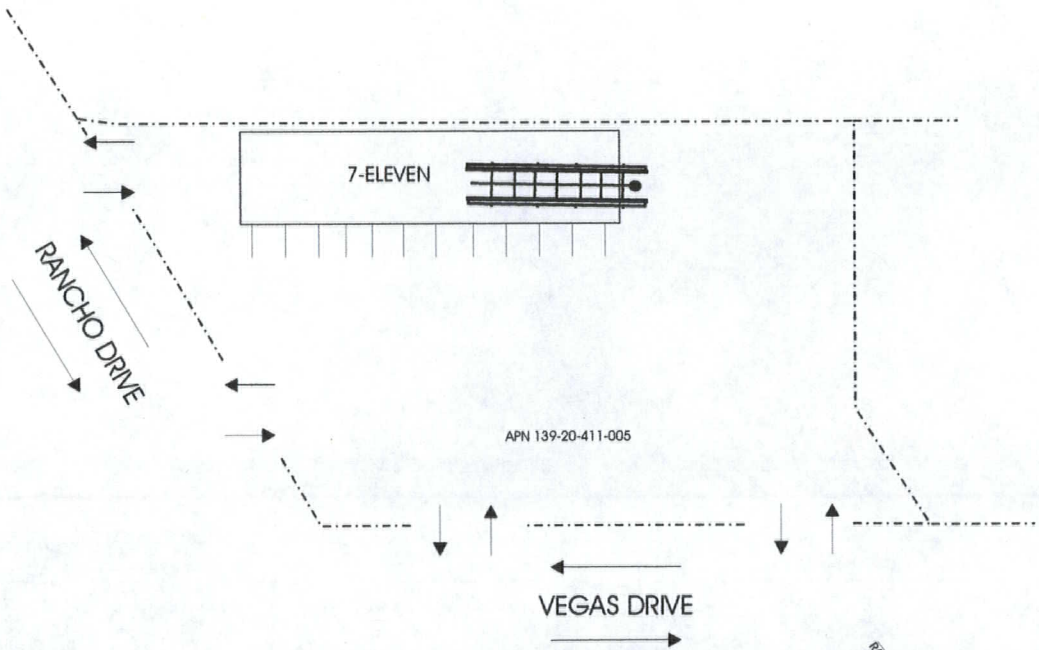

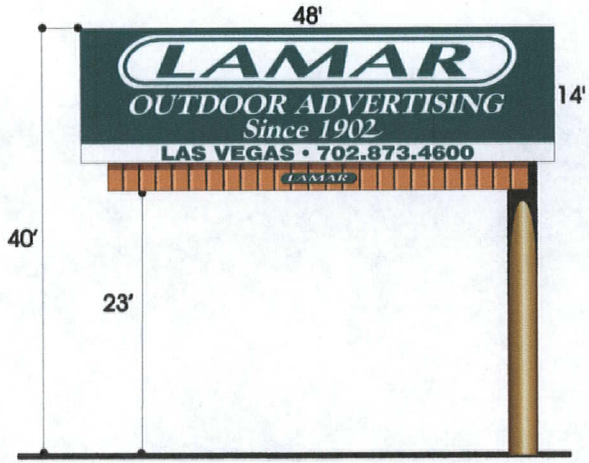

ELEVATION (NO SCALE)



VICINITY MAP

LAMAR OUTDOOR ADVERTISING		
SCALE: NO SCALE	DATE: 10/26/11	DRAWN BY: S.NAFTZGER
7-ELEVAN RANCHO & VEGAS SITE PLAN		
APN 139-20-411-005		DRAWING NUMBER:

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NOV 07 2011

RQR-43779

RQR-43779 - APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: RHDH PROPERTIES, LLC
1600 NORTH RANCHO DRIVE

11/08/11



RQR-43779 - APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: RHDH PROPERTIES, LLC
1600 NORTH RANCHO DRIVE

11/08/11



RQR-43779 - APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: RHDH PROPERTIES, LLC
1600 NORTH RANCHO DRIVE

11/08/11



RQR-43779 - APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: RHDH PROPERTIES, LLC
1600 NORTH RANCHO DRIVE

11/08/11

LAS VEGAS CITY COUNCIL

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CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov

August 17, 2007

Mr. Scott Naftzger
RHDH Properties LLC
c/o Law Department
399 Wall Street #H
Glendale Heights, IL 60139

RE: RQR-22270 – REQUIRED REVIEW
CITY COUNCIL MEETING OF AUGUST 15, 2007

Dear Mr. Naftzger:

The City Council at a regular meeting held August 15, 2007 APPROVED the Required Two Year Review of an approved Special Use Permit (U-0314-94), WHICH ALLOWED A 40-FOOT TALL 14-FOOT x 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1600 North Rancho Drive (APN: 139-20-411-005), C-2 (General Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on August 16, 2007. This approval is subject to:

Planning & Development

1. This Special Use Permit shall be reviewed in four (4) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.

2. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

4. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.

RECEIVED
NOV - 7 2011

RQR-43779

5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Sincerely,

Angela Crolli
Deputy City Clerk II for
Beverly K. Bridges, CMC, City Clerk

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. of Fire Services

Mr. Scott Naftzger
Lamar Advertising
1863 Helm Drive
Las Vegas, Nevada 89119

Ms. Stephanie Allen
KKBR&F
3800 Howard Hughes Parkway, Suite #700
Las Vegas, Nevada 89169

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RQR-43779

City of Las Vegas Agenda Item No.: **10.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: DECEMBER 13, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

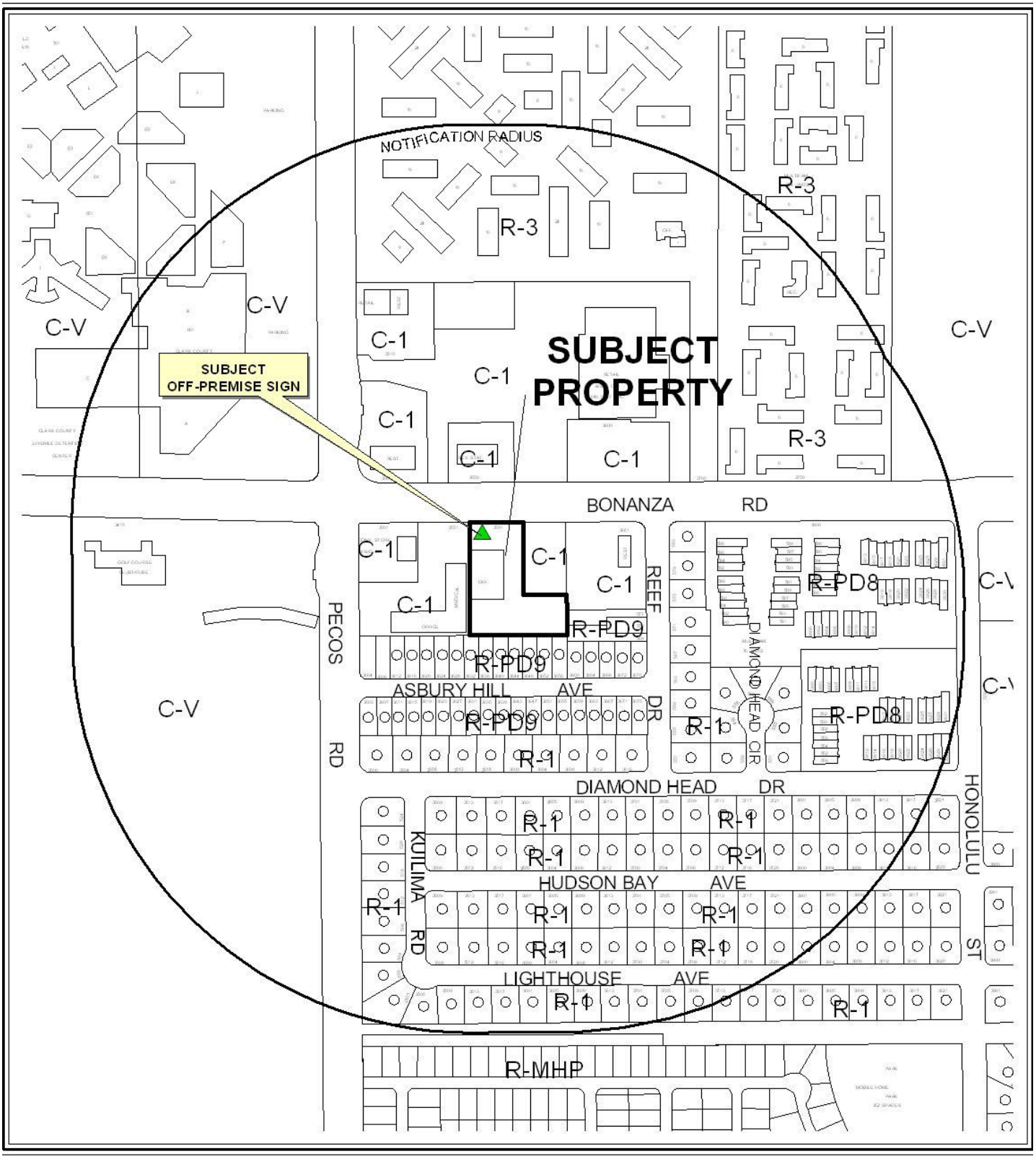
SUBJECT:
RQR-43801 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR, INC. - OWNER: WILLICK INVESTMENTS, INC. - For possible action on a Required Review of a previously approved Special Use Permit (U-0176-90) FOR A 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN at 3591 East Bonanza Road (APN 140-31-121-006), C-1 (Limited Commercial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 01/18/2012
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. City Council Approval Letter for RQR-32902



0 300 600 Feet

CASE: **RQR-43801**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

N



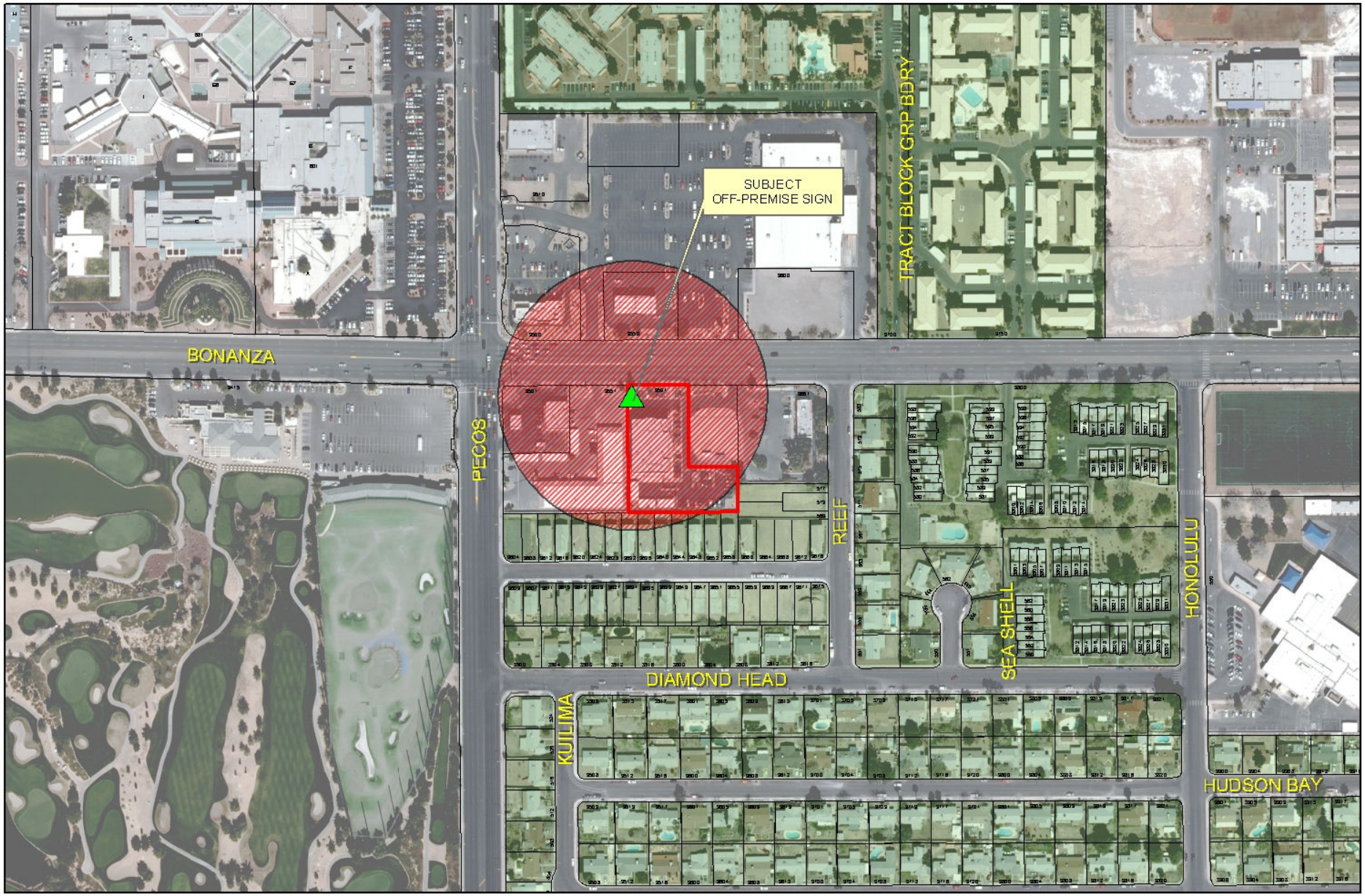
0 300 600 Feet

CASE: **RQR-43801**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

N



RQR-43801

City of Las Vegas Billboard Data

- Subject Parcel
- City of Las Vegas Billboard Location
- Clark County Billboard Location
- 300 Foot Buffer Around Billboard
- 750 Foot Buffer Around Freeway Billboard
- Residential Zoned Property
- Off Premise Sign Exclusion Area
- Exempt - Off Premise Area Sign Area

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: DECEMBER 13, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: CLEAR CHANNEL OUTDOOR, INC. - OWNER: WILLICK INVESTMENTS, INC.

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
RQR-43801	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

RQR-43801 CONDITIONS

Planning

1. Conformance to the Conditions of Approval for Special Use Permit (U-0176-90).

2. This Special Use Permit shall be reviewed in three (3) years, at which time the City Council may require the Off-Premise Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Sign is removed.

3. Bird deterrent devices shall be installed on the sign within 30 days of final approval by the City of Las Vegas.

4. The Off-Premise Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Sign.

5. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.

6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

** STAFF REPORT **

PROJECT DESCRIPTION

This request is in response to a three-year Required Review of an approved Special Use Permit (U-0176-90) to allow a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 575 North Pecos Road. This is the second review of the Special Use Permit for this Off-Premise Sign since it was constructed in 1990. The Off-Premise Sign meets all provisions of Title 19 except for the distance separation requirement from a residentially zoned parcel. Conditions in the area have not changed significantly since the previous approval; therefore, staff recommends approval with conditions. If denied, the Off-Premise Sign would have to be removed.

ISSUE

- The Off-Premise Sign was issued a building permit under the address of 575 North Pecos Road in 1990. Since then, the parcel has been subdivided with numerous addresses assigned. Although the Off-Premise Sign has not moved, the address of the parcel where it is located has changed several times. The addresses that have been used for this Off-Premise Sign include 3551 and 3591 East Bonanza Road as well as 575 North Pecos Road. The address that is legally associated with this Off-Premise Sign is 575 North Pecos Road.
- The existing Off-Premise Sign is legally nonconforming for the minimum 300-foot distance separation from a residentially zoned property.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
11/02/77	The Board of City Commissioners approved a request for Rezoning (Z-0080-77) from R-3 (Medium Density Residential) and R-E (Residence Estates) to R-1 (Single Family Residential) and C-1 (Limited Commercial) of property generally located on the south side of Bonanza Road, between Pecos Road and the Park Bonanza East Townhouses. The Planning Commission recommended approval on 10/13/77.
10/17/90	The City Council approved a request for a Special Use Permit (U-0176-90) to allow one 14-foot by 48-foot Off-Premise Sign; and one 12-foot by 24-foot Off-Premise Sign on property located on the south side of Bonanza Road approximately 600 feet east of Pecos Road, and on the east side of Pecos Road approximately 450 feet south of Bonanza Road. The Board of Zoning Adjustment denied the request on 09/27/90.

01/03/96	The City Council denied a request for a Required Review [U-0176-90(1)] of an approved Special Use Permit (U-0176-90) for a 12-foot by 24-foot Off-Premise Sign on the east side of Pecos Road, approximately 165 feet south of Bonanza Road; while approving the Required Review for a 14-foot by 48-foot Off-Premise Sign on the south side of Bonanza Road, approximately 255 feet east of Pecos Road. The Board of Zoning Adjustment denied the request on 10/24/95.
03/02/05	The City Council approved a request to amend a portion of the Southeast Sector Plan of the General Plan (GPA-5082) from L (Low Density Residential) to SC (Service Commercial) on 1.58 acres and to MLA (Medium Low Attached Density Residential) on 4.4 acres south of Bonanza Road and east of Pecos Road. The Planning Commission recommended approval on 10/07/04.
04/15/09	The City Council approved a request for a Required Review (RQR-32902) of an approved Special Use Permit (U-0176-90) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 3551 East Bonanza Road. The Planning Commission and staff recommended approval.

Most Recent Change of Ownership	
07/03/06	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
10/25/90	A building permit (90086985) was issued for two (2) billboard signs, one on Bonanza Road, and one on Pecos Road. The permit has an address of 575 North Pecos Road. The permit was finalized for both signs on 02/13/91.

Pre-Application Meeting
No pre-application meeting was required for this application, nor was one held.

Neighborhood Meeting
No neighborhood meeting was required, nor was one held.

Field Check	
11/10/11	Staff visited the site and found a well maintained property with one Off-Premise Sign. The Off-Premise Sign was clean and free of graffiti. However, there was a considerable amount of bird waste beneath the sign.

Details of Application Request	
Site Area	
Net Acres	1.14

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Offices	SC (Service Commercial)	C-1 (Limited Commercial)
North	Retail Establishment with Fuel Pumps	SC (Service Commercial)	C-1 (Limited Commercial)
South	Single Family Residences	MLA (Medium Low Attached Density Residential)	R-PD9 (Residential Planned Development- 9 Units per Acre)
East	Restaurant	L (Low Density Residential)	C-1 (Limited Commercial)
West	Retail Establishment and Offices	SC (Service Commercial)	C-1 (Limited Commercial)

Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts		X	
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Standards	***Code Requirement***	***Provided***	***Compliance***
Location	No Off-Premise Sign may be located within the public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas.	The Off-Premise Sign is not in the right-of-way.	Y
Zoning	Off-Premise Signs are permitted in the C-1, C-2, C-V, C-M, and M Zoning Districts only.	The Off-Premise Sign is in the C-1 (Limited Commercial) zoning district.	Y

Standards	*Code Requirement*	*Provided*	*Compliance*
Area	No Off-Premise Signs shall have a surface area greater than 672 square feet.	The Off-Premise Sign is 672 square feet in size.	Y
Height	No higher than 40 feet from grade at the point of construction; may be raised to 55 feet with City Council approval.	The Off-Premise Sign is 40 feet tall.	Y
Off-Premise Sign	At least 300 feet to the nearest property line of a lot in any "R" zoned district.	The nearest "R" zoned district is 250 feet to the south.	N
Other	All Off-Premise Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	The Off-Premise Sign is secured to the ground on a non-residential property.	Y

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Actual Street Width (Feet)*	*Compliance with Street Section*
Bonanza Road	Primary Arterial	Master Plan of Streets and Highways	100	Y

ANALYSIS

This is the second required review since the initial approval of Special Use Permit (U-0176-90) for an Off-Premise Sign at 575 North Pecos Road. There have been no significant changes in the surrounding land use since the previous review. The Off-Premise Sign is 250 foot away from a residentially zoned parcel which does not meet the 300 foot distance separation requirement. The residential neighborhood was developed after the Off-Premise Sign was installed; therefore, it is considered a legal nonconforming use.

This sign is located within a C-1 (Limited Commercial) zoning district and is not located within the Off-Premise Sign Exclusionary Zone. A condition has been added to require a bird deterrent devise to address the waste issue under the sign. A research of the building permit activity found that the Off-Premise Sign was constructed under sign permit #90086985 and received a final inspection on 02/13/91. Upon a site inspection on 11/10/11, staff found the subject sign was in good condition with no graffiti and proper structural screening in place.

FINDINGS (RQR-43801)

There is no adverse impact regarding the continued use of this sign at this time, as there have been no significant changes in development or land use in the surrounding area since the installation of the sign. Therefore, staff recommends approval, subject to a three-year review.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 34

NOTICES MAILED 253

APPROVALS 0

PROTESTS 0

YK

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number **RQR-43801** APN: 140 31 121 006

Name of Property Owner: Willick Investments Inc

Name of Applicant: Clear Channel Outdoor

Name of Representative: Rod Carter

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes ___X___ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

→ Signature of Property Owner: Marshall S. Willick

Print Name: Marshal S. Willick

→ Subscribed and sworn before me

This 7th day of November, 2011

Mary Steele

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MARY STEELE
Appt. No. 00-63861-1
My Appt. Expires Jan. 6, 2013

RECEIVED
NOV 09 2011
City of Las Vegas

Revised 11-14-06

f:\depot\Application Packet\Statement of Financial Interest.doc

PLANNING & DEVELOPMENT
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Required Review 32902

Project Address (Location) 3551 East Bonanza Rd

Project Name Clear Channel Outdoor existing billboard **Proposed Use** existing

Assessor's Parcel #(s) 140-31-121-006 **Ward #** 3

General Plan: existing x proposed _____ **Zoning:** existing x proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** _____ **Density** _____

Additional Information Required Review for an existing billboard located at 3551 E. Bonanza road

PROPERTY OWNER Willick Investments Inc **Contact** Seth Willick

Address 3591 East Bonanza **Phone:** _____ **Fax:** _____

City Las Vegas **State** NV 89110 **Zip** _____

APPLICANT Clear Channel Outdoor **Contact** Rod Carter

Address 2880-B Meade Ave., Suite 350 **Phone:** (702) 238-7209 **Fax:** (702) 238-7266

City Las Vegas **State** NV **Zip** 89102

REPRESENTATIVE Same as Applicant **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

Property Owner Signature* _____

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Marsha S. Willick

Subscribed and sworn before me

This 7th day of November, 20 11.

Mary Steele

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MARY STEELE
Appt. No. 00-63961-1
My Appt. Expires Jan. 6, 2013

FOR DEPARTMENT USE ONLY

Case #	LQR-43801
Meeting Date:	1/10/12
Total Fee:	$80
Date Received:*	11/9/11
Received By:	BC

*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

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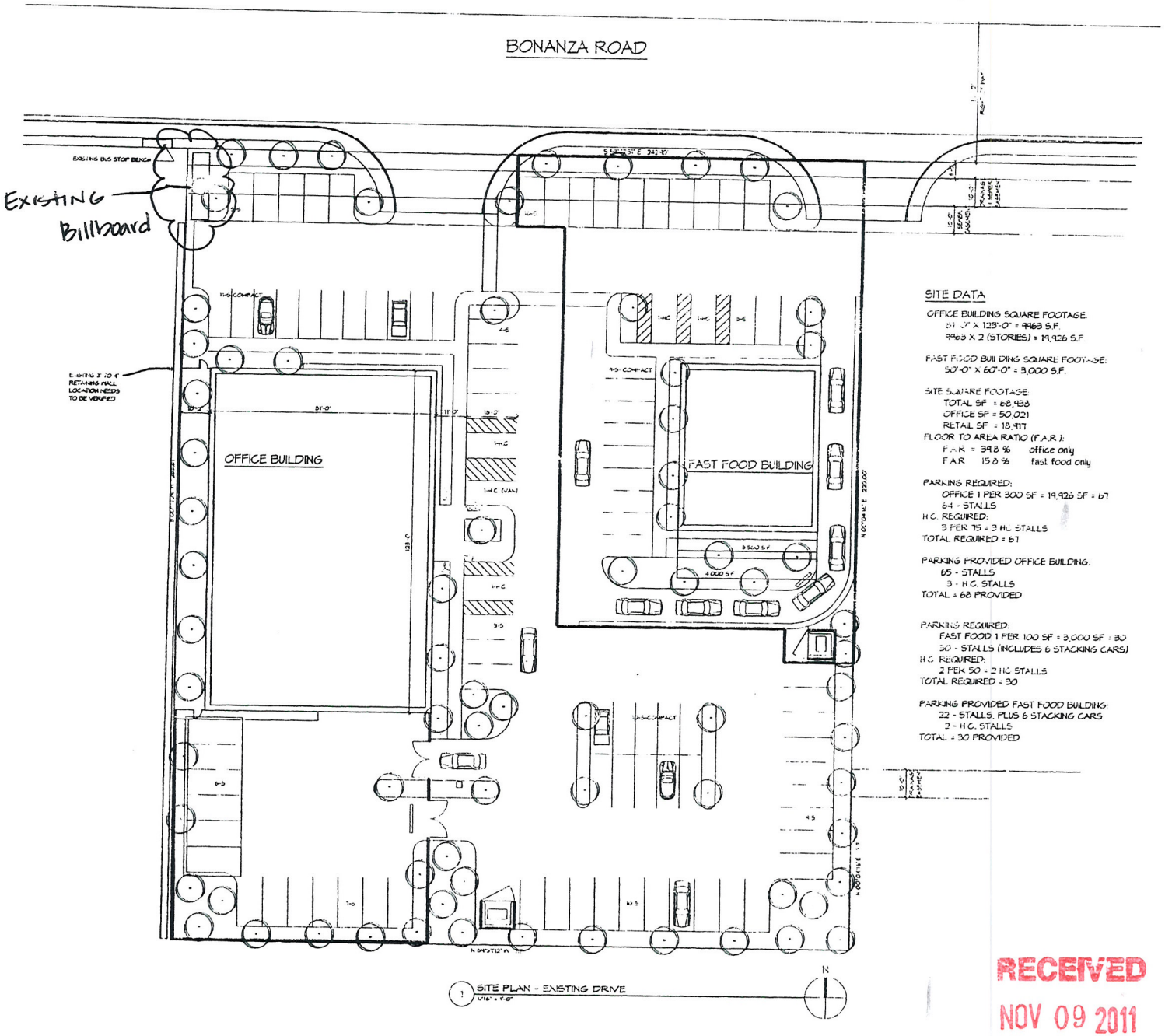
NOV 09 2011
City of Las Vegas

Revised 04/26/05



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NOV 09 2011
City of Las Vegas
RQR-43801



RQR-43801 - APPLICANT: CLEAR CHANNEL OUTDOOR, INC. - OWNER: WILLICK INVESTMENTS, INC
3551 EAST BONANZA ROAD

11/10/11



RQR-43801 - APPLICANT: CLEAR CHANNEL OUTDOOR, INC. - OWNER: WILLICK INVESTMENTS, INC
3551 EAST BONANZA ROAD

11/10/11

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

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DAVID W. STEINMAN
(INTERIM)

ELIZABETH N. FRETWELL
CITY MANAGER



CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

April 16, 2009

Willick Investments, Inc.
c/o M. Willick
3591 East Bonanza Road, 2nd Floor
Las Vegas, Nevada 89110-2101

RE: RQR-32902 – REQUIRED REVIEW
CITY COUNCIL MEETING OF APRIL 15, 2009

Dear Applicant:

The City Council at a regular meeting held April 15, 2009 APPROVED the Required Review of an approved Special Use Permit (U-0176-90) FOR A 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN at 3551 East Bonanza Road (APN 140-31-121-006), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on April 16, 2009. This approval is subject to:

Planning and Development

1. Conformance to the conditions for Special Use Permit (U-0176-90).

2. This Special Use Permit shall be placed on an agenda closest to January 3, 2012 at which time the City Council may require the Off-Premise Sign (Billboard) be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Sign (Billboard) is removed.

3. The Off-Premise Sign (Billboard) and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Sign (Billboard).

4. If the existing off-premise sign is voluntarily demolished, this Special Use Permit (U-0176-90) shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.

RECEIVED
NOV 09 2011
City of Las Vegas

RQR-43801

Printed with environmentally friendly soy ink.

5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Sincerely,

Gabriela Portillo-Brenner
Deputy City Clerk II for
Beverly K. Bridges, CMC, City Clerk

cc: Mr. Rod Carter
Clear Channel Outdoor
2880-B Meade Avenue, Suite #350
Las Vegas, Nevada 89102

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City of Las Vegas
RQR-43801

City of Las Vegas Agenda Item No.: **11.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: DECEMBER 13, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

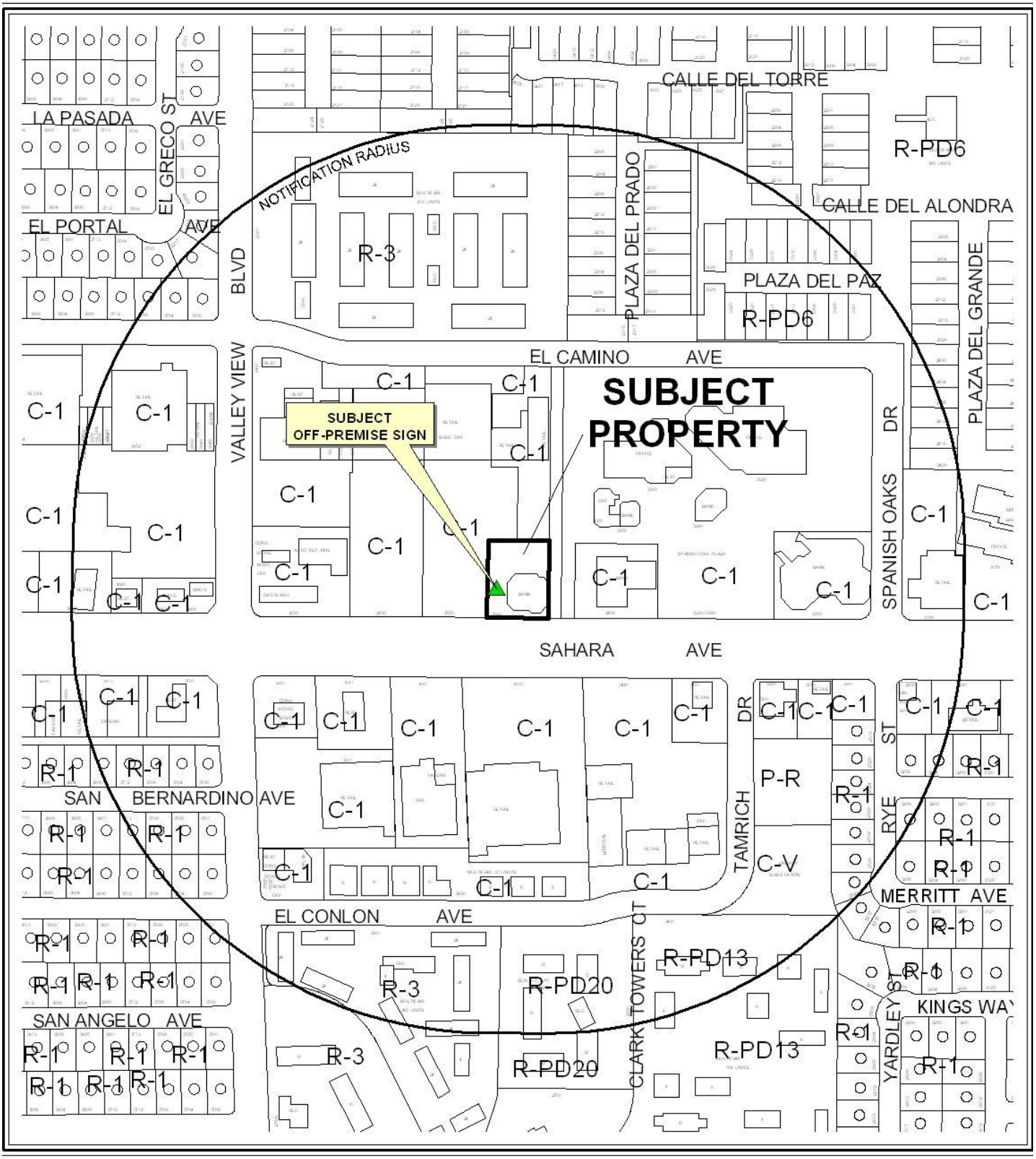
SUBJECT:
RQR-43802 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR, INC. - OWNER: I RENT B & E, LLC - For possible action on a Required Review of a previously approved Special Use Permit (SUP-2537) FOR A 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN at 3500 West Sahara Avenue (APN 162-05-402-007), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 01/18/2012
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. City Council Approval Letter for RQR-30483



0 300 600 Feet

CASE: **RQR-43802**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

N



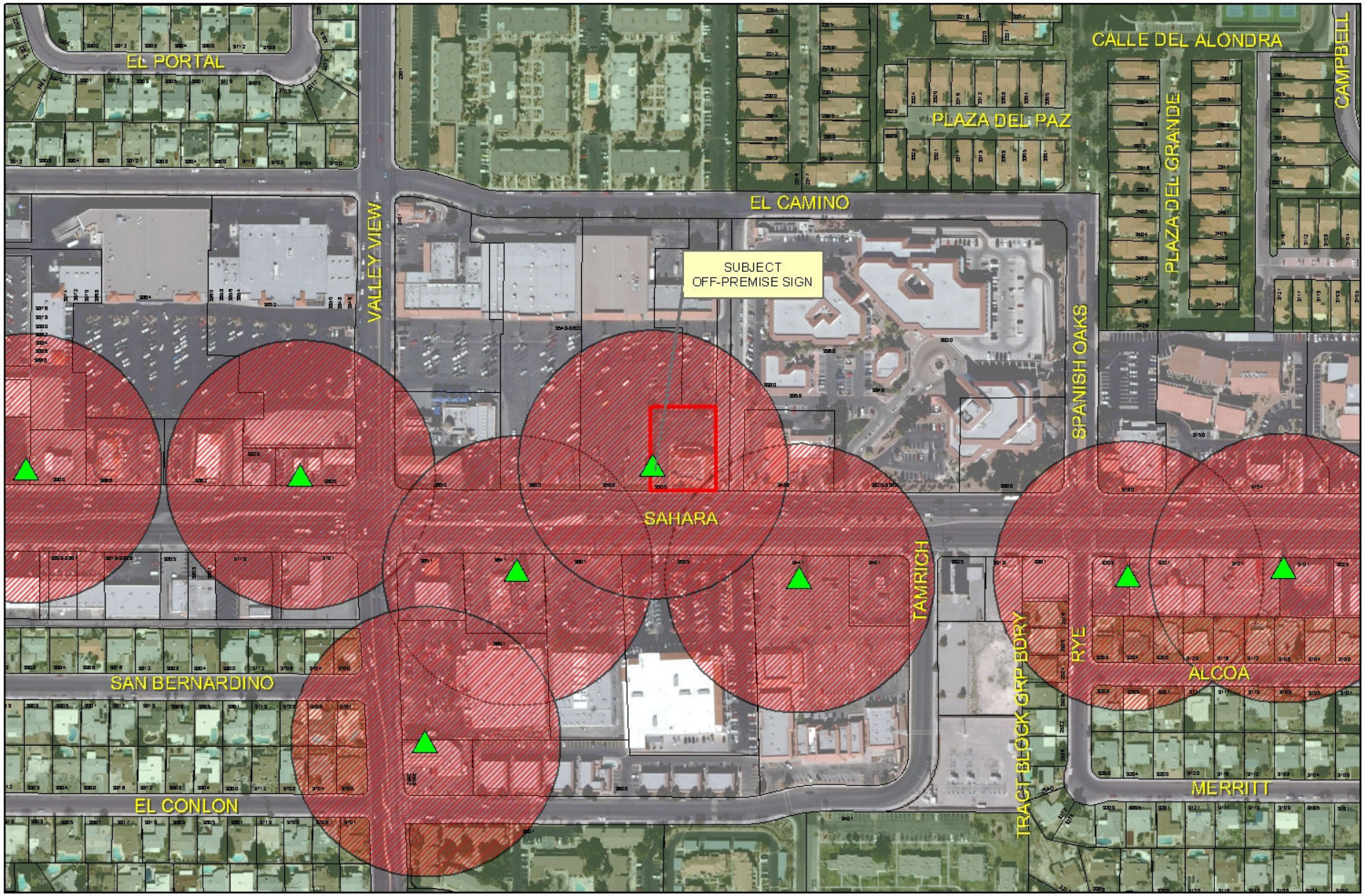
0 300 600 Feet

CASE: **RQR-43802**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

N



RQR-43802

- Subject Parcel
- City of Las Vegas Billboard Location
- Clark County Billboard Location

City of Las Vegas Billboard Data

- 300 Foot Buffer Around Billboard
- 750 Foot Buffer Around Freeway Billboard
- Residential Zoned Property
- Off Premise Sign Exclusion Area
- Exempt - Off Premise Area Sign Area

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: DECEMBER 13, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: CLEAR CHANNEL OUTDOOR, INC. - OWNER: I RENT B & E, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
RQR-43802	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

RQR-43802 CONDITIONS

Planning

1. Conformance to the Conditions of Approval for Special Use Permit (SUP-2537).

2. This Special Use Permit shall be reviewed in three (3) years, at which time the City Council may require the Off-Premise Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Sign is removed.

3. The Off-Premise Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Sign.

4. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.

5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

** STAFF REPORT **

PROJECT DESCRIPTION

This request is in response to a three-year Required Review of an approved Special Use Permit (SUP-2537) to allow a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 3500 West Sahara Avenue. This is the third review of the Special Use Permit for this Off-Premise Sign since it was constructed in 2003. The Off-Premise Sign meets all provisions of Title 19 and conditions in the area have not changed significantly since the previous approval; therefore, staff recommends approval with conditions. If denied, the Off-Premise Sign would have to be removed.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
10/29/03	The City Council Struck the Appeal for a request for a Variance (VAR-2538) to allow a 50-foot tall, 14-foot by 48-foot Off-premise Sign where 40 feet is the maximum height permitted at 3500 West Sahara Avenue. The Planning Commission and staff recommended denial.
10/29/03	The City Council approved a request for an Appeal for a Special Use Permit (SUP-2537) for a proposed 50-foot tall, 14-foot by 48-foot Off-Premise Sign at 3500 West Sahara Avenue (the City Council restricted the sign to a height of 40 feet). The Planning Commission and staff recommended denial.
11/16/05	The City Council approved a request for a Required Two Year Review (RQR-8953) of an approved Special Use permit (SUP-2537) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 3500 West Sahara Avenue. The Planning Commission and staff recommended approval.
01/07/09	The City Council approved a request for a Required Four Year Review (RQR-30483) of an approved Special Use permit (SUP-2537) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 3500 West Sahara Avenue. The Planning Commission and staff recommended approval.

Most Recent Change of Ownership	
06/11/10	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
04/13/04	A building permit (05008420) was issued and later renewed on 12/14/07 for an Off-Premise sign at 3500 West Sahara Avenue. The permit was finalized on 12/20/07.
02/07/07	A business license (B03-00153) was issued for a Bank at 3500 West Sahara Avenue. The license is still active.
10/11/07	A building permit (99700) was issued for electrical work at 3500 West Sahara. The permit was finalized on 04/09/08.

Pre-Application Meeting
A pre-application meeting was not required, nor was one held.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
11/10/11	Staff visited the site and found a vacant building. The grounds were clean and well maintained. The Off-Premise Sign was in good condition and free of graffiti.

Details of Application Request	
Site Area	
Net Acres	0.62

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Financial Institution	SC (Service Commercial)	C-1 (Limited Commercial)
North	General Retail Store	SC (Service Commercial)	C-1 (Limited Commercial)
South	Retail Establishment	SC (Service Commercial)	C-1 (Limited Commercial)
East	Financial Institution	SC (Service Commercial)	C-1 (Limited Commercial)
West	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)

YK

Special Purpose and Overlay Districts	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (200 feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Standards	*Code Requirement*	*Provided*	*Compliance*
Location	No Off-Premise Sign may be located within the public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas.	The Off-Premise Sign is not in the right-of-way.	Y
Zoning	Off-Premise Signs are permitted in the C-1, C-2, C-V, C-M, and M Zoning Districts only.	The Off-Premise Sign is in the C-1 (Limited Commercial) zoning district.	Y
Area	No Off-Premise Signs shall have a surface area greater than 672 square feet.	The Off-Premise Sign is 672 square feet in size.	Y
Height	No higher than 40 feet from grade at the point of construction; may be raised to 55 feet with City Council approval.	The Off-Premise Sign is 40 feet tall.	Y
Off-Premise Sign	At least 300 feet to the nearest property line of a lot in any "R" zoned district.	The nearest "R" zoned district is 600 feet to the north.	Y
Other	All Off-Premise Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	The Off-Premise Sign is secured to the ground on a non-residential property.	Y

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Actual Street Width (Feet)*	*Compliance with Street Section*
Sahara Avenue	Primary Arterial	Master Plan of Streets and Highways	100	Y

ANALYSIS

This is the third review of the Special Use Permit (SUP-2537) for an Off-Premise Sign since its initial approval on 10/29/03. Since the approval of the Special Use Permit and the subsequent review periods there has been no tangible redevelopment within the surrounding area. The sign has the required building permit with final inspection completed. A field check conducted by staff on November 10, 2011, established that the sign is in conformance with Title 19 standards. The subject site is located within the Airport Overlay District with height restriction of 200 feet and the existing Off-Premise Sign height is 40 feet.

FINDINGS (RQR-43802)

The Off-Premise Sign conforms to the requirements of Title 19, conditions of approval of Special Use Permit (SUP-2537) and conditions in the area have not changed significantly since approval of the Special Use Permit. Staff recommends approval of this review, with conditions. This Off-Premise Sign will be subject to another review in three (3) years.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 38

NOTICES MAILED 123

APPROVALS 0

PROTESTS 0

YK

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-43802** APN: 162-05-402-007

Name of Property Owner: I RENT B & E LLC

Name of Applicant: Clear Channel Outdoor

Name of Representative: Rod Carter

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ **Yes** ☒ **No**

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

→ Signature of Property Owner: Erwin Brodkin

Print Name: ERWIN BRODKIN

→ Subscribed and sworn before me

This 5th day of November, 2011

Deborah Jaso

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
DEBORAH JASO
No: 01-67085-1
My Appointment Expires Jan. 23, 2013

RECEIVED
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City of Las Vegas

Revised 11-14-06

f:\depot\Application Packet\Statement of Financial Interest.pdf

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Required Review 30483

Project Address (Location) 3500 West Sahara

Project Name Clear Channel Outdoor Required Review **Proposed Use** existing

Assessor's Parcel #(s) 162-05-402-007 **Ward #** 1

General Plan: existing x proposed _____ **Zoning:** existing C-1 proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** _____ **Density** _____

Additional Information Required Review of an approved billboard located at 3500 West Sahara

PROPERTY OWNER I Rent B & E, LLC **Contact** Erminia Drobkin

Address 2040 Edgewood Ave **Phone:** (702) 493-1131 **Fax:** _____

City Las Vegas **State** NV **Zip** 89102

APPLICANT Clear Channel Outdoor **Contact** Rod Carter

Address 2880-B Meade Ave., Suite 350 **Phone:** (702) 238-7209 **Fax:** (702) 238-7266

City Las Vegas **State** NV **Zip** 89102

REPRESENTATIVE Same As Applicant **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

→ **Property Owner Signature*** Erminia Drobkin

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

→ **Print Name** ERMINIA DROBKIN

Subscribed and sworn before me

→ This 5th day of November, 20 11.

Deborah Jaso

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
DEBORAH JASO
No: 01-67085-1
My Appointment Expires Jan. 23, 2013

FOR DEPARTMENT USE ONLY

Case #	RQR-43802
Meeting Date:	1/10/12
Total Fee:	$ 800.-
Date Received:*	11/9/11
Received By:	

*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

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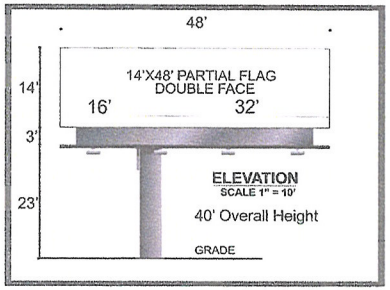
City of Las Vegas







147'±

TOP VIEW
SCALE 1" = 10'

DETAIL

180'±

APN#16205402007
Zoning (C-1)
.61± acres

GRAVEL

VALLEY BANK SIGN

30'
EDGE OF SIGN

62'

CENTER OF COLUMN

10'
EDGE OF SIGN

VALLEY BANK
3500 W SAHARA

180'±

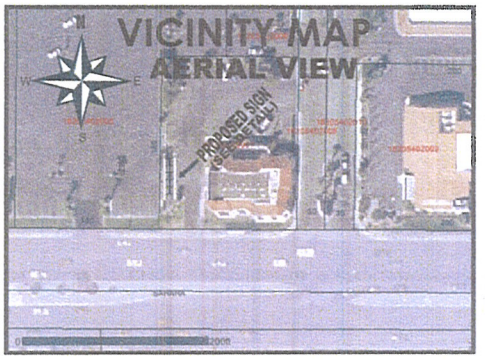
147'±

DRIVEWAY

SIDEWALK

60'
HALF ROW

SAHARA



GENERAL NOTES
1. Not within 300 foot radius of another off-premise billboard.
2. Not within 100 foot of an on-premise sign on adjoining property.
3. Not within 300 foot radius of residential use.
4. No parking spaces will be taken for this location.

SHOW MEDIA
CHRIS YERGENSEN
303-4688

JONES
4145 W. TECO AVE./ LAS VEGAS, NV 89118/ 702-645-0092

OWNER: BANK VALLEY			
SCALE: NOTED	APPROVED BY:	DRAWN BY: TOM JONES	
DATE: 4-29-03		REVISED:	
LOCATION: 3500 W SAHARA AVE 89102			
APN#16205402007		DRAWING NUMBER: 190	

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City of Las Vegas

RQR-43802



RQR-43802 - APPLICANT: CLEAR CHANNEL OUTDOOR, INC. - OWNER: I RENT B & E, LLC
3500 WEST SAHARA AVENUE

11/10/11



RQR-43802 - APPLICANT: CLEAR CHANNEL OUTDOOR, INC. - OWNER: I RENT B & E, LLC
3500 WEST SAHARA AVENUE

11/10/11

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

STEVE WOLFSON
LOIS TARKANIAN
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DAVID W. STEINMAN
(INTERIM)

DOUGLAS A. SELBY
CITY MANAGER

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

January 9, 2009

Ms. Susan Selfridge
Bank Valley
3500 West Sahara Avenue
Las Vegas, Nevada 89102

RE: RQR-30483 – REQUIRED REVIEW
CITY COUNCIL MEETING OF JANUARY 7, 2009

Dear Ms. Selfridge:

The City Council at a regular meeting held January 7, 2009 APPROVED the Required Review of an approved Special Use Permit (SUP-2537) FOR A 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF PREMISE SIGN (BILLBOARD) at 3500 West Sahara Avenue (APN 162-05-402-007), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on January 8, 2009. This approval is subject to:

Planning & Development

1. Conformance to the conditions for Special Use Permit (SUP-2537), if approved.

2. This Special Use Permit shall be placed on an agenda closest to 12/01/11 at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.

3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

4. Only one advertising sign is permitted per sign face.

5. If the existing off-premise sign is voluntarily demolished, this Special Use Permit (SUP-2537) shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.

RECEIVED
NOV 09 2011
City of Las Vegas
RQR-43802
Printed with environmentally friendly soy ink.

6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Sincerely,

Doreen Araujo

Doreen Araujo
Deputy City Clerk II for
Beverly K. Bridges, CMC, City Clerk

cc: Mr. Rod Carter
Clear Channel Outdoor
2800-B Meade Avenue, Suite 350
Las Vegas, Nevada 89102

RECEIVED
NOV 09 2011
City of Las Vegas
RQR-43802

City of Las Vegas Agenda Item No.: **12.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: DECEMBER 13, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

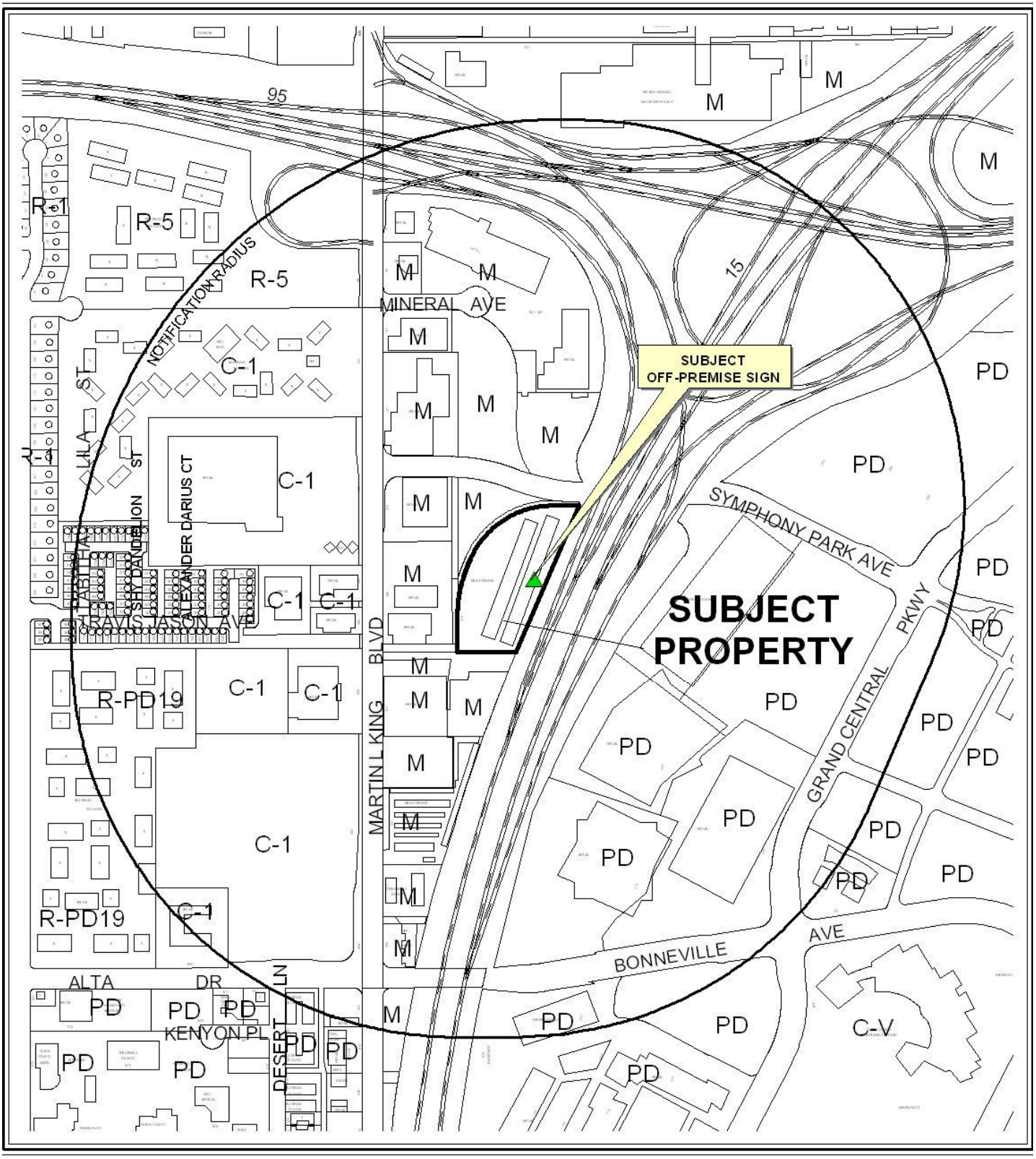
SUBJECT:
RQR-43803 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: STORAGE EQUITIES, INC. - For possible action on a Required Review for an approved Special Use Permit (U-0159-89) FOR A 55-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN at 275 South Martin L. King Boulevard (APN 139-33-501-012), M (Industrial) Zone, Ward 5 (Barlow).

MAY GO TO CITY COUNCIL ON 01/18/2012
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
APPROVAL

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. City Council Approval Letter for RQR-31586



0 500 1000 Feet

CASE: **RQR-43803**

RADIUS: 1500 FEET

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N



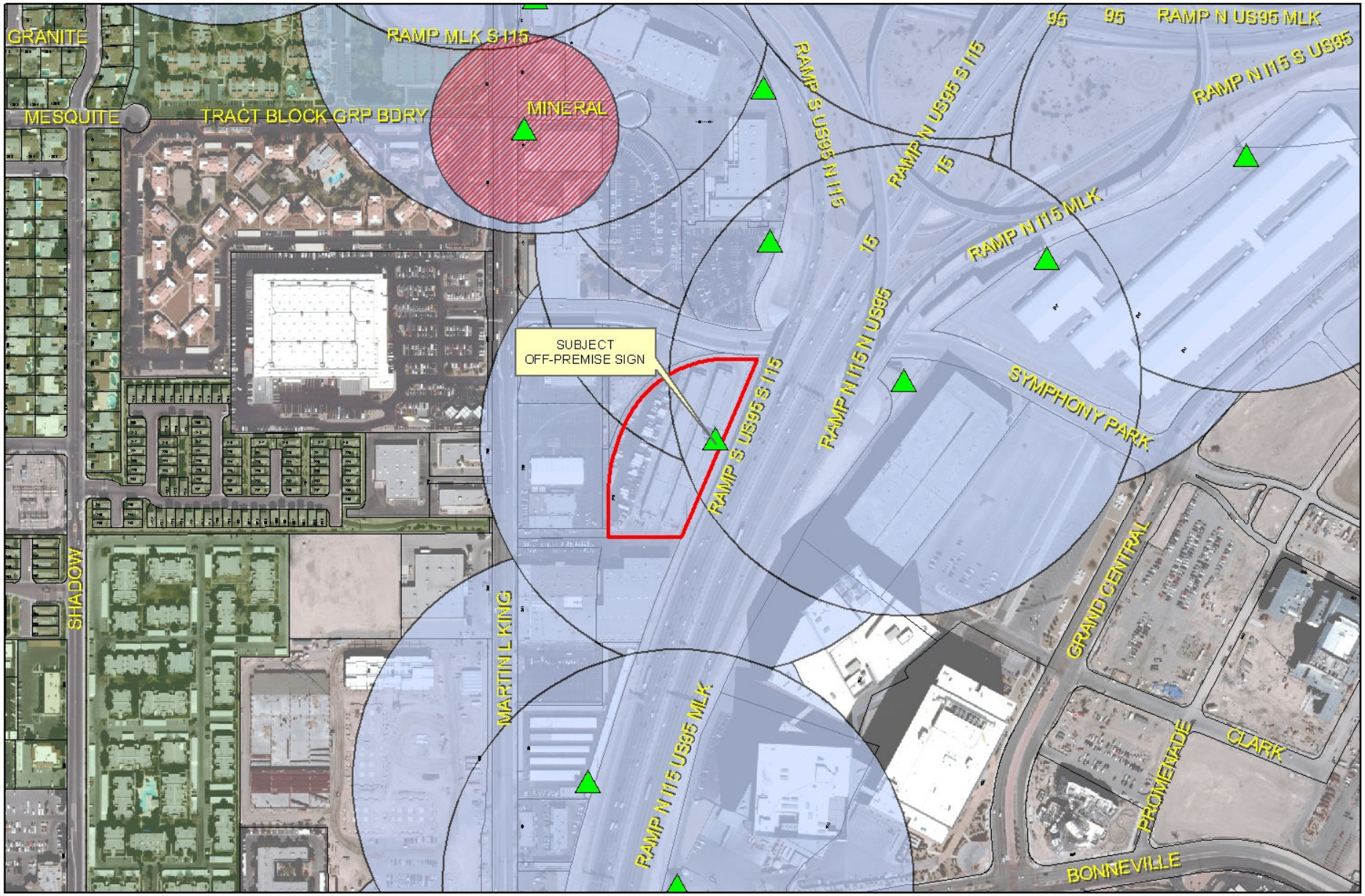
0 500 1000 Feet

CASE: **RQR-43803**

RADIUS: 1500 FEET

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N



RQR-43803

City of Las Vegas Billboard Data

- Subject Parcel
- City of Las Vegas Billboard Location
- Clark County Billboard Location
- 300 Foot Buffer Around Billboard
- 750 Foot Buffer Around Freeway Billboard
- Residential Zoned Property
- Off Premise Sign Exclusion Area
- Exempt - Off Premise Area Sign Area

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: DECEMBER 13, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: STORAGE EQUITIES, INC.

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
RQR-43803	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

RQR-43803 CONDITIONS

Planning

1. Conformance to the approved conditions for Special Use Permit (U-0159-89).

2. This Special Use Permit shall be reviewed in three (3) years, at which time the City Council may require the Off-Premise Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Sign be removed.

3. The Off-Premise Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Sign.

4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Sign.

5. If the existing Off-Premise Sign is voluntarily demolished, this Special Use Permit shall be expunged and a new Off-Premise Sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.

6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a two-year Required Review of an approved 55-foot tall, 14-foot by 48-foot Off-Premise Sign at 275 South Martin Luther King Boulevard. This is the fourth review of the Special Use Permit (U-0159-89) for this Off-Premise Sign since it was constructed in 1991. The Off-Premise Sign meets all current Title 19.12.120 requirements. Staff recommends approval with conditions. If denied, the Off-Premise Sign will have to be removed.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
11/15/89	The City Council approved a request for a Special Use Permit (U-0159-89) to remove and replace an existing 55-foot tall, 14-foot by 48-foot Off-Premise Sign at 275 South Martin L. King Boulevard. The Board of Zoning Adjustment recommended approval on 10/26/89.
12/21/94	The City Council approved a request for a Required Review [U-0159-89(1)] of an approved Special Use Permit (U-0159-89) for a 55-foot tall, 14-foot by 48-foot Off-Premise Sign at 275 South Martin L. King Boulevard. The Board of Zoning Adjustment recommended approval on 11/22/94.
03/01/00	The City Council approved a request for a Required Review [U-0159-89(2)] of an approved Special Use Permit (U-0159-89) for a 55-foot tall, 14-foot by 48-foot Off-Premise Sign at 275 South Martin L. King Boulevard. The Planning Commission recommended approval on 01/27/00.
04/21/04	The City Council approved a request for a Required Review (RQR-3732) of an approved Special Use Permit (U-0159-89) for a 55-foot tall, 14-foot by 48-foot Off-Premise Sign at 275 South Martin L. King Boulevard. The Planning Commission recommended approval on 03/25/04.
09/20/06	The City Council approved a request for a Site Development Plan Review (SDR-14790) for a proposed 100,700 square-foot, four-story mini-warehouse facility on 4.0 acres at 295 South Martin L. King Boulevard. The Planning Commission recommended approval on 08/24/06.
02/04/09	The City Council approved a request for a Required Review (RQR-31586) of an approved Special Use Permit (U-0159-89) for a 55-foot tall, 14-foot by 48-foot Off-Premise Sign at 275 South Martin L. King Boulevard. The Planning Commission recommended approval on 01/08/09.

Most Recent Change of Ownership	
02/08/94	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
12/04/89	Building permit #89-048962 was issued for an Off-Premise Sign under the address of 291 South Martin L. King Boulevard. The permit was finalized on 04/16/90.
05/20/09	Building permit #139279 was issued for an Off-Premise Sign under the address of 275 South Martin L. King Boulevard. The permit was finalized on 07/07/09.

Pre-Application Meeting
A pre-application meeting was not required, nor was one held

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held

Field Check	
11/16/11	Staff visited the site and found a well maintained property. The Off-Premise Sign was clean and free of graffiti with no discernible bird nuisance present.

Details of Application Request	
Site Area	
Net Acres	3.79

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Storage	LI/R (Light Industry/Research)	M (Industrial)
North	Warehouse/Storage	LI/R (Light Industry/Research)	M (Industrial)
South	Retail	C (Commercial)	M (Industrial)
		LI/R (Light Industry/Research)	
East	ROW (Right-of-Way)	ROW (Right-of-Way)	ROW (Right-of-Way)
West	Retail	C (Commercial)	M (Industrial)

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan	X		Y
Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts			
A-O Airport Overlay District - 175 feet	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to 19.12.120, the following standards apply:

Standards	*Code Requirement*	*Provided*	*Compliance*
Location	No Off-Premise Sign may be located within public right-of-way	Sign is not located in public right-of-way.	Y
Zoning	Off-Premise Signs are permitted in C-1. C-2, C-M, and M zoning districts only	The sign is located in the M (Industrial) zoning district.	Y
Area	No Off-Premise Sign shall have a surface area greater than 672 square feet, except that an embellishment 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.	Sign is 672 square feet in size and it does not have an embellishment on it.	Y
Height	No higher than 40 feet from grade at the point of construction: may be raised to a maximum of 55 feet with approval of the City Council if significantly obscured from view of travel lanes.	Sign is 55 feet tall.	Y
Screening	All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view.	Structural elements of the sign are screened from public view.	Y
Off-Premise Sign	At least 750 feet to another Off-Premise Sign along US-95 or at least 300 feet to another Off-premise Sign (if not along US-95)	Sign is at least 650 feet from another Off-Premise Sign along Lake Mead Boulevard.	N

Standards	*Code Requirement*	*Provided*	*Compliance*
Off-Premise Sign	At least 300 feet to the nearest property line of a lot in any "R" or U" zoned districts.	Sign is more than 300 feet from any property zoned for residential use.	Y
Other	All Off-Premise Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Sign is permanently secured to the ground and is located on commercially zoned property.	Y

ANALYSIS

This is the fifth review of the approved Special Use Permit (U-0159-89) for a 55-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard). The billboard was constructed under sign permit #89-048962, and received final inspection on 04/16/90.

Since the construction of this Off-Premise Sign use another Off-Premise Sign use was approved at the northeast corner of Mineral Avenue and Martin L. King Boulevard with a Variance (V-0020-91), that allowed the relocation of two Off-Premise Signs with a 550-foot distance separation where 750 feet is the minimum distance allowed.

FINDINGS

During a site inspection, staff found the Off-Premise Sign in good condition, free of graffiti, and with no visible signs of a bird nuisance. There have been no significant changes in the surrounding land use since the installation of the sign and finds there is no adverse impact regarding the continued use of the sign at this time; therefore, staff recommends approval, subject to a three-year review.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 29

NOTICES MAILED 43

APPROVALS 0

PROTESTS 0

MH

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-43803** APN: 139 33 501 012

Name of Property Owner: Storage Equities Inc

Name of Applicant: Clear Channel Outdoor

Name of Representative: Rod Carter

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes __X__ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Erik Svensson

Subscribed and sworn before me

This 31st day of October, 2011

_____

Notary Public in and for said County and State

MEREDITH A. ALLEN
Commission # 1885701
Notary Public - California
Los Angeles County
My Comm. Expires Apr 18, 2014

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NOV 09 2011
City of Las Vegas

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Required Review 31586

Project Address (Location) 275 South Martin L. King

Project Name RQR- Clear Channel Outdoor **Proposed Use** existing

Assessor's Parcel #(s) 139-33-501-012 **Ward #** 5

General Plan: existing x proposed ____ **Zoning:** existing M proposed ____

Commercial Square Footage ____ **Floor Area Ratio** ____

Gross Acres ____ **Lots/Units** ____ **Density** ____

Additional Information Required Review for an existing off premise advertising billboard sign located at 275 South Martin L. King

PROPERTY OWNER Storage Equities Inc **Contact** ~~David Krueger~~ Lease Administrator 818-244-8080

Address 701 Western Ave **Phone:** ~~(206) 772-1190~~ **Fax:** ____

City Glendale **State** CA **Zip** 91201-2349

APPLICANT Clear Channel Outdoor **Contact** Rod Carter

Address 2880-B Meade Ave **Phone:** (702) 238-7209 **Fax:** (702) 238-7266

City Las Vegas **State** NV **Zip** 89102

REPRESENTATIVE Same As Representative **Contact** ____

Address ____ **Phone:** ____ **Fax:** ____

City ____ **State** ____ **Zip** ____

Property Owner Signature* [signature]

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Erik Svensson

Subscribed and sworn before me

This 31st day of October, 20 11.

[signature]

Notary Public in and for said County and State

MEREDITH A. ALLEN
Commission # 1885701
Notary Public - California
Los Angeles County
My Comm. Expires Apr 18, 2014

FOR DEPARTMENT USE ONLY

Case #	RQR-43803
Meeting Date:	12/13/11 P.C.
Total Fee:	$800
Date Received:*	11/9/11
Received By:	

*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

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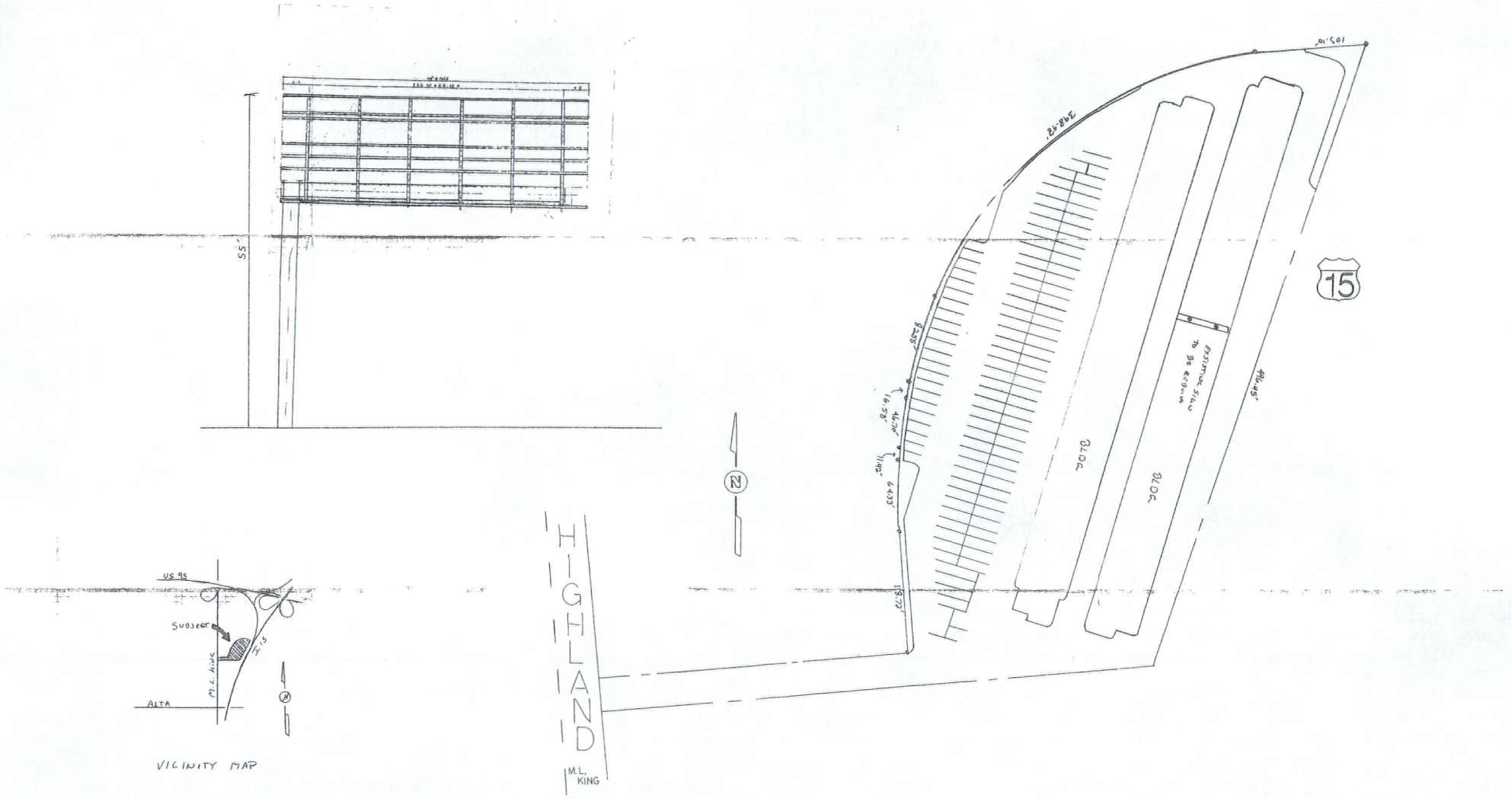
NOV 09 2011
City of Las Vegas

Revised 04/26/05



VICINITY MAP

DONREY

SCALE	1" = 40'	DRAWING NUMBER	STORAGE EQUITIES, INC
DATE	10-4-89	1	

1211 West Bonanza Road Drawn By Michael Perrah Phone 382-5020

RECEIVED
NOV 09 2011
City of Las Vegas

RQR-43803



RQR-43803 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: STORAGE EQUITIES, INC.
275 SOUTH MARTIN L. KING BOULEVARD

11/16/11



RQR-43803 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: STORAGE EQUITIES, INC.
275 SOUTH MARTIN L. KING BOULEVARD

11/16/11

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
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CITY MANAGER



CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

February 6, 2009

Dawn Kader
Public Storage, Inc.
701 Western Avenue
Glendale, California 91201-2349

RE: RQR-31586 – REQUIRED REVIEW
CITY COUNCIL MEETING OF FEBRUARY 4, 2009

Dear Applicant:

The City Council at a regular meeting held February 4, 2009 APPROVED the Required Review for an approved Special Use Permit (U-0159-89) FOR A 55-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE SIGN (BILLBOARD) at 275 South Martin L. King Boulevard (APN 139-33-501-012), M (Industrial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on February 5, 2009. This approval is subject to:

Planning & Development

1. Conformance to the conditions for Special Use Permit (U-0159-89), if approved.

2. This Special Use Permit shall be placed on an agenda closest to November 15, 2011 at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.

3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

4. Only one advertising sign is permitted per sign face.

5. If the existing off-premise sign is voluntarily demolished, this Special Use Permit (U-0159-89) shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.

RECEIVED
NOV 09 2011
City of Las Vegas
RQR-43803
Printed with environmentally friendly soy ink

6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Sincerely,

Doreen Araujo
Deputy City Clerk II for
Beverly K. Bridges, CMC, City Clerk

cc: Mr. Rod Carter
Clear Channel Outdoor
2880-B Meade Avenue, Suite #350
Las Vegas, Nevada 89102

RECEIVED
NOV 09 2011
City of Las Vegas

RQR-43803

City of Las Vegas Agenda Item No.: **13.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: DECEMBER 13, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

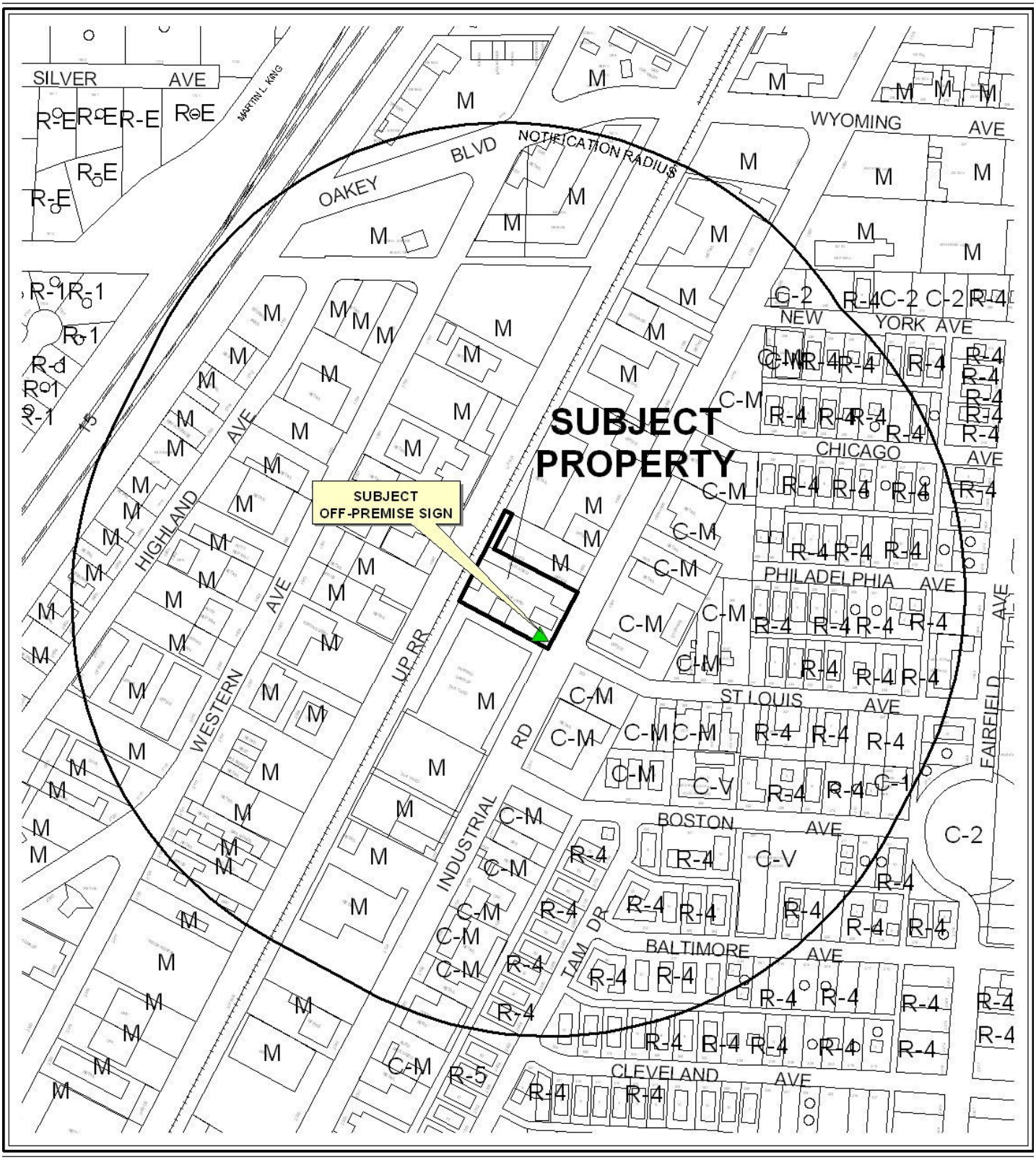
SUBJECT:
RQR-43804 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR, INC. - OWNER: BELL REAL ESTATE - For possible action on a Required Review of a previously approved Special Use Permit (U-0103-95) FOR A 40-FOOT TALL, 12-FOOT BY 24-FOOT OFF-PREMISE SIGN at 1910 Industrial Road (APN 162-04-704-006), M (Industrial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 01/18/2012
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. City Council Approval Letter for RQR-31387



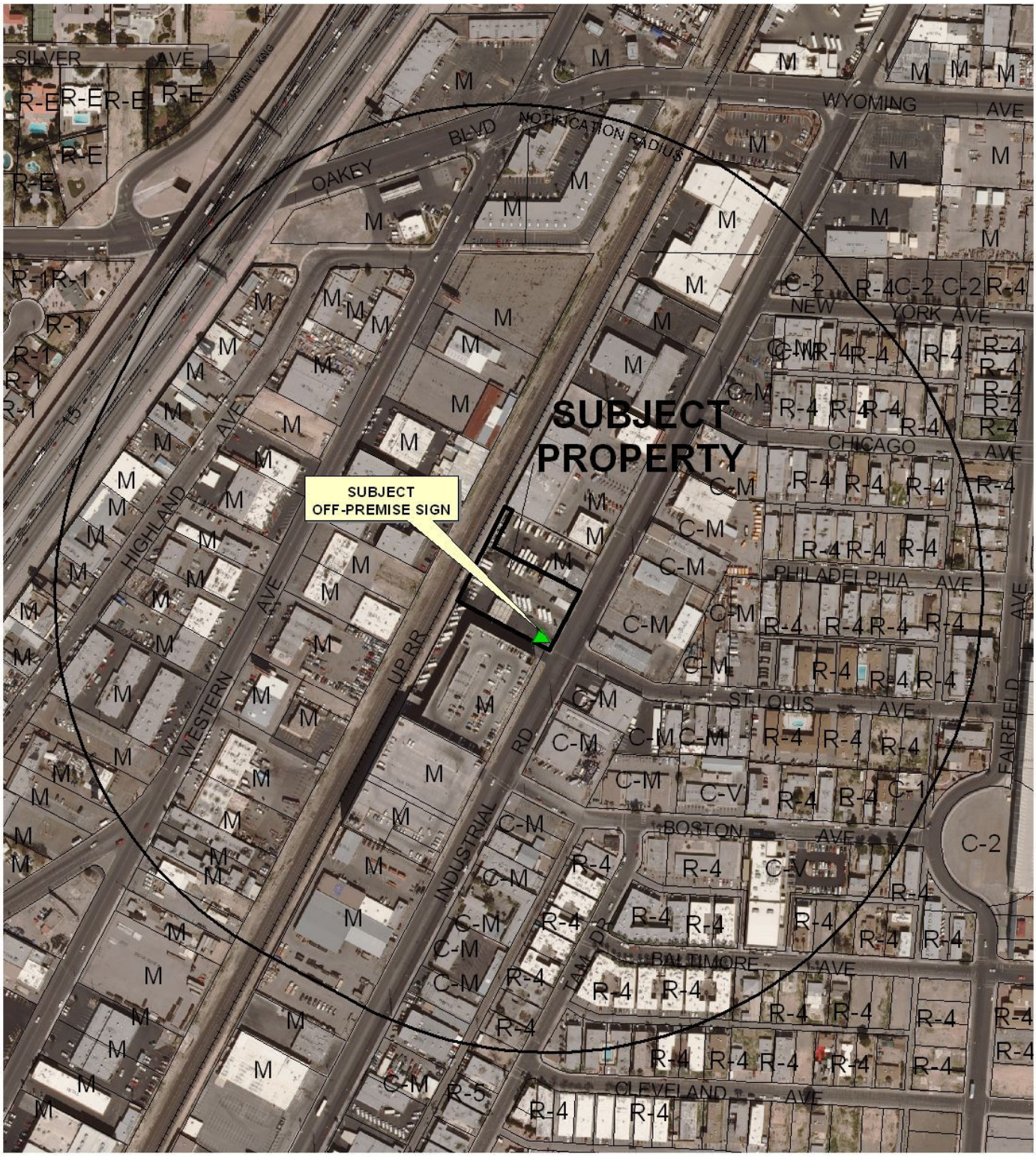
0 300 600 Feet

CASE: **RQR-43804**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N



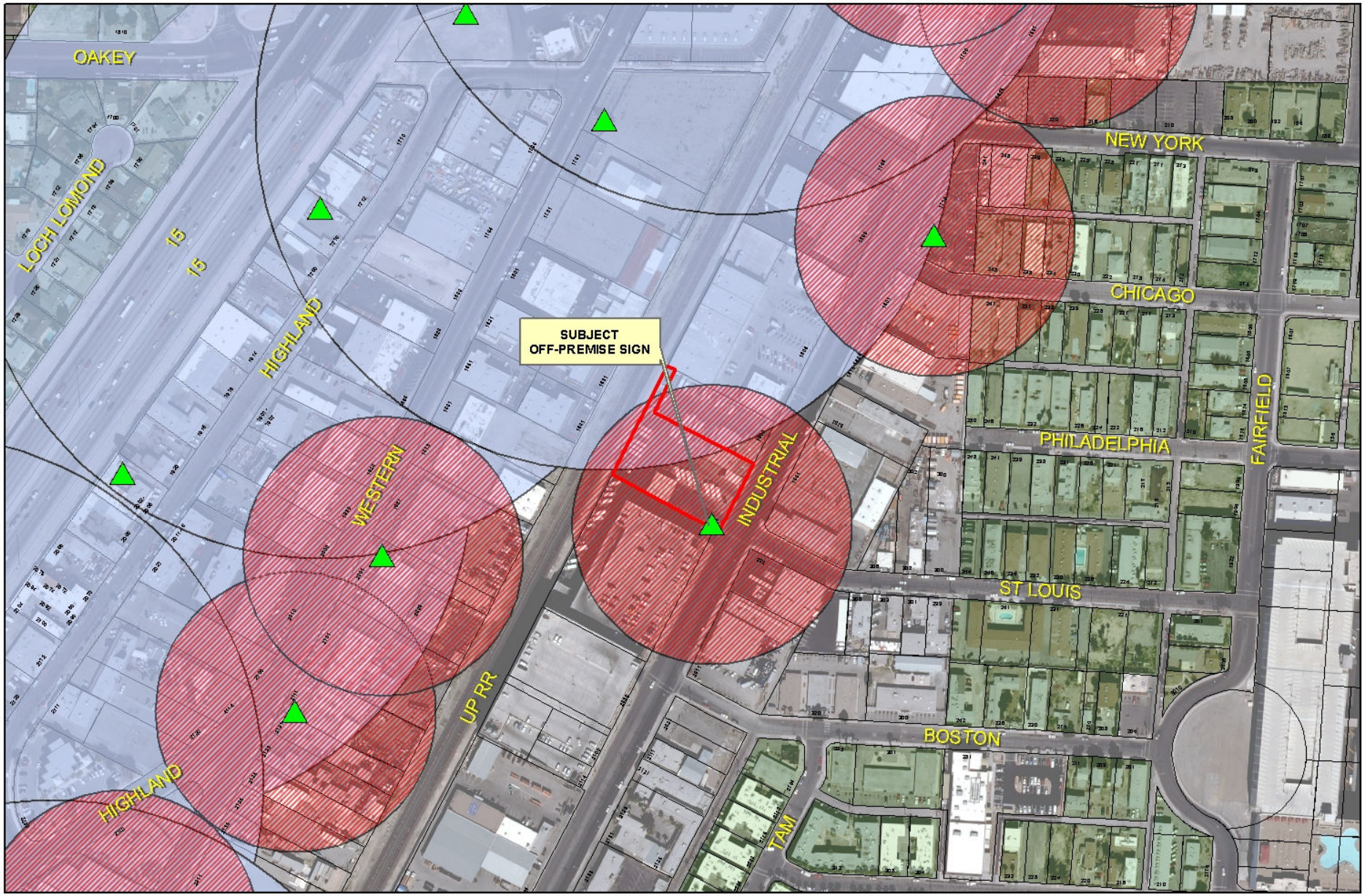
0 300 600 Feet

CASE: **RQR-43804**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N



RQR-43804

City of Las Vegas Billboard Data

- Subject Parcel
- City of Las Vegas Billboard Location
- Clark County Billboard Location
- 300 Foot Buffer Around Billboard
- 750 Foot Buffer Around Freeway Billboard
- Residential Zoned Property
- Off Premise Sign Exclusion Area
- Exempt - Off Premise Area Sign Area

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: DECEMBER 13, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: CLEAR CHANNEL OUTDOOR, INC. - OWNER: BELL REAL ESTATE

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
RQR-43804	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

RQR-43804 CONDITIONS

Planning

1. Conformance to the Conditions of Approval for Special Use Permit (U-0103-95).

2. This Special Use Permit shall be reviewed in three (3) years, at which time the City Council may require the Off-Premise Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Sign is removed.

3. The Off-Premise Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Sign.

4. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.

5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

** STAFF REPORT **

PROJECT DESCRIPTION

This request is in response to a two-year Required Review of an approved Special Use Permit (U-0103-95) to allow a 40-foot tall, 12-foot by 24-foot Off-Premise Sign at 1910 Industrial Road. This is the third review of the Special Use Permit for this Off-Premise Sign since it was constructed in 1995. The Off-Premise Sign meets all provisions of Title 19 and conditions in the area have not changed significantly since the previous approval; therefore, staff recommends approval with conditions. If denied, the Off-Premise Sign would have to be removed.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
10/18/95	The City Council approved a request for a Special Use Permit (U-0103-95) for a 12-foot by 24-foot Off-Premise Sign at 1910 Industrial Road. The Board of Zoning Adjustment recommended approval.
12/06/00	The City Council approved a request for a Required Review [U-0103-95(1)] of an approved Special Use Permit (U-0103-95) for a 12-foot by 24-foot Off-Premise Sign at 1910 Industrial Road. The Planning Commission recommended approval.
01/19/05	The City Council approved a request for a Required Review (RQR-5443) of an approved Special Use Permit (U-0103-95) for a 12-foot by 24-foot Off-Premise Sign at 1910 Industrial Road. The Planning Commission recommended approval and staff recommended denial.
05/17/06	The City Council approved a request to change the Future Land Use designation (GPA-9219) to Commercial, Mixed Use, Industrial or Public Facilities on various parcels located within the proposed Las Vegas Redevelopment Plan Area and within the proposed Redevelopment Plan Expansion Area. The Planning Commission recommended approval.
01/21/09	The City Council approved a request for a Required Review (RQR-31387) of an approved Special Use Permit (U-0103-95) for a 12-foot by 24-foot Off-Premise Sign at 1910 Industrial Road. The Planning Commission recommended approval and staff recommended denial.

Most Recent Change of Ownership	
10/10/03	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
11/29/95	A building permit (95883202) was issued for an Off-Premise Sign at 1910 Industrial Road. The permit expired on 06/01/96, and was never finalized.
07/12/96	A building permit (96013880) was issued for a Off-Premise Sign (renewal of permit 95883202), but expired on 01/11/97 and was never finalized.
03/19/03	A business license (A04-0065) was issued for Advertising Space Leasing or Selling at 1900 Industrial Road. The license is still active.
07/06/01	A business license (T02-00020) was issued for Sightseeing Bus or Limousine Service at 1900 Industrial Road. The license is still active.
01/14/09	A building permit (130834) was issued for an Off-Premise Sign at 1910 Industrial Road. The permit was finalized on 07/07/09.

Pre-Application Meeting
No pre-application meeting was required.

Neighborhood Meeting
No neighborhood meeting was required, nor was one held.

Field Check	
11/10/11	Staff visited the site and found a clean, well maintained commercial parking garage with an Off-Premise Sign. The sign was free of graffiti and in good condition.

Details of Application Request	
Site Area	
Net Acres	1.01

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Taxicab/Limo Yard	LI/R (Light Industry/Research)	M (Industrial)
North	Offices	LI/R (Light Industry/Research)	M (Industrial)
South	Parking Garage	LI/R (Light Industry/Research)	M (Industrial)
East	Office	LI/R (Light Industry/Research)	C-M (Commercial/Industrial)
West	Warehouse	LI/R (Light Industry/Research)	C-M (Commercial/Industrial)

YK

Master Plan Areas	***Yes***	***No***	***Compliance***
Downtown Centennial Plan	X		Y
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
A-O (Airport Overlay) District 200-feet	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Standards	***Code Requirement***	***Provided***	***Compliance***
Location	No Off-Premise Sign may be located within the public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas.	The Off-Premise Sign is not in the right-of-way.	Y
Zoning	Off-Premise Signs are permitted in the C-1, C-2, C-V, C-M, and M Zoning Districts only.	The Off-Premise Sign is in the M (Industrial) zoning district.	Y
Area	No Off-Premise Signs shall have a surface area greater than 672 square feet.	The Off-Premise Sign is 288 square feet in size.	Y
Height	No higher than 40 feet from grade at the point of construction; may be raised to 55 feet with City Council approval.	The Off-Premise Sign is 40 feet tall.	Y
Off-Premise Sign	At least 300 feet to the nearest property line of a lot in any "R" zoned district.	The nearest "R" zoned district is 500 feet to the east.	Y
Other	All Off-Premise Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	The Off-Premise Sign is secured to the ground on a non-residential property.	Y

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Actual Street Width (Feet)*	*Compliance with Street Section*
Industrial Road	Primary Arterial	Master Plan of Streets and Highways	100	Y

ANALYSIS

This is the third review of the Special Use Permit (U-0103-95) for an Off-Premise Sign since its initial approval on 1995. Since the approval of the Special Use Permit and the subsequent review periods there has been no tangible redevelopment within the surrounding area. The sign has the required building permit with final inspection completed. A field check conducted by staff on November 10, 2011, established that the sign is in conformance with Title 19 standards. The subject site is located within the Airport Overlay District with height restriction of 200 feet and the existing Off-Premise Sign height is 40 feet.

FINDINGS (RQR-43804)

The Off-Premise Sign conforms to the requirements of Title 19, conditions of approval of Special Use Permit (U-0103-95) and conditions in the area have not changed significantly since approval of the Special Use Permit. Staff recommends approval of this review, with conditions. This Off-Premise Sign will be subject to another review in three (3) years.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 21

NOTICES MAILED 135

APPROVALS 0

PROTESTS 0

YK

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-43804** APN: 162 04 704 006

Name of Property Owner: BELL REAL ESTATE LLC

Name of Applicant: Clear Channel Outdoor

Name of Representative: Rod Carter

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ **Yes** ☒ **No**

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

→ Signature of Property Owner: _____

Print Name: Brent Bell

→ Subscribed and sworn before me

This 3rd day of November, 2011

Deborah N. Garceanu

Notary Public in and for said County and State

Deborah N. Garceanu
Notary Public
State of Nevada
My Appointment Expires March 8, 2015
Certificate No. 99-35724-1

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PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Required Review 31387

Project Address (Location) 1910 Industrial Road

Project Name Clear Channel Outdoor Required Review **Proposed Use** existing

Assessor's Parcel #(s) 162-04-704-006 **Ward #** 3

General Plan: existing x proposed _____ **Zoning:** existing M proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** _____ **Density** _____

Additional Information Required Review of an approved billboard located at 1910 Industrial Road

PROPERTY OWNER Bell Real Estate **Contact** Brent Bell

Address 1900 Industrial Road **Phone:** _____ **Fax:** _____

City Las Vegas **State** NV **Zip** 89102

APPLICANT Clear Channel Outdoor **Contact** Rod Carter

Address 2880-B Meade Ave., Suite 350 **Phone:** (702) 238-7209 **Fax:** (702) 238-7266

City Las Vegas **State** NV **Zip** 89102

REPRESENTATIVE Same As Applicant **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

Property Owner Signature* _____

* An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Brent Bell

Subscribed and sworn before me

This 3rd day of November, 20 11.

Deborah N. Garceanu

Notary Public in and for said County and State

Deborah N. Garceanu
Notary Public
State of Nevada
My Appointment Expires March 8, 2015
Certificate No. 99-35724-1

FOR DEPARTMENT USE ONLY

Case #	ZQR-43804
Meeting Date:	11/10/12
Total Fee:	$800
Date Received:*	11/9/11
Received By:	

*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

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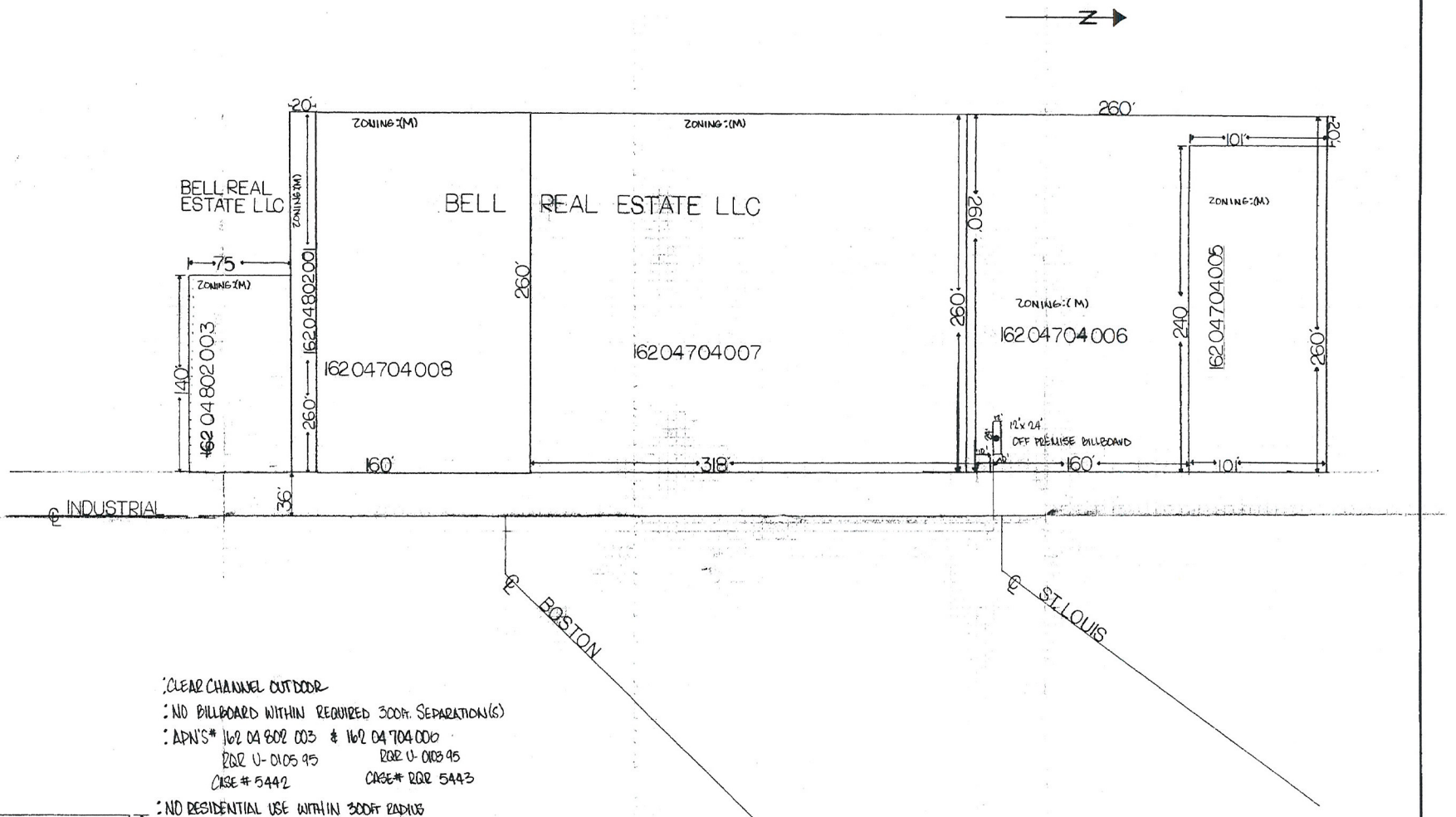
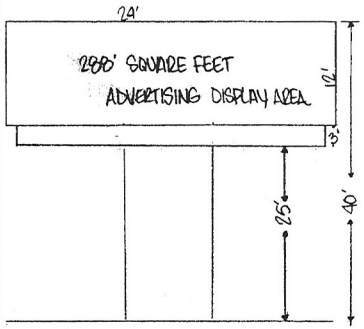
City of Las Vegas

Revised 04/26/05



:CLEAR CHANNEL OUTDOOR
: NO BILLBOARD WITHIN REQUIRED 300ft. SEPARATION(S)
: APN'S* 162 04 802 003 & 162 04 704 006
RQR U-0105 95 RQR U-0103 95
CASE # 5442 CASE# RQR 5443
: NO RESIDENTIAL USE WITHIN 300ft RADIUS
: ZONING (M) INDUSTRIAL DISTRIC
: LAS VEGAS 89102
: LOCATIONS CONFORM TO TITLE 19A
: OWNER: BELL REAL ESTATE LLC
: WARD # 1 - JANET MONCRIEF
: SIGHT PLAN C FOR (1) 12'x 24' OFF PREMISE ADVERTISING "BILLBOARD" SIGN(S)



ELEVATION DRAWING NOT TO SCALE

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City of Las Vegas

RQR-43804

BELL REAL ESTATE LLC INDUSTRIAL RD 89102

SCALE: 1" = 50'	APPROVED BY:	DRAWN BY: RC
DATE: 10/25/04		REVISED

SIGHT PLAN FOR (1) 12'x 24' BILLBOARDS

JURISDICTION: LAS VEGAS 89102 WARD #1

DRAWING NUMBER: ONE OF ONE



RQR-43804 - APPLICANT: CLEAR CHANNEL OUTDOOR, INC. - OWNER: BELL REAL ESTATE
1910 INDUSTRIAL ROAD

11/10/11

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW
DAVID W. STEINMAN
(INTERIM)

ELIZABETH N. FRETWELL
CITY MANAGER



CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

January 23, 2009

Mr. Brent Bell
Bell Real Estate
1910 Industrial Road
Las Vegas, Nevada 89102

RE: RQR-31387 – REQUIRED REVIEW
CITY COUNCIL MEETING OF JANUARY 21, 2009

Dear Mr. Bell:

The City Council at a regular meeting held January 21, 2009 APPROVED the Request for a Required Review of an approved Special Use Permit (U-0103-95) FOR A 40-FOOT TALL, 12-FOOT BY 24-FOOT OFF-PREMISE SIGN (BILLBOARD) at 1910 Industrial Road (APN 162-04-704-006), M (Industrial) Zone The Notice of Final Action was filed with the Las Vegas City Clerk on January 22, 2009. This approval is subject to:

Planning & Development

1. Conformance to the conditions for Special Use Permit (U-0103-95), if approved.

2. This Special Use Permit shall be placed on an agenda closest to 01/19/12 at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.

3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

4. Bird deterrent devices shall be installed on the sign within 30 days of final approval by the City of Las Vegas.

5. All of the supporting structure shall be repainted, as required by the Planning and Development Department, within 30 days of final approval of this review by the City Council. Failure to perform the required repainting may result in fines and/or removal of the Off-Premise Sign (Billboard).

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City of Las Vegas

RQR-43804

Printed with environmentally friendly soy ink

6. If the existing Off-Premise Sign (Billboard) is voluntarily demolished, this Special Use Permit (U-0103-95) shall be expunged and a new Off-Premise Sign (Billboard) shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.

7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Sincerely,

Gabriela Portillo-Brenner
Deputy City Clerk II for
Beverly K. Bridges, CMC, City Clerk

cc: Mr. Rod Carter
Clear Channel Outdoor
2880-B Meade Avenue, Suite #350
Las Vegas, Nevada 89102

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RQR-43804

City of Las Vegas Agenda Item No.: **14.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: DECEMBER 13, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

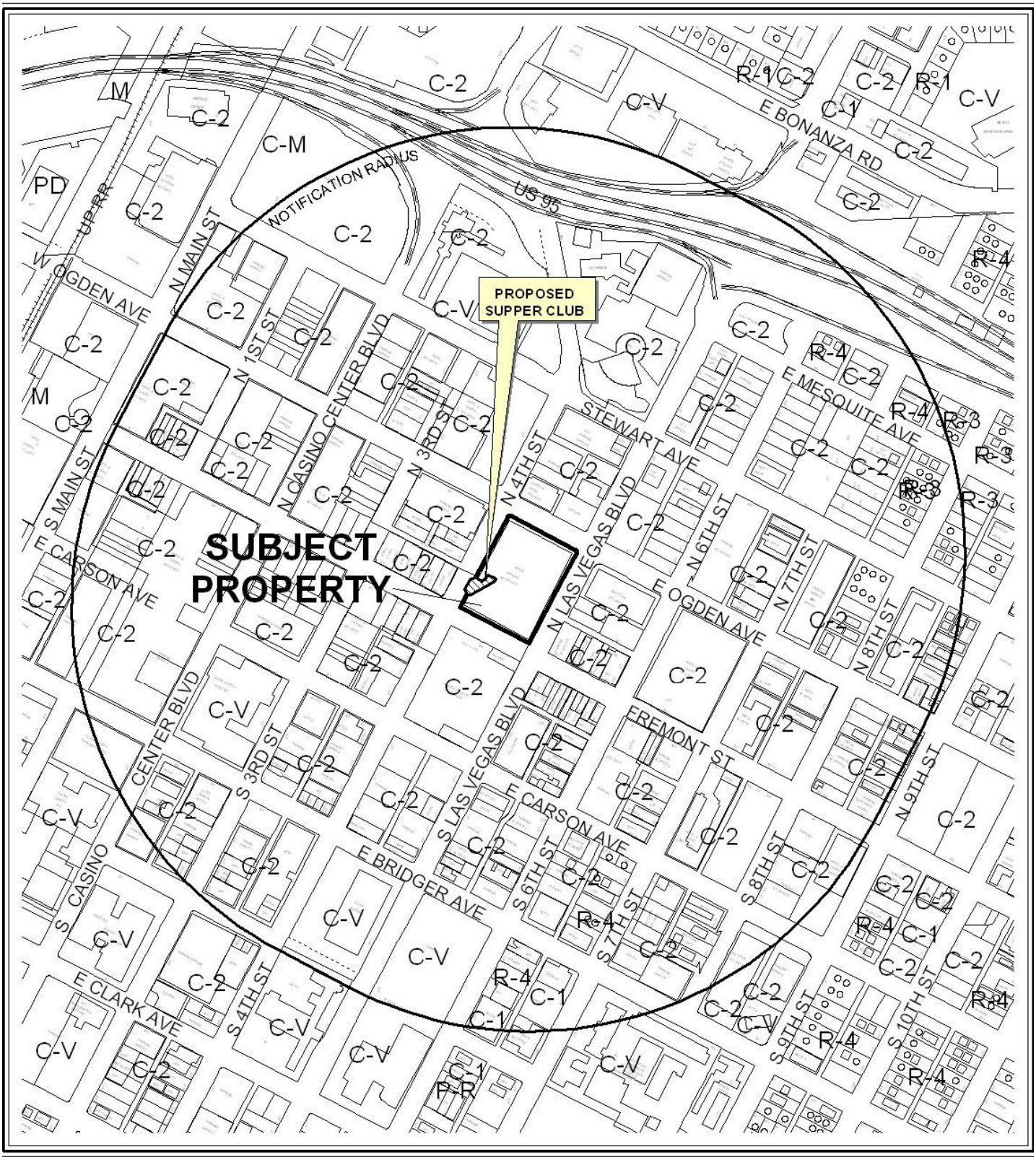
SUBJECT:
SUP-43685 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: DENNY"S INC. - OWNER: FAEC HOLDINGS WIRRULLA, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 6,300 SQUARE-FOOT SUPPER CLUB at 450 Fremont Street, Suite #195 (APN 139-34-513-002), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 01/18/2012
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter



0 500 1000 Feet

CASE: **SUP-43685**

RADIUS: 1500 FEET

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N



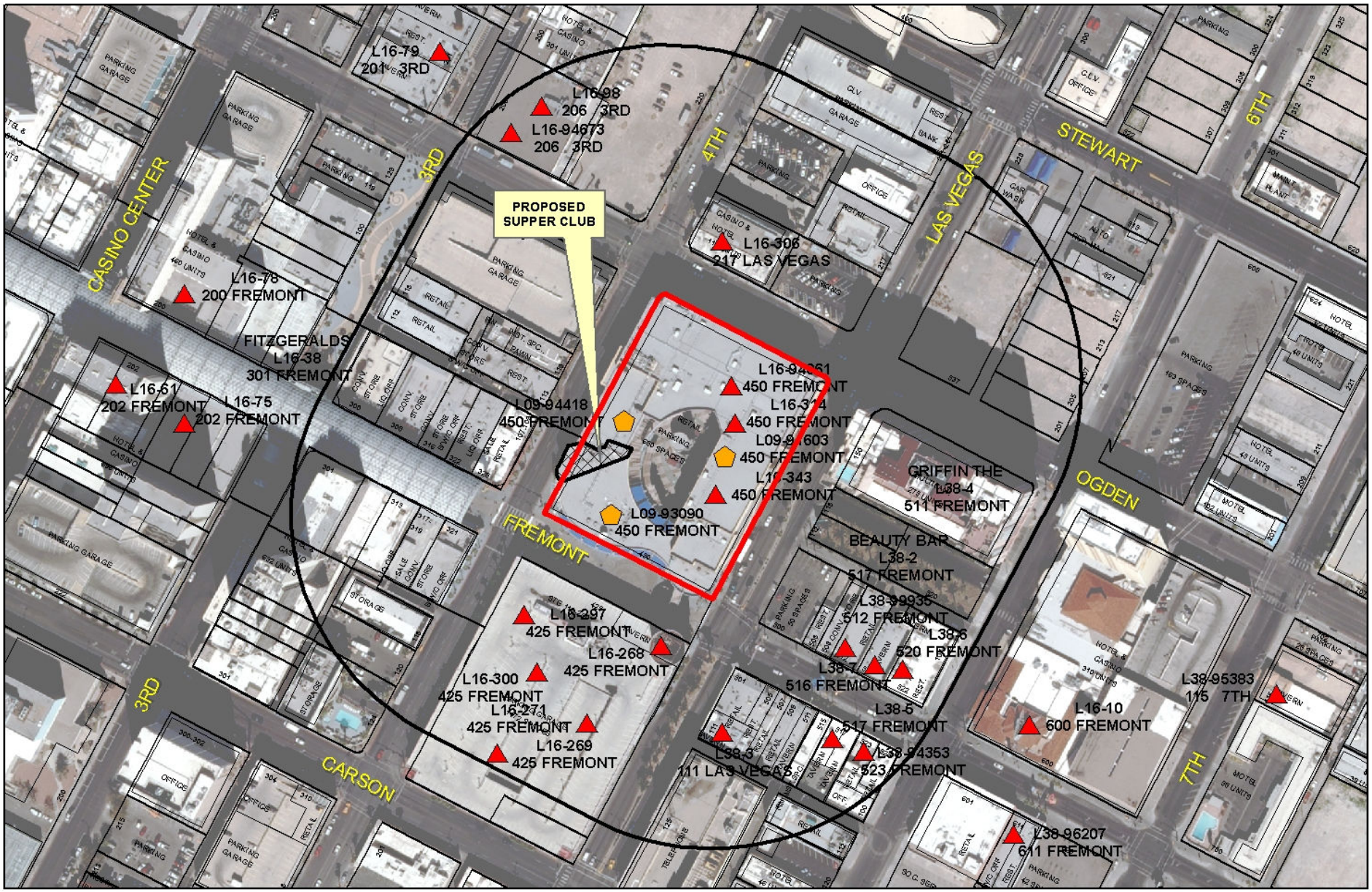
0 500 1000 Feet

CASE: **SUP-43685**

RADIUS: 1500 FEET

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N



SUP-43685

Business Licenses

- Tavern
- Supper Club/ Restaurant Service Bar
- Beer/Wine/Cooler On Sale
- Child Care/ Children Facility
- RELIGIOUS
- CITY PARKS
- SCHOOLS
- Subject Property
- 400 foot buffer

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: DECEMBER 13, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: DENNY'S INC. - OWNER: FAEC HOLDINGS WIRRULLA, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-43685	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-43685 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Supper Club use.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

5. Approval of this Special Use Permit does not constitute approval of a liquor license.

6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

7. All signage shall be in full conformance to Title 19.08 sign standards and Title# 19.10.160 Las Vegas Scenic Byway Overlay District standards, and shall be reviewed by the Downtown Design Review Committee prior to issuance of a sign permit.

8. No temporary signs such as banners, pennants, inflatable objects, streamers, flags, or other similar attention gaining item or devices shall be displayed upon the subject property or a vehicle displayed for sale in the parking lot of the subject property without the appropriate permits.

9. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a Supper Club use at 450 Fremont Street, Suite #195. The subject tenant space within the Neonopolis is currently vacant. The addition of a Supper Club use will allow a bar area within a restaurant by providing a sufficient barrier limiting access. The use is appropriate for the site and can be conducted in a manner that is harmonious and compatible with surrounding uses; therefore, staff recommends approval. If the application is denied, the use will not be allowed.

ISSUES

- A Supper Club use is permitted in the C-2 (General Commercial) zoning district with an approved Special Use Permit.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
12/16/64	The City Council approved a Rezoning (Z-0100-64) from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial), C-2 (General Commercial) and C-V (Civic) to C-2 (General Commercial) for approximately 230 Acres generally located on property bounded by Main Street to the west, Bonanza Road on the north, Las Vegas Boulevard on the east, and Charleston Boulevard on the south. The Planning Commission approved Reclassification of this property.
03/23/98	The City Council approved a Site Development Plan (SD-0003-98) on property bounded by Fremont Street, 4th Street, Ogden Avenue, and Las Vegas Boulevard for a proposed 264,210 square-foot Retail/Entertainment Complex. The Planning Commission and staff recommended approval.
10/03/01	The City Council approved a Special Use Permit (U-0117-01) for a proposed 2,162 square-foot Liquor Establishment (Tavern) in conjunction with a Retail/Entertainment Complex at 450 Fremont Street, Suite 195. The Planning Commission and staff recommended approval.
05/01/02	The City Council approved a Special Use Permit (U-0024-02) for a Liquor Establishment (Tavern) at 450 Fremont Street, Suite 101 with a Waiver of the minimum 1,500-foot separation requirement from religious facilities, Liquor Establishment (Tavern) and a school. The Planning Commission and staff recommended approval.

08/07/02	The City Council approved a Special Use Permit (U-0063-02) for a Liquor Establishment (Tavern) at 450 Fremont Street, Suite 130 with a Waiver of the minimum 1,500-foot separation requirement from religious facilities, Liquor Establishment (Tavern) and a school. The Planning Commission and staff recommended approval. This use expired on 01/25/11.
11/20/02	The City Council approved a Special Use Permit (U-0124-02) for a Liquor Establishment (Tavern) at 450 Fremont Street, Suite 320 with a Waiver of the minimum 1,500-foot distance separation requirement from a Liquor Establishment (Tavern), a religious facility, and a school. The Planning Commission and staff recommended approval.
10/15/08	The City Council approved a Special Use Permit (SUP-29230) for a proposed Liquor Establishment (Tavern) at 450 Fremont Street, Suite 150 with a Waiver of the minimum 1,500-foot distance separation requirement from a religious facility, Liquor Establishment (Tavern) and a school. The Planning Commission and staff recommended approval. This use expired on 10/15/09.
	The City Council approved a Special Use Permit (SUP-29237) for a proposed Liquor Establishment (Tavern) at 450 Fremont Street, Suite 101 with a Waiver of the minimum 1,500-foot distance separation requirement from a Liquor Establishment (Tavern), a religious facility, and a school. The Planning Commission and staff recommended approval. This use expired on 10/15/09.
11/05/08	The City Council approved a Special Use Permit (SUP-29607) for a Beer/Wine/Cooler On-Sale Establishment at 450 Fremont Street, Suite 117. The Planning Commission and staff recommended approval. This use expired on 11/05/10.
8/17/11	The City Council approved a Special Use Permit (SUP-41908) for a Liquor Establishment (Tavern) at 450 Fremont Street, Suite 101 with a Waiver of the minimum 1,500-foot distance separation requirement from a Liquor Establishment (Tavern), a religious facility, and a school. The Planning Commission and staff recommended approval.
09/13/11	The Planning Commission approved a Special Use Permit (SUP-42686) for a Liquor Establishment (Tavern) at 450 Fremont Street, Suite 130 with a Waiver of the minimum 1,500-foot distance separation requirement from a Liquor Establishment (Tavern), a religious facility, and a school. Staff recommended approval.
12/07/11	City Council will hear the request for a Special Use Permit (SUP-43347) for a Beer/Wine/Cooler On- and Off Sale Establishment at 450 Fremont Street, Suite 123 in conjunction with a proposed 1,255 square-foot restaurant. The Planning Commission and staff recommended approval.

12/07/11	City Council will hear the request for a Special Use Permit (SUP-43357) for a 22,160 square-foot liquor establishment (tavern) with waivers to allow a zero-foot distance separation from another liquor establishment (tavern), a 1,200-foot distance separation from a religious facility, and a 1,340-foot distance separation from a school where 1,500 feet is required at 450 Fremont Street, in a portion of Suite #130. The Planning Commission and staff recommended approval.

Most Recent Change of Ownership	
06/21/06	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
04/10/95	A building permit (#95372959) was issued for a certificate of completion for the shell of a building at 450 Fremont Street Suite. The permit was finalized on 07/28/95.
03/05/02	A building permit (#2003925) was issued for a tenant improvement for 450 Fremont Street Suite #195. The permit was finalized on 05/16/02.
06/16/09	A business license (#L09-99718) was issued for Beer/Wine/Cooler On Sale at 450 Fremont Street Suite #195. This license is no longer active as of 12/17/10.
06/16/09	A business license (#R09-99719) was issued for a Restaurant at 450 Fremont Street Suite #195. This license is no longer active as of 12/17/10.

Pre-Application Meeting	
10/20/11	A pre-application meeting was held and issues concerning the submittal of a Special Use Permit for a Supper Club use were discussed with the applicant.

Neighborhood Meeting
A Neighborhood Meeting is not required for this application, nor was one held.

Field Check	
11/08/11	During a routine site inspection performed by staff, the subject property was noted as a reasonably maintained commercial development.

Details of Application Request	
Site Area	
Net Acres	2.75

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Retail	C (Commercial	C-2 (General Commercial)
North	Gaming Establishment, Non-Restricted/Hotel	C (Commercial	C-2 (General Commercial)
South	Parking Garage/ Taverns	C (Commercial	C-2 (General Commercial)
East	Multi-Family Residential	C (Commercial	C-2 (General Commercial)
West	Retail	C (Commercial	C-2 (General Commercial)

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area			
Downtown Centennial Plan	X		Y
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
Downtown Centennial Plan Overlay District (Central Casino Core)	X		Y
A-O (Airport Overlay) District (200 Feet)	X		Y
Downtown Casino Overlay District	X		Y
Live/Work Overlay District	X		Y
Las Vegas Boulevard Scenic Byway Overlay District	X		Y
Trails (Las Vegas Boulevard Scenic Byway)	X		Y
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Actual Street Width (Feet)*	*Compliance with Street Section*
Las Vegas Boulevard	Primary Arterial	Master Plan of Streets and Highways	80	N

Parking Requirement - Downtown							
Use	*Gross Floor Area or Number of Units*	*Base Parking Requirement*			*Provided*		*Compliance*
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	264,210 SF	1:250 SF	1,057				
TOTAL SPACES REQUIRED			1,057		680		Y

Projects located within the Las Vegas Downtown Centennial Plan area are not subject to the automatic application of parking requirements. Ample parking is provided in the basement parking garage and another parking garage located just to the south of the project. In addition, the site is located on a major mass transit route.

ANALYSIS

A Supper Club is allowed in the C-2 (General Commercial) Zoning District with approval of a Special Use Permit. A Supper Club is 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.

Since only the use at this location will change and the structure will not be altered as a result of the approval of this request, no streetscape, setback, utility or design standards apply. The property for the proposed use is located within seven overlay districts. The Central Casino Core Overlay District within the Downtown Centennial Plan is concerned with the physical development of parcels and the approval requirements for uses are referred to title 19.12. The A-O (Airport Overlay) District refers to a 200 foot height for buildings and the current structure meets the height limit. The Live/Work Overlay District is to allow owners and operators of businesses to occupy joint living and work quarters, and the proposed use does not have a residential component. The use is in conformance with the Las Vegas Boulevard Scenic Byway Trail and the policies of the Downtown Redevelopment Plan Area.

New signage for parcels adjacent to Las Vegas Boulevard, including the subject site, must comply with both Title 19.14 sign standards for the C-2 (General Commercial) Zoning District and the standards of the Las Vegas Boulevard Scenic Byway Overlay District and Downtown Casino Overlay District pursuant to Title 19.06.140. These special districts require sign surface areas of the development to contain illuminated signage in the form of neon signs, animated signs or a combination of the two. A review of the signage by the Downtown Design Review Committee is also required prior to the issuance of sign permits.

The proposed Supper Club Use meets the minimum Special Use requirements, including all distance separation requirements. As the use can be conducted in a manner that is harmonious and compatible with the commercial land uses on all sides of the site, staff recommends approval of the Special Use Permit request.

FINDINGS (SUP-43685)

In order to approve a Special Use Permit application, per Title 19.16.110(L) the Planning Commission and City Council must affirm the following:

1. **The proposed land 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.**

   The proposed Supper Club use is suitable for this location and can be operated 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.

2. **The subject site is physically suitable for the type and intensity of land use proposed.**

   No significant changes are proposed to the site with this application to increase the intensity of the proposed land use. The overall development is intended to contain retail and related uses such as the one proposed.

3. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.**

   The site has ample access with Las Vegas Boulevard a (Primary Arterial) bordering the property and the US-95 Highway approximately 1,500 feet to the north.

4. **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.**

   Approval of a Special Use Permit for a Supper Club at this location will not compromise the public health, safety and welfare or the primary objectives of the General Plan, as the use will be subject to regular to inspections and licensing requirements.

5. **The use meets all of the applicable conditions per Title 19.12.**

   The use, Supper Club, meets the requirements of Title 19.12.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 33

NOTICES MAILED 237

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-43685** APN: 139-34-513-002 / -003

Name of Property Owner: FAEC Holdings Wirrulla LLC

Name of Applicant: Denny's, Inc. dba Denny's Restaurant #2337

Name of Representative: Benjamin J. Volmer, Esq.

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ **Yes** ☒ **No**

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Dharmesh Bhanabhai

Subscribed and sworn before me

This 3rd day of Oct., 2011

Dianne M. Sheridan

Notary Public in and for said County and State

Clark County, Nevada

Revised 11-14-06

DIANNE M. SHERIDAN
Notary Public State of Nevada
No. 06-108826-1
My appt. exp. July 26, 2014

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Denny's, Inc.

Project Address (Location) 450 Fremont Street, Suite 195, Las Vegas, NV 89101

Project Name Denny's Restaurant #2337 **Proposed Use** Supper Club

Assessor's Parcel #(s) 139-34-513-002 / -003 **Ward #** _____

General Plan: existing _____ proposed _____ **Zoning:** existing _____ proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER FAEC Holdings (Nirrulla LLC **Contact** Dan Bhanabhai

Address 450 Fremont Street, #285 **Phone:** 243-0654 **Fax:** 671-0092

City Las Vegas **State** NV **Zip** 89101

E-mail Address danenirrulla.com

APPLICANT Denny's, Inc. **Contact** Wayne Hall

Address 203 East Main Street **Phone:** (864) 597-8000 **Fax:** _____

City Spartanburg **State** SC **Zip** 29319

E-mail Address _____

REPRESENTATIVE Kolesar & Leatham, Chtd. **Contact** Benjamin J. Volmer, Esq.

Address 400 S. Rampart Blvd., Suite 400 **Phone:** (702) 362-7800 **Fax:** _____

City Las Vegas **State** NV **Zip** 89145

E-mail Address bvolmer@klnevada.com

Property Owner Signature* _____

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Dharmesh Bhanabhai

Subscribed and sworn before me

This 3rd day of October, 20 11.

Dianne M. Sheridan

Clark County, Nevada

Notary Public in and for said County and State

DIANNE M. SHERIDAN
Notary Public State of Nevada
No. 06-108826-1
My appt. exp. July 26, 2014

FOR DEPARTMENT USE ONLY

Case #	SUP-43685
Meeting Date:	12/13/2011
Total Fee:	1290.00
Date Received:*	10/25/2011
Received By:	MREP

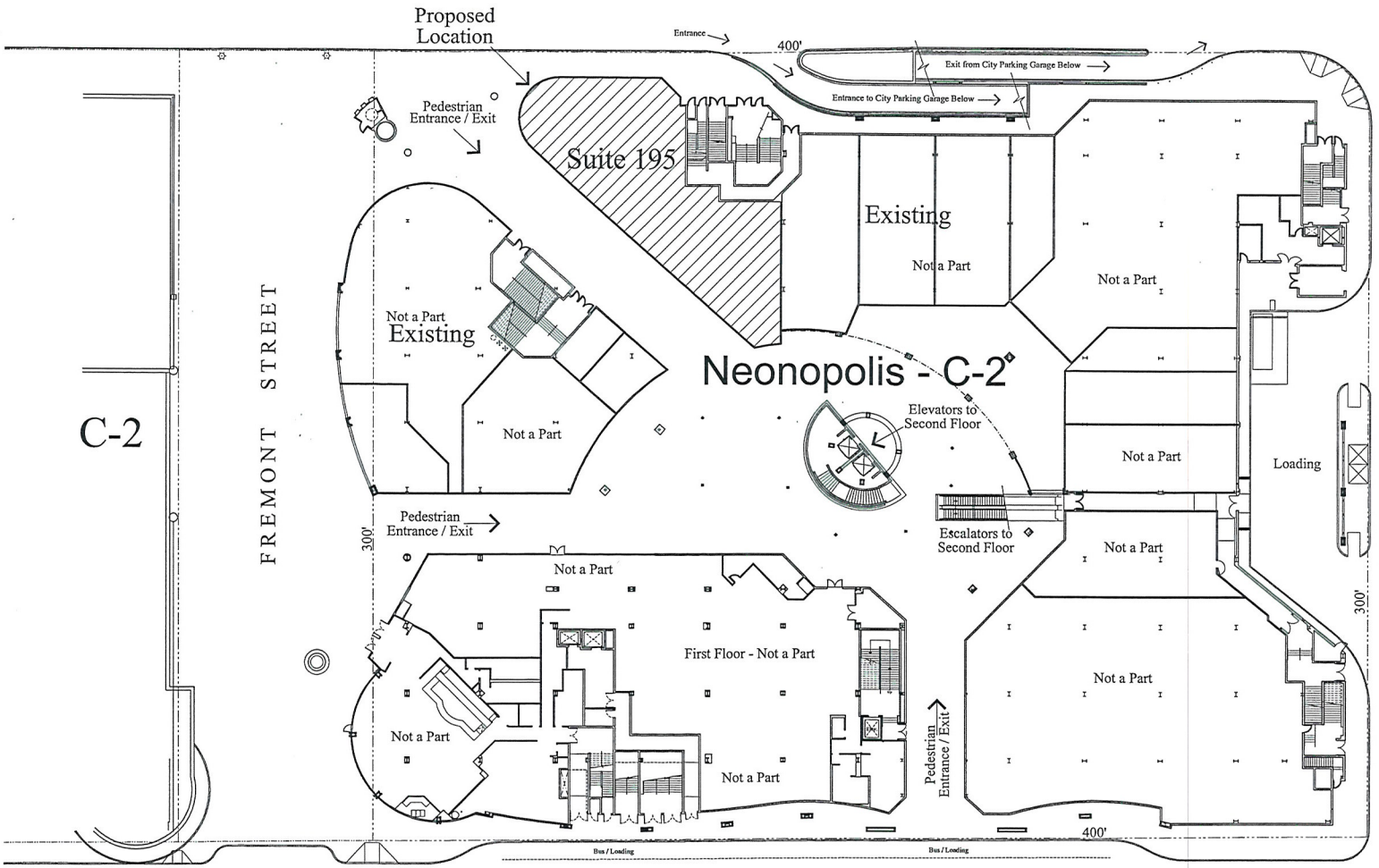
*The application will not be deemed complete until the submitted materials have been reviewed by the Department of Planning for consistency with applicable sections of the Zoning Ordinance.

Revised 10/27/08

f:\depot\Application Packet\Application Form.pdf

C-2 C-2 C-2

FOURTH STREET



LAS VEGAS BOULEVARD

SITE INFORMATION

ZONING:
C-2 - General Commercial District

COMMERCIAL AREA :

Parcel : (Approximate, to be Verified)
Gross Area 119,790 sf 2.75 acres

Building:
Overall Area 320,000 sf

Suite 195:
Total Area: 6,300 gsf

PARKING REQUIREMENTS

Parking Required:
Shopping Center 1 per 250 sf
Total Required: 6.3 * 4 = 25

Provided:
*** per City Public Parking Garage Below**
Total Provided: 25
Parking Ratio: 4.0 per 1000 1 per 250

H/C Required:
Total Spaces per chart 1
Total Provided: 1
* per City Public Parking Garage Below

C-2



Vicinity Map

© Copyright 2011, Environmental Design Group, LLC
This Plan is Conceptual in Nature and No Guarantee of its Accuracy is Implied. The Owner/Architect reserves the Right to make Design Modifications without notice. All Colors, Dimensions, Sizes and Architectural Features are Conceptual and subject to Change.

C-2 **Site Plan** C-2

North

Scale: 1" = 20'
0 20 40 80

Project No. 111032 September 29, 2011

Denny's at Neonopolis

Las Vegas, Nevada

Environmental DESIGN GROUP
ARCHITECTURE ▪ PLANNING ▪ INTERIORS
LAS VEGAS ▪ SCOTTSDALE

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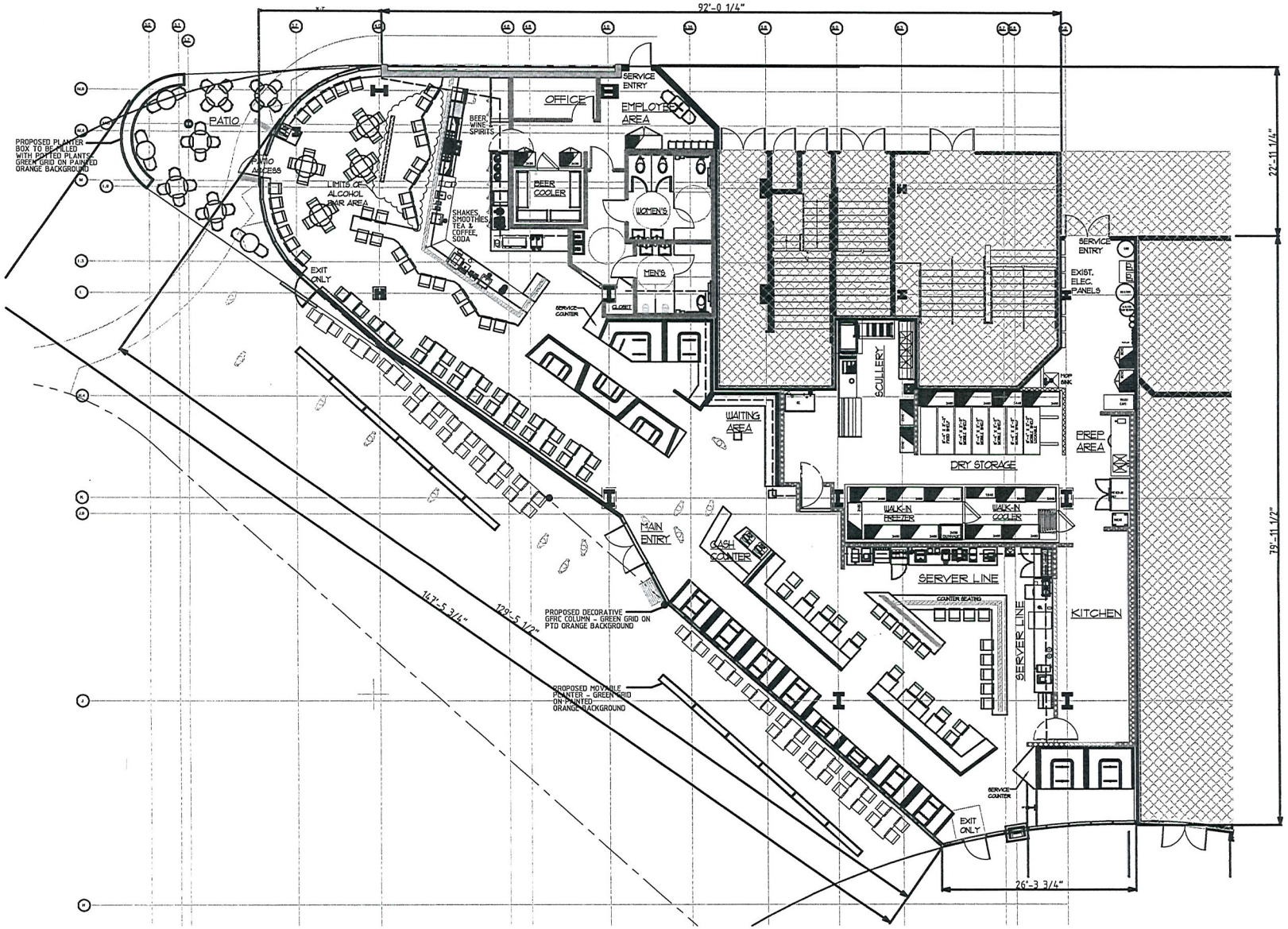
SUP-43685



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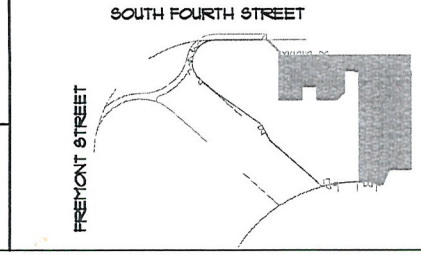
KEY PLAN:



OCCUPANCY:

TOTAL INSIDE SEATING:	176 SEATS
TOTAL EXTERIOR SEATING:	70 SEATS
TOTAL SEATING:	246
MAXIMUM OCCUPANCY:	288

CONSTRUCTION LEGEND

- EXISTING TO BE DEMOLISHED
- EXISTING TO BE DEMOLISHED
- 34" FINISH HEIGHT CHASE PARTITION FOR PLUMBING, ELECTRICAL/ DATA CONSIST OF 3-1/2" STEEL STUDS 16" OC TO ARC[illegible] BRACING REQUIRED W/3/[illegible] ON BOTH SIDES - FOH: V[illegible]TE METAFOR PANEL; BOH: FRP
- EXISTING STRUCTURAL COLUMN DEMISING WALL TO REMAIN
- NEW PERIMETER WALL SYSTEM - CODE-REQUIRED RATED CONSTRUCTION
- NEW STOREFRONT SYSTEM ON NEW LOW WALL: CLEAR ANODIZED METAL FRAMED - NANAWALL SYSTEM ALONG RADIAL CURVE ONLY. CLEAR ANODIZED METAL FIXED STOREFRONT OTHERWISE. SILL AT 24"AFF/ HEAD AT 10'-6"AFF
- FULL HEIGHT METAL STUD CHASE WALL FOR PLUMBING/ ELECTRICAL/ DATA - - CODE-REQUIRED RATED CONSTRUCTION
- 42" FINISH HEIGHT CHASE PARTITION FOR PLUMBING, ELECTRICAL/ DATA CONSIST OF 3-1/2" STEEL STUDS 16" OC TO ARCH LATERAL BRACING REQUIRED W/3/4" PLYWOOD ON BOTH SIDES - FOH: VM ZINC VERTE METAFOR PANEL; BOH: FRP
- 48" FINISH HEIGHT PARTITION FOR ELECTRICAL/ DATA CONSIST OF 3-1/2" STEEL STUDS 16" OC TO ARCH LATERAL BRACING REQUIRED W/3/4" PLYWOOD ON BOTH SIDES
- 36" FINISH HEIGHT CHASE PARTITION FOR PLUMBING, ELECTRICAL/ DATA CONSIST OF 3-1/2" STEEL STUDS 16" OC TO ARCH LATERAL BRACING REQUIRED W/3/4" PLYWOOD ON BOTH SIDES - FOH FINISH: VM ZINC VERTE METAFOR PANEL; BOH: FRP

APPROVAL: DATE:

Denny's

CORPORATE OFFICES
203 EAST MAIN STREET
SPARTANBURG, SC 29319
PHONE: 1-864-597-8592

Denny's @ Neonopolis
450 Freemont Street
LAS VEGAS NV 89101

DRAWN BY:	BH
CHECKED BY:	MR
DATE:	10/21/11
SCALE:	NTS
REVISIONS:	

RECEIVED
DEC 2 5 2011

TITLE: PROPOSED FLOOR PLAN

SHEET: A-1

SUP-43685

ISSUED FOR CONCEPTUAL REVIEW



SUP-43685 - APPLICANT: DENNY'S INC. - OWNER: FAEC HOLDINGS WIRRULLA, LLC
450 FREMONT STREET, SUITE #195

11/03/11



SUP-43685 - APPLICANT: DENNY'S INC. - OWNER: FAEC HOLDINGS WIRRULLA, LLC
450 FREMONT STREET, SUITE #195

11/03/11

KOLESAR & LEATHAM

October 25, 2011

VIA HAND-DELIVERY

City of Las Vegas
Planning & Development Department
333 North Rancho Drive
Las Vegas, NV 89106

Re: Denny's, Inc. - Special Use Permit Application for Supper Club Establishment

Applicant:	**Denny's, Inc. d/b/a Denny's Restaurant #2337**
APN:	**139-34-513-002 and 003**
Business Address:	**450 Fremont Street, Suite 195** **Las Vegas, NV 89101**

Dear Sir/Madam:

This firm represents Denny's, Inc., a Florida corporation, dba Denny's Restaurant #2337 (the "Applicant") with respect to liquor licensing matters in Nevada. Enclosed for processing, please find the Applicant's Supper Club Special Use Permit Application packet which includes the following:

1) Original Submittal Checklist;
2) Original Special Use Permit Application/Petition Form;
3) Original Statement of Financial Interest;
4) Copy of Grant Bargain Sale Deed;
5) Assessor's Parcel Map;
6) Site Plan – 6 folded and 1 rolled colored; and
7) Floor Plan – 1 folded and 1 rolled;
8) Reduced 8.5" x 11" Site Plan and Floor Plan; and
9) Check in the amount of $1,280 in payment of the required fees.

The Applicant is proposing to open a Supper Club restaurant establishment (the "Restaurant") within the Neonopolis shopping mall at the above-referenced address (the "Premises"). The Applicant desires to engage in the sale and service of retail alcoholic beverages from a bar area as permitted with a Supper Club liquor license. The Restaurant will operate twenty-four (24) hours per day and will employ approximately twenty-five (25) employees.

ATTORNEYS AT LAW
400 SOUTH RAMPART, SUITE 400
LAS VEGAS, NEVADA 89145
702.362.7800
KLNEVADA.COM

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The Restaurant will provide a benefit to the community and the neighboring businesses on Fremont Street and within the Neonopolis. As an anchor tenant and national restaurant brand, the Restaurant will draw customer traffic to the Neonopolis and Fremont Street. The Restaurant will be conducive to the City's policy of adding more entertainment and restaurant businesses to Fremont Street. The restaurant will provide employment for approximately 25 persons.

The introduction of alcoholic beverage sales at the Premises will not adversely affect the environment or character of the immediate community, nor will it have a detrimental impact on adjacent properties. As a restaurant with alcohol service, the proposed use is harmonious and compatible with the General Plan, adjacent development and with existing land uses in the immediate vicinity. No additional public services, utilities, parking or waivers will be necessary to accommodate the Restaurant at the Premises. The approval of a Special Use Permit at the Premises will not be inconsistent with or compromise the public health, safety and welfare of the overall objectives of the General Plan.

There is adequate employee and customer parking available at the Neonopolis within the City of Las Vegas Neonopolis Parking Garage (two levels below grade) and additional parking is located at the City of Las Vegas Red Garage across Fremont Street. Further, the Neonopolis provides adequate pedestrian and vehicle ingress/egress to and from the Premises from Fremont Street and Fourth Street and the Premises is located adjacent to a main transit line on Las Vegas Boulevard.

In the event you have any questions with regard to the foregoing, please do not hesitate to contact us. Thank you.

Very truly yours,

KOLESAR & LEATHAM

Benjamin J. Volmer, Esq.

BJV:klm
Enclosures: as stated

cc: Mitch Riese (w/o encls.)
John Whitlock (w/o encls.)
Wayne Hall (w/o encls.)
Dharmesh Bhanabhai (w/o encls.)
Matthew D. Saltzman, Esq. (w/o encls.)
Dianne M. Sheridan, Paralegal (w/o encls.)
Ashley E. Ganz, Paralegal (w/o encls.)

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SUP-43685

City of Las Vegas Agenda Item No.: **15.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: DECEMBER 13, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

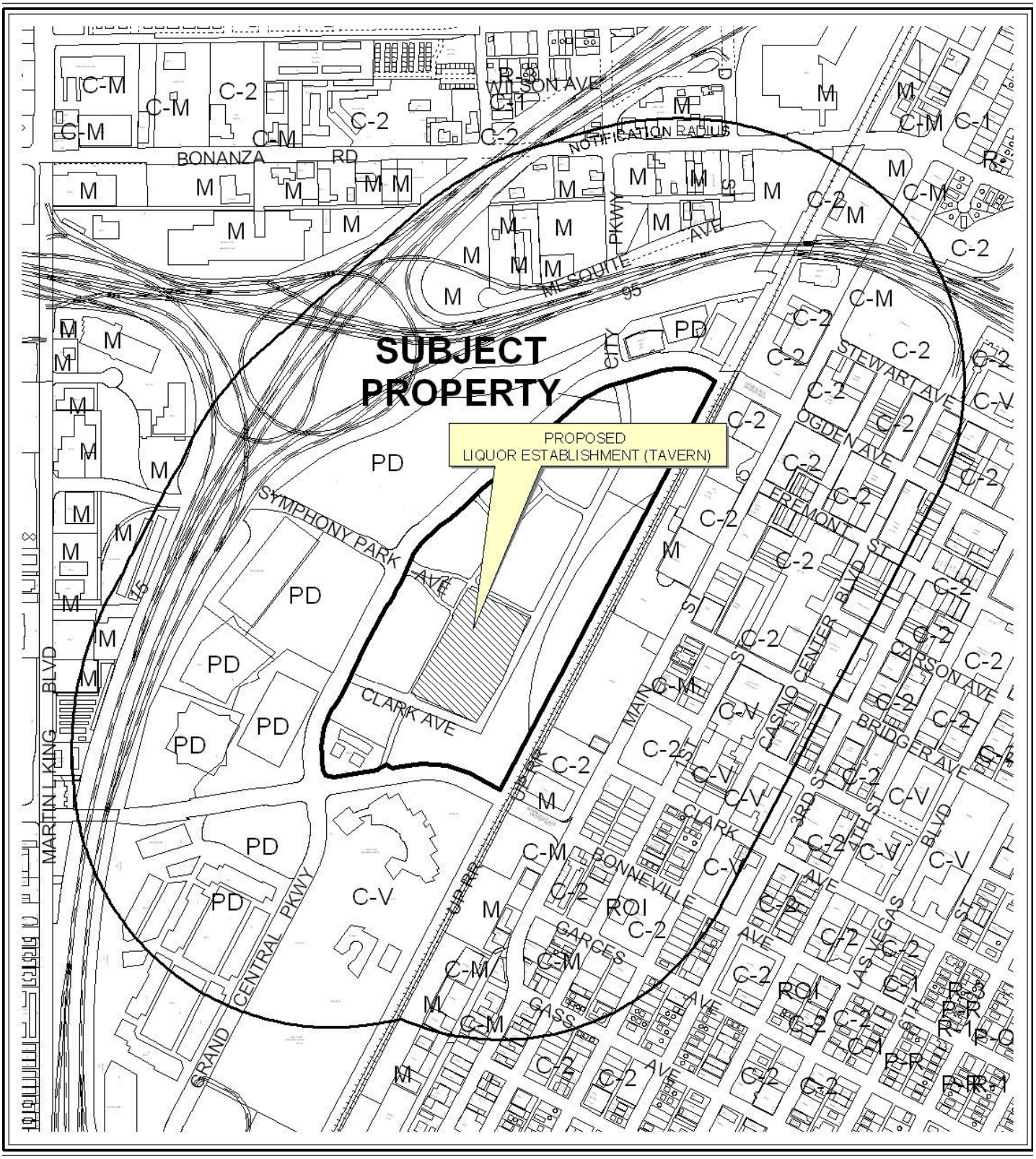
SUBJECT:
SUP-43705 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: THE SMITH CENTER - OWNER: CITY PARKWAY V, INC. - For possible action on a request for a Special Use Permit FOR A PROPOSED LIQUOR ESTABLISHMENT (TAVERN) WITH WAIVERS TO ALLOW A 500-FOOT DISTANCE SEPARATION FROM ANOTHER LIQUOR ESTABLISHMENT (TAVERN) AND AN 850-FOOT DISTANCE SEPARATION FROM A CHURCH/HOUSE OF WORSHIP WHERE 1,500 FEET IS REQUIRED at 388 Promenade Place and 464 Symphony Park Avenue (APNs 139-34-211-001 and 139-33-610-026), PD (Planned Development) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 01/18/2012
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter



0 600 1200 Feet

CASE: **SUP-43705**

RADIUS: 1500 FEET

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

N



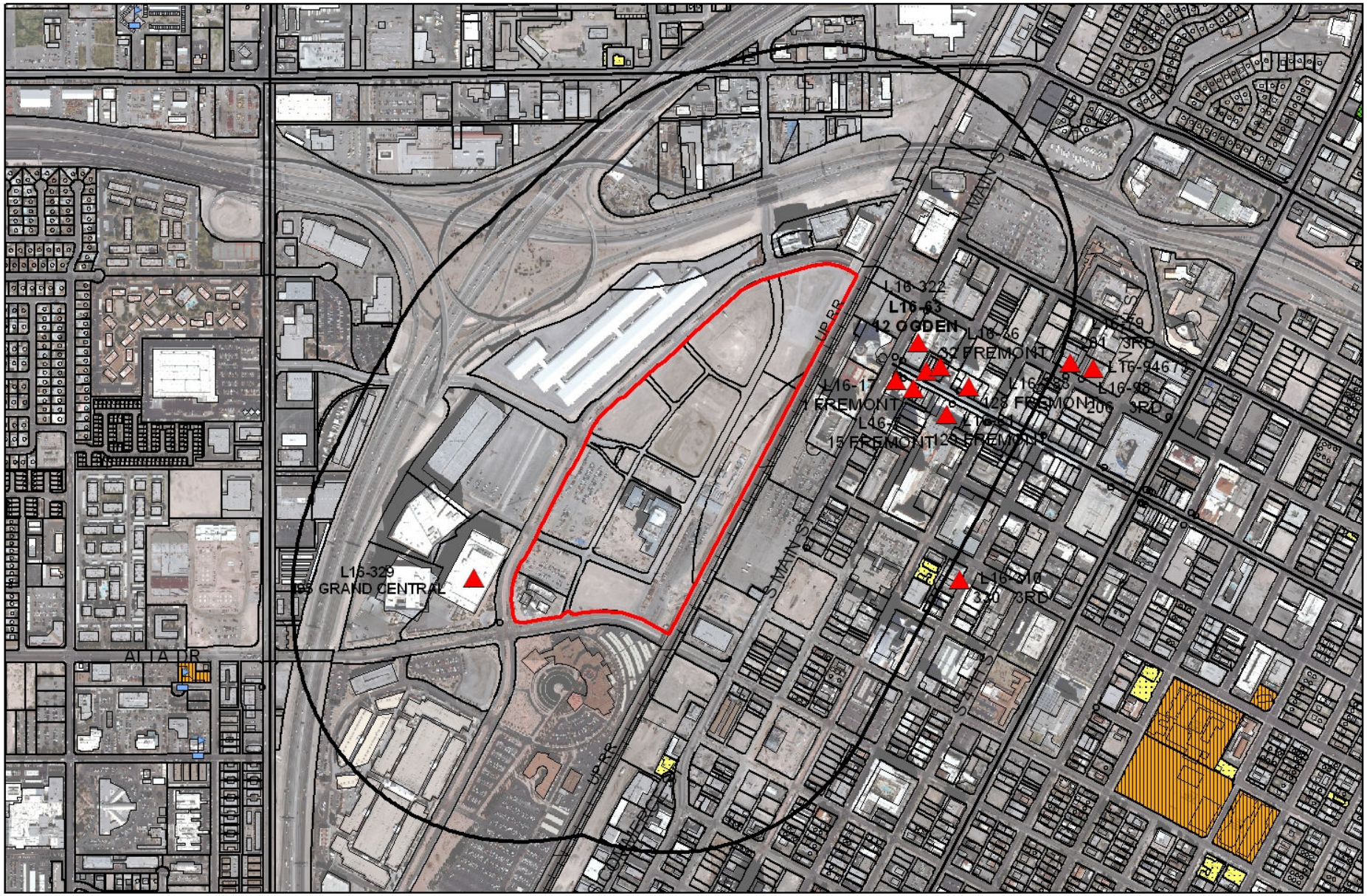
0 600 1200 Feet

CASE: **SUP-43705**

RADIUS: 1500 FEET

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

N



SUP-43705

Taverns

Business Licenses

Child Care/ Children Facility

Tavern

0 455 910 1,820 Feet

RELIGIOUS

CITY PARKS

SCHOOLS

Subject Property

1500 foot buffer

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: DECEMBER 13, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: THE SMITH CENTER - OWNER: CITY PARKWAY V, INC.

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-43705	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-43705 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Liquor Establishment (Tavern) use.

2. Conformance to the approved conditions for Rezoning (Z-0100-97), and Site Development Plan Reviews (SDR-38854 and SDR-41033).

3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

4. A Waiver to allow a 500-foot distance separation from another Liquor Establishment (Tavern) use where a minimum of 1,500 feet is required is approved.

5. A Waiver to allow a 1,300-foot distance separation from a Church/House of Worship use where a minimum of 1,500 feet is required is approved.

6. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

YK

Conditions Page Two
December 13, 2011 - Planning Commission Meeting

7. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

8. Approval of this Special Use Permit does not constitute approval of a liquor license.

9. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Liquor Establishment (Tavern) use in conjunction with a performing arts center and private park in the Symphony Park District of the Downtown Centennial Plan area. The Tavern use will be conducted in conjunction with events at the center, and there will be several bar locations throughout the site at any given time depending on the size and type of event being held. There is also a need for distance separation waivers due to the downtown location. The unique venue will be an asset to the community and the tavern will operate as an ancillary use of the performing arts center. For this reason, staff supports the request, with conditions. If denied, a Liquor Establishment (Tavern) use could not be located at this site.

ISSUES

- A Liquor Establishment (Tavern) use is allowed in the Symphony Park District with an approved Special Use Permit.
- A Waiver is required to allow a Tavern use to be 500 feet from another Tavern use where the minimum distance separation is 1,500 feet. Staff supports the request.
- A Waiver is required to allow a Tavern Use to be 1,300 feet from a Church/House of Worship use, where the minimum distance separation is 1,500 feet. Staff supports the request. Please note that a Church/House of Worship was located 850 feet away from the site at 710 South Main Street, but farther research indicated that there is no Certificate of Occupancy for an assembly use at that location; therefore, it does not apply.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
11/23/98	The City Council approved a Rezoning (Z-0100-97) from M (Industrial) to PD (Planned Development) on approximately 178 acres generally located along the east side of Interstate 15 between Charleston Boulevard and U.S. 95. The Planning Commission and staff recommended approval.
11/15/06	The City Council approved a request for a Site Development Plan Review (SDR-16267) for a proposed mixed use development on 61.57 acres located at the northeast corner of Grand Central Parkway and Bonneville. The Planning Commission and staff recommended approval.
01/03/07	The City Council adopted the Union Park Design Standards through Ordinance #5874.

05/07/08	The City Council approved a request for a Site Development Plan Review (SDR-26709) for a Performing Arts Center, including a 2,100-seat auditorium and an education center with waivers of Union Park streetscape standards, lighting standards, architectural standards and access requirements on a portion of 53.6 acres generally located at the northeast corner of Bonneville Avenue and Grand Central Parkway. The Planning Commission and staff recommended approval.
03/18/09	The City Council approved a Waiver (WVR-32366) of Section IV(C) of the City of Las Vegas Street Naming and Address Assignment Regulations as adopted by Title 13.28 to allow the suffix "Place" on a northeast/southwest street where only allowed for use on northwest/southeast streets in the Union Park development, located at the northeast intersection of Grand Central Parkway and Bonneville Avenue. Staff recommended approval.
05/20/09	The City Council approved the change in the name of the Union Park development to Symphony Park.
08/04/10	The City Council adopted the Symphony Park Design Standards and related design documents through Ordinance #6102.
08/26/10	The Planning Commission approved a request for a Major Amendment (SDR-38854) of a previously approved Site Development Plan Review (SDR-26709) for a proposed 60,000 square-foot Museum (Private) with waivers of Symphony Park screening and architectural design standards on 5.10 acres at the northwest corner of Clark Avenue and City Parkway. Staff recommended approval.
	The Symphony Park Design Review Committee (SP-DRC) recommended denial of the proposed development for nonconformance with the Symphony Park Design Standards on 11/30/10.
01/05/11	The City Council approved a request for a Major Amendment (SDR-40146) to a previously approved Site Development Plan Review (SDR-26709) for a proposed five-level, 335-space parking garage with waivers of the Symphony Park Parking Structure Design Standards, Build-to-Line Standards, required Retail Frontage Standard, and Streetscape Standards on a portion of 5.10 acres at the northeast corner of Clark Avenue and Promenade Place. The Planning Commission recommended approval and staff recommended denial.
04/06/11	The City Council approved a request for a Review of Condition (ROC-41174) to delete Condition 'A' of a previously approved Site Development Plan Review (SDR-40146). Staff recommended approval.
07/12/11	The Planning Commission approved a request for a Site Development Plan Review (SDR-41033) for a private park on 2.16 acres at the intersection of Symphony Park Avenue and Grand Central Parkway. Staff recommended approval.

Most Recent Change of Ownership	
05/11/09	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
05/19/09	A building permit (128880) was issued for a 2,100-seat auditorium at 361 Symphony Park Avenue. A final inspection has not been completed.
	A building permit (130976) was issued for the Performing Arts Center Large hall and Education Center at 575 Symphony Park Avenue. A final inspection has not been completed.
12/23/10	A building permit (172038) was issued for a Museum shell building. A final inspection has not been approved.

Pre-Application Meeting	
10/20/11	Staff met with the applicant and reviewed the requirements for a Liquor Establishment (Tavern) use at the Smith Center and neighboring private park. Waivers were discussed for distance separation from 3 taverns and 1 church.

Neighborhood Meeting
No neighborhood meeting was required, nor was one held.

Field Check	
11/03/11	Staff visited the site and found construction still taking place.

Details of Application Request	
Site Area	
Net Acres for 139-33-610-026	5.1
Net Acres for 139-34-211-001	1.6

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Properties	Performing Arts Center and Museum Private Park	MXU (Mixed Use)	PD (Planned Development)
North	Undeveloped	MXU (Mixed Use)	PD (Planned Development)

YK

South	Undeveloped	MXU (Mixed Use)	PD (Planned Development)
East	Parking Lot	MXU (Mixed Use)	PD (Planned Development)
West	Parking Lot	MXU (Mixed Use)	PD (Planned Development)

Master Plan Areas	***Yes***	***No***	***Compliance***
Downtown Centennial Plan	X		Y
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
PD (Planned Development) District	X		Y
Downtown Centennial Plan Overlay District (Symphony Park)	X		Y
G-O (Gaming Enterprise Overlay) District	X		N/A
A-O (Airport Overlay) District (175 feet)	X		Y
Downtown Casino Overlay District	X		N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
West Clark Avenue	N/A	Symphony Park Design Standards	60	N/A
Promenade Place	N/A	Symphony Park Design Standards	34	N/A
Symphony Park Avenue	N/A	Symphony Park Design Standards	23	N/A
South City Parkway	N/A	Symphony Park Design Standards	56	N/A

Parking Requirement - Downtown							
Use	***Gross Floor Area or Number of Units***	***Base Parking Requirement***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Performing Arts Center/Museum	57,377 SF	1:300 SF	192				
TOTAL SPACES REQUIRED			192		335		Y
Regular and Handicap Spaces Required			186	6	327	8	Y

Projects located within the Las Vegas Downtown Centennial Plan area are not subject to the automatic application of parking requirements. However, the above table should be used to illustrate the requirements of an analogous project in another location in the City.

Waivers		
Requirement	***Request***	***Staff Recommendation***
Maintain a 1,500 foot distance separation from another Tavern use.	To allow a 500-foot distance separation from another Tavern use.	Approval
Maintain 1,500 foot distance separation from a Church/House of Worship use.	To allow a 1,300-foot distance separation from a Church/House of Worship use.	Approval

ANALYSIS

Although this request is for a Liquor Establishment (Tavern) use, it will not function as a typical tavern. The Liquor Establishment (Tavern) use will be ancillary to the performing arts center/museum and as such will not have specifically designated floor areas. The locations of the bar(s) have not been fixed in order to allow for maximum flexibility for each program or event. This will allow the use to be conducted both inside and outside in the park area without the need for additional permits. As there are no designated seating areas or back of house areas, and no additional traffic is expected to be generated with this use, no additional parking is required. This use will enhance the overall offerings of this unique community venue.

Two waivers are requested in order to address the reduced separation distances required between a Liquor Establishment (Tavern) use and another tavern and a Church/House of Worship use. There is another tavern located 500 feet to the southwest of the site. As the proposed tavern will be an ancillary use to the performing art center/museum, no adverse effects are expected with this request and therefore, staff supports it. The second waiver is to allow a tavern to be located 1,300 feet away from a Church/House of Worship use where 1,500 feet is required by code. The church in question is located on the east side of the UPRR tracks on Casino Center Boulevard.

Due to the physical barriers between the two uses, no negative effects are anticipated; therefore, staff supports the request.

The proposed location is in the heart of the Symphony Park District of the Downtown Centennial Plan and ancillary to the primary use; therefore, staff recommends approval of the application with the attached waivers.

FINDINGS (SUP-43705)

In order to approve a Special Use Permit application, per Title 19.16.110(L) the Planning Commission and City Council must affirm the following:

1. **The proposed land 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.**

   This site is the location of the premier performing arts center of the community. The proposed Liquor Establishment (Tavern) can be conducted in a manner that is harmonious and compatible with the proposed land uses in the area.

2. **The subject site is physically suitable for the type and intensity of land use proposed.**

   The site is the center of the Symphony Park district of the Downtown Centennial Plan area. This mixed-use area is physically suitable for the proposed use.

3. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.**

   The project is well served by a new network of local streets that are connected to the primary arterials streets of Bonneville Avenue and Grand Central Parkway.

4. **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.**
   A Liquor Establishment (Tavern) use within a performing arts center and private park will be subject to regular City and County inspections for licensing; therefore, public health, safety, and welfare will not be compromised.

5. **The use meets all of the applicable conditions per Title 19.12.**

The proposed Liquor Establishment (Tavern) use does not meet the minimum separation distance requirements. A Waiver has been requested by the applicant to allow a 500-foot distance separation from another Liquor Establishment (Tavern), and a 1,300-foot separation distance from a Church/House of Worship where a minimum 1,500-foot distance separation is required. There is no anticipated impact to the surrounding Symphony Park District with this proposed use; therefore, approval of the waiver requests is recommended.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 24

NOTICES MAILED 177

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number. **SUP-43705** APN: 130-34-211-001 and 139-33-610-026

Name of Property Owner: The City of Las Vegas

Name of Applicant: The Smith Center

Name of Representative: Jennifer Lazovich - Kaempfer Crowell Renshaw Gronauer & Fiorentino

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____Yes _____✓_____No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Elizabeth N Fretwell

Print Name: Elizabeth N Fretwell

Subscribed and sworn before me

This 25 day of October, 2011

Kim A. Barrera

Notary Public in and for said County and State

KIM A. BARRERA
Notary Public State of Nevada
No. 99-50021-1
My appt. exp. Oct. 25, 2014

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-43705** APN: 139-34-211-001 and 139-33-610-026

Name of Property Owner: City Parkway V, Inc.

Name of Applicant: The Smith Center

Name of Representative: Jennifer Lazovich - Kaempfer Crowell Renshaw Gronauer & Fiorentino

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____Yes _____✓_____No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Elizabeth N Fretwell

Print Name: Elizabeth N. Fretwell

Subscribed and sworn before me

This 6 day of October, 2011

Kim A Barrera

Notary Public in and for said County and State

KIM A. BARRERA
Notary Public State of Nevada
No. 99-50021-1
My appt. exp. Oct. 25, 2014

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit

Project Address (Location) Promenade Place

Project Name The Smith Center **Proposed Use** Liquor Establishment (tavern)

Assessor's Parcel #(s) 139-34-211-001 and 139-33-610-026 **Ward #** 5

General Plan: existing MXU proposed n/a **Zoning:** existing PD proposed n/a

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres 5 ± **Lots/Units** 1 **Density** _____

Additional Information _____

PROPERTY OWNER City Parkway V, Inc. **Contact** Elizabeth N. Fretwell

Address 400 E. Stewart Ave., 9th Floor **Phone:** 702-229-6501 **Fax:** 702-388-1807

City Las Vegas **State** NV **Zip** 89101

E-mail Address bfretwell@lasvegasnevada.gov

APPLICANT The Smith Center **Contact** Paul Beard

Address 241 Charleston Blvd., Suite 111 **Phone:** 702-614-0109 **Fax:** 702-614-0205

City Las Vegas **State** NV **Zip** 89102

E-mail Address pbeard@thesmithcenter.com

REPRESENTATIVE Kaempfer Crowell Renshaw Gronauer & Fiorentino **Contact** Jennifer Lazovich

Address 8345 West Sunset Road, Suite 250 **Phone:** 702-792-7000 **Fax:** 702-796-7181

City Las Vegas **State** NV **Zip** 89113

E-mail Address jjl@kcnvlaw.com

Property Owner Signature* Elizabeth N. Fretwell

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Elizabeth N. Fretwell

Subscribed and sworn before me

This 6 day of October, 20 11.

Kim A Barrera

Notary Public in and for said County and State

KIM A. BARRERA
Notary Public State of Nevada
No. 99-50021-1
My appt. exp. Oct. 25, 2014

FOR DEPARTMENT USE ONLY

Case #	SUP-63705
Meeting Date:	12/13/2011
Total Fee:	1280.00
Date Received:*	10/26/2011
Received By:	MREV

*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

Revised 10/27/08

f:\depot\Application Packet\Application Form.pdf

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit

Project Address (Location) 360 Promenade Place

Project Name The Smith Center **Proposed Use** Liquor Establishment (tavern)

Assessor's Parcel #(s) 139-34-211-001 and 139-33-610-026 **Ward #** 5

General Plan: existing MXU proposed n/a **Zoning:** existing PD proposed n/a

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres 5 ± **Lots/Units** 1 **Density** _____

Additional Information _____

PROPERTY OWNER The City of Las Vegas **Contact** Elizabeth N. Fretwell

Address 400 E. Stewart Ave., 9th Floor **Phone:** 702-229-6501 **Fax:** 702-388-1807

City Las Vegas **State** NV **Zip** 89101

E-mail Address bfretwell@lasvegasnevada.gov

APPLICANT The Smith Center **Contact** Paul Beard

Address 241 Charleston Blvd., Suite 111 **Phone:** 702-614-0109 **Fax:** 702-614-0205

City Las Vegas **State** NV **Zip** 89102

E-mail Address pbeard@thesmithcenter.com

REPRESENTATIVE Kaempfer Crowell Renshaw Gronauer & Fiorentino **Contact** Jennifer Lazovich

Address 8345 West Sunset Road, Suite 250 **Phone:** 702-792-7000 **Fax:** 702-796-7181

City Las Vegas **State** NV **Zip** 89113

E-mail Address jjl@kcnvlaw.com

Property Owner Signature* Elizabeth N. Fretwell

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Elizabeth N Fretwell

Subscribed and sworn before me

This 25 day of October, 20 11.

Kim A. Barrera

Notary Public in and for said County and State

KIM A. BARRERA
Notary Public State of Nevada
No. 99-50021-1
My appt. exp. Oct. 25, 2014

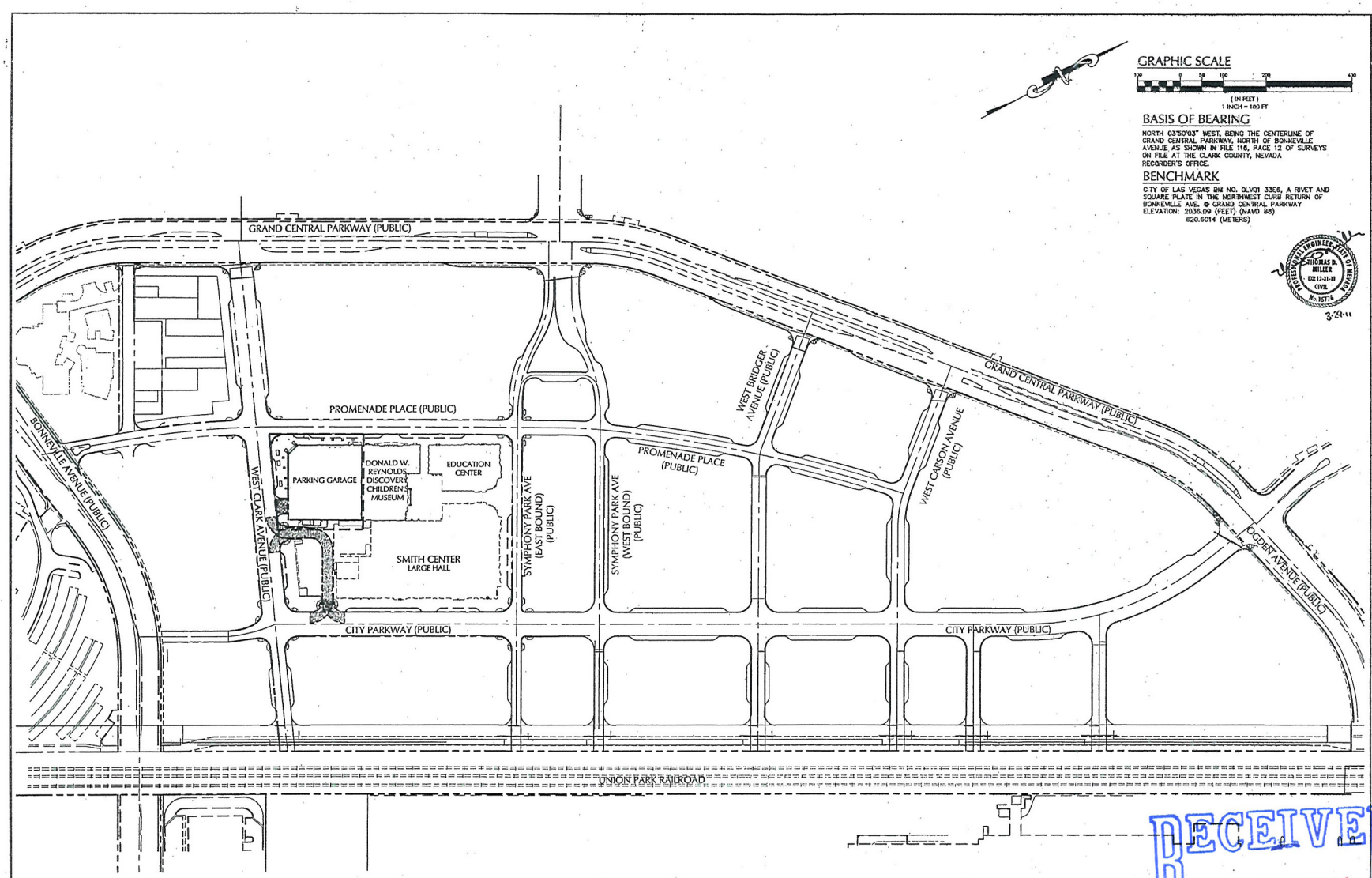
FOR DEPARTMENT USE ONLY

Case #	SUP-43705
Meeting Date:	12/13/2011
Total Fee:	1280.00
Date Received:*	10/26/2011
Received By:	MRB

*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

Revised 10/27/08

f:\depot\Application Packet\Application Form.pdf



GRAPHIC SCALE

100 0 50 100 200 400

(IN FEET)
1 INCH = 100 FT

BASIS OF BEARING

NORTH 03°50'03" WEST, BEING THE CENTERLINE OF GRAND CENTRAL PARKWAY, NORTH OF BONNEVILLE AVENUE AS SHOWN IN FILE 116, PAGE 12 OF SURVEYS ON FILE AT THE CLARK COUNTY, NEVADA RECORDER'S OFFICE.

BENCHMARK

CITY OF LAS VEGAS BM NO. CLV01 3326, A RIVET AND SQUARE PLATE IN THE NORTHWEST CURB RETURN OF BONNEVILLE AVE. @ GRAND CENTRAL PARKWAY
ELEVATION: 2036.09 (FEET) (NAVD 88)
620.6014 (METERS)

NO.	DESCRIPTION OF REVISIONS	DATE	INITIALS

PROFESSIONAL ENGINEER STATE OF NEVADA THOMAS D. MILLER EXP. 12-31-11 CIVIL NO. 15776 — 3-29-11

PROFESSIONAL ENGINEER STATE OF NEVADA THOMAS D. MILLER EXP. 12-31-11 CIVIL NO. 15776 — 3-22-11

DATE 03/15/11
JOB NUMBER 2184
DESIGN BY R.OCEBEL
DRAWN BY R.OCEBEL
CHECKED BY T. MILLER, P.E.

ONSITE PARKING GARAGE

AT THE SMITH CENTER FOR THE PERFORMING ARTS
APN: 139-33-610-026
OVERALL SITE PLAN
(FOR REFERENCE ONLY)

RECEIVED
OCT 26 2011

MARTIN & MARTIN
Civil Engineers
2356 RED ROCK STREET, #103
Las Vegas, Nevada 89146
Phone (702) 248-8080
Fax (702) 248-8070

SHEET NUMBER
C1.03
SHEET 3 OF 7

SUP-43705

H# 40887

DWG#=7/25/20-444

AVOID HITTING UNDERGROUND UTILITY LINES. IT'S SIMPLE, AND IT'S LIGHT SYSTEMS. IT'S CLOSE. CALL BEFORE YOU DO UNDERGROUND WORK. CALL 1-702-432-5300

AVOID HITTING OVERHEAD POWER LINES. IT'S CLOSE. CALL BEFORE YOU DO OVERHEAD WORK. CALL 1-702-227-3928

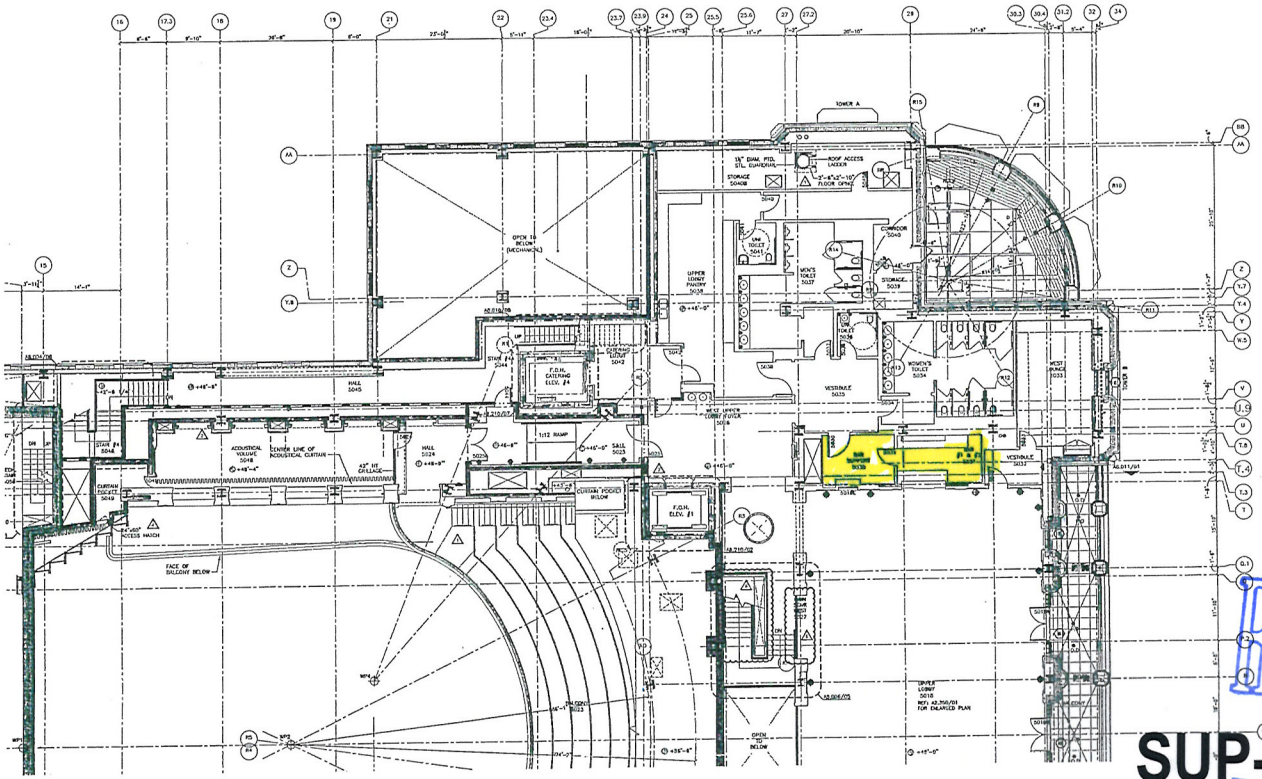
AVOID CUTTING UNDERGROUND UTILITY LINES. IT'S COSTLY. CALL 811 OR 1-800-227-3600

MARTIN & MARTIN ASSUMES NO RESPONSIBILITY FOR EXISTING UTILITY LOCATIONS AND ELEVATIONS. THE UTILITIES SHOWN ON THIS DRAWING HAVE BEEN PLOTTED FROM THE BEST AVAILABLE INFORMATION. IT IS, HOWEVER, THE CONTRACTOR'S RESPONSIBILITY TO FIELD VERIFY THE LOCATION AND ELEVATION OF ALL UTILITIES PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION. CONTRACTOR TO FIELD VERIFY ALL EXISTING SITE CONDITIONS PRIOR TO CONSTRUCTION. IF A CONFLICT EXISTS BETWEEN WHAT IS SHOWN ON THESE DRAWINGS AND WHAT EXISTS IN THE FIELD, THE CONTRACTOR IS TO NOTIFY THE ARCHITECT OR ENGINEER IMMEDIATELY.

H:\CM\Land\2184 SMITH CENTER\PARKING GARAGE\Plans\2184 C3 OVERALL SITE PLAN.dwg, C3 EX, 3/22/2011 1:34:05 PM, jwallace

GENERAL PLAN NOTES

1. REFER TO SHEET A2.000 FOR TYPICAL FLOOR PLAN NOTES
2. SHELLED SPACES SHALL HAVE 6'0" FINISHED FLOORS, NO CEILING AT THE EXTERIOR WALLS THE GYP BOARD IS TO EXTEND FULL HEIGHT, PLUMBING CAPPED, WIRING, HVAC & FIRE SPRINKLER SYSTEM TO BE INSTALLED TO SERVE THE SHELLED SPACE AND CAPPED OFF TO COMPLY WITH CODE REQUIREMENTS. ALL WALLS/CEILING INDICATED TO BE FIRE RATED, MUST BE INSTALLED TO MEET THE REQUIRED RATING.
3. REFERENCE THE A3.3 SERIES FOR EXTERIOR DIMENSIONS.



01 LEVEL 5 UPPER LOBBY FLOOR PLAN - 2
1/8" = 1'-0"

NORTH

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HKS

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LAS VEGAS PERFORMING ARTS CENTER FOUNDATION
LAS VEGAS, NV 89118

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THE PROJECT GROUP
FT. WORTH, TX 76102

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SOUTH NORWALK, CT 06854

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RMK CONSULTANTS
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GREEN BUILDING SERVICES
PORTLAND, OR 97204

TELECOMMUNICATIONS CONSULTAI
CONTECH CONSULTANTS
DUBLIN, CA 94568

THE SMITH CENTER
LAS VEGAS PERFORMING ARTS CENTER FOUNDATION

REGISTERED ARCHITECT
No. 5030
STATE OF NEVADA
02/15/2008

KEY PLAN

REVISION
1 LH ADDENDUM #5
2 LH ADDENDUM #6
3 LH ADDENDUM #7
4 LH ADDENDUM #8
5 LH ADDENDUM #9

HKS PROJECT NUMBER
10261.012

DATE
11.21.2008

ISSUE
LARGE HALL CD PACKAGE

SHEET NAME
LEVEL 5 UPPER LOBBY FLOOR PLAN - 2

SHEET NO.
A2.152

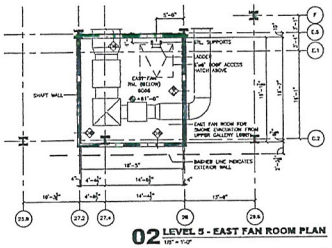
RECEIVED
OCT 20 2011

SUP-43705

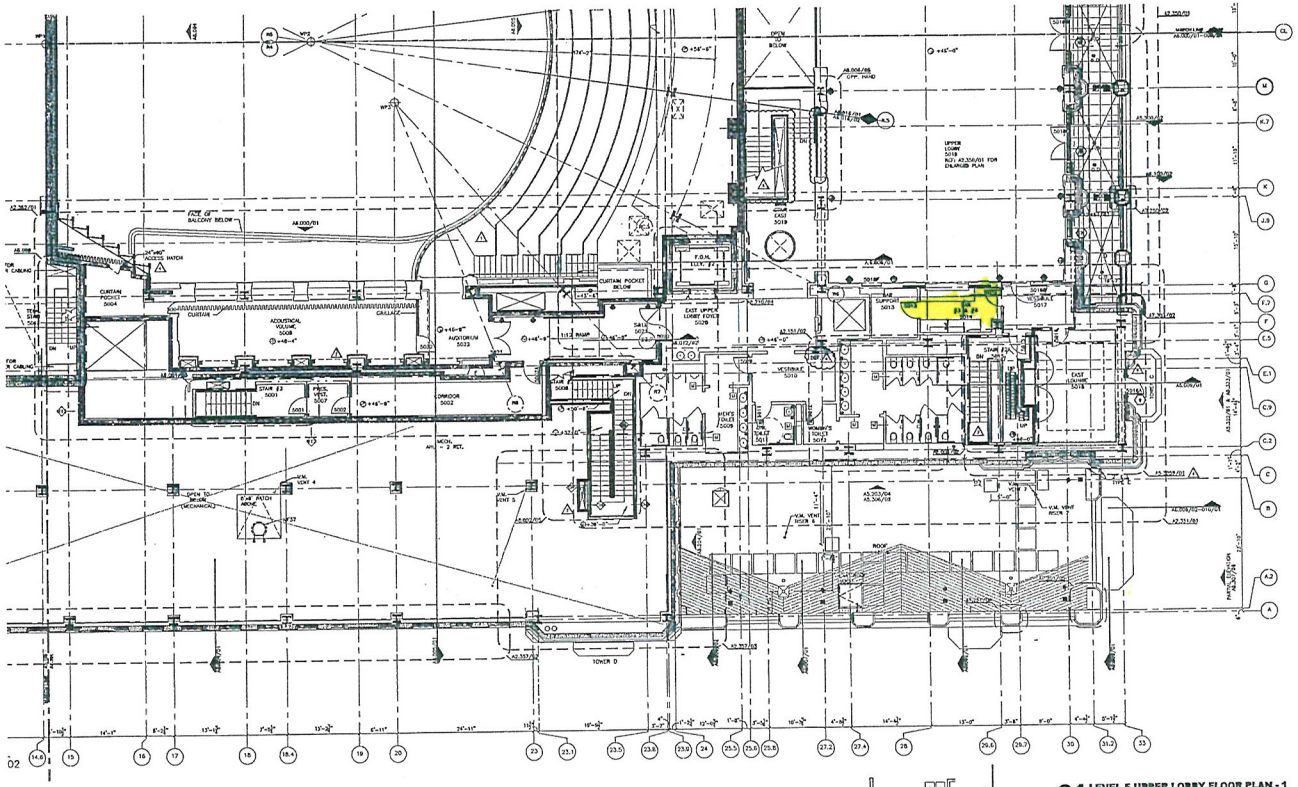
PLOT DATE: FILE NAME: FILE DATE: 3/08/11

GENERAL PLAN NOTES

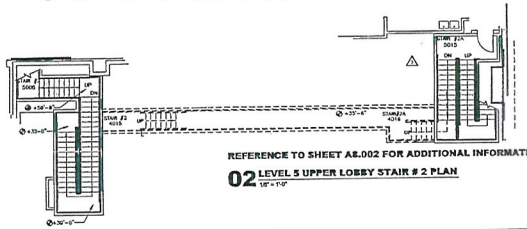
1. REFER TO SHEET A0.000 FOR TYPICAL FLOOR PLAN NOTES
2. SHEATH SPACES SHALL RUN CONC FLOORS, NO CEILING AT THE EXTERIOR WALLS THE ROOF BOARD IS TO EXTEND FULL HEIGHT FROM THE FLOOR TO THE ROOF DECK. ALL WALLS, DUCTS, SUPPLY AIR TO BE EXTENDED THRU THE SLAB OR INTO THE SHELLED SPACE AND CAPPED OFF TO COMPLY WITH CODE REQUIREMENTS. ALL WALLS/CEILING INDICATED TO BE FIRE RATED, MUST BE INSTALLED TO MEET THE REQUIRED RATING.
3. REFERENCE THE A3.3 SERIES FOR EXTERIOR ENVELOPE.



02 LEVEL 5 - EAST FAN ROOM PLAN
1/8" = 1'-0"



01 LEVEL 5 UPPER LOBBY FLOOR PLAN - 1
1/8" = 1'-0"



REFERENCE TO SHEET A8.002 FOR ADDITIONAL INFORMATION

02 LEVEL 5 UPPER LOBBY STAIR # 2 PLAN
1/8" = 1'-0"

RECEIVED
OCT 26 2018

SUP-43705

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LAS VEGAS PERFORMING ARTS CENTER FOUNDATION
LAS VEGAS, NV 89119

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FT. WORTH, TX 76102

THE WINDING-TURNER CONTRACTING CO.
LAS VEGAS, NV 89199

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TAMPA, FL 33607

HOUSE MUSIC THEATER
ARCHITECTURE AND PLANNING
FISHER DACHS ASSOCIATES
NEW YORK, NY 10011

CONSULTANT'S ACOUSTICAL
ACENTECH, L.L.C.
SOUTH NORWALK, CT 06854

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DALLAS, TX 75201

DESIGN ARCHITECT
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WASHINGTON, DC 20036

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NEWPORT BEACH, CA 92606

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ARUP
SAN FRANCISCO, CA 94103

GEOTECHNICAL CONSULTANT
TERRACOM
LAS VEGAS, NV 89013

BUILDING ENVELOPE
IBA CONSULTANTS, INC.
LAS VEGAS, NV 89119

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NEW YORK, NY 10016

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INAX CONSULTING
LAS VEGAS, NV 89119

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FOX DESIGN
LOS ANGELES, CA 90046

LEED CONSULTANT
GREEN BUILDING SERVICES
PORTLAND, OR 97204

TELECOMMUNICATIONS CONSULTANT
DON TECH CONSULTANTS
DOVE, PA, 94566

THE SMITH CENTER FOR THE PERFORMING ARTS
LAS VEGAS PERFORMING ARTS CENTER FOUNDATION

REGISTERED ARCHITECT No. 5080 STATE OF NEVADA
08/15/2018

KEY PLAN

REVISION
1 LV ADDENDUM #3
2 LV ADDENDUM #4
3 LV ADDENDUM #7
4 LV ADDENDUM #9
5 LV ADDENDUM #9

HKS PROJECT NUMBER
10251.012

DATE
11.21.2008

ISSUE
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SHEET TITLE
LEVEL 5
UPPER LOBBY
FLOOR PLAN - 1

SHEET NO.
A2.151

NORTH

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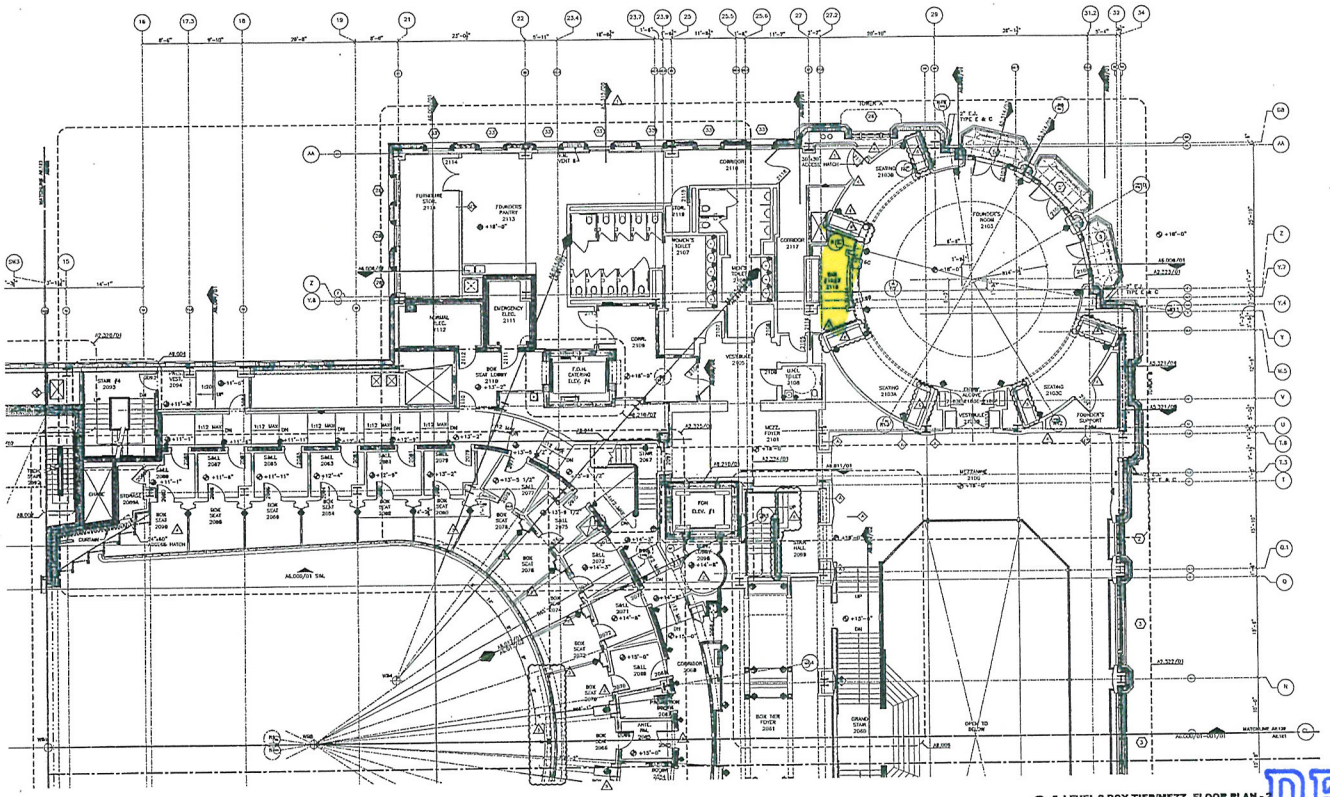
PRINTED:
FILE NAME:
FILE DATE:
XREFS:
PLOT DATES:

GENERAL PLAN NOTES

1. REFER TO SHEET A2.000 FOR TYPICAL FLOOR PLAN NOTES.
2. SHELLED SPACES SHALL HAVE CONC FLOORS, NO CEILING AT THE EXTERIOR WALLS THE CMP BOARD IS TO EXTEND FULL HEIGHT, PLUMBING, SANITARY, VENTING, NOT A COLD WATER SUPPLY AND TO BE EXTENDED THRU THE SLAB OR INTO THE SHELLED SPACE AND CAPPED OFF TO COMPLY WITH CODE RECOMMENDED. ALL WALLS/CEILING INDICATED TO BE FIRE RATED, MUST BE INSTALLED TO MEET THE REQUIRED RATING.
3. REFERENCE THE A2.3 SERIES FOR EXTERIOR DIMENSIONS.



01 LEVEL 2 BOX TIER/MEZZ. FLOOR PLAN - 2
1/8" = 1'-0"

RECEIVED
OCT 26 2011

SUP-43705

TRUE NORTH
NORTH

HKS

DEVELOPER
LAS VEGAS PERFORMING ARTS CENTER FOUNDATION
LAS VEGAS, NV 89119

DEVELOPER'S CONSULTANT'S
THE PROJECT GROUP
FT. WORTH, TX 76102

THE WHITING-TURNER CONTRACTING CO
LAS VEGAS, NV 89189

DEVELOPER'S COST CONSULTANT
DONNELL CONSULTANTS INCORPORATED
TAMPA, FL 33607

DEVELOPER'S THEATRE ENGINEERING PLANNING
FISHER DACHS ASSOCIATES
NEW YORK, NY 10011

DEVELOPER'S ACOUSTICAL CONSULTANT
AKUSTIKA, L.L.C.
SOUTH NORWALK, CT 06854

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DALLAS, TX 75201

DESIGN ARCHITECT
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WASHINGTON, DC 20036

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MEA ENGINEERING CONSULTANTS
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NEWPORT BEACH, CA 92608

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LOS ANGELES, CA 90046

LEED CONSULTANT
GREEN BUILDING SERVICES
PORTLAND, OR 97204

TELECOMMUNICATIONS CONSULTAN
CONTECH CONSULTANTS
DUBLIN, CA 94586

THE SMITH CENTER
LAS VEGAS PERFORMING ARTS CENTER FOUNDATION

PROPERTY WILLIAM LOCKSON
REGISTERED
No. 3080
ARCHITECT
STATE OF NEVADA
02/13/2018

KEY PLAN



REVISION

- LH ADDENDUM #5 08.22.2008
- LH ADDENDUM #4 08.26.2008
- LH ADDENDUM #7 10.09.2008
- LH ADDENDUM #8 10.16.2008
- LH ADDENDUM #9 10.17.2008

HKS PROJECT NUMBER
10261.012

DATE
11.21.2008

ISSUE
LARGE HALL
CD PACKAGE

SHEET TITLE
LEVEL 2
BOX TIER/MEZZANINE
FLOOR PLAN - 2

SHEET NO.
A2.122

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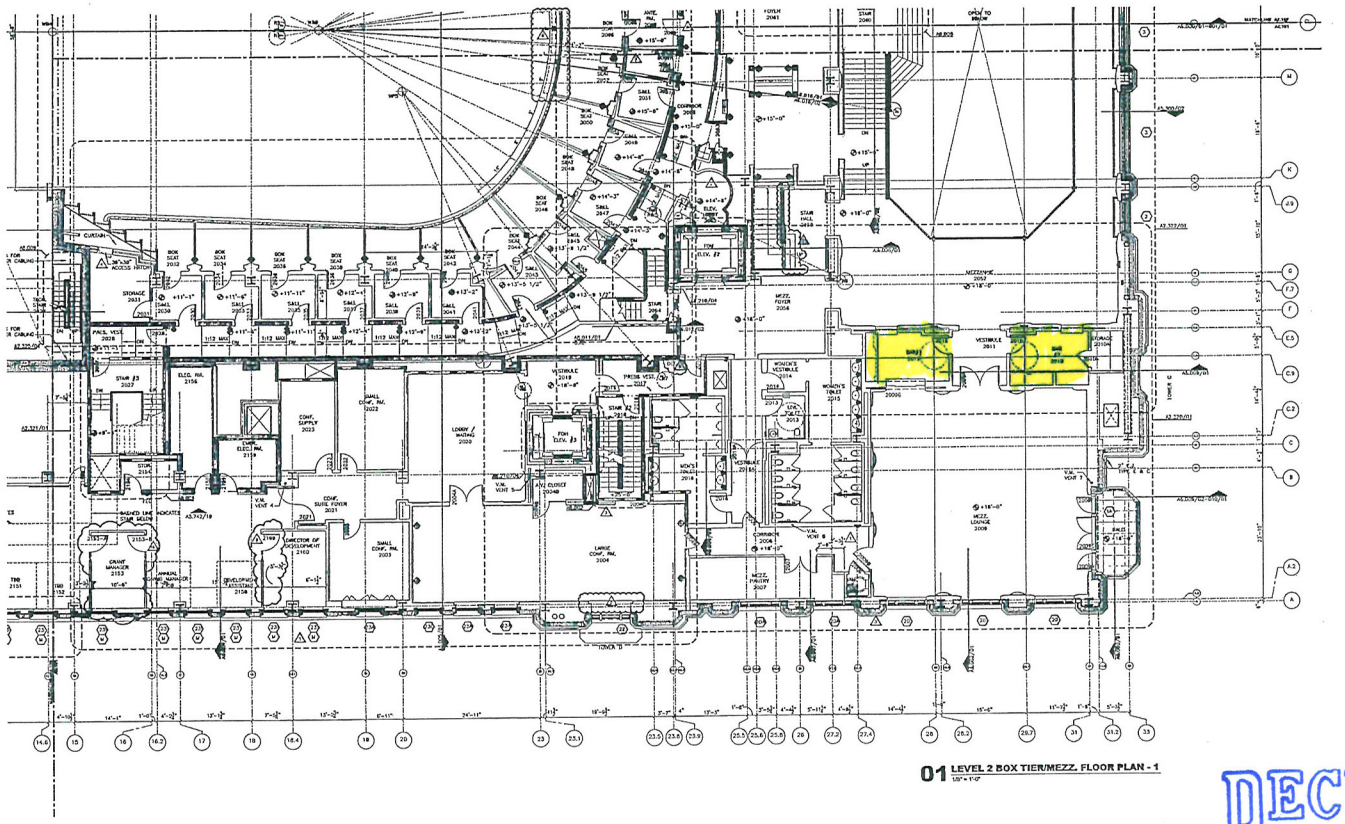
GENERAL PLAN NOTES

1. REFER TO SHEET A2.000 FOR TYPICAL FLOOR PLAN NOTES
2. SHELLED SPACES SHALL HAVE CONC FLOORS, NO CEILING AT THE EXTERIOR WALLS THE CYP BOARD IS TO EXTEND FULL HEIGHT, PLUMBING SANITARY, VENTING, HOT & COLD WATER SUPPLY ARE TO BE EXTENDED THAN THE SLAB OR INTO THE SHELLED SPACE AND CAPPED OFF TO COMPLY WITH CODE REQUIREMENTS. ALL WALLS/CEILING INDICATED TO BE FIRE RATED, MUST BE INSTALLED TO MEET THE REQUIRED RATING.
3. REFERENCE THE A2.3 SERIES FOR EXTERIOR DIMENSIONS.



01 LEVEL 2 BOX TIER/MEZZ. FLOOR PLAN - 1
1/8" = 1'-0"

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THE SMITH CENTER
LAS VEGAS PERFORMING ARTS CENTER FOUNDATION

ROBERT WILLIAM MORRISON
REGISTERED
No. 5000
ARCHITECT
STATE OF NEVADA
06/15/2010

KEY PLAN



REVISION

1. LH ADDENDUM #6 09.22.2008
2. LH ADDENDUM #4 04.30.2008
3. LH ADDENDUM #7 10.06.2008
4. LH ADDENDUM #8 12.08.2008
5. LH ADDENDUM #9 03.12.2009

HKS PROJECT NUMBER
10261.012

DATE
11.21.2008

ISSUE
LARGE HALL
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SHEET TITLE
LEVEL 2
BOX TIER/MEZZANINE
FLOOR PLAN - 1

SHEET NO.
A2.121

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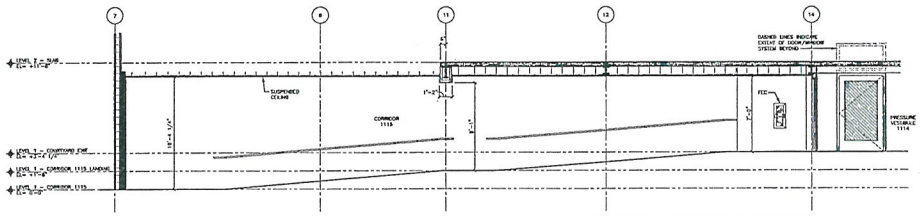
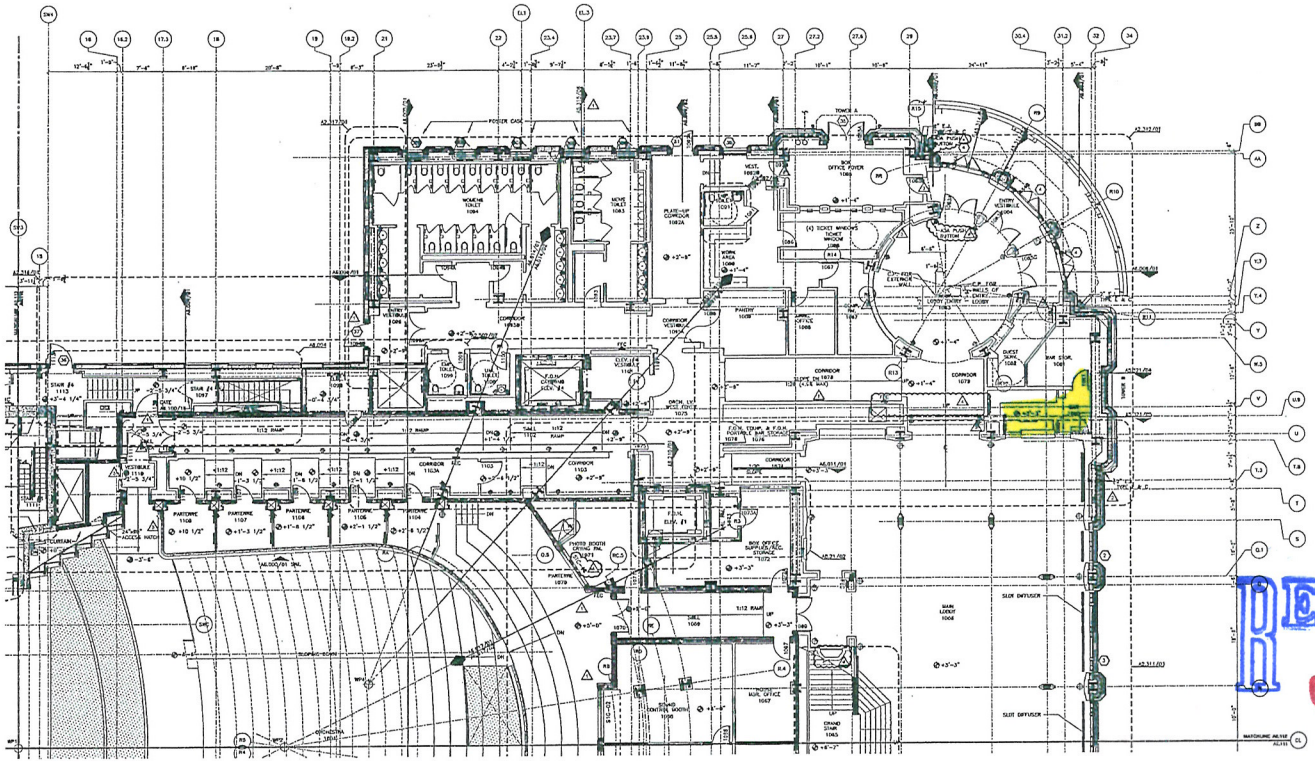
GENERAL PLAN NOTES

1. REFER TO SHEET A2.000 FOR TYPICAL FLOOR PLAN NOTES
2. SHELLED SPACES SHALL HAVE CONC FLOORS, NO CEILING AT THE EXTERIOR WALLS THE CITY BOARD IS TO EXTEND FULL HEIGHT, PLUMBING SANITARY, VENTING, HOT & COLD WATER SUPPLY ARE TO BE EXTENDED THRU THE SLAB OR INTO THE SHELLED SPACE AND CAPPED OFF TO COMPLY WITH CODE REQUIREMENTS. ALL WALLS/CEILING INDICATED TO BE FIRE RATED, MUST BE INSTALLED TO MEET THE REQUIRED RATING.
3. REFERENCE THE A2.3 SERIES FOR EXTERIOR DIMENSIONS.



02 LEVEL 1 - BOH CORRIDOR 1115 - SECTION
1/4" = 1'-0"



01 LEVEL 1 ORCHESTRA FLOOR PLAN - 2
1/8" = 1'-0"

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THE SMITH CENTER
LAS VEGAS PERFORMING ARTS CENTER FOUNDATION

REGISTERED ARCHITECT
No. 5080
STATE OF NEVADA
08/19/2010

KEY PLAN



REVISION

1	LH ADDENDUM #8
2	LH ADDENDUM #9
3	LH ADDENDUM #8
4	LH ADDENDUM #9
5	LH ADDENDUM #8

HKS PROJECT NUMBER
10261.012

DATE
11.21.2008

ISSUE
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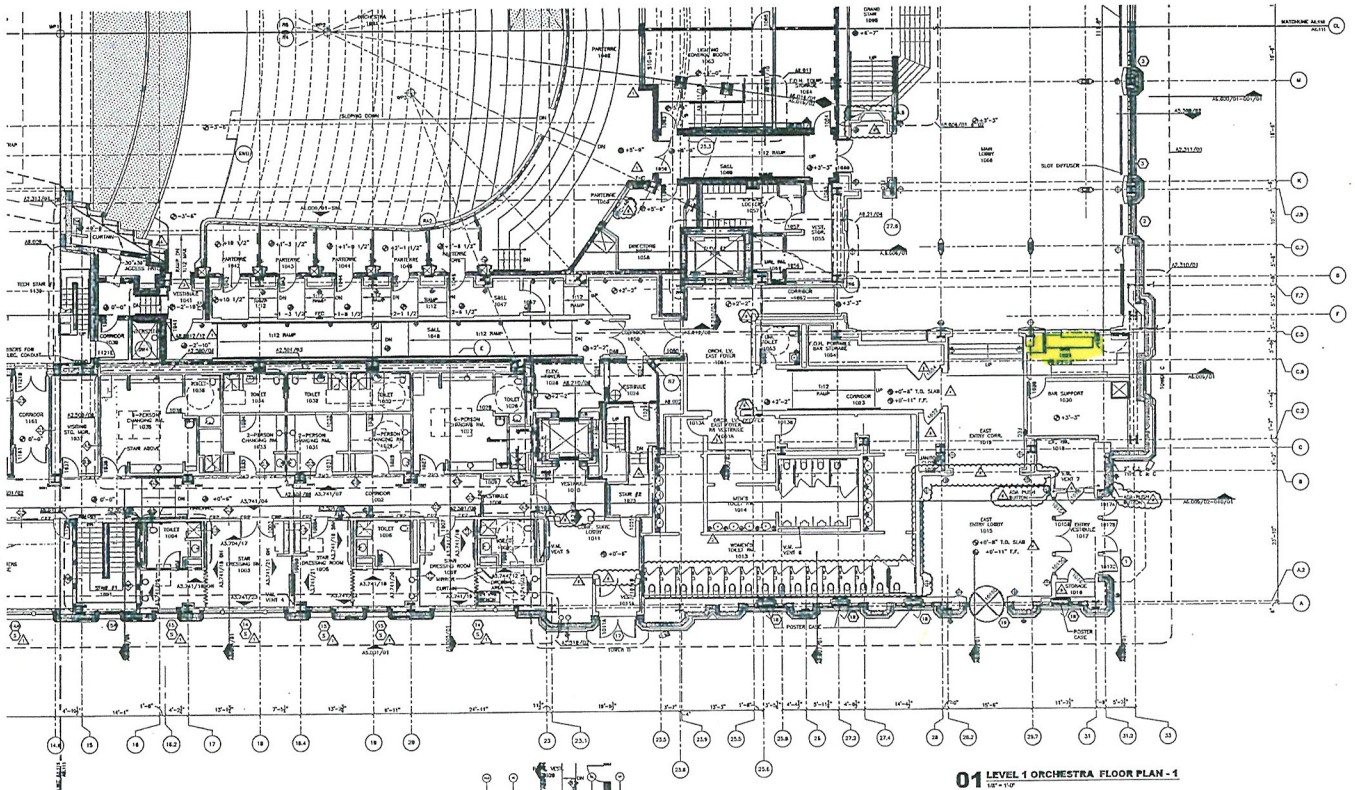
SHEET TITLE
LEVEL 1
ORCHESTRA
FLOOR PLAN - 2

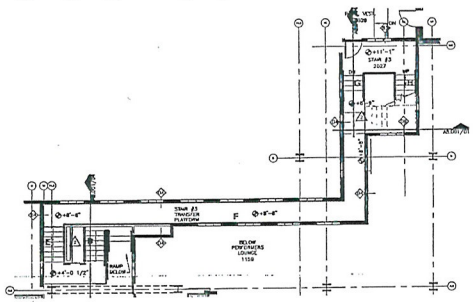
SHEET NO.
A2.112

GENERAL PLAN NOTES

1. REFER TO SHEET A2.000 FOR TYPICAL FLOOR PLAN NOTES
2. DEFLECTED ACTIVITY SHALL HAVE CONC FLOORS, NO CEILING AT THE EXTERIOR WALLS THE CUP BOARD IS TO EXTEND FULL HEIGHT, PLUMBING SANITARY, VENTING, HOT & COLD WATER SUPPLY ARE TO BE EXTENDED THRU THE SLAB OR INTO THE SHIELDED SPACE AND CAPPED OFF TO COMPLY WITH CODE REQUIREMENTS. ALL WALLS/CEILING INDICATED TO BE FIRE RATED, MUST BE INSTALLED TO MEET THE REQUIRED RATING.
3. REFERENCE THE A2.3 SERIES FOR EXTERIOR DIMENSIONS.



01 LEVEL 1 ORCHESTRA FLOOR PLAN - 1
1/8" = 1'-0"



02 LEVEL 1 STAIR # 3
1/8" = 1'-0"

REFER TO SHEET A8.001 FOR ADDITIONAL INFORMANTION

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CONTECH CONSULTANTS
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THE SMITH CENTER
LAS VEGAS PERFORMING ARTS CENTER FOUNDATION

ROBERT WILLIAM MORRISSEY
REGISTERED
No. 5050
ARCHITECT
STATE OF NEVADA
02/19/2010

KEY PLAN



REVISION

1	LH ADDENDUM #6 10.22.2009
2	LH ADDENDUM #4 10.26.2009
3	LH ADDENDUM #6 10.16.2009
4	LH ADDENDUM #7 10.08.2009
5	LH ADDENDUM #8 11.02.2009
6	LH ADDENDUM #9 10.15.2010

HKS PROJECT NUMBER
10261.012

DATE
11.21.2008

ISSUE
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SHEET TITLE
LEVEL1
ORCHESTRA
FLOOR PLAN - 1

SHEET NO.
A2.111

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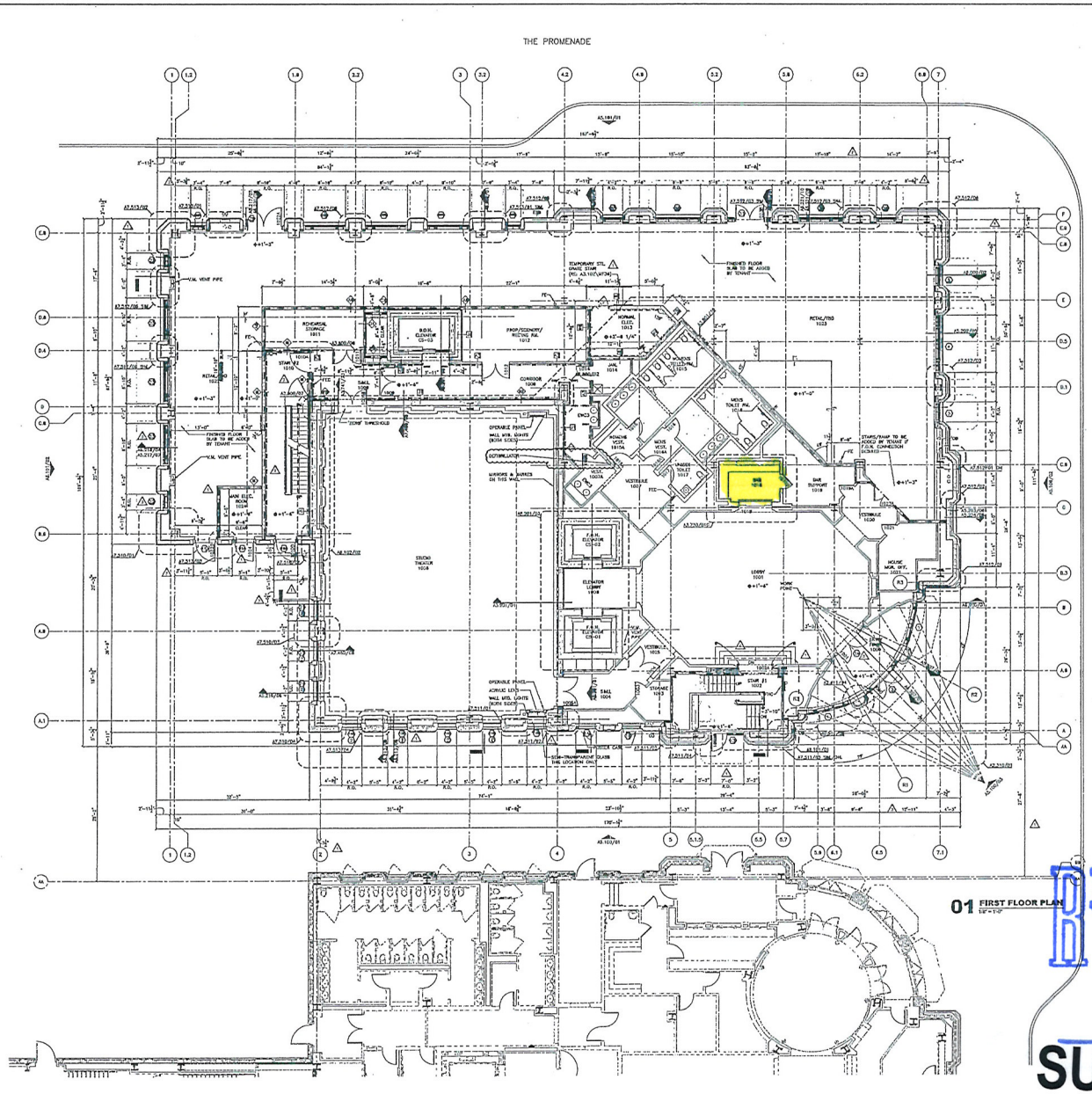

01 FIRST FLOOR PLAN
1/8" = 1'-0"

GENERAL NOTES

1. REFER TO A5.000 FOR TYP. WINDOW ELEVATION DESIGNATIONS.
   W — WINDOW DESIGNATION.
   "1" INDICATES WINDOWS SERVICE (SINGLE ROLLER – SX OPEN) & MOTORIZED BLACKOUT SHADES.
   "2" INDICATES WINDOWS SERVICE (DOUBLE ROLLER – DX OPEN) & MOTORIZED BLACKOUT SHADES.
2. REFER TO A3.202 FOR TYP. CRASHRAIL & CORNER GUARD INFO.
3. REFER TO A3.001 & 3.002 FOR PARTITION TYPES.
4. FINISH FLOOR ELEVATION TAG RELATIVE TO LARGE HALL STAGE FINISHED FLOOR ELEVATION (0'-0").
5. REFER TO SHEET A3.201 FOR TOILET LAYOUTS & STANDARD ACCESSORIES.
6. REFER TO A3.301 FOR DOOR SCHEDULES.
7. ALL SPACES WITH FLOOR DRAINS TO HAVE UNIFORM SLOPE FROM WALL TO FLOOR DRAIN, MINIMUM ¼" PER 1'-0" DUE NOT TO EXCEED 2" PER FOOT.
8. COORDINATE HOUSEKEEPING PAD DIMENSIONS AND LOCATIONS WITH EQUIPMENT TO BE INSTALLED. ALL HOUSEKEEPING PADS SHALL BE A MINIMUM OF 4" THICK MONF., W/ #3 BARS @ 18" O.C.E.W. AND PROVIDE 1" 45 DEGREE CHAMFERED EDGES.
9. ALL FLOOR MATERIAL CHANGES SHALL occur AT THE CENTERLINE OF THE DOOR (UNLESS NOTED OTHERWISE).
10. REFER TO A2.3XX SERIES SHEET FOR ENLARGED FLOOR PLANS.
11. COORDINATION DRAWINGS OF ALL BUILDING SYSTEMS SHALL BE COMPLETED AND REVIEWED BY THE ARCHITECT AND ENGINEER PRIOR TO THE INSTALLATION OF ANY SYSTEM.
12. THESE DRAWINGS SHALL BE MUTUALLY PREPARED BY ALL CONTRACTORS. THE INTENT HEREIN, CONTRACTOR SHALL INCLUDE THE FOLLOWING: EACH ADDITIONAL TRADE SHALL ADD ITS SYSTEM TO THE COMPOSITE DRAWINGS. THE FIRST TRADE, EACH TRADE SHALL DATE AND SIGN COMPOSITE DRAWINGS.
13. THE GENERAL CONTRACTOR SHALL COORDINATE WITH EACH CONTRACTOR AFTER NOTATION OF THE TRUST WITH CONTRACTOR, THE COMPLETION OF THE DRAWINGS. IF A CONFLICT ARISES THAT CAN NOT BE RESOLVED BETWEEN THE SUB-CONTRACTORS, THE GENERAL CONTRACTOR SHALL NOTIFY THE ARCHITECT. IF THE GENERAL CONTRACTOR CAN NOT RESOLVE THE CONFLICT, THE ARCHITECT/ENGINEER SHALL REVIEW AND DETERMINE RESOLUTION.
14. IF LOCATIONS WERE DURING CONSTRUCTION WHERE MULTIPLE SYSTEMS CONFLICT, THE CONTRACTOR SHALL BE RESPONSIBLE AS A RESULT OF THE NON-COORDINATED DISCIPLINARY SYSTEM INSTALLATION, THE GENERAL CONTRACTOR OR SUB-CONTRACTOR WHO FAILS TO COORDINATE SHALL BE RESPONSIBLE FOR THE SYSTEM MODIFICATIONS REQUIRED TO MAKE THEM FIT WITH THE APPROVAL OF THE ARCHITECT AND ENGINEER.
15. KITCHEN EQUIPMENT/MECHANICAL & ELECTRIC EQUIPMENT SHOWN FOR REFERENCE ONLY. REFER TO SPECIFIC DISCIPLINE DRAWINGS FOR MORE INFORMATION.
16. ALL DIMENSIONS ARE TO FACE OF FINISH MATERIAL.
17. FOR WATERPROOFING AND VAPOR MITIGATION SYSTEM DETAILS REFER TO KLEIWELDER DRAWINGS.

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THE SMITH CENTER FOR THE PERFORMING ARTS LAS VEGAS

LAS VEGAS PERFORMING ARTS CENTER FOUNDATION

RODNEY WILLIAM TURNER — No. 9220 — REGISTERED ARCHITECT — STATE OF NEVADA

02/15/2010

KEY PLAN

REVISION

HKS PROJECT NUMBER 19251.013

DATE 01.05.2009

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SHEET TITLE FIRST FLOOR PLAN (LEVEL 1)

SHEET NO. A2.110

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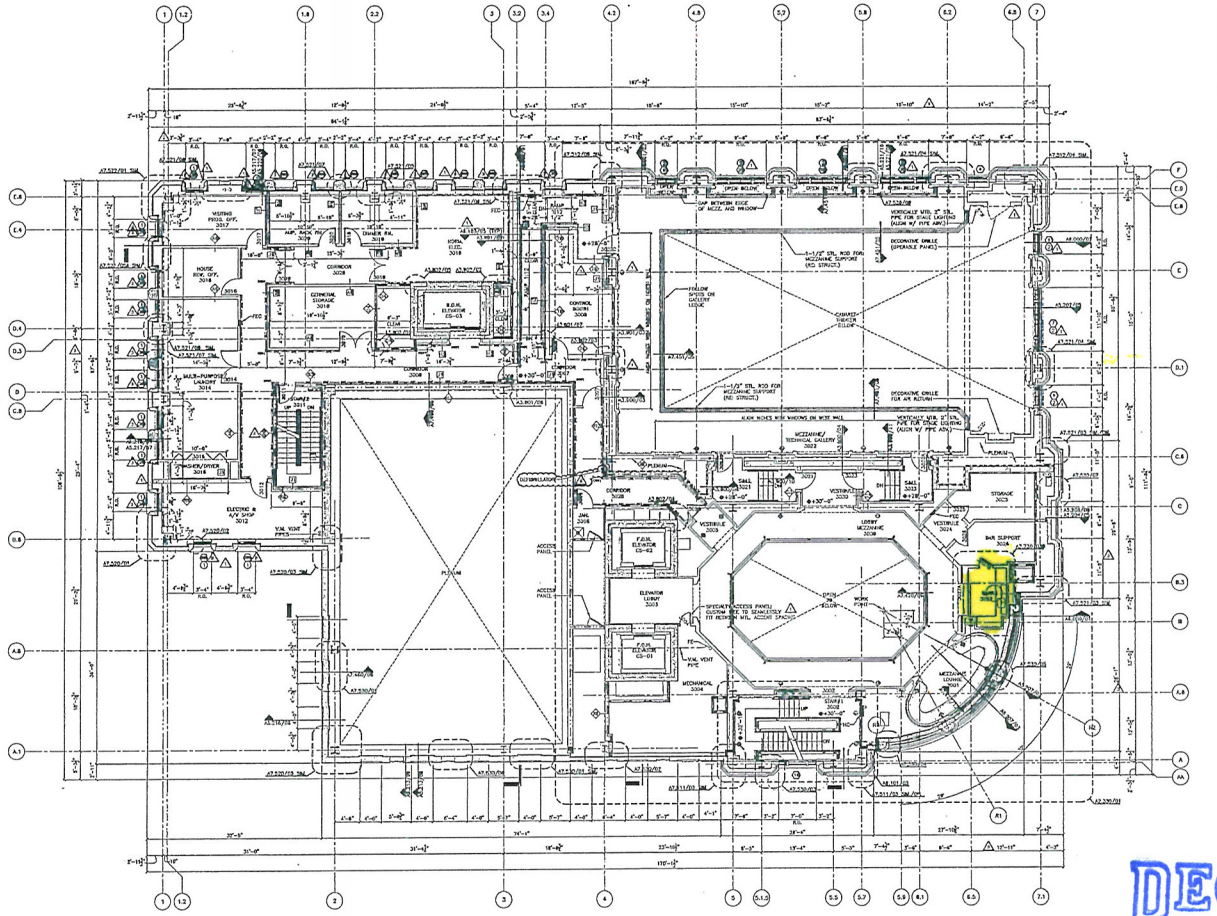

01 THIRD FLOOR PLAN
1/8" = 1'-0"

GENERAL NOTES

1. REFER TO A5.500 FOR TYP. WINDOW ELEVATION DESIGNATIONS.
   - W# — WINDOW DESIGNATION.
   - ⊘ — 1/2" MECHOSHADE DEVICE (SINGLE ROLLER – 5% OPEN)
   - △ — 1/2" MECHOSHADE DEVICE (DOUBLE ROLLER – 5% OPEN & ADDITIONAL BLACKOUT SHADE).
2. REFER TO A3.202 FOR TYP. DIAGONAL & CORNER GUARD INFO.
3. REFER TO A3.001 & 3.002 FOR PARTITION TYPES.
4. FINISH FLOOR ELEVATION TAG RELATIVE TO LARGE HALL STAGE FINISHED FLOOR ELEVATION (0'-0").
5. REFER TO SHEET A5.201 FOR TOILET LAYOUTS & STANDARD ACCESSORIES.
6. REFER TO A3.301 FOR DOOR SCHEDULES.
7. ALL SPACES WITH FLOOR DRAINS TO HAVE UNIFORM SLOPE FROM WALL TO FLOOR DRAIN, MINIMUM ¼" PER 12" BUT NOT TO EXCEED ½" PER FOOT.
8. COORDINATE HOUSEKEEPING PAD DIMENSIONS AND LOCATIONS WITH EQUIPMENT TO BE INSTALLED. ALL HOUSEKEEPING PADS SHALL BE 4" MIN. HIGH CONCRETE, EXTEND 6" PAST EQUIP. AT 12" O.C.B.W. AND PROVIDE 1" X 45 DEGREE CHAMFERED EDGES.
9. ALL FLOOR MATERIAL CHANGES SHALL OCCUR AT THE CENTERLINE OF THE DOOR (UNLESS NOTED OTHERWISE).
10. REFER TO A2.300 SERIES SHEET FOR ENLARGED FLOOR PLANS.
11. COORDINATION DRAWINGS OF ALL BUILDING SYSTEMS SHALL BE COMPLETED AND REVIEWED BY THE ARCHITECT AND ENGINEER PRIOR TO THE INSTALLATION OF ANY SYSTEM.
12. THESE DRAWINGS SHALL BE MUTUALLY PREPARED BY ALL CONTRACTORS. THE SHEET METAL CONTRACTOR SHALL NATURE THE DRAWING PREPARATION. EACH ADDITIONAL TRADE SHALL ADD THEIR WORK TO THE DRAWINGS AS THE WORK PROGRESSES. EACH TRADE SHALL DATE AND SIGN COMPLETED DRAWINGS.
13. THE GENERAL CONTRACTOR SHALL COORDINATE WITH EACH CONTRACTOR AFTER INITIATION OF THE SUBMITTAL PROCESS. AFTER REVIEW OF THE SUBMITTALS, IF A CONFLICT ARISES THAT CAN NOT BE RESOLVED BETWEEN THE SUB-CONTRACTORS, THE GENERAL CONTRACTOR SHALL DETERMINE RESOLUTION. IF THE GENERAL CONTRACTOR CAN NOT RESOLVE THE CONFLICT, THE ARCHITECT/ENGINEER SHALL REVIEW AND DETERMINE RESOLUTION.
14. IF LOCATIONS ARISE DURING CONSTRUCTION WHERE MULTIPLE TRADES ARE REQUIRED TO WORK IN THE SAME SPACE, AND ARE NOTED AS A RESULT OF LINE NON-INTERFERENCE DESCRIPANCIES OR VIOLATIONS, THE GENERAL CONTRACTOR OR SUB-CONTRACTOR WHO FAILS TO COORDINATE SHALL BE RESPONSIBLE FOR THE SYSTEM MODIFICATIONS REQUIRED TO MAKE THEIR FIX WITH THE APPROVAL OF THE ARCHITECT AND ENGINEER.
15. KITCHEN EQUIPMENT/MECHANICAL & ELECTRIC EQUIPMENT SIZING FOR ASTHENCE ONLY. REFER TO SPECIFIC DISCIPLINE DRAWINGS FOR MORE INFORMATION.
16. ALL DIMENSIONS ARE TO FACE OF FINISH MATERIAL.
17. FOR WATERPROOFING AND VAPOR MITIGATION SYSTEM DETAILS REFER TO REEVES/LEER DRAWINGS.

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THE SMITH CENTER
FOR THE PERFORMING ARTS
LAS VEGAS

LAS VEGAS PERFORMING ARTS CENTER FOUNDATION

STEVEN WILLIAM THOMSEN
No. 5230
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STATE OF NEVADA
02/15/2010

KEY PLAN

REVISION
1 BC ADDENDUM #2 07.27.2009
2 BC ADDENDUM #3 09.18.2009
3 BC ADDENDUM #6 10.08.2009
4 BC ADDENDUM #7 10.28.2009
5 BC ADDENDUM #8 02.15.2010

HKS PROJECT NUMBER
11261.013

DATE
01.05.2009

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SHEET TITLE
THIRD FLOOR PLAN (LEVEL 3)

SHEET NO.
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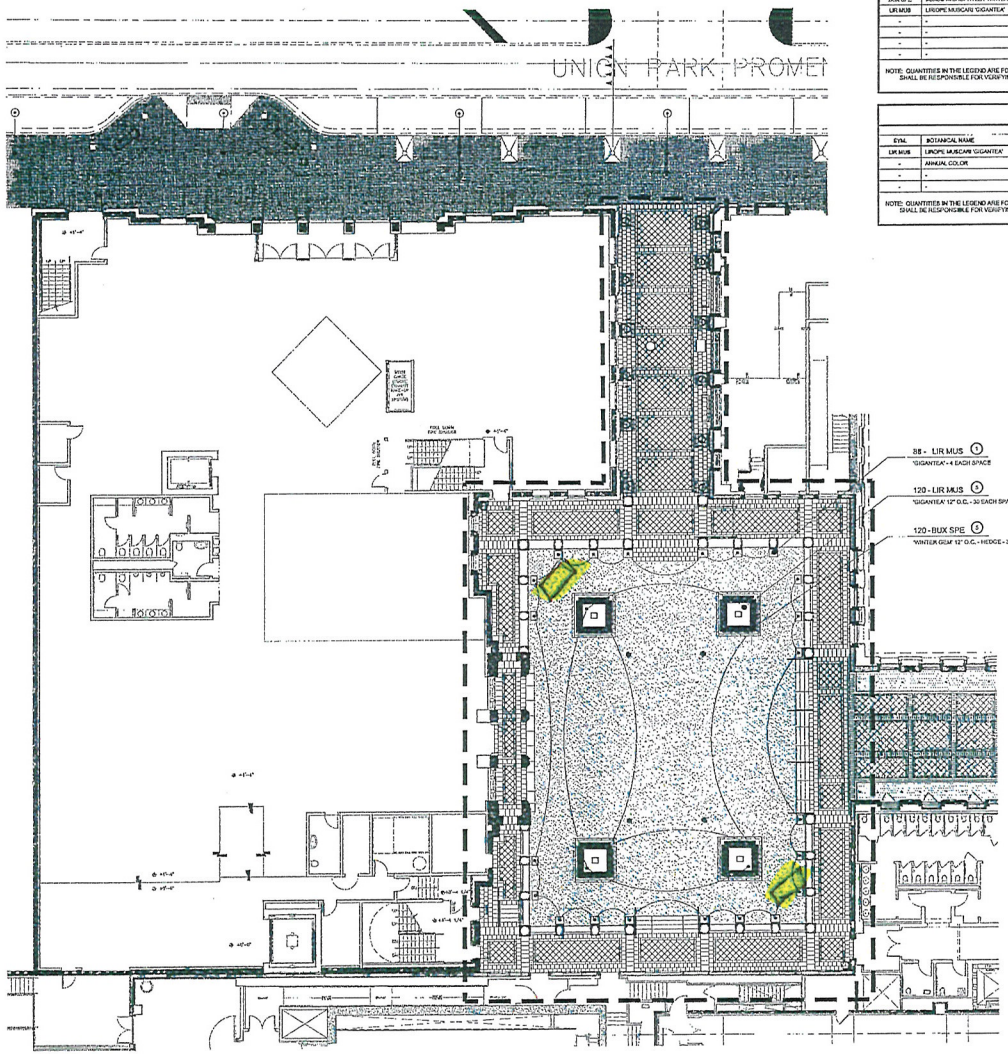

SHRUB LEGEND

SYM.	BOTANICAL NAME	COMMON NAME	FLATS	1G	3G	5G	15G	COMMENTS
BUX SPE	BUXUS MICROPHYLLA 'WINTERGEM'	BOXWOOD	-	-	-	138	-	HEDGE - 12" O.C.
LIR MUS	LIROPE MUSCARI 'GIGANTEA'	GIANT LILY TURF	-	-	-	208	-	12" O.C. - FILL
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-

NOTE: QUANTITIES IN THE LEGEND ARE FOR CONVENIENCE ONLY. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL PLANT QUANTITIES PRIOR TO FINAL BID.

POTTERY LEGEND

SYM.	BOTANICAL NAME	COMMON NAME	FLATS	1G	3G	5G	15G	COMMENTS
LIR MUS	LIROPE MUSCARI 'GIGANTEA'	GIANT LILY TURF	-	-	-	-	-	144 - 10" POTS
-	ANNUAL COLOR	ANNUAL COLOR	-	-	-	-	-	492 - 6" POTS @ 8" O.C.
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-

NOTE: QUANTITIES IN THE LEGEND ARE FOR CONVENIENCE ONLY. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL PLANT QUANTITIES PRIOR TO FINAL BID.

POTTERY LEGEND — A

12 - LIR MUS
10" POTS

41 - ANNUAL COLOR
2 ROWS, 6" POTS @ 6" O.C.

TREE
REFER TO TREE PLAN

FACE OF BUILDING

NOTE 1: REFER TO POTTERY LEGEND FOR UNDERSTORY PLANTING

POTTERY LEGEND — B

12 - LIR MUS
10" POTS

41 - ANNUAL COLOR
2 ROWS, 6" POTS @ 6" O.C.

TREE
REFER TO TREE PLAN

FACE OF BUILDING

NOTE 1: REFER TO POTTERY LEGEND FOR UNDERSTORY PLANTING

QUANTITY OF SHRUBS
SYMBOL - REFER TO SHRUB LEGEND
SIZE OF CONTAINER
2 - RHA IND (3) (CIRCLE INDICATES GALLON SIZE)
"CLARA"

RECEIVED
OCT 26 2011

REFER TO SHEET L3.01 - FOR ADDITIONAL NOTES, LEGENDS AND FINISH SCHEDULE

NORTH

SCALE: 1"=10'-0"

SUP-43705

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HKS

OWNER, OFFICE
LAS VEGAS PERFORMING ARTS CENTER FOUNDATION
LAS VEGAS, NV 89119

DEVELOPER'S CONSULTANT'S
THE PINNACLE GROUP
FT. WORTH, TX 76102
THE WHITING-TURNER CONTRACTING CO.
LAS VEGAS, NV 89169

DEVELOPER'S COST CONSULTANT
DONNELL CONSULTANTS INCORPORATED
TAMPA, FL 33607

DEVELOPER'S THEATRE CONSULTANT
FISHER DACHS ASSOCIATES
NEW YORK, NY 10011

DEVELOPER'S ACOUSTICAL CONSULTANT
AGUSTUS, LLC
SOUTH NORWALK, CT 06854

EXECUTIVE ARCHITECT
HKS ARCHITECTS, INC.
DALLAS, TX 75201

DESIGN ARCHITECT
DAVID M. SCHWARZ ARCHITECTURAL SERVICES, INC.
WASHINGTON, DC 20036

KEY CONSULTANT
MKA ENGINEERING CONSULTANTS
LAS VEGAS, NV 89119

STRUCTURAL ENGINEER
WALTER P. MOORE & ASSOCIATES, INC.
DALLAS, TX 75201

CIVIL ENGINEERS
MARTIN & MARTIN
LAS VEGAS, NV 89146

LANDSCAPE ARCHITECT
LIFESCAPES INTERNATIONAL
NEWPORT BEACH, CA 92660

LIFE SAFETY CONSULTANT
AHMP
SAN FRANCISCO, CA 94103

GEOTECHNICAL CONSULTANT
TERRACON
LAS VEGAS, NV 89013

PLUMBING, MECH, ELEC
IBA CONSULTANTS, INC.
LAS VEGAS, NV 89119

LIGHTING CONSULTANT
SALO STUDIO
NEW YORK, NY 10018

GRAPHICS CONSULTANT
TWO TWELVE ASSOCIATES
NEW YORK, NY 10018

SECURITY CONSULTANT
ALLIED CONSULTANTS
LAS VEGAS, NV 89119

FOOD & BEVERAGE CONSULTANT
FEA DEMSR
LOS ANGELES, CA 90045

LEED CONSULTANT
GREEN BUILDING SERVICES
PORTLAND, OR 97204

TELECOMMUNICATIONS CONSULTANT
CONTECH CONSULTANTS
DUBLIN, CA 94568

THE SMITH CENTER FOR THE PERFORMING ARTS
LAS VEGAS

LAS VEGAS PERFORMING ARTS CENTER FOUNDATION



KEY PLAN



REVISION

A ADDENDUM 13 - 07.30.2010

HKS PROJECT NUMBER
10261.012

DATE
07.30.2010

ISSUE
LARGE HALL
CD PACKAGE

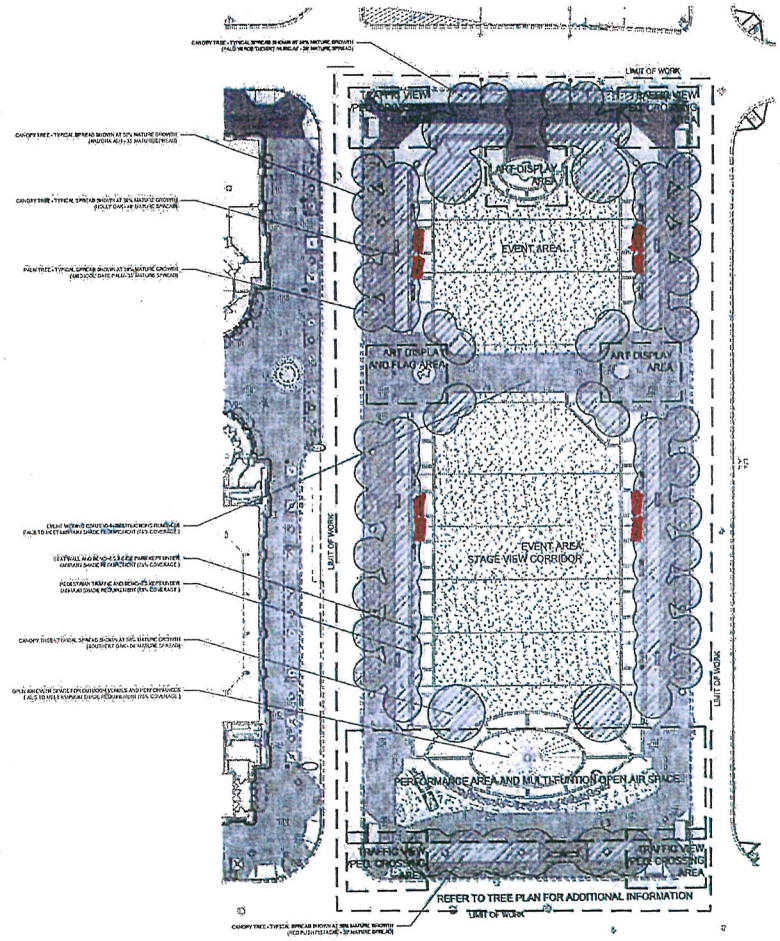
SHEET TITLE
LANDSCAPE
PLANTING PLAN
SHRUBS AND G. COVER

6982CMP801

SHEET NO.
L7.01

07/30/10

PLOT DATE: FILE NAME: FILE DATE: XREFS:



MATURE CANOPY SIZE INFORMATION AS LISTED IN SUNSET WESTERN GARDEN BOOK

PORTABLE BARS

SHADE STUDY SUMMARY	
R.O.W. PEDESTRIAN WALKWAYS	- 77% COVERAGE
PARK INTERIOR, PEDESTRIAN, WALKWAYS (SEATING AREA : SEAT WALL/BENCHES 89% COVERAGE)	- 46% COVERAGE
STAGE/VIEW AREAS	- 15% COVERAGE
TRAFFIC VIEW/PEDESTRIAN CROSSING AREAS/ACCESS AREA	- 5% COVERAGE

ALL CIRCUMSTANCES CALCULATED AS A "WORST CASE"
JUNE 21, 2010 9:00 AM

RECEIVED
OCT 26 2011

SCALE: 1"=30'

SYMPHONY PARK
LAS VEGAS, NEVADA

07-27-2011

PERMIT

LANDSCAPE SHADE STUDY PLAN

L2.03

SUP-43705



SUP-43705 - APPLICANT: THE SMITH CENTER - OWNER: CITY PARKWAY V, INC.
388 PROMENADE PLACE AND 464 SYMPHONY PARK AVENUE

11/03/11

KAEMPFER CROWELL

KAEMPFER CROWELL RENSHAW GRONAUER & FIORENTINO

ATTORNEYS AT LAW

LAS VEGAS OFFICE

JENNIFER LAZOVICH
jlazovich@kcnvlaw.com
702.792.7050

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8345 West Sunset Road
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Fax: 702.796.7181

RENO OFFICE
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Suite 900
Reno, NV 89501
Tel: 775.852.3900
Fax: 775.327.2011

CARSON CITY OFFICE
510 W. Fourth Street
Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

October 26, 2011

VIA HAND DELIVERY

CITY OF LAS VEGAS
PLANNING & ZONING
333 N. Rancho Drive, 3rd Floor
Las Vegas, NV 89106

RECEIVED
OCT 26 2011

Re: Justification Letter – Tavern Use
The Smith Center & Symphony Park

To Whom It May Concern:

Please be advised, this office represents The Smith Center (the "Applicant"). The Smith Center is located on APN: 139-33-610-016. Symphony Park is located on APN: 139-34-211-001 (together with The Smith Center, the "Site"). The Applicant is seeking a special use permit for a tavern to offer alcoholic beverages (beer, liquor and wine) to its patrons while on the Site.

At The Smith Center, there will be a main bar on the first floor and permanent bars on the upper levels of the building. Additionally, there may be "add a" bars (portable bars) that are used within all areas of The Smith Center including, but not limited to: Donald W. Reynolds Discovery Children's Museum, Bowman Pavilion, Reynolds Hall, the parking garage and all courtyard and plaza areas on the exterior of The Smith Center. The service of alcoholic beverages may occur in various locations and at simultaneous times. In addition to alcoholic beverage service during performances, there will also be service of alcoholic beverages for events, charitable galas, weddings or other meetings wherein portions of The Smith Center (inside and out) are being utilized.

Symphony Park will be used for smaller outdoor concerts, festivals, fairs and other events. We are asking that the tavern special use permit cover this area as well. We anticipate that Symphony Park can accommodate crowds of about 250 to 1000 people and the service of alcoholic beverages in Symphony Park during these types of events may occur.

The Applicant is also seeking a waiver for the 1500 foot distance separation from other tavern uses. More specifically, 1) there is a tavern inside World Market Center – Mundo; 2) the Golden Gate casino has a tavern use; and 3) the Golden Nugget also has a tavern use. We are allowed to seek such a waiver since the Site is located within the Parkway Center District which is within the Downtown Centennial Plan. We believe this waiver is appropriate because the

SUP-43705

operational aspects of each of the tavern uses are not the same. The Applicant's tavern use will only be utilized by patrons of The Smith Center or people attending specific events at The Smith Center or Symphony Park. Whereas a more traditional tavern is not centered around special events or performances nor are the operational aspects of a casino with a tavern use similar to the proposed tavern use at The Smith Center and Symphony Park. Finally, the Applicant is also seeking a waiver to the distance separation between a tavern use and a religious use. There is a religious facility located on Main Street near Charleston Boulevard. However, given the distance between The Smith Center and the religious facility, there will be no negative impacts.

In addition to service of alcoholic beverages on the Site, the Applicant will also provide food service, when appropriate, for certain events.

Thank you for your consideration of this request. Please let me know if you have any questions.

Sincerely,

KAEMPFER CROWELL RENSHAW
GRONAUER & FIORENTINO

Jennifer Lazovich

JJL/sfm

cc: Rick Johnson
Paul Beard

RECEIVED
OCT 26 2011

SUP-43705

City of Las Vegas Agenda Item No.: **16.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: DECEMBER 13, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

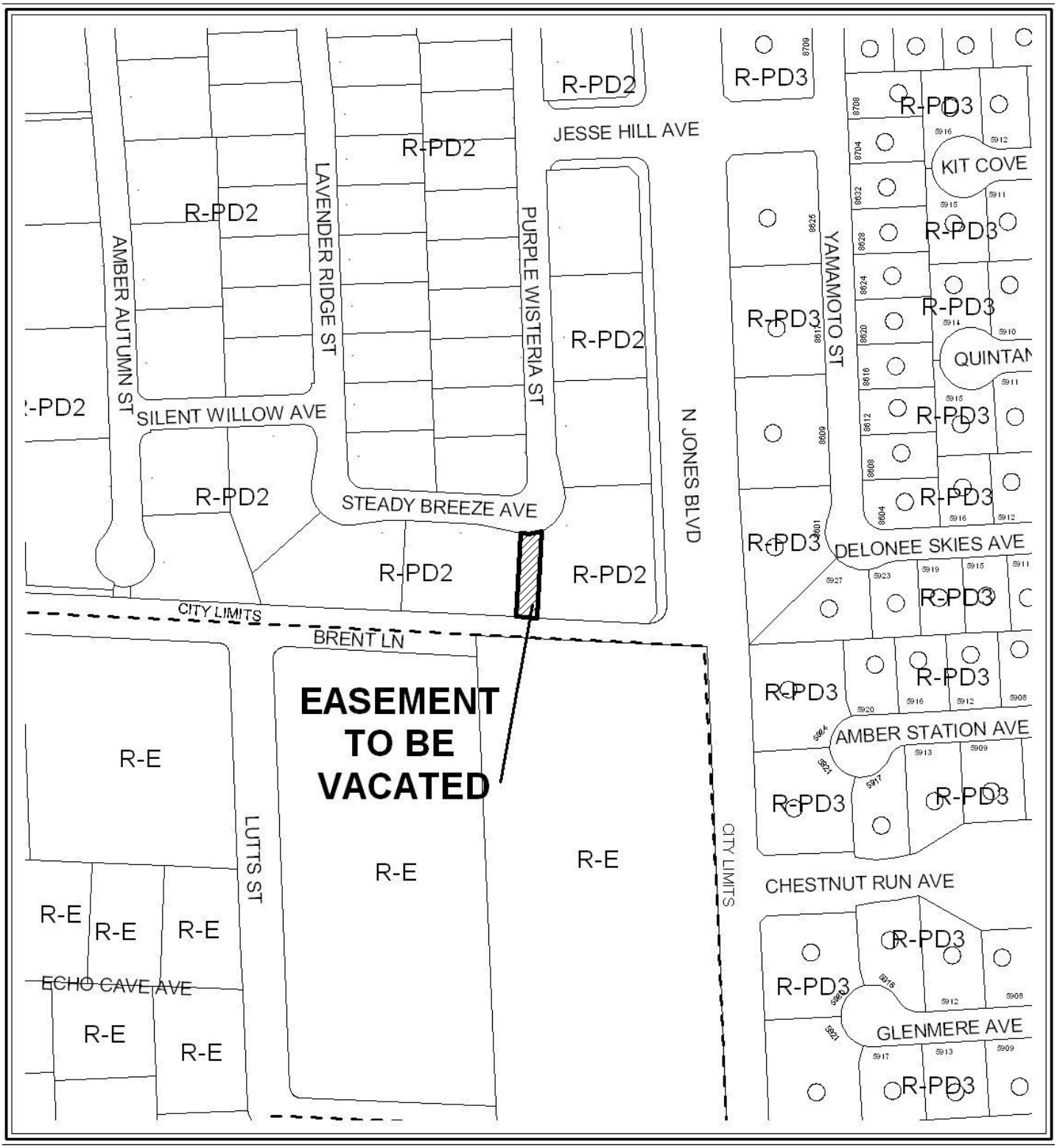
SUBJECT:
VAC-43701 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: WILLIAM LYON HOMES, INC. - For possible action on a request for a Petition to Vacate THE EMERGENCY ACCESS EASEMENT WITHIN COMMON ELEMENT D OF THE RECORDED FINAL MAP ENTITLED STRATTON 35 at the south intersection of Steady Breeze Avenue and Purple Wisteria Street, Ward 6 (Ross). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 01/18/2012
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. City Council Approval Letter for SDR-9095
6. Justification Letter



CASE: VAC-43701

ZONING OF SUBJECT PROPERTY: R-PD (RESIDENTIAL PLANNED DEVELOPMENT)

N



0 200 400 Feet

CASE: VAC-43701

ZONING OF SUBJECT PROPERTY: R-PD (RESIDENTIAL PLANNED DEVELOPMENT)

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: DECEMBER 13, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: WILLIAM LYON HOMES, INC.

**** STAFF RECOMMENDATION(S) ****

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAC-43701	Staff recommends APPROVAL, subject to conditions:	

**** CONDITIONS ****

VAC-43701 CONDITIONS

1. The limits of this Petition of Vacation shall be the emergency access easement granted solely to the City of Las Vegas located within Common Lot "D" of the recorded Stratton 35 Final Map, Book 142, Page 77.

2. Common Lot "E" of the recorded Stratton 35 Final Map, Book 142, Page 77 shall maintain the required 20-foot emergency access easement in perpetuity unless specific written authorization is given from the Fire Department.

3. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

4. All development shall be in conformance with code requirements and design standards of all City Departments.

5. If the Order of Vacation is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

Staff Report Page One
December 13, 2011 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request to vacate the emergency access easement within common element "D" in the "Stratton 35" single-family residential subdivision. Common element "D" is located approximately 250 feet west of the intersection of Steady Breeze Avenue and Purple Wisteria Street. This access is not needed, as emergency access to the subdivision is provided elsewhere on the site. Approval of this vacation will allow the civil plans (CLV DWG #107Y4948) and final map (FMP-38588) to be consistent with each other; therefore, staff recommends approval.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
07/02/10	The Planning and Development Department approved a request for a Final Map Technical Review (FMP-38588) for an amended 77-lot single-family residential subdivision on 33.17 acres at the southwest corner of Iron Mountain Road and Jones Boulevard. The map recorded on 9/21/10
07/26/06	The Civil Plan (#107Y4948) was approved on 05/21/07 for a 77-lot single family residential subdivision on 36 acres located on the southwest corner of Iron Mountain Road and Jones Boulevard.

Most Recent Change of Ownership	
12/30/09	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
No building permits or business licenses have been issued for parcel to be vacated.

Pre-Application Meeting	
10/13/11	A pre-application meeting was held with the applicant to discuss the submittal requirements for a Vacation of the emergency access easement.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
11/03/11	Staff conducted a field check of the subject property. Staff noted the subject site was a well maintained parcel.

DED

Details of Application Request	
Site Area	
Net Acres	0.08

Surrounding Property	*Existing Land Use Per Title 19.12*	*Planned or Special Land Use Designation*	*Existing Zoning District*
Subject Property	Single Family, Detached	DR (Desert Rural) Density Residential	R-PD2 (Residential Planned Development- 2 Units per Acre)
North	Single Family, Detached	DR (Desert Rural) Density Residential	R-PD2 (Residential Planned Development- 2 Units per Acre)
South	Undeveloped Land and Single Family Residences- Clark County	RNP (Rural Neighborhood Preservation)- Clark County	R-E (Rural Estates Residential)- Clark County
East	Single Family, Detached	DR (Desert Rural) Density Residential	R-PD2 (Residential Planned Development- 2 Units per Acre)
West	Single Family, Detached	DR (Desert Rural) Density Residential	R-PD2 (Residential Planned Development- 2 Units per Acre)

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area		X	N/A
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Actual Street Width (Feet)*	*Compliance with Street Section*
Brent Lane	N/A	N/A	60	N/A

DED

LEGAL DESCRIPTION

All property lying within Common Element "D" of "Stratton 35" a common interest community as shown by map thereof on file in Book 137 of Plats, Page 54, in the Office of the County Recorder of Clark county, Nevada.

ANALYSIS

The approved civil plans (CLV DWG #107Y4948) depict the emergency access easement as a part of Common Lot "E" approximately 556 feet west of Common Lot "D." The Final Map (FMP-38588) depicts an emergency access easement on both Common Lot "E" and Common Lot "D." Approval of this vacation will remove the emergency access easement from common element "D" and allow the civil plans and final map to be consistent with each other.

The Department of Public Works presented the following information concerning this request to vacate the subject sewer easement.

> "This Vacation application proposes to vacate an emergency access easement located within Common Lot "D" of the Stratton 35 Final Map, Book 142, Page 77. The approved civil improvement drawings show the emergency access easement in Common Lot "E" and the recorded Final Map shows an emergency access easement in both Common Lots "D" and "E". As no right-of-way is proposed to be vacated, and thus no franchise rights are involved, it is not necessary to send this VAC request to the utility companies and franchise holders, nor wait for their responses. Since only a City easement is involved, any utility company interests will need to be addressed with each respective utility company and will not be affected by the City vacating its interest. Furthermore, we recommend that this item be declared final action at Planning Commission."

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 7

NOTICES MAILED 1

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-43701 APN: 125-11-512-080

Name of Property Owner: ~~Lyon William~~ Homes Inc. %T Connelly
WILLIAM LYON

Name of Applicant: Mary Connelly

Name of Representative: Taney Engineering - Steve Dumovich

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes ☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: K Martin - Jensen

Print Name: K. Martin - Jensen

Subscribed and sworn before me

This 26 day of October, 20 11

Erica J. Morales

Notary Public in and for said County and State

ERICA J. MORALES
Notary Public, State of Nevada
Appointment No. 06-108216-14
My Appt. Expires June 23, 2014

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OCT 26 2011

Revised 11-14-06

f:\depot\Application Packet\Statement of Financial Interest.pdf

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Vacation of Emergency Access Easement within Common Lot D

Project Address (Location) Corner of Steady Breeze Ave/Purple Wisteria St

Project Name Stratton 35-Plat Book 142 Page 77 **Proposed Use** No Change Proposed

Assessor's Parcel #(s) 125-11-512-080 **Ward #** 6-Ross

General Plan: existing _____ proposed _____ **Zoning:** existing _____ proposed no chg

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER ~~Lyon Williams~~ WILLIAM LYON Homes Inc.%TCon **Contact** Mary Connelly

Address 500 Pilot Rd #G **Phone:** (702) 263-8200 **Fax:** (702) 263-8220

City Las Vegas **State** NV **Zip** 89119

E-mail Address _____

APPLICANT ~~Lyon Williams~~ WILLIAM LYON Homes Inc.%T Connelly **Contact** Mary Connelly

Address 500 Pilot Rd #G **Phone:** (702) 263-8200 **Fax:** (702) 263-8220

City Las Vegas **State** NV **Zip** 89119

E-mail Address _____

REPRESENTATIVE Taney Engineering **Contact** Steve Dumovich

Address 6030 S. Jones Blvd, Ste 100 **Phone:** (702) 362-8844 **Fax:** (702) 362-5233

City Las Vegas **State** NV **Zip** 89118

E-mail Address steved@taneycorp.com

Property Owner Signature* Kathy Martin-Jensen

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Kathy Martin-Jensen

Subscribed and sworn before me

This 2 day of November, 20 11.

Erica J. Morales

Notary Public in and for said County and S

ERICA J. MORALES
Notary Public, State of Nevada
Appointment No. 06-109210-14
My Appt. Expires June 26, 2014

FOR DEPARTMENT USE ONLY

Case #	Vac-43701
Meeting Date:	12/13/11
Total Fee:	$1,000.00
Date Received:*	10/26/11
Received By:	

*The application will not be deemed complete until the submitted materials have been reviewed by the Department of Planning for consistency with applicable sections of the Zoning Ordinance.

Revised 10/27/08



VAC-43701 - APPLICANT/OWNER: LYON WILLIAMS HOMES INC.
SOUTH INTERSECTION OF STEADY BREEZE AVENUE AND PURPLE WISTERIA STREET

11/03/11

TANEY ENGINEERING
6030 SOUTH JONES BLVD. #100
LAS VEGAS, NV 89118
TELEPHONE: 702-362-8844
FAX: 702-362-5233

September 16, 2011

City of Las Vegas
Department of Planning
333 N. Rancho Drive
Las Vegas, Nevada 89106

Re: Justification Letter for the Vacation/Relinquish of the Emergency Access Easement within Common Element D of Stratton 35

The purpose of this request is for the vacation/relinquishment of the emergency access easement within Common Lot D as shown on the final map (FMP 38588).

The approved civil plans (CLV DWG # 107Y4948) show the emergency access easement in Common Element E and not on Common Element D, and the map inadvertently shows the easement on both common lots.

Approval of our request would succeed in making the recorded final map consistent with the previously approved civil plans. We intend to submit a certificate of amendment to the City Surveyor's office for approval and recordation upon approval of the easement relinquishment.

If you have any questions, please contact me at 362-8844.

Sincerely,

Steve Dumovich, PLS
Principal, Director of Surveying Services

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VAC-43701



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS

DOUGLAS A. SELBY
CITY MANAGER

February 1, 2006

Mr. Mickey Stratton
Quarter Horse Falls Estates, LLC
5365 South Cameron Street
Las Vegas, Nevada 89118

RE: SDR-9095 – SITE DEVELOPMENT PLAN REVIEW
CITY COUNCIL MEETING OF JANUARY 4, 2006
RELATED TO ZON-9093

Dear Mr. Stratton:

The City Council at a regular meeting held January 4, 2006 APPROVED the request for a Site Development Plan Review FOR AN 83-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 33.39 acres adjacent to the southwest corner of Iron Mountain Road and Jones Boulevard (APNs 125-11-503-001, 002, 125-11-507-002, 004 and 125-11-508-003) R-PD2 (Residential Planned Development - 2 Units Per Acre) Zone [PROPOSED: R-PD2 (Residential Planned Development - 2 Units Per Acre) Zone]. The Notice of Final Action was filed with the Las Vegas City Clerk on January 5, 2006. This approval is subject to:

Planning and Development

1. All perimeter lots shall have a minimum lot size of 18,000 net square feet.

2. A minimum 10-foot wide equestrian access shall be provided from the project interior to the park to the north, subject to the approval of the Planning and Development Department.

3. The perimeter wall along Maverick Street and the southwest property line down to Brent Lane shall be decorative block, eight feet in height.

4. Lots 56 and 57 of the site plan date stamped 12/30/05 shall be limited to single story structures.

5. There shall be no streetlights on interior private streets.

6. Landscaping shall be installed on the north side of Brent Lane in a 6-foot wide planter with 24-inch box trees every 30 linear feet on center. Four five gallon shrubs shall be planted around each tree. All landscaping shall be permanently maintained.

7. All lots minimum 18,000 square feet shall be allowed to maintain domestic animals pursuant to all City ordinances.

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

18112-001-06-05
CLV 7009

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OCT 26 2011
VAC-43701

8. Equestrian access shall be provided along the utility easement between Lots 71 and 73.

9. A Rezoning (ZON-9093) to R-PD2 (Residential Planned Development - 2 Units Per Acre) Zoning District approved by the City Council.

10. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City of Las Vegas

11. All development shall be in conformance with the site plan for a maximum of 77 units date stamped 12/30/05 and building elevations date stamped 9/01/05, except as amended by conditions herein. Application for and approval of a variance for open space is required prior to submittal for plan check.

12. Models that have casitas as an option will not be permitted to have a kitchen within the casita.

13. The standards for this development shall include the following: Minimum lot size of 10,003 square feet, minimum distance between buildings of 14 feet, and building height shall not exceed two stories or 35 feet, whichever is less.

14. The setbacks for this development shall be a minimum of 20 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 7 feet on the side, 15 feet on the corner side, and 20 feet in the rear.

15. The applicant shall construct the required 20-foot Multi-use Transportation Trail along the south side of Iron Mountain Road. The trail is required to have the following components: a five-foot transition strip, a 10-foot public transportation trail, and a five-foot private landscaped corridor.

16. The conceptual landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five gallon shrubs for each tree within provided planters.

17. A permanent underground sprinkler system shall be installed in all landscape areas as required by the City of Las Vegas and shall be permanently maintained in a satisfactory manner.

18. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. The landscape plan shall include irrigation specifications.

19. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

20. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed.

21. Prior to approval of the Final Map Mylar, two final landscape plans must be submitted for review and approval by the Planning and Development Department in conformance with the conditions of approval.

22. Air conditioning units shall not be mounted on rooftops.

23. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.

24. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials, and shall conform to the requirements listed in Title 19.08.

25. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

26. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

27. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

28. Gated entries shall be designed, located and constructed in accordance with Standard Drawing #222a.

29. A Homeowners' Association shall be established to maintain all private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

30. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

31. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site.

32. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the public right-of-way adjacent to this site prior to occupancy of this site.

33. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-9093 and all other subsequent applicable site-related actions.

34. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

35. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

Sincerely,

Lean Coleman

Lean Coleman
Deputy City Clerk II for
Barbara Jo Ronemus, City Clerk

M. Margo Wheeler, AICP
Director
Planning and Development Department

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. of Fire Services

Mr. Evan Nef
PN II, Inc.
8345 West Sunset Road
Las Vegas, Nevada 89113

Mr. Chais Jenkins
GC Wallace, Inc.
1555 South Rainbow Boulevard
Las Vegas, Nevada 89146

VAC-43701

City of Las Vegas Agenda Item No.: **17.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: DECEMBER 13, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

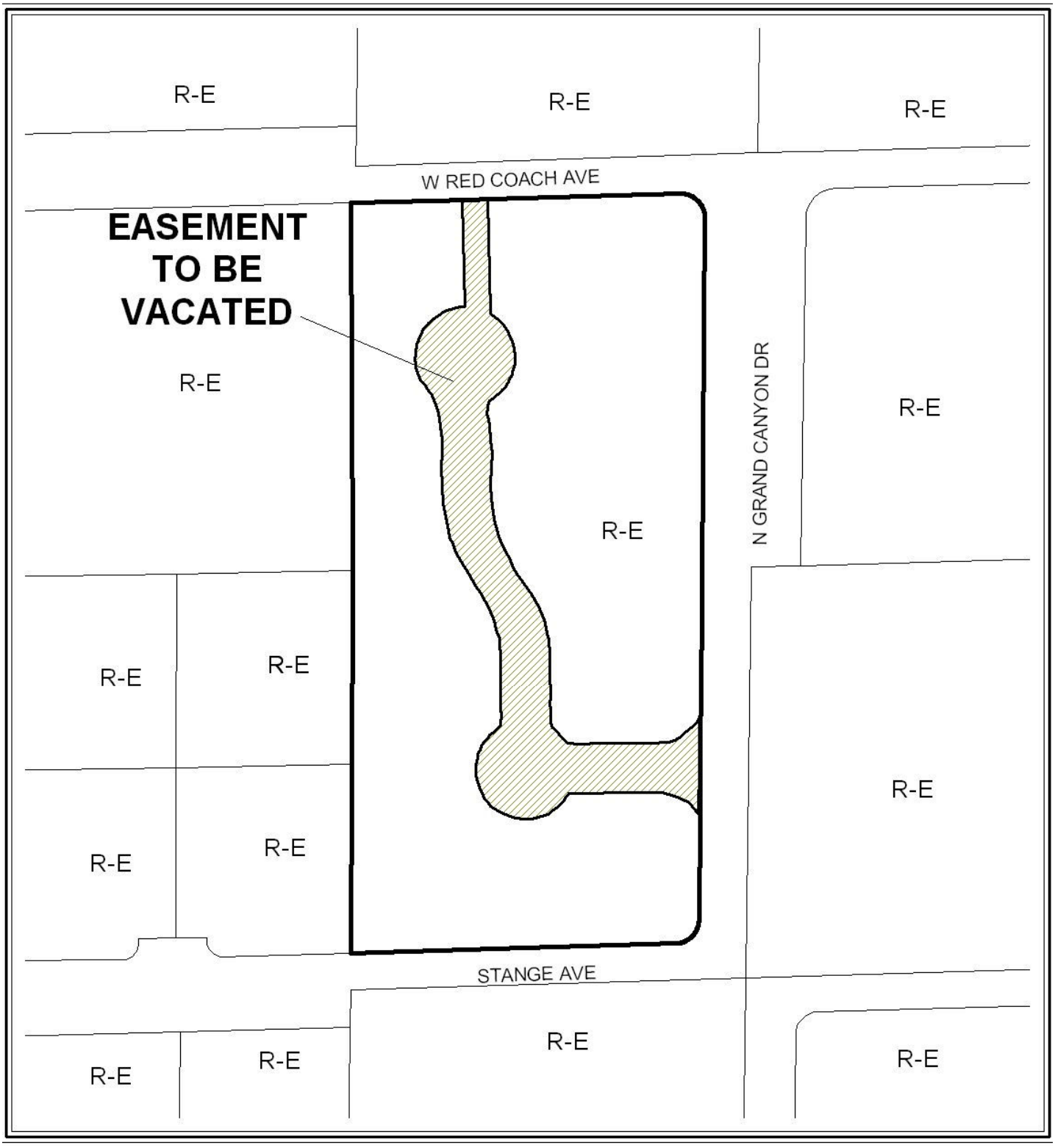
SUBJECT:
VAC-43714 - VACATION - PUBLIC HEARING - APPLICANT: DWYER ENGINEERING - OWNER: MARK III, LLC - For possible action on a request for a Petition to Vacate A PUBLIC SEWER EASEMENT on property located at the northwest corner of Stange Avenue and Grand Canyon Drive (APN 138-06-203-003), Clark County. Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 01/18/2012
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

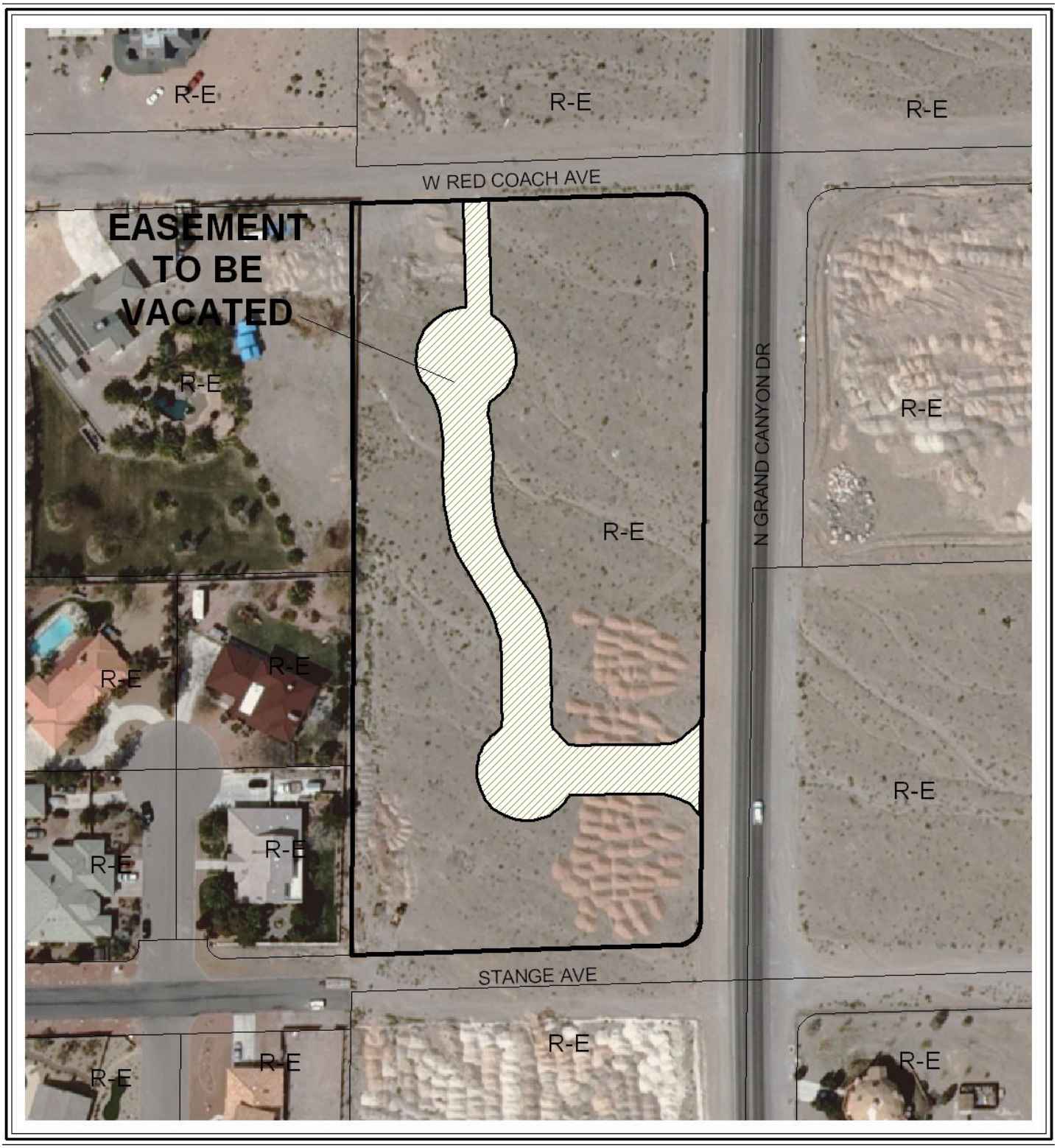
PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter



CASE: **VAC-43714**



0 100 200 Feet

CASE: VAC-43714

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: DECEMBER 13, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: DWYER ENGINEERING - OWNER: MARK III, LLC

**** STAFF RECOMMENDATION(S) ****

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAC-43714	Staff recommends APPROVAL, subject to conditions:	

**** CONDITIONS ****

VAC-43714 CONDITIONS

1. The limits of this Petition of Vacation shall be all Public Sewer Easements granted solely to the City of Las Vegas and recorded by the plat of Moore Estates, Book 137 Page 95.

2. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

3. If the Order of Vacation is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant proposes to vacate a public sewer easement on property located at the northwest corner of Stange Avenue and Grand Canyon Drive. The easement is located in Clark County. The applicant does not anticipate development in the future and the existing sewer easement is no longer required. Staff recommends approval, with conditions.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc
No City Actions exist for this parcel to be vacated.

Most Recent Change of Ownership	
06/20/11	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
No building permits or business licenses have been issued for parcel to be vacated.

Pre-Application Meeting	
10/18/11	A pre-application meeting was held with the applicant to discuss the submittal requirements for a Vacation for a sewer easement.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
11/03/11	Staff conducted a field check of the subject property. Staff noted the subject property was undeveloped land.

Details of Application Request	
Site Area	
Gross Acres	3.97

DED

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area		X	N/A
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

LEGAL DESCRIPTION

The east half of the northeast quarter (NE¼) of the southeast quarter (SE¼) of the northwest quarter (NW¼) of Section 6, Township 20 South, Range 60 East, M.D.B. & M., artesian basin, Clark county, Nevada. And the northwest quarter (NW¼) of the northeast quarter (NE¼) of the southeast quarter (SE¼) of the northwest quarter (NW¼) of section 6, township 20 south, range 60 east, M.D.M. according to the official plat on file in the office of the bureau of land management, further described as lot one (1) of that certain land division in book 6, page 79. Excepting there from the interest in and to the northerly 30 feet and the westerly 30 feet as conveyed to the county of Clark in that certain deed recorded February 23, 1972 in book 209 of official records, as document no. 168498, Clark county, Nevada records. And further excepting there from, that certain spandrel area in the northwest corner as conveyed to the county of Clark in that certain deed recorded May 13, 1994 in book 940513 as document no. 01162 and rerecorded June 14, 1994 in book 940614 as document no. 00855, Clark county, Nevada records.

ANALYSIS

The applicant proposes to vacate a public sewer easement on property located at the northwest corner of Stange Avenue and Grand Canyon Drive. The easement is located in Clark County. The parcel has been reverted back to acreage and the public sewer easement is no longer required; therefore, staff recommends approval.

The Department of Public Works presented the following information concerning this request to vacate the subject sewer easement.

> "This Vacation application proposes to vacate a City of Las Vegas sewer easement located within the boundary of a reverted Final Map, Moore Estates located in Clark County. As no right-of-way is proposed to be vacated, and thus no franchise rights are involved, it is not necessary to send this Vacation request to the utility companies and franchise holders, nor wait for their responses. Since only City easements are involved, any utility company interests will need to be addressed with each respective utility company and will not be affected by the City vacating its interest. Furthermore, we recommend that this item be declared final action at Planning Commission."

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 6

NOTICES MAILED 3

APPROVALS 0

PROTESTS 0

DED

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAC-43714** APN: 13806203003

Name of Property Owner: Mark III LLC

Name of Applicant: Dwyer Engineering

Name of Representative: _____

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ **Yes** ☒ **No**

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: DUSTIN ALLEN

Subscribed and sworn before me

This 27 day of October, 2011

Judie L. Highmiller
Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
JUDIE L. HIGHMILLER
No: 94-0786-1
My Appointment Expires April 4, 2014

Revised 11-14-06

f:\depot\Application Packet\Statement of Financial Interest.pdf

RECEIVED
OCT 27 2011
City of Las Vegas

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Vacation of Sewer Easement

Project Address (Location) NWC Grand Canyon & Red Coach Ave.

Project Name Moore Estates **Proposed Use** _____

Assessor's Parcel #(s) 13806203003 **Ward #** _____

General Plan: existing R-E proposed R-E **Zoning:** existing _____ proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Mark III LLC **Contact** Dusty Allen

Address 10515 20th Street #100 **Phone:** _____ **Fax:** _____

City Lake Stevens **State** WA **Zip** 98258

E-mail Address _____

APPLICANT Dwyer Engineering **Contact** Thomas L. Hellums

Address 7310 Smoke Ranch Rd. Ste E **Phone:** 254-2200 **Fax:** 254-2236

City Las Vegas **State** NV **Zip** 89128

E-mail Address thellums@dwyerengineering.com

REPRESENTATIVE Dwyer Engineering **Contact** Thomas Hellums

Address 7310 Smoke Ranch Rd. Ste E **Phone:** 254-2200 **Fax:** 254-2236

City Las Vegas **State** NV **Zip** 89128

E-mail Address thellums@dwyerengineering.com

Property Owner Signature* _____

* An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name DUSTIN ALLEN

Subscribed and sworn before me

This 27 day of October, 2011.

Judie L. Highmiller

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
JUDIE L. HIGHMILLER
No: 94-0786-1
My Appointment Expires April 4, 2014

FOR DEPARTMENT USE ONLY

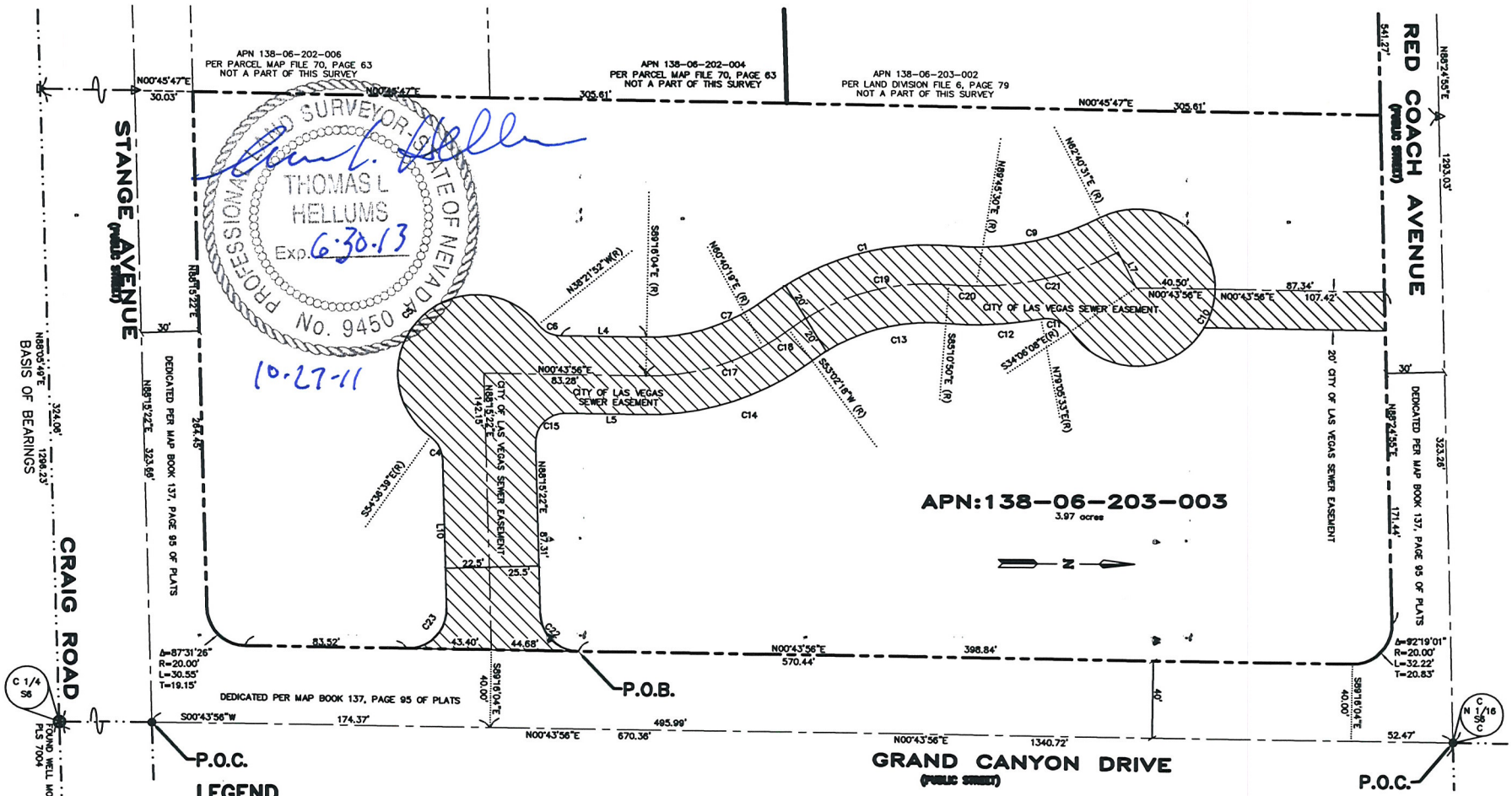
Case #	VAC-43714
Meeting Date:	12/13/11PC
Total Fee:	$1,000—
Date Received:*	10/27/11
Received By:	BC 3

* The application will not be deemed complete until the submitted materials have been reviewed by the Department of Planning for consistency with applicable sections of the Zoning Ordinance.

RECEIVED
OCT 27 2011
City of Las Vegas

Revised 10/27/08

CITY OF LAS VEGAS SEWER EASEMENT VACATION – EXHIBIT



THOMAS L HELLUMS
PROFESSIONAL LAND SURVEYOR – STATE OF NEVADA
No. 9450
Exp. 6-30-13

10-27-11

LEGEND

- SECTION LINE
- PROPERTY LINE/RIGHT-OF-WAY
- CENTERLINE
- LOT LINE
- CITY OF LAS VEGAS SEWER EASEMENT
- RADIAL/TIE LINE

- FOUND BLM BRASS CAP AS NOTED
- FOUND WELL MON AS NOTED
- FOUND REBAR
- FOUND PLASTIC CAP AS NOTED
- FOUND ALUM. CAP AS NOTED
- FOUND CONCRETE NAIL
- CALCULATED POSITION NOTHING FOUND OR SET

CURVE TABLE				
CURVE	DELTA	LENGTH	TANGENT	RADIUS
C1	41°46'53"	102.09'	53.43'	140.00'
C4	52°52'00"	13.84'	7.46'	15.00'
C5	196°14'47"	138.72'	283.75'	40.50'
C6	50°54'12"	13.33'	7.14'	15.00'
C7	37°41'38"	65.79'	34.13'	100.00'
C8	41°46'53"	102.09'	53.43'	140.00'
C9	32°08'39"	78.54'	40.34'	140.00'
C10	263°13'21"	186.06'	45.60'	40.50'
C11	66°48'19"	17.49'	9.89'	15.00'
C12	15°43'38"	49.41'	24.86'	180.00'
C13	41°46'53"	72.92'	38.17'	100.00'
C14	37°41'38"	92.10'	47.79'	140.00'
C15	92°28'34"	24.21'	15.66'	15.00'
C17	30°03'37"	62.96'	32.22'	120.00'
C18	7°38'01"	15.99'	8.01'	120.00'
C19	41°46'53"	87.51'	45.80'	120.00'
C20	5°03'41"	14.13'	7.07'	160.00'
C21	27°04'59"	75.63'	38.54'	160.00'
C22	87°31'26"	30.55'	19.15'	20.00'
C23	92°28'34"	32.28'	20.88'	20.00'

LINE TABLE		
LINE	LENGTH	BEARING
L4	44.20'	S00°43'56"W
L5	41.22'	S00°43'56"W
L7	20.50'	N62°40'31"E
L8	9.03'	N89°49'54"E
L9	87.31'	N88°15'22"E
L10	76.22'	N88°15'22"E

CITY OF LAS VEGAS SEWER EASEMENT PER BOOK 137 OF PLATS, PAGE 95

BASIS OF BEARINGS

NORTH 88°05'49" EAST, BEING THE SOUTH LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M. AS SHOWN ON FILE 115, OF SURVEYS, PAGE 93 IN THE OFFICE OF THE CLARK COUNTY, NEVADA RECORDER.

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OCT 27 2011
City of Las Vegas

ANY SUBSEQUENT CHANGES TO THIS MAP SHOULD BE EXAMINED AND MAY BE DETERMINED BY REFERENCE TO THE COUNTY RECORDER'S CUMULATIVE MAP INDEX.
N.R.S. 278.5695

DWYER ENGINEERING INC.
CIVIL ENGINEERS
LAND SURVEYORS
WATER RIGHTS
LAND USE PLANNING
7310 SMOKE RANCH RD., SUITE E
LAS VEGAS, NEVADA 89128
(702) 254-2200
fax: (702) 254-2236

DRAWN BY: TLH | DATE: 24 OCT 11 | JOB No.: 11555

VAC-43714



VAC-43714 - APPLICANT: DWYER ENGINEERING - OWNER: MARK III, LLC
NORTHWEST CORNER OF STANGE AVENUE AND GRAND CANYON DRIVE

11/03/11

DWYER ENGINEERING, INC.
CIVIL ENGINEERS, LAND SURVEYORS, WATER RIGHTS, LAND USE PLANNING

October 24, 2011

City of Las Vegas Planning Department
333 N. Rancho Dr.
Las Vegas, NV 89106

Re: Justification Letter
Vacation of City of Las Vegas Sewer Easement
APN: 138-06-203-003

Note: Project parcel is in Clark County.

Dear Sirs:

The property owner formally requests the vacation of the existing CLV Sewer Easement. The property has been reverted to raw acreage and no development is foreseen in the future. The existing sewer easement is no longer required for the reverted parcel. This project is located in Clark County.

We request approval of the vacation of this sewer easement.

Sincerely,
DWYER ENGINEERING

Thomas L. Hellums, P.L.S., W.R.S.
Principal

RECEIVED
OCT 27 2011
City of Las Vegas

VAC-43714

7310 SMOKE RANCH ROAD, SUITE E ▪ LAS VEGAS, NV 89128 ▪ (702) 254-2200 ▪ fax: (702) 254-2236
www.dwyerengineering.com ▪ email: dwyereng@lvcm.com

City of Las Vegas Agenda Item No.: **18.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: DECEMBER 13, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

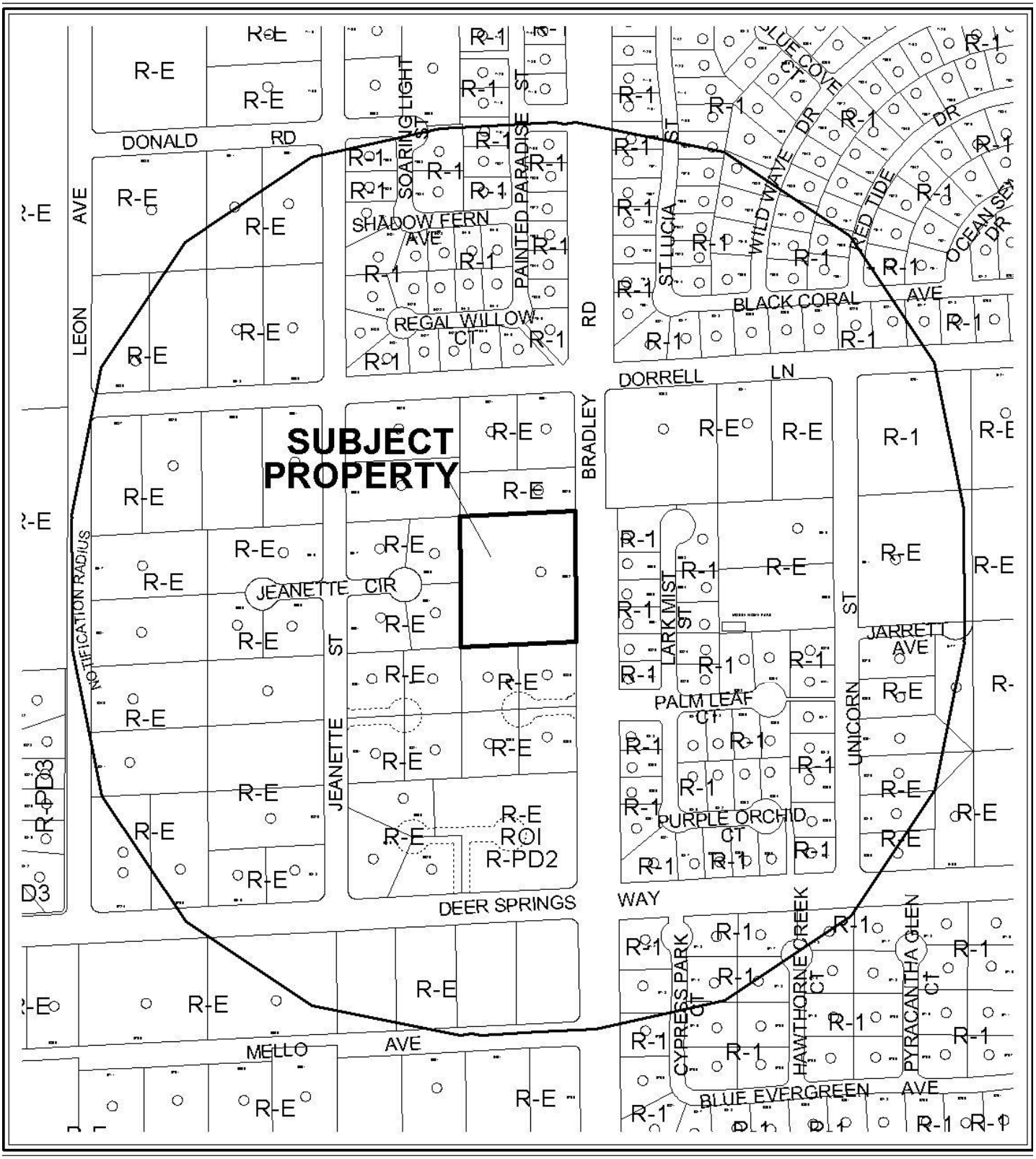
SUBJECT:
VAR-42988 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: JACK W. ZERKLE, JR. AND ORPHA ZERKLE - For possible action on a request for a Variance TO ALLOW AN EXISTING SIX-FOOT TALL SOLID CORRUGATED METAL SCREEN FENCE WITH NO CONTRASTING MATERIALS OR COLOR WHERE A FIVE-FOOT TALL FENCE WITH A MAXIMUM OF TWO FEET THAT IS SOLID IS ALLOWED IN THE FRONT YARD OF A RESIDENTIAL PROPERTY AND 20 PERCENT CONTRASTING MATERIALS AND/OR COLOR IS REQUIRED on 2.26 acres at 6902 Bradley Road (APN 125-24-203-010), R-E (Residence Estates) Zone, Ward 6 (Ross). Staff recommends DENIAL.

MAY GO TO CITY COUNCIL ON 01/18/2012
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**7**	**Planning Commission Mtg.**	**14**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/Support Postcards and Support Petition



0 300 600 Feet

CASE: **VAR-42988**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

N



0 300 600 Feet

CASE: **VAR-42988**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: DECEMBER 13, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: JACK W. ZERKLE, JR. AND ORPHA ZERKLE

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-42988	Staff recommends DENIAL, if approved subject to conditions:	N/A

** CONDITIONS **

VAR-42988 CONDITIONS

Planning

1. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

2. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

3. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Public Works

5. The gates shall be set back a sufficient distance (a minimum of 18 feet from right-of-way line) to allow a vehicle to pull completely out of the public street right-of-way before parking to manually operate the gate unless otherwise allowed by the City Traffic Engineer. No part of the gates, either in the opened or closed position are allowed to intrude into the public right-of-way. The fence shall also accommodate required Site Visibility Restriction Zones (SVRZ's) per Standard Drawing # 201.2 and adequate entry areas at all entries for the ultimate cross section of Bradley Road.

Staff Report Page One
December 13, 2011 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Variance to allow an existing unpermitted six-foot tall by 337-foot long solid corrugated metal screen fence with no contrasting materials along the front property line at 6902 Bradley Road. The subject site is a single–family residence in an R-E (Residence Estates) zoning district, within the Rural Preservation Overlay District. The applicant has indicated that the unpermitted fence was installed due to concerns for privacy, reduced street noise and health and well being of the family pet.

As no evidence of a hardship has been presented to justify the requested variance, staff recommends denial of this Variance. If this application is denied, the existing unpermitted six-foot tall by 337-foot long solid corrugated metal screen fence with no contrasting materials, shall be removed or redesigned to comply with all Title 19 standards.

ISSUES

- A Variance is required, to allow an existing six-foot tall solid corrugated metal screen fence with no contrasting materials or colors where a five-foot tall fence with a maximum of two feet that is solid is allowed in the front yard of a residential property and 20 percent contrasting materials and/or color is required. Staff does not support the request.
- The existing six-foot tall solid corrugated metal screen fence was installed without permits.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
05/18/64	The City Council approved Annexation (A-0003-64) for 5,000 acres located on the northwest corner of Lone Mountain Road and Decatur Boulevard. The Board of Adjustment and staff recommended approval.
10/11/11	The Planning Commission held Variance (VAR-42988) for an over height front yard fence in abeyance in order for the applicant to hold a neighborhood meeting.

Most Recent Change of Ownership	
06/04/01	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
12/06/99	A building permit (99023222) was issued for a single family residence at 6902 Bradley Road. The permit was finaled on 02/08/01.

YK

11/13/01	A building permit (1022294) was issued for an 88-foot by 40-foot shade structure at 6902 Bradley Road. The permit was finaled on 05/21/03.
08/08/05	Code Enforcement issued a Citation (#33383) for building a 20-foot tall structure without a building permit. The case was closed on 08/09/05.
02/10/09	A building permit (#133228) for the installation of a Natural Gas line at 6902 Bradley Road. The permit has not been finaled.
07/06/11	A code enforcement case (#103546) was processed for large piles of dirt in the front yard and installing a fence without a permit at 6902 Bradley Road. The case remains open.

Pre-Application Meeting	
08/23/11	Staff reviewed the requirements for a Variance application for a non-compliant front yard fence with the applicant. Staff encouraged the applicant to obtain letters of support from surrounding neighbors.

Neighborhood Meeting	
11/14/11	A neighborhood meeting was held at the request of the Planning Commission. Sixteen residents and two City Council and Planning Department staff members attended. The following is a summary of the meeting: • Residents in attendance generally agreed that the fence was beneficial in reducing the dust and noise from the applicant's property. • Residents in attendance generally agreed that the height and opacity of the fence was appropriate for the neighborhood. • Some of the attendees were satisfied with the corrugated fence material in its current condition; others strongly objected to the material and felt that the corrugated metal detracted from the appearance of the neighborhood and would reduce values of abutting properties. Some attendees stated that they would prefer some type of block wall more in keeping with the design/aesthetics of the principal dwelling. • The general consensus of those who attended the meeting was that the corrugated metal should be painted/changed out so that all of the metal panels were the same gray color for a consistent appearance.

Field Check	
11/03/11	Staff conducted a field check of the subject site and noted a single family residence with an unpermitted corrugated metal screen fence in the front yard.

Details of Application Request	
Site Area	
Net Acres	2.26

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Single Family, Detached	L (Low Density Residential)	R-E (Residence Estates)
North	Single Family, Detached	L (Low Density Residential)	R-E (Residence Estates)
South	Single Family, Detached	L (Low Density Residential)	R-E (Residence Estates)
East	Single Family, Detached	ML (Medium Low Density Residential)	R-1 (Single Family Residential)
West	Single Family, Detached	L (Low Density Residential)	R-E (Residence Estates)

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area		X	N/A
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts		X	N/A
Trails	X		Y
Rural Preservation Overlay District	X		Y
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.06.060 , the following standards apply:

Standard	***Required/Allowed***	***Provided***	***Compliance***
Min. Lot Size	20,000 SF	98,446 SF	Y
Min. Lot Width	100 Feet	335 Feet	Y
Min. Setbacks			
• Front	50 Feet	69 Feet	Y
• Side	10 Feet	80 Feet	Y
• Corner	15 Feet	N/A	N/A
• Rear	35 Feet	150 Feet	Y
Max. Lot Coverage	N/A	N/A	N/A
Mech. Equipment	Screened	Screened	Y

YK

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Actual Street Width (Feet)*	*Compliance with Street Section*
Bradley Road	Secondary Collector	Master Plan of Streets and Highways	80	Y

ANALYSIS

The requested variance is to allow an existing unpermitted six-foot tall by 337-foot long solid corrugated metal screen fence with no contrasting materials, where a five-foot tall fence with a maximum of two feet that is solid is allowed in the front yard of a residential property and 20 percent contrasting materials and/or color is required. While some of the metal fencing is clean and some is covered in rust, the solid color fence and the rust colored fence are not considered contrasting. This is a 67 percent deviation from the maximum of the two-foot solid height permitted, a 17 percent deviation from the total height permitted and a 100 percent deviation from the contrasting materials and/or colors requirement. As the applicant has provided no compelling evidence of a unique or extraordinary circumstance related to the lot, staff recommends denial of this request.

FINDINGS (VAR-42988)

In accordance with the provisions of Title 19.16.140(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.16.140(L) states:

> "Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of 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."

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by installing a fence that does not meet the Title 19.06 requirements. Alternative design and materials would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 22

NOTICES MAILED 172

APPROVALS 14

PROTESTS 7

YK

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-42988 APN: 125-24-203-010

Name of Property Owner: Jack W Jr and Orpha Zerkle

Name of Applicant: Same as above

Name of Representative: Same as above

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes ☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Orpha Zerkle

Print Name: Orpha Zerkle

Subscribed and sworn before me

This 16th day of August, 2011

Penni Mendez

Notary Public in and for said County and State

PENNI MENDEZ
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 11-27-2011
Certificate No: 08-5500-1

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City of Las Vegas

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Variance

Project Address (Location) 6902 Bradley Rd, Las Vegas NV 89131 Detached

Project Name Zerkle Residence **Proposed Use** Single Family ~~Detached~~

Assessor's Parcel #(s) 125-24-203-010 **Ward #** _____

General Plan: existing L proposed NA **Zoning:** existing R-E proposed NA

Commercial Square Footage NA **Floor Area Ratio** NA

Gross Acres 2.26 **Lots/Units** NA **Density** NA

Additional Information ~~Variance~~ See Justification Letter

PROPERTY OWNER Jack W. Jr and Orpha Zerkle **Contact** Orpha Zerkle

Address 6902 Bradley Rd **Phone:** 395-9119 **Fax:** _____

City Las Vegas **State** Nevada **Zip** 89131

E-mail Address _____

APPLICANT Same as above **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

E-mail Address _____

REPRESENTATIVE Same as above **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

E-mail Address _____

Property Owner Signature* Orpha Zerkle

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Orpha Zerkle

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AUG 24 2011
City of Las Vegas

Subscribed and sworn before me

This 11e day of August, 20 11

Penni Mendez

Notary Public in and for said County and State

PENNI MENDEZ
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 11-27-2011
Certificate No: 08-5500-1

FOR DEPARTMENT USE ONLY

Case #	VAR-72188
Meeting Date:	10/11/11 PC
Total Fee:	~~$~~ 830
Date Accepted:	8/24/11
Accepted By:	BJS

*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development for consistency with applicable sections for the Zoning Ordinance.

Property Line

SINGLE FAMILY DETACHED

EXISTING CHAIN LINK FENCE 6FT

334'

12'

Shade

36'

34'

21'

100'

118'

Horse Shade

28'

18'

110'

EXISTING CHAIN LINK FENCE 6FT

SINGLE FAMILY DETACHED

290'

SINGLE FAMILY DETACHED

98'

Chicken Shade

Hay Barn

32'

SINGLE FAMILY DETACHED

282'

EXISTING CHAIN LINK FENCE 6FT

137'

54'

Home
3380 sqft

29ft

2 space car port
754 sqft

26ft

Storage

112'

Vicinity Map

N

Scale
1 inch = 2 mile
A = 6902 Bradley Rd

EXISTING BLOCK WALL

101'

69'

gate

(This gate hasn't been made yet)

SINGLE FAMILY DETACHED

Fence

4'

29'

100ft

Edge of Proposed Street Pavement

337'

Property Line

Fence

Bradley Road

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City of Las Vegas

VAR-42988


3
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City of Las Vegas
VAR-42988


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City of Las Vegas
Back Fence Detail
VAR-42988


1
4ft
6ft
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City of Las Vegas
VAR-42988


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City of Las Vegas
VAR-42988


3
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VAR-42988


4
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VAR-42988



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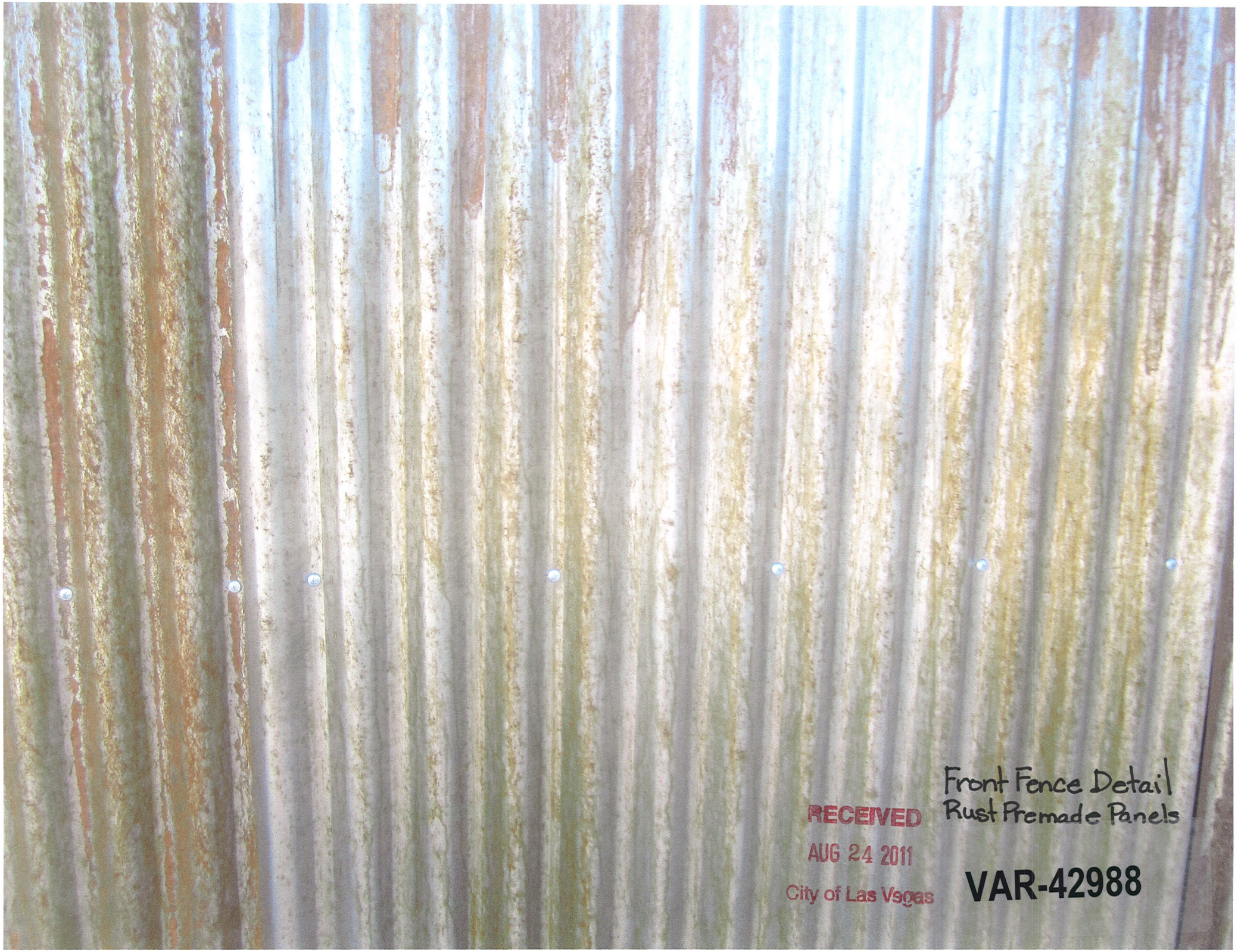
Front Fence Detail
Grey Pre made Panels

VAR-42988



Front Fence Detail
Rust Premade Panels

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VAR-42988

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City of Las Vegas

VAR-42988



VAR-42988 - APPLICANT/OWNER: JACK W. ZERKLE, JR. AND ORPHA ZERKLE
6902 BRADLEY ROAD

09/01/11



VAR-42988 - APPLICANT/OWNER: JACK W. ZERKLE, JR. AND ORPHA ZERKLE
6902 BRADLEY ROAD

09/01/11



VAR-42988 - APPLICANT/OWNER: JACK W. ZERKLE, JR. AND ORPHA ZERKLE
6902 BRADLEY ROAD

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6902 BRADLEY ROAD

09/01/11



VAR-42988 - APPLICANT/OWNER: JACK W. ZERKLE, JR. AND ORPHA ZERKLE
6902 BRADLEY ROAD

09/01/11



VAR-42988 - APPLICANT/OWNER: JACK W. ZERKLE, JR. AND ORPHA ZERKLE
6902 BRADLEY ROAD

09/01/11

August 3, 2011

To the City of Las Vegas Department of Planning,

We are applying for a variance for a 6 foot solid wall in front yard where five feet is required, to allow no contrasting where 20 percent is required and to allow a screen wall in the front yard where such is not allowed.

The fence is 6 foot high, 337 foot long, corrugated metal fence that runs across the front of our property at 6902 Bradley Road. The fence has two colors of corrugated metal one brick gray and the other will be rust when it gets more rain on it. The rust colored metal is centered between the two gates.

We are a single family home on a 2.26 acre piece of land zoned ranch estate. Our home is set back from the street about 106 feet. There is never a need for us to back out of our property. The return to the gate is slanted at both sides allowing us to see the street very well when driving out.

We enjoy the privacy the solid, 6 foot high fence gives us. Traffic from the street is quieter and the possibility of someone climbing over is less. There has been no more teasing the dog from middle school kids.

The fence looks very nice. It is straight, clean, and goes well with a ranch style property. We have received many complements on our fence. Some have stated they would like to have one like it for their own property.

Orpha Zerkle

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VAR-42988

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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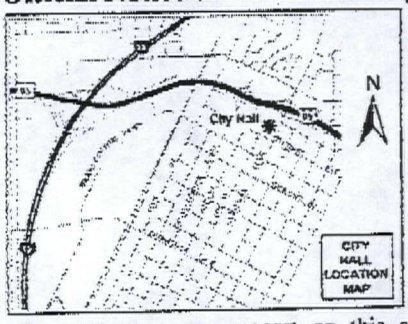

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning, Case Planning Division at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☑ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-42988

Planning Commission Meeting of 10/11/2011

Case: VAR-42988
12524110043
ROUSE WILLIE N
HART-ROUSE CLAUDETTE
P O BOX 750036
LAS VEGAS NV 89136-0036 89136-0036

79 HRDFN11 89136

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25P

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Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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PLANNING & DEVELOPMENT

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Fence is rusting! Or looks terrible! Make it look like a junk yard!

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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VAR-42988
Planning Commission Meeting of 10/11/2011

Case: VAR-42988
12524610026
PHILLIPS EILEEN E
6824 LARK MIST ST
LAS VEGAS NV 89131-2780 89131-2780

Submitted after final agenda
Date 10-11-2011 Item 25 25P

10/04/2011 12:13

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Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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0004279218 SEP 29 2011
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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-42988

Planning Commission Meeting of 10/11/2011

NOTE: This fence should abide by city code. not only is the fence not in character w/ the neighborhood, it was obviously built w/out a permit.
Tear down & rebuild !!!

Case: VAR-42988

12524710030
VALENZUELA VICTOR H
6717 CYPRESS PARK CT
LAS VEGAS NV 89131-2754 89131-2754

25 P

#6469 P.001 /001

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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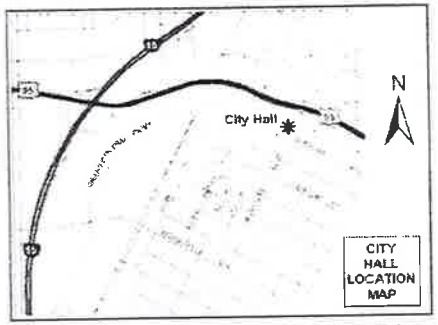
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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Planning Commission Meeting of 10/11/2011

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: VAR-42988
12524610013
QUINTANA PAVALKO 2008 TRUST
QUINTANA KELLY A TRS
6801 LARK MIST ST
LAS VEGAS NV 89131-2780 89131-2780

66 HRDFN11 89131

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City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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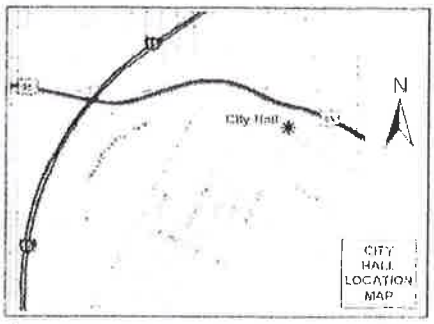

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-42988
Planning Commission Meeting of 10/11/2011

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PLANNING & DEVELOPMENT

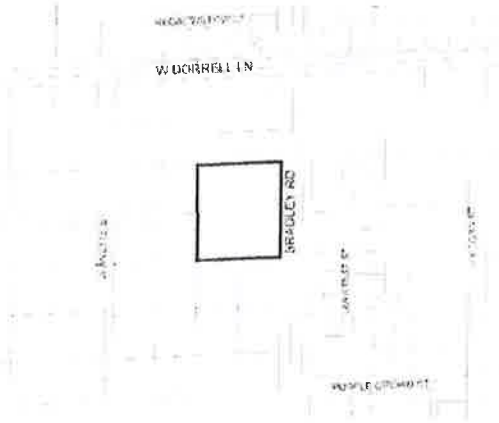
Case VAR-42988
12524601005
SPENDLOVE LORIN K & JANET
6910 UNICORN ST
LAS VEGAS NV 89131-2710 89131-2710

Application Information

VAR-42988 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: JACK W. ZERKLE, JR. AND ORPHA ZERKLE - For possible action on a request for a Variance TO ALLOW AN EXISTING SIX-FOOT TALL SOLID CORRUGATED METAL SCREEN FENCE WITH NO CONTRASTING MATERIALS OR COLOR WHERE A FIVE-FOOT TALL FENCE WITH A MAXIMUM OF TWO FEET THAT IS SOLID IS ALLOWED IN THE FRONT YARD OF A RESIDENTIAL PROPERTY AND 20 PERCENT CONTRASTING MATERIALS AND/OR COLOR IS REQUIRED on 2.26 acres at 6902 Bradley Road (APN 125-24-203-010), R-E (Residence Estates) Zone, Ward 6 (Ross).

I support this variance. Bradley is a busy street and if Jack Zerkle wants privacy from the many vehicles then He should be allowed.

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	Planning Commission
Date:	***October 11, 2011***
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file a written objection thereto or approval thereof with the Department of Planning, Case Planning Division, Development Services Center, 333 North Rancho Drive, 3rd Floor, Las Vegas, Nevada 89106. Final Action on General Plan Amendments and Rezonings will be determined by the City Council. Other public hearing items may be deemed Final Action by the Planning Commission or forwarded to the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after the discussion of the item. For further information, including the full staff report, please call (702) 229-6301 (TDD 386-9108) or go to http://www.lasvegasnevada.gov

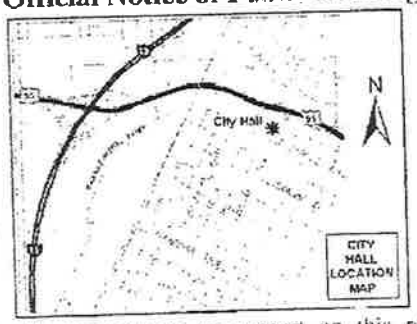
25 A

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

Return Service Requested

Official Notice of Public Hearing

Acceptable to this rural area!



NO Problem!

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning, Case Planning Division at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-42988

Planning Commission Meeting of 10/11/2011

Case: VAR-42988

12524203003
LAUB KENNETH C & CATHY D
5501 DORRELL LN
LAS VEGAS NV 89131-2821 89131-2821

89131 MRDFM11

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Development Services Center
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Las Vegas, Nevada 89106

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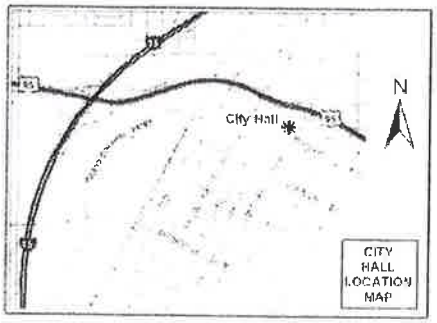

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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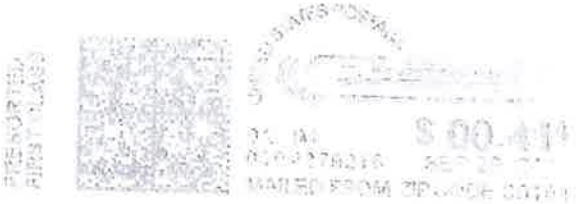
VAR-42988

Planning Commission Meeting of 10/11/2011





Case VAR-42988

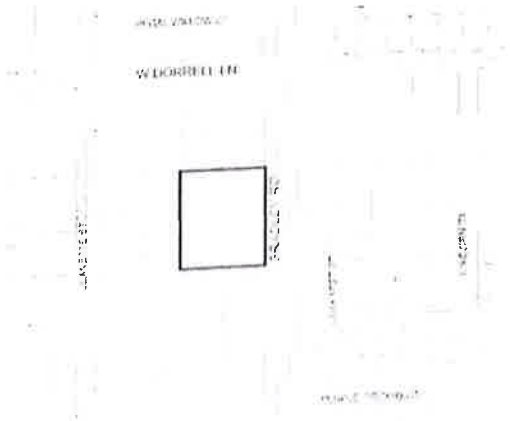
12524710031
KAMIMOTO STANLEY & D LIV TR
KAMIMOTO STANLEY & DORISANNE TRS
6718 CYPRESS PARK CT
LAS VEGAS NV 89131-2754 89131-2754

Application Information

VAR-42988 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: JACK W. ZERKLE, JR. AND ORPHA ZERKLE - For possible action on a request for a Variance TO ALLOW AN EXISTING SIX-FOOT TALL SOLID CORRUGATED METAL SCREEN FENCE WITH NO CONTRASTING MATERIALS OR COLOR WHERE A FIVE-FOOT TALL FENCE WITH A MAXIMUM OF TWO FEET THAT IS SOLID IS ALLOWED IN THE FRONT YARD OF A RESIDENTIAL PROPERTY AND 20 PERCENT CONTRASTING MATERIALS AND/OR COLOR IS REQUIRED on 2.26 acres at 6902 Bradley Road (APN 125-24-203-010), R-E (Residence Estates) Zone, Ward 6 (Ross).

Their fence is fine.
It gives them the
privacy they deserve.

Application Location



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Public Hearing Information

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City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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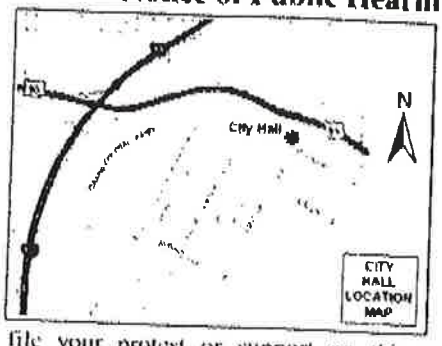

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-42988

Planning Commission Meeting of 10/11/2011

Case: VAR-42988

12524202004
HAAS SUSAN PRICE 1993 TRUST
HAAS SUSAN PRICE TRS
P O BOX 161
DYER NV 89010-0161 89010-0161

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OCT 10 2011

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Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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We totally support the fence! Please do not take down the fence.
Brigitte Sep

12524203001

Case: VAR-42988

To: the City of Las Vegas, Department of Planning,

I am in support of the 6 foot high corrugated metal fence that is located on the Zerkle residence of 6902 Bradley Road.

Resident ~~Owner~~ Signature	Contact #	Address	
~~D. Merg~~			
M Meyn Astle	702 6569549	6880 Bradley Rd	1
	702.278.4613	6880 Jeanette St.	2
Shelley Astle	702-494-5516	7900 Maverick	3
Sprigall	702-395-13006	6841 Jeanette St.	4
James Schilling	702.622.1133	6880 Jeanette St.	
Kara Dunsmoor	702.505.0899	6841 Jeanette St.	
Ken & Cathy Lamb	702-645-2057	5501 Dorrell Lane	5
BILL & WANDA JONES	702-523-7243	6920 BRADLEY RD.	6
Carol Smith	702.658.7874	5353 Dorrell Ln 89131	7
Steve BRETH	702-321-8246	5353 DORRELL LANE	

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7A

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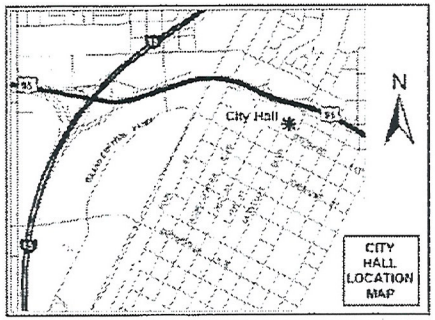
OCT 11 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M $ 00.41[4]
0004279218 SEP 29 2011
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



We need to maintain appearances and standards. It is unslightly!

Roger

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning, Case Planning Division at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-42988

Planning Commission Meeting of 10/11/2011

Case: VAR-42988
12524602008
POZOS ALFRED R & TARA
6865 UNICORN ST
LAS VEGAS NV 89131-2739 89131-2739

66 HRDFN11 89131

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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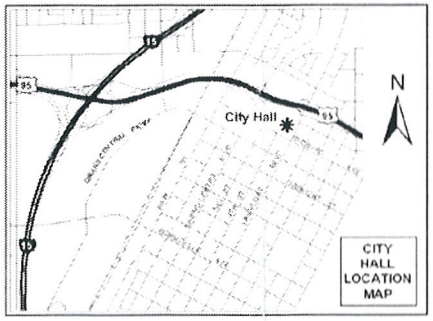

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OCT 12 2011

Michele
The fence is too tall in front
This fence is also an eyesore
as it is rusted in large parts
of it. Also, they motorcycle race
over large berms on the property
which causes a great deal
of noise in a quiet, rural neighborhood.

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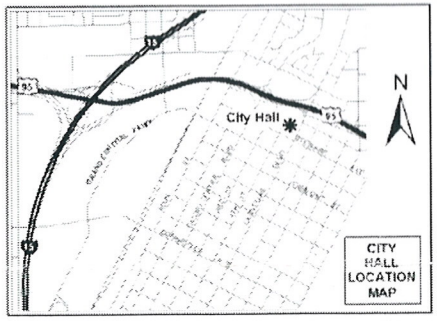
Please use available blank space on card for your comments.

VAR-42988
Planning Commission Meeting of 10/11/2011

Case: VAR-42988
12524104006
BAKER SANDRA A & ROBERT J
5618 DORRELL LN
LAS VEGAS NV 89131-2820 89131-2820

65 MRDFM11 89131

Return Service Requested
Official Notice of Public Hearing



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0004279218 SEP 29 2011
MAILED FROM ZIP CODE 89101

THIS BEAUTIFUL HOME HAS BECOME A SITE FOR A DUMP OR SALVAGE YARD BECAUSE OF THE FRONT YARD FENCE!

Sherry

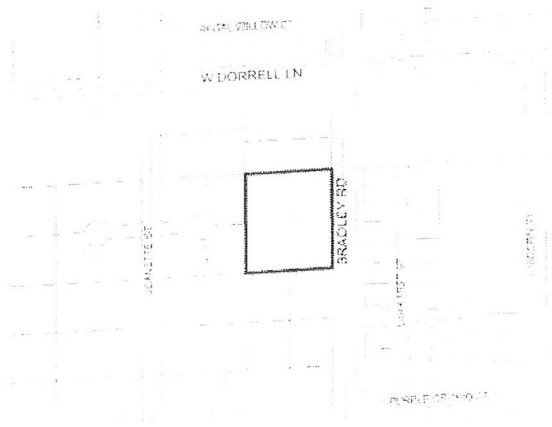
Case: VAR-42988

Application Information

VAR-42988 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: JACK W. ZERKLE, JR. AND ORPHA ZERKLE - For possible action on a request for a Variance TO ALLOW AN EXISTING SIX-FOOT TALL SOLID CORRUGATED METAL SCREEN FENCE WITH NO CONTRASTING MATERIALS OR COLOR WHERE A FIVE-FOOT TALL FENCE WITH A MAXIMUM OF TWO FEET THAT IS SOLID IS ALLOWED IN THE FRONT YARD OF A RESIDENTIAL PROPERTY AND 20 PERCENT CONTRASTING MATERIALS AND/OR COLOR IS REQUIRED on 2.26 acres at 6902 Bradley Road (APN 125-24-203-010), R-E (Residence Estates) Zone, Ward 6 (Ross).

DUE TO THE FACT THAT I LIVE RIGHT AROUND THE CORNER FROM THIS PROPERTY, I PASS IT 3 TO 4 TIMES A DAY. I AM IN SUPPORT OF THIS VARIANCE BECAUSE I BELIEVE IT IS NOT ONLY SAFER FOR PEDESTRIANS AND MOTORISTS, BUT ALSO LOOKS BETTER AND ADDS TO THE NEIGHBORHOOD

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	Planning Commission
Date:	*October 11, 2011*
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file a written objection thereto or approval thereof with the Department of Planning, Case Planning Division, Development Services Center, 333 North Rancho Drive, 3rd Floor, Las Vegas, Nevada 89106. Final Action on General Plan Amendments and Rezonings will be determined by the City Council. Other public hearing items may be deemed Final Action by the Planning Commission or forwarded to the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after the discussion of the item. For further information, including the full staff report, please call (702) 229-6301 (TDD 386-9108) or go to http://www.lasvegasnevada.gov.

THANK YOU! FOR TAKING THE TIME TO READ THIS, Mike Springer

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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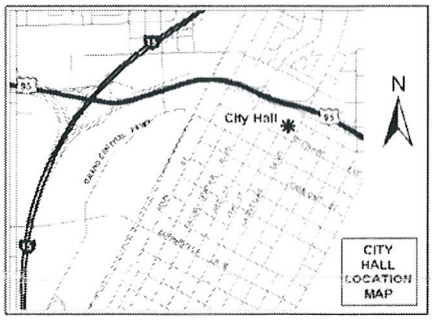

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-42988
Planning Commission Meeting of 10/11/2011

PLEASE SEE COMMENTS ON REVERSE SIDE

Case: VAR-42988
12524601002
SPRINGER MICHAEL D & MICHAEL R
5311 DORRELL LN
LAS VEGAS NV 89131-2705 89131-2705

6S MRDFN11 89131

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

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MAILED FROM ZIP COD

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OCT 12 2011

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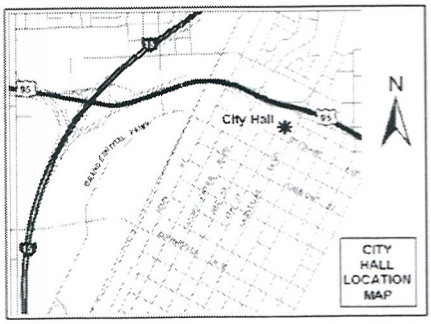

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-42988

Planning Commission Meeting of 10/11/2011

Case: VAR-42988
12524110033
JENSEN KENNETH M & LINDA LIV TR
JENSEN KENNETH M & LINDA K TRS
5423 SHADOW FERN AVE
LAS VEGAS NV 89131-2854 89131-285

66 HRDFM11 89131

City of Las Vegas Agenda Item No.: **19.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: NOVEMBER 8, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

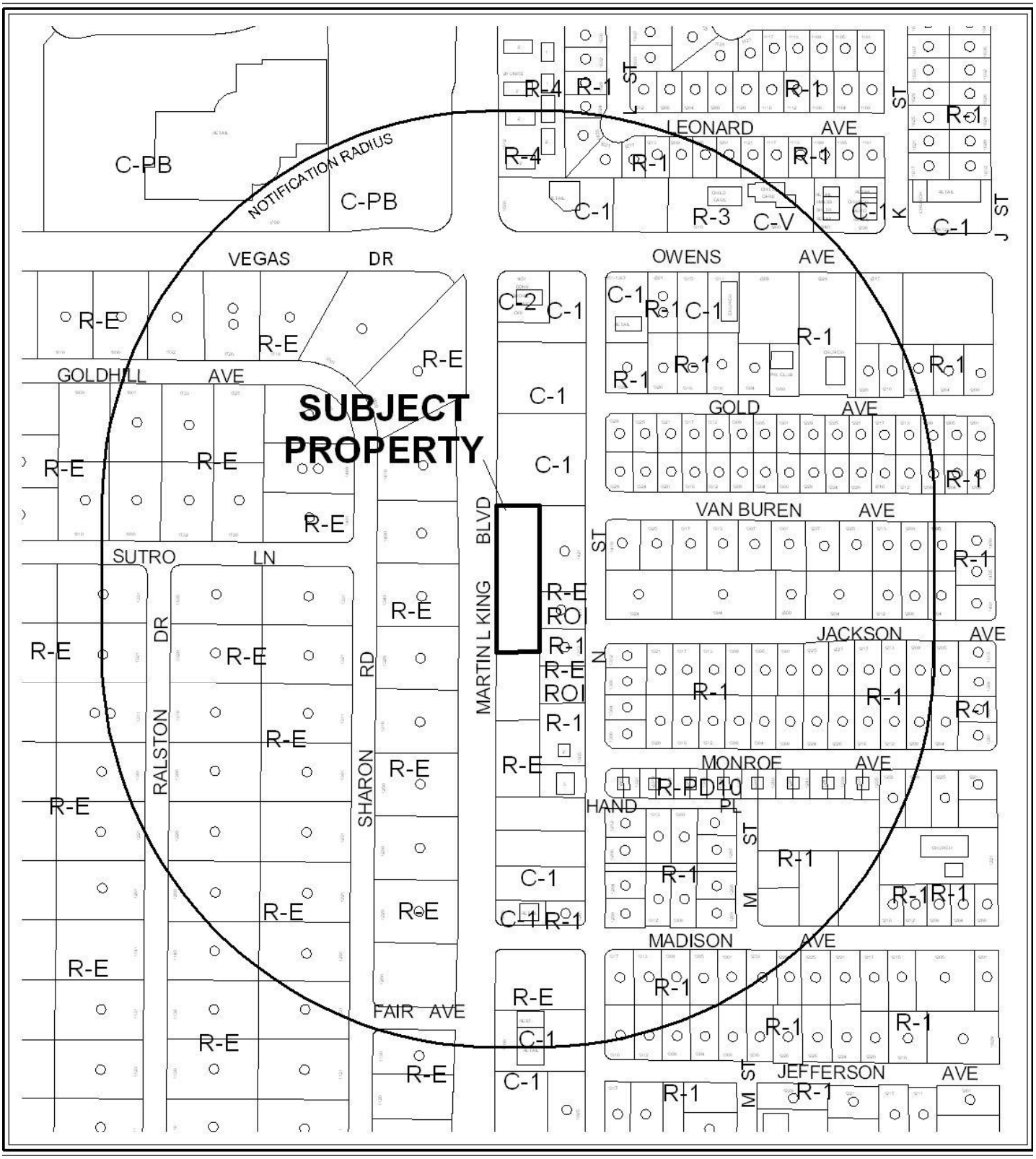
SUBJECT:
VAR-43359 - VARIANCE - PUBLIC HEARING - APPLICANT: BUSTN' SUDS CARWASH - OWNER: JGM HOLDINGS, LLC - For possible action on a request for a Variance TO ALLOW 21 PARKING SPACES WHERE 27 PARKING SPACES ARE REQUIRED on 0.88 acres at 1326 North Martin Luther King Boulevard (APN 139-28-501-005), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 12/07/2011
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**1**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps - VAR-43359, SUP-43358 and SDR-43360
2. Conditions and Staff Report - VAR-43359, SUP-43358 and SDR-43360
3. Supporting Documentation
4. Photos - VAR-43359, SUP-43358 and SDR-43360
5. Justification Letter - VAR-43359, SUP-43358 and SDR-43360
6. Protest Letter - VAR-43359, SUP-43358 and SDR-43360



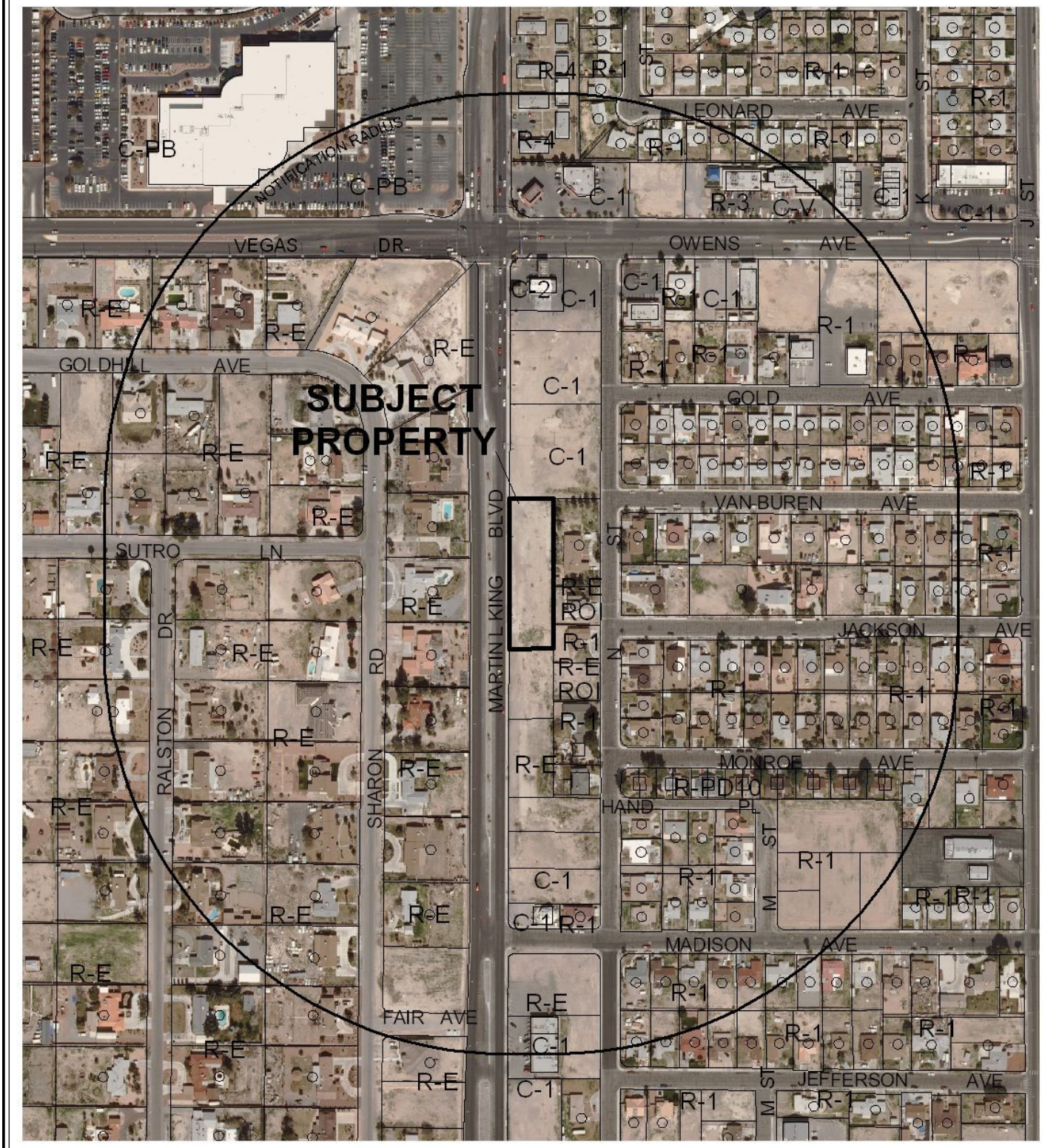
CASE: **SDR-43360;SUP-43358 AND VAR-43359**

0 300 600 Feet

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

N



CASE: **SDR-43360;SUP-43358 AND VAR-43359**

0 300 600 Feet

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: DECEMBER 13, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: BUSTN' SUDS CARWASH - OWNER: JGM HOLDINGS, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-43359	Staff recommends APPROVAL, subject to conditions:	
SUP-43358	Staff recommends APPROVAL, subject to conditions:	**VAR-43359**
SDR-43360	Staff recommends APPROVAL, subject to conditions:	**VAR-43359 SUP-43358**

** CONDITIONS **

VAR-43359 CONDITIONS

Planning

1. Approval of and conformance to the approved conditions for Special Use Permit (SUP-43358) and Site Development Plan Review (SDR-43360).

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-43358 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Car Wash, Full Service or Auto Detailing Use.

2. Approval of and conformance to the approved conditions for Variance (VAR-43359) and Site Development Plan Review (SDR-43360).

3. Hours of operation are limited daily to 7:00 A.M. to 7:00 P.M.

4. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

5. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

6. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SDR-43360 CONDITIONS

Planning

1. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

2. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 09/02/11, except as amended by conditions herein.

3. Any changes based upon right-of-way, traffic or drainage studies or street improvements required by the city or public utilities shall not reduce the widths of perimeter landscape buffers, height of walls or quantities of plant materials from that on submitted landscape

plans date stamped 09/02/11. Any changes based upon subsequently submitted studies must be accommodated elsewhere on the site.

4. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device.

7. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.08.040.

10. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

13. Remove all substandard sidewalk improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

14. Prior to the submittal of offsite construction drawings for this site, the applicant shall meet with the Sanitary Sewer Planning section of the Department of Public Works to provide the anticipated amount of wastewater to be generated from this business. If the proposed amount of wastewater to be discharged to the sanitary sewer is significant, or the wastewater discharge increases significantly after business operations begin, the applicant may be required to construct a relief public sewer at a size and location acceptable to the Sanitary Sewer Section of the Department of Public Works either concurrently with development of this site or when it is determined that discharge flow from this site exceeds allowable thresholds.

15. All landscaping and private improvements (including monument signage) installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

16. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans, the issuance of any building or grading permits, or the submittal of a map for this site, whichever may occur first. Provide and improve all drainage ways as recommended.

** STAFF REPORT **

PROJECT DESCRIPTION

This project is for a proposed 3,985 square-foot, 22-foot tall Car Wash, Full Service or Auto Detailing Facility to be located at 1326 North Martin Luther King Boulevard. The proposal will offer full service and moderated levels of service so that customers may vacuum and clean their own interiors at lower rates. The Car Wash will provide an internal lobby area with restrooms, offices, and equipment rooms that house all mechanical equipment, including the vacuums. There is an anticipated staffing of five to 15 employees, depending on the levels of business. Staff recommends approval.

ISSUES

- The Car Wash, Full Service or Auto Detailing Use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.
- The approval of the requested Variance to allow 21 parking spaces where the proposed use requires 27 spaces is required for approval of the Special Use Permit and Site Development Plan Review.
- The hours of operation are limited daily to 7 A.M. to 7 P.M.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
11/08/11	The Planning Commission voted to hold items VAR-43359, SUP-43358 and SDR-43360 in abeyance to the 12/13/11 meeting in an effort to provide the applicant with an opportunity to host a neighborhood meeting.

Most Recent Change of Ownership	
06/03/05	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
There are no relevant building permits or business licenses associated with the subject site.

Pre-Application Meeting	
09/19/11	A pre-application meeting was held with the applicant and his representative to discuss the requirements for submitting a Site Development Plan Review and Special Use Permit for a proposed Car Wash, Full Service use. During the meeting it was determined that a request for a Variance to allow a 22% deficiency in the required parking would be needed.

Neighborhood Meeting
A neighborhood meeting is not required for these types of requests, nor was one held.

Field Check	
09/29/11	A field check was performed on the subject site by staff. The undeveloped parcel abuts three existing residential dwellings with a six-foot tall block wall between the rear yard of two of the properties and a wire fence placed between the third property and the subject property.

Details of Application Request	
Site Area	
Net Acres	0.89

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Undeveloped	C (Commercial)	C-1 (Limited Commercial)
North	Undeveloped	C (Commercial)	C-1 (Limited Commercial)
South	Undeveloped	C (Commercial)	R-E (Residence Estates)
East	Single Family, Detached	C (Commercial)	R-E (Residence Estates)
West	Right-Of-Way	Right-Of-Way	Right-Of-Way

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area			
West Las Vegas Plan	X		Y
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District - 140	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Setbacks			
• Front	10 Feet	10 Feet	Y
• Side	10 Feet	68 Feet	Y
• Rear	20 Feet	57 Feet	Y
Max. Lot Coverage	50 %	21 %	Y
Max. Building Height	N/A	22 Feet	Y
Trash Enclosure	Screened, Gated, w/ a Roof	Screened, Gated, w/ a Roof	Y
Mech. Equipment	Screened	Screened	Y

Pursuant to Title 19.08.040, the following standards apply:

Residential Adjacency Standards	*Required/Allowed*	*Provided*	*Compliance*
3:1 proximity slope	54 Feet	57 Feet	Y
Adjacent development matching setback	35 Feet	57 Feet	Y
Trash Enclosure	50 Feet	51 Feet	Y

Pursuant to Title 19.08, the following standards apply:

Landscaping and Open Space Standards				
Standards	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
Buffer Trees:				
• North	1 Tree / 30 Linear Feet	5 Trees	5 Trees	Y
• South	1 Tree / 30 Linear Feet	5 Trees	5 Trees	Y
• East	1 Tree / 20 Linear Feet	18 Trees	18 Trees	Y
• West	1 Tree / 20 Linear Feet	15 Trees	15 Trees	Y
TOTAL PERIMETER TREES		**43 Trees**	**43 Trees**	**Y**
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	2 Trees	7 Trees	Y
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	8 Feet		8 Feet	Y
• South	8 Feet		8 Feet	Y
• East	8 Feet		8 Feet	Y
• West	10 Feet		10 Feet	Y
Wall Height	6 to 8 Feet Adjacent to Residential		8 Feet	Y

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Martin L King Boulevard	Primary Arterial	Master Plan of Streets and Highways	100	Y

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Car Wash, Full Service or Auto Detailing	3,985 SF	1:150 SF					
TOTAL SPACES REQUIRED			27		21		
Regular and Handicap Spaces Required			25	2	20	1	N
Percent Deviation			22%				

MH

ANALYSIS

The proposed Car Wash, Full Service or Auto Detailing facility meets all Title 19.08 Development and Landscaping Standards and adheres to the West Las Vegas Plan by providing a suitable commercial use along Martin Luther King Boulevard. The overall site design, building scale, and massing demonstrate the appropriate level of sensitivity to the three residential structures that abut the subject site to the east. The applicant has placed all mechanical equipment, including the vacuum, internally and has proposed an eight-foot solid screen wall with landscaping to provide a suitable buffer.

Although the site provides good circulation and access, the applicant is requesting a Variance to allow 21 parking spaces where 27 are required. Staff supports this request, as the narrowness of the lot has provided a unique circumstance where the applicant will not be able to provide the full amount of required parking. The proposed site design provides ample landscaping with relatively low lot coverage; any changes to provide additional parking on site would require the applicant to eliminate landscaping and reduce building footprint for relatively small gains.

This development proposal is in conformance with the General Plan, the Title 19.08 Development Standards, and the West Las Vegas Plan and all Minimum Special Use Requirements for the proposed Car Wash use have been met. Staff recommends approval, with conditions.

FINDINGS (VAR-43359)

In accordance with the provisions of Title 19.16.140(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.16.140(L) states:

> "Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of 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."

Evidence of a unique or extraordinary circumstance has been presented, in that a hardship has been created by an exceptionally narrow lot. Any alternative that would allow conformance to the Title 19 requirements would cause an unnecessary reduction in site landscaping and require a building footprint that would not be functional for its purpose. It is concluded that the applicant's hardship is not preferential in nature; therefore, it is within the realm of NRS Chapter 278 for granting of Variances.

FINDINGS (SUP-43358)

In order to approve a Special Use Permit application, per Title 19.16.110(L) the Planning Commission and City Council must affirm the following:

1. **The proposed land 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.**

   This proposal can be conducted in a manner that is harmonious and compatible with the existing surrounding land uses in the West Las Vegas Master Plan.

2. **The subject site is physically suitable for the type and intensity of land use proposed.**

   The subject site is currently undeveloped and maintains the C (Commercial) land use designation and is with the C-1 (Limited Commercial) zoning district. The proposed Car Wash, Full Service or Auto Detailing Use meets all minimum requirements for the Special Use Permit and the applicant has provided a design that greatly mitigates any potential impacts the adjacent residential properties to the east.

3. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.**

   Vehicular access to the site is provided solely from Martin Luther King Boulevard, which is adequate for traffic generated by the proposed use.

4. **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.**

   A Car Wash, Full Service or Auto Detailing Use will be subject to regular City inspections for construction and licensing; therefore, public health, safety, and welfare will not be compromised.

5. **The use meets all of the applicable conditions per Title 19.12.**

   The proposed Car Wash, Full Service or Auto Detailing Use meets all applicable conditions and Minimum Special Use Permit Requirements as listed for such use in Title 19.12.

FINDINGS (SDR-43360)

In order to approve a Site Development Plan application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

   The proposed Car Wash, Full Service or Auto Detailing facility is compatible with the adjacent development; the applicant has provide suitable buffering to the single family residences to the east by means of landscaping and an eight-foot screen wall. The level of commercial activity proposed is in context with the types of commercial uses along Martin Luther King Boulevard.

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;**

   The site is consistent with the General Plan, Title 19.08 and the West Las Vegas Plan, policies and standards. The applicant has provided suitable means to address site screening and impact mitigation to the adjacent residential properties by means of landscaping, enclosed mechanical equipment rooms, and an eight-foot solid wall. Although a variance has been requested for a 22% deficiency in onsite parking, this request is support by staff.

3. **Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

   The access is solely from Martin Luther King Boulevard, a 100-foot Primary Arterial. The circulation provided is logical and will not have a negative impact on adjacent roadways or neighborhood traffic.

4. **Building and landscape materials are appropriate for the area and for the City;**

   The proposed building and landscaping materials are appropriate for the area and for the City. The proposed building colors are muted earth tones accented with blue trim that complements the blue metal canopies that cover portions of the parking lot.

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;**

   The proposed elevations provide an overall commercial street front appearance, while providing the suitable massing and scale that remains sensitive to the adjacent residential properties to the east. Overall, the proposed development is harmonious and compatible with the neighborhood.

6. **Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

   The proposed project is subject to permit review and inspection; therefore, appropriate measures will be taken to protect the health, safety, and general welfare of the public.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 20

NOTICES MAILED 207

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-43359** APN: 139-28-501-005

Name of Property Owner: JGM Holdings LLC, Gina Mazza

Name of Applicant: Trandy Hester

Name of Representative: John Roddell Arch

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ **Yes** ☒ **No**

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

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Department of Planning

Signature of Property Owner: Trandy Hester

Print Name: Trandy Hester

Subscribed and sworn before me

This 21 day of September, 2011

Notary Public in and for said County and State

MEGAN GUIDRY
Notary Public State of Nevada
No. 10-2664-1
My Appt. Exp. August 12, 2014

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: PARKING VARIANCE

Project Address (Location) 1326 N. MARTIN LUTHER KING BLVD.

Project Name BUST'N SUDS CARWASH Proposed Use FULL SERVICE C.W.

Assessor's Parcel #(s) 139-28-501-005 Ward # _____

General Plan: existing C proposed NO CHANGE Zoning: existing C-1 proposed NO CHANGE

Commercial Square Footage BUILDING 3985 SF CANOPIES 9008 S.F Floor Area Ratio 20.8%

Gross Acres .88 AC Lots/Units _____ Density _____

Additional Information _____

PROPERTY OWNER GM HOLDINGS LLC. Contact GINA MAZZA

Address 116 RIVINGTON AVE Phone: (917) 2504978 Fax: NONE

City STATEN ISLAND State NY Zip 10314

E-mail Address GMAZZA804@AOL.COM

APPLICANT BUSTN'SUDS CARWASH Contact TRANDY HESTER

Address 4901 SPARKLING SKY AVENUE Phone: 702.860.1201 Fax: _____

City LAS VEGAS State NEVADA Zip 89130

E-mail Address TRANDYH357@GMAIL.COM

REPRESENTATIVE JOHN REDDELL ARCH. Contact JOHN REDDELL

Address 7524 E. ANGUS DRIVE #1 Phone: 480.946.0242 Fax: 480.946.0182

City SCOTTSDALE State AZ Zip 85251

E-mail Address JOHN@REDDELLARCHITECTS.COM

Property Owner Signature* _____

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps and Parcel Maps

Print Name JEFFREY ANDERSON

Subscribed and sworn before me

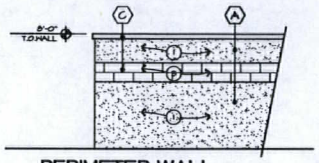
This 22nd day of September 2011

Notary Public in and for said County and State

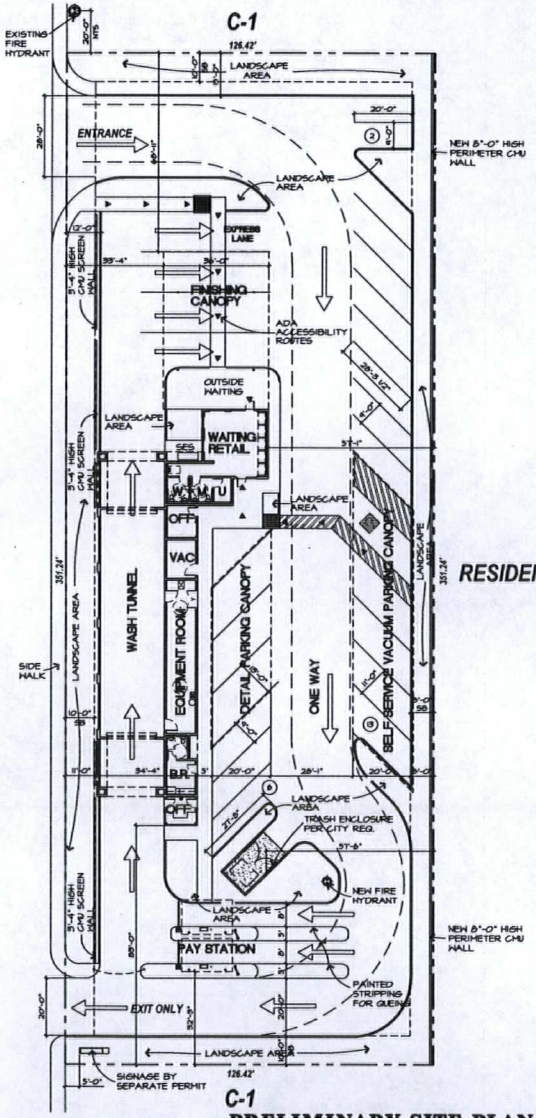
NOTARY PUBLIC
STATE OF NEVADA
County of Clark
LISA STARR PORTER
Appt. No. 04-88607-1
My Appt. Expires Feb. 28, 2012

FOR DEPARTMENT USE ONLY

Case #	VAR-43359
Meeting Date:	PB 11-8-11
Total Fee:	$3200
Date Accepted:	9.22.11
Accepted By:	F.S.



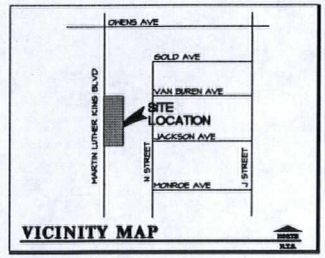
PERIMETER WALL



PRELIMINARY SITE PLAN

SCALE: 1"= 20'-0"

NORTH



VICINITY MAP

PROJECT DATA:

ADDRESS:	1326 N. Martin Luther King Blvd. Las Vegas, Nevada
OWNER / APPLICANT:	Trandy Hester 4901 Sparkling Sky Ave. Las Vegas, Nevada 89130
ARCHITECT/ REPRESENTATIVE:	JOHN REDDELL ARCHITECTS 7524 E ANGUS DR, SUITE 1 SCOTTSDALE, AZ 85251 P 480 946-0242 F 480 946-0182
BOOK/ MAP:	T20S R61E SEC 28 IONE4
APN:	124-28-501-005
ZONING:	C-1
CONSTRUCTION TYPE:	V-B
SITE AREA:	
NET:	38,332 S.F.(.88 AC)
BUILDING USE:	FULL SERVICE CARWASH W/ FLEX SERVE
GROUP 'B' OCCUPANCY	
BUILDING AREA:	
CONDITIONED SPACE:	
OFFICE, RESTROOMS	1,308 SQ. FT.
WASH TUNNEL	1,842 SQ. FT.
EQUIPMENT ROOM	820 SQ. FT.
VACUUM RM	215 SQ. FT.
BUILDING AREA:	3,485 SQ. FT.
TOTAL CANOPY AREA:	4,008 SQ. FT.
TOTAL S.F.:	7,478 SQ. FT.
OCC. LOAD:	
OFFICE, RESTROOMS	1,308 S.F. / 100 = 13.07 OCC.
WASH TUNNEL	2,267 S.F. /300 = 7.55 OCC.
EQUIPMENT ROOM	820 S.F. / 300 = 2.06 OCC
TOTAL OCCUPANTS:	22.68 OR 23 OCCUPANTS
LOT COVERAGE	20.8%
PARKING REQUIRED	
PARKING SPACE	3485 S.F. / 150 = 26.5 OR 27 SP
STACKING	6 SP
PARKING SPACE COUNT:	
20 REGULAR + 0 COMPACT + 1 HANDICAP = 21 SP. TOTAL	
STACKING	6 SP
PARKING VARIANCE REQUEST FOR 6 SPACES	

NOTE:
A. ALL SIGNAGE SHALL BE REVIEWED AND APPROVED BY SEPARATE PERMIT.
B. ALL ROOF MOUNTED EQUIPMENT SHALL BE SCREENED FROM VIEW

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PLANNING & DEVELOPMENT

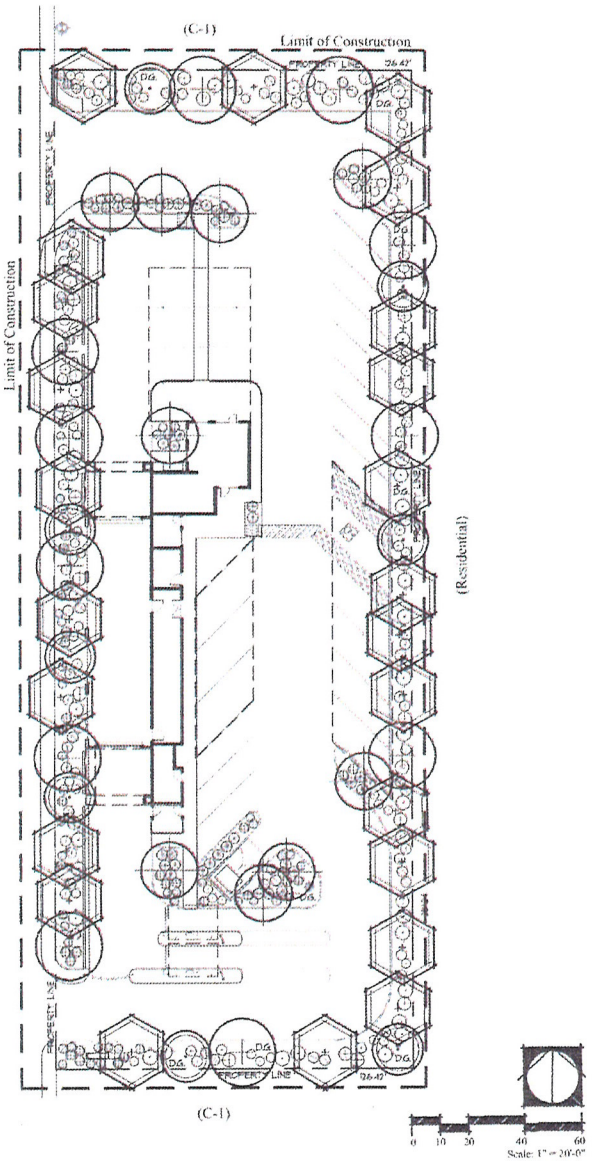
BUST'N SUDS Carwash
1326 N. Martin Luther King Blvd
Las Vegas, Nevada

John Reddell Architects, Inc.
Architecture Interiors Land Planning
7524 E. Angus Drive, Scottsdale, Arizona 85251
Office: (480) 946-0242 Fax: (480) 946-0182 Email: johnreddellarchitects.com

Date: 9/21/11
Revisions:

A

VAR-43359 SUP-43358
SDR-43360 REVISED



Master Legend

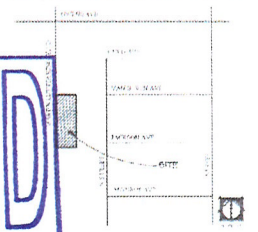
Sym.	Botanical Name	Common Name	#Qty.	Size	Remarks
Trees					
	ACACIA SALICINA	WILLOW ACACIA	5	24" BOX	TALL UPRIGHT WELL DEVELOPED BRANCHING STRUCTURE (8'-0" TALL, 4'-0" WIDE, 1.50" MIN CALIPER)
	CERCIDIUM 'HYBRID' DESERT MUSEUM - STD.	DESERT MUSEUM PALO VERDE	24	24" BOX	TALL UPRIGHT WELL DEVELOPED BRANCHING STRUCTURE (11'-0" TALL, 4'-0" WIDE, 1.50" MIN CALIPER)
	ACACIA FARNESIANA	SWEET ACACIA - MULTI.	6	36" BOX	MULTI, VASE SHAPED, WELL DEVELOPED BRANCHING STRUCTURE (13'-0" TALL, 7'-0" WIDE, 1.50" MIN CALIPER)
	CATALPA TASHKENTENSIS 'PINK DAWN' - STD.	PINK DAWN CATALPA	11	36" BOX	SINGLE TRUNK, LOW BRANCHING (MINIMUM 9.0' HEIGHT, 6.0' WIDE, 1.75" CALIPER)
Shrubs					
(S)	CALLIANDRA ERIOPHYLLA	FAIRY DUSTER	46	5 GAL.	SPACE 5' O.C., 3' FROM HARDSCAPE
(S)	CONVOLVULUS CNEORUM	BUSH MORNING GLORY	43	5 GAL.	SPACE 5' O.C., 3' FROM HARDSCAPE
(S)	LEUCOPHYLLUM ZYGOPHYLLUM 'CIMARRON'	CIMARRON BLUE RANGER	36	5 GAL.	SPACE 4' O.C., 3' FROM HARDSCAPE
(S)	CAESALPINIA PULCHERRIMA	BIRD OF PARADISE	18	5 GAL.	SPACE 6' O.C., 5' FROM HARDSCAPE
(S)	CHAPARRAL SAGE	SALVIA CLEVELANDII	40	5 GAL.	SPACE 6' O.C., 5' FROM HARDSCAPE
Accents					
(A)	DASYLIRION WHEELERI	DESERT SPOON	6	5 GAL.	FULL AND BUSHY
(A)	HESPERALOE PARVIFLORA	RED YUCCA	32	5 GAL.	FULL AND BUSHY
Ground Covers					
(G)	LANTANA MONTEVIDENSIS	PURPLE TRAILING LANTANA	53	1 GAL.	SPACE 3' O.C., 3' FROM HARDSCAPE
(G)	LANTANA SP. 'NEW GOLD'	NEW GOLD LANTANA	41	1 GAL.	SPACE 3' O.C., 3' FROM HARDSCAPE
D.G.	DECOMPOSED GRANITE	5/8" SCREENED MOHAVE GOLD	16,036 SF	5/8" SCREEN	ON APPROVED EQUAL SEE NOTE, THIS SHEET

#PLANT QUANTITIES ARE FOR REFERENCE ONLY. EXACT QUANTITIES ARE THE RESPONSIBILITY OF THE CONTRACTOR

Granite Note:

INSTALL A 3" LAYER OF DECOMPOSED GRANITE IN ALL PLANTERS UNDER ALL TREES AND SHRUBS BEFORE PLACING GRANITE, COMPACT SUB GRADE TO 85% AND APPLY A PRE-EMERGENT HERBICIDE TO SOIL. AFTER PLACING GRANITE, RAKE SMOOTH, WET TO ENTIRE DEPTH, ALLOW TO DRY, THEN LIGHTLY SCARIFY SURFACE WITH A LEAF RAKE. APPLY A SECONDARY APPLICATION OF PRE-EMERGENT HERBICIDE TO TOP OF GRANITE. KEEP TOP OF GRANITE 1" BELOW ADJACENT WALKS AND CURBS. DO NOT ALLOW GRANITE TO TOUCH THE TRUNK OF ANY PLANT. INSTALL AFTER INSTALLATION OF PLANT MATERIAL (MATCH PROPOSED COLOR AND SIZE WITH EXISTING).

Vicinity Map



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SDR-43360

Wildwood Design Studio
Landscape Architects
15207 Stayburn Drive
Fountain Hills, AZ 85268
Phone (480) 816-5529
Fax (480) 837-5104
E-Mail wildwooddesign@cox.net

Car Wash

Martin Luther King Boulevard
Las Vegas, NV.

These drawings are the property of the architect and may not be reused, redrawn, used for any purpose without the Architect's written consent. Acceptance of any or these documents constitutes full and total agreement to the terms and conditions stated herein.

PROJECT NUMBER 1107
DATE 09.21.11
REVISIONS
REVISIONS

landscape plan

L-1

1 of 1

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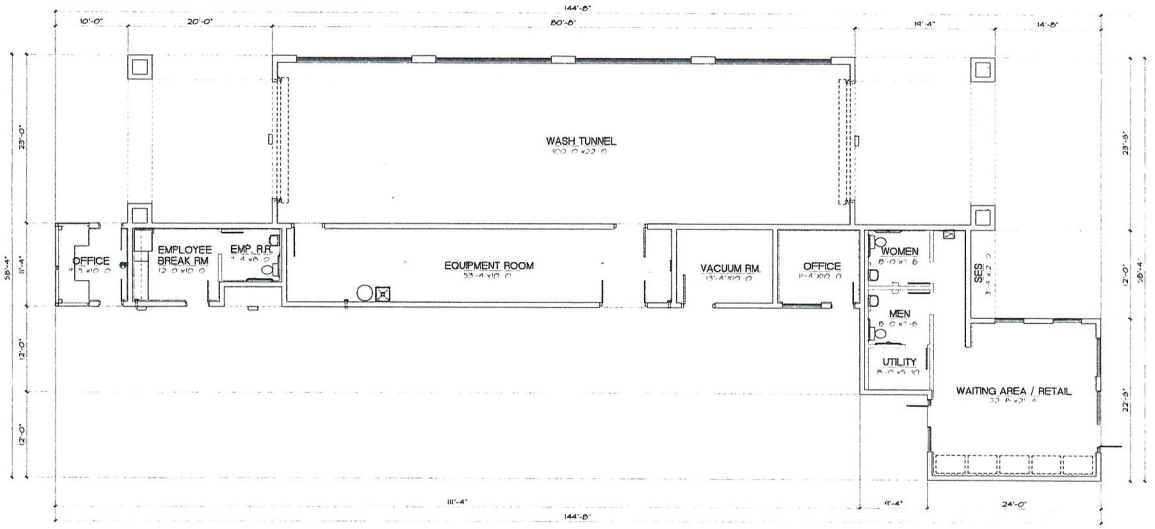

FLOOR PLAN

NORTH

1/8"= 1'-0"

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BUST'N SUDS Carwash
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Las Vegas, Nevada

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Architecture Interiors Land Planning
7524 E. Angus Drive, Scottsdale, Arizona 85251
Office: (480) 946-0242 Fax: (480) 946-0182 Email: john@reddellarchitects.com

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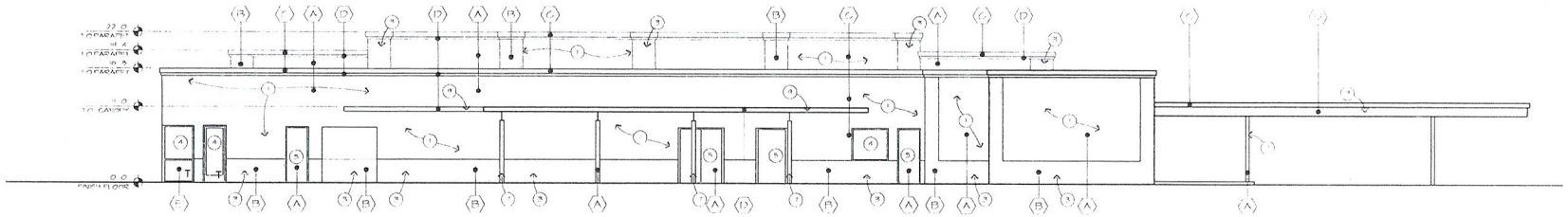
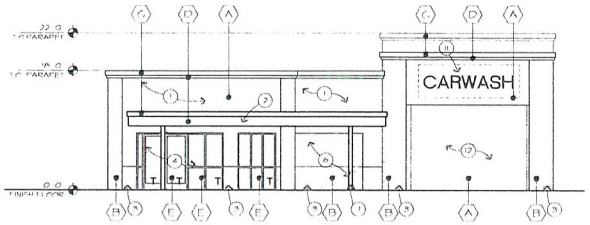
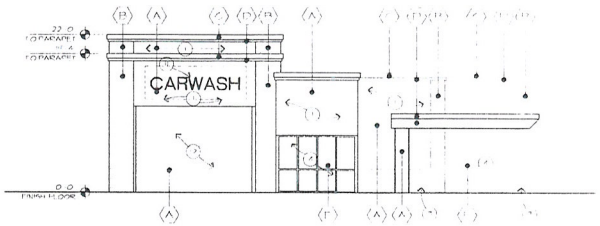


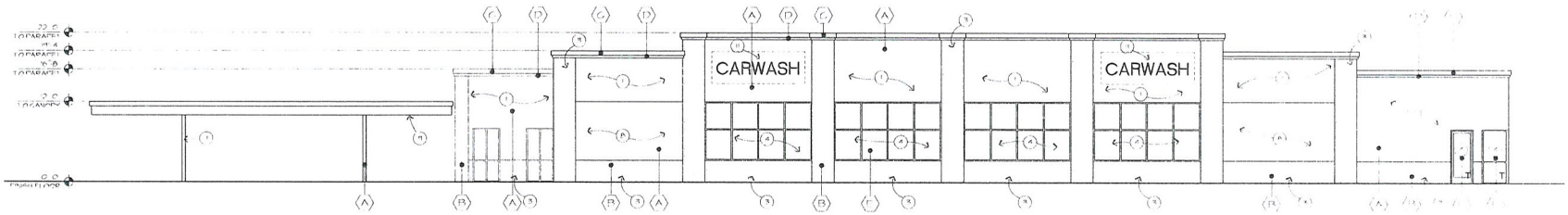
EAST



NORTH



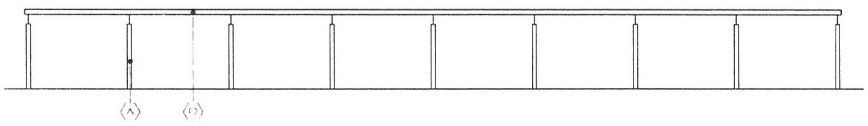
SOUTH



WEST

BUILDING ELEVATIONS

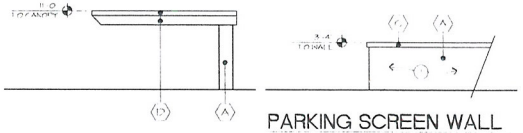
1/8"=1'-0"



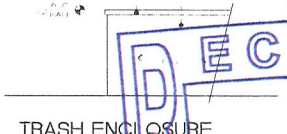
VACUUM CANOPYS

CANOPY ELEVATIONS

1/8"=1'-0"



PARKING SCREEN WALL



TRASH ENCLOSURE

SCREEN WALL ELEVATIONS

1/4"=1'-0"

COLOR SCHEDULE

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1326 N. Martin Luther King Blvd
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Architecture Interiors Land Planning
7524 E. Angus Drive, Scottsdale, Arizona 85251
Office: (480) 946-0242 Fax: (480) 946-0182 Email: john@reddellarchitects.com

Date: 9/21/11

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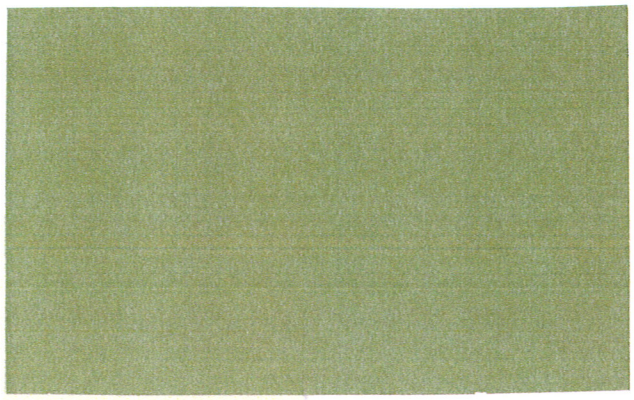
MATERIAL / COLOR SCHEDULE

BUST'N SUDS Carwash
1326 N. Martin Luther King Blvd
Las Vegas, Nevada

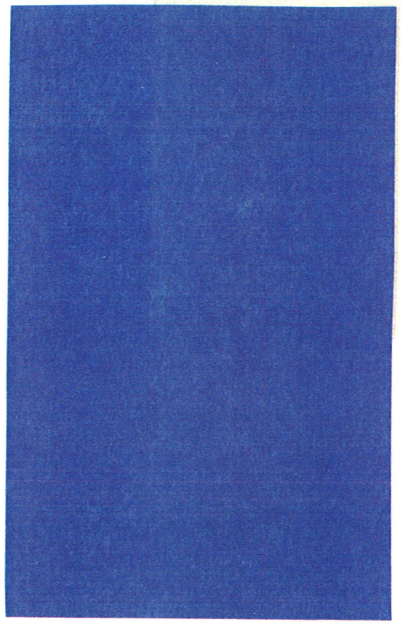
Building Color - B

Splitface CMU
DUNN-EDWARDS: DE 6145
COLOR: Rocky Ridge



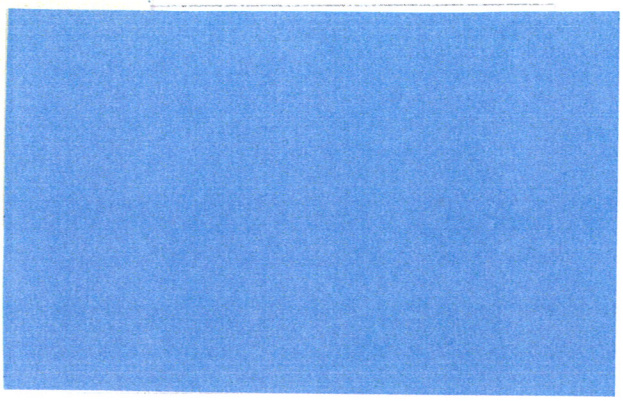
Building Color - A

Main Building Stucco Color
DUNN-EDWARDS: DEC 741
COLOR: Bone White



Building Color - C

Stucco Trim & Canopy Fascia
DUNN-EDWARDS: DE 5846
COLOR: Lapis



Building Color - D

Stucco Trim & Canopy Fascia
DUNN-EDWARDS: DE 5844
COLOR: Splish Splash

NOTE: STOREFRONT DOORS AND WINDOWS SHALL BE BRONZE ALUMINUM FRAME WITH BRONZE TINTED GLASS

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VAR-43359, SUP-43358 & SDR-43360 - APPLICANT: BUSTN' SUDS CARWASH - OWNER: JGM HOLDINGS, LLC
1326 NORTH MARTIN LUTHER KING BOULEVARD

09/29/11



VAR-43359, SUP-43358 & SDR-43360 - APPLICANT: BUSTN' SUDS CARWASH - OWNER: JGM HOLDINGS, LLC
1326 NORTH MARTIN LUTHER KING BOULEVARD

09/29/11

John Reddell Architects, Inc.

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Department of Planning

September 21, 2011

Justification Letter

Bustin' Suds Car Wash
1326 N. Martin Luther King Blvd.

We are requesting Special Use Permit (required for car wash in C1 zoning), Site Development Review and a Variance for parking for a full service carwash with flex serve (flex serve is the ability to get an exterior car wash and self finish your own vehicle for a reduce rate).

The project is located south of the southeast corner of Owens Avenue and Martin Luther King Blvd. on a vacant C1 property. The proposed project is a full service car wash with flex service, this allows a customer the option to have the standard full service or an exterior only car wash with the option to self vacuum their own vehicle. The project consist of a pay canopy, a main building that houses the wash tunnel, equipment room, restrooms, offices, and waiting area, and a separate structure for a finishing canopy and covered parking areas for self vacuum. The car wash will require from 5 to 15 employees depending on the day of the week and time of the day. The site consists of 0.88 acres that is rectangular in shape that runs north / south along Martin Luther King Blvd. with pedestrian sidewalk connecting the parcels on the south and north. The building is sited along Martin Luther King Blvd. as to allow for the interior vehicle circulation to move thru the site on the east with minimum cross traffic circulation, the entrance to the site is on the north end of the property with vehicles circulating thru the site in a clockwise direction. The vehicles turn south to the queing lanes and those customers using the express process can vacuum their vehicles prior or after the wash process which we have provided an exit only at the south end which will allow vehicles that vacuum after the wash process to exit. To enter the auto wash you proceed to the south thru the automated pay stations and turn north thru the tunnel, the customer exiting the tunnel turns right to the finishing canopy for the full service or the express lane to exit the site.

We are requesting approval of site plan thru Site Development Review. The car wash development is along a major street (Martin Luther King Blvd.) between two other C1 Commercial sites that are vacant at this time and its is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and buffer Standards, and other duly-adapted city plans, policies and standards. The site access is in mid block with a median is the center of Martin Luther King and are a substantial distance from the major driveways to residential properties as not to have a negative impact on the adjacent properties and roadway. The building and landscape are so designed as to be durable and appropiate for the area with the elevations being asthetically pleasing while site designed to be considerate of the residential to the east. We have used earth tones as to blend with the surroundings and kept the heights down to be comfortable with the scale of the project. With our site layout and building design (explained in detail below in the Use Permit) we have taken in the considerations of the neighbors the operation of the business as not to impact in a negative way and with our hours of operations (explained below in the Use Permit) to be closed during the proper time with residential adjacent.

We are requesting a Special Use Permit for the car wash use in a C1 zoning. The structure will be constructed of a combination of exposed architectural masonry units with the pay station and finishing canopies being steel frame with shade screen. The orientation of the detail and self vacuum face inward to the site and screened from street view by the building structure. The site layout also removes the building away from the residential on the east and puts it along the west adjacent to Martin Luther King Blvd. to remove the operational noises and which also screens traffic noise to the residential. The equipment is all housed within building structure including the vacuum equipment and the air dryers are within the tunnel, this eliminates any sound transmission to the residential neighbors to the east and commercial properties to the north and south. Operational hours consist of summer hours from 7:00 am to 7:00 pm and winter hours reduced to 8:00 am to 6:00 pm. and at all times of operation the business has employees monitoring the site for cleanliness, debris and control of noise from any vehicle. The access to the site is located in the middle of the block with plenty of clear visibility for cars and

7524 E. Angus Drive Suite 1 Scottsdale, Arizona 85251
Phone: 480-946-0242 Fax: 480-946-0182 E-mail:john@reddellarchitects.com

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pedestrians at the entrance and exit for the site. Our traffic counts will be on the lower end of the numbers for our C1 zoning with approximate trip generations of average 250 to 300 cars a day, this would represent a significant less count than fast food, bank or restaurant. The approval of our Special Use Permit will not have adverse affect with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.

We are requesting the approval of a parking Variance of 6 spaces from the required number of 27 per CLV zoning ordinance. The requirement is based upon a square foot of gross building, which does not accurately represent the use of the car wash, the customers do not park their vehicle in a parking space and enter the building. The customer stays in their vehicle thru the pay station into the carwash tunnel at which if they selected the full service they pull under the finishing canopy and they exit the vehicle and go to the waiting area inside or on the outside patio until their vehicle is vacuumed and finished. Their vehicle is never parked in a designated parking space rather they are under the finishing canopy. Those customers that decided upon the exterior car wash have the option of pulling into a covered parking stall to vacuum (that is usually 20% of the exterior wash customers) or they exit the site. We have also made the covered vacuum parking stalls wider than the city standard and that is for the ability of the customer to have their doors in the open position while they vacuum and not have any interference with the vehicle in the adjacent space, this has reduced a few more spaces because of the additional distance of width, but the space is necessary for the customers convenience. We have also included a site plan that shows vehicles circulating thru the car wash facility with them being in all different phases of the process (not in the drive lane) and that number is (45) which exceeds the requirements of the ordinance (27). This approval will allow the owner to operate the business without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent of and purpose of any ordinance or resolution.

Trandy Hester – Owner / Applicant
Bust'n Suds Car Wash

VAR-43359
SUP-43358
SDR-43360

From: Andrea Sayles <andrea.sayles@gmail.com>
To: yobyron <yobyron@aol.com>
Subject: 11/08/2011 Planning Commission Meeting Agenda Items (27 & 28) Oppose Bustin' Suds Application for a Car Wash
Date: Tue, Nov 8, 2011 12:43 pm

#27 & #28

Planning Commissioner Goynes,

My mother, brother and myself, own the house located at 1421 "N" Street. We're 100% in opposition to the applicant (Bustin' Suds) establishing a business behind our property. This is one of the first homes built on "N" street. Our home was built in 1964. It is one of the few ranch style homes located in historical West Las Vegas, better known as "The Westside." My mother decided to have our property enclosed with a chain link fence so that the view would not be obstructed.

Allowing a full service car wash to be built behind a residencial area would disprupt our quiet neighborhood community. We are concerned about the noise levels that are usually associated with a car wash and the hours of operation.

We are in opposition of the (Bustin' Suds) full service car wash being located on MLK BLVD behind our property.

Respectfully Submitted On Behalf Of,

Augusta M. Garry, Andrea D. Sayles and Hezdral L. Garry

Submitted at Planning Commission
Date 11-08-2011 Item 26-28
COMM. GOYNES

From: Andrea Sayles <andrea.sayles@gmail.com>
To: yobyron <yobyron@aol.com>
Subject: 11/08/2011 Planning Commission Meeting Agenda Items (27 & 28) Oppose Bustin' Suds Application for a Car Wash
Date: Tue, Nov 8, 2011 12:24 pm

#27 & #28

Planning Commissioner Goynes,

We're 100% in opposition to the applicant (Bustin' Suds) establishing a business directly behind our home located at 1411 "N" Street, Las Vegas, NV 89106. We have been in this location for more than ten (10) years. Our home is comparable to the homes located in Summerlin and is over 2800 square feet. We paid extra to have a balcony built onto our home to enjoy the view of Mt. Charleston and now the beautiful landscape Councilman Barlow was instrumental in getting for MLK BLVD.

We do not want our (quiet) community disrupted by having a full service car wash located directly behind our home. We are concerned about the noise levels that are usually associated with a car wash and the hours of operation. We currently have a six food block wall in our back yard. And, we do not want a higher fence built next to our block wall. This will make us feel as though we're behind a "prison" wall cutoff from society.

We grew up in this neighborhood and could have lived anywhere in the Vegas valley, but, we chose to custom build our home in the West Las Vegas area to support the revitalization of the westside and because it was a quite community.

To reiterate, we are in opposition of the (Bustin' Suds) application to place a full service car wash directly behind our home.

Respectfully Submitted,

Edgar and Andrea Sayles

City of Las Vegas Agenda Item No.: **20.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: DECEMBER 13, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
ABEYANCE - SUP-43358 - SPECIAL USE PERMIT RELATED TO VAR-43359 - PUBLIC HEARING - APPLICANT: BUSTN' SUDS CARWASH - OWNER: JGM HOLDINGS, LLC - For possible action on a request for a Special Use Permit FOR A CAR WASH, FULL SERVICE OR AUTO DETAILING at 1326 North Martin Luther King Boulevard (APN 139-28-501-005), C-1 (Limited Commercial) Zone , Ward 5 (Barlow). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 01/18/2012
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**1**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

COPY

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-43358** APN: 139-28-501-005

Name of Property Owner: JGM Holdings LLC, Gina Mazza

Name of Applicant: Trandy Hester

Name of Representative: John Roddell Arch

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ **Yes** ☒ **No**

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Trandy Hester

Print Name: Trandy Hester

Subscribed and sworn before me

This 21 day of September, 2011

Notary Public in and for said County and State

MEGAN GUIDRY
Notary Public State of Nevada
No. 10-2664-1
My Appt. Exp. August 12, 2014

RECEIVED
SEP 22 2011
City of Las Vegas
Department of Planning

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: SPECIAL USE PERMIT

Project Address (Location) 1326 N. MARTIN LUTHER KING BLVD.

Project Name BUST'N SUDS CARWASH Proposed Use FULL SERVICE C.W.

Assessor's Parcel #(s) 139-28-501-005 Ward # _____

General Plan: existing C proposed NO CHANGE Zoning: existing C-1 proposed NO CHANGE

Commercial Square Footage BUILDING 3985 SF CANOPIES 9008 S.F Floor Area Ratio 20.8%

Gross Acres .88 AC Lots/Units _____ Density _____

Additional Information _____

PROPERTY OWNER SGM Holdings LLC Contact GINA MAZZA

Address 116 Rivington Ave Phone: (917) 250-4928 Fax: NONE

City STATEN Island State NY Zip 10314

E-mail Address Jeffanderson702@gmail.com / GMAZZA864@Aol.com

APPLICANT BUSTN'SUDS CARWASH Contact TRANDY HEGSTER

Address 4901 SPARKLING SKY AVENUE Phone: 702-860-1201 Fax: _____

City LAS VEGAS State NEVADA Zip 89130

E-mail Address TRANDYH357@GMAIL.COM

REPRESENTATIVE JOHN REDDELL ARCH. Contact JOHN REDDELL

Address 7524 E. ANGUS DRIVE #1 Phone: 480-946-0242 Fax: 480-946-0188

City SCOTTSDALE State AZ Zip 85251

E-mail Address JOHN@REDDELLARCHITECTS.COM

Property Owner Signature* _____

*An authorized agent may sign if a letter of authorization from the property owner is submitted. Powers of Attorney, Trustee's Deeds, Partnership Agreements, Articles of Incorporation, Boards of Directors' Resolutions, Corporate Bylaws, Limited Liability Company Articles of Organization, Operating Agreements, Certificates of Good Standing, and Fictitious Firm Statements may be required.

Print Name JEFFREY ANDERSON

Subscribed and sworn before me

This 22 day of September 2011

Notary Public

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
LISA STARR PORTER
Appt. No. 04-88607-1
My Appt. Expires Feb. 28, 2012

FOR DEPARTMENT USE ONLY

Case #	SUP-43358
Meeting Date:	11-8-11
Total Fee:	1030.00
Date Accepted:	9-22-11
Accepted By:	FS

City of Las Vegas Agenda Item No.: **21.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: DECEMBER 13, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
ABEYANCE - SDR-43360 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-43359 AND SUP-43358 - PUBLIC HEARING - APPLICANT: BUSTN' SUDS CARWASH - OWNER: JGM HOLDINGS, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 3,985 SQUARE-FOOT CAR WASH, FULL SERVICE OR AUTO DETAILING on 0.88 acres at 1326 North Martin Luther King Boulevard (APN 139-28-501-005), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 01/18/2012
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**1**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

Copy

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-43360** APN: 139-28-501-005

Name of Property Owner: JGM Holdings LLC, Gina Mazza

Name of Applicant: Trandy Hester

Name of Representative: John Roddell Arch

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ **Yes** ☒ **No**

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Trandy Hester

Print Name: Trandy Hester

Subscribed and sworn before me

This 21 day of September, 2011

Notary Public in and for said County and State

MEGAN GUIDRY
Notary Public State of Nevada
No. 10-2664-1
My Appt. Exp. August 12, 2014

RECEIVED
SEP 22 2011
City of Las Vegas
Department of Planning

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: SITE DEVELOPMENT REVIEW

Project Address (Location) 1326 N. MARTIN LUTHER KING BLVD.

Project Name BUST'N SUDS CARWASH Proposed Use FULL SERVICE C.W.

Assessor's Parcel #(s) 139-28-501-005 Ward # _____

General Plan: existing C proposed NO CHANGE Zoning: existing C-1 proposed NO CHANGE

Commercial Square Footage BUILDING 3985 SF CANOPIES 9008 S.F Floor Area Ratio 20.8%

Gross Acres .88 AC Lots/Units _____ Density _____

Additional Information _____

PROPERTY OWNER JGM HOLDINGS LLC Contact GINA MAZZA

Address 116 RIVINGTON AVE Phone: (917) 250-4978 Fax: NONE

City STATEN ISLAND State NY Zip 10314

E-mail Address GMAZZA804@AOL.COM

APPLICANT BUSTN'SUDS CARWASH Contact TRANDY HESTER

Address 4901 SPARKLING SKY AVENUE Phone: 702.860.1201 Fax: _____

City LAS VEGAS State NEVADA Zip 89130

E-mail Address TRANDYH357@GMAIL.COM

REPRESENTATIVE JOHN REDDELL ARCH. Contact JOHN REDDELL

Address 7524 E. ANGUS DRIVE #1 Phone: 480.946.0242 Fax: 480.946.0188

City SCOTTSDALE State AZ Zip 85251

E-mail Address JOHN@REDDELLARCHITECTS.COM

Property Owner Signature* _____

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps and Parcel Maps

Print Name JEFFREY ANDERSON

Subscribed and sworn before me

This 22 day of September 2011

_____

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
LISA STARR PORTER
Appt. No. 04-88607-1
Expires Feb. 28, 2012

FOR DEPARTMENT USE ONLY

Case #	SDR-43360
Meeting Date:	11-8-11
Total Fee:	1032.00
Date Accepted:	9-22-11
Accepted By:	FS

SDR 43360
Bustin' Suds Carwash

1326 M. Martin L. King Boulevard

Proposed 1 stall car wash.

Traffic produced by proposed development:

Proposed Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	CAR WASH, SELF SERVICE [STALL]	1	108.00	108
AM Peak Hour			8.00	8
PM Peak Hour			5.54	6

(heaviest 60 minutes)

Existing traffic on all nearby streets:

Martin L. King Blvd.

Average Daily Traffic (ADT)	33,838
PM Peak Hour	2,707

(heaviest 60 minutes)

Owens Ave.

Average Daily Traffic (ADT)	12,925
PM Peak Hour	1,034

(heaviest 60 minutes)

Washington Ave.

Average Daily Traffic (ADT)	12,813
PM Peak Hour	1,025

(heaviest 60 minutes)

Traffic Capacity of adjacent streets:

	Existing Street Capacity
Martin L. King Blvd.	51,800
Owens Ave.	34,500
Washington Ave.	34,500

This project will add approximately 108 trips per day on Martin L. King Boulevard, Owens Avenue and Washington Avenue. Martin L. King is currently at about 65 percent of capacity, and Owens and Washington are both at about 37 percent of capacity. After this project is added, Martin L. King is expected to be at about 66 percent of capacity, and Owens and Washington to be at about 38 percent of capacity.

Based on Peak Hour use, this development will add roughly 8 additional cars into the area, which works out to about two every fifteen minutes.

Note that this report assumes all traffic from this development uses all named streets.

City of Las Vegas Agenda Item No.: **22.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: DECEMBER 13, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

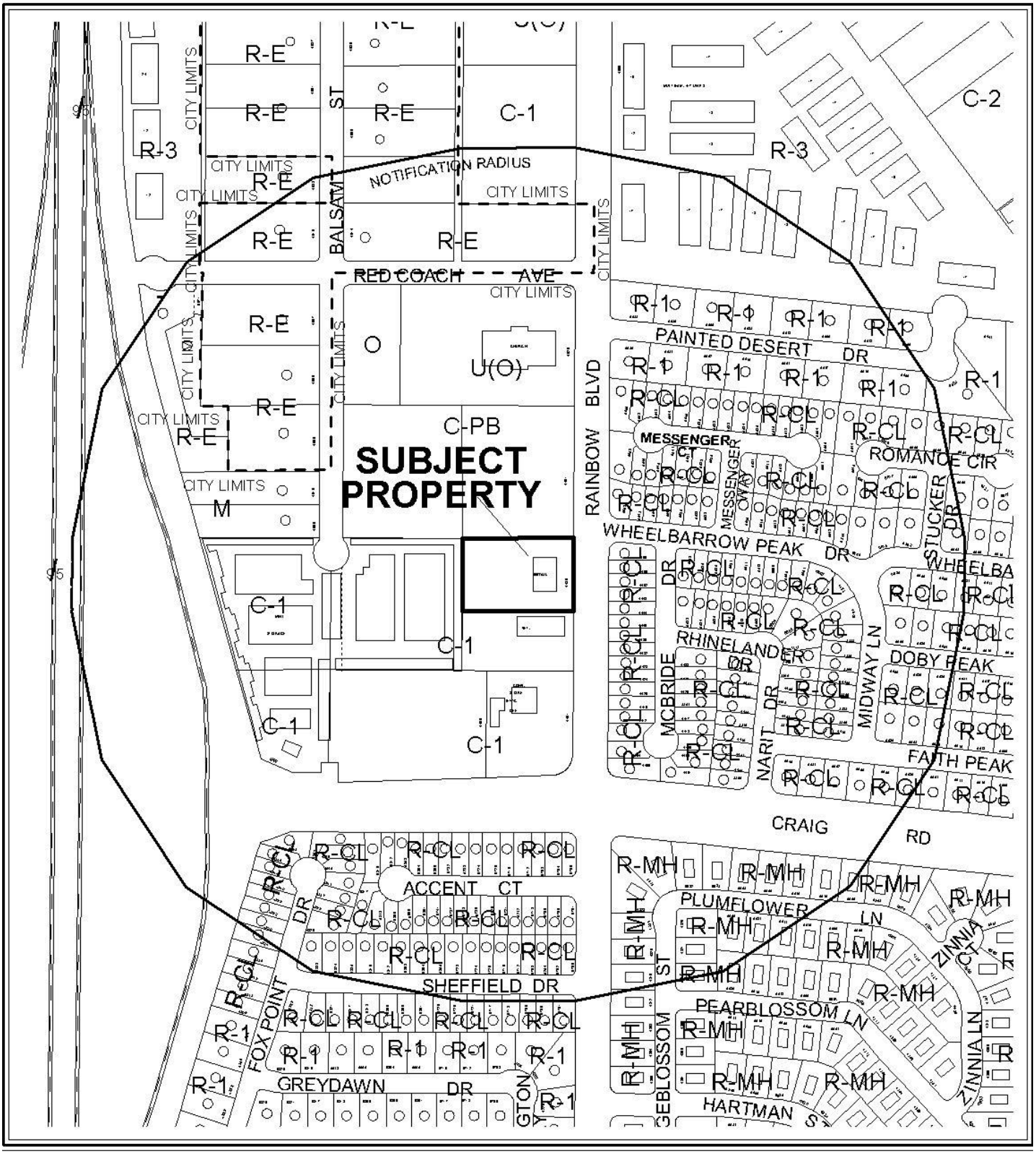
SUBJECT:
ABEYANCE - SUP-43005 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: SEQUOIA ELECTRIC - OWNER: SAGEBRUSH PROPERTY VENTURES, LLC - For possible action on a request for a Special Use Permit FOR BUILDING MAINTENANCE SERVICE AND SALES at 4485 North Rainbow Boulevard (APN 138-03-602-013), C-1 (Limited Commercial) Zone, Ward 4 (Anthony). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 01/18/2012
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps - SUP-43005 and SDR-43004
2. Conditions and Staff Report - SUP-43005 and SDR-43004
3. Supporting Documentation
4. Photos - SUP-43005 and SDR-43004
5. Justification Letter



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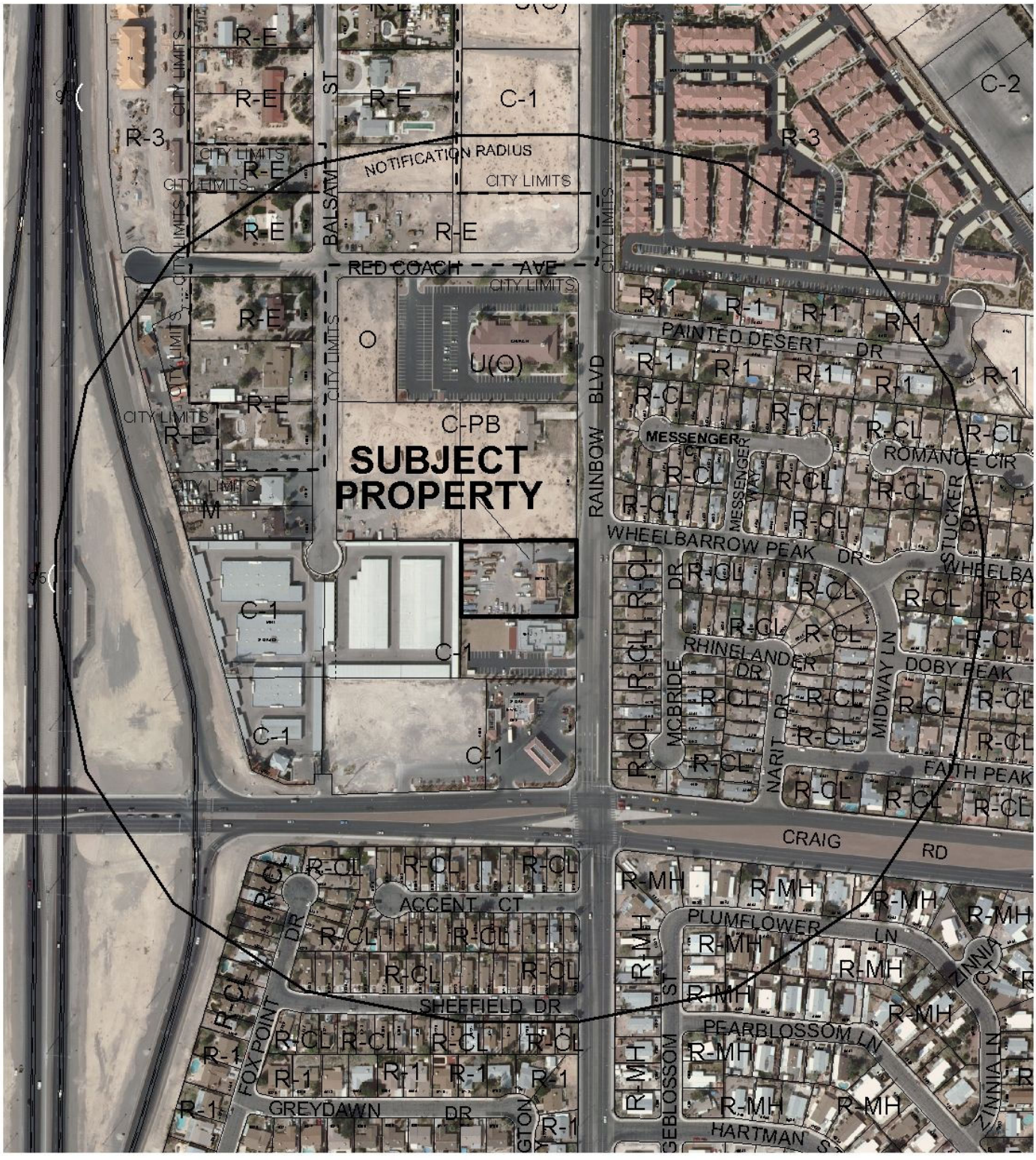
CASE: **SUP-43005 AND SDR-43004**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

N



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CASE: **SUP-43005 AND SDR-43004**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: DECEMBER 13, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: SEQUOIA ELECTRIC - OWNER: SAGEBRUSH PROPERTY VENTURES, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-43005	Staff recommends APPROVAL, subject to conditions:	
SDR-43004	Staff recommends APPROVAL, subject to conditions:	SUP-43005

** CONDITIONS **

SUP-43005 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-43004) shall be required.

2. Conformance to the approved conditions for Rezoning (ZON-1112).

3. Heavy equipment and machinery, including, but not limited to tractors, backhoes, dump trucks, tow trucks, bucket or ladder trucks, front end loaders, semi-trucks and trailers and similar vehicles, shall not be parked or stored at the subject site. No equipment that is available for rent shall be stored outside.

4. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

5. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

6. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SDR-43004 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-43005) shall be required, if approved.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All development shall be in conformance with the site plan and landscape plan date stamped 10/18/11 and building elevations date stamped 11/17/11 except as amended by conditions herein.

4. No Waivers are required or approved as part of this application.

5. Outdoor storage shall be limited to the 2,000 square-foot area at the southeast corner of the site as depicted in the site plan date stamped 10/18/11. The outdoor storage area shall be screened from view from Rainbow Boulevard by a screening device of at least eight feet in height. No equipment that is available for rent shall be stored outside.

6. The existing gate shall remain open during business hours. Business hours shall be from 6:30 a.m. to 6:30 p.m. Monday through Friday.

7. Any changes based upon right-of-way, traffic or drainage studies or street improvements required by the city or public utilities shall not reduce the widths of perimeter landscape buffers, height of walls or quantities of plant materials from that on submitted landscape plans date stamped 10/18/11. Any changes based upon subsequently submitted studies must be accommodated elsewhere on the site.

8. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

9. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

10. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device.

11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

12. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

14. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

15. Remove all substandard sidewalk and sidewalk ramp improvements adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities. The existing driveway as shown on the approved Site Plan is acceptable.

16. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

17. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing final grade elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site contains an existing 4,011 square-foot office building and parking on 1.21 acres at 4485 North Rainbow Boulevard. The applicant proposes to complete construction of a 30-foot tall, 4,970 square-foot building at the rear (west side) of the property for storage and rental of small business-related equipment. The curved building has already been partially constructed. A raised gravel bed (labeled "Wash Pit" on the submitted site plan) has also been placed near the north perimeter.

The proposal requires approval of a Special Use Permit and Site Development Plan Review. The Building Maintenance Service and Sales use can meet minimum Title 19 requirements and can be compatible with adjacent commercial and residential uses. Staff therefore recommends approval of the Special Use Permit with conditions. Revised elevations have been submitted to add a false façade with a cornice, articulated walls, and roofline variation to the partially constructed semicircular building. As the proposed structure conforms to Title 19.08 requirements, staff recommends approval of the Site Development Plan Review. If denied, a new Site Development Plan must be submitted for any new development on the site, and the partially constructed building may be required to be removed.

ISSUES

- The Building Maintenance Service and Sales use is permitted in the C-1 (Limited Commercial) District with the approval of a Special Use Permit. Outside storage in conjunction with this use is permitted with approval of the Special Use Permit. A Rental Store without Outside Storage is a permitted use as of right within the C-1 District. A Rental Store (with Outside Storage) is not permitted in the C-1 District.
- A Waiver of Title 19.08.040(B) was previously required to allow no building articulation or architectural features where required for building surfaces over 20 feet tall or 50 feet in length. Since the 11/08/11 Planning Commission meeting, the design of the proposed building has been altered to add architectural features that provide visual interest. The waiver is therefore not necessary.
- A Waiver of Title 19.08.070 was previously required to allow a two-foot wide perimeter landscape buffer along the north property line where eight feet is required. This Waiver is no longer needed, as the Wash Pit has been relocated to allow the required buffer depth.
- All unexercised Site Development Plan Review and Special Use Permit approvals on the site have expired.
- The proposed exterior fabric is not a preferred building material per Title 19.08; however, revised elevations have been submitted that largely obscure the fabric from view.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
01/11/99	The City Council approved the Annexation (A-0013-98) of approximately 1.43 gross acres located at 4485 North Rainbow Boulevard into the City of Las Vegas. The Planning Commission and staff recommended approval. The annexation became effective on 01/22/99.
07/12/99	The City Council approved a Rezoning (Z-0029-99) from R-E (Residence Estates) to C-1 (Limited Commercial) on 1.22 acres at 4485 North Rainbow Boulevard. The Planning Commission and staff recommended approval. The Resolution of Intent expired on 07/12/00.
12/18/02	The City Council approved a Rezoning (ZON-1112) from R-E (Residence Estates) to C-1 (Limited Commercial) on 1.22 acres at 4485 North Rainbow Boulevard. The Planning Commission and staff recommended approval.
02/04/04	The City Council approved Ordinance #5668, which amended the Official Zoning Map to change the zoning on the subject site from R-E (Residence Estates) to C-1 (Limited Commercial).
01/19/05	The City Council approved a Special Use Permit (SUP-5554) for a proposed Auto Detail Facility at 4485 North Rainbow Boulevard. The Planning Commission and staff recommended approval. The City Council approved a related Site Development Plan Review (SDR-5553) for a proposed 2,220 square-foot Auto Detail Facility and waivers of parking lot, perimeter and foundation landscaping standards on 1.21 acres at 4485 North Rainbow Boulevard. The Planning Commission and staff recommended approval.
02/22/07	The Planning Commission approved a Major Amendment (SDR-19122) of a previously approved Site Development Plan Review (SDR-5553) for a proposed two-story, 4,364 square-foot Auto Detail Facility at 4485 North Rainbow Boulevard. Staff recommended approval. This approval expired 02/22/09.
03/07/07	The City Council approved an Extension of Time (EOT-19400) of a previously approved Special Use Permit (SUP-5554) for a proposed Auto Detail Facility at 4485 North Rainbow Boulevard. Staff recommended approval. The approval expired 01/19/09.
02/17/09	A Code Enforcement case (74600) was processed for storing equipment and vehicles on an unpaved lot at 4485 North Rainbow Boulevard. The case was closed by Code Enforcement on 03/04/09.
04/30/09	A Code Enforcement case (77677) was processed for storing commercial trucks and operating a business out of a temporary trailer without proper zoning approvals at 4485 North Rainbow Boulevard. The case was closed by Code Enforcement on 03/05/10.

04/06/11	The City Council voted to Withdraw Without Prejudice a request for a General Plan Amendment (GPA-39489) from SC (Service Commercial) to GC (General Commercial) on 1.21 acres at 4485 North Rainbow Boulevard. The Planning Commission and staff recommended denial.
	The City Council voted to Withdraw Without Prejudice a request for a Rezoning (ZON-34490) from C-1 (Limited Commercial) to C-2 (General Commercial) on 1.21 acres at 4485 North Rainbow Boulevard. The Planning Commission and staff recommended denial.
	The City Council voted to Withdraw Without Prejudice a request for a Variance (VAR-39492) to allow a zero-foot rear yard setback where 20 feet is required and a zero-foot side yard setback where 10 feet is required on 1.21 acres at 4485 North Rainbow Boulevard. The Planning Commission and staff recommended denial.
	The City Council voted to Withdraw Without Prejudice a request for a Site Development Plan Review (SDR-39491) for the addition of a proposed 9,000 square-foot Rental Store (With Outside Storage) building to a site containing an existing 4,011 square-foot Office, with a Waiver of Perimeter Landscape Buffer standards to allow a seven-foot buffer along a portion of the south property line where eight feet is required on 1.21 acres at 4485 North Rainbow Boulevard. The Planning Commission and staff recommended denial.
	The City Council voted to Withdraw Without Prejudice a request for a Special Use Permit (SUP-40564) for a Rental Store (With Outside Storage) at 4485 North Rainbow Boulevard. The Planning Commission and staff recommended denial.
05/05/11	A Code Enforcement case (101530) was processed for storing equipment illegally at 4485 North Rainbow Boulevard. The case remains open.
05/17/11	A Code Enforcement case (102037) was processed for storage containers and equipment at 4485 North Rainbow Boulevard. The case remains open.
10/11/11	The Planning Commission abeyed SUP-43005 and SDR-43004 to the 11/08/11 Planning Commission at the applicant's request.
11/08/11	The Planning Commission abeyed SUP-43005 and SDR-43004 to the 12/13/11 Planning Commission at the applicant's request.

Most Recent Change of Ownership	
04/29/08	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
c. 1978	The existing building was constructed on the subject site.
03/19/04	A building permit (#04006226) was issued for city design block walls at 4485 North Rainbow Boulevard. A final inspection was completed on 03/31/04.
02/14/07	A business license (A01-01335) was issued for an administrative office at 4485 North Rainbow Boulevard. The license was marked out on 11/27/07.
07/17/08	A business license (Q13-01135) was issued for a law firm at 4485 North Rainbow Boulevard. The license is still active.
08/28/08	A business license (B20-00912) was issued for a business support service (paralegal services) at 4485 North Rainbow Boulevard. The license was previously issued at another location in the city. The license is still active.
09/18/08	A business license (C11-07585) was issued for an electrical contractor at 4485 North Rainbow Boulevard. The license had been previously issued at another location in the city. The license is still active.
03/24/09	A business license (C11-11397) was issued for an electrical contractor at 4485 North Rainbow Boulevard. The license is still active.
04/07/09	A building permit (137098) was issued for an interior remodel tenant improvement for certificate of occupancy at 4485 North Rainbow Boulevard. A final inspection was completed on 04/22/11.
	A building permit (137104) was issued for non-structural demolition at 4485 North Rainbow Boulevard. A final inspection was completed on 04/16/10.
08/14/09	An application (E02-90960) for a business license for equipment rental at 4485 North Rainbow Boulevard was submitted for staff review. Staff denied the application on 08/18/09. The application was closed out on 02/10/10 at the request of the applicant.
04/29/10	A building permit (161965) was issued for city design block walls and engineering to add courses to existing block walls at 4485 North Rainbow Boulevard. A final inspection was completed on 06/28/10.
06/02/10	A building permit (164257) was issued for a city design eight-foot tall block wall on the north side of the site at 4485 North Rainbow Boulevard. A final inspection was completed on 06/28/10.
04/13/11	A business license (E02-00936) was issued for equipment rental at 4485 North Rainbow Boulevard. The license is still active.
04/25/11	A business license (M18-05258) was issued for management at 4485 North Rainbow Boulevard. The license is still active.

Pre-Application Meeting	
06/13/11	A pre-application meeting was held with the applicant. Submittal requirements for application of a Special Use Permit for Building Maintenance Service and Sales were discussed. The following items were also discussed: • The proposed storage building cannot be considered an accessory structure, as it is larger than the existing office building. • A Contractor's Plant, Shop and Storage Yard use is not permitted in the C-1 District. • The gate indicated on the north side of the building must remain open during business hours to accommodate the required parking. • The area behind the storage building and proposed landscape buffer along the west property line was of concern, as it must be at least 24 feet wide to accommodate a two-way drive aisle.

Neighborhood Meeting
A neighborhood meeting is not required, nor was one held.

Field Check	
09/01/11	A field check was conducted on the subject site. An office is located on the east part of the site fronting on Rainbow Boulevard. The subject storage building is partially built and is located behind an electric gate that requires authorization for entry. A boat is parked underneath the unfinished structure. A vehicle wash pit is located in the northwest portion of the site within the required landscape buffer area. The site overall is well maintained.

Details of Application Request	
Site Area	
Net Acres	1.21

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Office, Other Than Listed	SC (Service Commercial)	C-1 (Limited Commercial)
North	Single Family, Detached (vacant)	LI/R (Light Industry/Research)	C-PB (Planned Business Park)

Surrounding Property	*Existing Land Use Per Title 19.12*	*Planned or Special Land Use Designation*	*Existing Zoning District*
South	Animal Hospital (with no Outside Pens)	SC (Service Commercial)	C-1 (Limited Commercial)
East	Single Family, Detached	M (Medium Density Residential)	R-CL (Single Family Compact-Lot)
West	Mini-Storage Facility	SC (Service Commercial)	C-1 (Limited Commercial)

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area		X	N/A
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (175 Feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to 19.08, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	N/A	52,942 SF	N/A
Min. Lot Width	100 Feet	185 Feet	Y
Min. Setbacks			
• Front (east)	10 Feet	50 Feet	Y
• Side (north and south)	10 Feet	44 Feet	Y
• Rear	20 Feet	20 Feet	Y
Min. Distance Between Buildings	10 Feet	91 Feet	Y
Max. Lot Coverage	50 %	17 %	Y
Max. Building Height	N/A	30 Feet	N/A
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated, Roofed	Y
Mech. Equipment	Screened	None Indicated	N/A

Pursuant to Title 19.08.040, the following standards apply:

Residential Adjacency Standards	*Required/Allowed*	*Provided*	*Compliance*
3:1 proximity slope	90 Feet	152 Feet	Y
Adjacent development matching setback	10 Feet	152 Feet	Y
Trash Enclosure	50 Feet	98 Feet	Y

Pursuant to Title 19.08, the following standards apply:

Landscaping and Open Space Standards				
Standards	*Required*		*Provided*	*Compliance*
	Ratio	*Trees*		
Buffer Trees:				
• North	1 Tree / 30 Linear Feet	8 Trees	10 Trees	Y
• South	1 Tree / 30 Linear Feet	8 Trees	11 Trees	Y
• East	1 Tree / 20 Linear Feet	7 Trees	13 Trees	Y
• West	1 Tree / 30 Linear Feet	7 Trees	8 Trees	Y
TOTAL PERIMETER TREES		**30 Trees**	**42 Trees**	**Y**
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	12 Trees	12 Trees	Y
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	8 Feet		8 Feet	Y
• South	8 Feet		8 Feet	Y
• East	15 Feet		30 Feet	Y
• West	8 Feet		8 Feet	Y
Wall Height	6 to 8 Feet Adjacent to Residential		8 Feet along north and south PL; 12 Feet existing along west PL	Y

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Actual Street Width (Feet)*	*Compliance with Street Section*
Rainbow Boulevard	Secondary Collector	Master Plan of Streets and Highways	90	N

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Rental Store (Without Outside Storage)	4,970 SF	1 space/250 SF GFA	20				
Office, Other Than Listed	4,011 SF	1 space/300 SF GFA	14				
TOTAL SPACES REQUIRED			**34**		**37**		Y
Regular and Handicap Spaces Required			32	2	35	2	Y
Loading Spaces	8,981 SF	Up to 10,000 SF	1		2		Y

ANALYSIS

The site is located within the Airport Overlay District as referenced by 19.10.080 with a height restriction of 175 feet. The partially built storage structure will comply with the requirements of the Overlay District.

A Rental Store without Outside Storage is a permitted use in the C-1 (Limited Commercial) District and is intended for rental of general merchandise to the general public that does not include outside storage of the rental items. Items for rent typically include wearing apparel, electronics, videos, tools and garden equipment, furniture and other household appliances and goods for special occasions or seasonal items; the applicant states that only small tools and equipment needed for an electrical contractor business will be available for rent. The items will be located within the proposed 4,930 square-foot building, and the rental area will be partitioned off from interior storage. No outside storage of rental items is permitted in the C-1 District.

The Building Maintenance Service and Sales use allows the outside storage of supplies and equipment related to the existing electrical contractor service in the C-1 District with approval of a Special Use Permit. The applicant has also indicated that large vehicles and other heavy equipment for use in the electrical contracting service will be stored offsite in an appropriately zoned contractor's storage yard.

The site and landscape plans were revised from the Planning Commission meeting of 10/11/11 to move to the south the existing gravel wash pit that had been located along the north property line within a required perimeter landscape buffer, thereby complying with the perimeter landscape buffer width standards. The wash pit is intended for cleaning of small equipment related to the contracting service and cannot be used for washing heavy machinery within the current zoning district. Staff does not object to the existence of the wash pit, as long as no drain is installed and runoff is both contained on site and does not run into public storm sewers. An additional tree was added in the northwest corner of the parking lot to comply with 19.08.110(C)(12) requirements for trees to be included at the ends of all parking rows. Waivers and exceptions for these landscape requirements will not be needed. The site now meets all setback, residential adjacency, lot coverage, wall height, landscape and parking standards. The site adheres in part to the Rental Store parking standards, as this proposed use is more intense than the requested Building Maintenance Service and Sales use.

The design of the proposed storage building was revised from the Planning Commission meeting of 11/08/11 to relieve the building mass, which is over 30 feet in height and 50 feet in length, with changes in wall plane on the east and west elevations. The proposed changes provide visual interest and screening and use solid materials. The proposed location of the storage building is behind the existing office, partially obscuring view from public streets; although the top of the structure can still be seen from a distance, the amended design will help to mitigate the impact of the 30-foot tall structure. As the revised design conforms to the code requirements of Title 19.08.040(B) for architectural bulk and scale, the waiver is no longer necessary.

As the Building Maintenance Service and Sales use can meet minimum Title 19 requirements and can be compatible with adjacent commercial and residential uses, staff recommends approval of the Special Use Permit with conditions. As the proposed building design now conforms to all code requirements, staff also recommends approval of the Site Development Plan Review, with conditions.

FINDINGS (SUP-43005)

In order to approve a Special Use Permit application, per Title 19.16.110(L) the Planning Commission and City Council must affirm the following:

1. **The proposed land 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.**

   The proposed Building Maintenance Service and Sales use can be conducted in a harmonious and compatible manner with the adjacent commercial and residential uses. A condition of approval ensures that only small equipment appropriate for uses in the C-1 (Limited Commercial) District may be rented or stored onsite. Any proposed outside storage would be appropriately screened from view of the Rainbow Boulevard right-of-way.

2. **The subject site is physically suitable for the type and intensity of land use proposed.**

   The site is of sufficient size to accommodate the proposed Building Maintenance Service and Sales use, including items for storage and parking.

3. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.**

   Rainbow Boulevard can accommodate the requirements of the proposed Building Maintenance Service and Sales use.

4. **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.**

   As long as all code requirements are met, approval of a Special Use Permit for the Building Maintenance Service and Sales use will not compromise the public health, safety and general welfare. Activities on the site are subject to licensing, permitting and inspection for the public's protection.

5. **The use meets all of the applicable conditions per Title 19.12.**

   The proposed Building Maintenance Service and Sales use will comply with the requirement to screen all outside storage from view of adjacent properties and streets.

FINDINGS (SDR-43004)

In order to approve a Site Development Plan application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

   With the proposed changes, the proposed storage building is aesthetically compatible with the buildings on the adjacent commercial sites and is appropriately designed for the C-1 District, which is intended to be located on the periphery of residential neighborhoods.

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;**

   The applicant has submitted revised plans that bring the proposed development into substantial conformance with the General Plan and Title 19 standards.

3. **Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

   Site access from Rainbow Boulevard is appropriate and adequate. The gate access shall remain open during business hours to allow full use of parking facilities. Circulation around the site is logical and should not create negative impacts to traffic in the neighborhood.

4. **Building and landscape materials are appropriate for the area and for the City;**

   The revised elevations depict a colored plaster exterior to mitigate the negative effect of a tall, long, monolithic structure and maintain compatibility with buildings on adjacent properties.

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;**

   The building elevations are sufficiently articulated to provide visual interest and mitigate the effect of the structure's height. The façade will be painted to maintain compatibility with the existing office building. Although it does not contain any windows, the structure will mostly be hidden from view of rights-of-way.

6. **Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

   The proposed changes to the site are subject to permitting and inspection, thereby protecting the public health, safety and general welfare.

NOTICES MAILED	278
APPROVALS	0
PROTESTS	1

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-43005** APN: 138-03-602-013

Name of Property Owner: Sagebrush Property Ventures

Name of Applicant: Sequoia Electric & Desert Seguro

Name of Representative: Pacific Design Concepts- Richard Gallegos

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ **Yes** ☒ **No**

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Blake Barsy

Subscribed and sworn before me

This 21st day of June, 20 11

_____

Notary Public in and for said County and State

STATE OF NEVADA
COUNTY OF CLARK

RECEIVED
AUG 25 2011

TAMMY J. POWELL
Notary Public State of Nevada
No. 09-10981-1
My appt. exp. Sept. 14, 2013

RECEIVED

Revised 11-14-06

f:\depot\Application Packet\Statement of Financial Interest.pdf

AUG 25 2011

City of Las Vegas

SDR

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit

Project Address (Location) 4485 N. Rainbow Blvd. Las Vegas, NV 89108

Project Name Rainbow & Craig Sequoia Electric **Proposed Use** Commercial

Assessor's Parcel #(s) 138-03-602-013 **Ward #** _____

General Plan: existing SC proposed SC **Zoning:** existing C-1 proposed C-1

Commercial Square Footage 4, 970 sq. ft. **Floor Area Ratio** N/A

Gross Acres 1.21 **Lots/Units** N/A **Density** N/A

Additional Information _____

PROPERTY OWNER Sagebrush Property Ventures **Contact** Blake Barsy

Address 4485 N. Rainbow Blvd. **Phone:** 454-5842 **Fax:** 454-7842

City Las Vegas **State** NV **Zip** 89108

APPLICANT Sequoia Electric **Contact** Blake Barsy

Address 4485 N. Rainbow Blvd. **Phone:** 839-9047 **Fax:** _____

City Las Vegas **State** NV **Zip** 89108

REPRESENTATIVE Pacific Design Concepts **Contact** Richard Gallegos

Address 3005 W. Horizon Ridge Pkwy Suite 200 **Phone:** 454-5842 **Fax:** 454-7842

City Henderson **State** NV **Zip** 89052

Property Owner Signature* _____

* An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Blake Barsy

Subscribed and sworn before me

This 21st day of June, 20 11.

_____

Notary Public in and for said County and State

STATE OF NEVADA
COUNTY OF CLARK

TAMMY J. POWELL
Notary Public State of Nevada
No. 09-10981-1
My appt. exp. Sept. 14, 2013

FOR DEPARTMENT USE ONLY

Case #	SVP-43005
Meeting Date:	10/11/11
Total Fee:	$1,030
Date Received:*	8/25/11
Received By:	

* The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance

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AUG 25 2011

Revised 04/26/05

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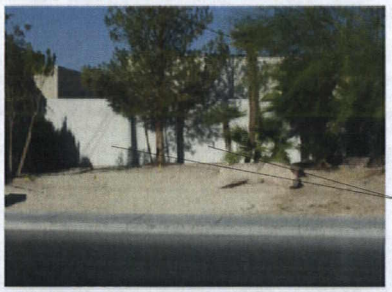
#1 EXISTING FENCE WALL @ SOUTH SIDE



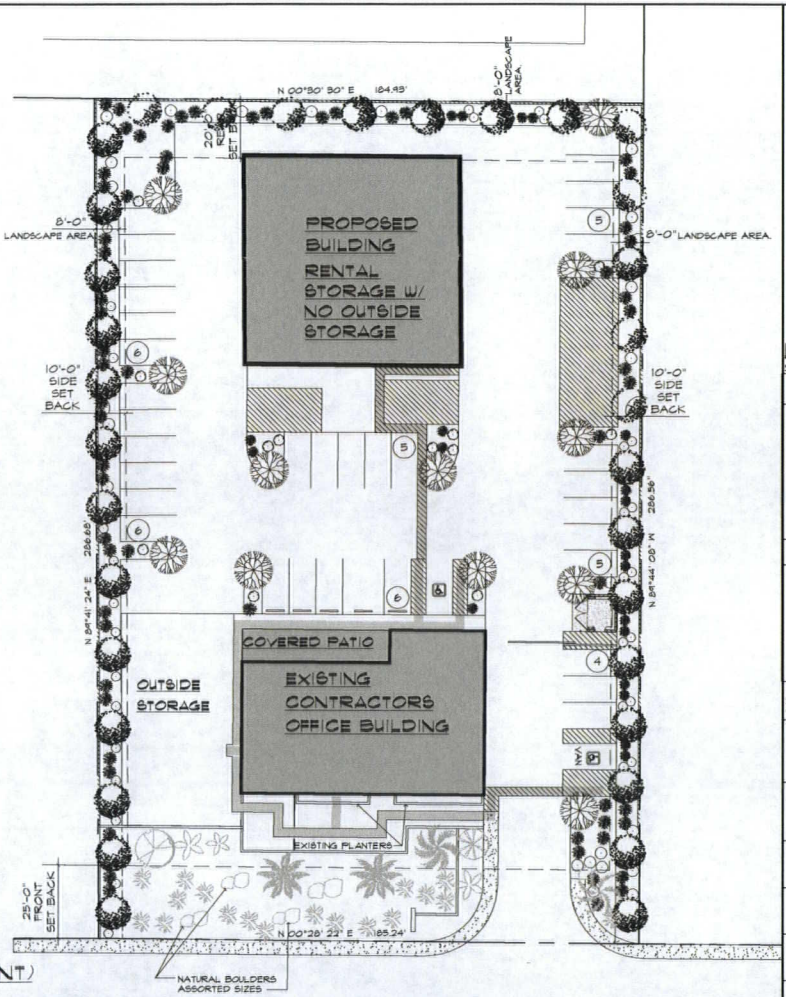
#2 EXISTING FENCE WALL @ NORTH SIDE



#3 EXISTING FENCE WALL @ EAST SIDE (FRONT)



EXISTING LANDSCAPE
AT FRONT OF EXISTING BUILDING



MISCELLANEOUS NOTES

1. ALL EXPOSED SOILS TO RECEIVE 2" THICK LAYER OF DECORATIVE GRAVEL OR DECOMPOSED GRANITE.
2. ALL TREES AND SHRUBS TO BE SPACED ACCORDING TO CITY OF LAS VEGAS MUNICIPAL CODE 14.12.040
3. ASSORTED 5 GAL SHRUBS TO COVER MORE THAN 80% OF LANDSCAPE AREA WITHIN TWO YEAS OF INSTALLATION
4. TREES SHALL NOT BE PLANTED WITHIN 3' OF A DEDICATED RIGHT-OF-WAY WHEN MATURE
5. ANY TREE WITHIN 5' OF A SIDEWALK / PAVED SURFACE AND/OR WALL SHALL BE PLANTED WITH A ROOT SHIELD DESIGNED TO DIRECT ROOT GROWTH DOWNWARD.
6. SWALE DESIGN PER FIGURE 30.64-3.
7. DECOMPOSED GRANITE COLOR: PALAMINO CORAL 1/2" SCREENED
   DECOMPOSED GRANITE SOURCE: VISTA ROCK LAS VEGAS, NEVADA
   DECORATIVE GRAVEL COLOR: RED SANDSTONE 3/4" 3/4"
   DECORATIVE GRAVEL SOURCE: STAR NURSERY LAS VEGAS, NEVADA
8. ALL LANDSCAPE AREAS TO REGEIVED COMPLETE AUTOMATIC PERMANENT UNDERGROUND DRIP IRRIGATION SYSTEM.

LANDSCAPE LEGEND

TREES	SIZE	Q	BOTANICAL NAME	COMMON NAME
	24" BOX	33	PISTACIA CHINENSIS	CHINESE PISTACHE
	24" BOX	12	ACACIA SP	ACACIA
SHRUBS	**SIZE**		**BOTANICAL NAME**	**COMMON NAME**
	5 GAL.	52	LEUCOPHYLLUM FRUTESCENS	TEXAS RANGER
	5 GAL.	80	AGAVE AMERICANA	INCENSE CEDAR
	5 GAL.	14	CALOCEDRUS DECURRENS	CENTURY PLANT

EXISTING LANDSCAPE LEGEND

14'	2	EXISTING DATE PALMS TO REMAIN
10'	4	EXISTING MEXICAN FAN PALMS TO REMAIN
6'	2	EXISTING CANARY ISLAND DATE PALM TO REMAIN
48" BOX	1	EXISTING MONDEL PINE TO REMAIN
48" BOX	1	EXISTING EVERGREEN ELM TO REMAIN
15 GAL.	16	EXISTING ERAPE MYRTLE TO REMAIN

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City of Las Vegas
Department of Planning

N. RAINBOW BLVD.

PERIMETER TREES
REQUIRED 1 PER 30 LINEAR FEET
(540 L.F / 30) = 18 TREES
PROVIDED = 33 TREES

PARKING LOT TREES
REQUIRED 1 PER 6 STALLS = 14 TREES
PROVIDED = 12 TREES

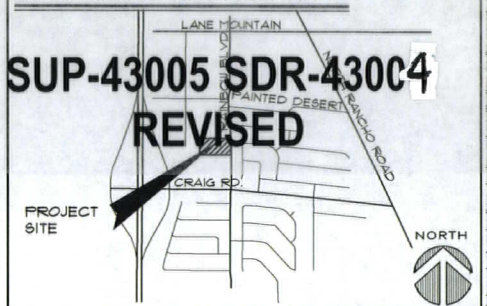
LEGEND

ACCESSIBLE ROUTE 5% MAX. RUNNING SLOPE 2% MAX. CROSS SLOPE W/1/2" MAX CHANGE IN ELEVATIONS

NORTH

LANDSAPE PLAN
1" = 20'-0"

LOCATION MAP/VICINITY:



SUP-43005 SDR-43004
REVISED

pacific design concepts, llc
3005 w. horizon ridge parkway, suite 200
henderson, nevada 89052
(702) 454-5842 fax (702) 454-7842

project title:
RAINBOW AND CRAIG
SEQUOIA ELECTRIC
4485 N. RAINBOW BLVD
LAS VEGAS, NV 89108

PRELIMINARY
NOT FOR CONSTRUCTION
October 18, 2011
10/18/2011

sheet title:
LANDSCAPE PLAN

LAND USE SUBMITTAL

issue dates:
drawn by: PT
checked by: RCG
project no.: 10-129
revisions:

sheet no.
AL1.01
of sheets

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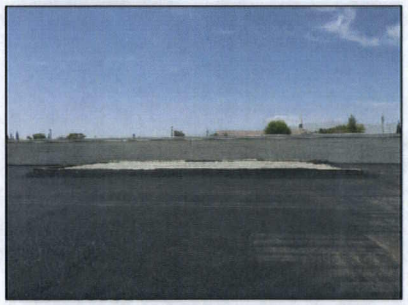
#1 EXISTING WASH PIT (LOOKING WEST)



#2 EXISTING WASH PIT (LOOKING NORTH)



#3 EXISTING WASH PIT (LOOKING EAST)

EXISTING MINI STORAGE BUILDING C-1
GENERAL PLAN SC

EXISTING DEVELOPMENT C-1
GENERAL PLAN SC

UNDEVELOPED C-PB
GENERAL PLAN L1/R

PROPOSED BUILDING
71'-0"
RENTAL STORAGE W/ NO OUTSIDE STORAGE

COVERED PATIO
EXISTING CONTRACTORS OFFICE BUILDING

OUTSIDE STORAGE

EXISTING 12'-0" HIGH C.M.U. WALL AT REST SIDE PROPERTY

N 00°30' 30" E 184.93'

20'-0" REAR SET BACK

10'-0" SIDE SET BACK

8'-0" LANDSCAPE AREA

EXISTING 8'-0" HIGH C.M.U. WALL SEE 1/A1.01

(2) 15' X 25' LOADING ZONE

EXISTING WASH PIT AREA

EXISTING 8'-0" HIGH C.M.U. WALL, SEE 2/A1.01

PROPERTY LINE

TRASH ENCLOSURE, PER CITY OF LAS VEGAS MUNICIPAL CODE 19.08.050 ROOF COVERED TRASH ENCLOSURE

WHEEL STOP

EXISTING GATE SHALL REMAIN OPEN DURING BUSINESS

EXISTING PLANTERS

PROPERTY LINE

25'-0" FRONT SET BACK

EXISTING 4'-0" HIGH C.M.U. WALL

EXISTING LANDSCAPE AREA

N 00°28' 22" E 185.24'

24'-6" EXISTING DRIVEWAY

50'-0" MIN THROAT DEPTH TYP.

EXISTING 6'-0" HIGH C.M.U. WALL TO BE MODIFIED TO 8'-0" HIGH SEE 3/A1.01

N. RAINBOW BLVD. ℄

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OCT 18 2011
City of Las Vegas
Department of Planning

SUP-43005 SDR-43004
REVISED

ARCHITECTURAL SITE PLAN
1" = 20'-0"

EXISTING RESIDENTIAL RC-L
GENERAL PLAN M

LEGEND

ACCESSIBLE ROUTE 5% MAX. RUNNING SLOPE 2% MAX. CROSS SLOPE W/1/2" MAX CHANGE IN ELEVATIONS

L.A. LANDSCAPE AREA

NORTH

PROJECT DATA:

ASSESSORS PARCEL NUMBER:	138-03-602-013
ACTION REFERENCE NUMBER:	N/A
DEVELOPMENT CODE:	TITLE 19- LAS VEGAS ZONING CODE ADOPTION DATE 05-01-2011
GOVERNING JURISDICTION:	CITY OF LAS VEGAS
SPECIAL OVERLAY DISTRICT(S)	N/A
GENERAL PLAN	SC
EXISTING LAND USE ZONE:	C-1
SITE AREA:	1.21 ACRES/ 52, 842.4 SQ. FT.
LOT COVERAGE	16.96 % (BASED ON ROOF DRIP LINE)
BUILDING HEIGHT:	
ALLOWABLE:	N/A
ACTUAL:	30 FT.
OCCUPANCY GROUP: EXISTING BUILDING	B
OCCUPANCY GROUP: PROPOSED BUILDING	S-1/M
CONSTRUCTION TYPE: EXISTING BUILDING	V-B

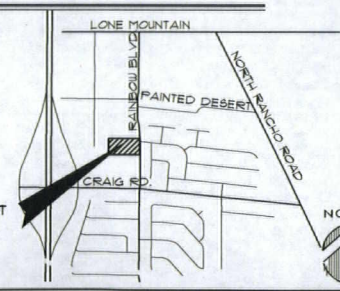
BUILDING AREA TABULATIONS

EXISTING CONTRACTORS OFFICE BUILDING AREA:	4, 011 SQ. FT.
PROPOSED RENTAL STORAGE W/ NO OUTSIDE STORAGE:	4, 970 SQ. FT.
TOTAL BUILDING AREA	8, 981 SQ. FT.

PARKING ANALYSIS

EXISTING CONTRACTORS OFFICE BUILDINGS AREA 4, 011 SQ FT. / 300 = 13.37=	14 SPACES
PROPOSED RENTAL STORAGE W/ NO OUTSIDE STORAGE & SALES AREA 4, 970 SQ. FT. / 250 =	20 SPACES
NUMBER OF PARKING SPACES REQUIRED:	34 SPACES
NUMBER OF PARKING SPACES PROVIDED: (INCLUDING 2 ACCESSIBLE SPACES WITH ONE VAN SPACE)	37 SPACES
OUTSIDE STORAGE AREA	2, 000 SQ. FT.

LOCATION MAP/VICINITY:



AERIAL MAP:



pacific design concepts, llc
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project title:
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SEQUOIA ELECTRIC
4485 N. RAINBOW BLVD
LAS VEGAS, NV. 89108

PRELIMINARY
NOT FOR CONSTRUCTION
October 18, 2011

sheet title:
ARCHITECTURAL
SITE PLAN
LAND USE SUBMITTAL

issue dates:
drawn by: PT
checked by: RCG
project no.: 10-129
revisions:
sheet no.: AS1.01
of sheets

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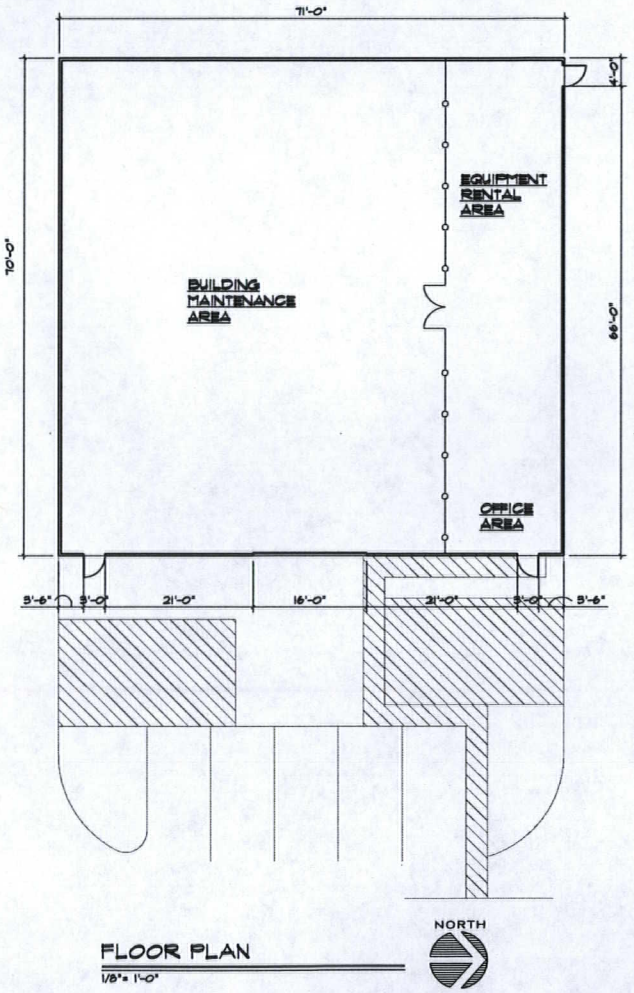
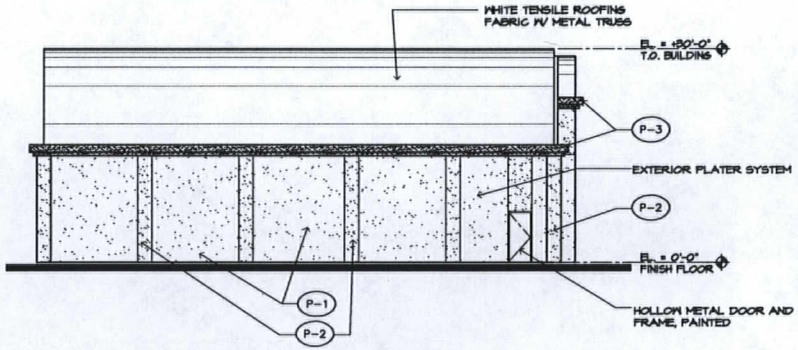


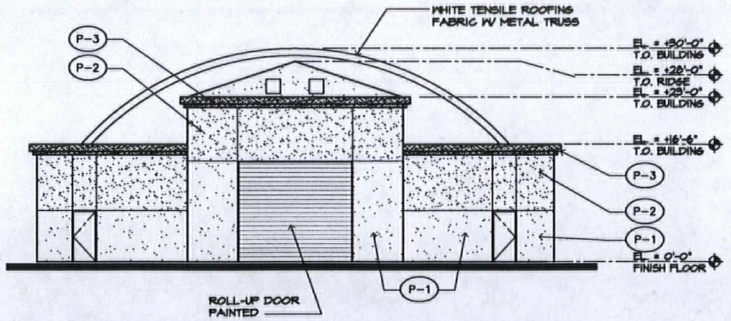
FLOOR PLAN
1/8" = 1'-0"

EXTERIOR FINISH SCHEDULE

- (P-1) PRIMARY COLOR
- (P-2) SECONDARY COLOR
- (P-3) ACCENT COLOR



NORTH ELEVATION (RIGHT SIDE), SOUTH SIMILAR (LEFT SIDE)
1/8" = 1'-0"



EAST ELEVATION (FRONT), WEST SIMILAR (REAR)
1/8" = 1'-0"

REVISED
SUP-43005
SDR-43004
REVISED

RECEIVED
NOV 17 2011

pacific design concepts, llc
3005 w. horizon ridge parkway, suite 200
henderson, nevada 89052
(702) 454-5842 fax (702) 454-7842

project title:
RAINBOW AND CRAIG SEQUOIA ELECTRIC
4485 N. RAINBOW BLVD
LAS VEGAS, NV 89108

PRELIMINARY
NOT FOR CONSTRUCTION
November 17, 2011

sheet title:
FLOOR PLAN
EXTERIOR ELEVATIONS
LAND USE SUBMITTAL

issue dates:
drawn by: PT
checked by: RCG
project no.: 10-129
revisions:

sheet no.
A1.01
of sheets

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SUP-43005 & SDR-43004 - APPLICANT: SEQUOIA ELECTRIC - OWNER: SAGEBRUSH PROPERTY VENTURES, LLC
4485 NORTH RAINBOW BOULEVARD

09/01/11



SUP-43005 & SDR-43004 - APPLICANT: SEQUOIA ELECTRIC - OWNER: SAGEBRUSH PROPERTY VENTURES, LLC
4485 NORTH RAINBOW BOULEVARD

09/01/11



SUP-43005 & SDR-43004 - APPLICANT: SEQUOIA ELECTRIC - OWNER: SAGEBRUSH PROPERTY VENTURES, LLC
4485 NORTH RAINBOW BOULEVARD

09/01/11



SUP-43005 & SDR-43004 - APPLICANT: SEQUOIA ELECTRIC - OWNER: SAGEBRUSH PROPERTY VENTURES, LLC
4485 NORTH RAINBOW BOULEVARD

09/01/11

pacific design concepts, llc PDC
3005 w. horizon ridge pkwy., #200, henderson, nv 89052 (702) 454-5842 fax (702) 454-7842

August 19, 2011
October 28, 2011 Revised
November 18, 2011 Revised

City of Las Vegas
333 N. Rancho Dr.
Las Vegas, NV 89106

Attn: Steve Swanton – Senior Planner

RE: RAINBOW & CRAIG SEQUOIA ELECTRIC **PROJECT NO-10-129**
APN: 138-03-602-013
SITE DEVELOPMENT PLAN REVIEW
JUSTIFICATION LETTER

Dear Steve,

We respectfully request favorable consideration for the above referenced project for a Site Development Plan Review.

The proposed Site Development Plan is for a single story 4, 970 sq ft. Rental Store with no Outside Storage/ Building Maintenance Services Sales use in conjunction with an existing 4, 011 sq. ft. Contractors Office Building on 1.21 acres in a C-1 zone.

This request is appropriate based on the following finding of the facts.

1. The proposed development is compatible with adjacent development and development in the area.
2. The proposed development is consistent with the General Plan, Title 19 and 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. 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.
7. The exterior finish of the structure will have a facade consisting of exterior plaster and pop-outs that will match the principal building. The proposed surface finish and paint color will also be consistent with the principal building
8. The proposed design meets all set backs, parking and landscape requirements.
9. The existing wash pit area is designated as an evaporative system and is self contained. The use is for the small company vehicles such as the minivan, passenger car ad regular size pick-up trucks. The frequency of use is about twice a month in effort to keep the vehicles clean and to avoid any debris from falling off while driving on public streets.

SUP-43005
SDR-43004
REVISED

RECEIVED
NOV 21 2011

Should you have any questions or require additional information please contact our office.
Sincerely,

Richard C. Gallegos
Principal
RCG/PT

REVISED
SUP-43005
SDR-43004
REVISED

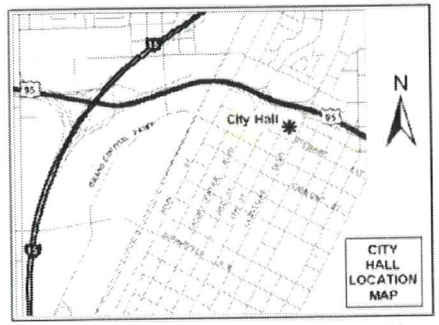
City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M $ 00.414
0004279218 SEP 29 2011
MAILED FROM ZIPCODE 89101

Return Service Requested

Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning, Case Planning Division at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-43005 & SDR-43004

Planning Commission Meeting of 10/11/2011

NO! THIS IS A RESIDENIAL COMMUNITY AND THEY CONTINUE TO PUSH FOR AN INDUSTRIAL USEAGE THEY SHOULD MOVE TO AN INDUSTRIAL PARK IF THEY REFUSE TO ABIDE BY THEIR OFFICE ZONING THIS SITE SHOULD HAVE NEVER BEEN CHANGED TO OFFICE FROM RESIDENTIAL IN THE FIRST PLACE IT IS SURROUNDED BY RESIDENTIAL HOMES AND NEW APARTMENT COMPLEXES

RECEIVED
OCT 12 2011

Case: SUP-43005
13802210053
THOMSON JOSEPH P
6609 WHEELBARROW PEAK DR
LAS VEGAS NV 89108-5740 89108-5740

24 HRDFN11 89108

City of Las Vegas Agenda Item No.: **23.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: DECEMBER 13, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
ABEYANCE - SDR-43004 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-43005 - APPLICANT: SEQUOIA ELECTRIC - OWNER: SAGEBRUSH PROPERTY VENTURES, LLC - For possible action on a request for a Site Development Plan Review FOR THE ADDITION OF AN EXISTING 4,970 SQUARE-FOOT BUILDING TO A SITE CONTAINING AN EXISTING 4,011 SQUARE-FOOT OFFICE WITH A WAIVERS TO ALLOW A TWO-FOOT LANDSCAPE BUFFER ALONG A PORTION OF THE NORTH PERIMETER WHERE EIGHT FEET IS REQUIRED AND TO ALLOW NO BUILDING ARTICULATION OR ARCHITECTURAL FEATURES WHERE REQUIRED on 1.21 acres at 4485 North Rainbow Boulevard (APN 138-03-602-013), C-1 (Limited Commercial) Zone, Ward 4 (Anthony). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 01/18/2012
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation
3. Justification Letter

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-43004 APN: 138-03-602-013

Name of Property Owner: Sagebrush Property Ventures

Name of Applicant: Sequoia Electric & Desert Seguro

Name of Representative: Pacific Design Concepts- Richard Gallegos

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes ☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Blake Barsy

Subscribed and sworn before me

This 21st day of June, 20 11

Tammy J Powell

Notary Public in and for said County and State

STATE OF NEVADA
COUNTY OF CLARK

TAMMY J. POWELL
Notary Public State of Nevada
No. 09-10981-1
My appt. exp. Sept. 14, 2013

RECEIVED
AUG 25 2011
City of Las Vegas

SUP

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Site Development Plan Review

Project Address (Location) 4485 N. Rainbow Blvd. Las Vegas, NV 89108

Project Name Rainbow & Craig Sequoia Electric **Proposed Use** Commercial

Assessor's Parcel #(s) 138-03-602-013 **Ward #** _____

General Plan: existing SC proposed SC **Zoning:** existing C-1 proposed C-1

Commercial Square Footage 4, 970 sq. ft. **Floor Area Ratio** N/A

Gross Acres 1.21 **Lots/Units** N/A **Density** N/A

Additional Information _____

PROPERTY OWNER Sagebrush Property Ventures **Contact** Blake Barsy

Address 4485 N. Rainbow Blvd. **Phone:** 454-5842 **Fax:** 454-7842

City Las Vegas **State** NV **Zip** 89108

APPLICANT Sequoia Electric **Contact** Blake Barsy

Address 4485 N. Rainbow Blvd. **Phone:** 839-9047 **Fax:** _____

City Las Vegas **State** NV **Zip** 89108

REPRESENTATIVE Pacific Design Concepts **Contact** Richard Gallegos

Address 3005 W. Horizon Ridge Pkwy Suite 200 **Phone:** 454-5842 **Fax:** 454-7842

City Henderson **State** NV **Zip** 89052

Property Owner Signature* _____

* An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Blake Barsy

Subscribed and sworn before me

This 21st day of June, 20 11.

Tammy J Powell

Notary Public in and for said County and State

STATE OF NEVADA
COUNTY OF CLARK

TAMMY J. POWELL
Notary Public State of Nevada
No. 09-10981-1
My appt. exp. Sept. 14, 2013

FOR DEPARTMENT USE ONLY

Case #	SDR-43004
Meeting Date:	10/11/11
Total Fee:	$1,030
Date Received:*	8/25/11
Received By:	BCS

*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

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AUG 25 2011
City of Las Vegas

pacific design concepts, llc PDC
3005 w. horizon ridge pkwy., #200, henderson, nv 89052 (702) 454-5842 fax (702) 454-7842

August 19, 2011
October 28, 2011 Revised

City of Las Vegas
333 N. Rancho Dr.
Las Vegas, NV 89106

Attn: Steve Swanton – Senior Planner

RE: RAINBOW & CRAIG SEQUOIA ELECTRIC **PROJECT NO-10-129**
APN: 138-03-602-013
SITE DEVELOPMENT PLAN REVIEW
JUSTIFICATION LETTER

Dear Steve,

We respectfully request favorable consideration for the above referenced project for a Site Development Plan Review.

The proposed Site Development Plan is for a single story 4, 970 sq ft. Rental Store with no Outside Storage/ Building Maintenance Services Sales use in conjunction with an existing 4, 011 sq. ft. Contractors Office Building on 1.21 acres in a C-1 zone.

This request is appropriate based on the following finding of the facts.

1. The proposed development is compatible with adjacent development and development in the area.
2. The proposed development is consistent with the General Plan, Title 19 and 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. 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.
7. A Waiver to allow the tensile structure as proposed. These types of structures are difficult to enhance due to the nature of design. The structure is 87 percent blocked from view by the existing front building. The proposed exterior covering of the building is a white tensile fabric that has a clean and futuristic appearance and very appropriate for the desert environment. The building is 30 feet in overall height, and is located behind the existing contractor's office building, which is 26 feet in height and is set back approximately 200 feet from the Rainbow right of way. The very small top portion of the curved structure will not be seen from the Rainbow right of way due to the existing office building.
8. The proposed design meets all set backs, parking and landscape requirements.
9. The existing wash pit area is designated as an evaporative system and is self contained. The use is for the small company vehicles such as the minivan, passenger car ad regular size pick-up trucks. The frequency of use is about twice a month in effort to keep the vehicles clean and to avoid any debris from falling off while driving on public streets.

RECEIVED
OCT 31 2011

SDR-43004
REVISED

Should you have any questions or require additional information please contact our office.
Sincerely,



Richard C. Gallegos
Principal
RCG/pt

SDR-43004
REVISED

City of Las Vegas Agenda Item No.: **24.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: DECEMBER 13, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

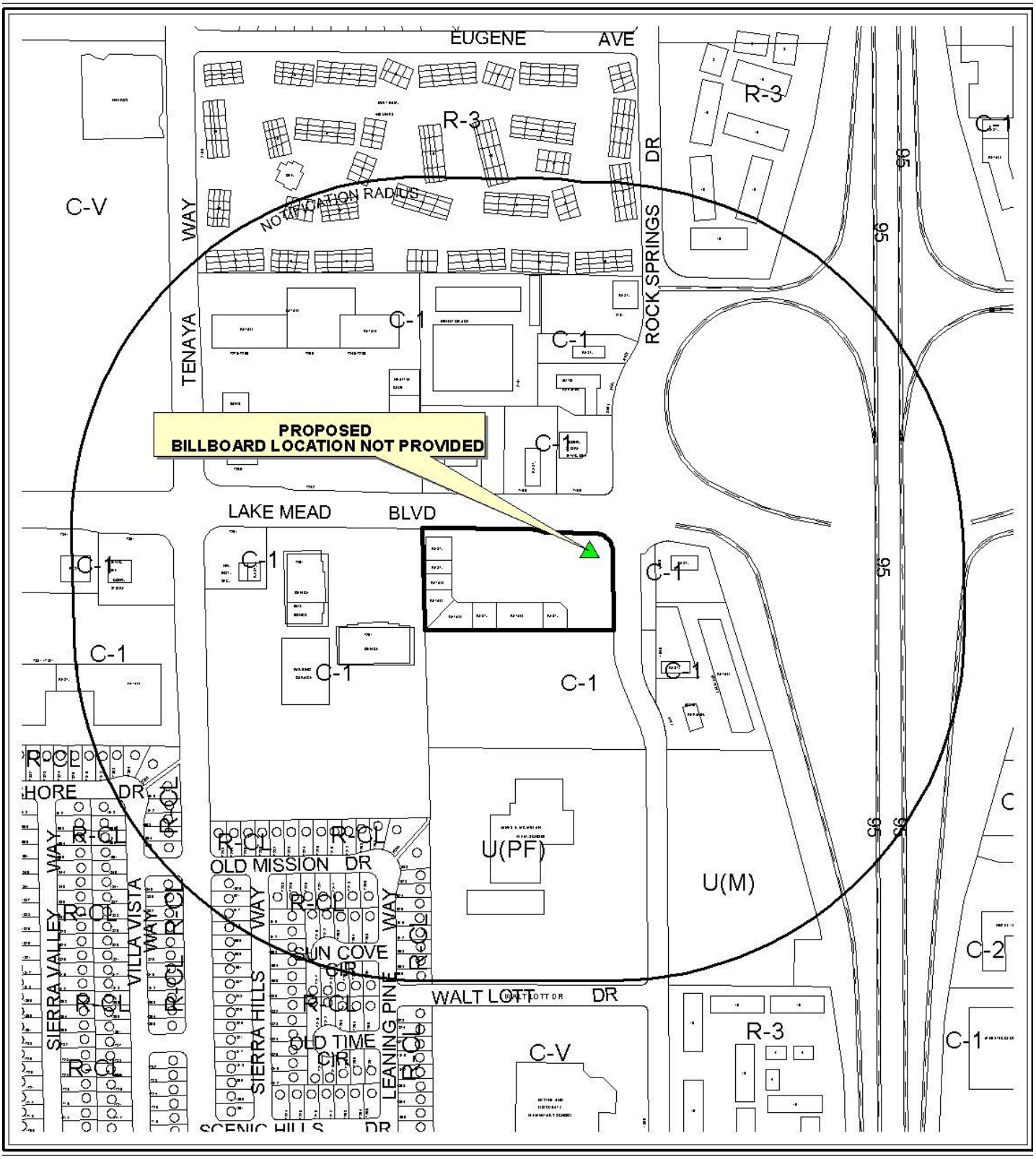
SUBJECT:
ABEYANCE - SUP-43285 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: ROCK SPRING PLAZA, LLC - For possible action on a request for a Special Use Permit FOR A 40-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE SIGN at 7175 West Lake Mead Boulevard (APN 138-22-701-007), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 01/18/2012
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**1**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest Postcard



0 300 600 Feet

CASE: **SUP-43285**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

N



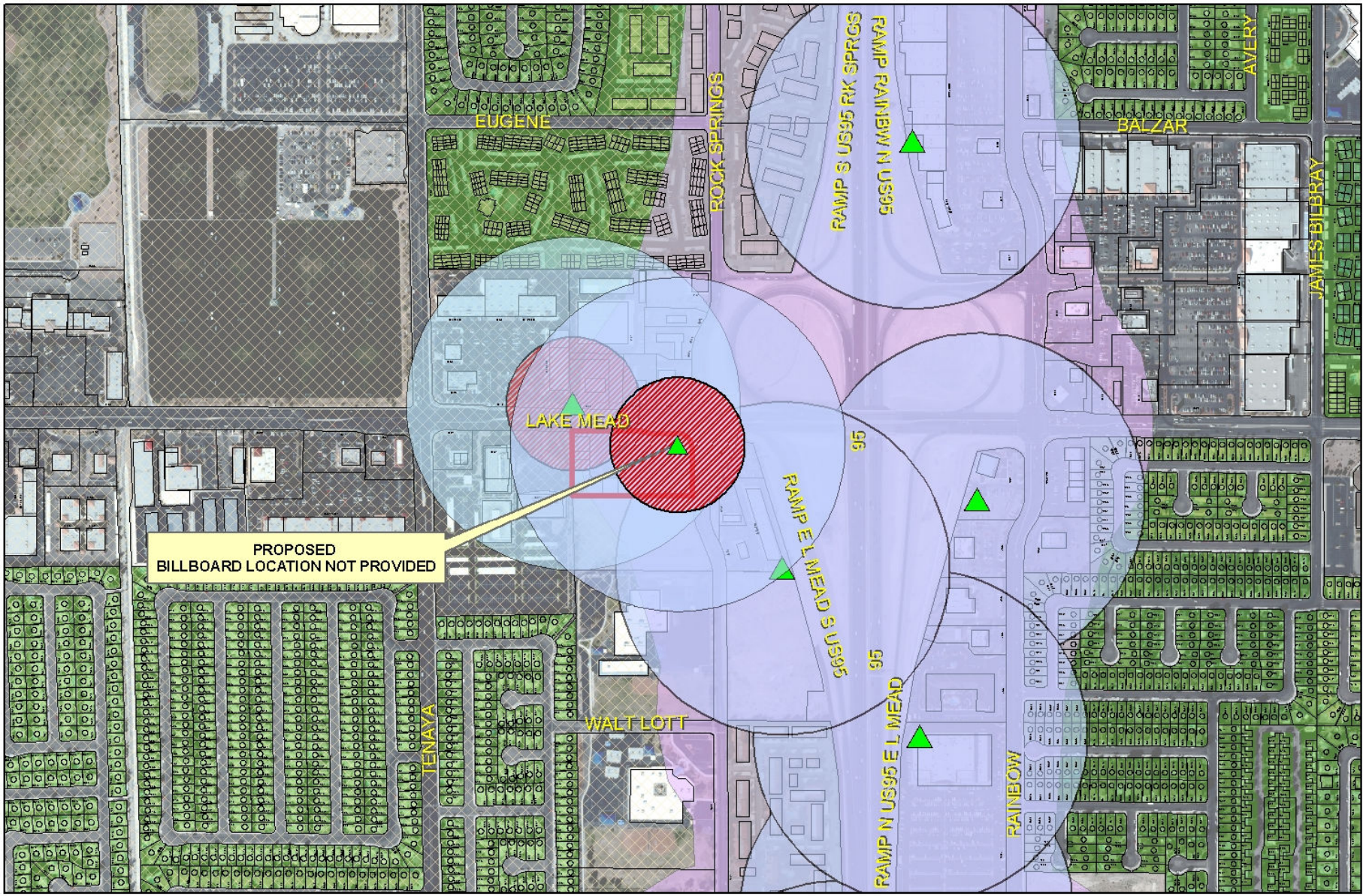
0 300 600 Feet

CASE: **SUP-43285**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

N



SUP-43285

City of Las Vegas Billboard Data

- SUBJECT PROPERTY
- City of Las Vegas Billboard Location
- Clark County Billboard Location
- 300 Foot Buffer Around Billboard
- 750 Foot Buffer Around Freeway Billboard
- Residential Zoned Property
- Off Premise Sign Exclusion Area
- Exempt - Off Premise Area Sign Area

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: DECEMBER 13, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: ROCKSPRINGS PLAZA, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-43285	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-43285 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for an Off-Premise Sign use.

2. Conformance to the approved conditions for Site Development Plan Review (SDR-5711).

3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

4. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

6. This Special Use Permit shall be reviewed in three (3) year(s), at which time the City Council may require the Off-Premise Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Sign be removed.

Conditions Page Two
December 13, 2011 - Planning Commission Meeting

7. The Off-Premise Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Sign.

8. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Sign.

9. Per Title 19.12.120 the sign must be oriented toward US- 95 as such only one sign face is permitted which must face US-95. The western facing portion of the sign shall have sufficient screening to cover the internal sign structures.

10. If the existing Off-Premise Sign is voluntarily demolished, this Special Use Permit shall be expunged and a new Off-Premise Sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.

11. The Off-Premise Sign supporting structure shall be redesigned to include finish materials that complement the existing on-site building. The entire face-area of both sides of the Off-Premise Sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.

12. Bird deterrent devices shall be installed on the sign.

13. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Staff Report Page One
December 13, 2011 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is proposing to install a 40-foot tall, 14-foot x 48-foot Off-Premise Sign within an existing Shopping Center located at 7175 West Lake Mead Boulevard. The supporting base of the proposed sign will be located within a landscape island with the sign projecting northwards within 11-feet of the north property line. The double-face v-shaped sign will be oriented towards the eastbound and westbound traffic along Lake Mead Boulevard. Staff recommends approval, with conditions. If denied, the applicant will not be allowed to construct an Off-Premise Sign at this location.

ISSUES

- An Off-Premise Sign is only permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.
- The proposed sign will not reduce onsite parking nor impede onsite circulation.
- The proposed Off-Premise Sign meets all Minimum Special Use Permit requirements.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
03/16/05	The City Council approved a Site Development Plan Review (SDR-5711) for a proposed 40,125 square-foot commercial development and Waivers of the build-to line, front landscaping, and front, side and rear setback standards on the subject site. The Planning Commission and staff recommended approval.
11/08/11	The Planning Commission voted to hold this item in abeyance to the December 13, 2011 meeting.

Most Recent Change of Ownership	
05/14/07	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
There are no relevant building permits or business licenses relate to this request for a proposed Off-Premise Sign (Billboard)

Pre-Application Meeting	
09/13/11	A pre-application meeting was held with the applicant to discuss the requirements for a submitting a Special Use Permit for a proposed Off-Premise Sign (Billboard).

Neighborhood Meeting
A neighborhood meeting is not required for this type of application, nor was one held.

Field Check	
09/29/11	Staff conducted a field check of the subject site and found the location for the proposed sign's structural base as adequate in size and location. The proposed location should allow for unimpeded site circulation and have no impact on the provided onsite parking.

Details of Application Request	
Site Area	
Net Acres	3.48

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial) Zone
North	Restaurant Tavern	SC (Service Commercial)	C-1 (Limited Commercial) Zone
South	Undeveloped	M (Medium Density Residential)	U (Undeveloped) [M (Medium Density Residential) General Plan Designation)
East	Restaurant	SC (Service Commercial)	C-1 (Limited Commercial) Zone
West	Office, Other Than Listed	SC (Service Commercial)	C-1 (Limited Commercial) Zone

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area		X	N/A
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District – 175 Feet	X		Y
Trails			N/A
Rural Preservation Overlay District			N/A
Las Vegas Redevelopment Plan Area			N/A
Development Impact Notification Assessment			N/A
Project of Regional Significance			N/A

DEVELOPMENT STANDARDS

Pursuant to Title19.12, the following parking standards apply:

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	40,125 SF	1:250SF					
Off Premise Sign	-	-					
TOTAL SPACES REQUIRED			161		212		Y
Regular and Handicap Spaces Required			155	6	205	7	Y

Pursuant to Title 19.12.120, the following standards apply:

Off Premise Signs			
Standards	***Code Requirement***	***Provided***	***Compliance***
Location	No Off-Premise Sign may be located within public right-of-way	Sign is not located in public right-of-way.	Y
Zoning	Off-Premise Signs are permitted in C-1. C-2, C-M, and M zoning districts only	The sign is located in a C-1 (Limited Commercial) zoning district.	Y
Area	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	Sign is 672 square feet in size and it does not have an embellishment on it.	Y

	feet.		

Off Premise Signs: *(cont.)*			
Standards	***Code Requirement***	***Provided***	***Compliance***
Height	No higher than 40 feet from grade at the point of construction: may be raised to a maximum of 55 feet with approval of the City Council if significantly obscured from view of travel lanes.	Sign is 40 feet tall.	Y
Screening	All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view.	Structural elements of the sign are screened from public view.	Y
Off-Premise Sign	At least 750 feet to another Off-Premise Sign along US-95 or at least 300 feet to another Off-premise Sign (if not along US-95)	Sign is at least 450 feet from another Off-Premise Sign along Lake Mead Boulevard.	Y
Off-Premise Sign	At least 300 feet to the nearest property line of a lot in any "R" or U" zoned districts.	Sign is approximately 850 feet northeast of property zoned for residential use.	Y
Other	All Off-Premise Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Sign is permanently secured to the ground and is located on commercially zoned property.	Y

ANALYSIS

The proposed 40-foot tall, 14-foot by 48-foot Off-Premise Sign is located in the C-1 (Limited Commercial) zoning district and is not located within the Off-Premise Sign Exclusionary Zone. The sign's supporting base will be located within a parking lot landscape finger island with the sign's structure cantilevered over two parking spaces in the northeast corner of the site. There is no anticipated impact to either the onsite circulation or parking and the sign meets all necessary setbacks. There is no anticipated change to the existing landscaping and no trees are proposed to be removed.

All Minimum Special Use Permit Requirements for the proposed Off-Premise Sign use have been met and that there are no adverse impacts regarding the proposed use at this location; therefore, staff recommends approval with conditions.

FINDINGS (SUP-43285)

In order to approve a Special Use Permit application, per Title 19.16.110(L) the Planning Commission and City Council must affirm the following:

1. **The proposed land 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.**

   The proposed Off-Premise Sign can be conducted in a manner that is harmonious and compatible with the existing surrounding land uses.

2. **The subject site is physically suitable for the type and intensity of land use proposed.**

   The subject site is currently developed as a Shopping Center and maintains the C (Commercial) land use designation and is with the C-1 (Limited Commercial) zoning district. The proposed Off Premise Sign Use meets all minimum requirements as listed in Title 19.12.

3. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.**

   Vehicular access to the site will remain unaffected by the proposed use. The applicant proposes to install the sign base within an existing parking lot landscape island, which will leave all existing parking spaces and site circulation intact.

4. **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.**

   The proposed Off Premise Sign will be subject to regular City inspections; therefore, public health, safety, and welfare will not be compromised.

5. **The use meets all of the applicable conditions per Title 19.12.**

   The proposed Off-Premise Sign Use meets all applicable conditions and Minimum Special Use Permit Requirements as listed for such use in Title 19.12.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 23

NOTICES MAILED 85

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-43285** APN: 138-22-701-007

Name of Property Owner: Rock Springs Plaza L.L.C

Name of Applicant: Rock Springs plaza L.L.C

Name of Representative: Ali Kaveh

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ **Yes** ☒ **No**

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Alireza Kaveh

Subscribed and sworn before me

This 19th day of September, 2011

_____

Notary Public in and for said County and State

BRIELLE BROWNLEE
Notary Public, State of Nevada
Appointment No. 11-4488-1
My Appt. Expires Nov 22, 2014

RECEIVED
SEP 20 2011
City of Las Vegas
Department of Planning

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: _____

Project Address (Location) 7175 W. Lake Mead

Project Name Rock Springs plaza **Proposed Use** OFF-site Advertising

Assessor's Parcel #(s) 138-22-701-007 **Ward #** _____

General Plan: existing _____ proposed _____ **Zoning:** existing _____ proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres 5 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Rock Spring plaza L.L.C **Contact** Ali Kaveh

Address 7175 W. Lake Mead **Phone:** 251-0218 **Fax:** 251-0918

City LV **State** NV **Zip** 89103

E-mail Address Kaveh1769@gmail.com

APPLICANT Rock Spring plaza **Contact** Ali Kaveh

Address 7175 W. Lake Mead **Phone:** 277-0494 **Fax:** 251-0918

City LV **State** NV **Zip** 89103

E-mail Address Kaveh1769@gmail.com

REPRESENTATIVE Ali Kaveh **Contact** _____

Address 3804 S. Jones #F **Phone:** _____ **Fax:** _____

City LV **State** NV **Zip** 89103

E-mail Address Kaveh1769@gmail.com

Property Owner Signature* _____

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Alireza Kaveh

Subscribed and sworn before me

This 19th day of September, 20 11.

_____

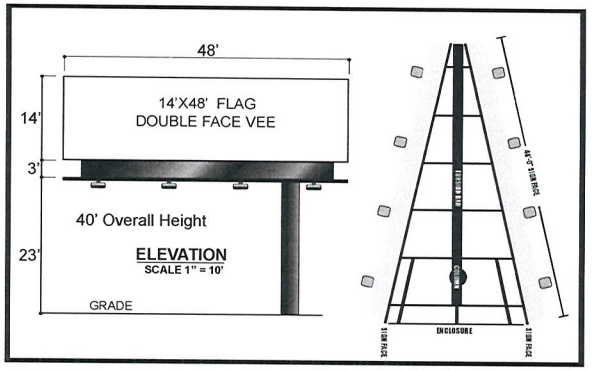
Notary Public in and for said County and State

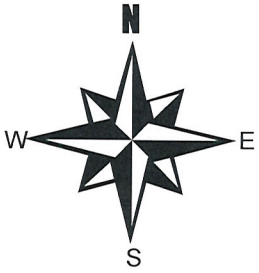
BRIELLE BROWNLEE
Notary Public, State of Nevada
Appointment No. 11-4488-1
My Appt. Expires Nov 22, 2014

FOR DEPARTMENT USE ONLY

Case #	SUP-43285
Meeting Date:	11-8-11
Total Fee:	1030.00
Date Accepted:	9-20-11
Accepted By:	

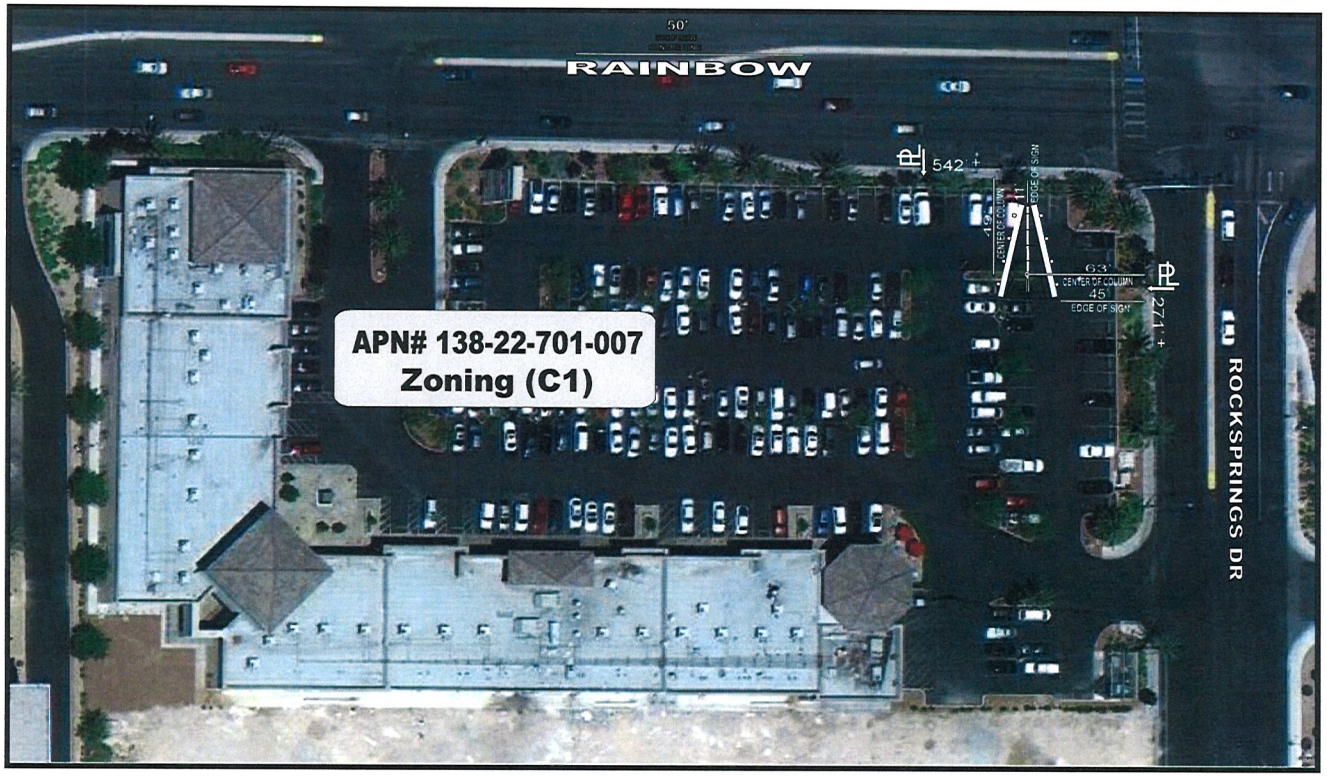
*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development for consistency with applicable sections for the Zoning Ordinance.





TOP VIEW
SCALE 1" =30'
DETAIL





GENERAL NOTES
1. Not within 300 foot radius of another off-premise billboard.
2. Not within 300 foot radius of residential use.
3 No parking spaces will be taken for this location.

RECEIVED
SEP 2011
Department of Planning

ALI R KAVEH
277-0194
JONES
4445W. TECO AVE. LAS VEGAS, NV 89118/ 702-645-0092

OWNER: ROCKSPRINGS PLAZA INVEST LLC		
SCALE: NOTED	APPROVED BY:	DRAWN BY: TOM JONES
DATE: 9-15-11		REVISED:
LOCATION: 7175 W LAKE MEAD BLVD		
APN# 138-22-701-007		DRAWING NUMBER: 314

SUP-43285



SUP-43285 - APPLICANT/OWNER: ROCK SPRING PLAZA, LLC
7175 WEST LAKE MEAD BOULEVARD

09/29/11



SUP-43285 - APPLICANT/OWNER: ROCK SPRING PLAZA, LLC
7175 WEST LAKE MEAD BOULEVARD

09/29/11



SUP-43285 - APPLICANT/OWNER: ROCK SPRING PLAZA, LLC
7175 WEST LAKE MEAD BOULEVARD

09/29/11

To Whom It May Concern:

Rockspring Plaza was built in May of 2006 and is located on Lake Mead Boulevard, just west of the 95 freeway. This 39,000 sqft shopping center has approximately 600 feet of frontage on Lake Mead blvd with a car count of 50,000 cars a day. We feel that this is an ideal location to construct a billboard for the following reasons:

1. It is surrounded by existing billboards in the area.
2. It meets all the set backs and requirements to our knowledge for a billboard structure.
3. It is located in a heavily commercial area and will have no effect on any residential.

We would kindly as you to consider our request to establish an off –Premises advertising sign at this location(billboard).

Sincerely Yours,

Ali Kaveh
Managing Member, RockSprings Plaza
7175 W. Lake Mead Blvd.
APN 138-22-701-007
Cell: 277-0194

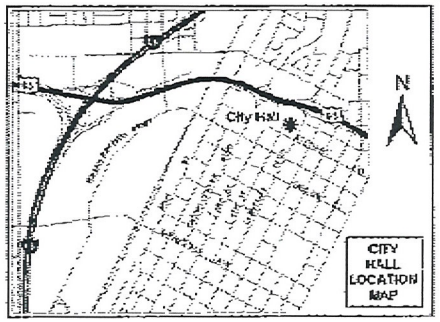
RECEIVED
SEP 20 2011
City of Las Vegas
Department of Planning

SUP-43285

PAGE 01/01
LVICC
7025155310
10/26/2011 10:40

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

Return Service Requested
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning, Case Planning Division at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-43285

Planning Commission Meeting of 11/8/2011

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.414
0004279218 OCT 27 2011
MAILED FROM ZIP CODE 89101

RECEIVED
OCT 31 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SUP-43285
13822710016
MORAN SHAUNA M
1924 LEANING PINE WY
LAS VEGAS NV 89128-3173 89128-3173

29P

City of Las Vegas Agenda Item No.: **25.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: DECEMBER 13, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

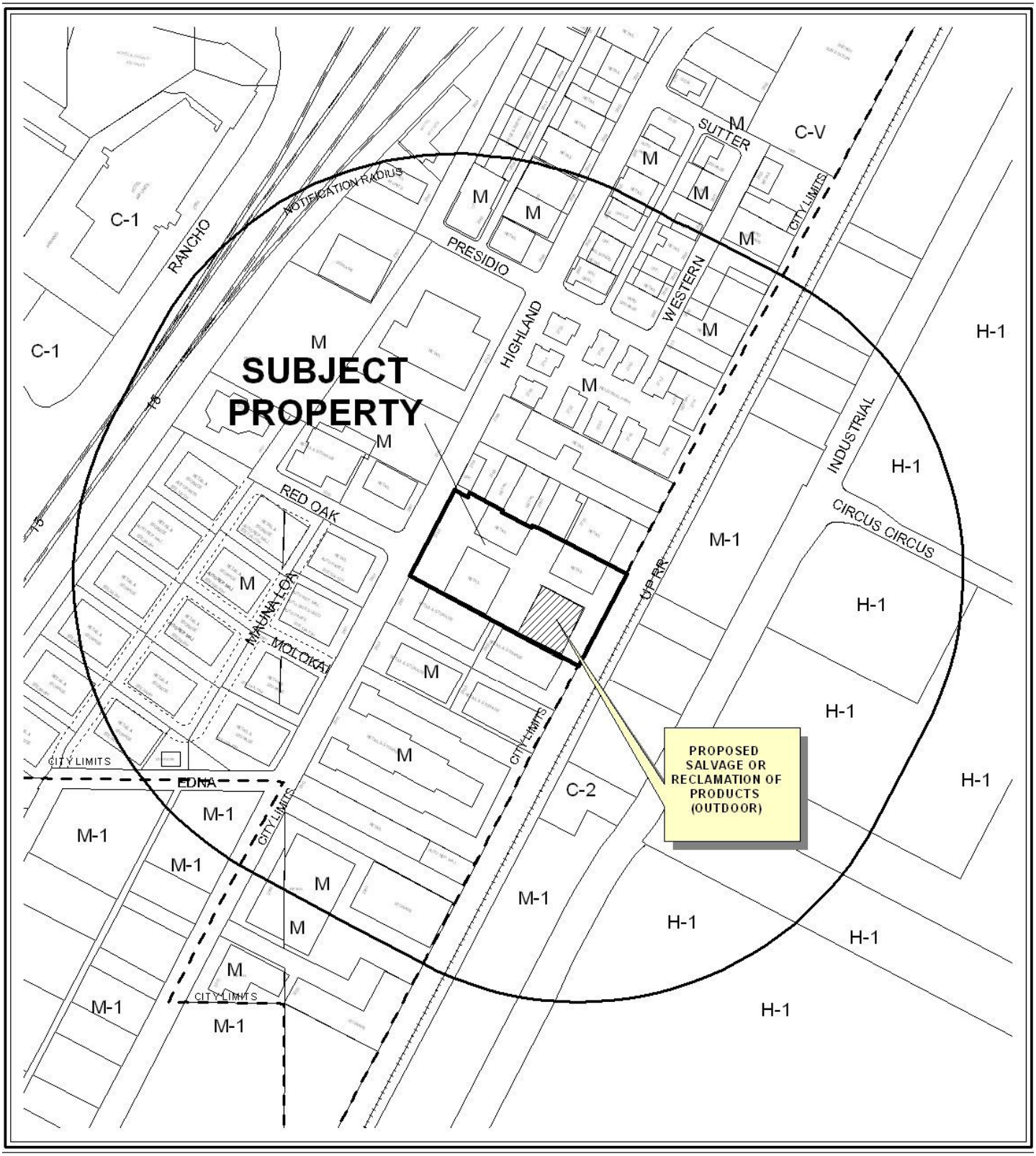
SUBJECT:
ABEYANCE - SUP-43354 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: NUEVO RECYCLING - OWNER: NEVADA SPACE, INC. - For possible action on a request for a Special Use Permit FOR A PROPOSED 26,300 SQUARE-FOOT SALVAGE OR RECLAMATION OF PRODUCTS (OUTDOOR) USE WITH AN EXISTING SIX-FOOT TALL CHAIN LINK FENCE WITH BARBED WIRE ALONG THE REAR PROPERTY LINE at 2866 South Highland Drive (APN 162-09-202-007), M (Industrial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 01/18/2012
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**3**	**Planning Commission Mtg.**	**1**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/Support Postcards



0 300 600 Feet

CASE: **SUP-43354**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)



0 300 600 Feet

CASE: **SUP-43354**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: DECEMBER 13, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: NUEVO RECYCLING - OWNER: NEVADA SPACE, INC.

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-43354	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-43354 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Salvage or Reclamation of Products (Outdoor) use.

2. No evergreen trees for screening is approved.

3. A six-foot tall wire fence with barbed wire along a portion of the side and rear property line in lieu of an eight-foot solid screen wall is approved.

4. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

5. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

6. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Public Works

8. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans, the issuance of any building or grading permits, or the submittal of a map for this site, whichever may occur first. Provide and improve all drainage ways as recommended.

Staff Report Page One
December 13, 2011 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is proposing to operate a 26,300 square-foot Salvage or Reclamation of Products (Outdoor) use at 2866 South Highland Drive. The use consists of an 11,400 square-foot warehouse and 14,900 square feet of outside yard area. The applicant proposes to receive, store and process only source-separated recyclables such as ferrous metals, non-ferrous metals, plastics, paper, cardboard, wood, and glass. Customers are directed towards a designated parking area where they will unload and weigh the recyclables, which are then stored inside the warehouse. Staff recommends approval of this request because it is the appropriate location for the industrial use proposed. If denied, the applicant will not be able to operate a Salvage or Reclamation of Products (Outdoor) use at this location.

ISSUES

- A Special Use Permit is required for the proposed Salvage or Reclamation of Products (Outdoor) use does not meet the conditional use requirements for the C-M (Limited Commercial) zoning district.
- A request to allow no evergreen trees for screening accompanies this Special Use Permit request.
- A request to allow the existing six-foot tall wire fence with barbed-wire along portions of the front and rear property line in lieu of the required eight-foot screen wall accompanies this Special Use Permit request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
01/18/61	The Board of City Commissioners approved the Rezoning of this site to M-1 (Light Industry) as part of a larger request (Z-0062-60). The zoning was later changed to the current equivalent M (Industrial) designation. The Planning Commission and staff recommended approval on January 12, 1961.
10/20/93	The City Council approved a Special Use Permit (U-0202-93) for a Tavern in conjunction with a proposed Banquet Facility on the subject site. The Board of Zoning Adjustment and staff recommended.
04/07/04	The City Council approved a Special Use Permit (SUP-3545) for a 40-foot tall, 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign located at 2798 Highland Drive. Planning Commission and Staff recommended approval.

05/17/06	The City Council approved a request to amend the Future Land Use designation (GPA-9219) to Commercial, Mixed Use, Industrial or Public Facilities on various parcels located within the proposed Las Vegas Redevelopment Plan area and within the proposed Redevelopment Plan expansion area. Planning Commission and staff recommended approval.
11/08/11	The Planning Commission voted to hold this item in abeyance to the December 13, 2011 Planning Commission meeting.

Most Recent Change of Ownership	
06/01/89	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
02/08/08	A business license (#A16-01286) was issued at 2812 South Highland Drive for Used Auto Sales. This license is active
08/10/11	A business license (#B20-01570) was issued at 2810 South Highland Drive for Business Support Services. This license is active
08/10/11	A business license (#M06-03235) for was issued at 2810 South Highland Drive for Miscellaneous Sales. This license is active
08/10/11	A business license (#A02-02336) for was issued at 2812 South Highland Drive for an Advertising or Marketing Service. This license is active

Pre-Application Meeting	
09/12/11	A pre-application meeting was held with the applicant to discuss the conditional requirements for the Salvage or Reclamation of Products (Outdoor) use. A Special Use Permit was determined necessary in order for the applicant to request waivers of the conditional requirements.

Neighborhood Meeting
A neighborhood meeting is not required, nor was one held.

Field Check	
09/29/11	A field check was performed by staff and it was noticed that there is existing wire fencing with barbed-wire in place along the rear and side property lines. It is also of note that the existing warehouse is addressed as 2866 South Highland Drive. The proposed location is not visible from the public right of way and is adjacent to the railroad.

Details of Application Request	
Site Area	
Net Acres	3.97

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	General Retail, Other Than Listed (3500 Square Feet or More)	LI/R (Light Industry/Research)	M (Industrial)
North	General Retail, Other Than Listed (3500 Square Feet or More)	LI/R (Light Industry/Research)	M (Industrial)
South	General Retail, Other Than Listed (3500 Square Feet or More)	LI/R (Light Industry/Research)	M (Industrial)
East	Right Of Way (Railroad)	Right Of Way (Railroad)	Right Of Way (Railroad)
West	General Retail, Other Than Listed (3500 Square Feet or More)	LI/R (Light Industry/Research)	M (Industrial)

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area		X	
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District – 175 feet	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Salvage or Reclamation of Products (Outdoor) use (Warehouse)	11,400 SF	1:1,000 SF	12				
Salvage or Reclamation of Products (Outdoor) use (Yard)	14,900 SF	1:10,000 SF	2				
TOTAL SPACES REQUIRED			14		14		
Regular and Handicap Spaces Required			13	1	13	1	Y
Loading Spaces	11,400 SF	1:10,000 SF	2		2		Y

Requirements	***Request***	***Staff Recommendation***
Mature evergreen trees shall be installed along the perimeter property lines to screen any vehicle parts storage area from surrounding properties.	To provide no mature evergreen trees along the perimeter property line.	Approval
Perimeter walls, a minimum of 8 feet in height, shall be installed along all property lines	To allow a 6-foot high wire fence topped with barbed-wire along a portion of the rear and side property line.	Approval

ANALYSIS

The proposed Salvage or Reclamation of Products (Outdoor) use is within the range of light industrial uses permitted in the M (Industrial) zoning district. This particular use requires a Special use Permit, since it does not meet the conditional requirements for evergreen trees and eight-foot tall walls placed along the property perimeter. Staff supports the applicant's requested waiver of these requirements, as the proposed use is located more than 500 feet away from the front property line and out of view from the public right of way. There are additional public safety and security concerns regarding the placement of evergreen trees adjacent to the railroad.

The applicant proposes to house the use inside an existing 11,400 square-foot warehouse and within a fenced outside storage yard located towards adjacent the back of the building at the rear of the property. The proposed use will not interfere with sight visibility zones, impede traffic flow or reduce the number of required on-site parking spaces. There are no objections to the proposed Salvage or Reclamation of Products (Outdoor) use at this location; therefore, staff recommends approval of this request, subject to the conditions of approval.

FINDINGS (SUP-43354)

In order to approve a Special Use Permit application, per Title 19.16.110(L) the Planning Commission and City Council must affirm the following:

1. **The proposed land 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.**

   The proposed Salvage or Reclamation of Products (Outdoor) use can be conducted in a suitable manner, as this property maintains the LI/R (Light Industry/Retail) land use designation and is appropriately located within the M (Industrial) zoning district. The property abuts the railroad and is compatible with the surrounding industrial uses.

2. **The subject site is physically suitable for the type and intensity of land use proposed.**

   The proposed use is located within a warehouse at the southeast corner of an industrial lot that contains three other warehouses. There is a service yard that is contained by wire fencing with barbed wire placed along the top for security. The proposed use is not visible from Highland Drive, as the warehouse screens all activity from the public right-of-way.

3. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.**

   The site is served by Highland Drive, which is a fully-dedicated 80-foot wide right-of-way. Addition to the current traffic demand as a result of the proposed use is negligible.

4. **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.**

   The proposed Salvage or Reclamation of Products (Outdoor) use will not be a threat to the public health, safety, and welfare, as its license would be subject to ongoing City inspection and enforcement.

5. The use meets all of the applicable conditions per Title 19.12.

The applicant has requested waiver to the conditional requirements to allow a six-foot wire fence with barbed wire along portions of the rear and side yards in lieu of an eight-foot screen wall along all perimeter walls and to allow no evergreen trees along the perimeter property lines. Staff supports this request, as the location of the existing warehouse minimizes visual intrusion from the public right-of-way and as a means to avoid any potential security and safety issues with having trees placed alongside the railroad.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 20

NOTICES MAILED 53

APPROVALS 0

PROTESTS 0

MH

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-43354** APN: 162-09-202-007

Name of Property Owner: NEVADA SPACE, INC

Name of Applicant: NUEVO RECYCLING

Name of Representative: PETYA BALOVA

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ **Yes** ☒ **No**

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: FRANK SILVER

Subscribed and sworn before me

This 20 day of September, 2011

_____

Notary Public in and for said County and State

OFFICIAL SEAL
LISA M. JAGODZINSKI
Notary Public - State of Nevada
CLARK COUNTY
My Comm. Expires June 25, 2012

RECEIVED
SEP 22 2011
City of Las Vegas
Department of Planning

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: SPECIAL USE PERMIT

Project Address (Location) 2804 SOUTH HIGHLAND DRIVE

Project Name NUEVO RECYCLING **Proposed Use** RECYCLING CENTER

Assessor's Parcel #(s) 162-09-202-007 **Ward #** 1

General Plan: existing _____ proposed _____ **Zoning:** existing M proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** 1 **Density** _____

Additional Information _____

PROPERTY OWNER NEVADA SPACE, INC. **Contact** Reza Darehpocht

Address 1900 E. Desert Inn rd **Phone:** 696-0606 **Fax:** _____

City LAS VEGAS **State** NV **Zip** 89169

E-mail Address —

APPLICANT NUEVO RECYCLING **Contact** RAFAEL VALENCIA

Address 3020 N. WALNUT RD, # 180 **Phone:** (909) 677-9723 **Fax:** _____

City LAS VEGAS **State** NV **Zip** 89115

E-mail Address nuevorecycling@live.com

REPRESENTATIVE BALOVA ENGINEERING **Contact** PETYA BALOVA

Address 6130 ELTON AVENUE **Phone:** (702) 216-0330 **Fax:** (702) 216-6001

City LAS VEGAS **State** NV **Zip** 89107

E-mail Address petya@balovaengineering.com

Property Owner Signature* _____

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name FRANK SILVER

Subscribed and sworn before me

This 20 day of September, 20 11.

_____

Notary Public in and for said County and State

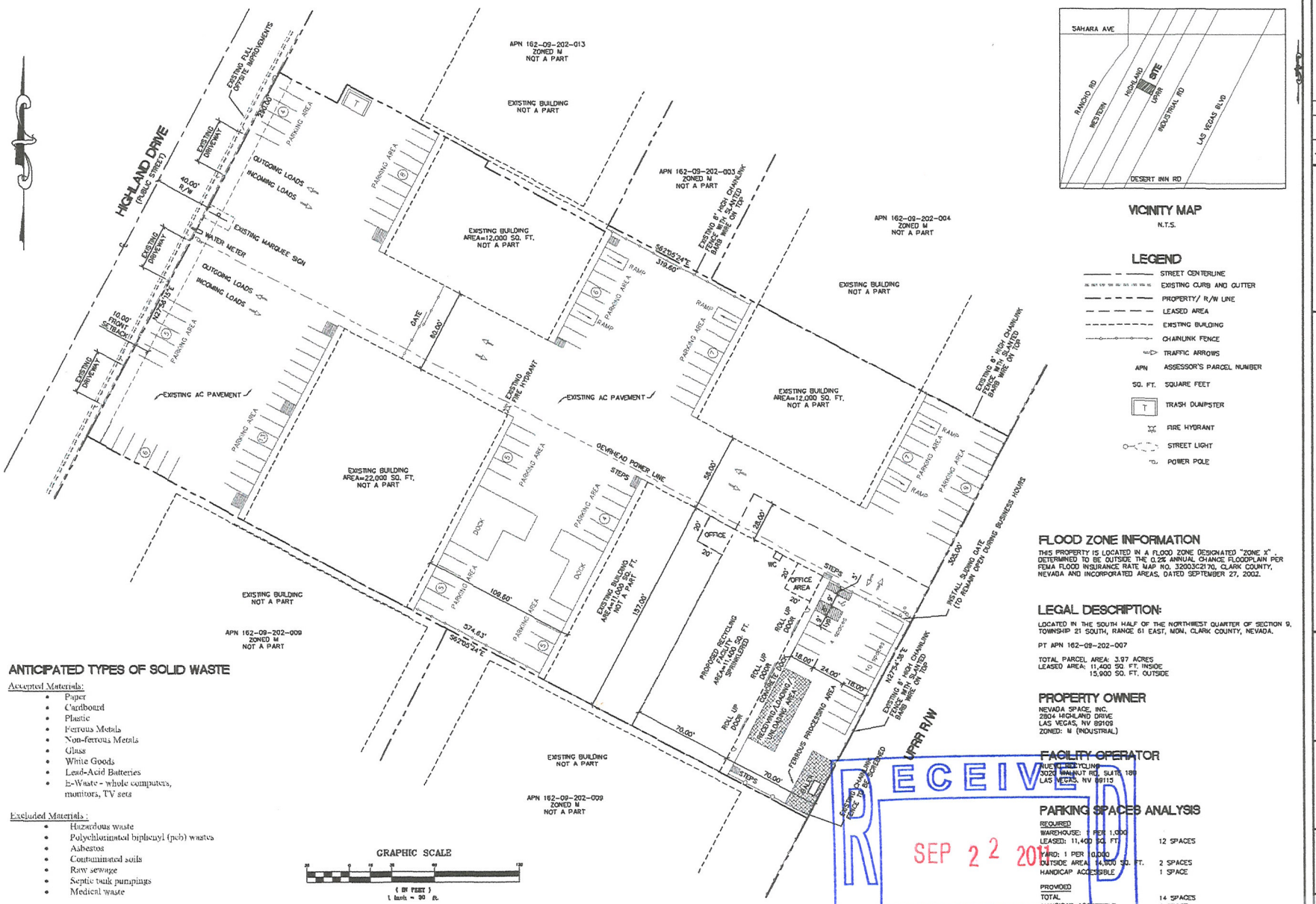
OFFICIAL SEAL
LISA M. JAGODZINSKI
Notary Public · State of Nevada
CLARK COUNTY
My Comm. Expires June 25, 2012

FOR DEPARTMENT USE ONLY

Case #	SUP-43354
Meeting Date:	11-8-11
Total Fee:	1030.00
Date Received:*	9-22-11
Received By:	JFM

*The application will not be deemed complete until the submitted materials have been reviewed by the Department of Planning for consistency with applicable sections of the Zoning Ordinance.

Revised 10/27/08



ANTICIPATED TYPES OF SOLID WASTE

Accepted Materials:

- Paper
- Cardboard
- Plastic
- Ferrous Metals
- Non-ferrous Metals
- Glass
- White Goods
- Lead-Acid Batteries
- E-Waste - whole computers, monitors, TV sets

Excluded Materials :

- Hazardous waste
- Polychlorinated biphenyl (pcb) wastes
- Asbestos
- Contaminated soils
- Raw sewage
- Septic tank pumpings
- Medical waste

GRAPHIC SCALE

(IN FEET)
1 inch = 30 ft.

VICINITY MAP
N.T.S.

LEGEND

- STREET CENTERLINE
- EXISTING CURB AND GUTTER
- PROPERTY/ R/W LINE
- LEASED AREA
- EXISTING BUILDING
- CHAINLINK FENCE
- TRAFFIC ARROWS
- APN ASSESSOR'S PARCEL NUMBER
- SQ. FT. SQUARE FEET
- T TRASH DUMPSTER
- FIRE HYDRANT
- STREET LIGHT
- POWER POLE

FLOOD ZONE INFORMATION

THIS PROPERTY IS LOCATED IN A FLOOD ZONE DESIGNATED "ZONE X" DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN PER FEMA FLOOD INSURANCE RATE MAP NO. 32003C2170, CLARK COUNTY, NEVADA AND INCORPORATED AREAS, DATED SEPTEMBER 27, 2002.

LEGAL DESCRIPTION:

LOCATED IN THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 21 SOUTH, RANGE 61 EAST, MDM, CLARK COUNTY, NEVADA.

PT APN 162-09-202-007

TOTAL PARCEL AREA: 3.97 ACRES
LEASED AREA: 11,400 SQ. FT. INSIDE
15,900 SQ. FT. OUTSIDE

PROPERTY OWNER

NEVADA SPACE, INC.
2804 HIGHLAND DRIVE
LAS VEGAS, NV 89109
ZONED: M (INDUSTRIAL)

FACILITY OPERATOR

NUEVO RECYCLING
3020 WALNUT RD, SUITE 180
LAS VEGAS, NV 89115

PARKING SPACES ANALYSIS

REQUIRED		
WAREHOUSE: 1 PER 1,000		
LEASED: 11,400 SQ. FT.		12 SPACES
YARD: 1 PER 8,000		
OUTSIDE AREA: 14,900 SQ. FT.		2 SPACES
HANDICAP ACCESSIBLE		1 SPACE
PROVIDED		
TOTAL		14 SPACES
HANDICAP ACCESSIBLE		1 SPACE

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City of Las Vegas
Department of Planning

SUP-43354

REV.	DATE	BY	REVISION

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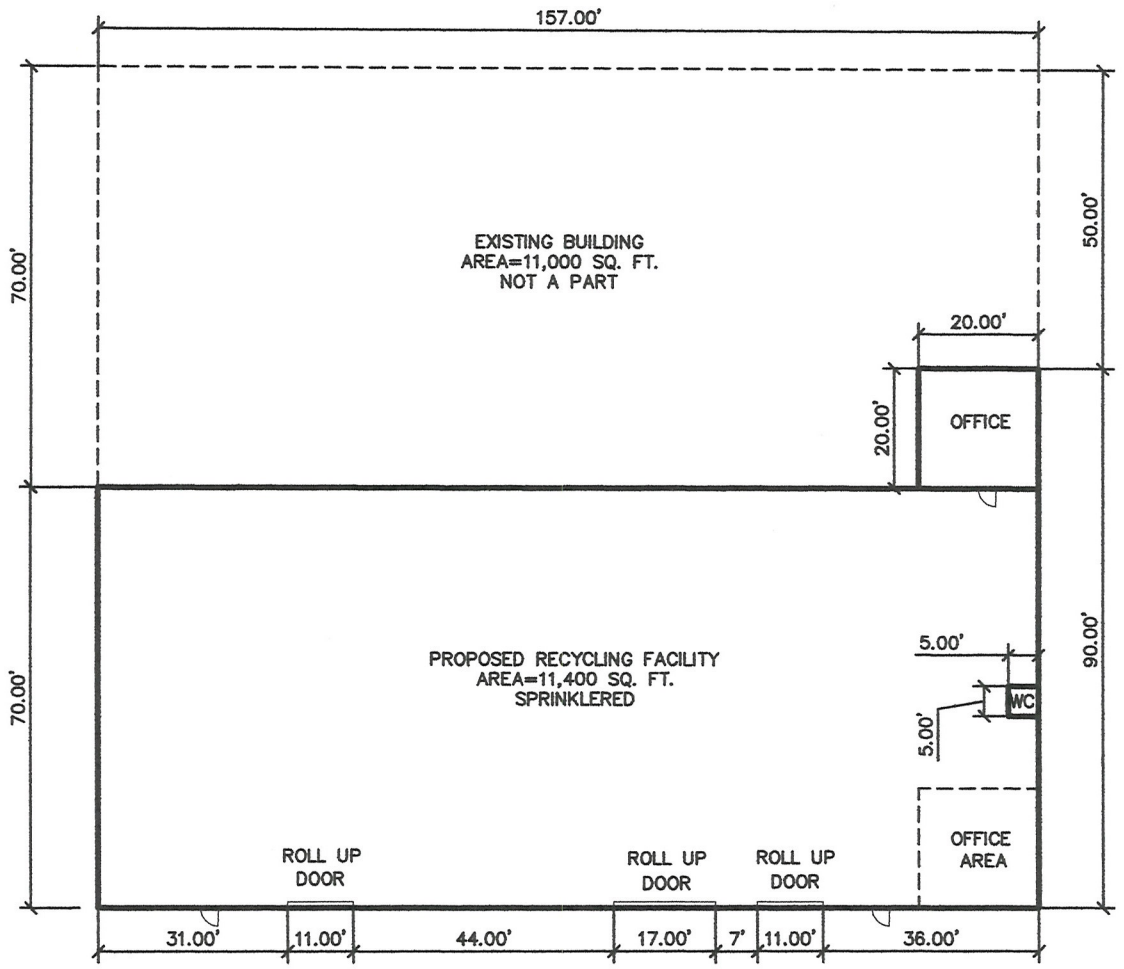
BALOVA ENGINEERING
6130 ELTON AVENUE
SUITE 104
LAS VEGAS, NV 89107
702-216-0330 T
702-216-6001 F

NUEVO RECYCLING
SITE PLAN

2804 HIGHLAND DRIVE
LAS VEGAS, NEVADA

DESIGNED BY: PB
CHECKED BY: PB
DATE: 08/29/11
JOB #: 11-000
APN: 162-09-202-007
SHEET: TITLE SITE
SCALE: HORZ 1" = 30'

SHEET #
SP
1 OF 1



FLOOR PLAN

SCALE: 1"=20'

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DRAWN BY: pb	DATE: 09/21/11
CHECKED BY:	DRAWING NO.: NUEVO RECYCLING
JOB NO.: 11-068	SHEET 1 OF 1

SUP-43354

NUEVO RECYCLING
2866 HIGHLAND DRIVE
APN 162-09-202-007



EAST ELEVATION



EAST AND NORTH ELEVATIONS

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STREET FRONTAGE

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SUP-43354 - APPLICANT: NUEVO RECYCLING - OWNER: NEVADA SPACE, INC.
2866 SOUTH HIGHLAND DRIVE

09/29/11



SUP-43354 - APPLICANT: NUEVO RECYCLING - OWNER: NEVADA SPACE, INC.
2866 SOUTH HIGHLAND DRIVE

09/29/11



SUP-43354 - APPLICANT: NUEVO RECYCLING - OWNER: NEVADA SPACE, INC.
2866 SOUTH HIGHLAND DRIVE

09/29/11



SUP-43354 - APPLICANT: NUEVO RECYCLING - OWNER: NEVADA SPACE, INC.
2866 SOUTH HIGHLAND DRIVE

09/29/11



September 21, 2011

City Las Vegas
Planning and Zoning Department
333 Rancho Drive
Las Vegas, NV 89101

Re: SPECIAL USE PERMIT FOR NUEVO RECYCLING
PT APN 162-09-202-007

The purpose of this letter is to request a Special Use Permit for a Salvage and Reclamation of Products (Outdoor) use, located on a portion of 2804 Highland Drive, Assessor's Parcel Number 162-09-202-007. The parcel is zoned M (Industrial) and a Salvage or Reclamation of Products (Outdoor) is allowed with the conditions, listed in Table 2 of Chapter 19.04.

Nuevo Recycling is a recycling center, which is a solid waste management facility, designed and operated to receive, store, or process recyclable material which has been separated at the source from all but residual solid waste (ref. NRS 444A.014). "Recyclable material" means solid waste that can be processed and returned to the economic mainstream in the form of raw materials or products. The subject recycling center will receive, store and process only source-separated recyclables, for which there is available market. The recyclable materials (ferrous, non-ferrous metals, plastic, paper, cardboard, glass, wood, etc.) will be separated from the solid waste stream at the source of waste generation. Autobodies will not be accepted by the facility. Nuevo recycling currently operates a similar facility, located on 3020 Walnut Road, Suite 180, Las Vegas, NV 89115.

Customers will be directed to the designated parking area, where they will be provided with appropriate containers to unload the recyclable material. The material will then be weight, sorted, baled and stored inside the warehouse or outside in the designated containers. When quantities are sufficient, the recyclable materials will be transported to other permitted recycling centers for further processing. Any residual debris will be transported to a permitted landfill. The operator will have a baler, forklift and storage containers. The recycling center will accept ferrous, non-ferrous metals, paper, plastic, appliances, batteries, and glass bottles. There are will be no liquid pollutants or contaminants associated with the recycled material.

There are no floor drains in the building. The facility does not accept putrescible waste. There is no offensive odor associated with these types of recyclable material. A Stormwater Polution . Prevention Plan (SWPPP) will be prepared for the proposed facility to outline measures, which mitigate any adverse impact on the natural environment.

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SUP-43354

6130 Elton Avenue, Las Vegas, NV 89107 Office: 702.216.0330

Access to the industrial center is provided by existing dustpan driveways on Highland Drive, which is fully improved public street. The parcel is fully developed industrial complex, which consists of four warehouse buildings and parking areas. Two of the buildings have a floor area of 22,000 square feet each, and the other two have a floor area of 12,000 square feet. Perimeter fence and a sliding gate between the easterly two buildings provides access control to the entrance of the proposed facility.

Nuevo Recycling will lease a part of a 22,000 sq. ft. building, located at the southeast corner of the site. The leased area will include 11,400 sq. ft. of warehouse and office space. The outside area adjacent to the facility is approximately 14,900 sq. ft., which will be used for customer parking and unloading of recyclable materials. The existing masonry building is approximately 20 feet in height, which includes a 4 feet high loading dock. The building is painted in white and blue which matches the color of the other three buildings on the same parcel. The parcel is surrounded by industrial properties, zoned M to the east, north and south. Adjacent to the parcel to the west is Union Pacific Railroad 100-foot right-of-way. Further to the west are Clark County properties, zoned M-1. The whole parcel is

Nuevo Recycling will have four (4) employees. The facility will be open to the public. It will be open 8 am to 5 pm, Moday through Friday, 8 am to 3 pm on Saturday, and 8 am to 1 pm on Sunday.

Parking has been provided as part of the whole industrial complex. Given the size of the parcel and a total of approximately 68,000 square feet of warehouse space (sum of all four buildings), the required number of parking spaces is 79 spaces. The site has a capacity of approximately 98 spaces.

Parking Analysis for the whole parcel:

	Total area	Required spaces	Total number of spaces required
Warehouse Area	68,000 sq. ft.	1 per 1,000 sq. ft.	68
Outdoor Storage Area	105,000 sq. ft.	1 per 10,000 sq. ft.	11
Total			79

Parking Analysis for the leased area:

	Total area	Required spaces	Total number of spaces required
Warehouse Area	11,400 sq. ft.	1 per 1,000 sq. ft.	12
Outdoor Storage Area	14,900 sq. ft.	1 per 10,000 sq. ft.	2
Total			14

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Department of Planning

SUP-43354

6130 Elton Avenue, Las Vegas, NV 89107 Office: 702.216.0330

We would like to request a variance of the following conditional use regulations:,

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

Nuevo Recycling will be leasing 11,400 square feet of warehouse space, with the adjacent outside area, which is approximately 14,900 square feet, as shown on the attached exhibit, for a total of 26,300 square feet of space.

Variance 2:
In addition to the requirements of the LVMC 19.08040 (F), mature evergreen trees shall be installed along the perimeter property lines to screen any vehicle parts storage area from the surrounding properties.

This is an existing development with no landscape buffers along the property lines due to the zero setback from the adjacent buildings. Planting of mature evergreen trees will interfere with the receiving, sorting, storage and loading and unloading operations of the recycling center.

Variance 3:
Perimeter walls, a minimum of 8 feet in height shall be installed along all property lines.

Currently the property has a 6 foot high chainlink fence along the property lines. All industrial properties in the vicinity of the subject use have chainlink fences on the perimeter, including along the UPRR right-of-way. There is no visibility from a public right-of-way to the proposed recycling center, therefore no need for additional screening.

The proposed recycling center will not be detrimental to the health, safety or welfare of the community, nor will substantially increase traffic in the area. We believe, the proposed use can be conducted in a manner that is harmonious and compatible with the existing surrounding land uses, and with future surrounding land uses as projected by the General Plan;

The business owner estimates to begin operation upon approval of this application and the following approval and a permit by the Southern Nevada Health District. A Clark County Department of Air Quality Control approval and a Southern Nevada Health District permit will be obtained as part of the business license approval process.

If you require further information, please feel free to contact me at (702) 216-0330.

Sincerely,

Petya Balova, P.E.
Balova Engineering

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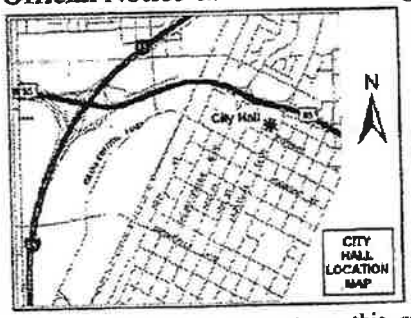
SEP 22 2011
City of Las Vegas
Department of Planning

SUP-43354

6130 Elton Avenue, Las Vegas, NV 89107
Office: 702.216.0330

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

Return Service Requested
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning, Case Planning Division at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-43354
Planning Commission Meeting of 11/8/2011

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M $ 00.41⁴
0004279218 OCT 27 2011
MAILED FROM ZIP CODE 89101

Case: SUP-43354
16209110032
L C 111 L L C
P O BOX 81745
LAS VEGAS NV 89180-1745 89180-1745

58 HRDFN11 89180

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2011

Submitted after final agenda
Date 11-08-2011 Item 32
32P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☑ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-43354

Planning Commission Meeting of 11/8/2011

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NOV 3 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

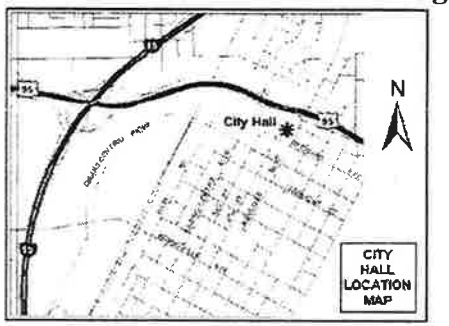
Case: SUP-43354

16209202008
KHAZAI SHAHRIAR & ISABELA
P O BOX 25879
LOS ANGELES CA 90025-0879 90025-087

328

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-43354

Planning Commission Meeting of 11/8/2011

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT
Case SUP-43354

16209102002
2701 WESTWOOD L L C
%MR R BRANDY
1113 PINE ISLAND CT
LAS VEGAS NV 89134-6330 89134-6330

8 HRDFN11 89134

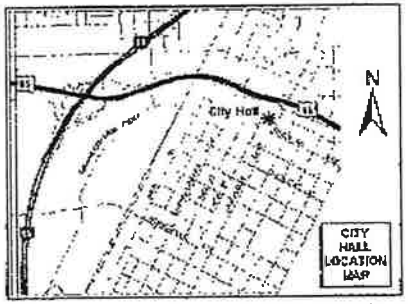
32P

Nov-01-11 11:15am From-A&B Printing +7027312272 T-416 P.001/001 F-037

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3RD Floor
Las Vegas, Nevada 89106

Return Service Requested

Official Notice of Public Hearing



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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SUP-43354

16209202010
POSITIVE SPACE INC
%B ALLEN PHOTOGRAPHY
18 STAR BROOK AVE
HENDERSON NV 89052-6628 89052-6628

32 A

City of Las Vegas Agenda Item No.: **26.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: DECEMBER 13, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

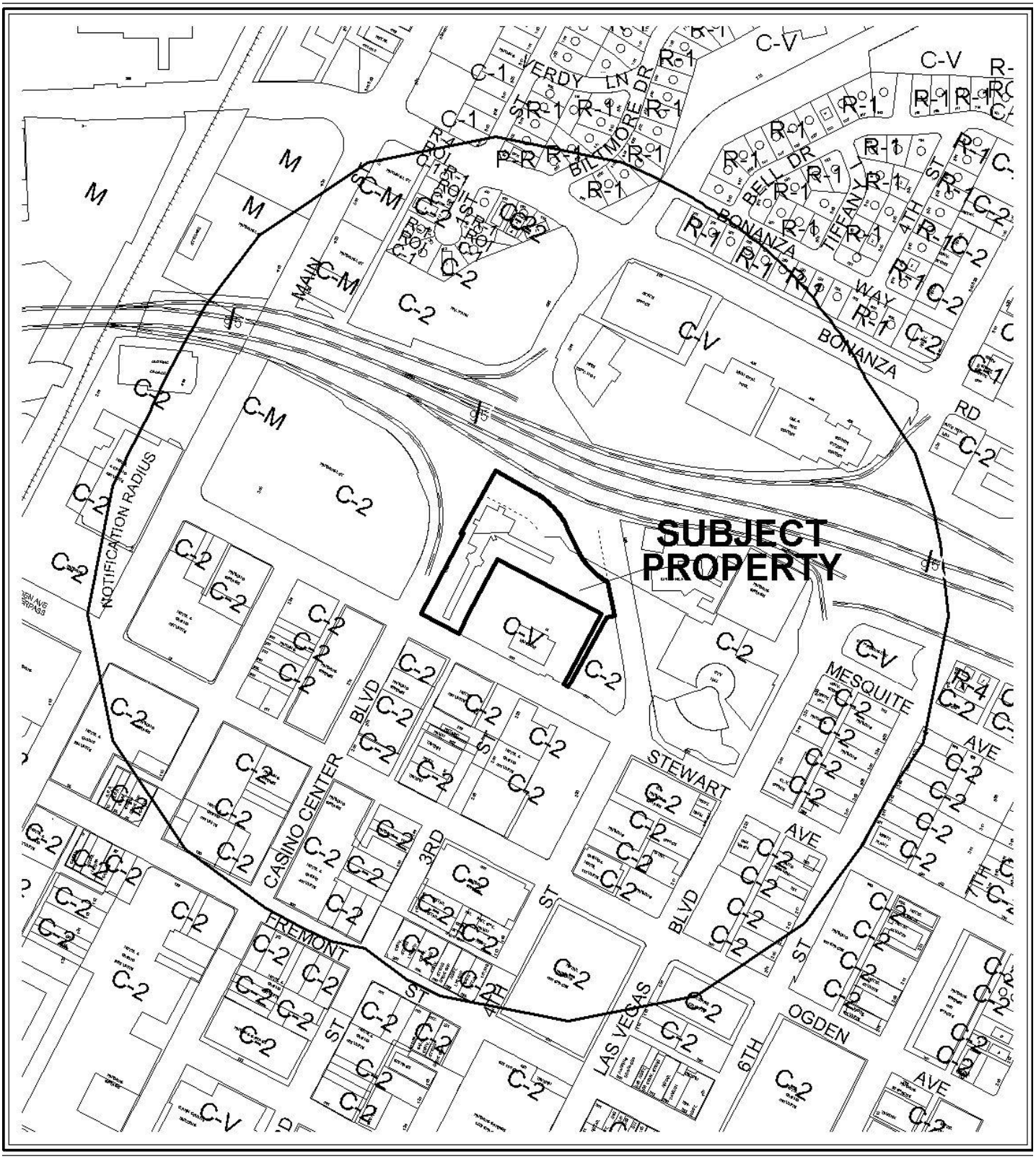
SUBJECT:
ABEYANCE - SDR-42987 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: CIM/POB LAS VEGAS, LLC - OWNER: CITY OF LAS VEGAS - For possible action on a request for a Site Development Plan Review FOR A PROPOSED GENERAL RETAIL STORE, OTHER THAN LISTED AND PLAZA on 2.83 acres at 300 North Casino Center Boulevard (APN 139-34-501-008), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 01/18/2012
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**1**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Support Postcard



CASE: **SDR-42987**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)



0 300 600 Feet

CASE: **SDR-42987**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: DECEMBER 13, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: CIM/POB LAS VEGAS, LLC - OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SDR-42987	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SDR-42987 CONDITIONS

Planning

1. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

2. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 08/24/11, except as amended by conditions herein.

3. All proposed signage depicted on the site plan shall comply with the requirements of Title 19.08 and be approved through separate building permits. No signage shall be approved as part of this Site Development Plan Review.

4. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

6. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

7. Remove all substandard sidewalk improvements, including sidewalk ramps adjacent to this site, if any, and replace with new improvements meeting current Downtown Centennial Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

8. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

9. A Traffic Impact Analysis or other information acceptable to the City Traffic Engineer must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or the submittal of any construction drawings for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Staff Report Page One
December 13, 2011 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This request is to convert an existing bus transportation facility located at 300 North Casino Center Boulevard into a General Retail Store, with an outdoor plaza area for additional activities, including, but not limited to, vending, events and food trucks. The existing site is to remain in its current configuration, with areas set aside for the outdoor activities to occur. This adaptive re-use of the site is anticipated to fill the void between the vacancy created when the new transportation terminal opened at Bonneville Avenue and Casino Center Boulevard, and future redevelopment of the site. The re-use of the site supports Policy 1.2.6 of the Las Vegas 2020 Master Plan, which states "That the City encourage street vendors as a means of improving the pedestrian environment," and also supports the Downtown Centennial Plan's Urban Design Goals and Objectives for the Pedestrian Environment to "encourage a network of arcades throughout downtown." Staff is recommending approval with conditions.

ISSUES

- Currently, NRS requires that food trucks remain mobile, with a maximum stay at any one location limited to 30 minutes, unless otherwise approved through a Special Event Permit.
- Additional inspections may be required to ensure the welfare, health and safety of the general public. These inspections, including but not limited to tent inspections by the Department of Fire and Rescue, shall be conducted as required.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
09/12/85	The Planning Commission approved a request for a Civic Review (CV-0002-85) of property generally located at Mesquite Avenue and Casino Center Boulevard, for the purpose of establishing a Downtown Transportation Center. Staff recommended approval.
09/25/97	Planning staff administratively approved a Site Development Plan Review (SD-0016-97) for a proposed building and parking expansion to the existing 9,700 square-foot Transit Passenger Facility located at 300 North Casino Center Boulevard.
03/07/07	A Code Enforcement case (51068) was processed for trash and debris at 300 North Casino Center Boulevard. The case was resolved 03/12/07.

08/02/07	A Code Enforcement case (56367) was processed for pigeon droppings at 300 North Casino Center Boulevard. The case was resolved 08/16/07.
11/17/10	The City Council approved a General Plan Amendment (GPA-39192) from PF (Public Facilities) to MXU (Mixed Use) on the subject site as part of a larger request. The Planning Commission and staff recommended approval.
11/17/10	The City Council approved a Rezoning (ZON-39193) from C-V (Civic) to C-2 (General Commercial) on the subject site as part of a larger request. The Planning Commission and staff recommended approval.
11/08/11	The Planning Commission voted to hold this item in abeyance to the December 13, 2011 Planning Commission meeting.

Most Recent Change of Ownership	
07/01/1947	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
c. 1987	A Transit Passenger Facility (Downtown Transportation Center) was constructed at 300 North Casino Center Boulevard.
11/12/98	A building permit (98022323) was issued for a remodel of the Transit Passenger Facility located at 300 North Casino Center Boulevard. A final inspection was approved on 09/10/99.

Pre-Application Meeting	
08/18/11	A pre-application meeting was held with the applicant, where submittal requirements for a Site Development Plan Review for changes to the existing site were discussed. The applicant was informed that a parking analysis would be necessary and justification would be required for any parking deficiency. The applicant described what types of uses would be proposed.

Neighborhood Meeting
A neighborhood meeting is not required, nor was one held.

Field Check	
09/29/11	A field check was conducted on the site. The site is clean and free of debris. Crash barriers have been set up to block access to two areas of the site.

Details of Application Request	
Site Area	
Net Acres	2.83

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Transit Passenger Facility (vacant)	MXU (Mixed Use)	C-2 (General Commercial)
North	I-515/U.S. 95 right-of-way	ROW (Right-of-Way)	ROW (Right-of-Way)
South	Hotel parking garage	C (Commercial)	C-2 (General Commercial)
	Government Facility	PF (Public Facilities)	C-V (Civic)
East	Government Facility	PF (Public Facilities)	C-V (Civic)
	Government Facility	MXU (Mixed Use)	C-2 (General Commercial)
West	Hotel surface parking lot	C (Commercial)	C-2 (General Commercial)

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area			
Downtown Centennial Plan	X		Y
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
Downtown Centennial Plan Overlay District (Downtown Gateway District)	X		Y
A-O (Airport Overlay) District (200 Feet)	X		Y
Live/Work Overlay District	X		N/A
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Parking Requirement - Downtown							
Use	***Gross Floor Area or Number of Units***	***Base Parking Requirement***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
General Retail Store, Other Than Listed (≥3500 SF)	11,981 SF	1 space/175 SF GFA	69				
Restrooms	1,650 SF	N/A	0				
	13,631 SF						
TOTAL SPACES REQUIRED			**69**		**28**		N
Regular and Handicap Spaces Required			66	3	24	4	N
Loading Spaces	11,981 SF	10,000-29,999 SF	2	N/A	1	N/A	N

Projects located within the Las Vegas Downtown Centennial Plan area are not subject to the automatic application of Title 19 parking requirements. However, the above table is used to illustrate the requirements of an analogous project in another location in the City.

ANALYSIS

The subject site was used as the downtown bus terminal until recently, when it moved to a site at Bonneville Avenue and Casino Center Boulevard. Since then, the site has remained vacant. This proposal would convert the facility into a General Retail Store with a plaza area for outdoor vending, including a farmer's market and space for mobile food trucks.

The subject site was approved for and developed as a bus terminal, and all site amenities, including parking areas, landscaping and structures, are already present on the site. No new facilities or landscaping are proposed at this time. The intent is to adaptively reuse the site in its current configuration pending future redevelopment of the site. No Waivers or Exceptions are required for the re-use.

Parking is to be accommodated on-site with 28 spaces, with approximately 152 spaces available in publicly owned parking lots located to the north in public rights-of-way immediately adjacent to the site. The parking available is more than adequate for the proposed use. Due to the size of the existing building, the site requires two loading spaces. However, the proposed mobile vending area is more than adequate to supplement the loading needs of the site, and Title 19 loading standards are not automatically applied within the Downtown Gateway District of the Downtown Centennial Plan.

The proposed re-use of the existing bus terminal as a General Retail Store with a plaza area for outdoor activity is consistent with Policy 1.2.6 of the Las Vegas 2020 Master Plan, which states "That the City encourage street vendors as a means of improving the pedestrian environment," and also supports the Downtown Centennial Plan's Urban Design Goals and Objectives for the Pedestrian Environment to "encourage a network of arcades throughout downtown." Staff is recommending approval of the request.

FINDINGS (SDR-42987)

In order to approve a Site Development Plan application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

   The proposed development is compatible with adjacent development and development in the area, as previously approved.

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;**

   The proposed development is consistent with the goals and policies of the 2020 Master Plan and the Downtown Centennial Plan.

3. **Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

   Site access and circulation are adequate for the proposed activity, and will not negatively impact the adjacent roadways or traffic.

4. **Building and landscape materials are appropriate for the area and for the City;**

   The existing building and landscape materials, as previously approved, are appropriate for the area and 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;**

   No new facilities are proposed. Existing facilities, as previously approved, create an aesthetically pleasing environment and are compatible with development in the area.

6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

Building permits will be required for any tenant improvements needed, and inspections will be conducted as needed to ensure the public health, safety and general welfare is secure.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 31

NOTICES MAILED 114

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-42987** APN: 139-34-501-008

Name of Property Owner: City of Las Vegas

Name of Applicant: CIM/POB Las Vegas, LLC

Name of Representative: Todd Kessler

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes ☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Elizabeth N Fretwell

Print Name: Elizabeth N. Fretwell

Subscribed and sworn before me

This 23 day of August, 20 11

Notary Public in and for said County and State

KIM A. BARRERA
Notary Public State of Nevada
No. 99-50021-1
My appt. exp. Oct. 25, 2014

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Department of Planning

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: SDR for proposed general retail within a plaza area

Project Address (Location) 300 N. Casino Center Blvd.

Project Name Downtown Transit Center Reuse Proposed Use Retail

Assessor's Parcel #(s) 139-34-501-008 Ward # 5

General Plan: existing C proposed n/a Zoning: existing C-2 proposed n/a

Commercial Square Footage 13,361 Floor Area Ratio 0.11

Gross Acres 2.83 Lots/Units n/a Density n/a

Additional Information

ELIZABETH N. FRETWELL

PROPERTY OWNER City of Las Vegas Contact ~~David Bratcher~~

Address 400 E. Stewart Ave. Phone: 229-2201 Fax:

City Las Vegas State NV Zip 90801

E-mail Address dbratcher@lasvegasnevada.gov

APPLICANT CIM/POB Las Vegas, LLC Contact Bradley Aaronson

Address 6922 Hollywood Blvd. #900 Phone: (323) 860-4988 Fax: (323) 446-7172

City Los Angeles State CA Zip 90028

E-mail Address BAaronson@cimgroup.com

REPRESENTATIVE Todd Kessler Contact n/a

Address 206 N. 3rd St. Phone: (702) 296-2600 Fax: (702) 477-0045

City Las Vegas State NV Zip 90801

E-mail Address Todd@rgglv.com

Property Owner Signature* Elizabeth N Fretwell

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps

Print Name Elizabeth N. Fretwell

Subscribed and sworn before me

This 23 day of August, 20 11.

Kim Barrera

Notary Public in and for said County and State

KIM A. BARRERA
Notary Public State of Nevada
No. 99-50021-1
My appt. exp. Oct. 25, 2014

FOR DEPARTMENT USE ONLY

Case #	SDR-42987
Meeting Date:	10-11-11
Total Fee:	1030.00
Date Received:*	8-24-11
Received By:	JFMuller

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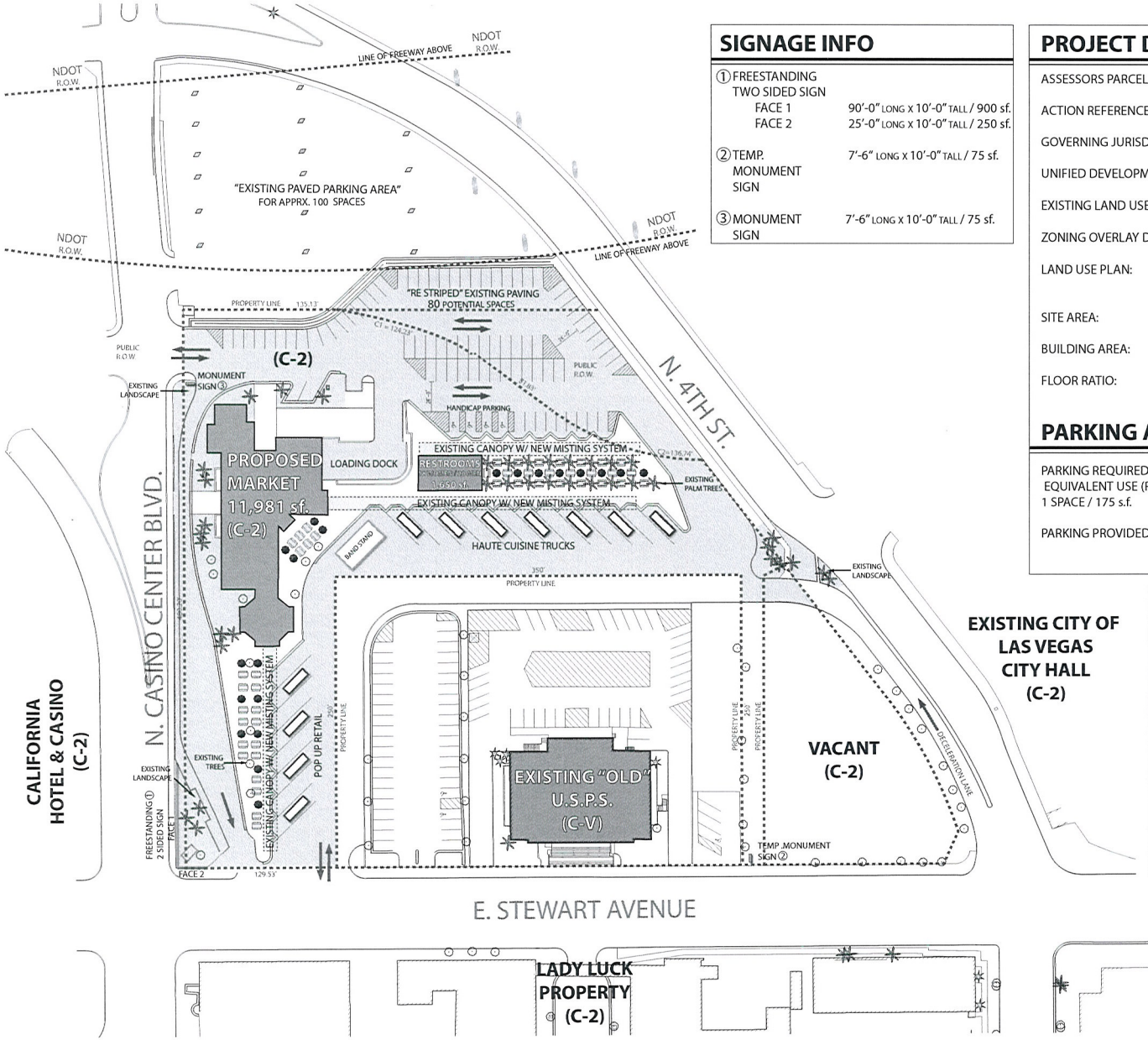
City of Las Vegas
Department of Planning

* The application will not be deemed complete until the submitted materials have been reviewed by the Department of Planning for consistency with applicable sections of the Zoning Ordinance.

Revised 10/27/08

f:\depot\Application Packet\Application Form.pdf



SIGNAGE INFO

① FREESTANDING TWO SIDED SIGN	FACE 1	90'-0" LONG x 10'-0" TALL / 900 sf.
	FACE 2	25'-0" LONG x 10'-0" TALL / 250 sf.
② TEMP. MONUMENT SIGN		7'-6" LONG x 10'-0" TALL / 75 sf.
③ MONUMENT SIGN		7'-6" LONG x 10'-0" TALL / 75 sf.

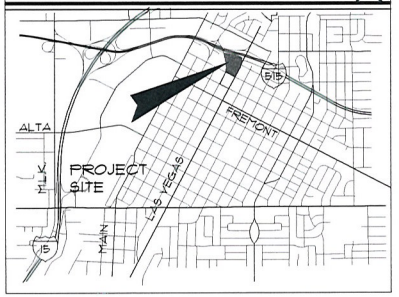
PROJECT DATA

ASSESSORS PARCEL NUMBER (S):	139-34-501-008
ACTION REFERENCE NUMBER (S):	-
GOVERNING JURISDICTION:	CITY OF LAS VEGAS
UNIFIED DEVELOPMENT CODE:	TITLE 19
EXISTING LAND USE ZONE:	GENERAL COMMERCIAL DISTRICT (C-2)
ZONING OVERLAY DISTRICT (S):	N/A
LAND USE PLAN:	DOWNTOWN CENTENNIAL GATEWAY DISTRICT
SITE AREA:	2.83 ACRES / 123,275 sq. ft.
BUILDING AREA:	13,631 sq. ft.
FLOOR RATIO:	.11

PARKING ANAYLSIS

PARKING REQUIRED PER EQUIVALENT USE (RETAIL) 1 SPACE / 175 s.f.	76 SPACES
PARKING PROVIDED:	76 SPACES + 4 H.C. SPACES = 80 TOTAL SPACES

VICINITY MAP (N.T.S.)



CONCEPTUAL SITE PLAN

1" = 40'-0"

OWNER/ DEVELOPER
CIM
9TH FLOOR
6922 HOLLYWOOD BLVD.
LOS ANGELES, CA. 90028
T. 323-860-4900

CONSULTANTS
HFAI
T 415.331.5233
F.415.997.5234
4000 Bridgeway Avenue
Sausalito, California 94965
www.hfainternational.com

ARCHITECT
PGAL
3379 W. OQUENDO RD.
LAS VEGAS, NV 89118
[T] 702.435.4448
[F] 702.435.4470

PROJECT TITLE
SDR DOWNTOWN TRANSIT CENTER REUSE

PROJECT ADDRESS
SDR DOWNTOWN TRANSIT CENTER
300 NORTH CASINO CENTER
LAS VEGAS, NEVADA 89101

PROJECT NUMBER
R1000615.31

DATE OF ISSUE
ISSUED FOR PERMIT
AUGUST 10, 2011

REVISIONS

LAND USE SUBMITTAL

SUBMITTED

APPROVED

REGISTRATION

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PRELIMINARY NOT FOR CONSTRUCTION

SHEET TITLE
CONCEPTUAL SITE PLAN

SHEET NUMBER
AS1.01

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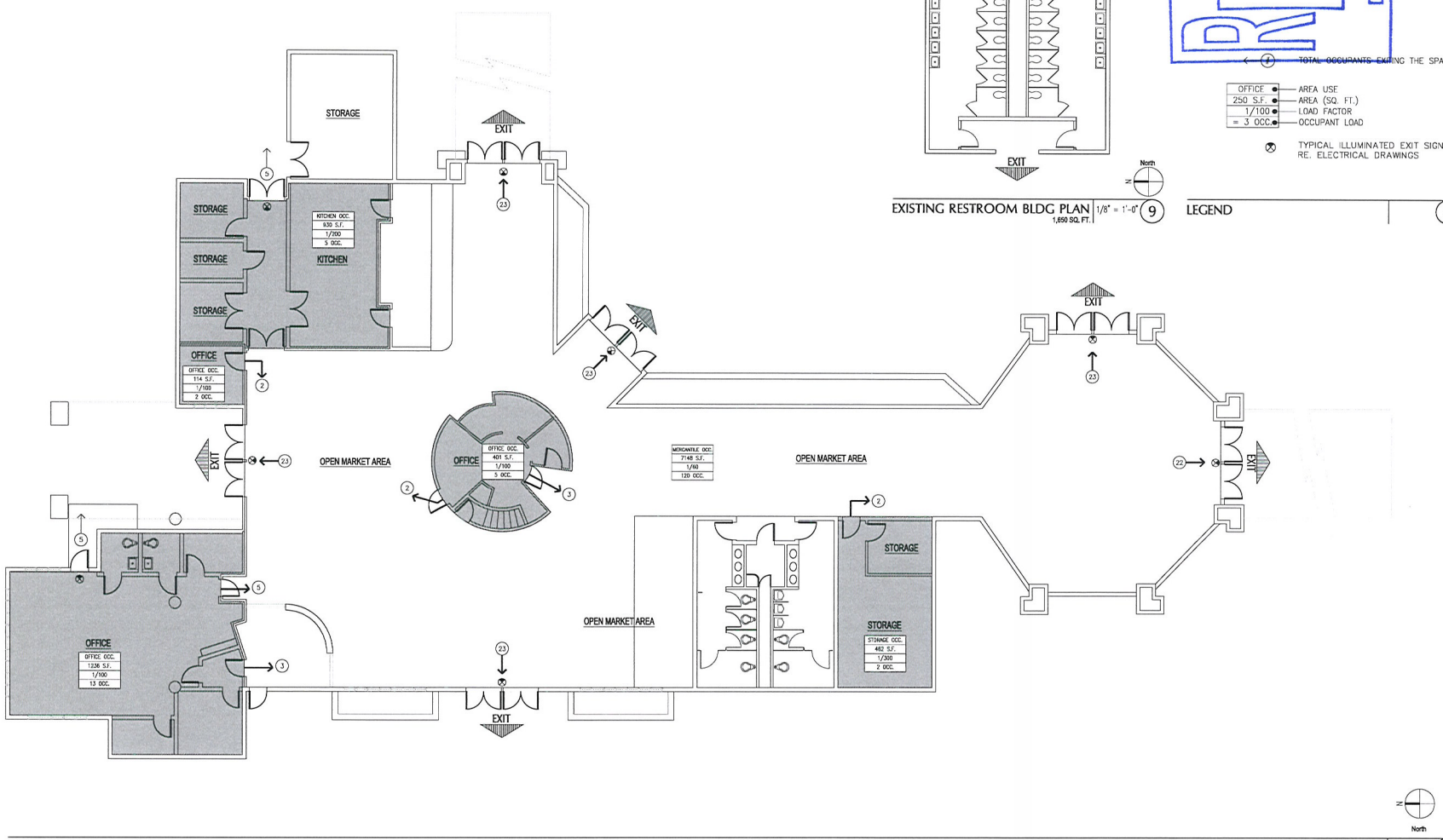
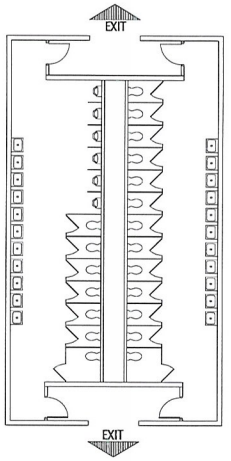
City of Las Vegs
Department of Planning
SDR-42987



EXISTING FIRST FLOOR PLAN
11,981 SQ. FT.

1/8" = 1'-0" (1)



EXISTING RESTROOM BLDG PLAN
1,650 SQ. FT.

1/8" = 1'-0" (9)

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TOTAL OCCUPANTS EXITING THE SPACE

OFFICE	AREA USE
250 S.F.	AREA (SQ. FT.)
1/100	LOAD FACTOR
= 3 OCC.	OCCUPANT LOAD

TYPICAL ILLUMINATED EXIT SIGNAGE– RE. ELECTRICAL DRAWINGS

LEGEND (4)

OWNER/ DEVELOPER
CIM
9TH FLOOR
6922 HOLLYWOOD BLVD.
LOS ANGELES, CA. 90028
T. 323-860-4900

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PROJECT TITLE
SDR DOWNTOWN TRANSIT CENTER REUSE

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300 NORTH CASINO CENTER
LAS VEGAS, NEVADA 89101

PROJECT NUMBER

DATE OF ISSUE

REVISIONS

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SUBMITTED

APPROVED

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SHEET TITLE
EXITING PLANS

SHEET NUMBER
A0.01

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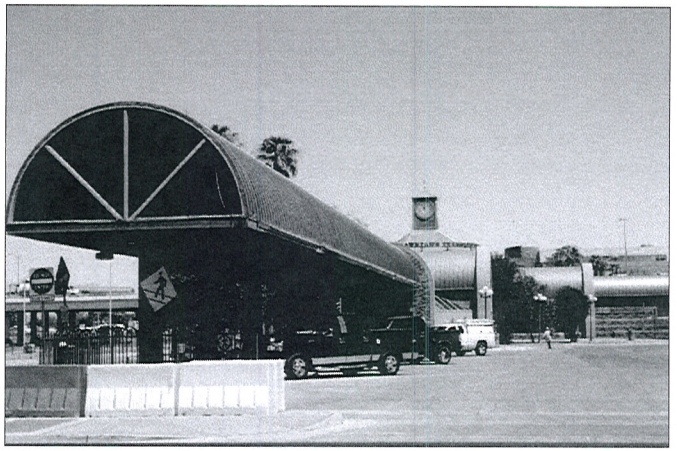
PGAL LLC

SDR-42987



NORTH ELEVATION | NO SCALE 13



SOUTH ELEVATION | NO SCALE 3



EAST ELEVATION | NO SCALE 11



WEST ELEVATION | NO SCALE 1

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PROJECT TITLE
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PROJECT NUMBER

DATE OF ISSUE

REVISIONS

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SHEET TITLE
EXISTING ELEVATIONS

SHEET NUMBER
A6.01

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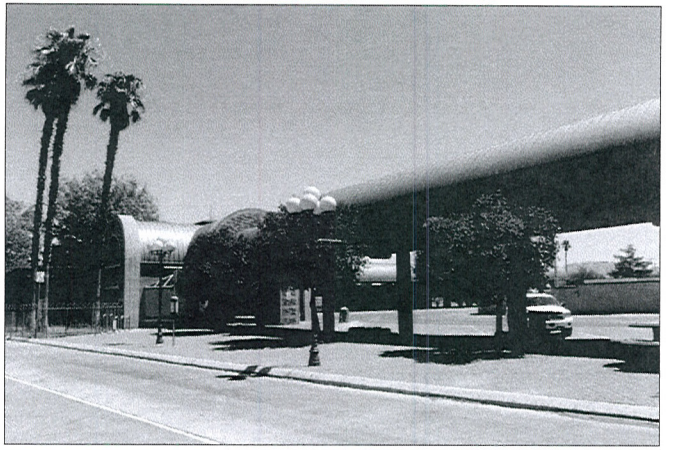
EXISTING LANDSCAPE NO SCALE (13)



EXISTING LANDSCAPE NO SCALE (3)



EXISTING LANDSCAPE NO SCALE (11)



EXISTING LANDSCAPE NO SCALE (1)

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SDR-42987
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PROJECT TITLE
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LAS VEGAS, NEVADA 89101

PROJECT NUMBER

DATE OF ISSUE

REVISIONS

LAND USE SUBMITTAL

SUBMITTED

APPROVED

REGISTRATION

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SHEET TITLE
EXISTING LANDSCAPE

SHEET NUMBER
L1.01

PGAL, LLC
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SDR-42987 - APPLICANT: CIM/POB LAS VEGAS, LLC - OWNER: CITY OF LAS VEGAS
300 NORTH CASINO CENTER BOULEVARD

09/29/11



SDR-42987 - APPLICANT: CIM/POB LAS VEGAS, LLC - OWNER: CITY OF LAS VEGAS
300 NORTH CASINO CENTER BOULEVARD

09/29/11



SDR-42987 - APPLICANT: CIM/POB LAS VEGAS, LLC - OWNER: CITY OF LAS VEGAS
300 NORTH CASINO CENTER BOULEVARD

09/29/11



SDR-42987 - APPLICANT: CIM/POB LAS VEGAS, LLC - OWNER: CITY OF LAS VEGAS
300 NORTH CASINO CENTER BOULEVARD

09/29/11



SDR-42987 - APPLICANT: CIM/POB LAS VEGAS, LLC - OWNER: CITY OF LAS VEGAS
300 NORTH CASINO CENTER BOULEVARD

09/29/11



SDR-42987 - APPLICANT: CIM/POB LAS VEGAS, LLC - OWNER: CITY OF LAS VEGAS
300 NORTH CASINO CENTER BOULEVARD

09/29/11



SDR-42987 - APPLICANT: CIM/POB LAS VEGAS, LLC - OWNER: CITY OF LAS VEGAS
300 NORTH CASINO CENTER BOULEVARD

09/29/11



SDR-42987 - APPLICANT: CIM/POB LAS VEGAS, LLC - OWNER: CITY OF LAS VEGAS
300 NORTH CASINO CENTER BOULEVARD

09/29/11

Todd Kessler
206 N. 3rd St.
Las Vegas, NV 89101
(702) 296-2600

August 24, 2011

Flinn Fagg
City of Las Vegas- Planning & Development
333 N. Rancho Drive
Las Vegas, Nevada 89106

Re: **JUSTIFICATION LETTER FOR THE RESUE OF THE DOWNTOWN TRANSPORTATION CENTER**

SDR Application - APN 139-34-501-008

Dear Mr. Fagg:

Please accept this as an official justification letter for a Site Development Review for general retail within a plaza area encompassing the reuse of the Downtown Transportation Center located on 2.83 acres at 300 N. Casino Center Drive, Las Vegas, NV 89101 zoned C-2 (General Commercial). The Application is FOR AN SDR FOR GENERAL RETAIL WITHIN A PLAZA AREA.

The proposed reuse design for the Downtown Transit Center includes the creation of a Farmers/Retail Market to energize the area north of Stewart Avenue. The site plan and programming has outdoor activities of both Retail Pop-Up Kiosks and Haute Cuisine Food Trucks. Additional retail and a Farmers Market will be located within the existing 11,361 SF building.

A Pop-Up Retail Kiosk, while small and temporary, can build up consumer interest by exposure. Pop-up retail allows a company to create a unique environment that engages their customers, as well as generates a feeling of relevance and adds an element of surprise, urgency, and must-have/must-see to shopping, dining, entertaining, lodging, exhibiting and so on. Pop-up stores are cheaper solutions than year-round rentals, and they can generate a lot of buzz for companies during essential months. Their often strategically placed during the holiday season for shoppers, or put up in time for events like Fashion Week, the launch of a new line or fragrance or just in time for the launch of a major motion picture. Various retailers will be targeted including artists who sell handmade one-of-a kind crafts and more traditional, mainstream retailers.

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Department of Planning

The operation of the Food Trucks and Pop-Up Retail is planned for Monday – Sunday, 9am - 6pm. The Farmers/Retail Market is initially scheduled for Thursdays at 11am – 3pm. The plan for the interior of the Downtown Transportation center will include both culinary and non-culinary products. It is anticipated that with growing popularity the Market will be extended to the weekend to include Friday, Saturday and Sunday schedules.

Signage plans include two monument signs and a two sided freestanding sign. The materials will be exterior quality and standard in the signage industry. The signs will be metal framed, vinyl covered and not be illuminated.

The proposed reuse will enhance the revitalization of Downtown by making it a destination that attracts tourists and locals as well as assist in the success of the Mob Museum. The reuse will create more energy, help enhance the attractiveness of Downtown and will be a crucial part of the beautification and revitalization of Downtown. We believe the SDR application is 'in-line' with the vision of the Centennial Plan and will help change the face of Downtown and spark the Renaissance that is currently stalled.

We believe the proposed reuse; can be conducted in a manner that is harmonious and compatible with the existing and future land uses due to the fact that all the adjacent properties are zoned C-2; is consistent with the General Plan and other duly-adopted city plans, policies and standards; has existing site access and circulation that do not negatively impact adjacent roadways or neighborhood traffic; has building and landscape materials that are appropriate for the area and for the City; contains building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious; and the applicant will take appropriate measures will be taken to secure and protect the public health, safety and general welfare.

If you have any questions and/or concerns, please do not hesitate to contact me.

Sincerely,

Todd Kessler
Representative for the Applicant

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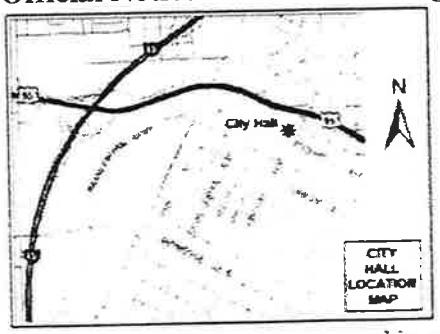
City of Las Vegs
Department of Planning

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED
FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M
0004279218
$ 00.41⁴
OCT 27 2011
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning, Case Planning Division at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-42987
Planning Commission Meeting of 11/8/2011

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11 NOV -3 PM 3:48
DEVELOPMENT

Case SDR-42987

13934613081
MISHUCK LAWRENCE R & MARIA L
18604 FIELDBROOK ST
ROWLAND HEIGHTS CA 91748-4831

89 HRDFM11 91748

34A

City of Las Vegas Agenda Item No.: **27.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: DECEMBER 13, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

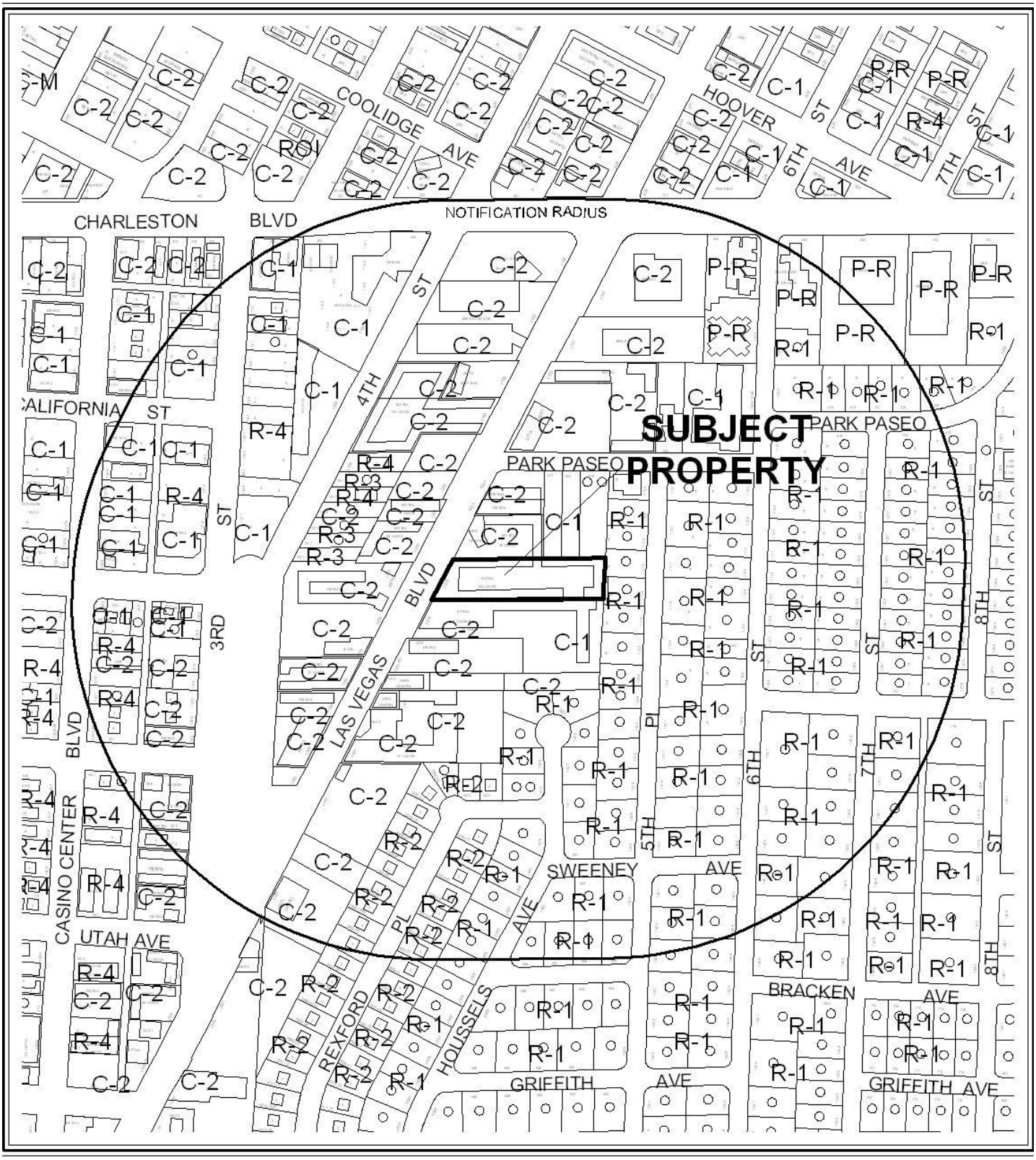
SUBJECT:
VAR-43719 - VARIANCE - PUBLIC HEARING - APPLICANT: CONTINENTAL SUITES - OWNER: 1213 S. LAS VEGAS BLVD., LLC - For possible action on a request for a Variance TO ALLOW A PROPOSED 25-FOOT TALL FREESTANDING SIGN TO HAVE A ZERO-FOOT SETBACK WHERE FIVE FEET IS REQUIRED on 1.17 acres at 1213 South Las Vegas Boulevard (APN 162-03-112-028), C-2 (General Commercial) and C-1 (Limited Commercial) Zones, Ward 3 (Coffin). Staff recommends DENIAL.

MAY GO TO CITY COUNCIL ON 01/18/2012
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL.

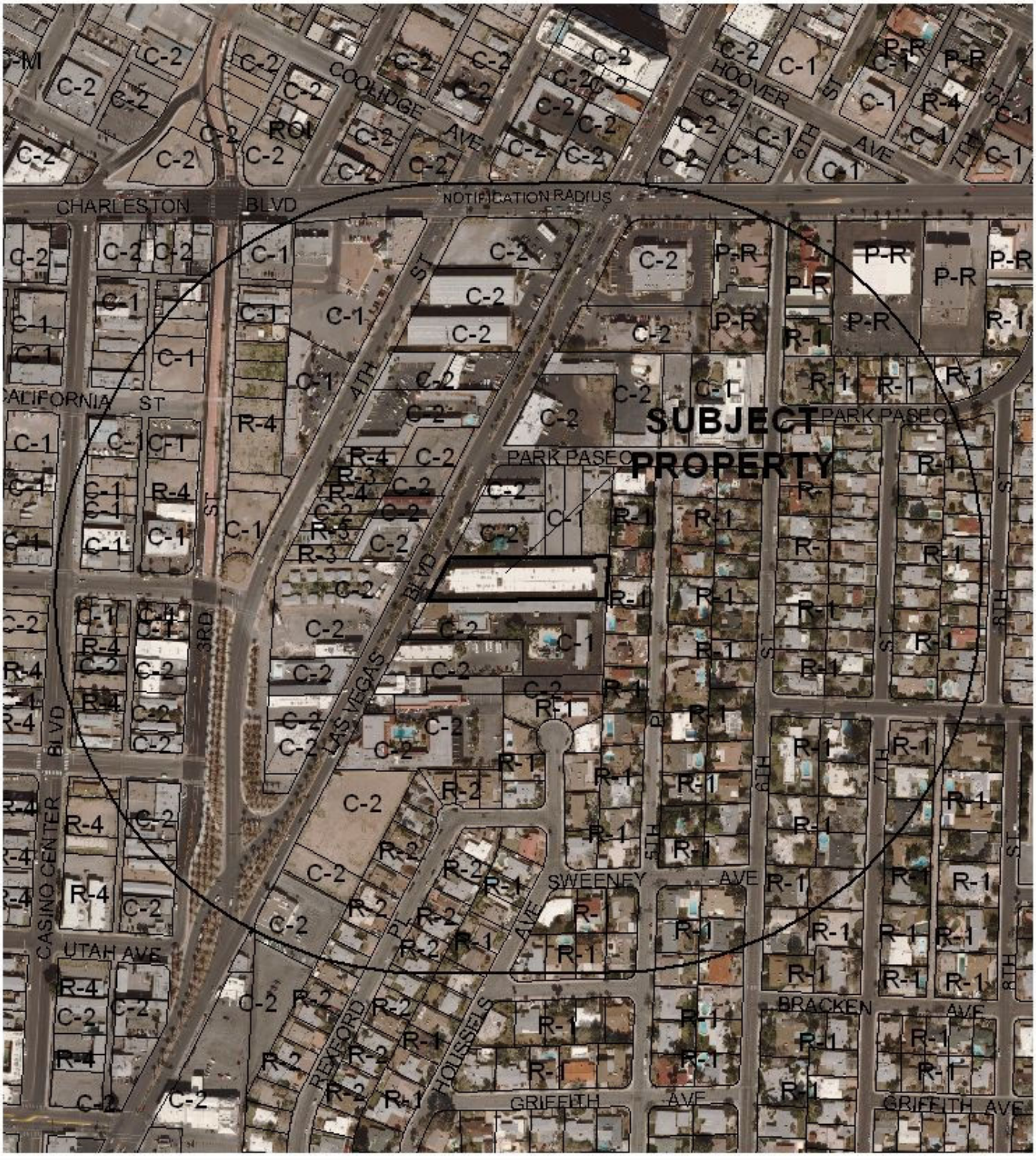
BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter



CASE: VAR-43719

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)



0 300 600 Feet

CASE: **VAR-43719**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: DECEMBER 13, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: CONTINENTAL SUITES - OWNER: 1213 S. LAS VEGAS BLVD., LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-43719	Staff recommends DENIAL, if approved subject to conditions:	

** CONDITIONS **

VAR-43719 CONDITIONS

Planning

1. Conformance to the Conditions of Approval for a Downtown Design Review Committee Signage Design Review (ARC-43672) shall be required, if approved.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All temporary signage associated with this site shall be removed within 60 days of final approval unless a Temporary Sign Permit is approved.

4. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Public Works

7. Submit an Encroachment Agreement for the portions of the proposed sign located in the Las Vegas Boulevard South public right-of-way adjacent to this site. The applicant must carry an insurance policy for the term of the encroachment agreement and add the City of Las Vegas as an additionally insured entity on this insurance policy. If requested by the City, the applicant shall remove the sign encroaching in the public right-of-way at the applicant's expense pursuant to the terms of the City's encroachment agreement. The installation and maintenance of all private structures in the public right-of-way shall be the responsibility of the adjacent property owner(s) and shall be transferred with the sale of the property for the entire term of the Encroachment Agreement.

** STAFF REPORT **

PROJECT DESCRIPTION

A 25-foot tall freestanding sign is proposed along the frontage at an existing Motel at 1213 South Las Vegas Boulevard. The sign as proposed would encroach three feet into the public right-of-way and would therefore have a zero-foot setback from the right-of-way. As the sign could be constructed to meet the requirements of Title 19, staff recommends denial. If denied, a permit for the proposed sign could not be issued.

ISSUES

- A Variance of LVMC 19.08.120(F)(16) is required to allow a zero-foot setback for a proposed freestanding sign where five feet from the right-of-way is required. An Encroachment Agreement is required for the portion of the sign that extends into the public right-of-way.
- The sign design was approved by the Downtown Design Review Committee (DDRC) on 11/15/11.
- Las Vegas Boulevard is designated as a 100-foot Primary Arterial in the subject location; however, the roadway has not been built out to its maximum capacity.
- The existing temporary signage located on the subject property and on the sign to the north of this site shall be removed unless a Temporary Sign Permit is obtained through the Department of Planning.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
05/24/99	The City Council denied a request for a Rezoning (Z-0019-99) from C-1 (Limited Commercial) and C-2 (General Commercial) to C-2 (General Commercial) on a larger 7.60-acre tract that included the subject parcel. The Planning Commission recommended denial and staff had recommended approval.
12/15/04	The City Council approved a Site Development Plan Review (SDR-5369) for a proposed 505 square-foot lobby addition to an existing Motel. The applicant's accompanying request for Waivers of Downtown Centennial Plan streetscape standards was partially approved, with conditions to provide a portion of the required streetscape. The Planning Commission and staff recommended approval. The approval expired 12/15/06.

09/18/07	Department of Planning staff approved a Site Development Plan Review (SDR-23776) for a proposed 529 square-foot lobby expansion within an existing Motel on 1.17 acres at 1213 South Las Vegas Boulevard. The approval expired 09/18/09.
03/15/11	A Code Enforcement case (99064) was processed for demolition, foundation repair, underground plumbing and sewer work, installation of water valves and electrical work without permits at 1213 South Las Vegas Boulevard. The case was resolved 04/04/11.
10/25/11	Department of Planning staff approved a Temporary Commercial Permit (TCP-43658) to allow an outdoor special event with music, third party catering and retail sales of souvenirs from 11/11/11 to 11/13/11 in the parking lot at 1213 South Las Vegas Boulevard.
11/15/11	The Downtown Design Review Committee approved a request for a Signage Design Review (ARC-43672) for a proposed 25-foot tall freestanding sign at 1213 South Las Vegas Boulevard. Staff recommended denial.

Most Recent Change of Ownership	
01/03/11	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
12/03/10	A building permit (177221) was issued for a tenant improvement for Buildings #1 and 2 at an existing Motel at 1213 South Las Vegas Boulevard. A final inspection was approved and Certificate of Occupancy was issued on 02/24/11.
03/21/11	A building permit (183768) was issued for a tenant improvement for Building #3 at an existing Motel at 1213 South Las Vegas Boulevard. A final inspection was approved and Certificate of Occupancy was issued on 05/25/11.
05/16/11	A business license (M06-03210) was issued for General Merchandise at 1213 South Las Vegas Boulevard. The license is still active.
05/16/11	A business license (M08-00206) was issued for a 151-unit Motel at 1213 South Las Vegas Boulevard. The license is still active.

Pre-Application Meeting	
10/13/11	A pre-application meeting was held with the applicant to discuss submittal requirements for a sign setback Variance on the subject site. It was noted that the proposed sign would project into the public right-of-way and that an encroachment permit would need to be approved by the City Council prior to any construction within the right-of-way. Downtown Design Review Committee approval of the sign design would need to be obtained prior to the hearing on this item. A street address would need to be added to the sign per Title 19.

Neighborhood Meeting
A neighborhood meeting is not required, nor was one held.

Field Check	
11/03/11	A field check of the subject site was conducted by staff. The following items were noted: • There is currently no freestanding sign on the property. • Two portable signs and two banners advertising onsite services are located on the property. One of the banners is attached to a freestanding sign on the adjacent property to the north.

Details of Application Request	
Site Area	
Net Acres	1.17

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Motel	C (Commercial)	C-2 (General Commercial) and C-1 (Limited Commercial)
North	Wedding Chapel	C (Commercial)	C-2 (General Commercial)
	Motel		
	General Retail Store Parking Lot	C (Commercial)	C-1 (Limited Commercial)
South	Hotel	C (Commercial)	C-2 (General Commercial) and C-1 (Limited Commercial)
East	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
West	General Retail Store	C (Commercial)	C-2 (General Commercial)

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area			
Downtown Centennial Plan	X		Y
John S. Park Neighborhood Plan	X		N/A

Special Purpose and Overlay Districts	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts			
Downtown Centennial Plan Overlay District (Downtown South District)	X		Y
Las Vegas Boulevard Scenic Byway Overlay District	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Freestanding Signs:			
Standards	***Required/Allowed***	***Provided***	***Compliance***
Maximum Number	1/200 feet street frontage; 1 total	1 total	Y
Maximum Area	2 SF/foot street frontage; 260 SF	120 SF	Y
Maximum Height	40 Feet	25 Feet	Y
Separation Distance from another Freestanding Sign	100 feet from freestanding or monument sign on same lot	No other freestanding or monument sign on same lot (nearest sign is 100 feet from proposed)	Y
Minimum Setback	5 Feet	0 Feet	N
Illumination	75% of total surface areas for all signs must contain neon illumination and/or animation	76% neon	Y

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Las Vegas Boulevard	Primary Arterial	Master Plan of Streets and Highways	92	N

ANALYSIS

The subject parcel is located in the Downtown South District within the Downtown Centennial Plan area. The Downtown South District is intended to accommodate a wide variety of land uses and density, and encourages redevelopment that contributes to the vitality of the area while supporting the adjacent residential uses.

The subject property is located within the Las Vegas Boulevard Scenic Byway Overlay, which is intended to preserve the character of Las Vegas Boulevard as a nighttime urban scenic route. The Overlay requires the use of neon and/or animation for all signage, and prohibits new off-premise signage. The proposed signage meets the illumination requirements of the Overlay District.

The parcel is within the boundaries of the Las Vegas Redevelopment Area, with a C (Commercial) land use designation. The use is in conformance with the Redevelopment Plan.

A Variance of LVMC 19.08.120(F)(16) is required to allow a zero-foot front yard setback where five feet is required for a proposed freestanding sign. The setback is measured from the property line to the closest edge of the sign. The pole of the proposed sign is located on private property, but the entire projecting portion of the sign and part of the main sign cabinet encroaches three feet into the public right-of-way. All other Title 19 sign standards are met, including freestanding sign separation distance and special design standards.

The use for which the sign would advertise is set back from Las Vegas Boulevard such that it is difficult to be seen from the roadway. Additionally, an existing freestanding sign on the property to the north encroaches into the right-of-way; however, this sign predates the current sign code and the encroachment is nonconforming. These conditions are factors to be considered, but do not prevent the proposed sign from being designed and positioned to meet Title 19.08 standards. Staff therefore recommends denial, subject to conditions if approved.

According to Title 19.10.100, which in part provides for sign standards within the Scenic Byway, encroachment of signage into rights-of-way is not encouraged, and the proper encroachment approvals must be obtained prior to installation of such signage. This is added as a condition of approval. The design of the sign was approved by the DDRC independently of the encroachment.

FINDINGS (VAR-43719)

In accordance with the provisions of Title 19.16.140(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;

3. Relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.16.140(L) states:

> "Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of 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."

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing a sign that encroaches into the public right-of-way. Redesign and repositioning of the sign would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 27

NOTICES MAILED 224

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-43719** APN: 162-03-112-028

Name of Property Owner: 1213 S Las Vegas Blvd LLC

Name of Applicant: Continental Suites

Name of Representative: Zohar Robin

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ **Yes** ☒ **No**

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Ilan Gorodezki

Print Name: ILAN GORODEZKI

Subscribed and sworn before me

This 25 day of Oct, 20 11

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
TANDI HUIZENGA
No: 04-86863-1
My Appointment Expires Feb. 4, 2012

RECEIVED
OCT 27 2011

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Variance setback approval of a proposed 25' freestanding sign

Project Address (Location) 1213 South Las Vegas Boulevard

Project Name Continental Suites **Proposed Use** No Change / Motel

Assessor's Parcel #(s) 162-03-112-028 **Ward #** 3 - Coffin

General Plan: existing C proposed _____ **Zoning:** existing C2 / C1 proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER 1213 S Las Vegas Blvd LLC **Contact** Zohar Robin

Address 1213 S Las Vegas Blvd **Phone:** (702) 210-6182 **Fax:** (702) 643-6292

City Las Vegas **State** NV **Zip** 89104

E-mail Address zre702@gmail.com

APPLICANT Continental Suites **Contact** Zohar Robin

Address 1213 S Las Vegas Blvd **Phone:** (702) 331-0545 **Fax:** (702) 331-0546

City Las Vegas **State** NV **Zip** 89104

E-mail Address zre702@gmail.com

REPRESENTATIVE Patrick's Signs Inc **Contact** John L Yurik

Address 9030 West Sahara Avenue Suite 222 **Phone:** (702) 604-9883 **Fax:** (702) 873-5657

City Las Vegas **State** NV **Zip** 89117

E-mail Address john.yurik@gmail.com

Property Owner Signature* _____

* An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name ILAN GORODEZKI

Subscribed and sworn before me

This 25 day of Oct, 20 11.

_____

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
TANDI HUIZENGA
No: 04-86863-1
My Appointment Expires Feb. 4, 2012

FOR DEPARTMENT USE ONLY

Case #	VAR-43719
Meeting Date:	12/13/11
Total Fee:	$ 830.00
Date Received:*	10/27/11
Received By:	

* The application will not be deemed complete until the submitted materials have been reviewed by the Department of Planning for consistency with applicable sections of the Zoning Ordinance.

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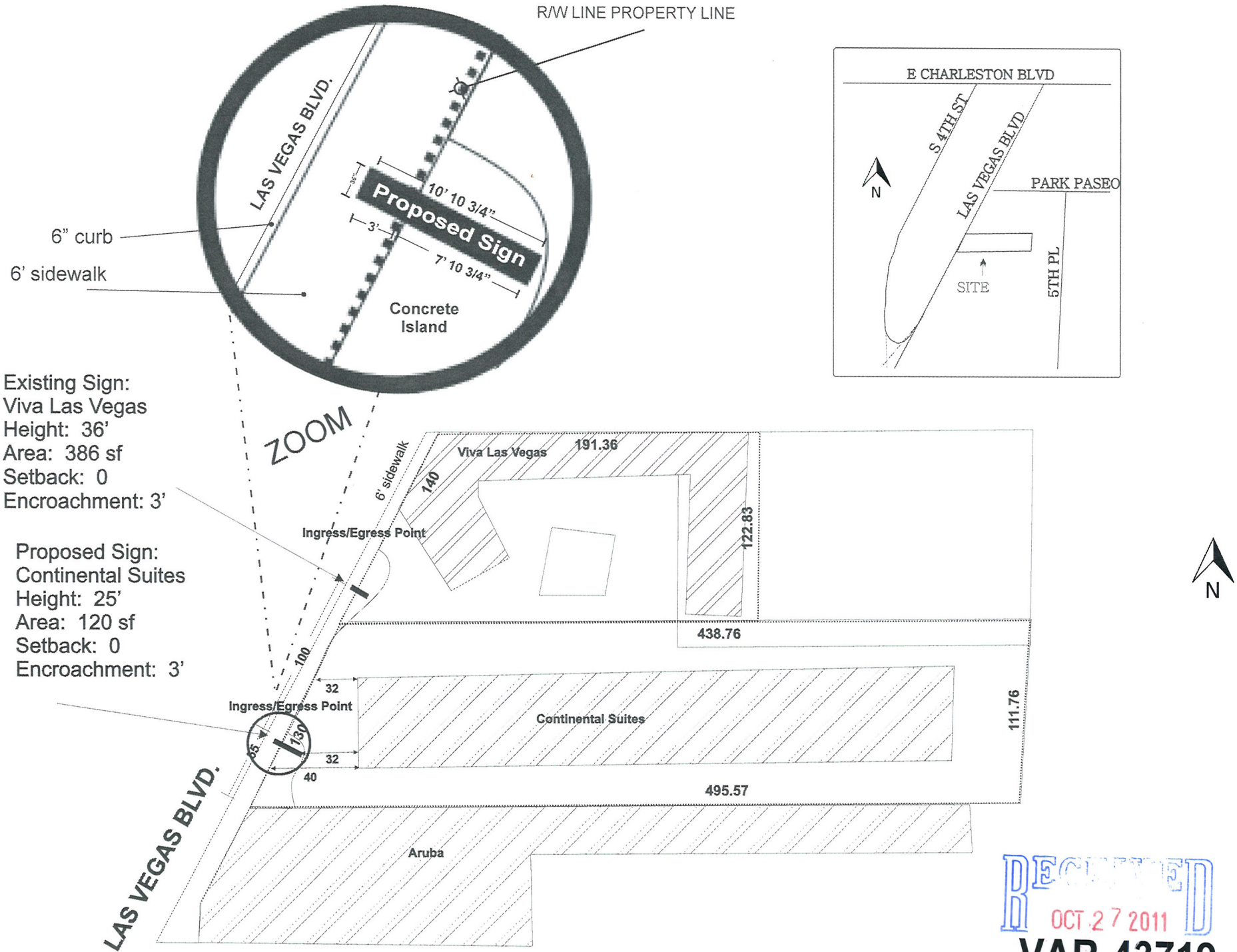
OCT 27 2011

Revised 10/27/08



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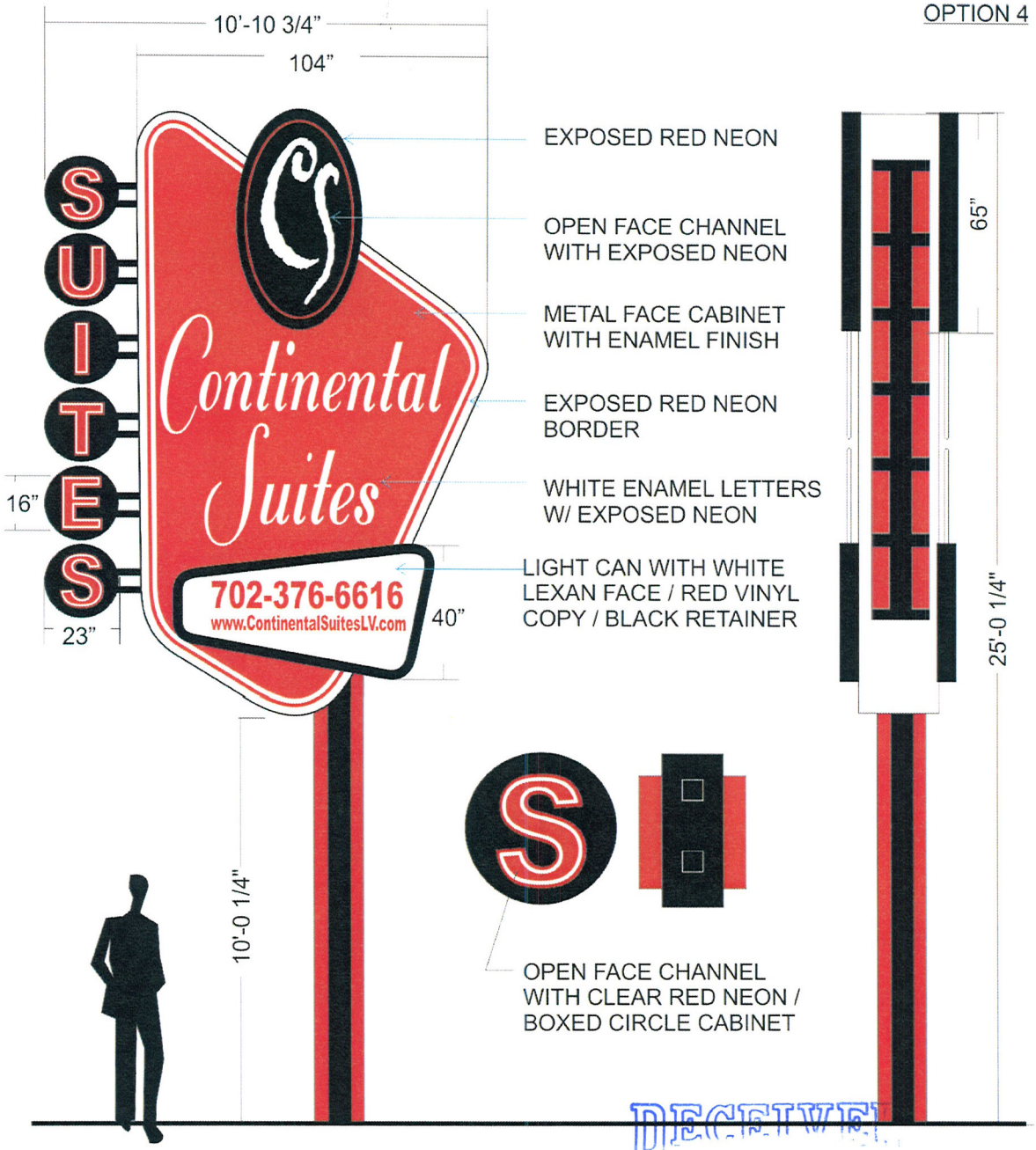
OCT 27 2011
VAR-43719

OPTION 4





RECEIVED
OCT 27 2011
VAR-43719

City of Las Vegas
Planning Department
Applicant: Continental Suites
Sign Analysis Table

Sign	Type of Sign	Required Setback	Provided Setback	Allowed Height	Provided Height	Allowed Area	Provided Area	Required Lighting	Provided Lighting
1	Free Standing	5'	0'	40'	25'	260 SF	120 SF	75% neon and/or animation	76% neon

OCT 27 2011
VAR-43719



VAR-43719 - APPLICANT: CONTINENTAL SUITES - OWNER: 1213 S. LAS VEGAS BLVD., LLC
1213 SOUTH LAS VEGAS BOULEVARD

11/03/11



VAR-43719 - APPLICANT: CONTINENTAL SUITES - OWNER: 1213 S. LAS VEGAS BLVD., LLC
1213 SOUTH LAS VEGAS BOULEVARD

11/03/11



VAR-43719 - APPLICANT: CONTINENTAL SUITES - OWNER: 1213 S. LAS VEGAS BLVD., LLC
1213 SOUTH LAS VEGAS BOULEVARD

11/03/11

PATRICK'S SIGN COMPANY

October 6, 2011

License Number: 62560

City of Las Vegas
Department of Planning
333 North Rancho Drive
Las Vegas, Nevada 89106

RE: Sign Variance Application for Continental Suite's Free Standing Sign

Planning Department:

Please consider this sign variance application of a proposed new 25' tall double faced free standing illuminated sign. Applicant is requesting a reduction in the setback standard of 5' from R/W line to 0'

The applicant has also applied for DDRC approval in conjunction with this variance application for the sign design, as well as an encroachment agreement to allow the sign to extend into the R/W 3'.

The parcel has 130' of street frontage, allowing per code 1 freestanding sign, and 240 sf of surface area. This will be the only freestanding sign on the property and as designed is 120 sf in surface area. The proposed sign is also 100' from the nearest freestanding sign meeting the required separation distance per code.

We feel this variance from the standard is not substantial. The benefits of approving this request will allow the applicant to complete the revitalization of the property and erect it's main and vital marketing tool so it can be seen and function optimally. This sign will greatly add to the City's intent of revitalization of the Scenic Byway Overlay District, and without it the applicant will be at a competitive disadvantage and will not be able to construct an ID sign that functions properly.

Thank you for your consideration.

John L Yurik
Applicant's Representative
702-604-9883

RECEIVED
OCT 27 2011
VAR-43719

5115 South Arville Street Las Vegas, Nevada 89118 - Phone (702) 873-4463 - Fax (702) 873-5657

City of Las Vegas Agenda Item No.: **28.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: DECEMBER 13, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
ARC-43672 - PUBLIC HEARING - APPLICANT: CONTINENTAL SUITES - OWNER: 1213 S. LAS VEGAS BLVD., LLC - For possible action on a request of appeal of the Approval by the Downtown Development Review Committee on a request for a Signage Design Review for an existing Motel at 1213 South Las Vegas Boulevard (162-03-112-028), C-2 (General Commercial) and C-1 (Limited Commercial) Zones, Ward 3 (Coffin). Staff recommends DENIAL.

MAY GO TO CITY COUNCIL ON 01/18/2012
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Appeal Letter - Submitted by Lewis and Roca, LLP
3. Conditions and Staff Report
4. Supporting Documentation
5. Justification Letter

LEWIS AND ROCA LLP LAWYERS

Garrett D. Gordon
50 West Liberty Street
Suite 410
Reno, Nevada 89501

Direct Dial: (775) 321-3420
Direct Fax: (775) 823-2929
GGordon@lrlaw.com
Admitted in: Nevada

Our File Number: -

November 28, 2011

2011 NOV 28 A 11:27

RECEIVED
CITY CLERK

VIA FACSIMILE
702-382-4803

City Clerk
City of Las Vegas
City Hall, First Floor
400 Stewart Avenue
Las Vegas, NV 89101

Re: Appeal of Signage Design Review Approval (ARC-43672)
Applicant: Continental Suites - 1213 South Las Vegas Boulevard

Dear City Clerk:

On behalf of Viva Las Vegas Wedding Chapel located at 1205 Las Vegas Boulevard ("Viva Las Vegas"), we are appealing the decision by the Downtown Design Review Committee on November 15, 2011 to approve the Signage Design Review for the Continental Suites Motel (ARC-43672). We concur with staff's recommendation for denial given the application is not in conformance with the Las Vegas Development Code, does not satisfy the findings for a variance, and would create a substantial detriment to Viva Las Vegas by blocking its existing sign from the public's view. We look forward to providing more information and details at the appeal hearing.

Please confirm the date and time of the appeal hearing at your earliest convenience. Thank you for your time and attention to this matter.

Sincerely,

Garrett D. Gordon

cc: Client
Alfredo Alonso, Lewis and Roca LLP

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 13, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: CONTINENTAL SUITES - OWNER: 1213 S LAS VEGAS BLVD, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
ARC-43672	Staff recommends DENIAL, if approved subject to conditions:	

** CONDITIONS **

ARC-43672 CONDITIONS

Planning

1. Approval of a Variance (VAR-43719) in accordance with Title 19.16.

2. Conformance to the sign elevations and documentation as submitted and date stamped 10/25/11 in conjunction with this request, except as modified herein.

3. An encroachment permit approved by the City Council and the Department of Public Works shall be required for all signage that encroaches into the public right-of-way prior to placement of the sign.

4. This sign shall have proper permits obtained through the Building and Safety Department.

5. All City Code requirements and design standards of all City departments must be satisfied.

6. Minor modifications may be approved by the Urban Design Coordinator of the Department of Planning.

Staff Report Page One
December 13, 2011 – Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a signage design review for a proposed freestanding sign at an existing Motel at 1213 South Las Vegas Boulevard. The property is located within the Las Vegas Boulevard Scenic Byway Overlay District. There are currently no existing freestanding signs on this property.

The proposed sign, which will face traffic along Las Vegas Boulevard, is 25 feet in total height and will allow for a 10-foot clearance from the ground. The main cabinet of the sign has an asymmetrical shape with a red background and white enamel letters with exposed neon spelling "Continental Suites." Below these letters, a smaller asymmetrical cabinet with a white, backlit face and a black outline, contains the onsite phone number and website in red vinyl letters. An ovular stylized logo with the white channel letters "CS" with exposed neon projects from the top of the main cabinet, with accents in exposed red neon. Along the narrow side of the sign perpendicular to Las Vegas Boulevard, individual cabinets containing letters spelling "Suites" project from the main cabinet. Each cabinet contains an open face channel letter with a clear red neon outline. The square pole structure will be red and black and will attach to the ground adjacent to the property ingress and egress. The sign encroaches three feet into the Las Vegas Boulevard right-of-way and therefore does not meet the setback requirements. A Variance (VAR-43719) to allow a zero-foot sign setback where five feet is required will be considered by the Planning Commission at its meeting of 12/13/11.

The sign's design meets the minimum illumination and/or animation requirements of the Las Vegas Boulevard Scenic Byway Overlay District. However, staff recommends denial of this request, as it encroaches into the Las Vegas Boulevard right-of-way. If this request is denied, the proposed signage will not be permitted. The applicant may appeal the board's decision or present a redesigned sign at a future date. If approved, a permit cannot be issued for 14 days, after which the appeal period will have expired.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
10/25/11	Department of Planning staff approved a Temporary Commercial Permit (TCP-43658) to allow an outdoor special event with music, third party catering and retail sales of souvenirs from 11/11/11 to 11/13/11 in the parking lot at 1213 South Las Vegas Boulevard.
11/15/11	The Downtown Design Review Committee approved a request for a Signage Design Review (ARC-43672) a proposed freestanding sign at an existing Motel at 1213 South Las Vegas Boulevard. Staff recommended denial.
12/13/11	The Planning Commission will hear a request for a Variance (VAR-43719) to allow a zero-foot setback for a proposed freestanding sign where five feet is required.

Most Recent Change of Ownership	
01/03/11	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
12/03/10	A building permit (177221) was issued for a tenant improvement for Buildings #1 and 2 at an existing Motel at 1213 South Las Vegas Boulevard. A final inspection was approved and Certificate of Occupancy was issued on 02/24/11.
03/21/11	A building permit (183768) was issued for a tenant improvement for Building #3 at an existing Motel at 1213 South Las Vegas Boulevard. A final inspection was approved and Certificate of Occupancy was issued on 05/25/11.
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Pre-Application Meeting	
10/13/11	A pre-application meeting was held with the applicant to discuss submittal requirements for a sign design review on the subject site. It was noted that the proposed sign would project into the public right-of-way and that an encroachment permit would need to be approved by the City Council prior to any construction within the right-of-way. Downtown Design Review Committee approval of the sign design would need to be obtained prior to the hearing on this item. A street address would need to be added to the sign per Title 19.

Field Check	
11/03/11	A field check of the subject site was conducted by staff. The following items were noted: • There is currently no freestanding sign on the property. • Two portable signs and two banners advertising onsite services are located on the property. One of the banners is attached to a freestanding sign on the adjacent property to the north.

Details of Application Request	
Site Area	
Net Acres	1.17

Surrounding Property	*Existing Land Use Per Title 19.12*	*Planned or Special Land Use Designation*	*Existing Zoning District*
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North	Wedding Chapel	C (Commercial)	C-2 (General Commercial)
	Motel		
	General Retail Store Parking Lot	C (Commercial)	C-1 (Limited Commercial)
South	Hotel	C (Commercial)	C-2 (General Commercial) and C-1 (Limited Commercial)
East	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
West	General Retail Store	C (Commercial)	C-2 (General Commercial)

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area			
Downtown Centennial Plan	X		Y
John S. Park Neighborhood Plan	X		N/A
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
Downtown Centennial Plan Overlay District (Downtown South District)	X		Y
Las Vegas Boulevard Scenic Byway Overlay District	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

SIGN STANDARDS

Freestanding Signs:

Continental Suites	*Allowed*	*Provided*	*Compliance*
Maximum Number	1/200 feet street frontage; 1 total	1 total	Y

Maximum Area	2 SF/foot street frontage; 260 SF	120 SF	Y
Maximum Height	40 Feet	25 Feet	Y
Minimum Setback	5 Feet from property lines	0 Feet from front property line	N
Separation Distance from another Freestanding Sign	100 feet from freestanding or monument sign on same lot	No other freestanding or monument sign on same lot (nearest sign is 100 feet from proposed)	Y
Illumination	75% of total surface areas for all signs must contain neon illumination and/or animation	76% neon/no animation	Y

ANALYSIS

Freestanding signs are permitted within the Las Vegas Scenic Byway Overlay District, subject to Title 19.08 sign requirements for the C-2 (General Commercial) Zoning District as well as Title 19.10.160 for the Byway.

Seventy-five percent of the total sign surface areas for each development within the Las Vegas Boulevard Scenic Byway Overlay District are required to contain illumination in the form of neon or animated signs, or a combination of neon and animation. The applicant is proposing to install one freestanding sign advertising the primary Motel use on the site. Each portion of the proposed sign's message contains neon illumination which, when combined, accounts for at least 75 percent of the total surface area of the sign in conformance with Title 19.10.160.

The proposed sign would be located adjacent to the south portion of the driveway into the property, east of the primary sidewalk. The sign's support structure would be affixed to private property; however, the message of the sign will encroach up to three feet into the public right-of-way. The height of the sign is 25 feet, the total sign area is 120 square feet and it is located 10 feet from the grade of the sidewalk, meeting code requirements.

The sign's design meets the minimum illumination and/or animation requirements of the Las Vegas Boulevard Scenic Byway Overlay District. The signage concept represents the design intent of the Las Vegas Boulevard Scenic Byway Overlay District, which seeks to preserve the tradition of neon art and encourage signage that will enhance the district as a nationally recognized place. However, staff recommends denial of this request, as it encroaches into the Las Vegas Boulevard right-of-way. If approved, certain conditions are added to ensure the proper permits are secured and the public's safety.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: DDRC approval of a 25' illuminated freestanding sign

Project Address (Location) 1213 South Las Vegas Boulevard

Project Name Continental Suites **Proposed Use** No Change / Motel

Assessor's Parcel #(s) 162-03-112-028 **Ward #** 3 - Coffin

General Plan: existing C proposed _____ **Zoning:** existing C2 / C1 proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER 1213 S Las Vegas Blvd LLC **Contact** Zohar Robin

Address 1213 S Las Vegas Blvd **Phone:** (702) 210-6182 **Fax:** (702) 643-6292

City Las Vegas **State** NV **Zip** 89104

E-mail Address zre702@gmail.com

APPLICANT Continental Suites **Contact** Zohar Robin

Address 1213 S Las Vegas Blvd **Phone:** (702) 331-0545 **Fax:** (702) 331-0546

City Las Vegas **State** NV **Zip** 89104

E-mail Address zre702@gmail.com

REPRESENTATIVE Patrick's Signs Inc **Contact** John L Yurik

Address 9030 West Sahara Avenue Suite 222 **Phone:** (702) 604-9883 **Fax:** (702) 873-5657

City Las Vegas **State** NV **Zip** 89117

E-mail Address john.yurik@gmail.com

Property Owner Signature* _____

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name ILAN GORODEZKI

Subscribed and sworn before me

This 25 day of Oct, 20 11.

_____

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
TANDI HUIZENGA
No: 04-86863-1
My Appointment Expires Feb. 4, 2012

FOR DEPARTMENT USE ONLY

Case #	ARC-43672
Meeting Date:	11/15/2011
Total Fee:	N/A
Date Received:*	MREY
Received By:	10/25/2011

*The application will not be deemed complete until the submitted materials have been reviewed by the Department of Planning for consistency with applicable sections of the Zoning Ordinance.

f:\depot\Application Packet\Application Form.pdf

Revised 10/27/08

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **ARC-43672** APN: 162-03-112-028

Name of Property Owner: 1213 S Las Vegas Blvd LLC

Name of Applicant: Continental Suites

Name of Representative: Zohar Robin

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ **Yes** ☒ **No**

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: ILAN GORODEZKI

Subscribed and sworn before me

This 25th day of Oct, 2011

_____

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
TANDI HUIZENGA
No: 04-86863-1
My Appointment Expires Feb. 4, 2012

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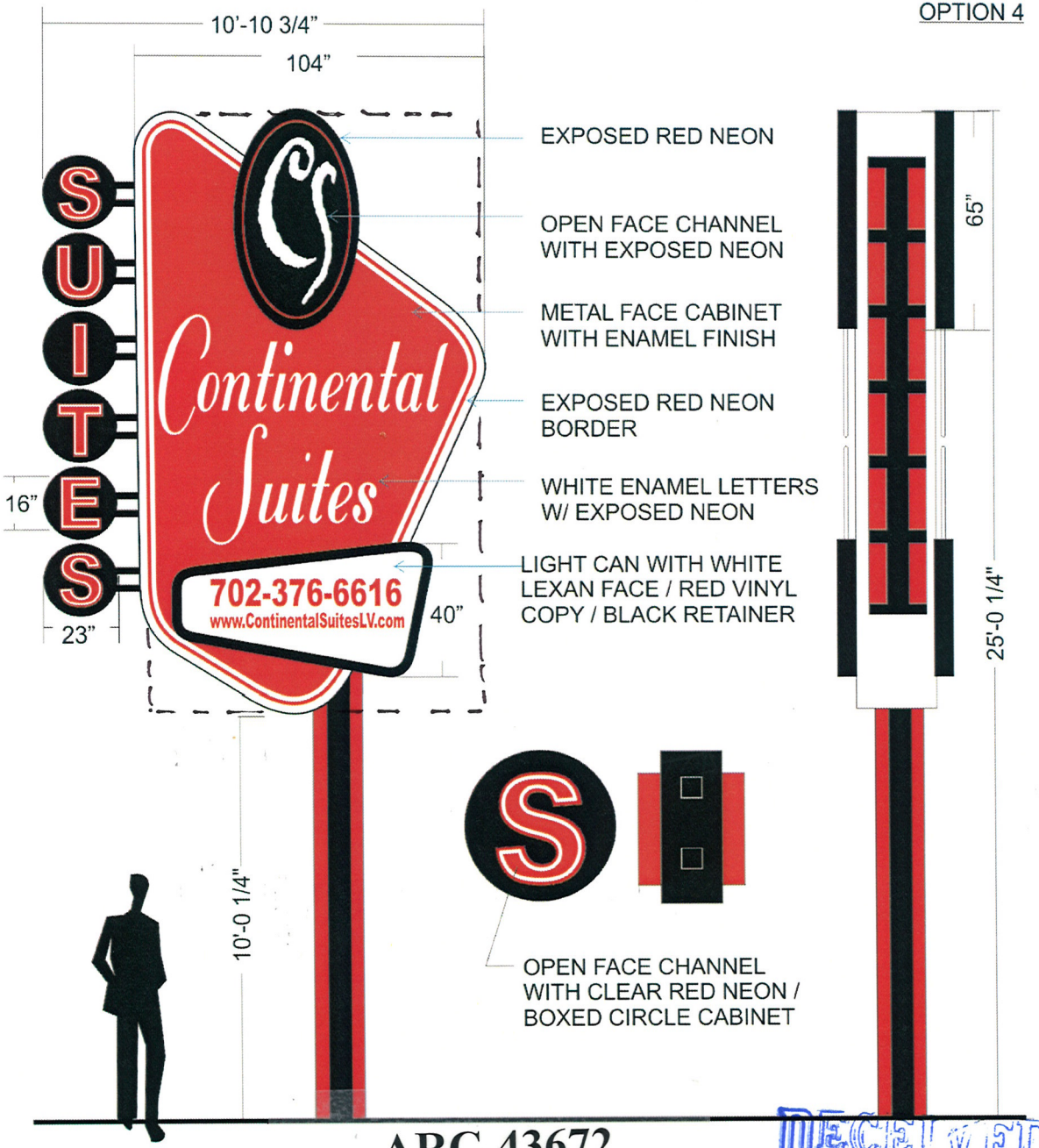
OPTION 4





ARC-43672
11/15/11 DDRC

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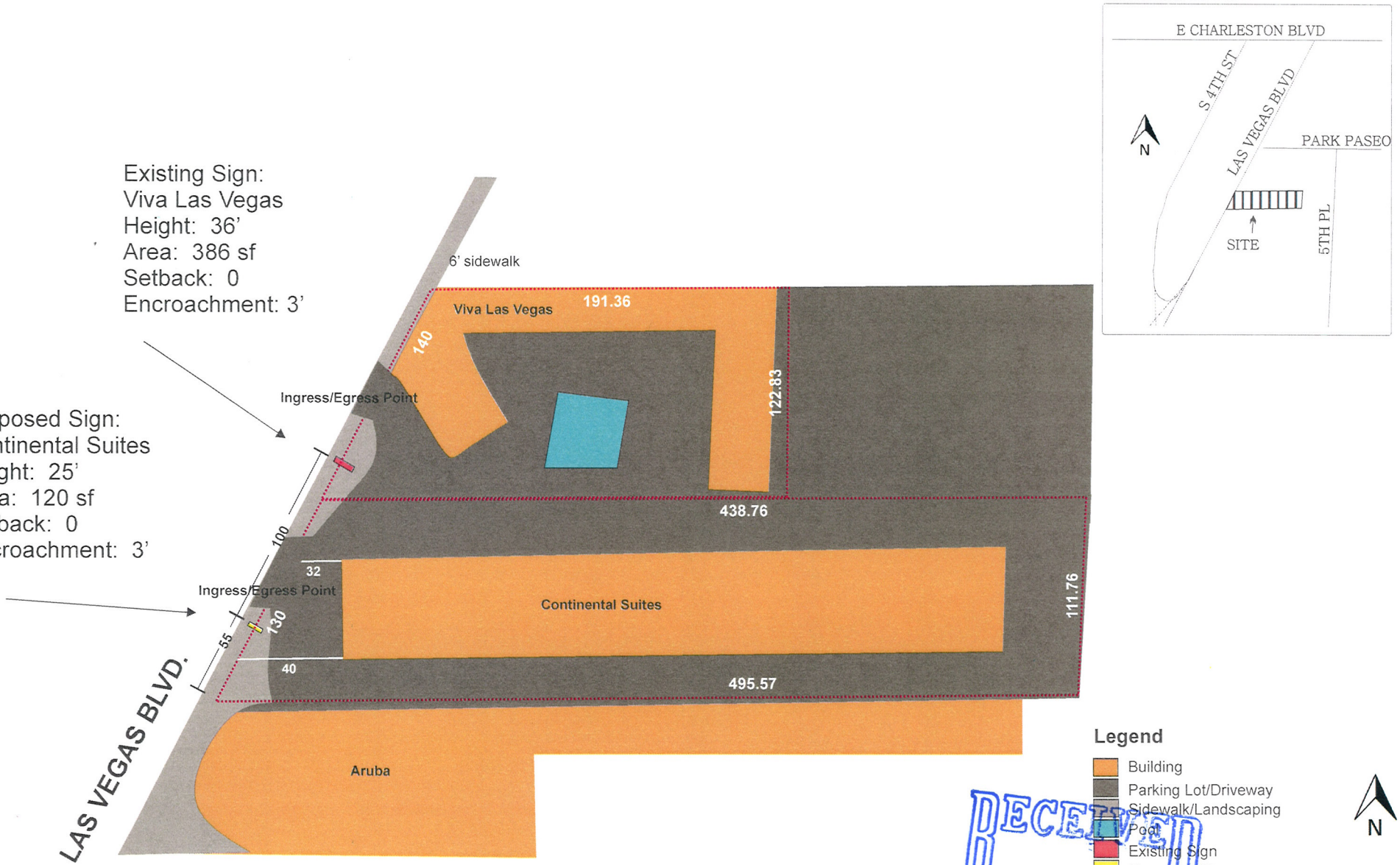

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ARC-43672
11/15/11 DDRC

City of Las Vegas
Planning Department
Applicant: Continental Suites
Sign Analysis Table

Sign	Type of Sign	Required Setback	Provided Setback	Allowed Height	Provided Height	Allowed Area	Provided Area	Required Lighting	Provided Lighting
1	Free Standing	5'	0'	40'	25'	260 SF	120 SF	75% neon and/or animation	76% neon

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ARC-43672
11/15/11 DDRC

PATRICK'S
SIGN COMPANY

October 6, 2011

License Number: 62560

City of Las Vegas
Department of Planning
333 North Rancho Drive
Las Vegas, Nevada 89106

RE: DDRC Application for Continental Suite's Free Standing Sign

Planning Department:

Please consider this application for DDRC approval of a new 25' tall double faced free standing illuminated sign. The sign would be installed on the property at the entryway to Continental Suites at 1213 South Las Vegas Boulevard. The sign's overall area would be 120 square feet, with 75% or more of this area being neon, meeting the City's standard for the Scenic Byway Overlay District.

In conjunction with this application Continental Suites will also be applying for a variance and an encroachment agreement to allow the sign to be seen, and function optimally.

Approval of this application will allow applicant to continue with all the appropriate steps to erect a sign it must have to be in business, and also add aesthetically to the City's plan to redevelop the area.

Thank you for your consideration.

John L Yurik
Applicant's Representative
702-604-9883

ARC-43672
11/15/11 DDRC

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OCT 25 2011

5115 South Arville Street Las Vegas, Nevada 89118 - Phone (702) 873-4463 - Fax (702) 873-5657

City of Las Vegas Agenda Item No.: **29.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: DECEMBER 13, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

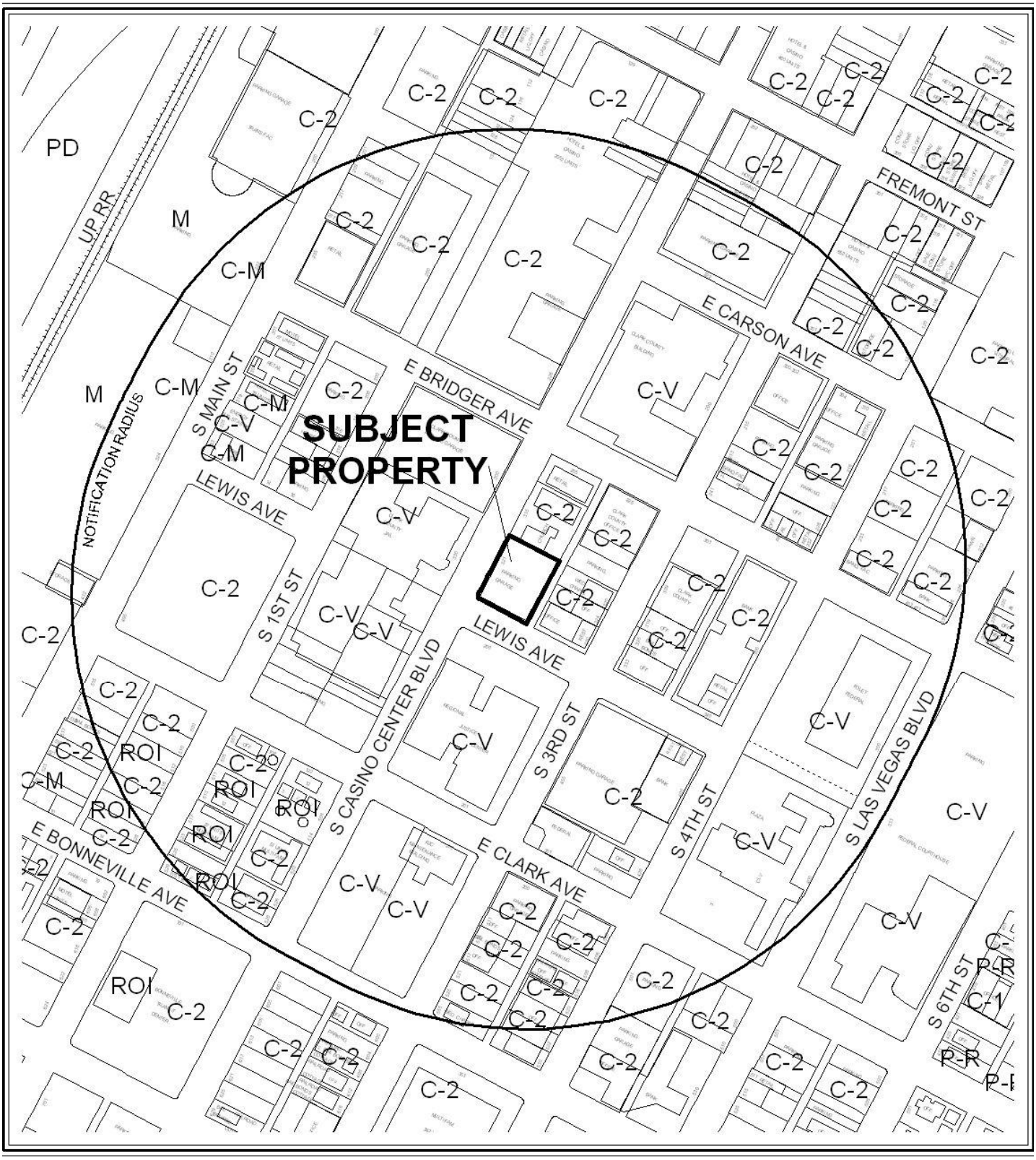
SUBJECT:
VAR-43723 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: OAKBROOK REALTY AND INVESTMENTS II, LLC - For possible action on a request for a Variance TO ALLOW TEN 210 SQUARE-FOOT PROJECTING SIGNS ON AN EXISTING BUILDING WHERE EIGHT SIGNS WITH A MAXIMUM AREA OF 32 SQUARE FEET PER SIGN ARE ALLOWED at 321 South Casino Center Boulevard (APN 139-34-201-020), C-2 (General Commercial) Zone, Ward 3 (Coffin). Staff recommends DENIAL.

MAY GO TO CITY COUNCIL ON 01/18/2012
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letters



0 300 600 Feet

CASE: VAR-43723

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N



0 300 600 Feet

CASE: VAR-43723

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: DECEMBER 13, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: OAKBROOK REALTY AND INVESTMENTS II, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-43723	Staff recommends DENIAL, if approved subject to conditions:	

** CONDITIONS **

VAR-43723 CONDITIONS

Planning

1. Conformance to the approved conditions for Site Development Plan Review (SDR-1298).

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Public Works

6. Submit an Encroachment Agreement for any portions of the proposed signage located in the Lewis Street and Casino Center Boulevard public rights-of-way adjacent to this site prior to occupancy of this site. The applicant must carry an insurance policy for the term of the encroachment agreement and add the City of Las Vegas as an additionally insured entity on this insurance policy. If requested by the City, the applicant shall remove all private improvements encroaching in the public right-of-way at the applicant's expense pursuant to the terms of the City's encroachment agreement. The installation and maintenance of all private structures in the public right-of-way shall be the responsibility of the adjacent property owner(s) and shall be transferred with the sale of the property for the entire term of the Encroachment Agreement. This Encroachment Agreement may supersede L-ENCR #41924.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request to replace existing artistic banners with signage bearing a commercial message on a parking garage at the northeast corner of Lewis Street and Casino Center Boulevard. These banners were architecturally designed to visually break up the building mass for curb appeal. Title 19 classifies these as projecting signs, which are permitted in the C-2 (General Commercial) zone. The signs exceed the number and maximum area allowed by Title 19. There has been no compelling reason presented to justify the request. For this reason, staff recommends denial. If denied, the artistic banners would remain.

ISSUES

- A Variance is required to allow projecting signs to exceed the maximum area and maximum number allowed by code. Staff does not support the request.
- Currently one of the banners on the south elevation has a sign with the word, "Parking" on it. This does not have a proper sign permit.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
01/24/63	The Board of City Commissioners approved zoning request (Z-0159-62) from C-1 (Limited Commercial) to C-2 (General Commercial) on the subject site. The Planning Commission and staff recommended approval.
02/19/03	The City Council approved a Site Development Plan Review (SDR-1298) and a waiver of the Downtown Centennial Plan building setback standards for a proposed eight-level parking garage with 17,959 square feet of ground level retail at 321 Casino Center Boulevard. Planning Commission and staff recommended approval.
01/05/05	The City Council approved a request for an Extension of Time (EOT-5631) for a previously approved Site Development Plan Review (SDR-1298) for a proposed eight-level parking garage with 17,959 square feet of ground level retail. Staff recommended approval.
02/21/07	The City Council approved a Special Use Permit (SUP-18695) for a proposed Bailbond Service at the northeast corner of Casino Center Boulevard and Lewis Avenue. Planning Commission and staff recommended approval.
03/21/07	The City Council approved a request for a Special Use Permit (SUP-19105) for a Bailbond Service at 321 South Casino Center Boulevard. Planning Commission and staff recommended approval.

05/07/08	The City Council approved request for an Extension of Time (EOT-27576) for an approved Special Use Permit (SUP-19105) for a Bailbond Service at 321 South Casino Center Boulevard. Staff recommended approval.
01/20/10	The City Council approved a request for a Special Use Permit (SUP-36551) for a proposed 1,079 square-foot Bailbond Service at 321 South Casino Center Boulevard, Suite 105. The Planning Commission and staff recommended approval.
	The City Council approved a request for a Special Use Permit (SUP-36552) for a proposed 1,624 square-foot Bailbond Service at 321 South Casino Center Boulevard, Suites 110 and 115. The Planning Commission and staff recommended approval.
02/02/11	The City Council approved a request for an Extension of Time (EOT-40580) of a previously approved Special Use Permit (SUP-36551) for a proposed 1,079 square-foot Bailbond Service at 321 South Casino Center Boulevard, Suite #105. Staff recommended approval.

Most Recent Change of Ownership	
01/24/08	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
05/03/05	A building permit (#05002805) was issued for Certificate of Completion for a Parking Garage at 321 South Casino Center Boulevard. A final inspection was completed on 07/10/07.
11/30/06	A permit for Civil Improvement Plans (#18394) was issued for Lewis Center Parking Garage.
07/27/09	A business license (P02-01067) was issued for a commercial parking lot at 321 South Casino Center. The business license is still active.
10/15/09	A business license (P02-01068) was issued for a commercial parking lot at 321 South Casino Center. The business license is still active.

Pre-Application Meeting	
10/18/11	Staff met with the applicant and reviewed the requirements for a Variance to allow projecting signs to exceed the number and area allowed by code.

Neighborhood Meeting
No neighborhood meeting was required, nor was one held.

Field Check	
11/03/11	Staff visited the site and found a well maintained parking garage with suites on the ground floor. Artistic banners were up where the proposed signage will be located. One of the banners had the word, "Parking" on it, which is considered a commercial message and therefore requires a sign permit.

Details of Application Request	
Site Area	
Net Acres	0.56

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Parking Garage Bailbond Service Restaurant, Less than 2,000 SF (without Drive-Through)	C (Commercial)	C-2 (General Commercial)
North	Church/House of Worship	C (Commercial)	C-2 (General Commercial)
South	Regional Justice Center	PF (Public Facilities)	C-V (Civic)
East	Retail Wedding Chapel	C (Commercial)	C-2 (General Commercial)
West	Clark County Detention Center	PF (Public Facilities)	C-V (Civic)

Master Plan Areas	***Yes***	***No***	***Compliance***
Downtown Centennial Plan (Office Core)	X		Y
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
Downtown Overlay District	X		Y
A-O Airport Overlay District (200 Feet)	X		Y
Live/Work Overlay District	X		N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

YK

DEVELOPMENT STANDARDS

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Actual Street Width (Feet)*	*Compliance with Street Section*
Casino Center Boulevard	Secondary Collector	Master Plan of Streets and Highways	80	Y
Lewis Street	N/A	N/A	80	Y

Projecting Signs: *(West Elevation)*			
Standards	***Allowed***	***Provided***	***Conformance***
Maximum Number	1 / door entry 4 total	5	No
Maximum Area	35 SF	215 SF	No
Maximum Height	1 Foot above eave	Below eave	Yes
Minimum Setback	3 Feet	3 Feet	Yes
Illumination	Internal/External	N/A	N/A

Projecting Signs: *(South Elevation)*			
Standards	***Allowed***	***Provided***	***Conformance***
Maximum Number	1 / door entry 4 total	5	No
Maximum Area	35 SF	215 SF	No
Maximum Height	1 Foot above eave	Below eave	Yes
Minimum Setback	3 Feet	3 Feet	Yes
Illumination	Internal/External	N/A	N/A

ANALYSIS

The applicant is requesting to convert the artistic banners that were required as part of the approved Site Development Plan Review (SDR-1298) into commercial signage. The reason presented is that the required streetscape shade trees block the view of wall signage, making it less effective for advertising businesses on the site. Changing required artistic features for signage would change the character of the building and have a negative effect on the downtown aesthetic.

The Las Vegas 2020 Master Plan Policy 1.2.5 states: "That the City improve the quality and appearance of signage through review, amendment and consistent application of its Sign Code." This request is not consistent with the Sign Code and no evidence of a unique or extraordinary circumstance has been presented by the applicant to justify the request; therefore, staff recommends denial.

FINDINGS (VAR-43723)

In accordance with the provisions of Title 19.16.140(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.16.140(L) states:

> "Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of 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."

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing signage that exceeds Title 19 requirements. Alternative design of wall signage would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 30

NOTICES MAILED 77

APPROVALS 0

PROTESTS 0

YK

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-43723** APN: 139-34-201-020

Name of Property Owner: Oakbrook Realty & Investments II LLC

Name of Applicant: Oabrook Realty & Investments

Name of Representative: Kim M. Plencner

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ **Yes** ☒ **No**

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: X _____

Print Name: Kim M. Plencner

Subscribed and sworn before me

This 28 day of September, 2011

_____

Notary Public in and for said County and State

OFFICIAL SEAL
JAMES R HORSTMAN
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:12/16/13

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OCT 27 2011
City of Las Vegas

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

19.08/120(F)

Application/Petition For: Sign Varience / PROJECTING SIGNS (24)

Project Address (Location) 321 Casino Center, Las Vegas , Nevada

Project Name Lewis Street, First Floor Retail **Proposed Use** Varience

Assessor's Parcel #(s) 139-34-201-020 **Ward #** Coffin

General Plan: existing C-2 proposed _____ **Zoning:** existing C-2 proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Oakbrook Realty & Investments II LLC **Contact** Kevin Plencner

Address 1000 Royce Blvd **Phone:** (847) 268-4000 **Fax:** (847) 268-4444

City Oakbrook Terrace **State** IL **Zip** 60181

E-mail Address kvplncn@aol.com

APPLICANT Oakbrook Realty & Investments II LLC **Contact** Kevin Plencner

Address 1000 Royce Blvd **Phone:** (847) 268-4000 **Fax:** (847) 268-4444

City Oakbrook Terrace **State** IL **Zip** 60181

E-mail Address kvplncn@aol.com

REPRESENTATIVE Chris Denzel **Contact** Chris Denzel

Address 1000 Royce Blvd **Phone:** (630) 268-4000 **Fax:** (630) 268-4444

City Oakbrook Terrace **State** IL **Zip** 60181

E-mail Address _____

Property Owner Signature* X _____

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Kim M. Plencner, Managing Member

Subscribed and sworn before me

This 28 day of September, 2011.

_____

Notary Public in and for said County and State

OFFICIAL SEAL
JAMES R HORSTMAN
NOTARY PUBLIC STATE OF ILLINOIS
MY COMMISSION EXPIRES:12/16/12

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OCT 27 2011
City of Las Vegas

FOR DEPARTMENT USE ONLY

Case #	VAR-43723
Meeting Date:	12/13/11 P.C.
Total Fee:	$830 —
Date Received:*	10/27/11
Received By:	B.S.

*The application will not be deemed complete until the submitted materials have been reviewed by the Department of Planning for consistency with applicable sections of the Zoning Ordinance.

CASINO CENTER PARKING PLAZA
321 CASINO CENTER BOULEVARD
LAS VEGAS, NEVADA
CERTIFICATE OF CONSTRUCTION FOR PART OF THE FIRST FLOOR (PHASE 2)

COMMON AREA

OAKBROOK REALTY & INVESTMENT, LLC
8100 ROYCE BOULEVARD
OAKBROOK TERRACE, IL 60181
PHONE: 630-268-4000, FAX: 630-268-4444

SHEETS REVISED
1 SHEETS REVISED A-1, A-1A A-2, A-3, A-5, A-6, A-9, S-1

REVISIONS	BY
1 3 /31 / 10	

SPECIAL INSPECTION REQUIRED

BOLTS OR REBAR WITH EPOXY ANCHORAGE - SEE STRUCTURAL DRAWING S-1

ARCHITECT

PRINCIPAL DESIGN PROFESSIONAL
THOMAS J. O'NEILL
ARCHITECTURE DESIGN & DEVELOPMENT
2160 W. CHARLESTON BLVD.
SUITE J
LAS VEGAS, NV 89102
TELEPHONE: 702-382-0427
FAX: 702-382-9952
EMAIL: add@lvcm.com

STRUCTURAL ENGINEER

JOHN S. KUBOTA
KUBOTA AND ASSOCIATES ENGINEERS, LTD.
5125 W. QUENDO #4
LAS VEGAS, NV 89119
TELEPHONE: 702-367-2800
FAX: 702-367-9669
EMAIL: kubotaengr@aol.com

MECHANICAL & PLUMBING ENGINEER

MOE KAZEMEINI, MSME, P.E.
PRECISION DESIGN GROUP
6275 MCLEOD DRIVE
SUITE 6
LAS VEGAS, NV 89120
TELEPHONE: 702-307-0912
FAX: 702-307-0913
EMAIL: moe@pd-group.net

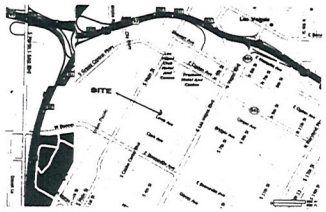
ELECTRICAL ENGINEER

NOSRAT ROUHANI, P.E.
NRC ENGINEERS, INC.
3320 WYNN ROAD
SUITE D
LAS VEGAS, NV 89102
TELEPHONE: 702-248-1592
FAX: 702-3248-1593
EMAIL: nosrat@nrceng.com

GENERAL CONTRACTOR

RICK RAINEY
MILLENNIUM CONSTRUCTION INC.
3900 S. HUALAPAI WAY
SUITE 140
LAS VEGAS, NV 89147
TELEPHONE: 702-533-6423
FAX: 702-688-6438
EMAIL: rickrainey@mcinv.net

VICINITY MAP



GENERAL NOTES

1. IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO COMPLETELY FAMILIARIZE HIMSELF WITH THESE PLANS AND THE EXISTING SITE CONDITIONS AND TO VERIFY ALL DETAILS WITH THE ARCHITECT PRIOR TO THE START OF CONSTRUCTION.
2. ANY DEVIATIONS FROM STAMPED AND APPROVED CONTRACT DOCUMENTS WITHOUT PROPER WRITTEN NOTIFICATION TO THE ARCHITECT WILL VOID THE ARCHITECTS RESPONSIBILITY FOR THE PROJECT.
3. INDICATED DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS-DO NOT SCALE DRAWINGS.
4. WHERE NECESSARY, THE SUB-CONTRACTOR IS TO PROVIDE LINE DIAGRAMS, LOAD CALCULATIONS, SHOP DRAWINGS, ETC. TO THE ARCHITECT FOR APPROVAL AND FOR ANY CHANGES AND OR SUBMITTAL.
5. ALL WORK SHALL EQUAL OR EXCEED ALL CURRENT BUILDING, ELECTRICAL, PLUMBING, MECHANICAL, FIRE SAFETY, AND ZONING CODE ISSUES.
6. THE CONTRACTOR SHALL DIRECT ALL INQUIRIES TO THE ARCHITECT REGARDING PLAN CLARIFICATIONS AND SUBMITTALS.
7. CONSTRUCTION TECHNIQUES SHALL CONFORM WITH ALL LOCAL CODES AND ALL APPLICABLE HANDICAPPED ACCESSIBILITY CODEDS (FEDERAL AND LOCAL).
8. ALL PRODUCTS AND SYSTEMS TO BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S SPECIFICATIONS AND OR DETAILS.
9. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CHECK AND VERIFY ALL DIMENSIONS BIFORE STARTING CONSTRUCTION.
10. FAILURE TO COMPLY WITH THE ABOVE GENERAL NOTES AND THE CONSTRUCTION DOCUMENTS WILL VOID THE ARCHITECT'S RESPONSIBILITY FOR SAID PART OR MEANING OF THE ABOVE NOTES. FAILURE TO MAKE THE ARCHITECT AWARE OF AND /OR FAILURE TO SUBMIT TO THE ARCHITECT FOR APPROVAL ANY CHANGES, SUBMITTALS, REVISIONS TO CONSTRUCTION DOCUMENTS SHALL ALSO VOID THE ARCHITECT'S RESPONSIBILITY FOR SAID CHANGES, SUBMITTALS OR REVISIONS.
11. ALL FINISHES ARE OWNER SELECT U.N.O.

CODE ANALYSIS

SCOPE OF WORK:
INTERIOR:
-CERTIFICATE OF CONSTRUCTION FOR 1 TENANT AREA (#125) THE TENANT AREA CONSISTS OF DEMISING WALLS ONLY (GRAY SHELL) INDIVIDUAL TENANT IMPROVEMENT CONTRACT DOCUMENTS WILL BE SUBMITTED IN THE FUTURE.
EXTERIOR
-CONSTRUCT COMMON AREA NEW HANDICAP RAMPS AND NEW PATIO FOR HANDICAP ACCESS ALONG LEWIS STREET.
-REMOVE & ADD DOORS IN EXISTING STOREFRONT

CODES USED: 2006 I.B.C., 2006 IECC/UPC/UMC, 2005 NEC, ICC/ANSI A117.1-2003

ZONING: C-1/C-2 DOWNTOWN OVERLAY

GROSS SITE AREA: 24,500 SQ. FT.

EXISTING BUILDING CONSTRUCTION TYPE: 1A

NEW T.I SHELL CONSTRUCTION TYPE: 1A

OCCUPANCY GROUP: A-2 (ASSEMBLY) W/KITCHEN FOR TENANT #125.

FLOOR AREA:
TENANT #125 = 1,233 SQ. FT.
COMMON AREA EXTERIOR PATIO = 857 SQ. FT.

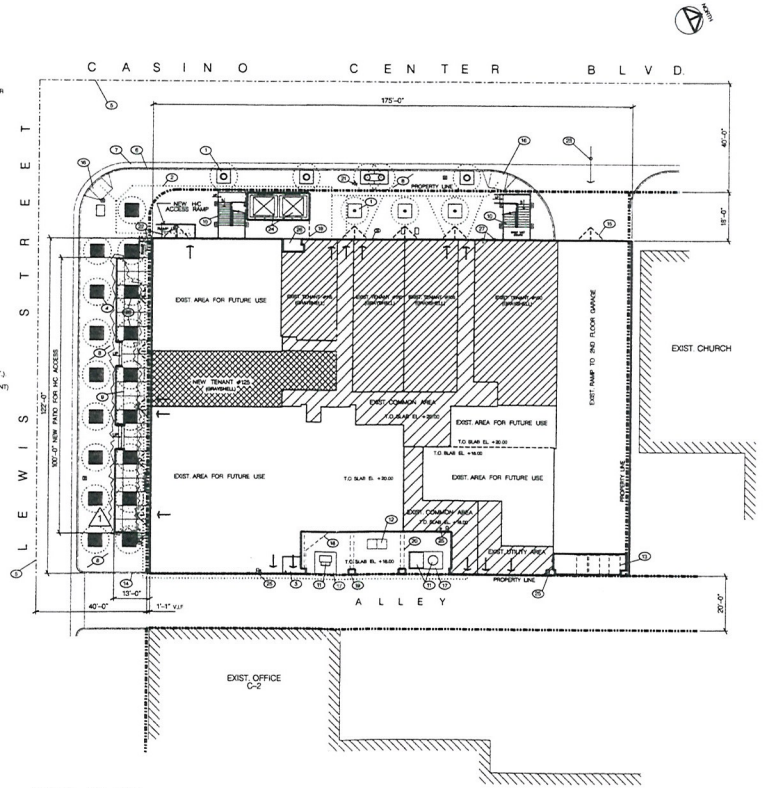
ALLOWABLE FLOOR AREA (PER I.B.C. TABLE 503): UNLIMITED

OCCUPANCY LOADS (ASSEMBLY @ 1/15 SQ. FT. + KITCHEN @ 1/200 SQ.FT.):
TENANT #125 = 46 OCCUPANTS (ASSUMED AS FUTURE RESTAURANT)

EXITS REQ'D & PROVIDED (PER I.B.C. TABLE 1019.1): 2

FIRE SPRINKLERS: PROVIDED @ GROUND FLOOR

PARKING REQ'D: RESTAURANT (1 SPACE FOR EACH 100 SF OF GFA, INCLUDING OUTDOOR SEATING/EATING AREAS, PLUS 1 SPACE FOR EACH 200 SF OF THE TOTAL REMAING GFA, WITH A MINIMUM OF TEN SPACES) TO BE DETERMINED IN THE FUTURE T.I. PLANS
PARKING PROVIDED: 426 SPACES PROVIDED (INCLUDING 8 REGULAR HC SPACES & 2 VAN HC SPACES



SITE PLAN
1" = 20'

KEYNOTES

1. EXIST. CONC. GRATE AT EXIST TREE
2. ACCESSIBLE HC ROUTE
3. EXIST. FIRE RISER RM.
4. EXIST. CAST IRON GRATES AT EXIST. TREE WELLS
5. CENTERLINE OF STREET
6. EXIST. CONC. CURB
7. EXIST. CONC. GUTTER
8. EXIST. CONC. SIDEWALK
9. NEW PATIO DECK FOR HC ACCESS - SEE FIRST FLOOR PLAN, SHEET A-2 & ENLARGED PLAN, SHEET A-3
10. EXIST. STAIRS
11. EXIST. NEVADA POWER EQUIP.
12. EXIST. NEVADA POWER STEEL HATCH (AT GRADE) FOR ACCESS TO VAULT
13. TRASH CONTAINERS
14. EXIST. TOP OF CONC. CURB IS FLUSH W/EXIST. TOP OF ALLEY SURFACE.
15. EXIST. BANNER FRAME ABOVE
16. EXIST. HC CURB RAMP
17. EXIST. 6" HIGH CONC. PAD FOR EQUIPMENT
18. EXIST. 2ND FLOOR SOFFIT LINE ABOVE
19. EXIST. CONC. COL.
20. EXIST. 2ND FLOOR CAST CONC. BEAMS ABOVE
21. EXIST. FIRE HYDRANT
22. NEW CONC. HC RAMP W/GUARDRAILS
23. EXIST. ENTRANCE TO GARAGE
24. EXIST. ELEVATOR
25. EXIST. DRAIN FROM ABOVE
26. EXIST. AUTOMATED GARAGE FEE MACHINE
27. EXIST. STANDPIPES
28. ELEVATE EXIST. CAST IRON GRATES - SEE PATIO ENLARGED FLOOR PLAN, SHEET A-3

LIST OF DRAWINGS

A-1 COMMON AREA COVER SHEET /SITE PLAN
A-1A TENANT #125 COVER SHEET /SITE PLAN
A-2 FIRST FLOOR PLAN
A-3 FOUNDATION & ENLARGED FLOOR PLAN FOR HANDICAP ACCESS PATIO
A-4 SECOND FLOOR PLAN
A-5 ELEVATIONS
A-6 BUILDING SECTION
A-7 SCHEDULES
A-8 DETAILS
A-9 SECTIONS & DETAILS
A-10 HANDICAP DETAILS

S-1 STRUCTURAL DETAILS & SPECIFICATIONS

MG1.01 MECHANICAL COVER SHEET
M1.01 FIRST FLOOR MECHANICAL PLAN
M2.01 SECOND FLOOR MECHANICAL PLAN

PG1.01 PLUMBING COVER SHEET
P1.01 FIRST FLOOR PLUMBING PLAN

EG.01 SPECIFICATIONS AND LEGEND
EG.02 ONE-LINE DIAGRAM, SCHEDULES & CALCULATIONS
E1.01 FIRST FLOOR ELECTRICAL PLAN

PLUMBING ANALYSIS

AREA	OCCUPANCY	# OF OCCUPANTS	M.W.C.	W.W.C.	U.W.C.	M.LAV.	W.LAV.	U.LAV.
COMMON AREA	NA	0	0	0	1	0	0	1
TENANT #125	A-2	46 +/-	1 FUTURE MEN & 1 FUTURE WOMEN TOILET ROOM					

CASINO CENTER PARKING PLAZA
FIRST FLOOR TENANT IMPROVEMENT ROUGH-OUT
PHASE 2 GRAY SHELL AT EXISTING PARKING STRUCTURE
321 CASINO CENTER BLVD.
LAS VEGAS, NV
OAKBROOK REALTY & INVESTMENT, LLC

ARCHITECTURE DESIGN AND DEVELOPMENT
702-382-0427
fax. 382-9952
2160 W. Charleston Blvd. Suite J
Las Vegas, NV 89102

SITE PLAN, NOTES & LIST OF DRAWINGS

Date: 8 /11 /09
Scale: 1" = 20'-0"
Drawn:
Job:
Sheet: A-1 OF

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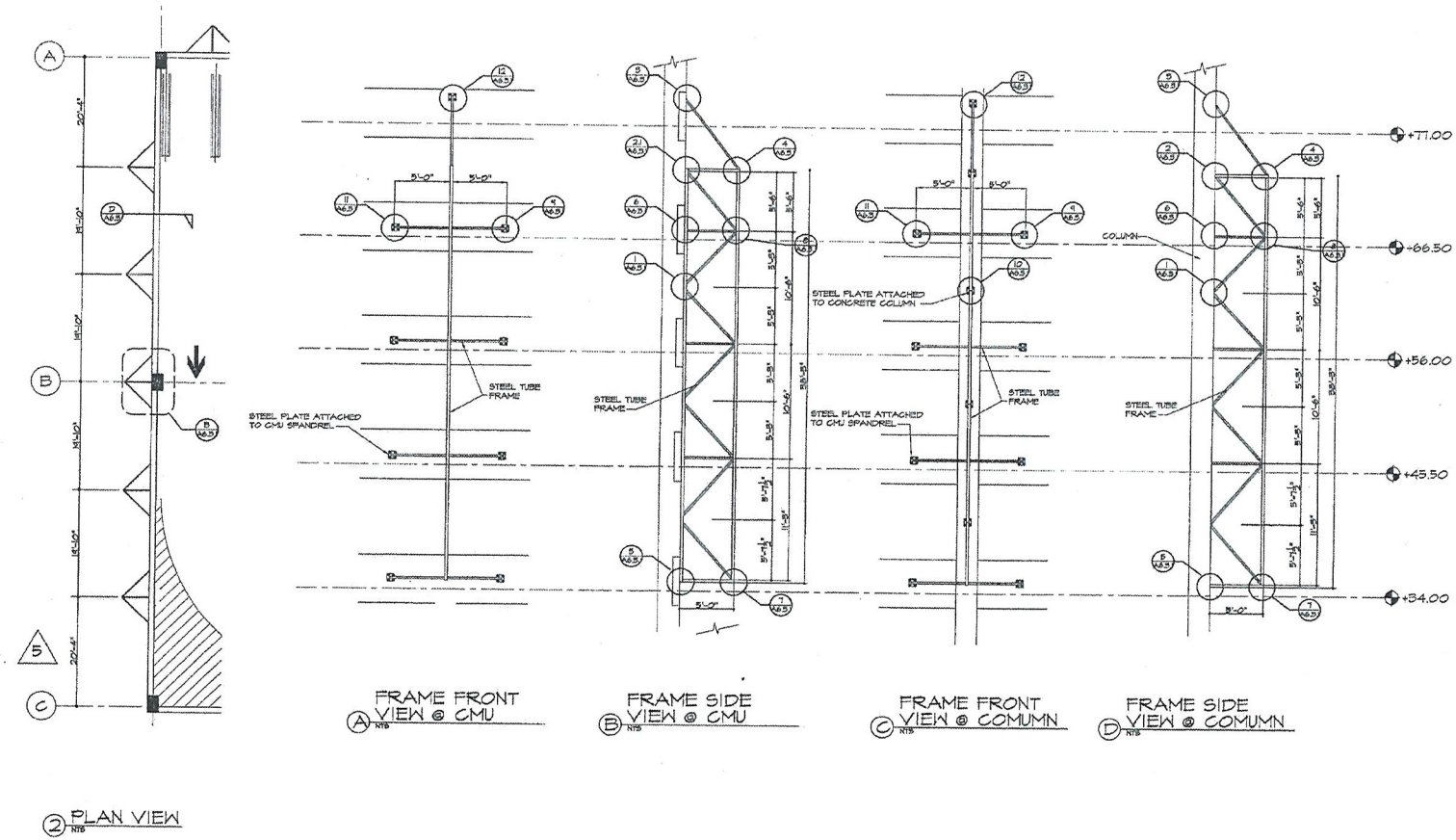
City of Las Vegas

VAR-43723



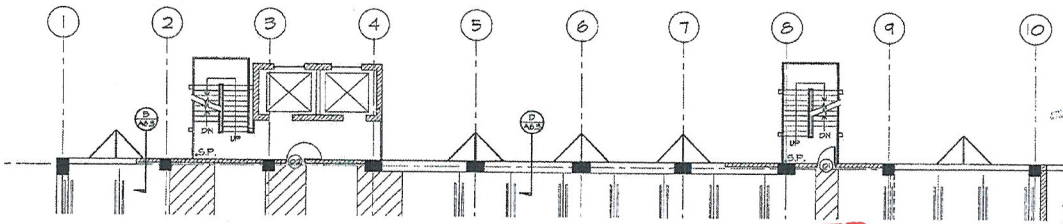
FRAME FRONT VIEW @ CMU (A) NTS

FRAME SIDE VIEW @ CMU (B) NTS

FRAME FRONT VIEW @ COMUMN (C) NTS

FRAME SIDE VIEW @ COMUMN (D) NTS

(2) PLAN VIEW NTS



(1) PLAN VIEW NTS

(2) REVISED ENTIRE SHEET

4/15/05 OWNER REVISIONS

KRACOR, INC.

JESSEN-WRIGHT Structural Engineers

LEWIS STREET PARKING STRUCTURE FOR LEWIS CENTER PARKING, L.L.C.

LAS VEGAS, NEVADA

BANNER DETAILS

PROJECT NO. 02-118.01
DATE 3/21/2003
DRAWN BY R.
CHECKED BY
REVISED DATE
/1\ 4/17/03-CITY CORRECTIONS
/2\ 4/15/05 - OWNER REVISIONS
/3\ 6/7/05 - REDESIGN

A-6.3

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VAR-43723 - APPLICANT/OWNER: OAKBROOK REALTY AND INVESTMENTS II, LLC
321 SOUTH CASINO CENTER BOULEVARD

11/03/11



VAR-43723 - APPLICANT/OWNER: OAKBROOK REALTY AND INVESTMENTS II, LLC
321 SOUTH CASINO CENTER BOULEVARD

11/03/11



VAR-43723 - APPLICANT/OWNER: OAKBROOK REALTY AND INVESTMENTS II, LLC
321 SOUTH CASINO CENTER BOULEVARD

11/03/11

TANEY ENGINEERING
6030 SOUTH JONES BLVD. #100
LAS VEGAS, NV 89118
TELEPHONE: 702-362-8844
FAX: 702-362-5233

October 26, 2011

City of Las Vegas
Department of Planning
333 N. Rancho Dr
Las Vegas, NV 89106

Re: Justification Letter - Sign Variance 321 Casino Center

This letter is requesting a sign variance. Originally the banners were architecturally designed into the building to visually break up the building mass for curb appeal and to separate the public parking from the county employee parking lot across the street to avoid confusion. Now that there are tenants moving into the retail space, they require signage to promote their business. The trees in front of the building, planted in the streetscape, required by the downtown centennial plan, obstruct views of any signage on the first floor, thereby not allowing them to promote their business.

Currently there are four business entrances each on Lewis Street and Casino Center Boulevard. There are five signs on Lewis Street and five signs on Casino Center Blvd. The size of the banners are 5' x 42' – 6". To the best of our knowledge the proposed projecting signs meet the minimum setback requirements of 3 feet measured from the back of the curb and do not project more than 6 feet from the building elevation.

The variance we are requesting exceeds the one sign per entrance, maximum height and the maximum area code.

At present, the existing banners have the words "public parking" one on the Lewis side and one on the Casino Center of the subject property. The remaining banners are multi colored. The Justification for the change would number one be the hardship posed by the trees blocking the public from seeing what services are being offered. The banners fit into the long term development plan of the downtown in promoting new business and the excitement of same. Upgraded signage has been allowed at Neonopolis, the new clubs along the block on Fremont at Las Vegas Boulevard and on the parking garage at the outlet mall on Grand Canyon to name a few. They would help the proprietors achieve success in this struggling economy, which also can benefit the sales tax income for the city.

Sincerely,

Janet Avance

Janet Avance
Project Service Coordinator

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VAR-43723

OAKBROOK REALTY AND INVESTMENT, LLC

October 4, 2011

Justification Letter
Sign variance 321 Casino Center

The reason we are requesting a sign variance, originally the banners were architecturally designed into the building to visually break up the building mass for curb appeal and to separate the public parking from the county employee parking lot across the street to avoid confusion. Now that we have tenants moving into our retail space, they require signage to promote their business. The trees in front of the building, planted in the streetscape, required by the downtown centennial plan, obstruct views of any signage on the first floor, thereby not allowing them to promote their business.

To the best of our knowledge the proposed projecting signs meet the minimum setback requirements and the minimum clearance standard. The variance we are requesting exceeds the one sign per entrance, maximum height and the maximum area code.

At present the existing banners have the words public parking, one on the Lewis side and one on the Casino Center of the subject property. The remaining banners are multi colored. The Justification for the change would number one be the hardship posed by the trees blocking the public from seeing what services are being offered. The banners fit into the long term development plan of the downtown in promoting new business and the excitement of same. Upgraded signage has been allowed at Neonopolis, the new clubs along the block on Fremont at Las Vegas Boulevard and on the parking garage at the outlet mall on Grand Canyon to name a few. They would help the proprietors achieve success in this struggling economy, which also can benefit the sales tax income for the city.

Sincerely,

Kim M. Plencner

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OCT 27 2011
City of Las Vegas

VAR-43723

1000 Royce Boulevard
Oakbrook Terrace, Illinois 60181
(630) 268-4000
FAX: 630 268 4444

From: Tom Burkart <tburkart@LasVegasNevada.GOV>
To: kvplncn <kvplncn@aol.com>
Cc: lvchris <lvchris@hotmail.com>
Subject: RE: 321 Casino Center sign variance package for review prior to submission:
Date: Mon, Oct 3, 2011 4:16 pm

Kevin,

The Justification letter should be expanded upon.

The current code permits projecting signs, the letter submitted should explain why we are proposing to go above and beyond what the current code permits for projecting signs (aka the Variance request). To explain this, I would begin with the history of the decorative banners (originally installed to break-up building mass) and the transition to using the decorative banners for on-site signage (now that we have ground floor businesses and wall signs may be blocked by the trees), and what we're proposing to do to keep some of the decorative elements of the original banners.

I've included the Projecting sign standards below. You should review each requirement and comment on why the proposed sign either meets or does not meet what the current code permits in the justification letter. What does not meet current code will be the subject of the Variance review.

Your questions below also seem to reference Off-Site Advertising (different downtown events advertised on the banners). As we previously discussed any advertising for product not located on-site will be considered a "Billboard" or as the code defines, an "off-premise signage". Off Premise Signage requires the approval of a Special Use Permit, which is a separate review from the Variance for the On-Site Projecting Sign Standards.

The Pre-Application Request Form, Justification letter and Elevations need to be faxed to Planning No later than this Thursday, October 6th to be placed on the next agenda cycle. As long as the applications are signed and notarized by the Property Owner or Legal Representative, Chris will not need any power of attorney, he will simply be listed as the applicant.

Table 20. Projecting Sign Standards in Commercial and Industrial Districts (see Figure 23)

Standard	C-1, C-2, C-M and M
Maximum Number	1 sign per entrance
Maximum Area	32 square feet
Maximum Height	1 foot above eave or rafter line, whichever is higher
Minimum Setback	A projecting sign may project over the public right-of-way, provided the projecting sign maintains a minimum setback of 3 feet measured from the back of the curb and such signs do not project more than 6 feet from the building elevation to which they are attached
Minimum Clearance	8 feet from the ground to the bottom of the sign
Additional Standards	1. Projecting signs shall not be permitted on property that has freestanding signs 2. Projecting signs shall be subject to review by the Department of Public Works to the extent they extend over or near the public right-of-way

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City of Las Vegas Agenda Item No.: **30.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: DECEMBER 13, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

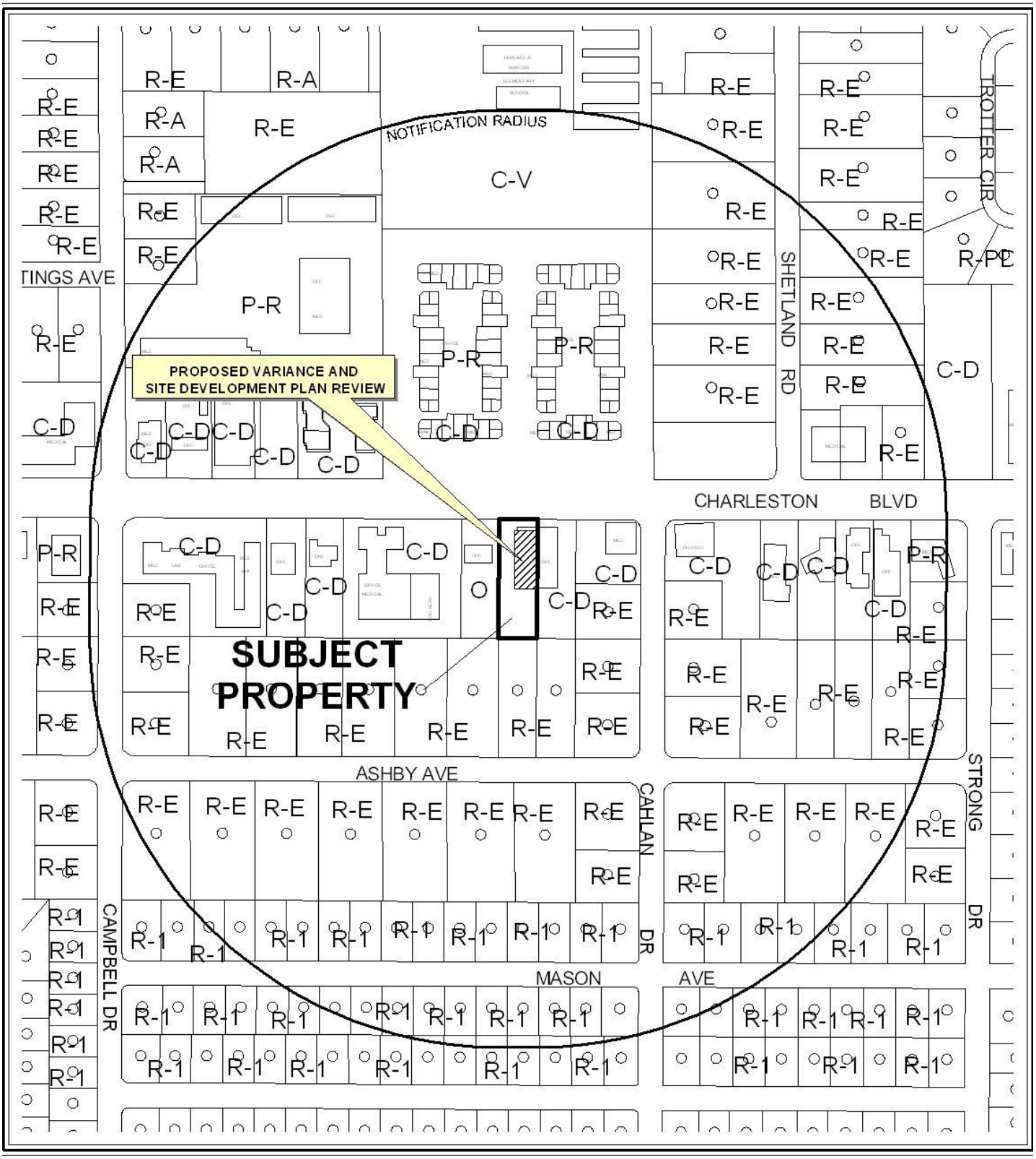
SUBJECT:
VAR-43728 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: SCENIC VISTAS, LLC - For possible action on a request for a Variance TO ALLOW 84 PARKING SPACES WHERE 111 PARKING SPACES ARE REQUIRED on 1.26 acres at 2905 and 2809 West Charleston Boulevard (APNs 162-05-510-004 and 005), C-D (Designed Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL.

C.C.: 01/18/2012

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps – VAR-43728 and SDR-43726
2. Conditions and Staff Report – VAR-43728 and SDR-43726
3. Supporting Documentation
4. Photos – VAR-43728 and SDR-43726
5. Justification Letter – VAR-43728 and SDR-43726



0 300 600 Feet

CASE: VAR-43728 & SDR-43726

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-D (DESIGNED COMMERCIAL)

N



CASE: VAR-43728 & SDR-43726

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-D (DESIGNED COMMERCIAL)

0 300 600 Feet

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: DECEMBER 13, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: SCENIC VISTAS, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-43728	Staff recommends DENIAL, if approved subject to conditions:	
SDR-43726	Staff recommends DENIAL, if approved subject to conditions:	VAR-43728

** CONDITIONS **

VAR-43728 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-43726) shall be required, if approved.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SDR-43726 CONDITIONS

Planning

1. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

2. All development shall be in conformance with the site plan, landscape plan, and floor plans, date stamped 11/16/11 and building elevations sate stamped 10/27/11, except as amended by conditions herein.

3. The applicant shall coordinate with the City Surveyor and other city staff to determine the most appropriate mapping action necessary to consolidate the existing lots. The mapping action shall be completed and recorded prior to the issuance of any building permits.

4. A Waiver from Title 19.08 is hereby approved, to allow zero foot landscape buffers along the east, west and south perimeters where a minimum of eight feet is required.

5. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device.

7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.08.040.

9. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

10. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

11. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

Public Works

12. Remove all substandard sidewalk improvements, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

13. Landscape and maintain all unimproved rights-of-way adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

14. The west driveway shall be ingress only and the east driveway shall be egress only and these movements shall perpetually be guaranteed. Driveways shall meet the intent of Standard Drawing #222A unless otherwise approved by the City Traffic Engineer. Appropriate on-site ingress/egress signage shall be installed to guide motorist to correctly use the driveways.

15. Obtain an Occupancy Permit from the Nevada Department of Transportation (NDOT) for any new driveways or other private improvements, if any, in the West Charleston Boulevard public right-of-way adjacent to this site prior to constructing any improvements within NDOT jurisdiction.

16. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the Charleston ITS Communications Infrastructure project Phase 1B and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.

17. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans, the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

Staff Report Page One
December 13, 2011 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request to expand an existing legal, nonconforming medical office building via the addition of a second floor at 2905 West Charleston Boulevard. This project will also enhance the landscaping at both 2809 and 2905 West Charleston Boulevard. Both properties are legal, nonconforming, since they do not meet the current setback requirements or perimeter landscape buffer requirements of the C-D (Designed Commercial) district; however, as part of this request, the applicant is proposing to remap and combine the properties, at which time the existing and proposed structures will meet required setbacks. Staff recommends denial of both applications due to the requested variance and waivers required, as well as the fact that the proposed project does not conform to the CD-O Designed Commercial Overlay for the area. If denied, the proposed expansion could not take place.

ISSUES

- The applicant is proposing to remap the two parcels into a single lot prior to pulling building permits. Staff supports this proposal and has added a condition to this effect.
- A Variance is required to allow 84 parking spaces where a minimum of 111 parking spaces are required. Staff does not support the request.
- A Site Development Plan Review is required for both parcels. Staff does not support the request.
- Waivers are required to allow a zero-foot landscape buffer on the east, west and south perimeters where a minimum of eight feet is required. Staff supports the requests.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
03/27/80	The Board of Zoning Adjustment denied a Variance (V-0008-80) request for 28 square-foot free-standing sign at 2905 West Charleston Boulevard.
06/19/02	The City Council approved a General Plan Amendment (GPA-0047-01) to amend portions of the Southeast Sector map of the General Plan in the general vicinity of the Charleston Boulevard/Rancho Drive intersection from: SC (Service Commercial) to O (Office); from R (Rural Density Residential) to DR (Desert Rural Density Residential); from O (Office) to R (Rural Density Residential); and from L (Low Density Residential) to DR (Desert Rural Density Residential) in accordance with the recommendations of the Rancho Charleston Land Use Study and Strategic Plan. The Planning Commission recommended denial and staff recommended approval.

YK

Most Recent Change of Ownership	
08/30/11	A deed was recorded for a change in ownership for both parcels.

Related Building Permits/Business Licenses	
06/11/07	A business license (A01-01350) was issued for an Administrative Office at 2809 West Charleston Boulevard. The license closed on 07/16/09 as out-of-business.
09/22/11	A business license (Q07-94809) for a Medical Firm was applied for at 2905 West Charleston Boulevard. The license is currently being processed.

Pre-Application Meeting	
10/20/11	Staff met with the applicant and reviewed the required applications needed for the proposed expansion. It was determined that a Variance for parking as well as a Site Development Plan Review applications would be needed. The applicant was informed that the CD-O Overlay requires properties along Charleston Boulevard to remain single story.

Neighborhood Meeting	
11/30/11	A voluntary neighborhood meeting is scheduled to be held by the applicant.

Field Check	
11/03/11	Staff visited the site and found two one-story vacant medical office buildings. The property was clean and well maintained. There was some construction underway in the rear of the properties. The wall between the two parking lots was being demolished and the area leveled.

Details of Application Request	
Site Area	
Net Acres for 162-050-510-004	0.63
Net Acres for 162-050-510-005	0.63

Surrounding Property	*Existing Land Use Per Title 19.12*	*Planned or Special Land Use Designation*	*Existing Zoning District*
Subject Property	Office, Medical or Dental	O (Office)	C-D (Designed Commercial)
North	Office, Medical or Dental	O (Office)	P-R (Professional Office and Parking)
South	Single Family, Detached	DR (Desert Rural Density Residential)	R-E (Residence Estates)
East	Office, Medical or Dental	O (Office)	C-D (Designed Commercial)
	Single Family, Detached	DR (Desert Rural Density Residential)	R-E (Residence Estates)
West	Office	O (Office)	O (Office)

Special Purpose and Overlay Districts	*Yes*	*No*	*Compliance*
A-O (Airport Overlay) District (175 feet)	X		Y
CD-O (Designed Commercial Overlay)	X		N
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19 prior to May 1, 2011 and Chapter 19.10.090 of the Unified Development Code, the following standards apply:

Standard 162-05-510-004 and 005	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	N/A	187 Feet	N/A
Min. Lot Width	100 Feet	189 Feet	Y
Min. Setbacks			
• Front	25 Feet	25 Feet	Y
• Side	10 Feet	41 Feet	Y
• Corner	15 Feet	N/A	N/A
• Rear	25 Feet	107 Feet	Y
Max. Lot Coverage	30 %	25 %	Y
Max. Building Height	One story or 20 feet, whichever is less.*	Two story (32 Feet)	N
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated, w/a Trellis	Y
Mech. Equipment	Screened	Screened	Y

YK

*Unless otherwise approved by the City Council in a Site Development Plan Review.

Residential Adjacency Standards 162-05-510-004	***Required/Allowed***	***Provided***	***Compliance***
3:1 proximity slope	96 Feet	107 Feet	Y
Adjacent development matching setback	35 Feet	125 Feet	Y
Trash Enclosure	50 Feet	60 Feet	Y

Pursuant to Title 19.08 prior to May 1, 2011, the following standards apply:

Landscaping and Open Space Standards				
Standards	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	8 Trees	8 Trees	Y
• South	1 Tree / 30 Linear Feet	7 Trees	0 Trees	N
• East	1 Tree / 30 Linear Feet	10 Trees	0 Trees	N
• West	1 Tree / 30 Linear Feet	10 Trees	0 Trees	N
TOTAL PERIMETER TREES		**35 Trees**	**8 Trees**	**N**
Parking Area Trees	1 Tree / 6 Uncovered Spaces	13 Trees	15 Trees	Y
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	15 Feet		25 Feet	Y
• South	8 Feet		0 Feet	N
• East	8 Feet		0 Feet	N
• West	8 Feet		0 Feet	N
Wall Height	6 to 8 Feet Adjacent to Residential		6 Feet	Y

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Charleston Boulevard	Primary Arterial	Master Plan of Streets and Highways	100	Y

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Office, Medical or Dental	19,800 SF	1:200 SF up to 2,000 SF & 1:175 SF for remainder	111				
TOTAL SPACES REQUIRED			111		84		N
Regular and Handicap Spaces Required			106	5	79	5	N
Percent Deviation			24%				N

Waivers		
Requirement	***Request***	***Staff Recommendation***
To provide an eight-foot landscape buffer on the east perimeter.	To provide a zero-foot landscape buffer on the east perimeter.	Approval
To provide an eight-foot landscape buffer on the west perimeter.	To provide a zero-foot landscape buffer on the west perimeter.	Approval
To provide an eight-foot landscape buffer on the south perimeter.	To provide a zero-foot landscape buffer on the south perimeter.	Approval

ANALYSIS

The proposed project consists of two nonconforming C-D (Designed Commercial) parcels on Charleston Boulevard. The applicant is proposing to remap the parcels into one parcel to resolve the nonconforming setback issue but would not resolve the nonconforming perimeter landscape buffer issues. The existing two zero-foot setback buildings would remain as two separate buildings. Staff supports this aspect of the project. The applicant is also proposing to increase the building area by 50% via a second floor addition. The CD-O Designed Commercial Overlay prohibits buildings along this section of West Charleston Boulevard to be taller than one story or 20 feet, whichever is less, unless otherwise approved by City Council via a Site Development Plan Review. The proposed addition would be 32 feet tall. The applicant states that no windows on the second floor would face the adjacent residential properties and that enhanced landscaping along the rear of the building will provide visual relief to the elevation. Staff does not support this aspect of the project due to the adjacent residential property to the south and the CD-O Designed Commercial Overlay requirements.

The site currently meets the current Title 19 parking requirements. However, the proposed 6,036 square-foot addition would require 27 additional parking spaces that the site cannot accommodate, requiring a variance. The variance would equate to a 24% deviation from the code, which clearly illustrates that the proposed addition would result in the overbuilding of the site.

The site plan has three waiver requests attached to it. These waivers are to allow no perimeter landscape buffers along the east, west and north property lines where a minimum of eight feet is required. Staff supports the waiver requests, due to the site being nonconforming when the code change took effect requiring the perimeter landscape buffers, and the addition of the required buffer areas would reduce on-site parking and impede site circulation.

Although the applicant is taking steps to improve the properties and remove some of the existing nonconforming issues via the remapping process, the proposal will result in the site being overdeveloped. The parking variance and second floor addition are not supported by Title 19 and no compelling arguments have been presented for staff to support them. Staff recommends denial of both application requests.

FINDINGS (VAR-43728)

In accordance with the provisions of Title 19.16.140(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.16.140(L) states:

> "Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of 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."

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing to significantly increase the building area and overbuild the site. Alternative design would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

FINDINGS (SDR-43726)

In order to approve a Site Development Plan application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

   The proposed second floor addition is not compatible with the adjacent residential development. The CD-O Designed Commercial Overlay prohibits buildings on Charleston Boulevard between Valley View and Rancho Drive to be greater than one story or 20 feet, whichever is less, unless otherwise approved by City Council via a Site Development Plan Review.

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;**

   The proposed project is not consistent with Title 19 in that the building will exceed the height limit allowed by Code and the project does not meet the minimum parking requirements, triggering the need for a variance.

3. **Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

   The project site is adequately served by Charleston Boulevard, a 100-foot Primary Arterial Street as designated in the Master Plan of Streets and Highways.

4. **Building and landscape materials are appropriate for the area and for the City;**

   The building and landscape materials are appropriate for the area and will blend in with the surrounding developments.

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;**

   The modern architectural aesthetic will be maintained and will be harmonious with development in the area.

6. **Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

   The proposed addition will be subject to permit review and inspection prior to occupancy; therefore, appropriate measures will be taken to protect the health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 28

NOTICES MAILED 126

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-43728** APN: 162-05-510-004 & 005

Name of Property Owner: Scenic Vistas, LLC (Alain Coppel)

Name of Applicant: Alain Coppel, MD - Scenic Vistas, LLC

Name of Representative: Alain Coppel

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ **Yes** ☒ **No**

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Alain Coppel, MD

Subscribed and sworn before me

This 27th day of October, 2011

Melissa L. Hodgdon

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MELISSA L. HODGDON
Appt No 07-1928-1
My Appt Expires July 12, 2014

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OCT 27 2011

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Variance for reduction in parking

Project Address (Location) 2809 & 2905 West Charleston

Project Name Nevada Comprehensive Pain Center **Proposed Use** Medical Office

Assessor's Parcel #(s) 162-05-510-004 & 005 **Ward #** 1- Tarkanian

General Plan: existing O proposed _____ **Zoning:** existing C-D proposed _____

Commercial Square Footage 19,700 **Floor Area Ratio** 24.95

Gross Acres 1.27 **Lots/Units** 2 **Density** _____

Additional Information _____

PROPERTY OWNER Scenic Vistas LLC **Contact** Juan Pena

Address 2820 West Charleston Suite 7 **Phone:** 476-9999 **Fax:** 946-1343

City Las Vegas **State** Nevada **Zip** 89102

E-mail Address JuanP@nvcpc.com

APPLICANT Scenic Vistas LLC **Contact** Juan Pena

Address 2820 West Charleston **Phone:** 476-9999 **Fax:** 946-1343

City Las Vegas **State** Nevada **Zip** 89102

E-mail Address JuanP@nvcpc.com

REPRESENTATIVE Cross Construction Company LLC **Contact** Bert Craig & Dustin Belinski

Address 104 Laurel Ave. **Phone:** 596-7743 **Fax:** 940-6162

City Las Vegas **State** Nevada **Zip** 89102

E-mail Address Bert@bhcraig.com

Property Owner Signature* _____

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Alain Coppel

Subscribed and sworn before me

This 27th day of October, 20 11.

Melissa L. Hodgdon

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MELISSA L. HODGDON
Appt No 07-1928-1
My Appt Expires July 12, 2014

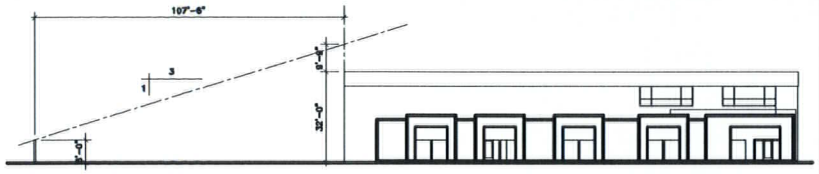
RECEIVED
OCT 27 2011

FOR DEPARTMENT USE ONLY

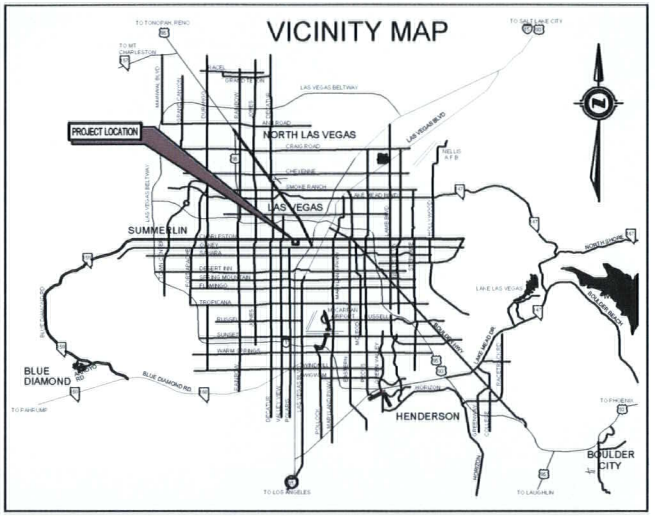
Case #	VAR-43728
Meeting Date:	12-13-11
Total Fee:	830.00
Date Received:*	10-27-11
Received By:	

*The application will not be deemed complete until the submitted materials have been reviewed by the Department of Planning for consistency with applicable sections of the Zoning Ordinance.

Revised 10/27/08



DISTANCE - TO - HEIGHT SLOPE DIAGRAM

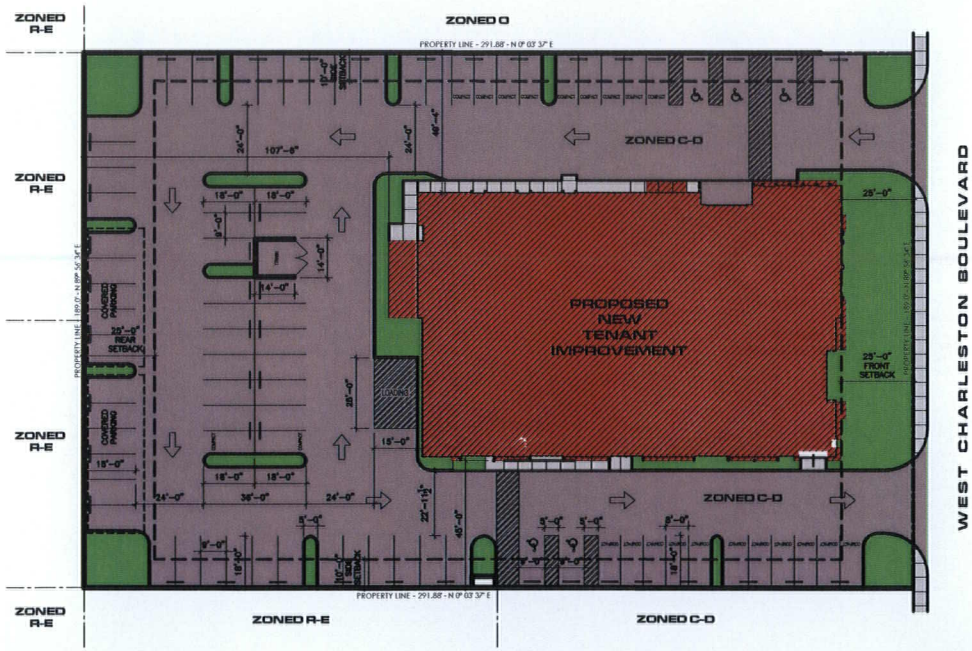


PSWC Architects
ARCHITECTURE
PLANNING
INTERIOR DESIGN

1930 Village Center Circle
Suite #3-473
Las Vegas, Nevada 89134
702/259.0011
Fax: 702/259.6380

PROJECT DATA

ASSESORS PARCEL NUMBERS:	162-05-510-005 162-05-510-004
JURISDICTION :	CITY OF LAS VEGAS
CURRENT ZONING :	C-D
SQUARE FOOTAGES :	
TENANT IMPROVEMENT :	
LEVEL ONE :	13,764 s.f.
LEVEL TWO :	6,036 s.f.
TOTAL :	19,800 s.f.
TOTAL :	19,700 s.f.
TOTAL FOOTPRINT :	13,764 s.f.
SITE AREA :	55,166 s.f. 1.27 acres
BUILDING COVERAGE :	24.95 %
PARKING ANALYSIS :	
REQUIRED - BUILDING ONE :	
MEDICAL / DENTAL OFFICES 1:200 s.f. UP TO 2,000 S.F. + 1:175 s.f. ALL ADDITIONAL S.F. =	111 SPACES
REQUIRED ACCESSIBLE SPACES : (101 - 150)	5 SPACES
REQUIRED LOADING SPACES : 10,000 - 29,999)	2 SPACES
TOTAL REQUIRED SPACES :	111 SPACES
PROVIDED :	
STANDARD :	57 SPACES
COMPACT (30%) :	22 SPACES
ACCESSIBLE :	5 SPACES
LOADING :	1 SPACES
TOTAL PROVIDED SPACES :	85 SPACES



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OVERALL SITE PLAN

SCALE : 1" = 20'-0"

A Proposed new Medical Office

Nevada Comprehensive Pain Center

2809 & 2905 Charleston Ave.
Las Vegas, Nevada, 89048

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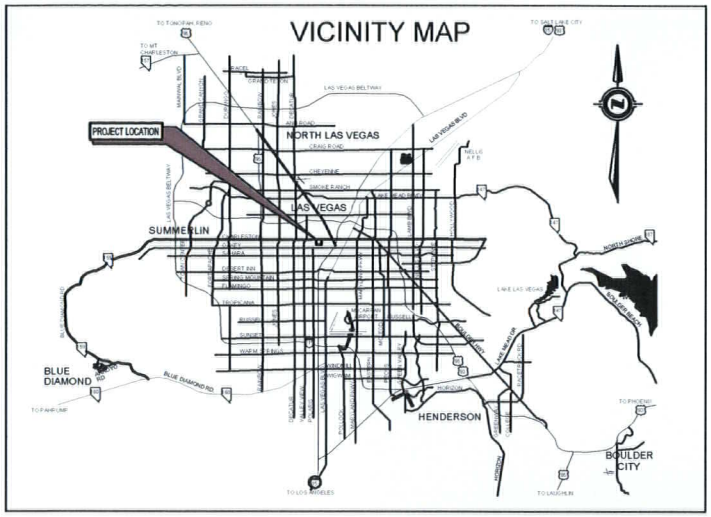
October 27, 2011

VAR-43728
SDR-43726
REVISED



PLANT LEGEND

TREES

KEY	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITIES	REMARKS
	PROSOPIS	CHILEAN MESQUITE (THORNLESS)	36" BOX	9	
	CERCIDIUM	BLUE PALO VERDE	36" BOX	9	
	RHUS LANCEA	AFRICAN SUMAC	36" BOX	6	SINGLE TRUNK

SHRUBS

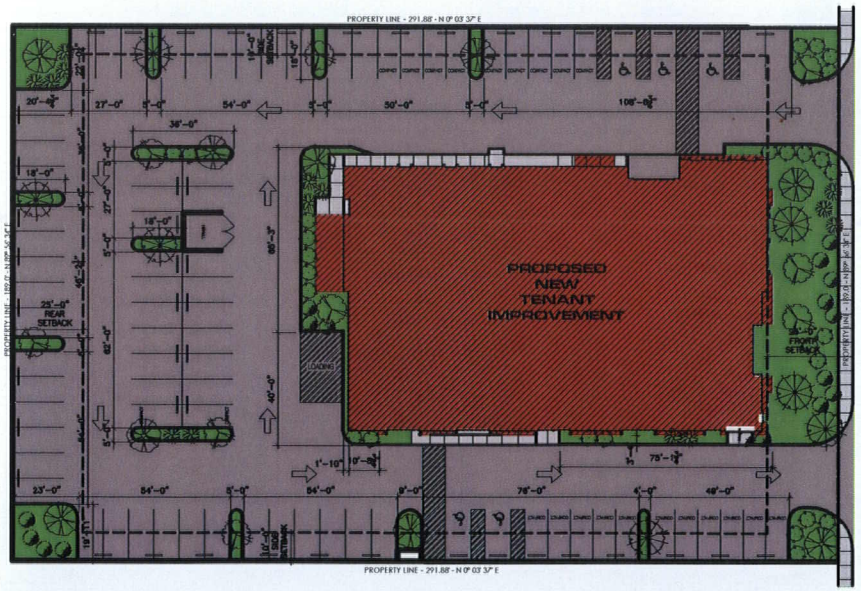
KEY	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITIES	REMARKS
	ARTEMISIA	TEXAS RANGER SAGE	15 GAL.	25	
	LANTANA	BUSH LANTANA	15 GAL. (3'x3')	17	
	GILLIESII	DESERT BIRD OF PARADISE	15 GAL. (3'x3')	14	

GROUND COVER

DECORATIVE ROCK LANDSCAPE COVER @ ALL NEW
LANDSCAPE AREAS TO BE
REBEL RED 3/8" STONE
NEW ROCK TO BE WATER ROLLED COMPACTED.

PSWC Architects
ARCHITECTURE
PLANNING
INTERIOR DESIGN

1930 Village Center Circle
Suite #3-475
Las Vegas, Nevada 89134
702/259.0011
Fax: 702/259.6380



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LANDSCAPE PLAN

SCALE: 1" = 20'-0"

A Proposed new Medical Office

Nevada Comprehensive Pain Center

2809 & 2905 Charleston Ave.
Las Vegas, Nevada, 89048

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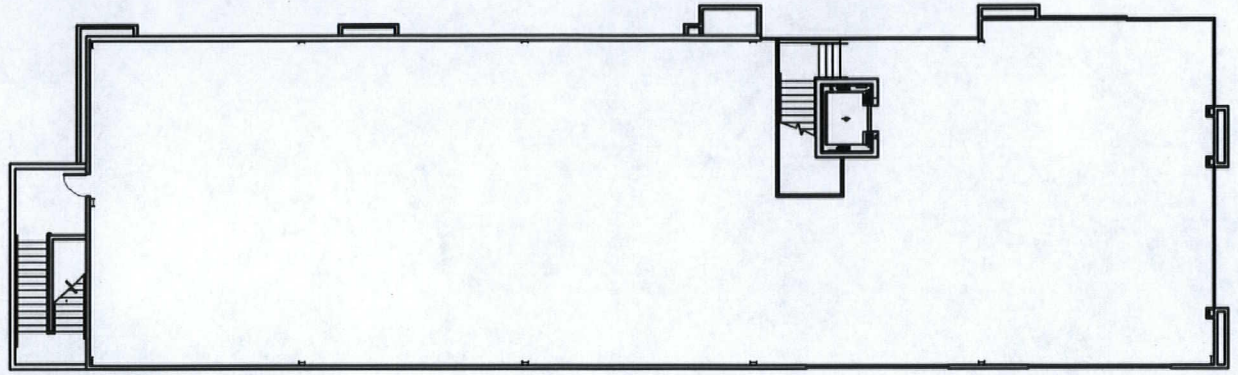
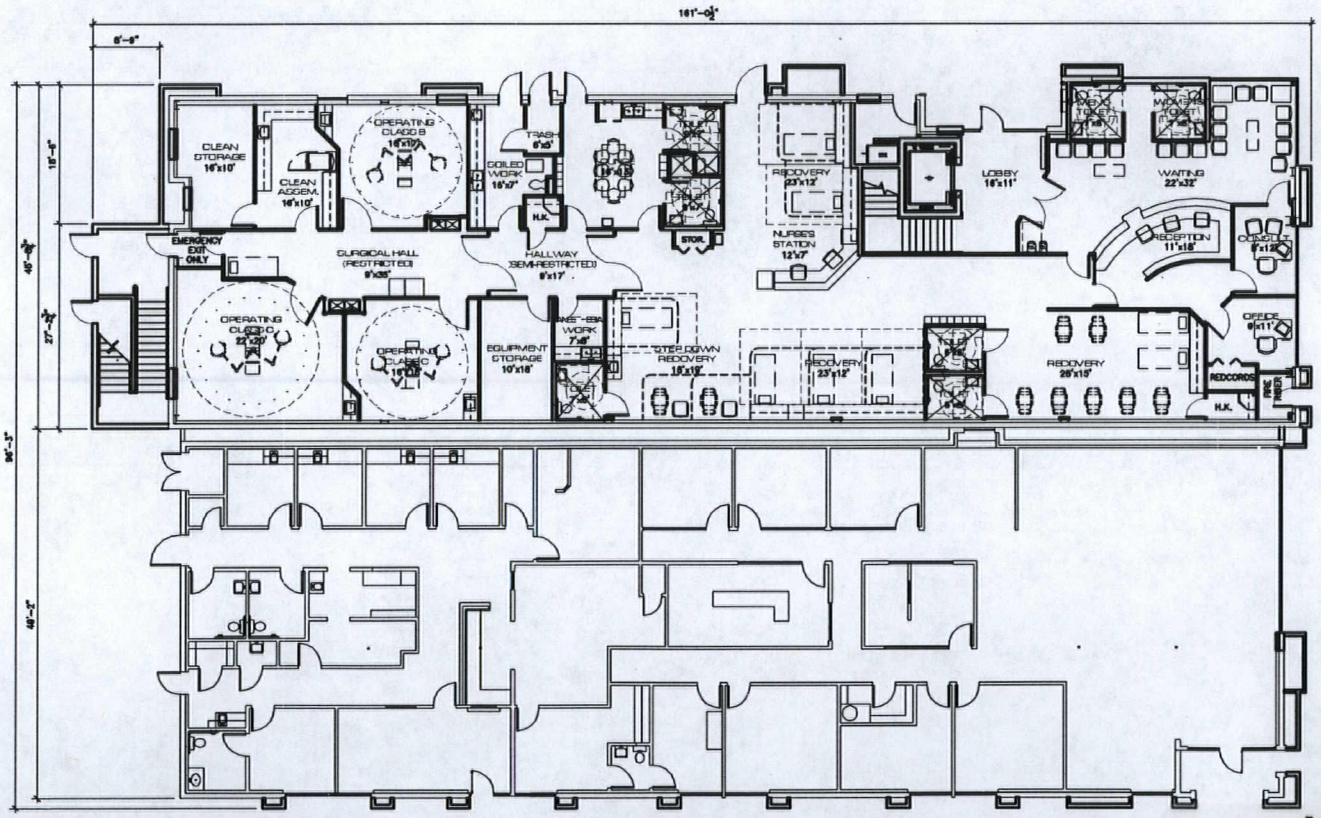
VAR-43728
SDR-43726
REVISED



SECOND LEVEL FLOOR PLAN



FIRST LEVEL FLOOR PLAN

PSWC Architects
ARCHITECTURE
PLANNING
INTERIOR DESIGN

1930 Village Center Circle
Suite #3-475
Las Vegas, Nevada 89134
702/259.8011
Fax: 702/259.6380

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FLOOR PLAN

SCALE: 1/8" = 1'-0"

A Proposed new Medical Office

Nevada Comprehensive Pain Center

2809 & 2905 Charleston Ave.
Las Vegas, Nevada, 89048

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October 27, 2011

VAR-43728
SDR-43726
REVISED



VAR-43728 AND SDR-43726 - APPLICANT/OWNER: SCENIC VISTAS, LLC
2905 WEST CHARLESTON BOULEVARD

11/03/11



VAR-43728 AND SDR-43726 - APPLICANT/OWNER: SCENIC VISTAS, LLC
2905 WEST CHARLESTON BOULEVARD

11/03/11



VAR-43728 AND SDR-43726 - APPLICANT/OWNER: SCENIC VISTAS, LLC
2905 WEST CHARLESTON BOULEVARD

11/03/11



VAR-43728 AND SDR-43726 - APPLICANT/OWNER: SCENIC VISTAS, LLC
2905 WEST CHARLESTON BOULEVARD

11/03/11



VAR-43728 AND SDR-43726 - APPLICANT/OWNER: SCENIC VISTAS, LLC
2905 WEST CHARLESTON BOULEVARD

11/03/11

November 15, 2011

CITY OF LAS VEGAS
DEPARTMENT OF PLANNING
333 N. Rancho Drive
Las Vegas, NV 89106

Subject: JUSTIFICATION LETTER
PROPOSED SECOND STORY ADDITION FOR NEW MEDICAL CENTER
2905 W Charleston Blvd.
Assessors Parcel Numbers: 162-050-510-004 & 162-050-510-005

Owner: Nevada Comprehensive Pain Center, Dr. Alain Coppel

To Whom it may concern:

We are a leading medical practice in Southern Nevada providing interventional pain management to patients who have been injured in many ways or who have developed long term debilitating disabilities which have caused them to seek medical care with us.

We are desperately in need of more space to accommodate our operations. We are currently located on West Charleston Blvd. in Las Vegas, NV, in the medical district which has developed over the years adjacent to and near University Medical Center, and directly across from the subject location.

Our building on W Charleston Blvd. must be expanded as part of the tenant improvement in order to suit the operational requirements of our practice. We need to add a second story of up to thirty-two feet in overall height and is proposed to be an additional 6,036 sq, ft to the existing 13,764 sq. ft. building. This addition will be required to accommodate our medical practice. This addition in conjunction with the first floor will be improved with all of the necessary components for an in house ambulatory surgery center and a VIP type medical office. The east portion of the building is anticipated to provide a physical therapy suite, a diagnostic MRI suite and a small medical office.

In addition to meeting all of the Southern Nevada requirements, all facilities must meet strict State and Federal Health and Medical Board requirements in order to satisfactorily operate this type of facility.

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REVISED

The finished cosmetic appearance will be compatible with the recently constructed building appearances in the area. The exterior will be finished with clean lined modern architecture, similar to that rendered by many of the government and civic centers generally located across the desert southwest and those in the city. This architectural theme is present in numerous buildings located on W Charleston Blvd. which bear similar size and shape to our proposed facility. This proposed project will provide a much needed facelift to the Charleston C-D district.

Our current licensed medical practice is located across the street in the Quail Park office plaza. We have between ten and fifteen employees at this location and more at other various locations throughout the valley. Once fully operational, we will house between twenty and thirty employees at the facility. We will be open during normal business hours in the area: 7:00am – 5:00 pm, Monday thru Saturday. In addition to meeting regional regulation requirements we must also meet the very strict standards set by the Nevada Department of health and Human Services, and regulatory requirements issued by the U.S. Department of Health and Human Services.

The proposed uses of the building are not intended to provide any type of emergency "clinic" type occupancies.

The proposed building setbacks to the adjacent residential uses exceeds the City of Las Vegas minimum adjacency standards.

The two parcels this project encompasses will be re-mapped into a single parcel.

The proposed project will not be using the City of Las Vegas green building standards.

The current parcels are part of the C-D district which limits buildings to one story. In order to provide adequate space for our practice, it will be required to build a second story over the existing west portion of the building. The proposed project will be a maximum of 32 feet high.

The proposed project has limited the amount of glazing (windows) at the rear of the west and east walls of the second level. There are no proposed windows at the south end of the second floor. The intent of this feature is to provide for the privacy of the adjacent residential uses and minimize the impact of the second story on these uses.

A parking analysis of the proposed buildings indicates that 111 parking spaces will be required for this project per the latest Title 19. The current parking lot configuration is only capable of providing 76 spaces. We propose to combine both parking lots creating better traffic flow and increasing the parking to 85 spaces which is 26 short of the required 111 spaces. This will require the removal of the existing CMU wall that currently separates the two parking lots. The proposed facilities will all be Medicare certified which limits a facility to seeing only 4 patients per hour. It is anticipated that these buildings will accommodate a maximum of 5 facilities so this will limit the buildings to seeing a total of 20 patients per hour. Anticipating a maximum of a

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VAR-43728
SDR-43726
REVISED

1-hour overlap there will be a maximum of 40 patients requiring parking. With a maximum of 30 employees there will be a total of 70 anticipated parking spaces required. This will leave the proposed parking lot with an excess of 15 spaces.

The parking analysis indicates the two loading zones are required for this project. It is proposed to provide only one loading zone. This is due to the fact that the nature of the proposed uses do not heavily rely on the delivery of supplies. There will never be the need for more than one loading space on this project.

The proposed project will require a waiver for the rear lot landscape buffer to be at zero when 8'-0" is required by Title 19. Additionally a waiver will be required to eliminate the entire perimeter landscaping buffer.

Sincerely,

Dr. Coppel
Nevada Comprehensive Pain Center

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VAR-43728
SDR-43726
REVISED

City of Las Vegas Agenda Item No.: **31.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: DECEMBER 13, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
SDR-43726 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-43728 - PUBLIC HEARING - APPLICANT/OWNER: SCENIC VISTAS, LLC - For possible action on a request for a Site Development Plan Review TO ADD A 6,036 SQUARE-FOOT SECOND STORY TO AN EXISTING MEDICAL OFFICE BUILDING FOR A TOTAL HEIGHT OF 32 FEET WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS TO ALLOW ZERO FEET ALONG THE EAST, WEST AND SOUTH PROPERTY LINES WHERE EIGHT FEET IS REQUIRED on 1.26 acres at 2905 and 2809 West Charleston Boulevard (APNs 162-05-510-004 and 005), C-D (Designed Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL.

C.C.: 01/18/2012

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-43726** APN: 162-05-510-004 & 005

Name of Property Owner: Scenic Vistas, LLC

Name of Applicant: Scenic Vistas, LLC

Name of Representative: Alain Coppel

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ **Yes** ☒ **No**

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: A Coppel

Print Name: Alain Coppel

Subscribed and sworn before me

This 27th day of October, 2011

Melissa L Hodgdon

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MELISSA L. HODGDON
Appt No 07-1928-1
My Appt Expires July 12 2014

RECEIVED
OCT 27 2011

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Site Development Plan Review

Project Address (Location) 2809 & 2905 West Charleston

Project Name Nevada Comprehensive Pain Center **Proposed Use** Medical Office

Assessor's Parcel #(s) 162-05-510-004 & 005 **Ward #** 1-Tarkanian

General Plan: existing O proposed _____ **Zoning:** existing C-D proposed _____

Commercial Square Footage 19,700 **Floor Area Ratio** 24.95

Gross Acres 1.27 **Lots/Units** 2 **Density** _____

Additional Information Wavier for landscape reduction zero feet buffer where Eight feet is Required

PROPERTY OWNER Scenic Vistas LLC **Contact** Juan Pena

Address 2820 west Charleston **Phone:** 476-9999 **Fax:** 946-1343

City Las Vegas **State** Nevada **Zip** 89102

E-mail Address JuanP@nvcpc.com

APPLICANT Scenic Vistas LLC **Contact** Juan Pena

Address 2820 West Charleston **Phone:** 476-9999 **Fax:** 946-1343

City Las Vegas **State** Nevada **Zip** 89102

E-mail Address JuanP@nvcpc.com

REPRESENTATIVE Cross Construction Company LLC **Contact** Bert Craig & Dustin Belinski

Address 104 Laurel Ave. **Phone:** 596-7743 **Fax:** 940-6162

City Las Vegas **State** Nevada **Zip** 89104

E-mail Address Bert@bhcraig.com

Property Owner Signature* A Coppel

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Alain Coppel

Subscribed and sworn before me

This 27th day of October, 20 11.

Melissa L. Hodgdon

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MELISSA L. HODGDON
Appt No 07-1928-1
My Appt Expires July 12, 2014

RECEIVED
OCT 27 2011

FOR DEPARTMENT USE ONLY

Case #	SDR-43726
Meeting Date:	12-13-11
Total Fee:	1030.00
Date Received:*	10-27-11
Received By:	JFnell

*The application will not be deemed complete until the submitted materials have been reviewed by the Department of Planning for consistency with applicable sections of the Zoning Ordinance.

City of Las Vegas Agenda Item No.: **32.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: DECEMBER 13, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

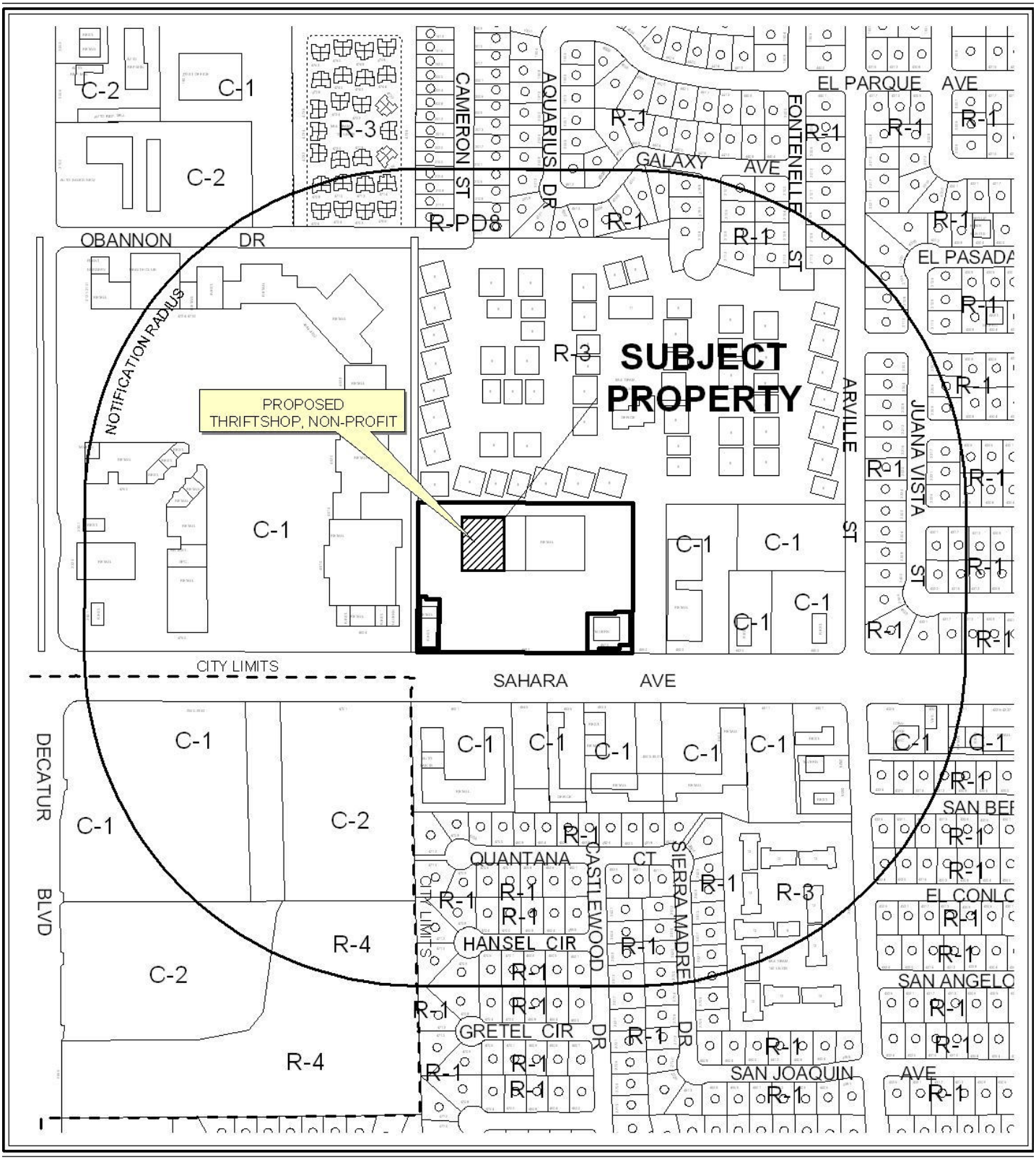
SUBJECT:
SUP-43700 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: SAHARA CROSSING, LP - For possible action on a request for a Special Use Permit FOR A THRIFTSHOP, NON-PROFIT at 4580 West Sahara Avenue, Suite #110 (APN 162-06-411-004), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 01/18/2012
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter



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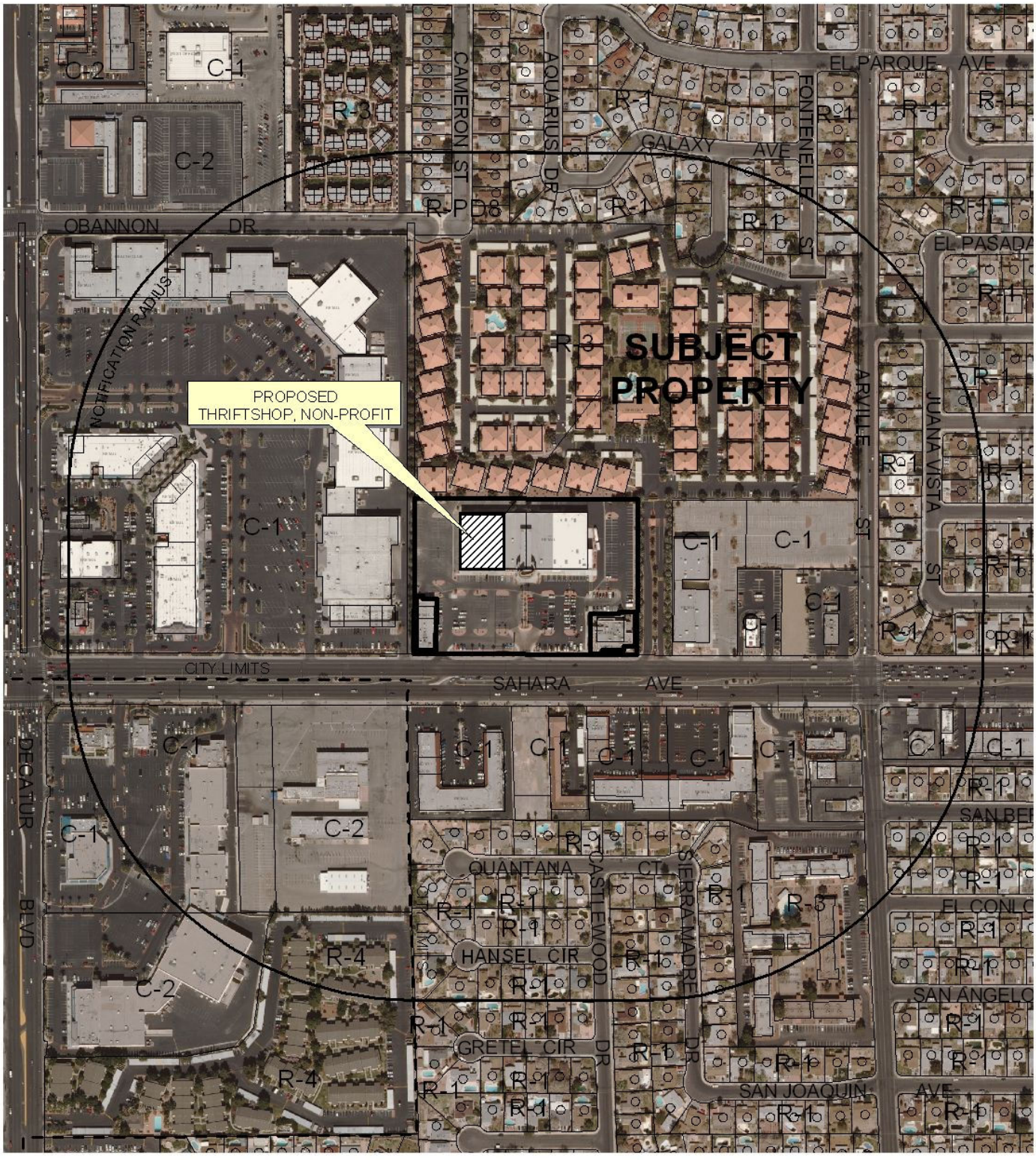
CASE: **SUP-43700**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

N



0 300 600 Feet

CASE: **SUP-43700**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: DECEMBER 13, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: SAHARA CROSSING, LP

**** STAFF RECOMMENDATION(S) ****

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-43700	Staff recommends APPROVAL, subject to conditions:	

**** CONDITIONS ****

SUP-43700 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Thriftshop, Non-profit use.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All deliveries, donations, loading, unloading and services to the premises shall be completed between 8:00 am and 6:00 p.m.

4. The existing block wall along the north property line shall be increased to a minimum height of eight feet and extend a minimum of twenty feet beyond the limits of the loading dock to the west and east. The wall improvements shall be constructed prior to the start of construction of the loading dock.

5. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

6. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for the approval of a Special Use Permit for a Thriftshop, Non-profit at 4580 W. Sahara Avenue Suite #110. The proposed land use will allow the applicant to sell donated used merchandise. The land use is appropriate for the site and can be conducted in a manner that is harmonious and compatible with the surrounding land uses; therefore, staff recommends approval with conditions. If the application is denied, the land use of Thriftshop, Non-profit will not be allowed.

ISSUES

- A Special Use Permit is required for the land use of Thriftshop, Non-profit in the C-1 (Limited Commercial) zoning district.
- The applicant is proposing a loading dock at north side of the building and a drive-through porte cochere along the west side of the building.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
08/05/87	The City Council approved a Rezoning (Z-0057-87) from R-3 (Medium Density Residential) to C-1 (Limited Commercial) for this site as part of a larger overall request.
01/24/08	The Planning Department administratively approved a Site Development Plan Review (SDR-25837) for proposed exterior modifications to an existing shopping center at 4580 West Sahara Avenue. Staff approved this request.

Most Recent Change of Ownership	
10/18/10	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
08/10/07	A building permit (#7002494) was issued for a Tenant Improvement (Walgreens) at 4580 West Sahara Avenue, Suite #110. The permit was finalized 10/15/08
01/30/08	A building permit (#106991) was issued for a Tenant Improvement with on site improvements (Fresh and Easy) at 4580 West Sahara Avenue, Suite #150. The permit was finalized 02/17/09

Pre-Application Meeting	
10/13/11	A pre-application meeting was held and issues concerning the submittal of a Special Use Permit for a Thriftshop, Non-profit were discussed with the applicant.

Neighborhood Meeting
A Neighborhood Meeting is not required for this application nor was one held.

Field Check	
11/03/11	Staff conducted a field check of the subject property. Staff noted the subject site was a well maintained commercial development. The north wall along the property line was at a proximity height of five and a half feet.

Details of Application Request	
Site Area	
Net Acres	6.15

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)
South	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
East	General Retail	SC (Service Commercial)	C-1 (Limited Commercial)
West	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area		X	N/A
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A

Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Sahara Avenue	Primary Arterial	Master Plan of Streets and Highways	130	Y

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	77,930 SF	1:250 SF	312				
TOTAL SPACES REQUIRED			312		364		Y
Regular and Handicap Spaces Required			304	8	349	15	Y
Loading Spaces	77,930 SF	1:10,000 SF	4		4		Y

ANALYSIS

The land use of Thriftshop, Non-profit is defined by Title 19.12 as a shop that is operated by a nonprofit organization and that sells donated used merchandise only. The minimum Special Use Permit Requirements are:

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.

The property is zoned C-1 (Limited Commercial) and is intended to provide retail shopping and personal services. The C-1 (Limited Commercial) District is consistent with the General Plan of SC (Service Commercial). The proposed land use of Thriftshop, Non-profit is permissible in the C-1 (Limited Commercial) District with approval of a Special Use Permit.

The submitted Site Plan depicts a loading dock on the north side of the building and a Porte Cochere drive through on the west side of the building to facilitate drop-off of used goods. Loading docks are required to be screened to a minimum height of eight feet. Conditions have been added requiring the proper screening and limiting deliveries to business hours.

The land use of Thriftshop, Non-profit is appropriate for the site and can be conducted in a manner that is harmonious and compatible with surrounding land uses; therefore, staff recommends approval.

FINDINGS (SUP-43700)

In order to approve a Special Use Permit application, per Title 19.16.110(L) the Planning Commission and City Council must affirm the following:

1. **The proposed land 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.**

   The proposed land use of Thriftshop, Non-profit is located within a shopping center with similar hours and can be operated 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.

2. **The subject site is physically suitable for the type and intensity of land use proposed.**

   No significant changes are proposed to the existing structure or the site with this application that would increase the intensity of the proposed land use.

3. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.**

   Sahara Avenue, designated as a Primary Arterial by the city's Master Plan of Streets and Highways, provides access to the property. These roadway facilities are adequate to serve the land use of Thriftshop, Non-profit.

4. **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.**

   Approval of a Special Use Permit for the land use of Thriftshop, Non-profit at this location will not compromise the public health, safety and welfare or the primary objectives of the General Plan, as the use will be subject to regular to inspections and licensing requirements.

5. **The use meets all of the applicable conditions per Title 19.12.**

The land use of Thriftshop, Non-profit meets all of the applicable conditions of Title 19.12.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 36

NOTICES MAILED 244

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-43700 APN: 162-06-411-004

Name of Property Owner: Sahara Crossing, LP

Name of Applicant: Sahara Crossing, LP

Name of Representative: John Stewart, Manager Sahara Crossing Development Company,LLC (

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ **Yes** ☒ **No**

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: JOHN STEWART

Subscribed and sworn before me

This 18th day of October, 2011

_____ Clark County, Nevada

Notary Public in and for said County and State

HEATHER STRONG
Notary Public State of Nevada
No 06-107806-1
MY APPT. EXP. JULY 26, 2014

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Department of Planning

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit

Project Address (Location) 4580 W. Sahara Avenue

Project Name Goodwill **Proposed Use** Thrift Shop

Assessor's Parcel #(s) 162-06-411-004 **Ward #** 1

General Plan: existing SC proposed SC **Zoning:** existing C-1 proposed C-1

Commercial Square Footage Approx 17,000 sf space **Floor Area Ratio**

Gross Acres **Lots/Units** **Density**

Additional Information

PROPERTY OWNER Sahara Crossing, LP **Contact** John Stewart

Address 8357 W. Flamingo Ave. #200 **Phone:** 368-5800 **Fax:** 368-5801

City Las Vegas **State** Nevada **Zip** 89147

E-mail Address john@julietlasvegas.com

APPLICANT same **Contact**

Address **Phone:** **Fax:**

City **State** **Zip**

E-mail Address

REPRESENTATIVE B2 Development Services, LLC **Contact** Diana Bossard

Address 209 S. Stephanie St. #B128 **Phone:** 451-3510 **Fax:** 451-4988

City Henderson **State** Nevada **Zip** 89012

E-mail Address dbinbc@cox.net

Property Owner Signature* JOHN STEWART

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name

Subscribed and sworn before me

This 18th day of October, 20 11.

Clark County, Nevada

Notary Public in and for said County and State

HEATHER STRONG
Notary Public State of Nevada
No. 06-107806-1
My Appt. Exp. July 26, 2014

FOR DEPARTMENT USE ONLY

Case #	SUP-43700
Meeting Date:	12-13-11
Total Fee:	1030.00
Date Received:*	10-26-11
Received By:	

The application will not be deemed complete until the submitted materials have been reviewed by the Department of Planning for consistency with applicable sections of the Zoning Ordinance.

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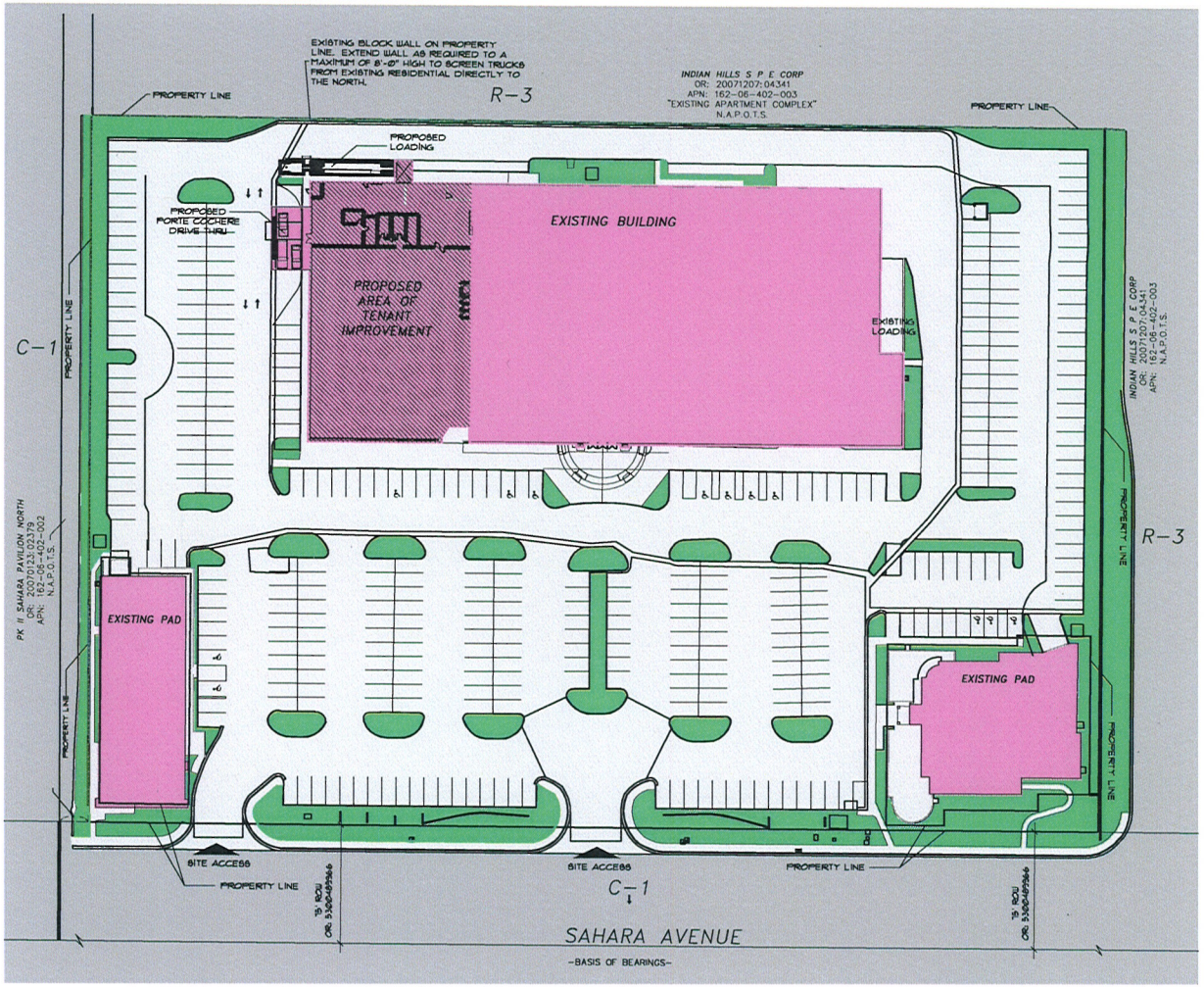
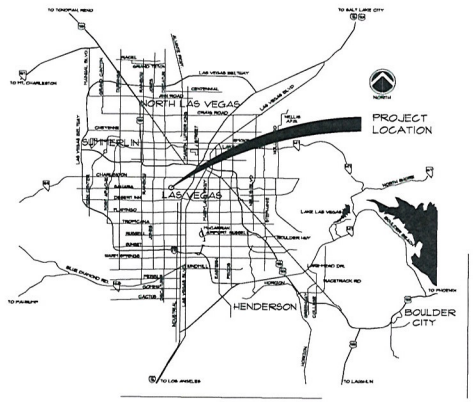


1 SITE PLAN
SCALE: 1" = 75'

NORTH

VICINITY MAP

SITE INFORMATION



SITE NOTES

SITE INFORMATION

PARCEL:	A.P.N. #162-06-411-003 #162-06-411-004 #162-06-411-005
ZONING:	C-1
PARCELS TOTAL AREA:	6.666 ACRES
A.P.N. #162-06-411-003	0.32 ACRES
#162-06-411-004	6.56 ACRES
#162-06-411-005	0.19 ACRES
BUILDINGS TOTAL AREA:	77,930 SF
A.P.N. #162-06-411-003	8,492 SF
#162-06-411-004	8,124 SF
#162-06-411-005	61,314 SF
PROJECT TOTAL AREA:	16,965 SF
PARKING REQUIREMENTS:	1 PER 250 SF
BUILDING TOTAL AREA:	77,930 SF / 250 SF
TOTAL PARKING REQUIRED:	312 SPACES
PARKING PROVIDED:	
COVERED SPACES	0
OPEN SPACES	333
COMPACT SPACES	16
ACCESSIBLE SPACES	15
TOTAL PARKING PROVIDED	364 SPACES

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City of Las Vegas
Department of Planning

DLR Group
Architecture Engineering Planning Interiors

6775 Edmond Street
suite 260
Las Vegas, Nevada 89118

(702) 269-6615
(702) 269-6625 FAX

www.dlrgroup.com

-

Tenant Improvement for:

GOODWILL AT SAHARA CROSSING

Beltway Business Park
5650 West Sahara Ave.
Las Vegas, Nevada

No.	Date	Description

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Project	xx-xxxxx-xx
Drawing Number	
Date	04-21-2011
Drawn by	SS/RS
Checked by	RS

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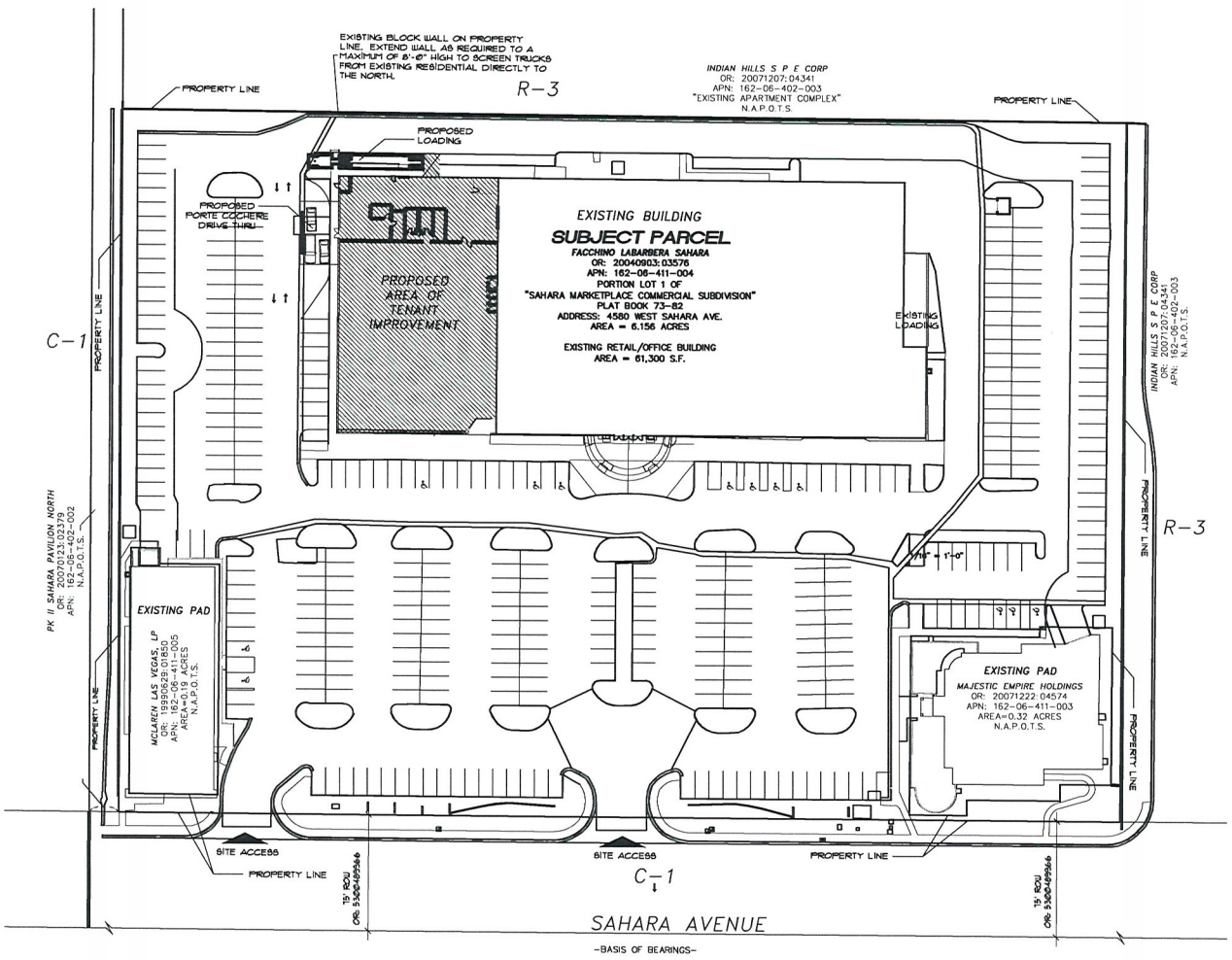


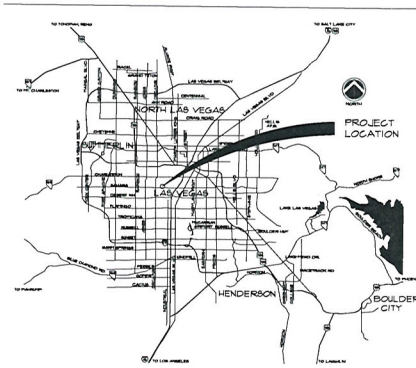
1 SITE PLAN

SCALE: 1" = 75'

NORTH

VICINITY MAP

SITE INFORMATION



SITE NOTES

SITE INFORMATION

PARCEL:	A.P.N. #162-06-411-003 #162-06-411-004 #162-06-411-005
ZONING:	C-1
PARCELS TOTAL AREA:	6.666 ACRES
A.P.N. #162-06-411-003	0.32 ACRES
#162-06-411-004	6.156 ACRES
#162-06-411-005	0.19 ACRES
BUILDINGS TOTAL AREA:	77,930 SF
A.P.N. #162-06-411-003	8,492 SF
#162-06-411-004	8,124 SF
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Tenant Improvement for:

GOODWILL AT SAHARA CROSSING

Beltway Business Park
5650 West Sahara Ave.
Las Vegas, Nevada

No.	Date	Description

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Project	xx-xxxxx-xx
Drawing Number	
Date	09-27-2011
Drawn by	SS/RS
Checked by	RS

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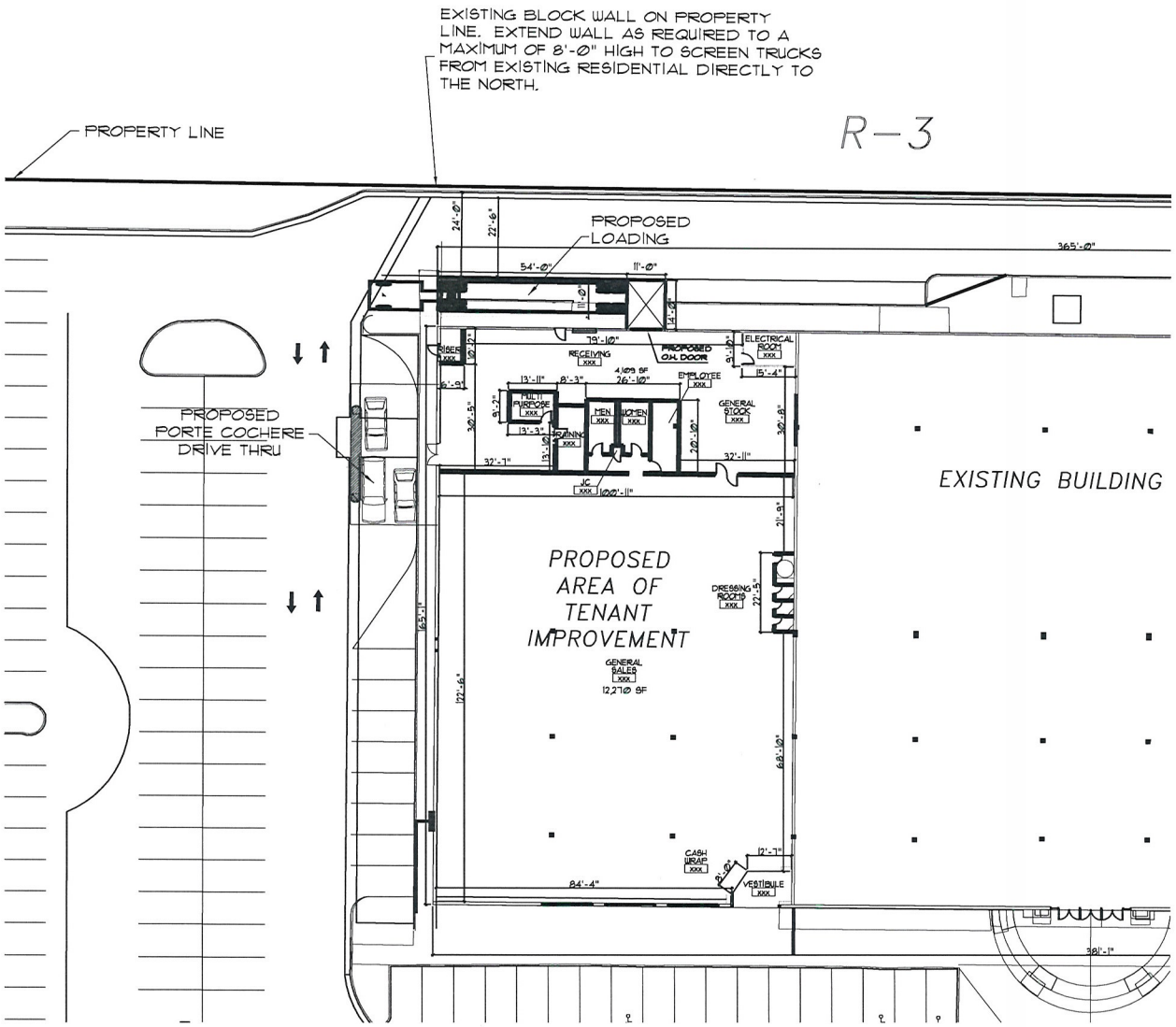

1 FLOOR PLAN
SCALE: 1/32" = 1'-0"

NORTH

NOTES

PROJECT INFORMATION

OCCUPANCY CLASSIFICATION:	M		
AREA OF TENANT IMPROVEMENT:	16,965 SF		
	AREA	ALLOWANCES	OCC LOAD
MERCHANTILE	16,965 SF	30 GROSS	566

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Tenant Improvement for:

GOODWILL AT SAHARA CROSSING

Beltway Business Park
5650 West Sahara Ave.
Las Vegas, Nevada

No.	Date	Description

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Project	xx-xxxxx-xx Drawing Number
Date	04-21-2011
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Checked by	RS

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SUP-43700



SUP-43700 - APPLICANT/OWNER: SAHARA CROSSING, LP
4580 WEST SAHARA AVENUE

11/03/11



SUP-43700 - APPLICANT/OWNER: SAHARA CROSSING, LP
4580 WEST SAHARA AVENUE

11/03/11



SUP-43700 - APPLICANT/OWNER: SAHARA CROSSING, LP
4580 WEST SAHARA AVENUE

11/03/11

SAHARA CROSSING, L.P.

October 24, 2011

City of Las Vegas
Planning Department
333 N. Rancho Drive
Las Vegas, NV 89106

Subject: Goodwill Industries at Sahara Crossing
Special Use Permit

Dear Mr. Howe:

Attached please find a Special Use Permit Application relative to Goodwill Industries proposed retail operation within the existing Sahara Crossing commercial center. We respectfully request your review and approval of this application. Sahara Crossing is a commercial center generally located west of Arville Street on the north side of Sahara Avenue, previously known as Sahara Marketplace prior to being acquired by Sahara Crossing, LP. The Assessor's Parcel Number is 162-06-411-004, containing approximately 6.15 acres, and has a zoning designation of C-1. With approval of a Special Use Permit, Goodwill Industries will replace the Walgreen's Drug Store that previously occupied the approximate 17,032 square-foot retail space within the Sahara Crossing commercial center.

Goodwill Industries of Southern Nevada, Inc., a non-profit organization, is well known throughout Clark County for providing education, employment and training for those people who have disabilities. There are currently eight locations within Clark County. This location will offer for sale new and gently used merchandise. The store will be open from 8:00 AM until 10:00 PM Monday through Sunday. It will employ approximately 34 individuals at any given time and enable job placement and job training services for many more. All deliveries, loading, unloading and services to the Premises shall be completed between 8:00 am and 6:00 pm each day. All deliveries, loading, unloading and services to the Premises shall be accomplished within the service areas of the Project.

Since Goodwill Industries of Southern Nevada, Inc. is incorporated within the State of Nevada as a non-profit entity, it is not required to have a Nevada State Business License.

Please place this item on the December 13, 2011 Planning Commission Agenda and do not hesitate to contact our office or Diana Bossard, if any questions arise during the review of the application documents. Thank you for your assistance with this project. You may reach Diana Bossard on her cell phone at 604-5965 or email dbinbc@cox.net.

Very truly yours,

John Stewart

Cc: D. Bossard, B2
R. Starks, DLR

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City of Las Vegas
Department of Planning

8375 W. Flamingo Road, Suite 200 Las Vegas, NV 89147 Tel.: 702.368.5800 / Fax: 702.368.5801

SUP-43700

City of Las Vegas Agenda Item No.: **33.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: DECEMBER 13, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

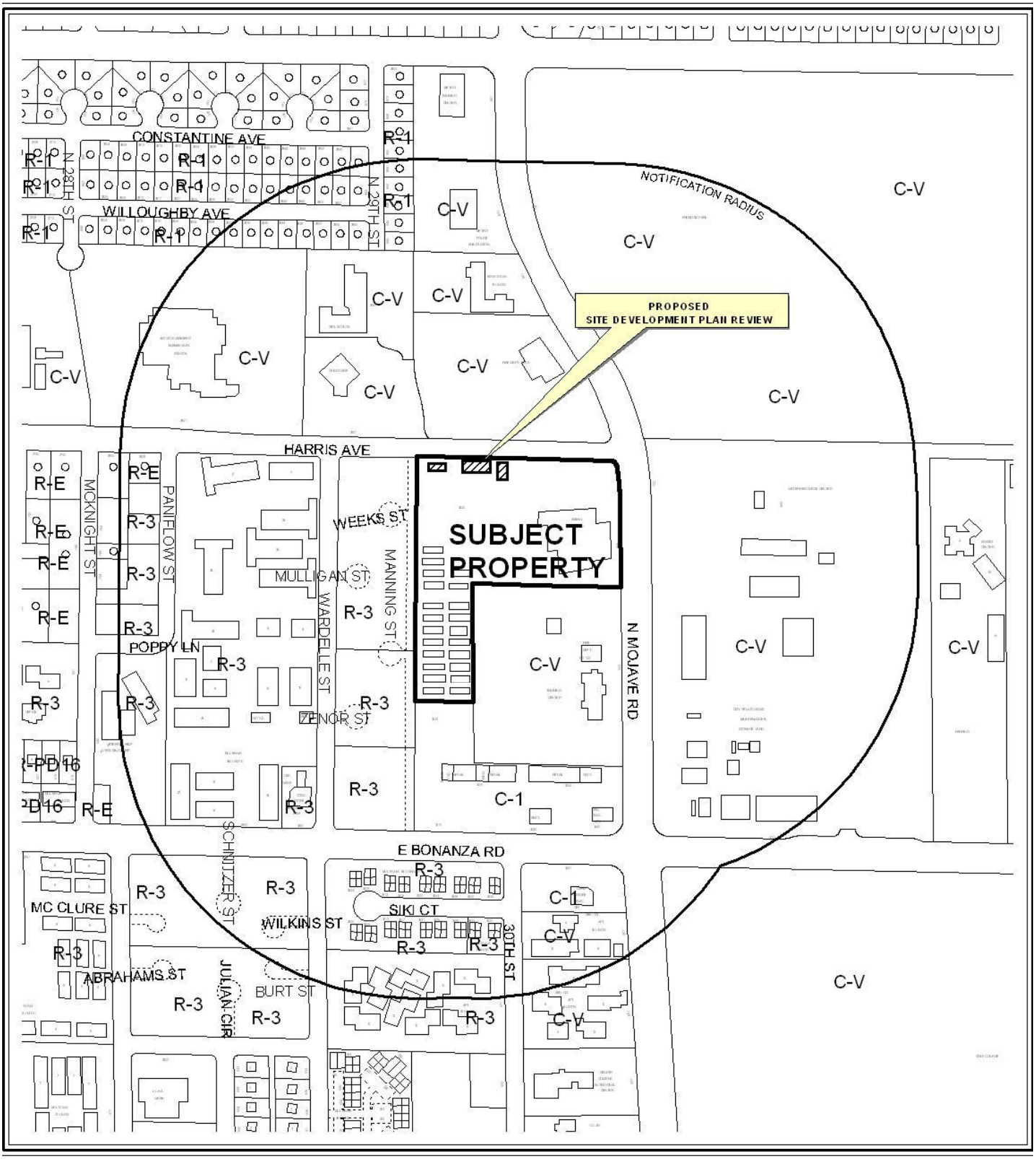
SUBJECT:
SDR-43702 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: THE ANIMAL FOUNDATION - OWNER: CITY OF LAS VEGAS - For possible action on a request for a Site Development Plan Review FOR THREE EXISTING MODULAR BUILDINGS TOTALING 7,660 SQUARE FEET AT AN EXISTING ANIMAL HOSPITAL, CLINIC, OR SHELTER (WITH OUTSIDE PENS) on 8.39 acres at 655 North Mojave Road (APN 139-25-405-008), C-V (Civic) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 01/18/2012
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter



0 400 800 Feet

CASE: **SDR-43702**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

N



0 400 800 Feet

CASE: **SDR-43702**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: DECEMBER 13, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: THE ANIMAL FOUNDATION - OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SDR-43702	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SDR-43702 CONDITIONS

Planning

1. Conformance to the Conditions of Approval for Site Development Plan Review (SDR-3275) shall be required.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 10/26/11, except as amended by conditions herein.

4. Landscape materials within the perimeter landscape buffer adjacent to the structures shall be installed in conformance with the previously approved landscape plan within 90 days of final approval.

5. Application shall be made within 30 days of final approval for building permits for the three temporary structures that are the subject of this Site Development Plan Review. This Site Development Plan Review, if approved, shall be void if permit applications and/or issued permits are voided or allowed to expire, and a new Site Development Plan Review would be required. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

6. The three temporary structures shall be removed no later than two years from the date of final approval, unless an Extension of Time is approved by the City of Las Vegas.

7. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

8. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device. The technical landscape plan shall indicate four (4) five-gallon shrubs per tree in the north landscape buffer.

9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

10. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

11. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the use of the existing facilities.

12. A Drainage Study update or other information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to issuance of any building or grading permits. Provide and improve all drainageways recommended in the approved drainage study update.

Staff Report Page One
December 13, 2011 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

Three existing temporary structures located along Harris Avenue west of Mojave Road currently house facilities related to an existing Animal Shelter with Outside Pens. These include a 2,100 square-foot administrative building, 4,160 square-foot cat adoption tent, and a 1,400 square-foot veterinary classroom building. The structures had been entitled through a previous action (most recently SDR-31744); however, building permits were either not secured or a final inspection not completed and the permits and entitlement expired. The request is to review the existing structures as permanent structures so as to obtain building permits until such time as buildings with foundations can be constructed for these services. Landscaping along Harris Avenue is existing, but does not conform to Title 19 requirements. As the existing structures have been shown to be compatible with adjacent properties and a new plan for permanent facilities is proposed, staff recommends approval with conditions. If this request is denied, no permits may be obtained for the existing structures, and they must then be removed from the premises.

ISSUES

- The subject modular structures were installed on the site without completing the entitlement or permitting process.
- A Site Development Plan Review (SDR-43704) is proposed to be heard by the Planning Commission to replace the existing structures with a future permanent facility that will provide the same services. Staff recommends approval of SDR-43704.
- Perimeter landscaping adjacent to the structures does not conform to the approved landscape plan for this site. A condition of approval will require conformance with the approved landscape plan for the site within 90 days of final approval.
- Application shall be made for building permits for the existing structures within 30 days of final approval. This Site Development Plan Review, if approved, shall be void if permit applications and/or issued permits are voided or allowed to expire, and a new Site Development Plan Review would be required.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
09/23/97	The City of Las Vegas Planning & Development staff administratively approved a Site Development Plan Review (SD-0015-97) for a 34,000 square-foot Animal Shelter on 2.02 acres adjacent to the southwest corner of Mojave Road and Harris Avenue.

01/07/04	The City Council approved a Site Development Plan Review (SDR-3275) for a proposed Animal Shelter and Veterinary Complex on 9.5 acres adjacent to the southwest corner of Harris Avenue and Mojave Road. The Planning Commission and staff recommended approval of this request.
08/17/05	The City Council approved a Site Development Plan Review (SDR-6883) for Temporary Structures for an Animal Shelter on 8.39 acres adjacent to the southwest corner of Mojave Road and Harris Avenue. The Planning Commission and staff recommended approval of this request.
11/01/06	The City Council approved a One-Year Required Review (RQR-14476) of an approved Site Development Plan Review (SDR-6883) which allowed Temporary Structures for an Animal Shelter on 8.39 acres at the southwest corner of Mojave Road and Harris Avenue. The Planning Commission and staff recommended denial of this request.
12/20/06	The City Council approved a Review of Condition (ROC-17677) for Condition Number 1 of an approved Site Development Plan Review (SDR-6883) to allow a temporary tent located on the corner of Harris Street and Manning Street to be allowed to remain for two additional years on 8.39 acres at the southwest corner of Mojave Road and Harris Avenue. Staff recommended approval of this request.
05/16/07	The City Council struck a request for a Site Development Plan Review (SDR-20124) for an existing 1,900 square-foot Veterinary School, a 4,116 square-foot Animal Shelter, a 1,900 square-foot Office and a proposed Barn and Restroom Facility on 8.39 acres adjacent to the southwest corner of Harris Avenue and Mojave Road. The Planning Commission and staff recommended approval of this request.
01/21/09	The City Council approved a Site Development Plan Review (SDR-31744) for an existing 1,400 square-foot veterinary school, an existing 1,900 square-foot office, an existing 4,116 square-foot cat adoption facility and a proposed 2,800 square-foot spay/neuter clinic on 8.39 acres at the southwest corner of Mojave Road and Harris Avenue. The Planning Commission and staff recommended approval. The approval expired 01/21/11.
08/17/09	A Code Enforcement case (80879) was processed for construction near the dog adoption kennels without permits. The case was resolved 08/19/09.
12/13/11	The Planning Commission will consider a request for a Special Use Permit (SUP-43703) for a Cemetery/Mausoleum for animals on the subject site.
	The Planning Commission will consider a request for a Site Development Plan Review (SDR-43704) for two proposed buildings with a total floor area of 28,495 square feet and an accessory barn on the subject site.

Most Recent Change of Ownership	
N/A	There has been no change in ownership on the subject property.

Related Building Permits/Business Licenses	
02/11/98	A business license (G99-00005) was issued for an Animal Shelter at 655 North Mojave Road. The license is still active.
06/30/00	A building permit (#00012474) was issued for a new building at 655 North Mojave Road. The permit received final approval on 12/20/00.
06/30/00	A building permit (#00012475) was issued for onsite improvements at 655 North Mojave Road. The permit received final approval 01/12/01.
10/23/00	A building permit (#00019517) was issued for a trash enclosure and walls at 655 North Mojave Road. The permit received final approval 11/01/00.
01/16/01	A building permit (#01000727) was issued for a sign at 655 North Mojave Road. The permit received final approval on 02/27/01.
08/20/04	A building permit (#04019189) was issued for a utility closet at 3000 Harris Avenue. The permit received final approval 06/21/05.
08/20/04	A building permit (#04019175) was issued for onsite/hardscape improvements at 3000 Harris Avenue. The permit has not yet received final approval.
08/20/04	Building permits were issued for a new Kennel Building 1 (#04019178) and Kennel Building 2 (#04019179) at 3000 Harris Avenue. The permits received final approval on 09/23/05 and 09/16/05.
08/20/04	Building permits were issued for Kennel Buildings 3 through 11 (#04019180 through #04019188) at 3000 Harris Avenue. The permits received final approval on 09/09/05.
03/17/05	Building permits were issued for onsite/hardscape improvements (#05001671) and for a building addition (#05001670) for an Animal Shelter at 655 North Mojave Road. The permits received final approval on 03/21/06.
03/17/05	A building permit (#05001669) was issued for a barn animal shelter at 3000 Harris Avenue. The permit expired and was placed on hold on 09/17/05.
04/13/05	A building permit (#05002193) was issued for onsite improvements for a wetlands project at 3000 Harris Avenue. The permit did not have a final inspection.
05/26/05	A building permit (41873) was issued for a wall/fence at 655 North Mojave Road. The permit did not have a final inspection and expired 12/29/05.
12/13/05	A building permit (#05008740) was issued for a temporary classroom trailer building at 655 North Mojave Road. The permit did not have a final inspection.

Pre-Application Meeting	
10/20/11	Staff met with the applicant and discussed the proposed project. It was determined that a Site Development Plan Review (SDR) application would be required for the existing modular structures.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
11/08/11	During a field inspection, staff noted three temporary structures in good condition located along Harris Avenue near the rear of the property, behind a chain link fence. Parking is provided to the rear of the structures. A portion of the area of the site south of the structures is undeveloped. Landscaping along Harris Avenue is sparse, but provides some screening of the temporary structures.

Details of Application Request	
Site Area	
Net Acres	8.39

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Animal Shelter	PF (Public Facilities)	C-V (Civic)
North	Government Facility (Fire Station)	PF (Public Facilities)	C-V (Civic)
South	Government Facility	PF (Public Facilities)	C-V (Civic)
	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
East	Government Facility (Maintenance and Storage Yard)	PF (Public Facilities)	C-V (Civic)
West	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)

Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to the submitted site plan, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	N/A	8.39 acres	N/A
Min. Lot Width	N/A	602 Feet	N/A
Min. Setbacks • Corner	11 Feet	11 Feet	Y
Max. Lot Coverage	N/A	23 %	N/A
Max. Building Height	N/A	20 Feet	N/A

Pursuant to the approved landscape plan, the following standards apply:

Landscaping and Open Space Standards				
Standards	*Required*		*Provided*	*Compliance*
	Ratio	*Trees*		
Buffer Trees: • North	1 Tree / 20 Linear Feet	17 Trees	13 Trees	N
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width • North	8 Feet		8 Feet	Y

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Actual Street Width (Feet)*	*Compliance with Street Section*
Mojave Road	Primary Arterial	Master Plan of Streets and Highways	100	Y
Harris Avenue	N/A	N/A	60	N/A
Manning Street	N/A	N/A	30	N/A

Pursuant to Title 19.10 and 19.12, the following parking standards apply:

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Animal Hospital, Clinic, or Shelter (with Outside Pens)	80 on-duty employees, 3 doctors and 4 exam rooms	One space for every 2 on-duty employees, plus 1 space per doctor and 1 space per exam room	47				
TOTAL SPACES REQUIRED			47		118		Y
Regular and Handicap Spaces Required			45	2	113	5	Y

ANALYSIS

The site is located within a C-V (Civic) District. Development standards are established by an approved Rezoning or Site Development Plan Review. The request is to approve the temporary buildings already in place as permanent structures, and no new standards are proposed through this review. Landscape standards were approved through Site Development Plan Review (SDR-3275). Provision of parking is subject to Title 19.08 Commercial Development Standards.

Approval of this Site Development Plan Review would allow permits and final inspections for the existing structures to be obtained so that services currently operating in the buildings could continue until more permanent facilities are constructed on the site. A Site Development Plan Review (SDR-43704) has been submitted for development of these new future facilities.

Title 19 requirements are satisfied for the temporary structures. They have been kept in good condition and are compatible with the surrounding properties. The landscape buffer along the north property line currently is deficient in landscape materials as compared to the submitted plan; however, the applicant is to provide the necessary landscaping as a condition of approval. Staff therefore recommends approval, with conditions.

FINDINGS (SDR-43702)

In order to approve a Site Development Plan application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

   The existing modular structures and animal shelter are located within a C-V (Civic) District adjacent to other city services to the north and east of the subject property. There is an existing multi-family housing development to the west of the site, which is buffered by existing mature landscaping. The development has minimal impact on the surrounding 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;**

   The proposal is consistent with the General Plan designation for public uses in this area. The development is consistent with Title 19 insofar as the standards established by the site plan are consistent with neighboring properties and meet the intent of Title 19 and General Plan.

3. **Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

   The site is served by Harris Avenue, a 60-foot right-of-way and Mojave Road, a 100-foot wide Primary Arterial. Together they provide adequate access to the site that does not adversely impact traffic in the vicinity.

4. **Building and landscape materials are appropriate for the area and for the City;**

   The building materials used are typical of modular buildings. The landscape types within the existing buffer are adequate, but an insufficient number of trees and shrubs have been provided to match approved plans. As the buildings being considered by this review have been on the site for several years without adverse impact to the surrounding neighborhood, staff can support the materials proposed.

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;**

   The photographs supplied by the applicant of the three existing buildings are not unsightly or obnoxious in appearance. While they do not offer the appearance of a permanent building, the existing and proposed structures are screened by the existing mature landscape buffer and are compatible with the surrounding area.

6. **Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

   The development will be subject to Building Code requirements, and therefore the development will not compromise the public health, safety or welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 42

NOTICES MAILED 97

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-43702 APN: 139-25-405-008

Name of Property Owner: The City of Las Vegas

Name of Applicant: The Animal Foundation

Name of Representative: Jennifer Lazovich - Kaempfer Crowell

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes ___X__ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Robin Yoakum

Print Name: Robin Yoakum

Subscribed and sworn before me – Robin Yoakum –

This 24th day of October, 2011

Christina Strong

Notary Public in and for said County and State

CHRISTINA STRONG
Notary Public-State of Nevada
APPT. NO. 07-1185-1
My App. Expires January 04, 2015

Revised 11-14-06

f:\depot\Application Packet\Statement of Financial Interest.doc

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PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Site Plan Review for additional structures

Project Address (Location) 655 N. Mojave Road

Project Name The Animal Foundation **Proposed Use** Animal Shelter

Assessor's Parcel #(s) 139-25-405-008 **Ward #**

General Plan: existing PF proposed n/a **Zoning:** existing C-V proposed n/a

Commercial Square Footage **Floor Area Ratio**

Gross Acres 8± **Lots/Units** 1 **Density**

Additional Information

PROPERTY OWNER The City of Las Vegas **Contact** Robin Yoakum

Address 400 E. Stewart Ave. **Phone:** 229-1022 **Fax:** 464-2522

City Las Vegas **State** NV **Zip** 89101

E-mail Address ryoakum@lasvegasnevada.gov

APPLICANT The Animal Foundation **Contact** Christine Robinson

Address 655 N. Mojave Road **Phone:** 384-3333 **Fax:** 384-4563

City Las Vegas **State** NV **Zip** 89101

E-mail Address crobinson@animalfoundation.com

REPRESENTATIVE Kaempfer Crowell **Contact** Jennifer Lazovich

Address 8345 West Sunset Road, Suite 250 **Phone:** 792-7000 **Fax:** 796-7181

City Las Vegas **State** NV **Zip** 89113

E-mail Address jjl@kcnvlaw.com

Property Owner Signature* Robin Yoakum

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Robin Yoakum

Subscribed and sworn before me Robin Yoakum

This 24th day of October, 20 11.

Christina Strong

Notary Public in and for said County and State

CHRISTINA STRONG
Notary Public-State of Nevada
APPT. NO. 07-1185-1
My App. Expires January 04, 2015

Revised 10/27/08

1052237.1

FOR DEPARTMENT USE ONLY

Case #	SDR-43782
Meeting Date:	12/13/2011
Total Fee:	1030.00
Date Received:*	10/26/2011
Received By:	MREY

*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

f:\depot\Application Packet\Application Form.pdf

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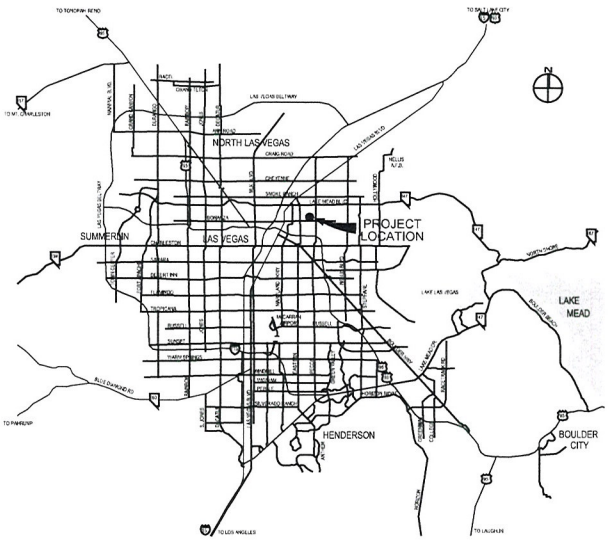
VICINITY MAP



SITE AREA	365,532 SF 8.4 ACRES
TOTAL BUILDING AREA	85,580 SF
F.A.R.	23.4%

PARKING ANALYSIS

ANIMAL SHELTER	
80 - ON DUTY EMPLOYEES (1 SPACE/2 EMPLOYEES)	40 SPACES
3 - ON DUTY DOCTORS (1 SPACE EA.)	3 SPACES
4 - EXAM ROOMS (1 SPACE EA.)	4 SPACES
PIMA CLASSROOM	
70 - STUDENTS (1 SPACE/2 STUDENTS)	35 SPACES
1 - STAFF (1 SPACE/STAFF)	1 SPACE
TOTAL REQUIRED	83 SPACES
TOTAL PROVIDED	118 SPACES
HANDICAP ACCESSIBLE PARKING	
REQUIRED	5 SPACES
PROVIDED	5 SPACES



8965 s. eastern
suite 100
las vegas, nv 89123
p 702.456.1070
f 702.456.7020

DRAWING APPROVED: _____
DATE: _____

ethos three
ARCHITECTURE

SITE PLAN - EXIST.

THE ANIMAL FOUNDATION
645 N. MOJAVE RD.

SITE PLAN - EXISTING

SCALE : 1"=50'-0"

0 25 50 100

10-27-11

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PLANTING LEGEND

TREES

SYMBOL	BOTANICAL NAME / COMMON NAME	QTY.	CALIPER MINIMUM SIZE
	EXISTING TREE PROTECT IN PLACE		

SHRUBS

SYMBOL	BOTANICAL NAME / COMMON NAME	QTY.	MINIMUM SIZE
	EXISTING SHRUBS PROTECT IN PLACE		

LANDSCAPE ELEMENTS

SYMBOL	DESCRIPTION	QTY.	DETAIL
DG	DECOMPOSED GRANITE, COLOR GOLD, 2" MINIMUM DEPTH. SEE NOTE #1	26,326 S.F.	

PLANTING NOTES

1. DECOMPOSED GRANITE (DG) - INSTALL THE MINIMUM LAYER OF DECOMPOSED GRANITE/ROCK ALL LANDSCAPE AREAS WITHIN LANDSCAPE LIMIT OF WORK EXCEPT WHERE NOTED OTHERWISE. CONTRACTOR TO PROVIDE SAMPLES OF DECOMPOSED GRANITE/ROCK FOR APPROVAL BEFORE PLACING GRANITE. COMPACT SUB-GRADE TO 85% AND APPLY A PRE-EMERGENT HERBICIDE TO SOIL. AFTER PLACING GRANITE - RAKE SMOOTH, WET TO ENTIRE DEPTH, ALLOW TO DRY, THEN LIGHTLY SCARIFY SURFACE WITH A LEAF RAKE. APPLY A SECONDARY APPLICATION OF PRE-EMERGENT HERBICIDE TO TOP OF GRANITE. KEEP TOP OF GRANITE 2" BELOW TREE GRATE. DO NOT ALLOW GRANITE TO TOUCH THE TRUNK OF ANY TREE. INSTALL AFTER INSTALLATION OF PLANT MATERIAL.
2. ALL MULTI TRUNK TREES ARE TO HAVE 3 TO 4 TRUNKS.
3. ANY TREE PLANTED WITHIN 5 FEET OF A SIDEWALK OR WALL SHALL BE PLANTED WITH A ROOT GUARD DESIGNED TO DIRECT ROOT GROWTH DOWNWARD. SEE DETAIL 'E', SHEET L3.05.
4. CONTRACTOR TO PRESERVE AND PROTECT EXISTING TREES IDENTIFIED ON PLAN BY AN EXISTING TREE SYMBOL. CONTRACTOR TO PRESERVE AND PROTECT LANDSCAPE OUTSIDE LIMIT OF LANDSCAPE WORK.
5. PRIOR TO BEGINNING WORK, CONTRACTOR TO INVENTORY EXISTING PLANTS AND MARK THOSE TO REMAIN FOR APPROVAL BY OWNER. CONTRACTOR TO VERIFY THAT EXISTING TREES TO REMAIN WILL NOT BE DAMAGED BY DEMOLITION OR CONSTRUCTION. IF EXISTING TREES AND/OR LANDSCAPE TO REMAIN IS DAMAGED DURING DEMOLITION OR CONSTRUCTION, TREES/SHRUB/SOD TO BE REPLACED AT CONTRACTORS EXPENSE WITH PLANT(S) OF SAME GENUS, SPECIES, VARIETY, FORM AND SIZE.
6. CONTRACTOR TO PROTECT IN PLACE EXISTING UTILITIES. CONTRACTOR TO VERIFY ALL UTILITY LOCATIONS PRIOR TO CONSTRUCTION. CONTRACTOR TO USE CAUTION. CALL BEFORE YOU DIG AND CALL BEFORE YOU OVER HEAD.

SITE NOTES: EXISTING

TOTAL LANDSCAPE AREA	26,326 S.F.
TOTAL OPEN SPACE AREA	97,665 S.F.
TOTAL AREA	145,877 S.F.

southwick
LANDSCAPE ARCHITECTS
702.597.3108
12 Commerce Center Drive
Henderson, NV 89014
www.southwickla.com

CLIENT:

CONSULTANT:

STAMP:

THE ANIMAL FOUNDATION

645 N. MOJAVE ROAD
LAS VEGAS, NEVADA

REVISIONS:

SHEET CONTENTS:

EXISTING CONDITIONS

DRAWN BY:	SLA
REVIEWED BY:	JDV
DATE:	OCTOBER, 2011
PROJECT #:	11-006

SHEET #: **L1.01**

0 40' 80' 120'
SCALE: 1" = 40'

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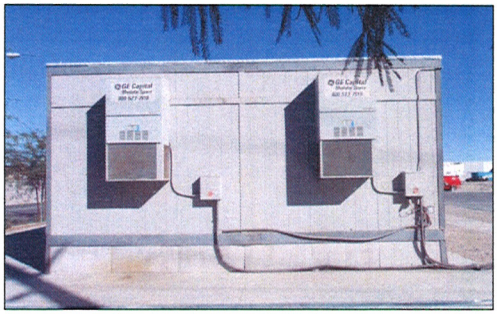
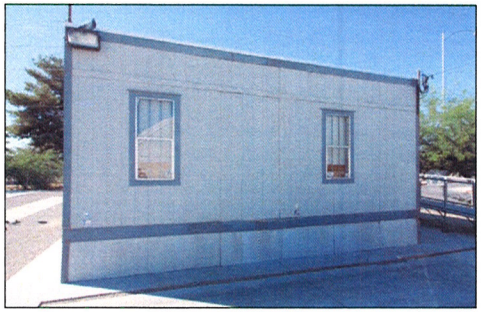
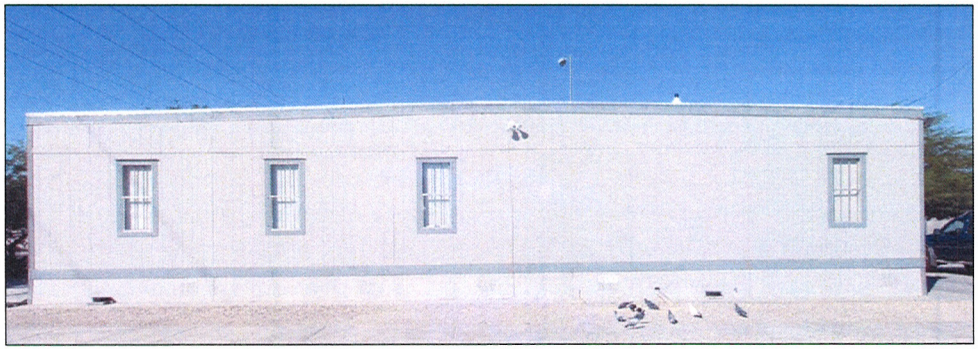
NORTH ELEVATION



WEST ELEVATION



EAST ELEVATION



SOUTH ELEVATION

ELEVATIONS - EXISTING PIMA

SCALE : NO SCALE

8965 s. eastern
suite 100
las vegas, nv 89123
p 702.456.1070
f 702.456.7020

DRAWING APPROVED:
DATE:

ethos three
ARCHITECTURE

ELEVATIONS - PIMA

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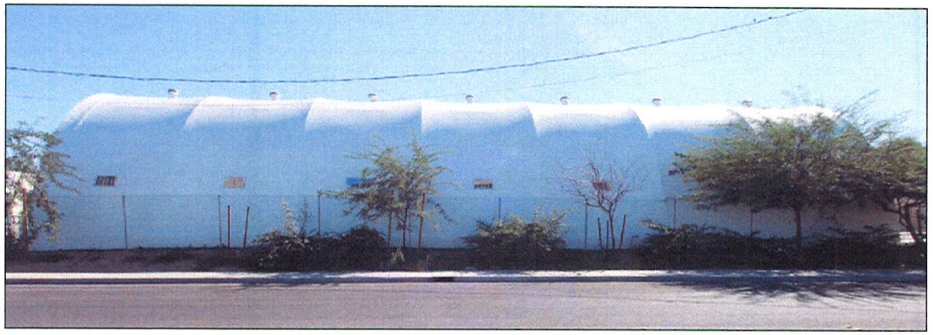
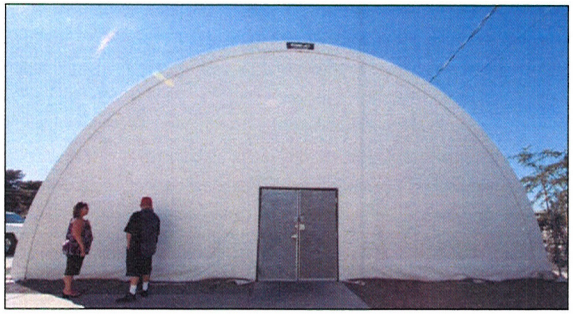


NORTH ELEVATION



WEST ELEVATION



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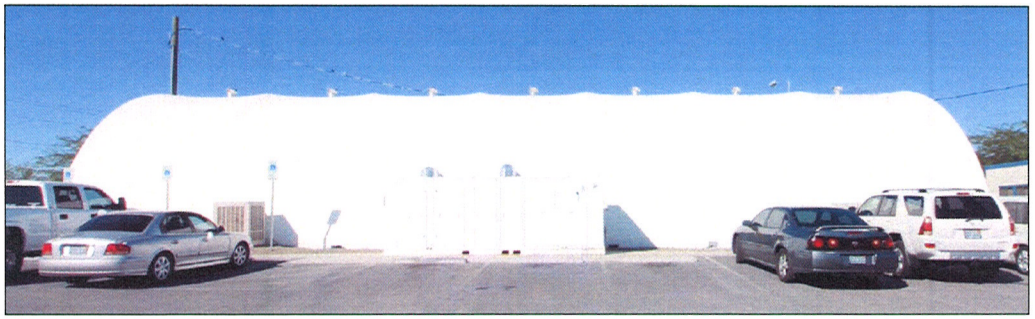

SOUTH ELEVATION

ELEVATIONS - EXISTING ADOPT. TENT

SCALE : NO SCALE

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ELEVATIONS - ADOPT.

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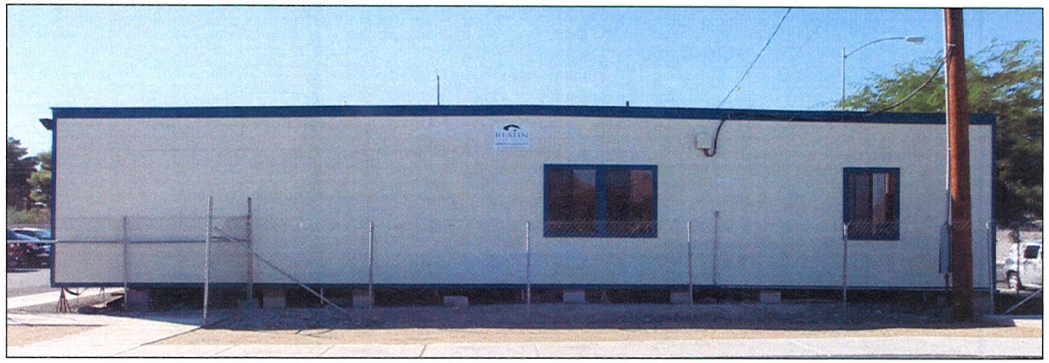

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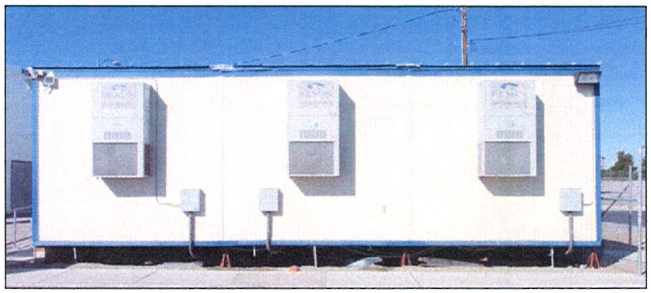

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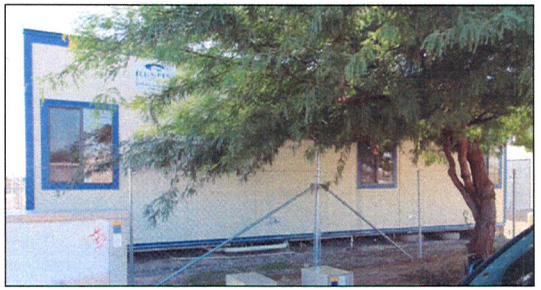

NORTH ELEVATION



WEST ELEVATION

ELEVATIONS - EXISTING ADMIN. BLDG.

SCALE : NO SCALE

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ELEVATIONS - ADMIN.

THE ANIMAL FOUNDATION
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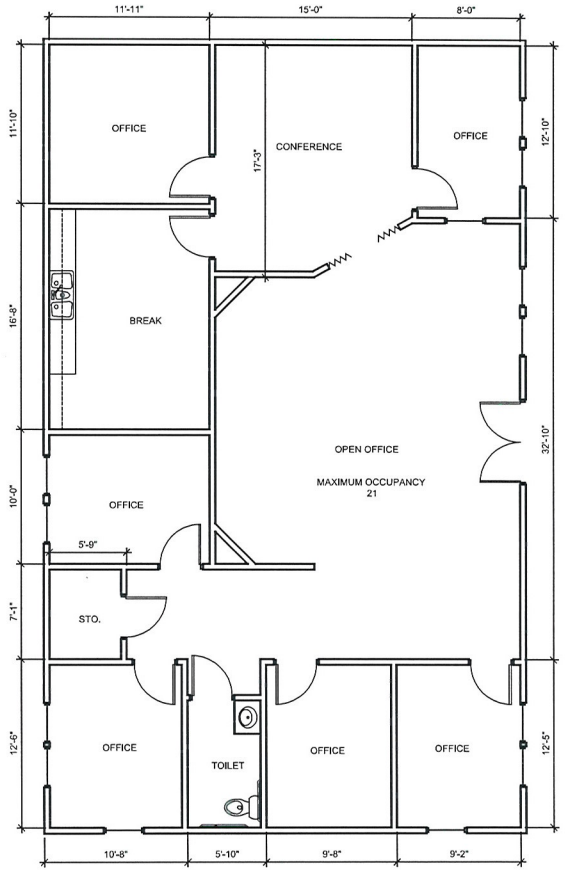

FLOOR PLAN - EXISTING ADMIN. BLDG.

SCALE : 1/4"=1'-0"

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suite 100
las vegas, nv 89123
p 702.456.1070
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FLOOR PLAN - ADMIN

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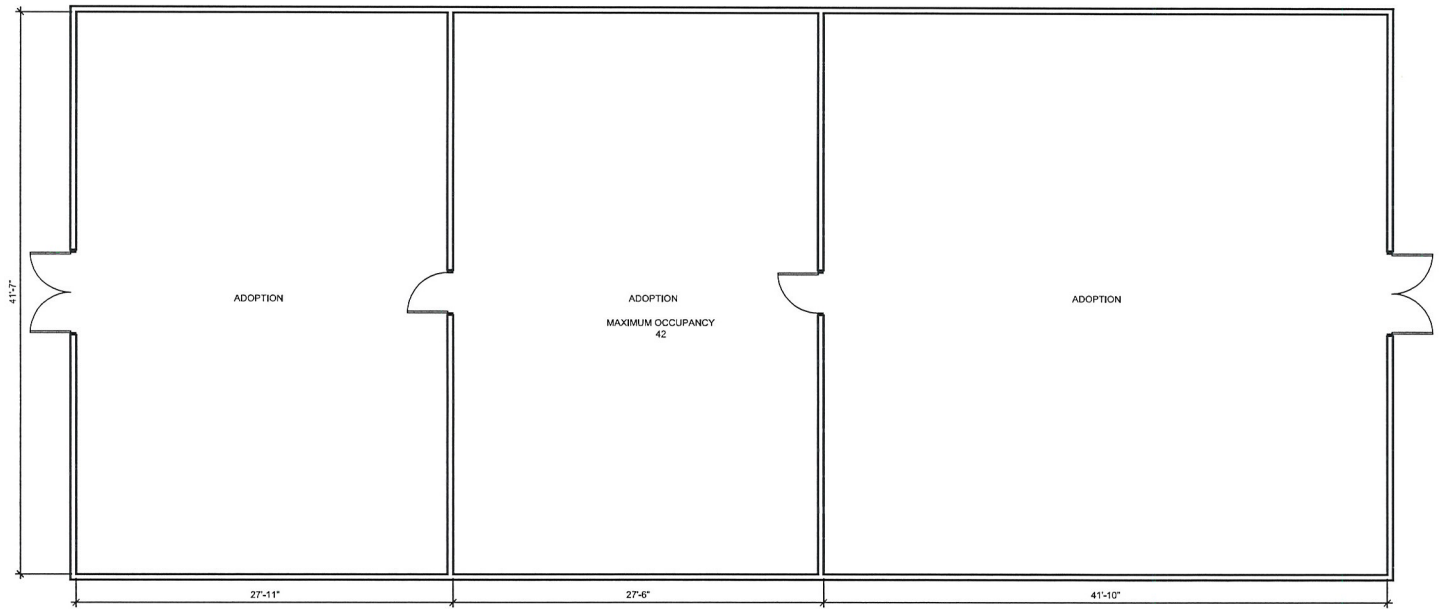

FLOOR PLAN - EXISTING ADOPT. BLDG.

SCALE : 1/4"=1'-0"

8965 s. eastern
suite 100
las vegas, nv 89123
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FLOOR PLAN - ADOPT

THE ANIMAL FOUNDATION
645 N. MOJAVE RD.

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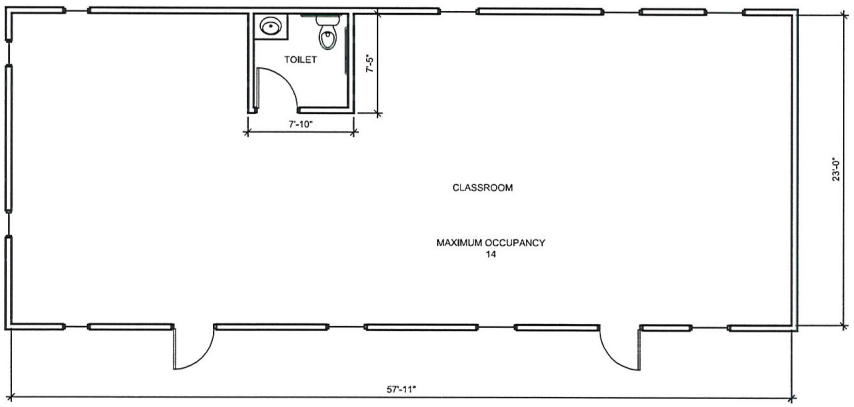

DRAWING APPROVED:
DATE:

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ARCHITECTURE

FLOOR PLAN - PIMA

THE ANIMAL FOUNDATION
645 N. MOJAVE RD.

FLOOR PLAN - EXISTING PIMA

SCALE : 1/4"=1'-0"

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10-27-11

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SDR-43702



SDR-43702 - APPLICANT: THE ANIMAL FOUNDATION - OWNER: CITY OF LAS VEGAS
655 NORTH MOJAVE ROAD

11/08/11



SDR-43702 - APPLICANT: THE ANIMAL FOUNDATION - OWNER: CITY OF LAS VEGAS
655 NORTH MOJAVE ROAD

11/08/11



SDR-43702 - APPLICANT: THE ANIMAL FOUNDATION - OWNER: CITY OF LAS VEGAS
655 NORTH MOJAVE ROAD

11/08/11



SDR-43702 - APPLICANT: THE ANIMAL FOUNDATION - OWNER: CITY OF LAS VEGAS
655 NORTH MOJAVE ROAD

11/08/11



SDR-43702 - APPLICANT: THE ANIMAL FOUNDATION - OWNER: CITY OF LAS VEGAS
655 NORTH MOJAVE ROAD

11/08/11



SDR-43702 - APPLICANT: THE ANIMAL FOUNDATION - OWNER: CITY OF LAS VEGAS
655 NORTH MOJAVE ROAD

11/08/11

KAEMPFER CROWELL

KAEMPFER CROWELL RENSHAW GRONAUER & FIORENTINO

ATTORNEYS AT LAW

LAS VEGAS OFFICE

JENNIFER LAZOVICH
jlazovich@kcnvlaw.com
702.792.7050

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8345 West Sunset Road
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Las Vegas, NV 89113
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
50 West Liberty Street
Suite 900
Reno, NV 89501
Tel: 775.852.3900
Fax: 775.327.2011

CARSON CITY OFFICE
510 W. Fourth Street
Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

October 26, 2011

VIA HAND DELIVERY

CITY OF LAS VEGAS
PLANNING & ZONING
333 N. Rancho Drive, 3rd Floor
Las Vegas, NV 89106

Re: Justification Letter – Site Development Plan Review-Existing Animal Foundation
APN: 139-25-405-008

To Whom It May Concern:

Please be advised, this office represents the Animal Foundation with respect to land use entitlements (the "Applicant"). On behalf of the Applicant, we are submitting this justification letter seeking a site development plan review for existing modular buildings. The Animal Foundation is located on the southwest corner of Mojave Road and Harris Avenue (the "Site").

The Site is zoned C-V. There are three (3) existing modular buildings on the Site located adjacent to Harris Avenue. These modular buildings house a veterinarian training facility, administrative offices and cat adoption facility. The Applicant will be securing the required permits from the City of Las Vegas for the modular buildings.

Future plans for the Site include constructing a 28,500 square foot new building to house the uses currently operating inside the modular buildings. However, until such time as funding is secured to construct the new building on the Site, use of the modular buildings is critical to the daily operation of the Animal Foundation.

The Applicant is seeking a waiver for some deficiency in the existing landscaping along the perimeter of the Site. It is the Applicant's intent to comply with all landscaping requirements upon completion of the new building and removal of the modular buildings. Once the modular buildings are removed, this area will be used for additional parking. However, even with the modular buildings, the Applicant exceeds the parking required by the City of Las Vegas for this type of use.

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SDR-43702

KAEMPFER
CROWELL

Thank you for your consideration of this request. Please let me know if you have any questions.

Sincerely,

KAEMPFER CROWELL RENSHAW
GRONAUER & FIORENTINO

Jennifer Lazovich

JJL/sfm

Encl.

cc: Chris Robinson
Bonnie Rinaldi
John Lopeman

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OCT 26 2011

SDR-43702

City of Las Vegas Agenda Item No.: **34.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: DECEMBER 13, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

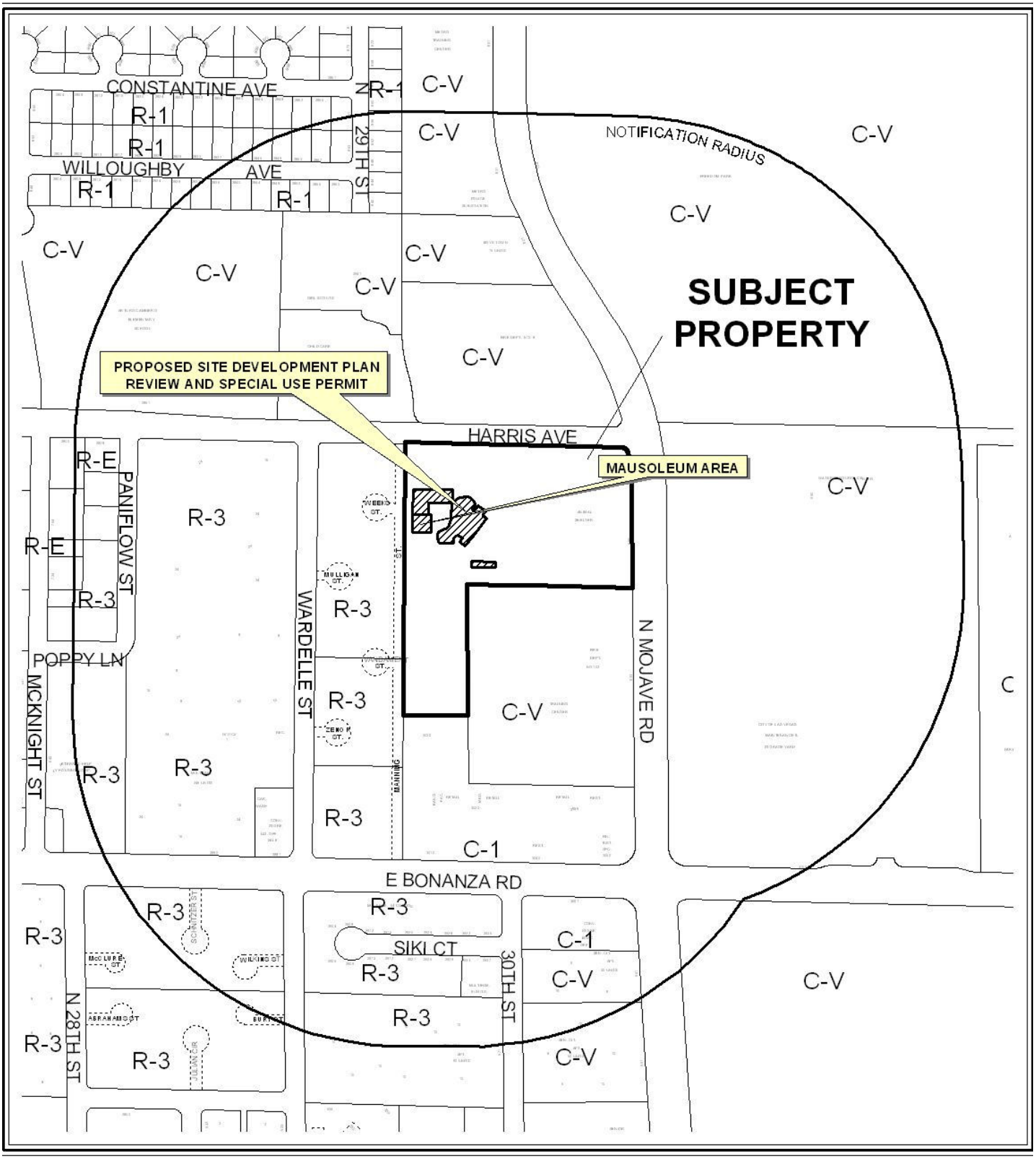
SUBJECT:
SUP-43703 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: THE ANIMAL FOUNDATION - OWNER: CITY OF LAS VEGAS - For possible action on a request for a Special Use Permit FOR A CEMETERY/MAUSOLEUM (ANIMALS) AT AN EXISTING ANIMAL HOSPITAL, CLINIC, OR SHELTER (WITH OUTSIDE PENS) at 655 North Mojave Road (APN 139-25-405-008), C-V (Civic) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 01/18/2012
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps - SUP-43703 and SDR-43704
2. Conditions and Staff Report - SUP-43703 and SDR-43704
3. Supporting Documentation
4. Photos - SUP-43703 and SDR-43704
5. Justification Letter - SUP-43703 and SDR-43704



CASE: **SUP-43703 AND SDR-43704**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)



CASE: **SUP-43703 AND SDR-43704**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

0 400 800 Feet

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: DECEMBER 13, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: THE ANIMAL FOUNDATION - OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-43703	Staff recommends APPROVAL, subject to conditions:	
SDR-43704	Staff recommends APPROVAL, subject to conditions:	SUP-43703

** CONDITIONS **

SUP-43703 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Cemetery/Mausoleum use.

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-43704) shall be required.

3. Conformance to the approved conditions for Site Development Plan Review (SDR-3275), except as amended herein.

4. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

5. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

6. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SDR-43704 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-43703) shall be required, if approved.

2. Conformance to the approved conditions for Site Development Plan Review (SDR-3275), except as amended herein.

3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

4. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 10/26/11, except as amended by conditions herein.

5. Any changes based upon right-of-way, traffic or drainage studies or street improvements required by the city or public utilities shall not reduce the widths of perimeter landscape buffers, height of walls or quantities of plant materials from that on submitted landscape plans date stamped 10/26/11. Any changes based upon subsequently submitted studies must be accommodated elsewhere on the site.

6. The existing buildings included in Site Development Plan Review (SDR-43702) shall be removed within one year after the issuance of a Certificate of Occupancy for the Animal Adoption building included in this review. A demolition permit is required.

7. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety. No building permits for new structures will be issued unless permits for all existing structures on the site have been issued, final inspections approved and certificates of occupancy have been issued.

8. Site and building signage is approved as depicted in the site plan and elevations date stamped 10/26/11. Building permits are required for all signage, pursuant to Title 19 and the Department of Building and Safety.

9. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

10. At or prior to submittal of a building permit application, a revised floor plan indicating the location of proposed retail activities shall be submitted to the Department of Planning.

11. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device. The technical landscape plan shall include 10 24-inch box trees along Harris Avenue to match the previously approved landscape plan. Four five-gallon shrubs per tree shall also be included within the perimeter buffer along Harris Avenue.

12. All trash enclosures shall conform to the requirements of Title 19.08.

13. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).

14. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

15. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.08.040.

16. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

17. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

18. Prior to the submittal of a building permit application, the applicant shall meet with Department of Planning Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

19. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

20. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed facility.

21. A Drainage Study update or other information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to issuance of any building or grading permits. Provide and improve all drainageways recommended in the approved drainage study update.

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant proposes to construct two connected buildings totaling 28,495 square feet as an addition to an existing 48,000 square-foot Animal Shelter at 655 North Mojave Road. The proposed buildings will contain animal adoption services, administrative offices, a veterinary technology training center and central plant. Also proposed are a barn east of the existing dog adoption bungalows and and a columbarium (animal mausoleum) at the west side of the site for interment of deceased pet remains. The three modular buildings that currently house administrative offices, veterinary technology classrooms and the cat adoption area will be removed for expansion of the parking lot and to provide a new bus drop-off area. A new monument sign is proposed along the Mojave Road frontage, and incidental signs are proposed within the interior of the site to provide direction and identification. A plaza area is provided adjacent to the new main building. As the development proposed is compatible in appearance and function with the existing development on the site and with adjacent properties, staff recommends approval with conditions. If denied, the site would still be subject to development according to the previously approved Site Development Plan Review (SDR-3275).

ISSUES

- A Special Use Permit is required for a Cemetery/Mausoleum use in the C-V (Civic) District.
- The site currently contains three temporary unpermitted structures that will be reviewed as permanent buildings through Site Development Plan Review (SDR-43702). Staff recommends approval of SDR-43702. These buildings shall be removed within one year after completion of the Animal Adoption building proposed as part of this review.
- No Waivers or exceptions are required for landscaping on the site. Perimeter landscaping shall adhere to the previously approved landscape plan, except as noted (the result of a proposed additional driveway).
- Six new signs are proposed as part of the proposed development. They must be reviewed and approved through this application before building permits can be issued for their construction and placement.
- No building permits for new structures will be issued unless permits for all existing structures on the site have been issued, final inspections approved and certificates of occupancy have been issued. Building permits are required for all structures, including but not limited to, buildings, walls, trash enclosures, signage, the addition of electrical or plumbing components and the demolition of existing structures.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
09/23/97	The City of Las Vegas Planning & Development staff administratively approved a Site Development Plan Review (SD-0015-97) for a 34,000 square-foot Animal Shelter on 2.02 acres adjacent to the southwest corner of Mojave Road and Harris Avenue.
01/07/04	The City Council approved a Site Development Plan Review (SDR-3275) for a proposed Animal Shelter and Veterinary Complex on 9.5 acres adjacent to the southwest corner of Harris Avenue and Mojave Road. The Planning Commission and staff recommended approval of this request.
08/17/05	The City Council approved a Site Development Plan Review (SDR-6883) for Temporary Structures for an Animal Shelter on 8.39 acres adjacent to the southwest corner of Mojave Road and Harris Avenue. The Planning Commission and staff recommended approval of this request.
11/01/06	The City Council approved a One-Year Required Review (RQR-14476) of an approved Site Development Plan Review (SDR-6883) which allowed Temporary Structures for an Animal Shelter on 8.39 acres at the southwest corner of Mojave Road and Harris Avenue. The Planning Commission and staff recommended denial of this request.
12/20/06	The City Council approved a Review of Condition (ROC-17677) for Condition Number 1 of an approved Site Development Plan Review (SDR-6883) to allow a temporary tent located on the corner of Harris Street and Manning Street to be allowed to remain for two additional years on 8.39 acres at the southwest corner of Mojave Road and Harris Avenue. Staff recommended approval of this request.
05/16/07	The City Council struck a request for a Site Development Plan Review (SDR-20124) for an existing 1,900 square-foot Veterinary School, a 4,116 square-foot Animal Shelter, a 1,900 square-foot Office and a proposed Barn and Restroom Facility on 8.39 acres adjacent to the southwest corner of Harris Avenue and Mojave Road. The Planning Commission and staff recommended approval of this request.
01/21/09	The City Council approved a Site Development Plan Review (SDR-31744) for an existing 1,400 square-foot veterinary school, an existing 1,900 square-foot office, an existing 4,116 square-foot cat facility and a proposed 2,800 square-foot spay/neuter clinic on 8.39 acres at the southwest corner of Mojave Road and Harris Avenue. The Planning Commission and staff recommended approval. The approval expired 01/21/11.
08/17/09	A Code Enforcement case (80879) was processed for construction near the dog adoption kennels without permits. The case was resolved 08/19/09.
12/13/11	The Planning Commission will consider a Site Development Plan Review (SDR-43702) for three existing temporary structures on the subject site located along Harris Avenue. Staff recommends approval of the request.

Most Recent Change of Ownership	
N/A	There has been no change in ownership on the subject property.

Related Building Permits/Business Licenses	
02/11/98	A business license (G99-00005) was issued for an Animal Shelter at 655 North Mojave Road. The license is still active.
06/30/00	A building permit (#00012474) was issued for a new building at 655 North Mojave Road. The permit received final approval on 12/20/00.
06/30/00	A building permit (#00012475) was issued for onsite improvements at 655 North Mojave Road. The permit received final approval 01/12/01.
10/23/00	A building permit (#00019517) was issued for a trash enclosure and walls at 655 North Mojave Road. The permit received final approval 11/01/00.
01/16/01	A building permit (#01000727) was issued for a sign at 655 North Mojave Road. The permit received final approval on 02/27/01.
08/20/04	A building permit (#04019189) was issued for a utility closet at 3000 Harris Avenue. The permit received final approval 06/21/05.
08/20/04	A building permit (#04019175) was issued for onsite/hardscape improvements at 3000 Harris Avenue. The permit has not yet received final approval.
08/20/04	Building permits were issued for a new Kennel Building 1 (#04019178) and Kennel Building 2 (#04019179) at 3000 Harris Avenue. The permits received final approval on 09/23/05 and 09/16/05.
08/20/04	Building permits were issued for Kennel Buildings 3 through 11 (#04019180 through #04019188) at 3000 Harris Avenue. The permits received final approval on 09/09/05.
03/17/05	Building permits were issued for onsite/hardscape improvements (#05001671) and for a building addition (#05001670) for an Animal Shelter at 655 North Mojave Road. The permits received final approval on 03/21/06.
03/17/05	A building permit (#05001669) was issued for a barn animal shelter at 3000 Harris Avenue. The permit expired and was placed on hold on 09/17/05.
04/13/05	A building permit (#05002193) was issued for onsite improvements for a wetlands project at 3000 Harris Avenue. The permit did not have a final inspection.
05/26/05	A building permit (41873) was issued for a wall/fence at 655 North Mojave Road. The permit did not have a final inspection and expired 12/29/05.
12/13/05	A building permit (#05008740) was issued for a temporary classroom trailer building at 655 North Mojave Road. The permit did not have a final inspection.

Pre-Application Meeting	
10/20/11	Staff met with the applicant and discussed the need for a Special Use Permit and a Site Development Plan Review application for this proposed project.

Neighborhood Meeting
No neighborhood meeting was required, nor was one held.

Field Check	
11/08/11	During a staff field inspection, the following items were noted: • The site consists of an existing Animal Shelter in a maintained condition with numerous buildings for various functions of the operation. • Three temporary buildings are located to the rear of the site along Harris Avenue.

Details of Application Request	
Site Area	
Net Acres	8.39

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Animal Shelter	PF (Public Facilities)	C-V (Civic)
North	Government Facility (Fire Station)	PF (Public Facilities)	C-V (Civic)
South	Government Facility	PF (Public Facilities)	C-V (Civic)
	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
East	Government Facility (Maintenance and Storage Yard)	PF (Public Facilities)	C-V (Civic)
West	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)

Special Purpose and Overlay Districts	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to 19.10.020 and SDR-3275, the following standards apply:

Standard	*Provided*
Min. Lot Size	8.39 acres
Min. Lot Width	602 Feet
Min. Setbacks • Front (Mojave Road) • Side • Corner (Harris Avenue) • Rear (Manning Street)	 20 Feet 38 Feet 118 Feet 35 Feet
Max. Lot Coverage	29 %
Max. Building Height	38 Feet
Trash Enclosure	Not indicated; provide by condition
Mech. Equipment	Parapet screened

Pursuant to Title 19.08 and SDR-3275, the following standards apply:

Landscaping and Open Space Standards				
Standards	*Required*		*Provided*	*Compliance*
	Ratio	*Trees*		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	10 Trees	6 Trees	N
• West	1 Tree / 20 Linear Feet	13 Trees	8 Trees	N
TOTAL PERIMETER TREES		**23 Trees**	**14 Trees**	**N**
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	15 Trees	25 Trees	Y

LANDSCAPE BUFFER WIDTHS			
Min. Zone Width • North • West	 8 Feet 10 Feet	 8 Feet 14 Feet	 Y Y
Wall Height	6 to 8 Feet Adjacent to Residential	Existing 8' wall on west PL	Y

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Mojave Road	Primary Arterial	Master Plan of Streets and Highways	100	Y
Harris Avenue	N/A	N/A	60	N/A
Manning Street	N/A	N/A	30	N/A

Pursuant to Title 19.10 and 19.12, the following parking standards apply:

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Animal Hospital, Clinic, or Shelter (with Outside Pens)	80 on-duty employees, 3 doctors and 4 exam rooms	One space for every 2 on-duty employees, plus 1 space per doctor and 1 space per exam room	47				
TOTAL SPACES REQUIRED			47		157		Y
Regular and Handicap Spaces Required			45	2	151	6	Y
Loading Spaces (28,495 SF)			2		2		Y

Monument Signs: *[Sign Type A – Mojave Road Frontage]*		
Standards (C-V)	***Allowed***	***Provided***
Maximum Number	1 / Street frontage 1 total	1 total
Maximum Area	75 SF	137 SF (approx.)
Maximum Height	10 Feet	25 Feet
Minimum Setback	5 Feet	5 Feet
Residential Protection	EMU, animated/flashing prohibited within 200 feet of residential zone unless not visible	No EMU, animation or flashing proposed. Sign is more than 200 feet away from residentially zoned property
Illumination	Internal and External	Not indicated

Directional Signs: *[Sign Type B – Harris Frontage (Main Entry Directory)]*		
Standards (C-V)	***Allowed***	***Provided***
Maximum Number	2 / Driveway 4 total	1 total
Maximum Area	12 SF (no more than 50% to include name/logo)	180 SF (approx.) – approx. 25% is name/logo
Maximum Height	7 Feet	14 Feet
Minimum Setback	5 Feet from any property line	70 Feet from north property line
Illumination	Internal only	Non-illuminated

Non-Directional Signs: *[Sign Type C – Clinic Lobby/Adoption Lobby/Lost and Found Lobby/Adoption Pick-Up Lobby]*		
Standards (C-V)	***Allowed***	***Provided***
Maximum Number	No Limit	4 total
Maximum Area	4 SF if set back less than 30 feet from public ROW 9 SF if set back 30 or more feet from public ROW (no more than 25% to include name/logo)	19 SF (approx.) – approx. 35% is logo 1 sign is set back 20 feet from Mojave Road; all others are greater than 30 feet
Maximum Height	7 Feet	8 Feet
Minimum Setback	5 Feet from any property line	20 Feet from east property line
Illumination	No illumination	Non-illuminated

ANALYSIS

Title 19.18 defines "Cemetery/Mausoleum" as "property and facilities used for interring of the dead." This definition can be applied to the specific request of the applicant, which is to provide a place onsite for the interment of deceased pets that have been cremated offsite. The interment area would be located at the rear of the new facilities, north of the existing dog adoption bungalows. There are no minimum Special Use Permit requirements for this use in the C-V District. The use is appropriate for the site of an existing Animal Shelter, is located away from public view and is screened by an existing wall on the west and landscaping on all sides. The parking requirement is based on the number of employees, similar to that of the Animal Shelter use; since the Cemetery/Mausoleum use will be ancillary to the Animal Shelter, no additional parking is required for this use. Staff therefore recommends approval, with conditions.

The site is located within a C-V (Civic) District, in which development standards may be proposed that ensure compatibility of the development with existing and planned development in the surrounding area. The development standards for this site were established by the previously approved and exercised Site Development Plan Review (SDR-3275). The proposed setbacks, lot coverage and maximum building height will be harmonious and compatible with existing residential development to the west and public facilities to the north, south and east. Any future development will require review for determination of appropriate development standards.

Perimeter landscape buffers on the site were approved as part of SDR-3275. The north perimeter buffer has been altered from the approved plan to add a driveway from Harris Avenue, which has reduced the length of the buffer. However, the number of trees along Harris Avenue has decreased from the approved plan. Even allowing for a new driveway, the buffer will require at least four new trees to be consistent with the approved landscape plan. No waivers or exceptions are necessary, as long as the landscaping conforms to the approved landscape plan for the site. However, a condition of approval will require the landscape plan to contain four additional trees and four shrubs per tree along Harris Avenue to be consistent with the approved plan.

The 18 square-foot by 60 square-foot accessory barn proposed at the south side of the building addition near the existing dog adoption bungalows is appropriately placed on the site and will not have any adverse impact on the public facility site to the south.

New signage is proposed along Mojave Road, at the parking lot entrance from Harris Avenue, and at various locations near the existing and proposed building entrances. Per Title 19.10.110, sign standards in the C-V District shall be the same as those for the P-O (Professional Office) District, unless approved as part of a Site Development Plan Review application. The signs proposed do not conform to the P-O District standards, but are appropriate for this facility and would not adversely impact adjacent properties. If approved, proposed signage shall require the issuance of a building permit prior to installation, pursuant to Title 19 and the requirements of the Department of Building and Safety.

An ancillary retail use is proposed in conjunction with pet adoption activities within the Animal Shelter. The use is proposed to total 2,850 square feet; however, this area is not indicated on the submitted floor plan. A revised floor plan will be required prior to or at the time of submittal for a building permit.

The proposed development will complement the existing development on the site and be compatible with residential and public facility uses on adjacent properties. Staff therefore recommends approval of the Site Development Plan Review, with conditions.

FINDINGS (SUP-43703)

In order to approve a Special Use Permit application, per Title 19.16.110(L) the Planning Commission and City Council must affirm the following:

1. **The proposed land 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.**

   The proposed Cemetery/Mausoleum use is located away from public view and will be sufficiently screened from rights-of-way and other buildings on the site.

2. **The subject site is physically suitable for the type and intensity of land use proposed.**

   Sufficient land is available for the proposed use at the rear of the property. No additional parking is necessary for this use.

3. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.**

   Access to the site is provided by Harris Avenue, a 60-foot right-of-way that can handle the minimal traffic generated by this use.

4. **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.**

   The Cemetery/Mausoleum will be subject to required permitting and inspection and will therefore safeguard the public's health, safety and welfare.

5. **The use meets all of the applicable conditions per Title 19.12.**

   There are no minimum Special Use Permit requirements for this use in the C-V District.

FINDINGS (SDR-43704)

In order to approve a Site Development Plan application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

   The proposed development is compatible in appearance and function with the existing development on the site and with residential and public facility uses on adjacent properties.

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;**

   The 8.39-acre site is located within the C-V (Civic) District and is subject to development standards both approved through the previous Site Development Plan Review and proposed through this review. The development as proposed is consistent with the previously approved standards, with the exception of perimeter landscaping, which is addressed by a condition of approval.

3. **Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

   A new driveway is proposed along Harris Avenue that will provide better circulation around the proposed parking lot and add to the existing access to the east. The impact to neighborhood traffic should be minimal as a result of these changes.

4. **Building and landscape materials are appropriate for the area and for the City;**

   Building materials include textured concrete, metal trim and glass, which are appropriate for this use and this area, which contains clusters of public facilities.

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;**

   The elevations contain varied rooflines, articulated walls and variation in materials and colors that create a pleasant appearance. The elevations will be compatible with the existing buildings on the site and with adjacent development.

6. **Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

   Development of the site is subject to all applicable codes, permitting and inspection, thereby securing the public health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 42

NOTICES MAILED 97

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-43703** APN: 139-25-405-008

Name of Property Owner: The City of Las Vegas

Name of Applicant: The Animal Foundation

Name of Representative: Jennifer Lazovich - Kaempfer Crowell

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes ___X___ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Robin Yoakum

Print Name: Robin Yoakum

Subscribed and sworn before me Robin Yoakum

This 24th day of October, 2011

Christina Strong

Notary Public in and for said County and State

CHRISTINA STRONG
Notary Public-State of Nevada
APPT. NO. 07-1185-1
My App. Expires January 04, 2015

Revised 11-14-06

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PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit for a mausoleum (Columbarium)

Project Address (Location) 655 N. Mojave Road

Project Name The Animal Foundation **Proposed Use** Animal Shelter

Assessor's Parcel #(s) 139-25-405-008 **Ward #**

General Plan: existing PF proposed n/a **Zoning:** existing C-V proposed n/a

Commercial Square Footage **Floor Area Ratio**

Gross Acres 8± **Lots/Units** 1 **Density**

Additional Information

PROPERTY OWNER The City of Las Vegas **Contact** Robin Yoakum

Address 400 E. Stewart Ave. **Phone:** 229-1022 **Fax:** 464-2522

City Las Vegas **State** NV **Zip** 89101

E-mail Address ryoakum@lasvegasnevada.gov ~~ryokum~~

APPLICANT The Animal Foundation **Contact** Christine Robinson

Address 655 N. Mojave Road **Phone:** 384-3333 **Fax:** 384-4563

City Las Vegas **State** NV **Zip** 89101

E-mail Address crobinson@animalfoundation.com

REPRESENTATIVE Kaempfer Crowell **Contact** Jennifer Lazovich

Address 8345 West Sunset Road, Suite 250 **Phone:** 792-7000 **Fax:** 796-7181

City Las Vegas **State** NV **Zip** 89113

E-mail Address jjl@kcnvlaw.com

Property Owner Signature* Robin Yoakum

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Robin Yoakum

Subscribed and sworn before me Robin Yoakum

This 24th day of October, 20 11.

Christina Strong

Notary Public in and for said County and State

CHRISTINA STRONG
Notary Public-State of Nevada
APPT. NO. 07-1185-1
My Appt. Expires January 04, 2015

Revised 10/27/08

1052228.1

FOR DEPARTMENT USE ONLY

Case #	SDP-43703
Meeting Date:	12/13/2011
Total Fee:	1030.00
Date Received:*	10/26/2011
Received By:	MIREX

*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

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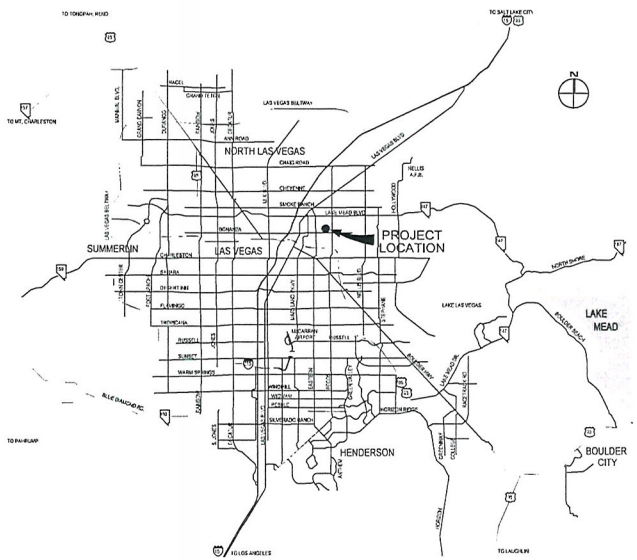
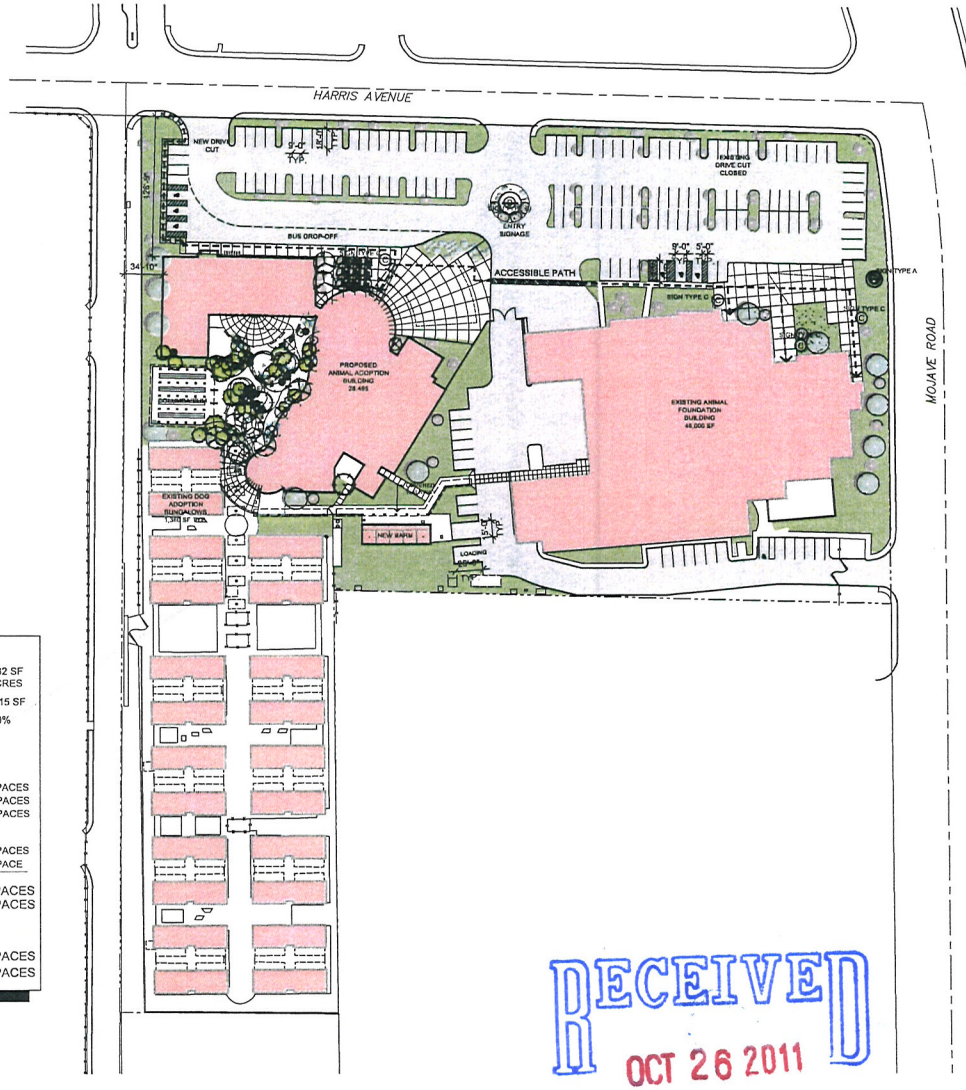
10987.126

VICINITY MAP



SITE AREA	365,532 SF 8.4 ACRES
TOTAL BUILDING AREA	106,415 SF
F.A.R.	29.0%
PARKING ANALYSIS	
ANIMAL SHELTER	
80 - ON DUTY EMPLOYEES (1 SPACE/2 EMPLOYEES)	40 SPACES
3 - ON DUTY DOCTORS (1 SPACE EA.)	3 SPACES
4 - EXAM ROOMS (1 SPACE EA.)	4 SPACES
PIMA CLASSROOM	
80 - STUDENTS (1 SPACE/2 STUDENTS)	40 SPACES
2 - STAFF (1 SPACE/STAFF)	2 SPACE
TOTAL REQUIRED	89 SPACES
TOTAL PROVIDED	157 SPACES
HANDICAP ACCESSIBLE PARKING	
REQUIRED	6 SPACES
PROVIDED	6 SPACES



8965 s. eastern
suite 100
las vegas, nv 89123
p 702.456.1070
f 702.456.7020

DRAWING APPROVED:
DATE:

ethos three ARCHITECTURE

THE ANIMAL FOUNDATION
645 N. MOJAVE RD.

SITE PLAN

10-27-11

SHT A1.1

RECEIVED
OCT 26 2011

SITE PLAN

SCALE : 1"=50'-0"

0 25 50 100

SUP-43703
SDR-43704



PLANTING LEGEND

TREES

SYMBOL	BOTANICAL NAME / COMMON NAME	QTY	CALIPER / MINIMUM SIZE
	BRACHYCHITON POPULNEUS / BOTTLE TREE		2 1/2" / 24" BOX
	CHITALPA x TASHKENTENSIS / CHITALPA TREE		1 1/4" / 24" BOX
	FRAXINUS ANGUSTIFOLIA RAYWOOD / RAYWOOD ASH		1 1/2" / 24" BOX
	MAGNOLIA GRANDIFLORA LITTLE GEM / LITTLE GEM MAGNOLIA		1 1/2" / 24" BOX
	PISTACIA CHINENSIS / CHINESE PISTACHE		1 1/2" / 24" BOX
	PYRUS CALLERYANA ARISTOCRAT / ARISTOCRAT PEAR		1 1/4" / 24" BOX
	RHUS LANCEA / AFRICAN SUMAC		1 1/4" / 24" BOX
	ROBINIA x AMBIGUA PURPLE ROSE / PURPLE ROSE LOCUST		1 1/2" / 24" BOX
	SOPHORA SECUNDIFLORA / TEXAS MOUNTAIN LAUREL		CLPR / 24" BOX

RECEIVED
OCT 28 2011

30' 60' 90'
SCALE: 1" = 30'

southwick LANDSCAPE ARCHITECTS
702 597 3108
10 Commerce Center Drive
Henderson NV 89014
www.southwickla.com

CLIENT

CONSULTANT

STAMP

THE ANIMAL FOUNDATION
645 N. MOJAVE ROAD
LAS VEGAS, NEVADA

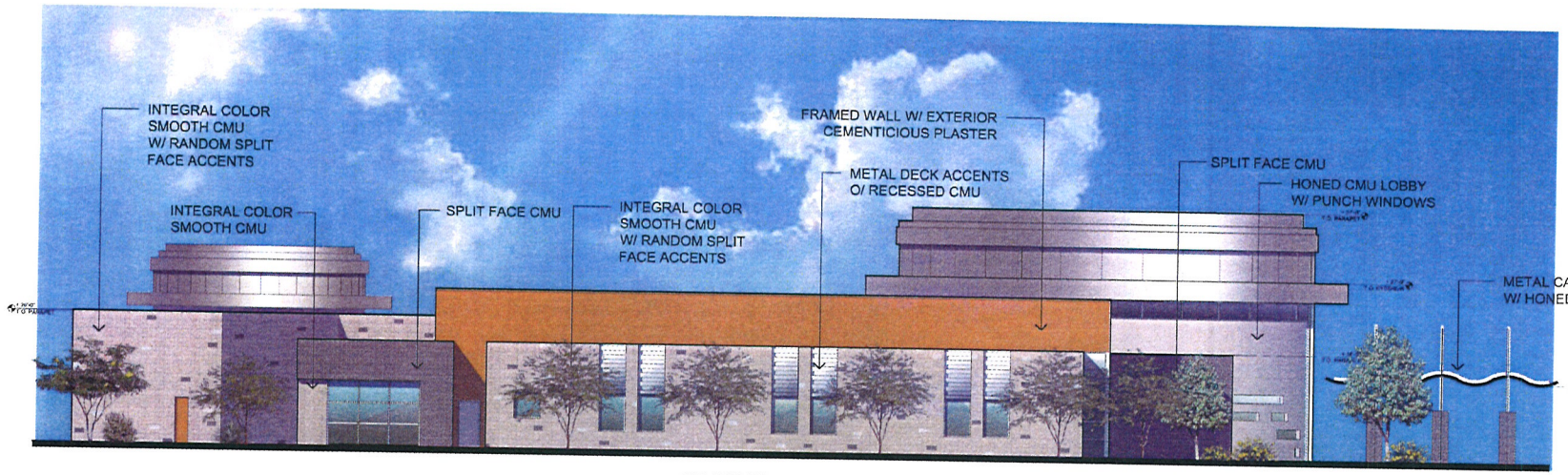
REVISIONS

SHEET CONTENTS

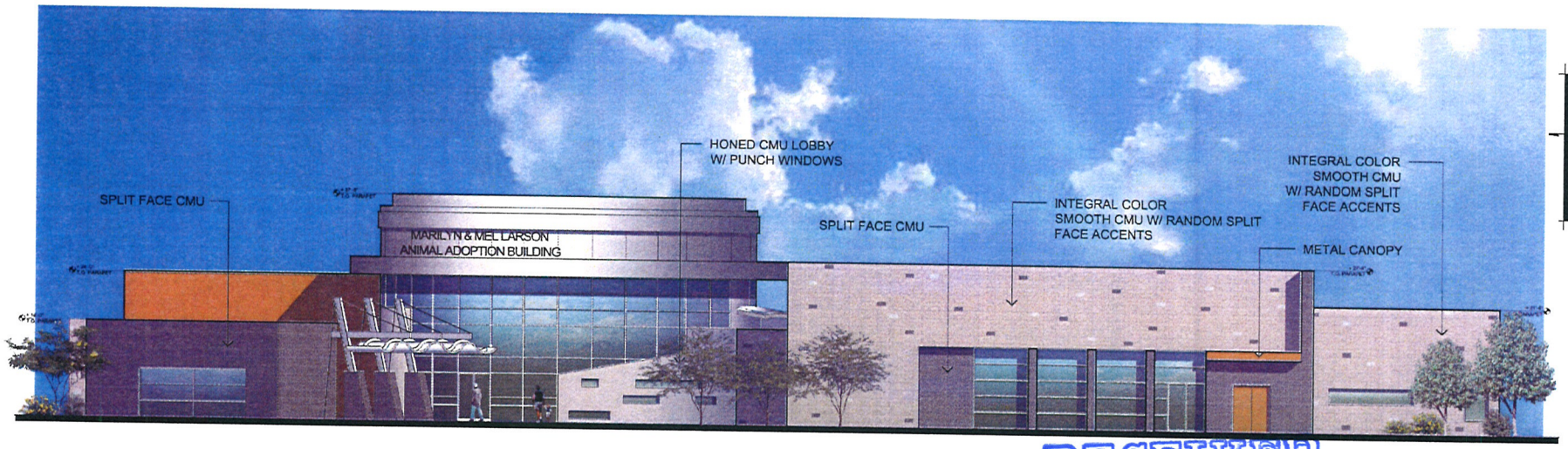
DRAWN BY:	SLA
REVIEWED BY:	JDV
DATE:	JULY 15, 2011
PROJECT NO:	11-006

SHEET:
L1.01

SUP-43703
SDR-43704



EAST ELEVATION



NORTH ELEVATION

ELEVATIONS 1

SCALE : 1/8"=1'-0"

8985 s. eastern
suite 220
las vegas, nv 89123
p 702.456.1070
f 702.456.7020

DRAWING APPROVED:
DATE:

ethos

ELEVATIONS 1

THE ANIMAL FOUNDATION
645 N. MOJAVE RD.

0 4 8 16

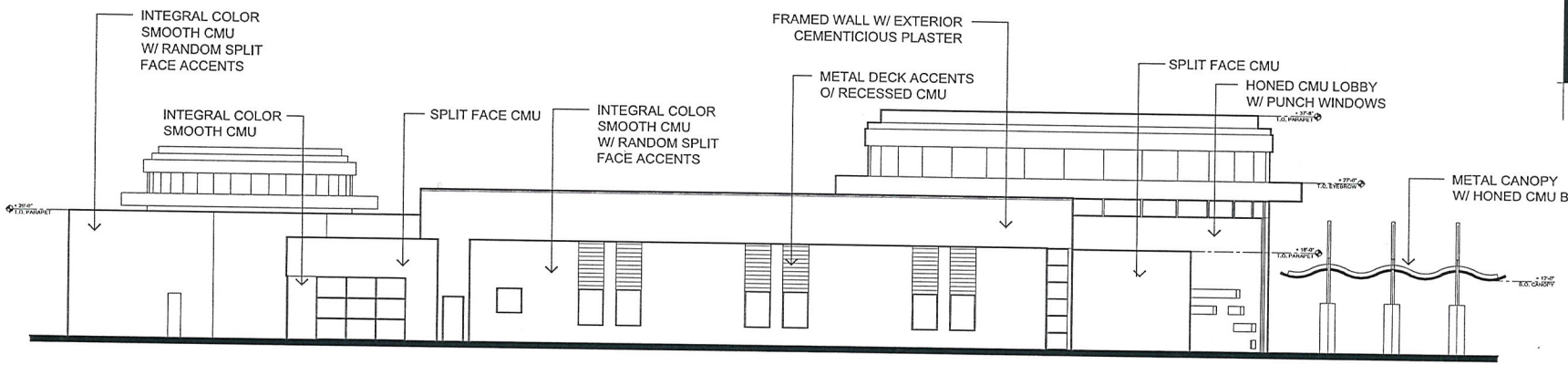
06-15-11

SHT A5.1

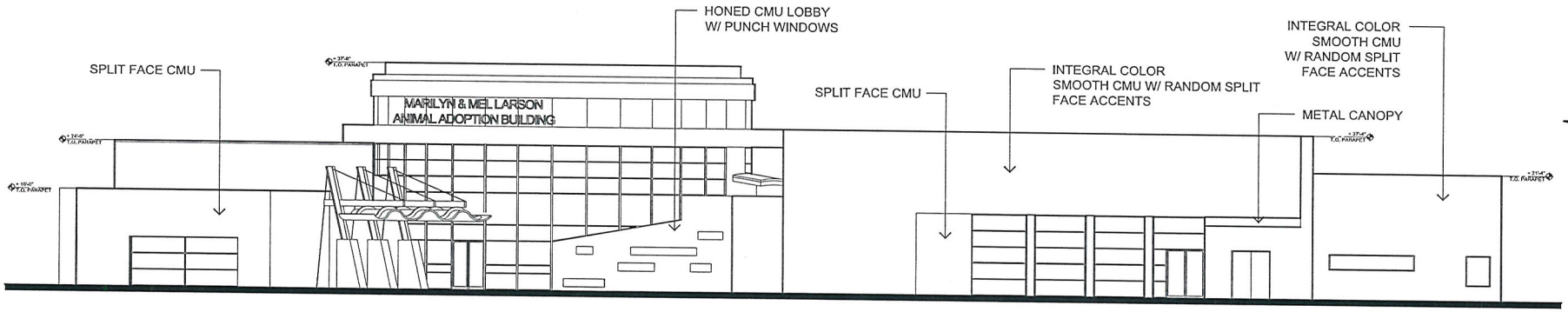
RECEIVED
OCT 26 2011

SUP-43703
SDR-43704

8985 s. eastern
suite 220
las vegas, nv 89123
p 702.456.1070
f 702.456.7020



EAST ELEVATION



NORTH ELEVATION

DRAWING APPROVED:
DATE:

ethos three ARCHITECTURE

THE ANIMAL FOUNDATION
645 N. MOJAVE RD.

ELEVATIONS 1

ELEVATIONS 1

SCALE : 1/8"=1'-0"

RECEIVED
OCT 20 2011

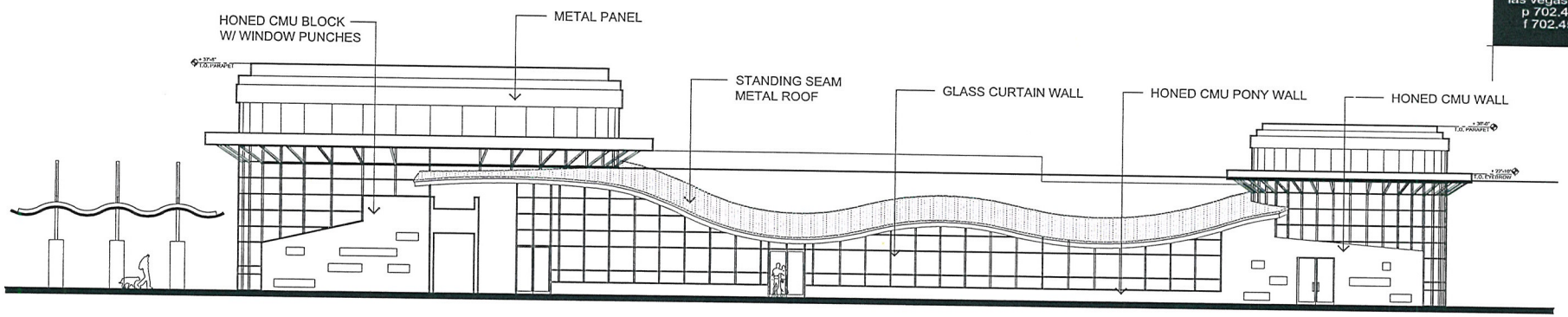
0 4 8 16

10-25-11

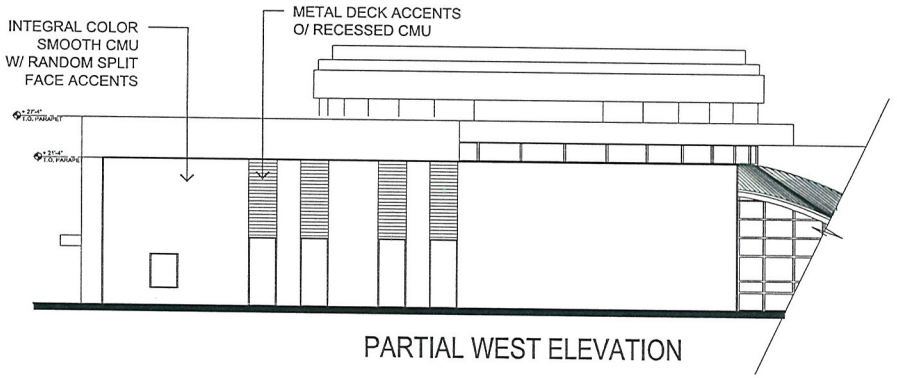
SHT A5.1

SUP-43703
SDR-43704

8985 s. eastern
suite 220
las vegas, nv 89123
p 702.456.1070
f 702.456.7020



PARTIAL WEST ELEVATION



PARTIAL WEST ELEVATION

DRAWING APPROVED:
DATE:

ethos three
ARCHITECTURE

RECEIVED
OCT 28 2011

ELEVATIONS 2

THE ANIMAL FOUNDATION
645 N. MOJAVE RD.

ELEVATIONS 2

SCALE : 1/8"=1'-0"

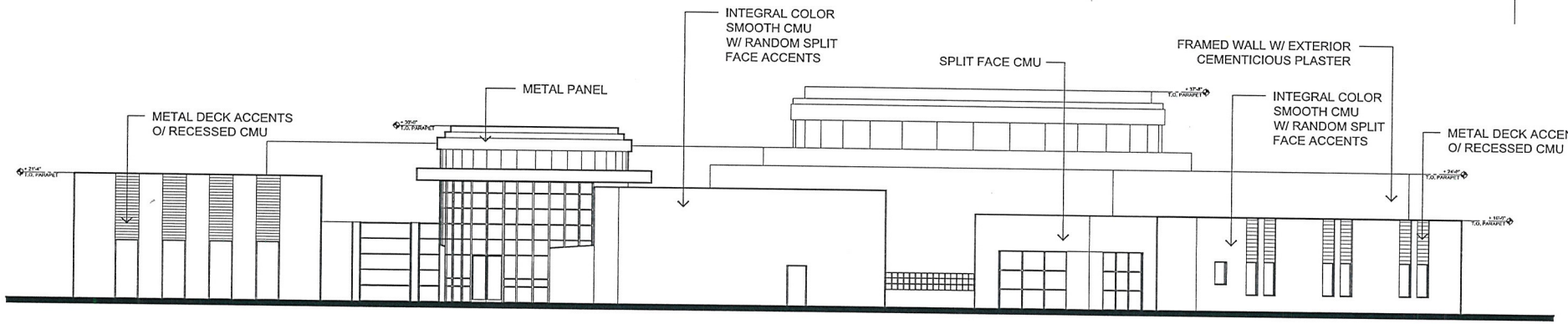
0 4 8 16

10-25-11

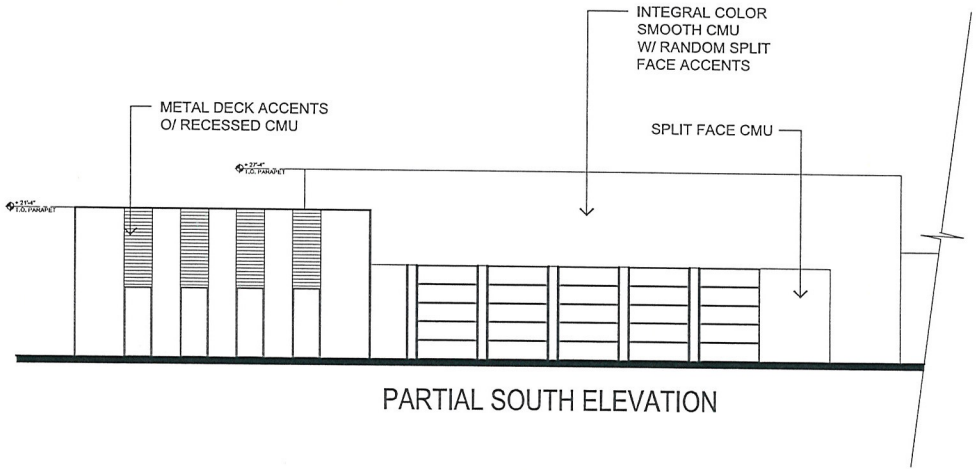
SHT A5.2

SUP-43703
SDR-43704

8985 s. eastern
suite 220
las vegas, nv 89123
p 702.456.1070
f 702.456.7020



PARTIAL SOUTH ELEVATION



PARTIAL SOUTH ELEVATION

DRAWING APPROVED:
DATE:

ethos three ARCHITECTURE

ELEVATIONS 3

THE ANIMAL FOUNDATION
645 N. MOJAVE RD.

RECEIVED
OCT 26 2011

ELEVATIONS 3

SCALE : 1/8"=1'-0"

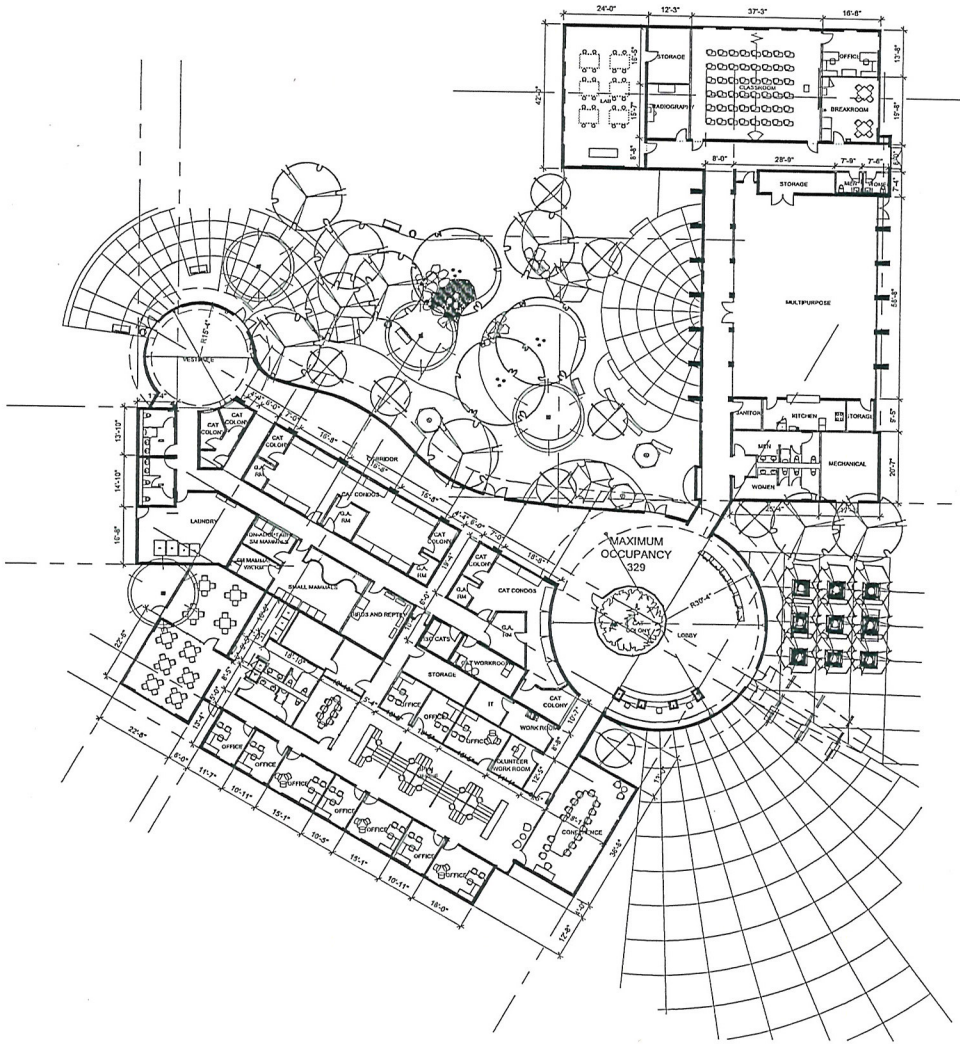
0 4 8 16

10-25-11

SHT A5.3

SUP-43703
SDR-43704

8965 s. eastern
suite 100
las vegas, nv 89123
p 702.456.1070
f 702.456.7020



DRAWING APPROVED:
DATE:

ethos three ARCHITECTURE

FLOOR PLAN

THE ANIMAL FOUNDATION
645 N. MOJAVE RD.

RECEIVED
OCT 26 2011

ADOPTION BUILDING FLOOR PLAN

SCALE : 1/16"=1'-0"

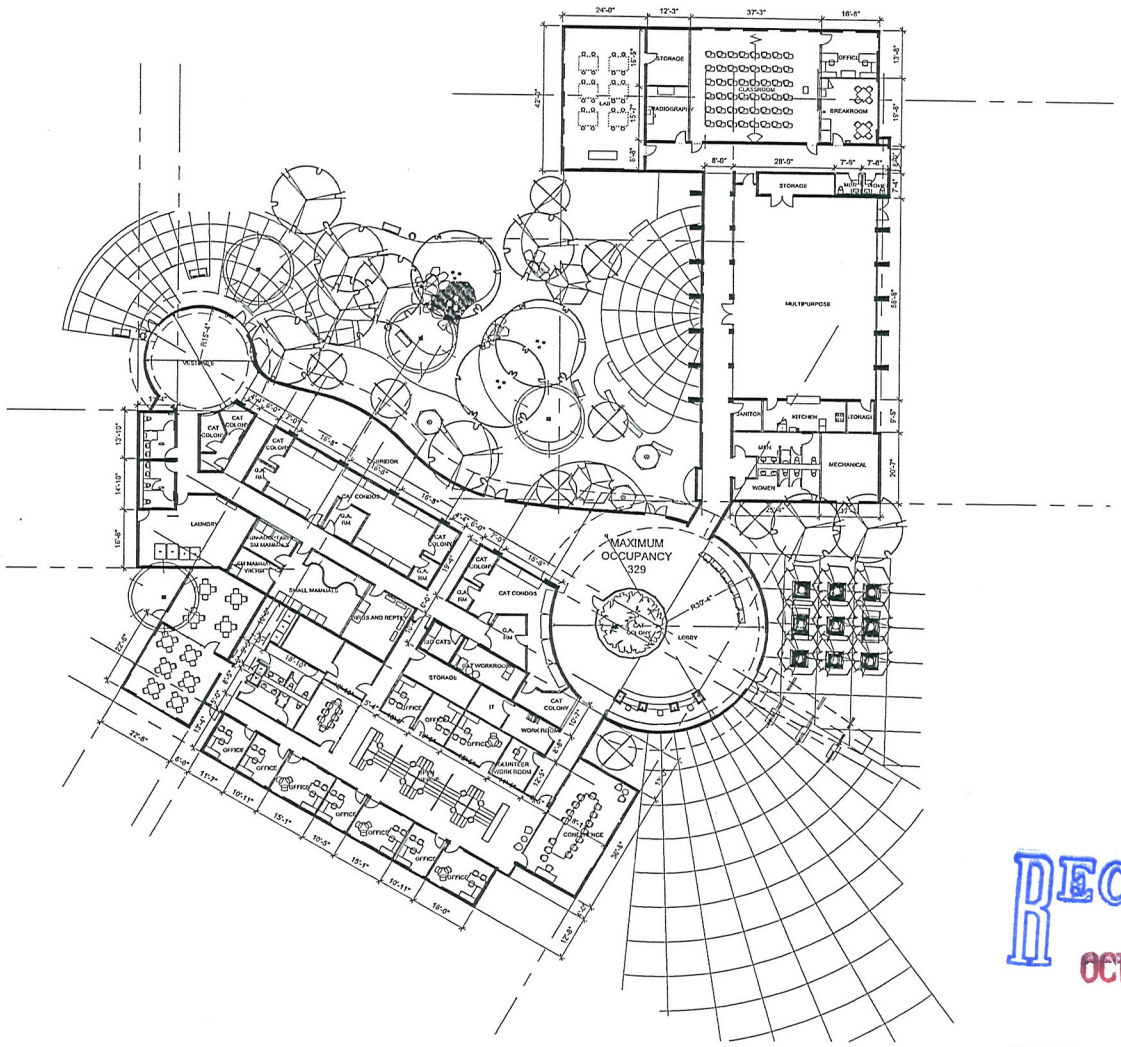
0 8 16 32

10-25-11

SHT A2.1

SUP-43703
SDR-43704

8965 s. eastern
suite 100
las vegas, nv 89123
p 702.456.1070
f 702.456.7020



DRAWING APPROVED:
DATE:

ethos three ARCHITECTURE

FLOOR PLAN

THE ANIMAL FOUNDATION
645 N. MOJAVE RD.

RECEIVED
OCT 26 2011

ADOPTION BUILDING FLOOR PLAN

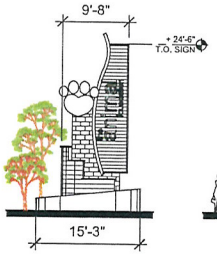
SCALE : 1/16"=1'-0"

0 8 16 32

10-25-11

SHT A2.1

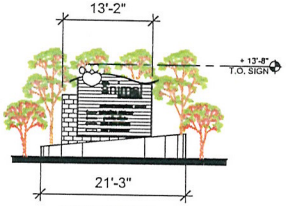
SUP-43703
SDR-43704



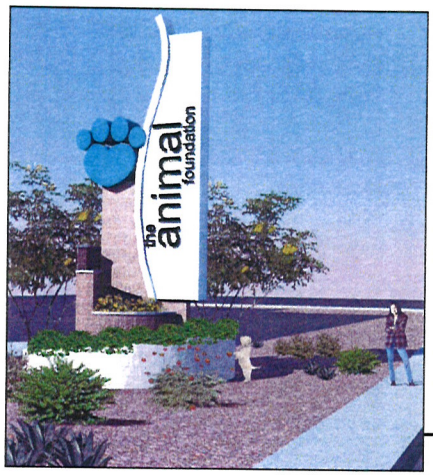
TYPE A SIGN



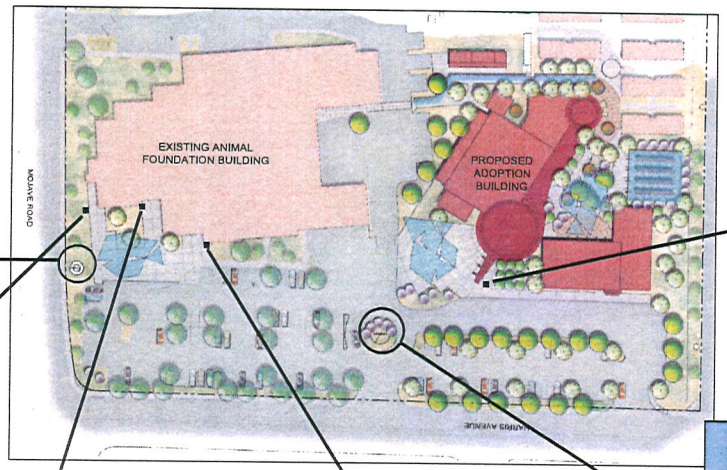
TYPE C SIGN

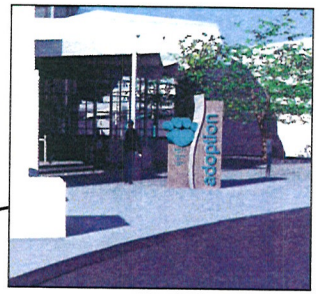


TYPE B SIGN



SIGN AT MOJAVE ROAD (A)





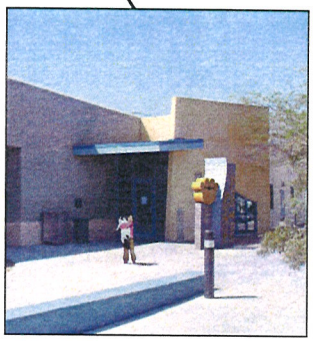
SIGN AT ADOPTION LOBBY (C)



SIGN AT CLINIC LOBBY (C)



SIGN AT ADOPTION
PICK-UP LOBBY (C)



SIGN ATRECIEVING/
LOST & FOUND LOBBY (C)



MAIN ENTRY DIRECTORY (B)

WAY FINDING

SCALE : 1"=60'-0"

8965 s. eastern
suite 100
las vegas, nv 89123
p 702.456.1070
f 702.456.7020

DRAWING APPROVED:
DATE:

ethos three ARCHITECTURE

THE ANIMAL FOUNDATION
645 N. MOJAVE RD.

WAY FINDING

0 30 60 120 10427.11

SHT A1.3

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OCT 26 2011

SUP-43703
SDR-43704



SUP-43703 AND SDR-43704 - APPLICANT: THE ANIMAL FOUNDATION - OWNER: CITY OF LAS VEGAS
655 NORTH MOJAVE ROAD

11/08/11



SUP-43703 AND SDR-43704 - APPLICANT: THE ANIMAL FOUNDATION - OWNER: CITY OF LAS VEGAS
655 NORTH MOJAVE ROAD

11/08/11



SUP-43703 AND SDR-43704 - APPLICANT: THE ANIMAL FOUNDATION - OWNER: CITY OF LAS VEGAS
655 NORTH MOJAVE ROAD

11/08/11



SUP-43703 AND SDR-43704 - APPLICANT: THE ANIMAL FOUNDATION - OWNER: CITY OF LAS VEGAS
655 NORTH MOJAVE ROAD

11/08/11



SUP-43703 AND SDR-43704 - APPLICANT: THE ANIMAL FOUNDATION - OWNER: CITY OF LAS VEGAS
655 NORTH MOJAVE ROAD

11/08/11

KAEMPFER CROWELL

KAEMPFER CROWELL RENSHAW GRONAUER & FIORENTINO

ATTORNEYS AT LAW

LAS VEGAS OFFICE

JENNIFER LAZOVICH
jlazovich@kcnvlaw.com
702.792.7050

LAS VEGAS OFFICE
8345 West Sunset Road
Suite 250
Las Vegas, NV 89113
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
50 West Liberty Street
Suite 900
Reno, NV 89501
Tel: 775.852.3900
Fax: 775.327.2011

CARSON CITY OFFICE
510 W. Fourth Street
Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

October 26, 2011

VIA HAND DELIVERY

CITY OF LAS VEGAS
PLANNING & ZONING
333 N. Rancho Drive, 3rd Floor
Las Vegas, NV 89106

Re: Justification Letter – Site Plan Review & Special Use Permit
Animal Foundation
APN: 139-25-405-008

To Whom It May Concern:

Please be advised, this office represents the Animal Foundation with respect to land use entitlements (the "Applicant"). On behalf of the Applicant, we are submitting this justification letter seeking a site development plan review and a special use permit. The Animal Foundation is generally located on the southwest corner of Mojave Road and Harris Avenue (the "Site").

Site Development Plan Review

The Site is zoned C-V. The Applicant is proposing to construct new buildings that total approximately 28,500 square feet and will include an adoption center, administrative offices, a veterinary tech training center, a public education/multi-purpose room, a large animal barn and central plant. Also contemplated is the interior re-remodel of the clinic portion of the existing shelter building (approximately 11,500 square feet) and interior renovation of the rest of the shelter building as well as the dog bungalows. These existing buildings will be painted in a complimentary color to match the new building.

In the future, the modular buildings that currently exist on the property will be removed. The modular buildings currently house the administrative offices, the veterinary tech classrooms as well as the cat adoption area. However, until the Animal Foundation raises sufficient funds to complete the permanent buildings contemplated with this site development plan review, the modular buildings will be used.

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SUP-43703
SDR-43704

The Applicant is also contemplating a small retail area as an accessory use to adoption of pets. The retail area may be operated by an independent vendor and will sell equipment, food and accessories needed by new owners of adopted pets. The approximate size of the retail area will be 2,850 square feet.

Additionally, the Applicant is contemplating holding special events at the Site. These events could be sponsored by the Animal Foundation or the events could be sponsored by public or private entities that want to use certain areas of the new building such as the multi-purpose facility. As contemplated, these facilities could be used for outside events, meetings and other needs unrelated to the Animal Foundation.

The Applicant is seeking a waiver for landscaping. There is some deficiency in the amount of landscaping that is currently provided along the perimeter of the Site. The Applicant is not asking for a permanent waiver but rather a deferral of installing the missing landscaping until such time as the new buildings are constructed and the modular buildings are removed from the Site. Finally, the Applicant meets all necessary parking requirements.

Signage

The applicant is also seeking approval of signage for the site. A copy of the sign elevations is attached as well as the location of the proposed signs. All signs are complimentary to the design of the existing and new buildings.

Special Use Permit

The Applicant is seeking a special use permit for a Columbarium. A Columbarium is similar to a mausoleum in the sense that ashes can be interred on the Site. There will be no cremation activities or pet cemetery on the Site. Rather, the Applicant is seeking a special use permit for the Columbarium only so that animal owners have the option of interring their deceased pet's ashes within the Columbarium with a memorial plaque. The Columbarium is limited to a specific area within the new project area and will be a peaceful and tranquil place to honor deceased pets.

Summary

Finally, we are seeking the City's assistance to determine the correct address for The Animal Foundation. The mailing address is 655 N. Mojave Road but the site is assigned the address of 645 N. Mojave Road.

We believe the new buildings will be an upgrade to the existing facilities and will further the goals of the Animal Foundation in partnership with the City of Las Vegas and other government agencies.

SUP-43703
SDR-43704

KAEMPFER
CROWELL

Thank you for your consideration of this request. Please do not hesitate to contact me if you have any questions.

Sincerely,

KAEMPFER CROWELL RENSHAW
GRONAUER & FIORENTINO

Jennifer Lazovich

JJL/sfm

Encl.
cc: Chris Robinson
Bonnie Rinaldi
John Lopeman

SUP-43703
SDR-43704

City of Las Vegas Agenda Item No.: **35.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: DECEMBER 13, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
SDR-43704 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-43703 - PUBLIC HEARING - APPLICANT: THE ANIMAL FOUNDATION - OWNER: CITY OF LAS VEGAS - For possible action on a request for a Site Development Plan Review FOR TWO PROPOSED BUILDINGS WITH A TOTAL FLOOR AREA OF 28,495 SQUARE FEET AT AN EXISTING ANIMAL HOSPITAL, CLINIC, OR SHELTER (WITH OUTSIDE PENS) on 8.39 acres at 655 North Mojave Road (APN 139-25-405-008), C-V (Civic) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 01/18/2012
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-43704** APN: 139-25-405-008

Name of Property Owner: The City of Las Vegas

Name of Applicant: The Animal Foundation

Name of Representative: Jennifer Lazovich - Kaempfer Crowell

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes ___X__ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Robin Yoakum

Print Name: Robin Yoakum

Subscribed and sworn before me Robin Yoakum

This 24th day of October, 2011

Christina Strong

Notary Public in and for said County and State

CHRISTINA STRONG
Notary Public - State of Nevada
APPT. NO 07-[illegible]85-1
My App Expires January 04 2015

Revised 11-14-06

f:\depot\Application Packet\Statement of Financial Interest.doc

1052247.1

10987.126

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Site Plan Review for existing structures

Project Address (Location) 655 N. Mojave Road

Project Name The Animal Foundation **Proposed Use** Animal Shelter

Assessor's Parcel #(s) 139-25-405-008 **Ward #** _____

General Plan: existing PF proposed n/a **Zoning:** existing C-V proposed n/a

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres 8± **Lots/Units** 1 **Density** _____

Additional Information _____

PROPERTY OWNER The City of Las Vegas **Contact** Robin . Yockum

Address 400 E. Stewart Ave. **Phone:** 229-1022 **Fax:** 464-2522

City Las Vegas **State** NV **Zip** 89101

E-mail Address ~~ryokum~~ ryoakum@lasvegasnevada.gov

APPLICANT The Animal Foundation **Contact** Christine Robinson

Address 655 N. Mojave Road **Phone:** 384-3333 **Fax:** 384-4563

City Las Vegas **State** NV **Zip** 89101

E-mail Address crobinson@animalfoundation.com

REPRESENTATIVE Kaempfer Crowell **Contact** Jennifer Lazovich

Address 8345 West Sunset Road, Suite 250 **Phone:** 792-7000 **Fax:** 796-7181

City Las Vegas **State** NV **Zip** 89113

E-mail Address jjl@kcnvlaw.com

Property Owner Signature* Robin Yoakum

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Robin Yoakum

Subscribed and sworn before me - Robin Yoakum -

This 24th day of October, 20 11.

Christina Strong

Notary Public in and for said County and State

CHRISTINA STRONG
Notary Public-State of Nevada
APPT. NO. 07-1185-1
My App. Expires January 04, 2015

FOR DEPARTMENT USE ONLY

Case #	SDR-43704.
Meeting Date:	12/13/2011
Total Fee:	1030 00/100
Date Received:*	10/26/2011,
Received By:	MREY

*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

Revised 10/27/08

f:\depot\Application Packet\Application Form.pdf

1052234.1

10987.126

City of Las Vegas Agenda Item No.: **36.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: DECEMBER 13, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

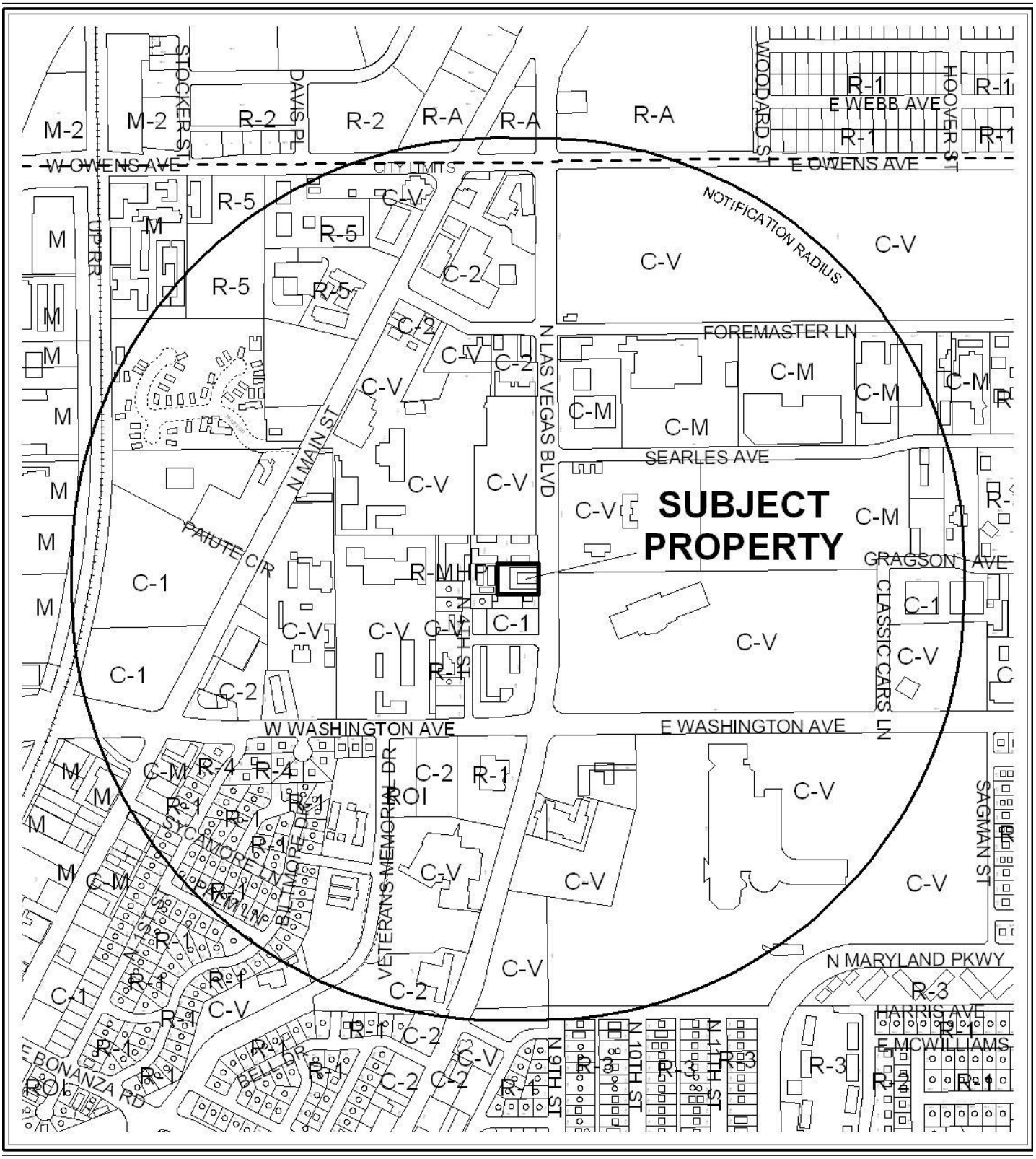
SUBJECT:
SUP-43708 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CASHMAN FIELD INN - OWNER: PANTHEON 1101 LAS VEGAS, LLC - For possible action on a request for a Special Use Permit FOR A HOTEL, RESIDENCE USE WITHIN AN EXISTING HOTEL at 1101 North Las Vegas Boulevard (APN 139-27-603-007), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 01/18/2012
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter



CASE: **SUP-43708**

RADIUS: 2000 FEET

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)



0 500 1000 Feet

CASE: **SUP-43708**

RADIUS: 2000 FEET

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: DECEMBER 13, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: CASHMAN FIELD INN - OWNER: PANTHEON 1101 LAS VEGAS, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-43708	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-43708 CONDITIONS

Planning

1. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas

2. Prior to the approval of a business license, the parking lot shall be restriped to provide two handicap parking spaces, one of which is a van accessible space, in conformance with the site plan date stamped 11/15/11

3. Outside storage, including cargo container(s) and recreational travel trailer(s), shall be removed from the site within 30 days of final approval.

4. Trash dumpster(s) shall be contained within the existing area designated as trash enclosure on the site plan.

5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Staff Report Page One
December 13, 2011 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for the approval of a Special Use Permit to allow the use of Hotel, Residence at 1101 North Las Vegas Boulevard. The property is being used to operate a licensed Hotel. The proposed use will allow the applicant to provide extended stay lodging. The use is appropriate for the site and can be conducted in manner that is harmonious and compatible with surrounding uses; therefore, staff recommends approval. If the application is denied, the Hotel may continue to operate as it currently exists.

ISSUES

- A Special Use Permit is required for the use of a Hotel, Residence in the C-2 (General Commercial) zoning district.
- The change of use will require a van accessible handicap parking space.
- The property is "parking impaired" and has outside storage including, cargo container(s) and recreational travel trailer(s) limiting the available parking area and need to be removed.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
12/31/62	The Board of City Commissioners approved a Rezoning (Z-0121-62) from R-1 (Single Family Residential) to C-1 (Limited Commercial) and R-4 (High Density Residential), at 1101 North Las Vegas Boulevard. The Planning Commission and staff recommended approval.
08/28/08	A Code Enforcement case (#98748) was processed due to the Hotel being operated as apartments at 1101 North Las Vegas Boulevard. The Enforcement case was resolved on 01/05/09

Most Recent Change of Ownership	
01/12/11	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
07/25/11	A business license for a Motel (M08-00209) was issued at 1101 N. Las Vegas Boulevard. This license is active.
	A business license for Miscellaneous Sales (M06-03239) was issued at 1101 N. Las Vegas Boulevard. This license is active.

Pre-Application Meeting	
10/17/11	A pre-application meeting was held and land use issues concerning the submittal of a Special Use Permit for a Hotel, Residence were discussed with the applicant.

Neighborhood Meeting
A Neighborhood Meeting is not required for this application nor was one held.

Field Check	
11/03/11	Staff conducted a field check of the subject property. Staff noted the subject site was did not have a van accessible handicap parking space. Additionally, the site has outside storage that reduces the amount of parking.

Details of Application Request	
Site Area	
Net Acres	0.61

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Hotel	M (Medium Density Residential)	C-2 (General Commercial)
North	Cemetery	GC (General Commercial)	C-2 (General Commercial)
South	Retail	SC (Service Commercial)	C-1 (Limited Commercial)
East	Government Facility	PF (Public Facilities)	C-V (Civic)
West	Apartments	M (Medium Density Residential)	R-4 (High Density Residential)

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area			
Downtown North Plan	X		Y

Special Purpose and Overlay Districts	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (200 Feet)	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Actual Street Width (Feet)*	*Compliance with Street Section*
Las Vegas Boulevard	Primary Arterial	Master Plan of Streets and Highways	90	Y

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	*Gross Floor Area or Number of Units*	*Required*			*Provided*		*Compliance*
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Residence Hotel	40 Units	One: Guest Room	40				
TOTAL SPACES REQUIRED			40		27		Y*
Regular and Handicap Spaces Required			38	2	25	2	Y*

*This site is parking impaired, per Title 19.16

ANALYSIS

A Hotel, Residence use is defined by Title 19.12 as 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.

The proposed layout provides efficiency units with a complete kitchen, common laundry facilities, and recreation spaces. The subject property is adjacent to the Pioneer and Las Vegas Boulevard Trails. The proposed land use will not affect these trails.

The property is zoned C-2 (General Commercial) and is intended to provide the broadest scope of compatible services. The C-2 (General Commercial) District is not consistent with the M (Medium Density Residential) of General Plan. The proposed land use of a Hotel, Residence is permissible in the C-2 (General Commercial) District with approval of a Special Use Permit. The proposed use will not increase the intensity of the site; therefore, an amendment to the General Plan will not be required at this time

The site is considered a "parking-impaired development" and no additional parking space are required, as the parking requirements for the proposed use are the same as the current use parking requirements. Although additional parking is not required, the change in use will require the current handicap parking to meet title 19.08 and 19.12 parking standards. The site plan provides two handicap parking spaces, one of which is a van accessible space.

The proposed land use is appropriate for the site and can be conducted in a manner that is harmonious and compatible with surrounding land uses; therefore, staff recommends approval. If the application is denied, the Hotel may continue to operate as it currently exists.

FINDINGS (SUP-43708)

In order to approve a Special Use Permit application, per Title 19.16.110(L) the Planning Commission and City Council must affirm the following:

1. **The proposed land 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.**

   The proposed land use is similar to the existing land use in intensity, and 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.

2. **The subject site is physically suitable for the type and intensity of land use proposed.**

   The property is being used to operate a licensed Hotel. The addition of the proposed Hotel, Residence land use will not increase the intensity of the subject property land use.

3. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.**

Las Vegas Boulevard, designated as a Primary Arterial by the city's Master Plan of Streets and Highways, provides access to the property. These roadway facilities are adequate to serve the proposed Land use.

4. **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.**

   Approval of a Special Use Permit for a Hotel, Residence at this location will not compromise the public health, safety and welfare or the primary objectives of the General Plan, as the use will be subject to regular to inspections and licensing requirements.

5. **The use meets all of the applicable conditions per Title 19.12.**

   Title 19.12 does not have minimum conditions for the land use of Hotel, Residence.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

NOTICES MAILED 449

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-43708** APN: 139-27-603-007

Name of Property Owner: Pantheon 1101 Las Vegas, LLC / Noah Grassi

Name of Applicant: Cashman Field Inn

Name of Representative: Noah Grassi

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ **Yes** ☒ **No**

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Noah Grassi

Subscribed and sworn before me

This 26th day of October, 2011

James Friedrich

Notary Public in and for said County and State

JAMES W. FRIEDRICH
Notary Public State of Nevada
No. 06-108075-1
My appt. exp. Aug. 25, 2014

RECEIVED
OCT 26 2011
City of Las Vegas
Department of Planning

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit

Project Address (Location) 1101 N. Las Vegas Blvd.

Project Name Pantheon 1101 Las Vegas, LLC DBA Cashman Field Inn **Proposed Use** Hotel / Residence

Assessor's Parcel #(s) 139-27-603-007 **Ward #** _____

General Plan: existing ✓ proposed _____ **Zoning:** existing ✓ proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres .61 (estimated) **Lots/Units** 39 **Density** _____

Additional Information _____

PROPERTY OWNER Pantheon 1101 Las Vegas, LLC **Contact** Noah Grassi

Address 3975 S. Durango Dr., Ste. 108 **Phone:** 702-308-9161 **Fax:** 702-982-2074

City Las Vegas **State** NV **Zip** 89147

E-mail Address noahgrassi@aol.com

APPLICANT Cashman Field Inn **Contact** Noah Grassi

Address 1101 N. Las Vegas Blvd. **Phone:** 702-308-9161 **Fax:** 702-982-2074

City Las Vegas **State** NV **Zip** 89101

E-mail Address Noahgrassi@aol.com

REPRESENTATIVE Same as owner **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

E-mail Address _____

Property Owner Signature* _____

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Noah Grassi

Subscribed and sworn before me

This 26th day of October, 2011.

James Friedrich

Notary Public in and for said County and State

JAMES W. FRIEDRICH
Notary Public, State of Nevada
No. 06-108075-1
My appt. exp. Aug. 25, 2014

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SUP-43709
Meeting Date:	12-13-11
Total Fee:	1030.00
Date Received:*	10-26-11
Received By:	JFriedrich

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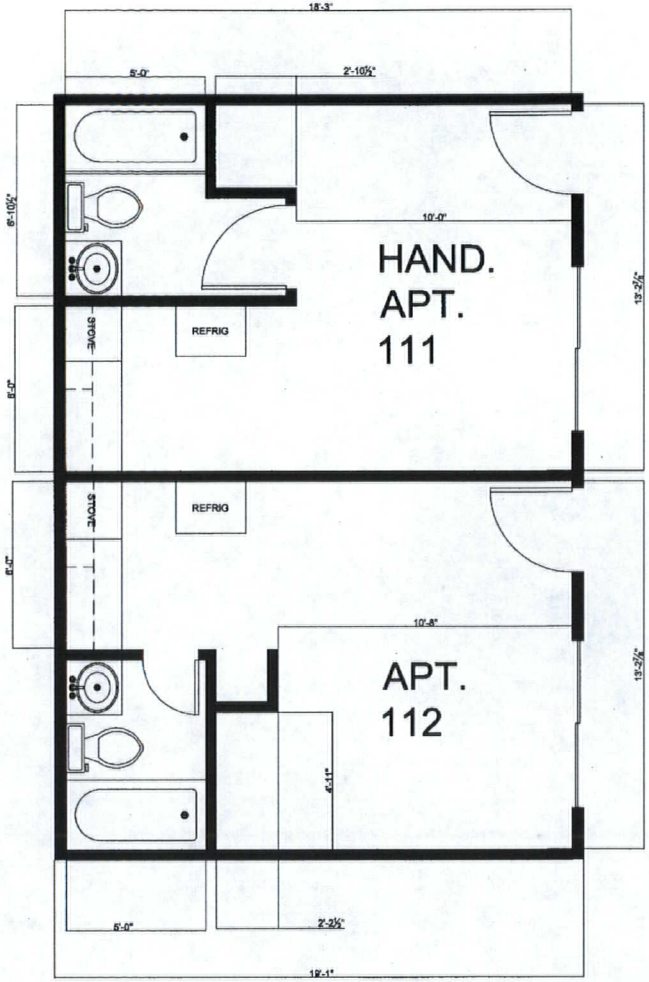
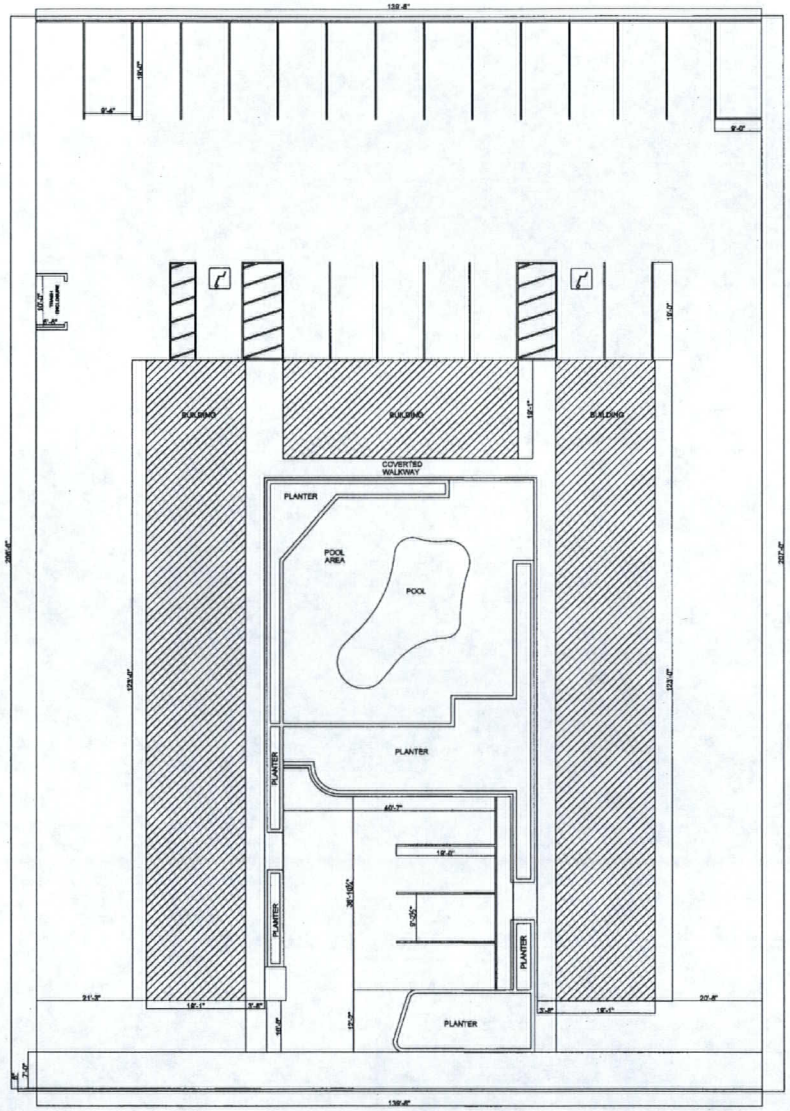
OCT 26 2011
City of Las Vegas
Department of Planning

*The application will not be deemed complete until the submitted materials have been reviewed by the Department of Planning for consistency with applicable sections of the Zoning Ordinance.



B DETAIL VIEW
1/2" = 1'-0"



A SITE PLAN
1/8" = 1'-0"

CASHMAN FIELD INN
1101N LAS VEGAS BLVD.
LAS VEGAS, NV. 89101 (702) 275-4925

Rev. No	Rev. Name	Description

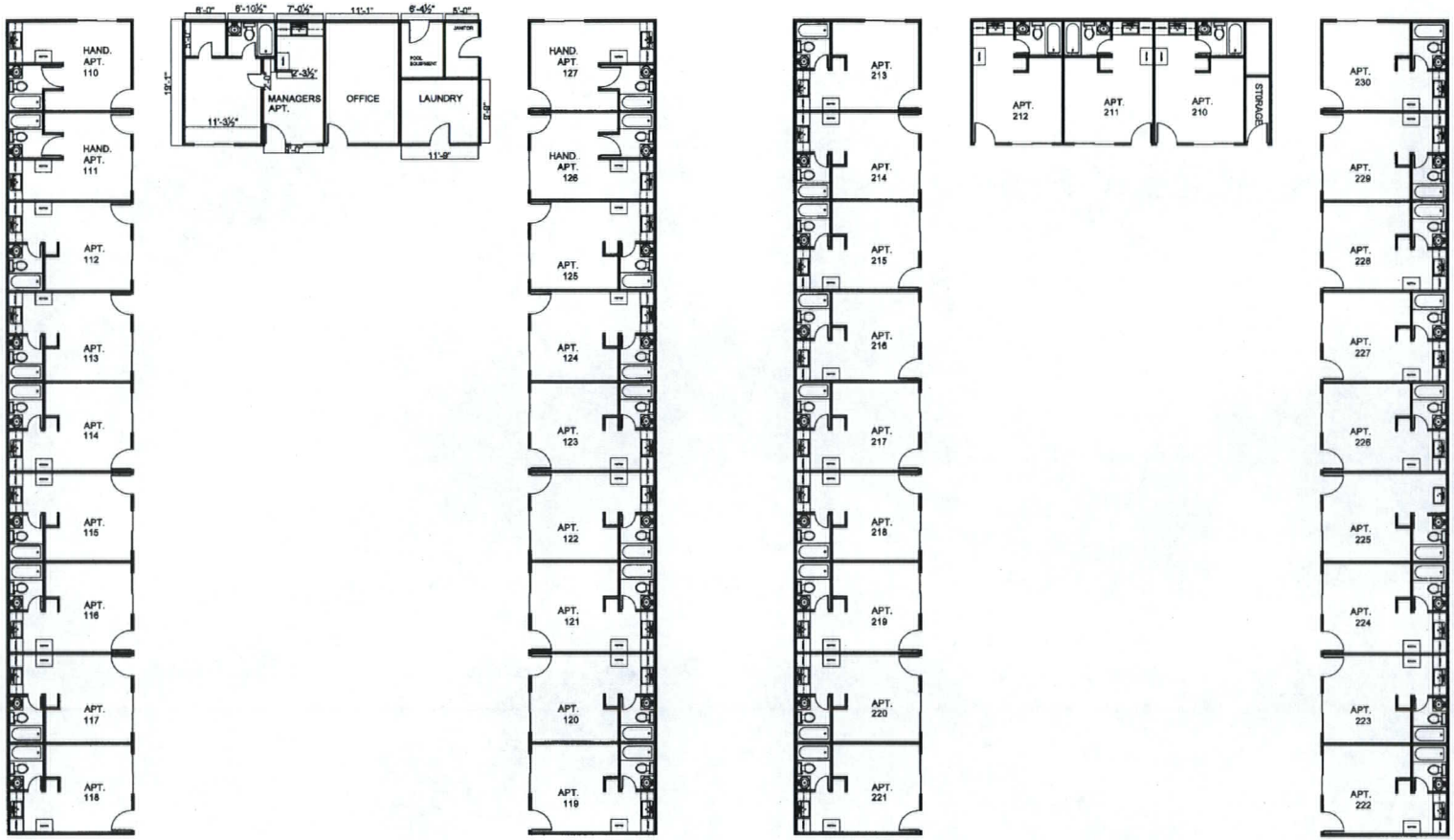
SITE PLAN

AS 1

1 of 2

SUP-43708
REVISED

RECEIVED
NOV 15 2011



A FIRST FLOOR
1/8" = 1'- 0"

B SECOND FLOOR
1/8" = 1'- 0"

CASHMAN FIELD INN
1101N LAS VEGAS BLVD.
LAS VEGAS, NV. 89101 (702) 278-4935

Rev. No	Rev. Name	Description

FLOOR PLAN

A 1

2 of 2

SUP-43708
REVISED

RECEIVED
NOV 15 2011



SUP-43708 - APPLICANT: CASHMAN FIELD INN - OWNER: PANTHEON 1101 LAS VEGAS, LLC
1101 NORTH LAS VEGAS BOULEVARD

11/03/11



SUP-43708 - APPLICANT: CASHMAN FIELD INN - OWNER: PANTHEON 1101 LAS VEGAS, LLC
1101 NORTH LAS VEGAS BOULEVARD

11/03/11



SUP-43708 - APPLICANT: CASHMAN FIELD INN - OWNER: PANTHEON 1101 LAS VEGAS, LLC
1101 NORTH LAS VEGAS BOULEVARD

11/03/11



SUP-43708 - APPLICANT: CASHMAN FIELD INN - OWNER: PANTHEON 1101 LAS VEGAS, LLC
1101 NORTH LAS VEGAS BOULEVARD

11/03/11



SUP-43708 - APPLICANT: CASHMAN FIELD INN - OWNER: PANTHEON 1101 LAS VEGAS, LLC
1101 NORTH LAS VEGAS BOULEVARD

11/03/11



SUP-43708 - APPLICANT: CASHMAN FIELD INN - OWNER: PANTHEON 1101 LAS VEGAS, LLC
1101 NORTH LAS VEGAS BOULEVARD

11/03/11

GRASSI BUILDING GROUP, LLC

October 17, 2011

Department of Planning
City of Las Vegas
333 N. Rancho Dr.
Las Vegas, NV 89106

Re: Special Use Permit – Justification Letter
Cashman Field Inn
1101 N. Las Vegas Blvd.
Las Vegas, NV 89101

Dear Planning Dept.,

I am writing to request a Special Use Permit for the property known as Cashman Field Inn located at 1101 N. Las Vegas Blvd., Las Vegas, NV 89101. It is currently licensed as a motel with weekly use, whereas, people can rent a room for one week at a time and must be checked in and out and back in again weekly. There has been considerable interest in monthly rentals at this location and we would like to proceed with getting the required special use permit to operate the property as a residence hotel.

Currently there is one on-site manager and a total of 39 units for rent. The tenants have use of the pool on the property. The hours of operation are Monday – Friday 7am – 4pm and Saturday 7am – 1pm.

If you have any questions or need additional information please do not hesitate to contact our office at 702-538-8200.

Sincerely,

Noah Grassi
Owner/Manager
Pantheon 1101 Las Vegas, LLC
Grassi Building Group, LLC

RECEIVED
OCT 26 2011
City of Las Vegas
Department of Planning

SUP-43708

City of Las Vegas Agenda Item No.: **37.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: DECEMBER 13, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

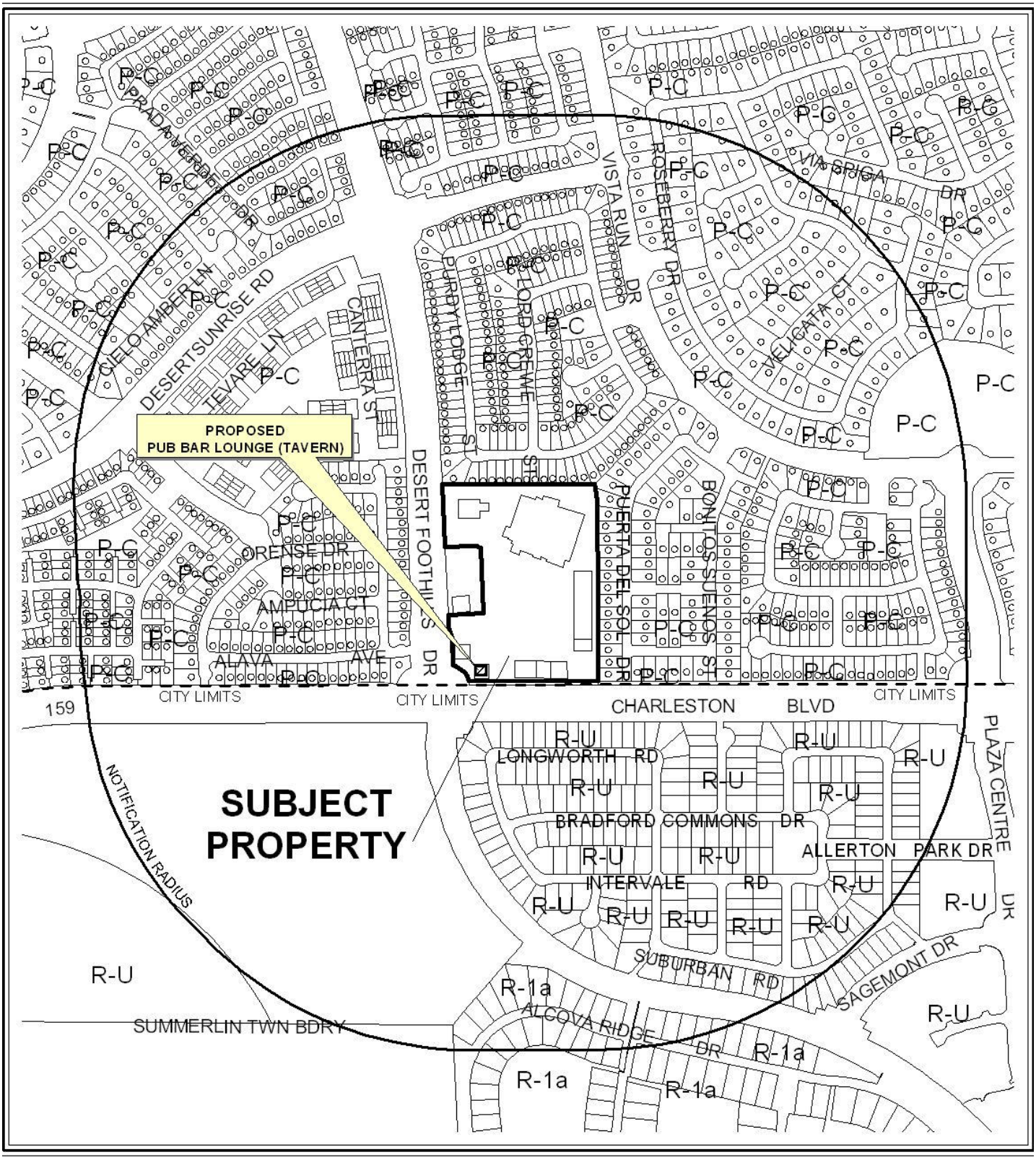
SUBJECT:
SUP-43724 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CROSS CREEK DEVELOPMENT, LLC - OWNER: THE VISTA COMMONS CENTER, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 2,950 SQUARE-FOOT PUB, BAR OR LOUNGE (TAVERN) at 11770 West Charleston Boulevard, Suite #150 (APN 137-34-818-002), P-C (Planned Community) Zone [VC (Village Center) Summerlin Land Use Designation], Ward 2 (Wolfson). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 01/18/2012
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

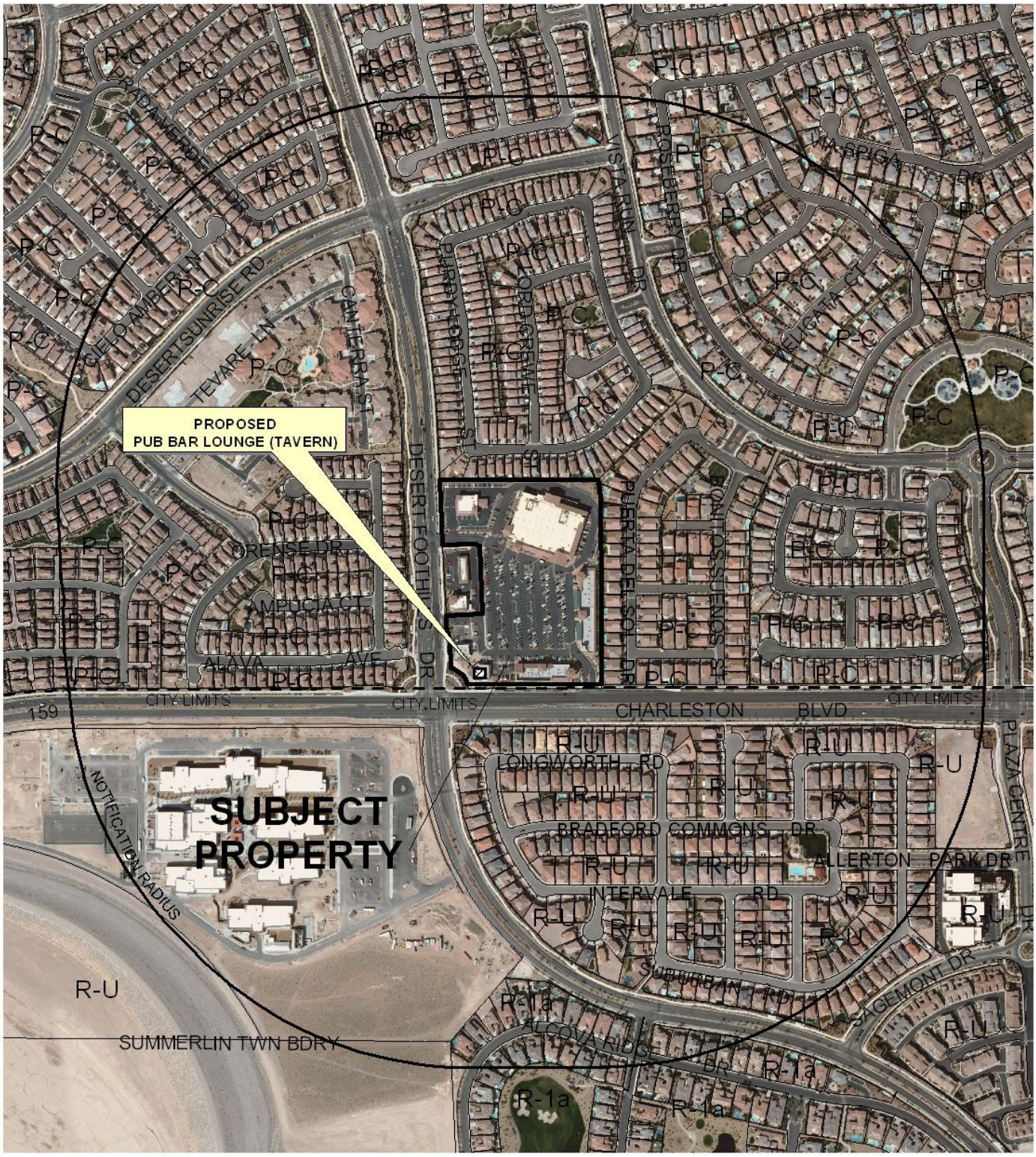
BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter



CASE: **SUP-43724**

RADIUS: 1500 FEET

ZONING OF SUBJECT PROPERTY: P-C (PLANNED COMMUNITY)



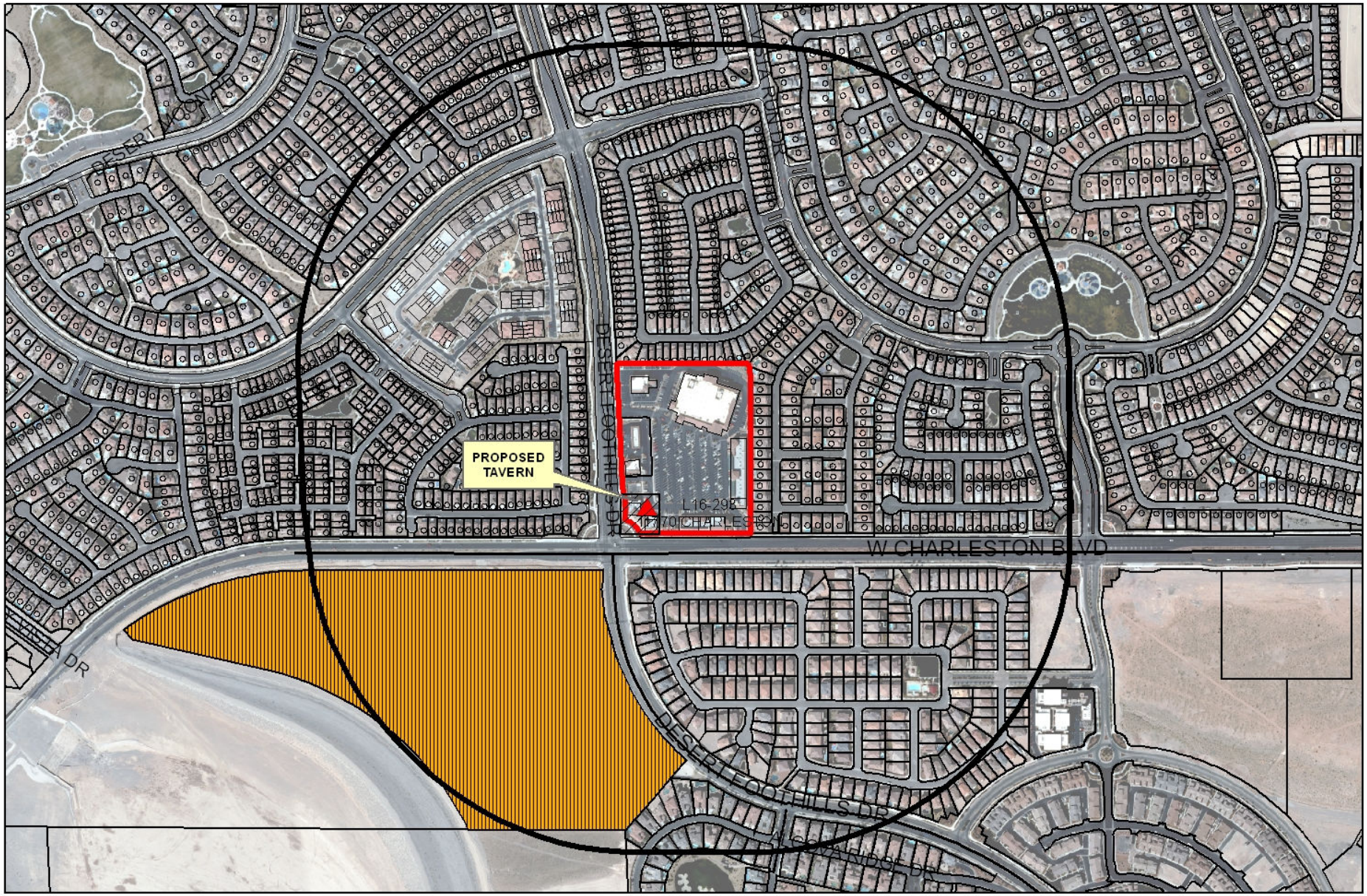
0 500 1000 Feet

CASE: **SUP-43724**

RADIUS: 1500 FEET

ZONING OF SUBJECT PROPERTY: P-C (PLANNED COMMUNITY)

N



SUP-43724

Taverns

Business Licenses

Child Care/ Children Facility

Tavern

0 310 620 1,240 Feet

RELIGIOUS

CITY PARKS

SCHOOLS

Subject Property

1500 foot buffer

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: DECEMBER 13, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: CROSS CREEK DEVELOPMENT, LLC - OWNER: THE VISTA COMMONS CENTER, LLC

**** STAFF RECOMMENDATION(S) ****

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-43724	Staff recommends APPROVAL, subject to conditions:	

**** CONDITIONS ****

SUP-43724 CONDITIONS

Planning

1. Conformance to the Summerlin Development Standards for the Pubs, Bars, or Lounges use.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

5. Approval of this Special Use Permit does not constitute approval of a liquor license.

6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Staff Report Page One
December 13, 2011 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This proposal consists of a 2,951 square-foot Pub, Bar or Lounge (Tavern) at 11700 West Charleston Boulevard, Suite #150. The proposed use consists of a 1,891 square-foot interior space with approximately 1,060 square feet of outdoor patio space located within a commercial shopping center. Therefore, the use is determined to be compatible with adjacent uses and staff recommends approval.

ISSUES

- A Pub, Bar, or Lounge use requires a Special Use Permit in the VC (Village Commercial) Summerlin Land Use.
- Per the Summerlin Development Standards, no waivers are required for distance separation requirements; however, the proposed use will be adjacent to an existing Pub, Bar, or Lounge (Tavern) use and is located within 1,500 feet of an existing Public or Private School, Secondary Use. The school is approximately 280 feet away, south of Charleston Boulevard and west of Desert Foothills Drive. Both of these streets are at least 100 feet in width.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
05/25/05	A request for a Site Development Plan Review (CRG-6661) was approved by the City Referral Group for a proposed 56,000 square-foot grocery store at the northeast corner of Charleston Boulevard and Desert Foothills Drive.
07/06/05	The City Council approved a request for a Special Use Permit (SUP-6500) for a proposed Liquor Store adjacent to the northeast corner of Charleston Boulevard and Desert Foothills Drive. The Planning Commission recommended approval.
08/15/07	The City Council approved a request for an Extension of Time (EOT-22994) of an approved Special Use Permit (SUP-6500) for a proposed Liquor Store at 11720 West Charleston Boulevard.
09/05/07	The City Council approved a request for a Special Use Permit (SUP-22488) for a proposed Beer/Wine/Cooler On-Sale Establishment at 11710 West Charleston Boulevard, Suite #150. The Planning Commission recommended approval.
11/21/07	The City Council approved a request for a Special Use Permit (SUP-24265) for a proposed Pub, Bar and Lounge at 11770 West Charleston Boulevard, Suite #110. The Planning Commission recommended approval.

03/19/08	The City Council approved a request for a Special Use Permit (SUP-26267) for a Gaming Establishment, Restricted within an existing Pub, Bar and Lounge at the northeast corner of Charleston Boulevard and Desert Foothills Drive. The Planning Commission recommended approval.
10/15/08	The City Council approved a request for a Special Use Permit (SUP-29241) for a proposed 6,019 square-foot Supper Club at 11760 West Charleston Boulevard. The Planning Commission and staff recommended approval. This entitlement has expired.

Most Recent Change of Ownership	
01/24/11	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
08/14/07	Business license #L15-00136 issued for a Package Liquor Establishment at 11720 West Charleston Boulevard
08/26/08	Business license #L16-00293 issued for Tavern at 11770 W. Charleston Bl. Suite 110.
	Business license #C05-02630 issued for Retail Tobacco Dealer at 11770 W. Charleston Bl. Suite 110.
11/20/07	Business license #L09-00245 issued for a Beer/Wine/Cooler On-Sale at 11710 West Charleston Boulevard, Suite #150.
	Business license #R09-01430 issued for a Restaurant at 11710 West Charleston Boulevard, Suite #150.

Pre-Application Meeting	
10/20/11	A pre-application meeting was held where the submittal requirements for a Special Use Permit for a proposed Pub were discussed.

Neighborhood Meeting
A neighborhood meeting is not required for this type of application.

Field Check	
11/03/11	A field check was performed by staff. The existing shopping center at the northeast corner of Charleston Boulevard and Desert Foothills Drive provides sufficient onsite parking and is well maintained.

Details of Application Request	
Site Area	
Net Acres	10.3

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Shopping Center	SUM (Summerlin)	P-C (Planned Community) [VC (Village Center) Summerlin Land Use District]
North	Single-Family Residential	SUM (Summerlin)	P-C (Planned Community) [SF3 (Single Family Detached)]
South	Unincorporated Clark County- Single-Family Detached	Unincorporated Clark County- SF (Single Family Residential)	Unincorporated Clark County- R-U (Rural Open Land District)
East	Single-Family, Detached	SUM (Summerlin)	P-C (Planned Community) [SF3 (Single Family Detached)]
West	Single-Family, Detached	SUM (Summerlin)	P-C (Planned Community) [SF3 (Single Family Detached)]

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area			
Summerlin	X		Y
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
P-C (Planned Community) District	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance	X		Y

DEVELOPMENT STANDARDS

Pursuant to the Summerlin Development Standards the following parking standards apply:

Parking Requirement (as approved by CRG-6661)							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Grocery Store (Bldg A)	56,000 SF	1:250 SF	224				
Retail (Bldg B)	17,200 SF	1:250 SF	70				
Retail (Bldg C)	12,800 SF	1:250 SF	52				
Pubs, Bars and Lounges (Bldgs D & E)	8,000 SF	1 space for each 50 s.f. of public seating and waiting area, including outdoors seating/eating areas	91				
Service Station (Bldg F)	3,660 SF	1:250 SF	15				
Bank (Bldg G)	5,000 SF	1:200 SF	25				
TOTAL SPACES REQUIRED			477		494		
Regular and Handicap Spaces Required			468	9	472	22	Y

ANALYSIS

The applicant proposes a 1,891 square-foot drinking and eating establishment with a 1,060 square-foot outdoor patio area located in a commercial shopping center that falls under the Village Center (VC) land use category. The Village Center (VC) allows a mix of land uses including commercial and recreational facilities that provide most of the daily and weekly services and activities for a village or combination of villages. A Pub, Bar or Lounge use may occur with an approved Special Use Permit in the Village Center District of Summerlin.

This Special Use Permit request qualifies as a Project of Regional Significance (PRS) as the subject site is located within 500 feet of the boundary with Clark County. There have been no comments received from participating agencies regarding the anticipated impact from this proposal.

The Summerlin Development Standards defines the "Pubs, Bars, & Lounges use" as, "A place where the sale and service of alcoholic beverages are sold by the drink, where meals are not required." The proposed establishment would operate much in the way Title 19.12 describes the Supper Club use, with the Liquor Establishment (Tavern) use being applied as the equivalent Title 19.12 use equivalent in terms of intensity and analytical discussion of separation distances

There are no waivers required with this proposal, as the Summerlin Development Standards do not require a minimum distance separation from city parks, schools, child care facilities licensed for more than 12 children, or houses of worship. However, a Pub, Bar, or Lounge use is located adjacent to this proposal and and a Public or Private School, Secondary use is located approximately 280 feet to the southwest of the subject site. It is important to note that both Charleston Boulevard and Desert Foothills separates the proposed use from the school with at least 100 feet of public right-of-way.

Parking is adequately provided for the proposed use and the included proposed outdoor patio area. The originally approved City Referral Group (CRG-6661) approval had the proposed "Building D" parked as a restaurant, which utilizes the same parking ratio for Pubs, Bars, or Lounges. The applicant is adding approximately 1,060 square feet of additional drinking and dining space with the proposed patio, which will require an additional 11 parking spaces that are readily available on site.

Staff recommends approval of this proposal, as it meets the intent and expectations of the VC (Village Commercial) land use and is compatible with the surrounding uses. If denied, the applicant will not be allowed to sell alcohol at this location.

FINDINGS (SUP-43724)

In order to approve a Special Use Permit application, per Title 19.16.110(L) the Planning Commission and City Council must affirm the following:

1. **The proposed land 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.**

   The proposed Pub, Bar, or Lounge use is located within a commercial shopping center that includes a bank, a restaurant with on premise alcohol sales, a tavern, personal services, and a grocery store with accessory package liquor sales. The addition of the Pub, Bar, or Lounge use is meets the intent of the VC (Village Center) land use designation. The closest protected uses is separated from the site by a 150-foot right-of-way.

2. The subject site is physically suitable for the type and intensity of land use proposed.

The subject site operates as a commercial shopping center which was designed to accommodate a variety of uses and parking needs, including the proposed Pub use.

3. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.

The proposed use is located within a commercial subdivision that is accessed by Charleston Boulevard and Desert Foothills Drive, both of which are adequate in size to meet the needs of the proposed use.

4. 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.

The Pub, Bar, or Lounge use is will be subject to regular licensing inspections and will not compromise the public health, safety, and welfare or overall objectives of the General Plan.

5. The use meets all of the applicable conditions per Title 19.12.

The proposed use is regulated by the Summerlin Development Standards Manual, and as such meets all of the applicable conditions required of said plan.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 6

NOTICES MAILED 1,233

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-43724** APN: 137-34-818-002

Name of Property Owner: The Vista Commons Center, LLC

Name of Applicant: Cross Creek Development, LLC

Name of Representative: Tom Amick - Kaempfer Crowell

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____Yes ___X___No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

RECEIVED
OCT 27 2011
City of Las Vegas
Department of Planning

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Dave Petty

Print Name: Dave Petty, Authorized Signatory

Subscribed and sworn before me

This 25th day of October, 2011

Kristie Lynne Eidlhuber

Notary Public in and for said County and State

KRISTIE LYNNE EIDLHUBER
Commission No. 1921978
NOTARY PUBLIC-CALIFORNIA
ORANGE COUNTY
My Comm. Expires JANUARY 15, 2015

Revised 11-14-06

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PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit for Pub Bar Lounge (Tavern)

Project Address (Location) 11700 West Charleston

Project Name Bar Taco **Proposed Use** Tavern

Assessor's Parcel #(s) 137-34-818-002 **Ward #** 2

General Plan: existing Summerlin proposed n/a **Zoning:** existing PC-VC proposed n/a

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER The Vista Commons Center, LLC **Contact** _____

Address 4350 Von Karman Ave., 4th Floor **Phone:** _____ **Fax:** _____

City Newport Beach **State** CA **Zip** 92660

E-mail Address _____

APPLICANT Cross Creek Development, LLC **Contact** Mitch Wilson

Address 9701 Orient Express Court **Phone:** 279-6000 **Fax:** 360-5373

City Las Vegas **State** NV **Zip** 89145

E-mail Address mitchwilson@cox.net

REPRESENTATIVE Kaempfer Crowell **Contact** Tom Amick

Address 8345 West Sunset Road, Suite 250 **Phone:** 792-7000 **Fax:** 796-7181

City Las Vegas **State** NV **Zip** 89113

E-mail Address tda@kcnvlaw.com

Property Owner Signature* Dave Patty

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Dave Patty

Subscribed and sworn before me

This 25th day of October, 20 11.

Kristie Lynne Eidlhuber

Notary Public in and for said County and State

KRISTIE LYNNE EIDLHUBER
Commission No. 1921978
NOTARY PUBLIC-CALIFORNIA
ORANGE COUNTY
My Comm. Expires JANUARY 15, 2015

FOR DEPARTMENT USE ONLY

Case #	SUP-43724
Meeting Date:	12-13-11
Total Fee:	1280.00
Date Received:*	10-27-11
Received By:	

*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

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City of Las Vegas
Department of Planning

Revised 10/27/08

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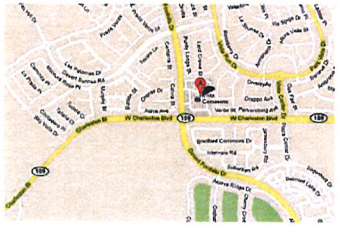
RECEIVED
OCT 27 2011
City of Las Vegas
Department of Planning

bar taco

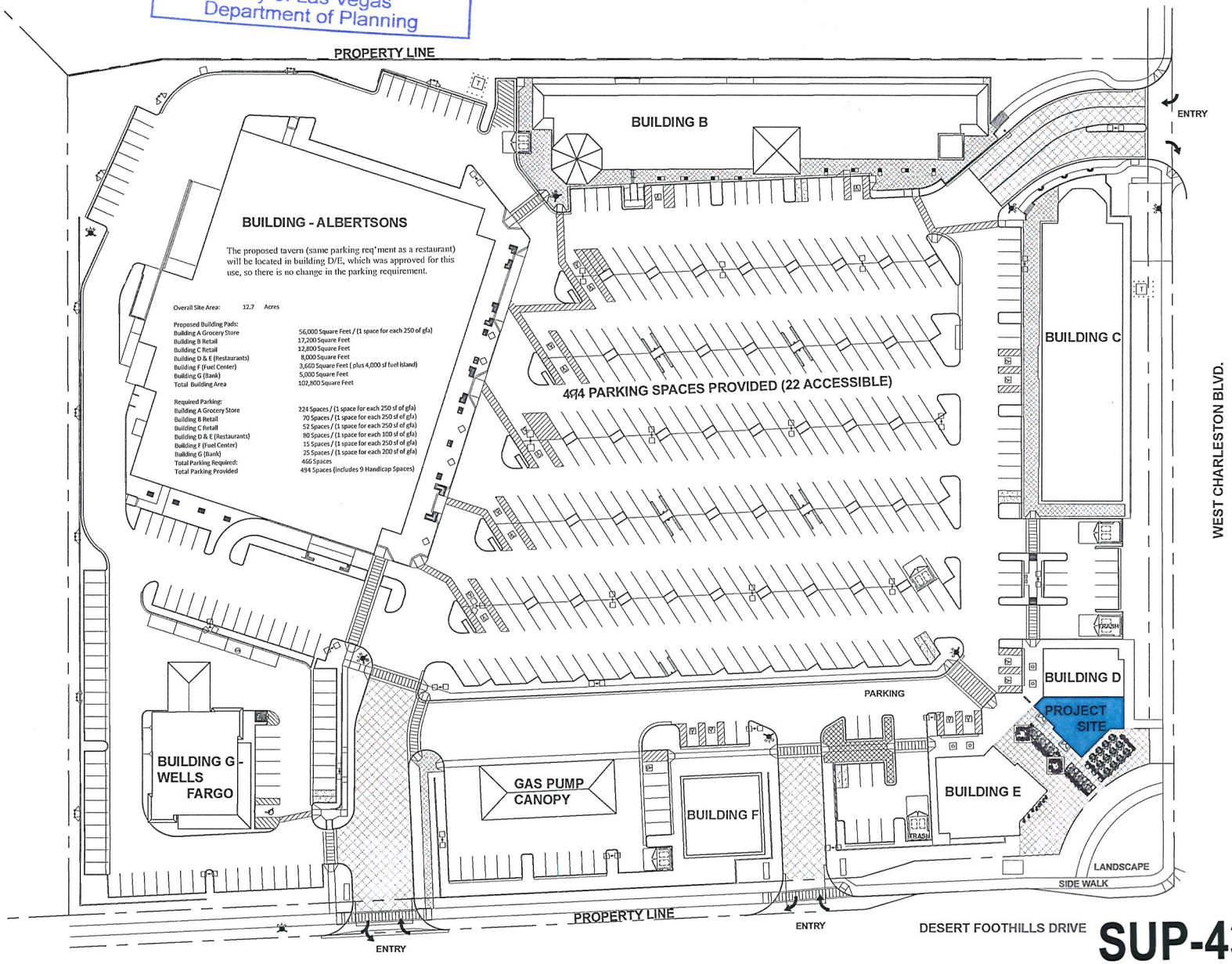
11700 W CHARLESTON BLVD
LAS VEGAS, NEVADA, 89135











SITE PLAN

SCALE: 1/32" = 1'-0"

SUP-43724

bar taco

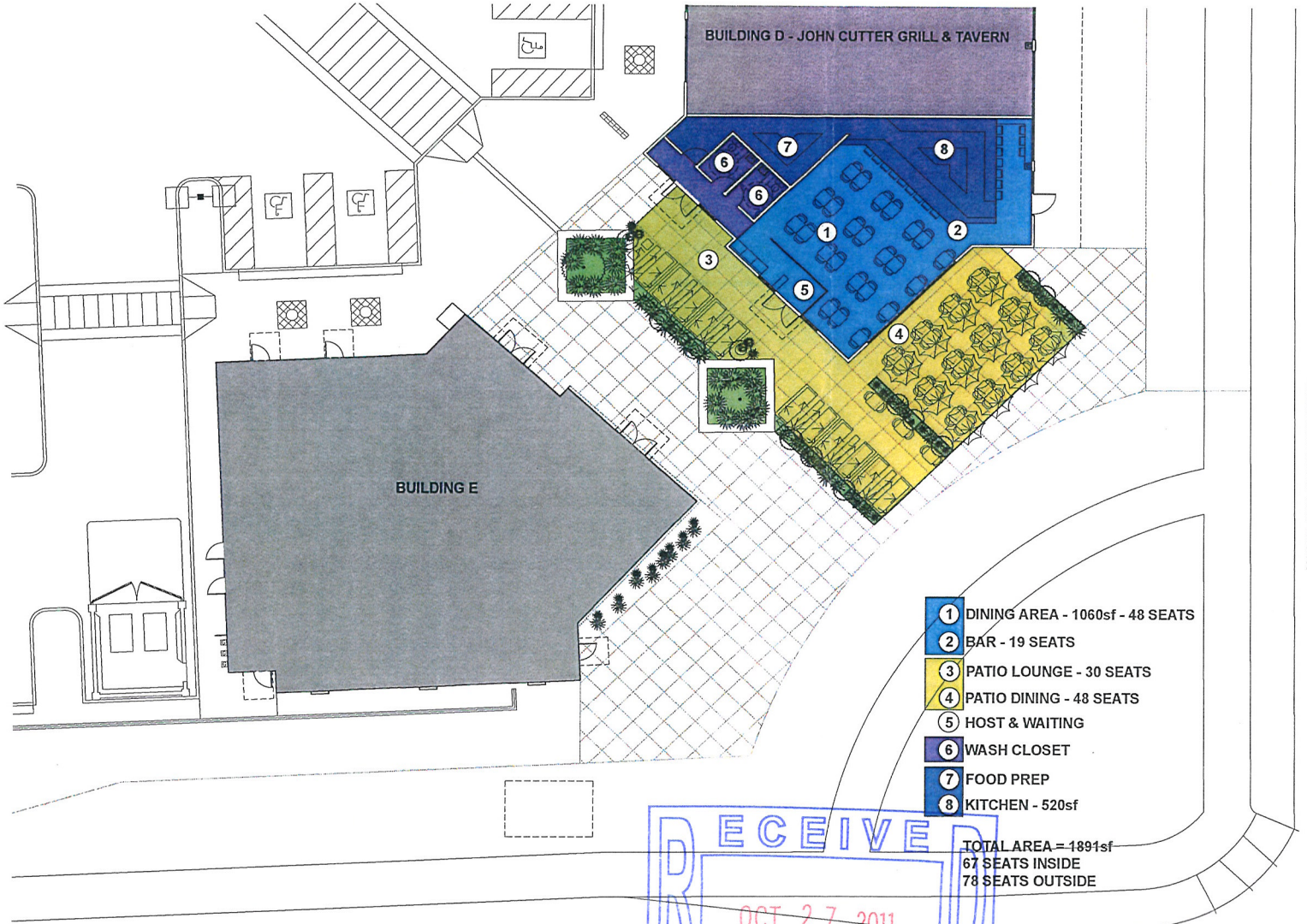
11700 W CHARLESTON BLVD
LAS VEGAS, NEVADA, 89135











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Department of Planning

FLOOR PLAN

NORTH

SCALE: 1/8" = 1'-0"

SUP-43724



SUP-43724 - APPLICANT: CROSS CREEK DEVELOPMENT, LLC - OWNER: THE VISTA COMMONS CENTER, LLC

11770 WEST CHARLESTON BOULEVARD, SUITE #150

11/03/11



SUP-43724 - APPLICANT: CROSS CREEK DEVELOPMENT, LLC - OWNER: THE VISTA COMMONS CENTER, LLC

11770 WEST CHARLESTON BOULEVARD, SUITE #150

11/03/11



SUP-43724 - APPLICANT: CROSS CREEK DEVELOPMENT, LLC - OWNER: THE VISTA COMMONS CENTER, LLC

11770 WEST CHARLESTON BOULEVARD, SUITE #150

11/03/11

KAEMPFER CROWELL

KAEMPFER CROWELL RENSHAW GRONAUER & FIORENTINO

ATTORNEYS AT LAW

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tamick@kcnvlaw.com
702.693.4265

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Fax: 702.796.7181

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Reno, NV 89511
Tel: 775.852.3900
Fax: 775.882.0257

CARSON CITY OFFICE
510 W. Fourth Street
Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

October 26, 2011

CITY OF LAS VEGAS
PLANNING DEPARTMENT
333 S. Rancho Road
Las Vegas, NV 89104

Re: Justification Letter – APN 137-34-818-002
Special Use Permit Application
Cross Creek Development – Bar Taco

To Whom it May Concern:

This office represents the applicant in the above referenced matter. This application is a request for a special use permit for a "Pub, Bar & Lounge" (tavern), within an existing commercial shopping center located on the northeast corner of Desert Foothills Drive and Charleston Boulevard within Summerlin.

The proposed establishment is located within an existing Albertsons shopping center and faces Charleston Boulevard, a 100 foot right-of-way. The establishment, known as "Bar Taco" will be located in an approximately 2,000 square foot inline space on the southeast end of the site within Building D.

Bar taco is a casual yet upscale dining and drinking establishment offering a large outdoor seating area located within an existing courtyard between buildings D and E. The existing shopping center was designed to offer a variety of neighborhood friendly shopping and dining choices to serve the many rooftops located west of the 215 and to supplement the dining and shopping alternatives east of the 215. The proposed use is consistent with and compatible with the surrounding area and will serve as a desirable amenity for the nearby residential communities.

The proposed establishment will not have any gaming machines.

We appreciate your kind consideration of our request. Should you have any questions, please call me. Thank you very much.

Sincerely,

KAEMPFER CROWELL RENSHAW
GRONAUER & FIORENTINO

Thomas D. Amick

RECEIVED
OCT 27 2011
City of Las Vegas
Department of Planning

TDA/EED

SUP-43724

City of Las Vegas Agenda Item No.: **38.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: DECEMBER 13, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

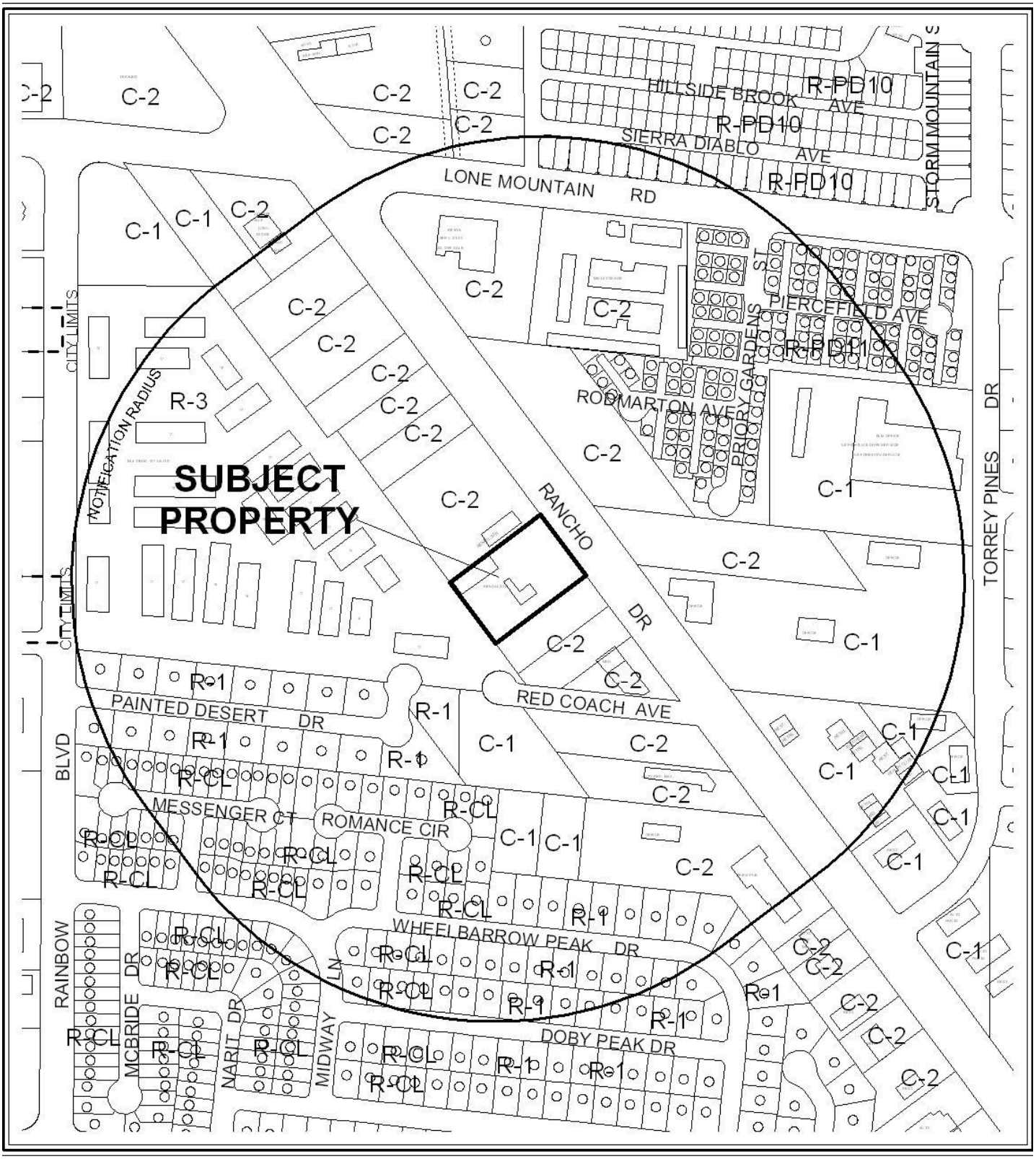
SUBJECT:
SUP-43897 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: COX COMMERCIAL FLEET SERVICES, LLC - OWNER: DFA, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED AUTO REPAIR GARAGE, MAJOR at 4655 North Rancho Drive (APN 138-02-101-009), C-2 (General Commercial) Zone, Ward 6 (Ross). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 01/18/2012
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter



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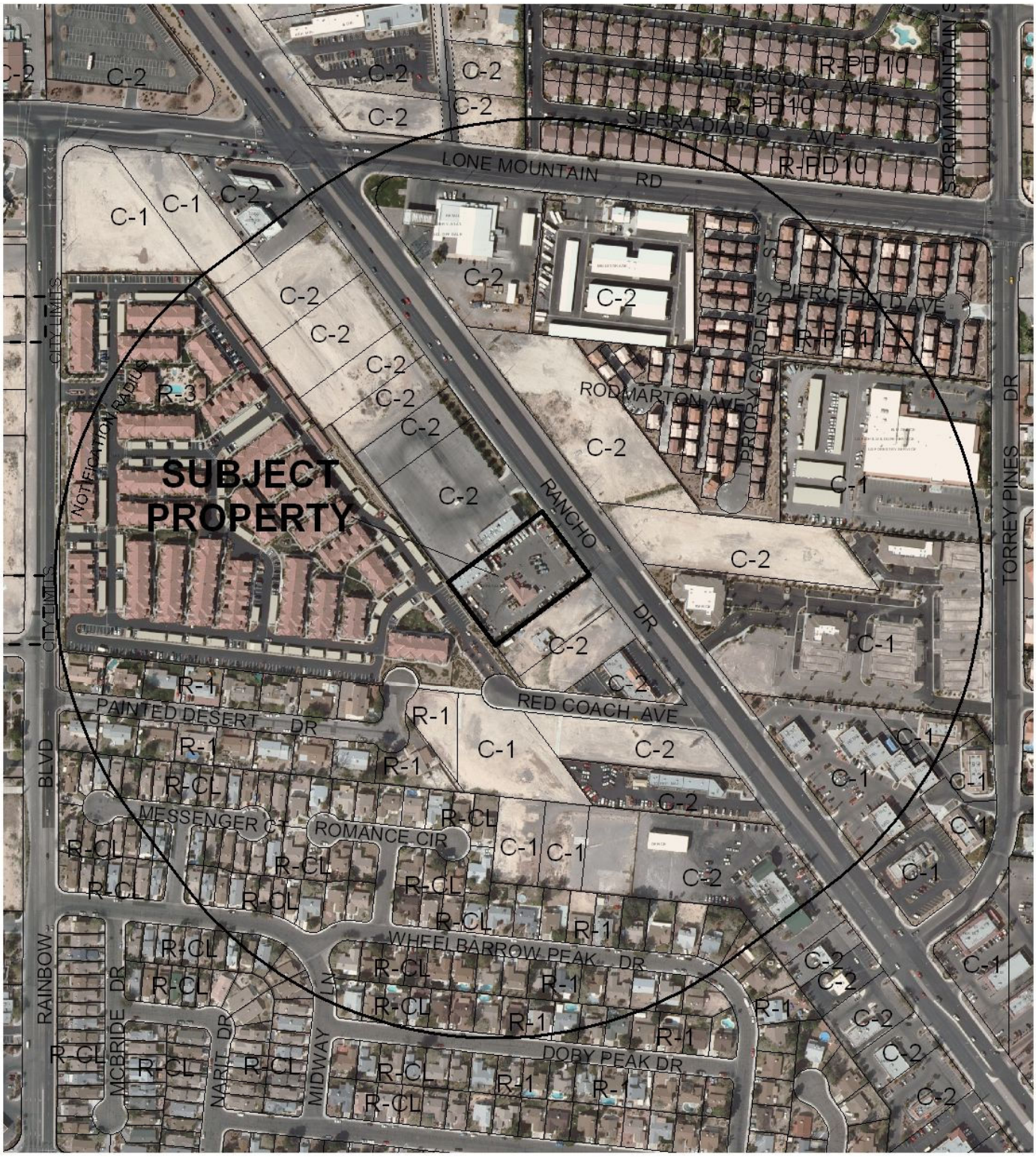
CASE: **SUP-43897**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N



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CASE: **SUP-43897**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: DECEMBER 13, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: COX COMMERCIAL FLEET SERVICES, LLC - OWNER: DFA, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-43897	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-43897 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for an Auto Repair Garage, Major use.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. Prior to occupancy, all necessary permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for permits.

5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Staff Report Page One
December 13, 2011 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit to allow an Auto Repair Garage, Major at 4655 Rancho Drive. The primary use of the property will be the maintenance and repair of fleet vehicles; accessory automotive parts storage and office uses are also intended for the site. The proposed use will occupy a developed site that has previously housed an equipment rental facility and a used-car dealership. The use can be conducted in conformance to the minimum standards outlined in Title 19.12 for automotive repair, and is adequately screened from abutting properties by a perimeter wall and landscape buffers. If denied, the proposed use will not be permitted at the proposed location.

ISSUES

- An Auto Repair Garage, Major use is permitted in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.
- The proposed use can be operated in conformance to the minimum standards listed in Title 19.12 for an Auto Repair Garage, Major.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
05/03/00	The City Council approved a Special Use Permit (U-0019-00) for used car sales on the subject site. The Planning Commission recommended approval on 03/23/00.
06/07/00	The City Council approved a Site Development Plan Review (SD-0023-00) for a proposed used car dealership on the subject site. The Planning Commission recommended approval on 04/27/00.
09/20/00	The City Council approved a Variance (V-0046-00) to allow an eight-foot side yard setback where 10 feet is required for the subject property. This setback requirement does not apply adjacent to the auto repair facility.
10/06/00	The City Council approved a request for a Review of Condition on an approved Special Use Permit [U-0019-00(1)] that required recordation of a deed restriction that prohibited operation of the used car dealership on Sundays. The applicant requested that the condition be tied to the Special Use Permit, rather than the deed.

08/01/01	The City Council approved a request for a Variance (V-0037-01) on this site to allow an electronic message unit where such signage is not allowed within 200 feet of residentially developed property.
04/02/03	The City Council approved the City's request to amend portions of the Southeast and Centennial Hills Sector Plans of the General Plan from GC (General Commercial), SC (Service Commercial), and DR (Desert Rural) to GC (General Commercial), O (Office), PF (Public Facilities), ML (Medium Low Density Residential), and DR (Desert Rural) on property located on, or in close proximity to, both sides of Rancho Drive from Vegas Drive to the northern City limits at Moccasin Road. The subject site was included in the changes. The entire site was given a GC (General Commercial) General Plan Designation.
06/06/03	The Planning Commission administratively approved a Site Development Plan Review (SDR-2325) to allow the development of elevated pads for vehicle display within the landscape buffer area.
06/12/03	The Planning Commission approved a Review of Condition (ROC-2306) of an approved Site Development Plan Review (SD-0023-00), which limited the minor automotive repair facility to servicing only vehicles to be sold on site as part of the used car dealership; and of an approved Special Use Permit (U-0019-00), which restricted the site to a used car dealership.
07/16/03	The City Council approved a request for a Review of Condition of an approved Site Development Plan Review (SD-0023-00) which limited the minor automotive repair facility to servicing vehicles to be sold on site as part of the used car dealership.
07/21/04	The City Council approved a request for a Special Use Permit for a Rental Store with Outside Storage.

Most Recent Change of Ownership	
08/19/04	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
11/19/01	Permit #01007546 was finalized for a 1,521 square-foot Sales Office
11/26/01	Permit #01007548 was finalized for a 4,000 square-foot Service Building

Pre-Application Meeting	
11/17/11	The requirements for submittal were reviewed.

Neighborhood Meeting
No meeting was held nor is one required.

Field Check	
11/20/11	A field check was conducted by staff. The site is a vacant rental store site in good condition.

Details of Application Request	
Site Area	
Net Acres	1.38

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Rental Store [Proposed: Auto Repair, Major]	GC (General Commercial)	C-2 (General Commercial)
North	Rental Store	GC (General Commercial)	C-2 (General Commercial)
South	Single Family Residence	SC (Service Commercial)	C-2 (General Commercial)
East	Vacant	GC (General Commercial)	C-2 (General Commercial)
West	Condominiums	M (Medium Density Residential)	R-3 (Multifamily Residential)

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area		X	N/A
Trails	X		Y
Airport Overlay District	X		Y
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Major Automotive Repair	4,000 SF	5 plus 1/200 SF	25				
Office	1,521 SF	1/300 SF	6				
TOTAL SPACES REQUIRED			31		31		Y
Regular and Handicap Spaces Required			29	2	29	2	Y
Loading Spaces	1 per 10,000 SF		1		1		Y

ANALYSIS

The applicant is requesting approval of an Auto Repair Garage, Major use on the subject site with the intent to perform standard maintenance on fleet vehicles. Title 19.20 defines the use as a "…facility for the repair or reconditioning of any type of motorized vehicle. This uses includes a facility which performs any repairs to vehicles with a gross vehicle weight over 10,000 pounds." The proposed use is consistent with the definition contained in Title 19 and may be conducted on the site upon the approval of a Special Use Permit (SUP) application.

In regards to Master Plan or Special Area Plan requirements, the subject property is located within the Airport Overlay (A-O) District. The overlay district limits buildings on the property to 175 feet in height; the existing buildings are one-story in height and conform to the requirements of the district. In addition, Rancho Drive has been designated for a bike trail, but the applicant is not responsible for the development of the trail.

There are two existing buildings on the site: a small office building located at the front of the site facing Rancho Drive, and a repair building at the rear of the property with five service bays. A masonry wall is located at the sides and rear of the property to screen the repair building and its associated staging area from adjacent properties and a landscape buffer is located along the front and north side; the office building assists in screening those functions from Rancho Drive.

Customer parking is located at the front of the property, and employee parking spaces are located behind the office building. A loading space is provided immediately adjacent to the repair building. The proposed use will be in conformance with parking requirements.

The minimum requirements for an Auto Repair Garage, Major include the following:

- All repair and service work shall be performed within a completely enclosed building.
- Openings in service bays shall not face public rights-of-ways.
- No used or discarded parts or equipment shall be located or stored in any open area.
- All disabled vehicles shall be stored in an area that is screened from view of abutting properties and streets.
- Outdoor hoists are prohibited.
- All hazardous materials shall be properly stored and removed from the premises in a timely manner.
- No vehicle shall be parked on the premises for the purposes of offering the vehicle for sale.
- Outdoor bells and loudspeakers are prohibited.

In reviewing the minimum standards for the use, the service bay doors do not face a public right-of-way, and are oriented so as to minimize the impact to the adjacent condominium development to the rear of the property. The doors to the service bays can be closed so as to minimize noise. There are existing screen walls in place so as to screen disabled vehicles from adjacent properties. The applicant will be prohibited from using any outdoor loudspeakers or bells, and from storing any discarded parts or equipment in outdoor areas.

FINDINGS (SUP-43897)

In order to approve a Special Use Permit application, per Title 19.16.110(L) the Planning Commission and City Council must affirm the following:

1. **The proposed land 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.**

   The site is arranged so that the repair building and fleet parking area is located to the rear of the site, and is generally screened from Rancho Drive by the office building. Although the subject property abuts a multifamily development to the rear, the service bay openings generally face away from the condominium buildings, and there is a masonry wall in place to screen the use. The proposed use is consistent with the adjacent uses on Rancho Drive.

2. **The subject site is physically suitable for the type and intensity of land use proposed.**

   There is adequate area on the site for the repair and staging of the fleet vehicles.

3. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.**

The property is accessed from a single driveway on Rancho Drive. Rancho Drive is designated as a Freeway by the Master Plan of Streets and Highways, and has a 125-foot right-of-way width immediately adjacent to the subject property. Access to the property and street capacity are sufficient for the proposed use.

4. 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.

The proposed use is consistent with the General Commercial land use designation, as defined in the Las Vegas 2020 Master Plan. The General Commercial designation allows uses of a more intense commercial nature, and specifically identifies automotive repair as an allowable use. The proposed use will not compromise public health, safety or welfare.

5. The use meets all of the applicable conditions per Title 19.12.

The use can be conducted in conformance with the minimum requirements identified in Title 19.12.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 18

NOTICES MAILED 253

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-43897** APN: 138-02-101-009

Name of Property Owner: DFA, LLC

Name of Applicant: Cox Commercial Fleet Services, LLC

Name of Representative: Jennifer Lazovich - Kaempfer Crowell

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes ___X___ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Don F Ahern

Print Name: Don F. Ahern

Subscribed and sworn before me

This 16th day of November, 2011

Joni B Starcher

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
JONI B. STARCHER
My Appointment Expires
July 30, 2013
No: 93-0701-1

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NOV 17 2011

Revised 11-14-06

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PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit

Project Address (Location) 4655 N. Rancho

Project Name Cox Commercial Fleet Services, LLC **Proposed Use** Major Auto Repair

Assessor's Parcel #(s) 138-02-101-009 **Ward #** 6

General Plan: existing GC proposed n/a **Zoning:** existing C-2 proposed n/a

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** _____ **Density** _____

Additional Information See attached

PROPERTY OWNER DFA, LLC **Contact** Don Ahern

Address 1401 Mineral Avenue **Phone:** n/a **Fax:** n/a

City Las Vegas **State** NV **Zip** 89016

E-mail Address n/a

APPLICANT Cox Commercial Fleet Services, LLC **Contact** Marie Gross

Address 6205 Peachtree Dunwoody Road **Phone:** 678-645-0913 **Fax:** 678-645-1658

City Atlanta **State** GA **Zip** 30328

E-mail Address Marie.Munson@coxinc.com

REPRESENTATIVE Kaempfer Crowell **Contact** Jennifer Lazovich

Address 8345 West Sunset, Suite 250 **Phone:** 792-7000 **Fax:** 796-7181

City Las Vegas **State** NV **Zip** 89113

E-mail Address jjl@kcnvlaw.com

Property Owner Signature* Don F. Ahern

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name Don F. Ahern

Subscribed and sworn before me

This 16th day of November, 20 11.

Joni B. Starcher

Notary Public in and for said County and State

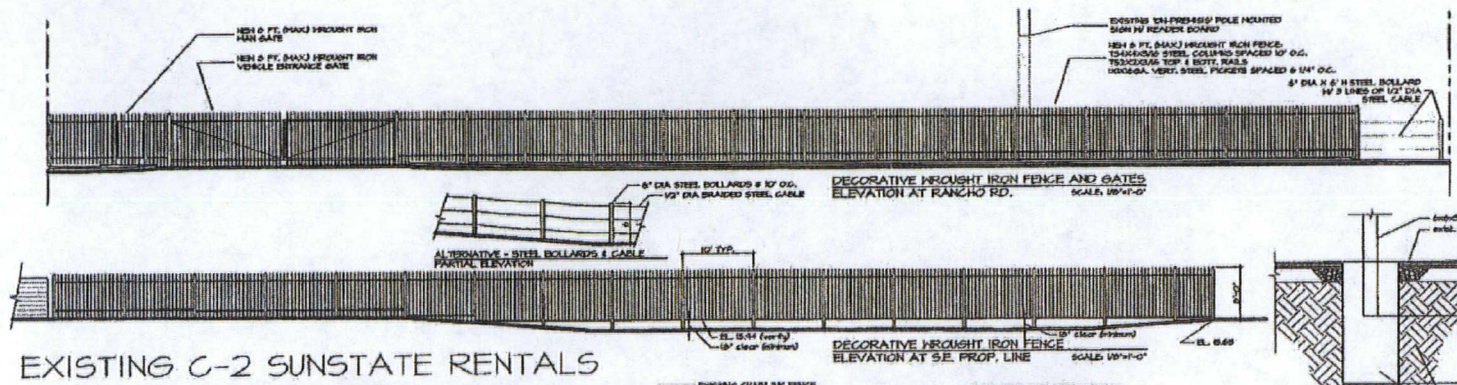
Notary Public - State of Nevada
County of Clark
JONI B. STARCHER
My Appointment Expires
July 30, 2013
No: 93-0701-1

FOR DEPARTMENT USE ONLY

Case #	SUP-43897
Meeting Date:	12/13/2011
Total Fee:	1030.00
Date Received:*	11/17/2011
Received By:	M Rel

*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

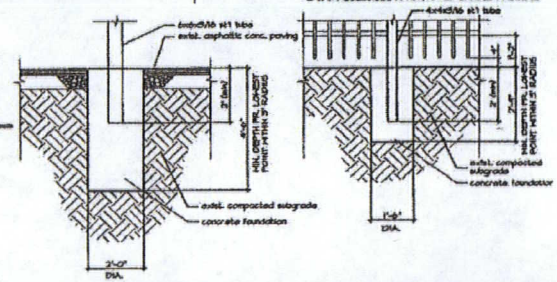
Revised 10/27/08



PARKING TABLE

BUILDING	USE	BUILDING AREA	PARKING STANDARD	REQUIRED PARKING
FRONT BUILDING	RETAIL OTHER THAN LISTED	1521 S.F.	1/175 S.F.	9 SPACES
BACK BUILDING	MACHINERY SALES (per David Bretcher)	4000 S.F.	1/500 S.F.	8 SPACES
			TOTAL REGULAR PARKING TOTAL HANDICAP PARKING	11 SPACES 1 SPACE*
			TOTAL	18 SPACES

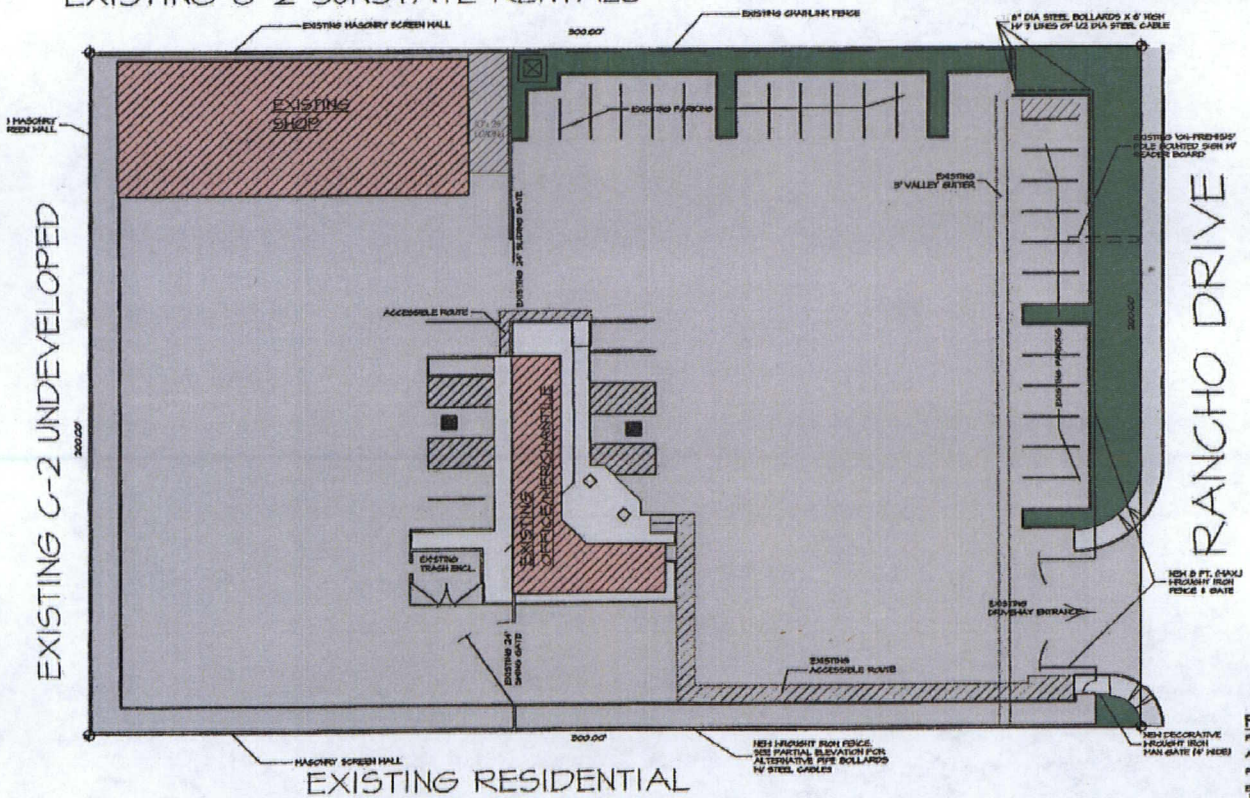
* 2 VAN ACCESSIBLE HANDICAPPED SPACES PROVIDED

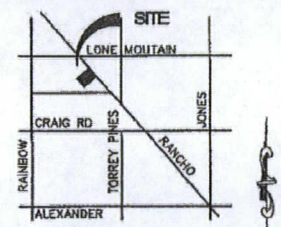


① GATEPOST DETAIL
SCALE: 1"=1'-0"

② FENCEPOST DETAIL
SCALE: 1"=1'-0"

STRUCTURAL NOTES





VICINITY MAP
N.T.S.

RECEIVED
NOV 21 2011

PROJECT INFORMATION

PARCEL NO.:	138-02-101-009
ADDRESS:	4655 NORTH RANCHO DR. 84106
PROPERTY SIZE:	1.38 ACRES
BUILDING AREA:	
FRONT BUILDING:	1521 S.F.
BACK BUILDING:	4000 S.F.
TOTAL BUILDING AREA:	5521 S.F.

SUP-43897
REVISED

SHEETNAME1 : Architectural Site Plan
PJ# :
DATE : 11-18-11

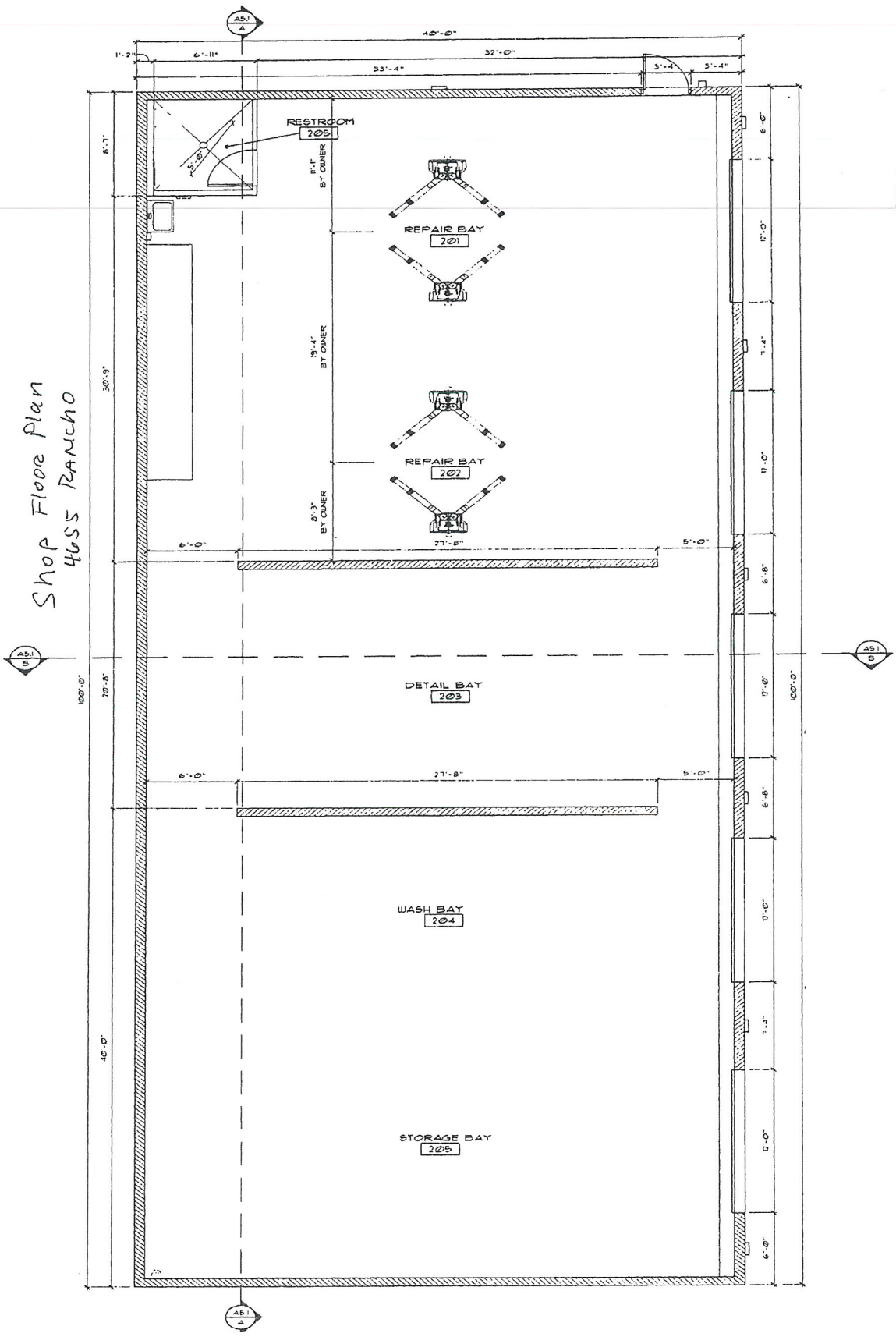
ARCHITECTURAL SITE PLAN

4655 NORTH RANCHO DRIVE

SITE PLAN DRAWN BY OTHERS

Scale: NTS

MOSER architecture studio



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SUP-43897

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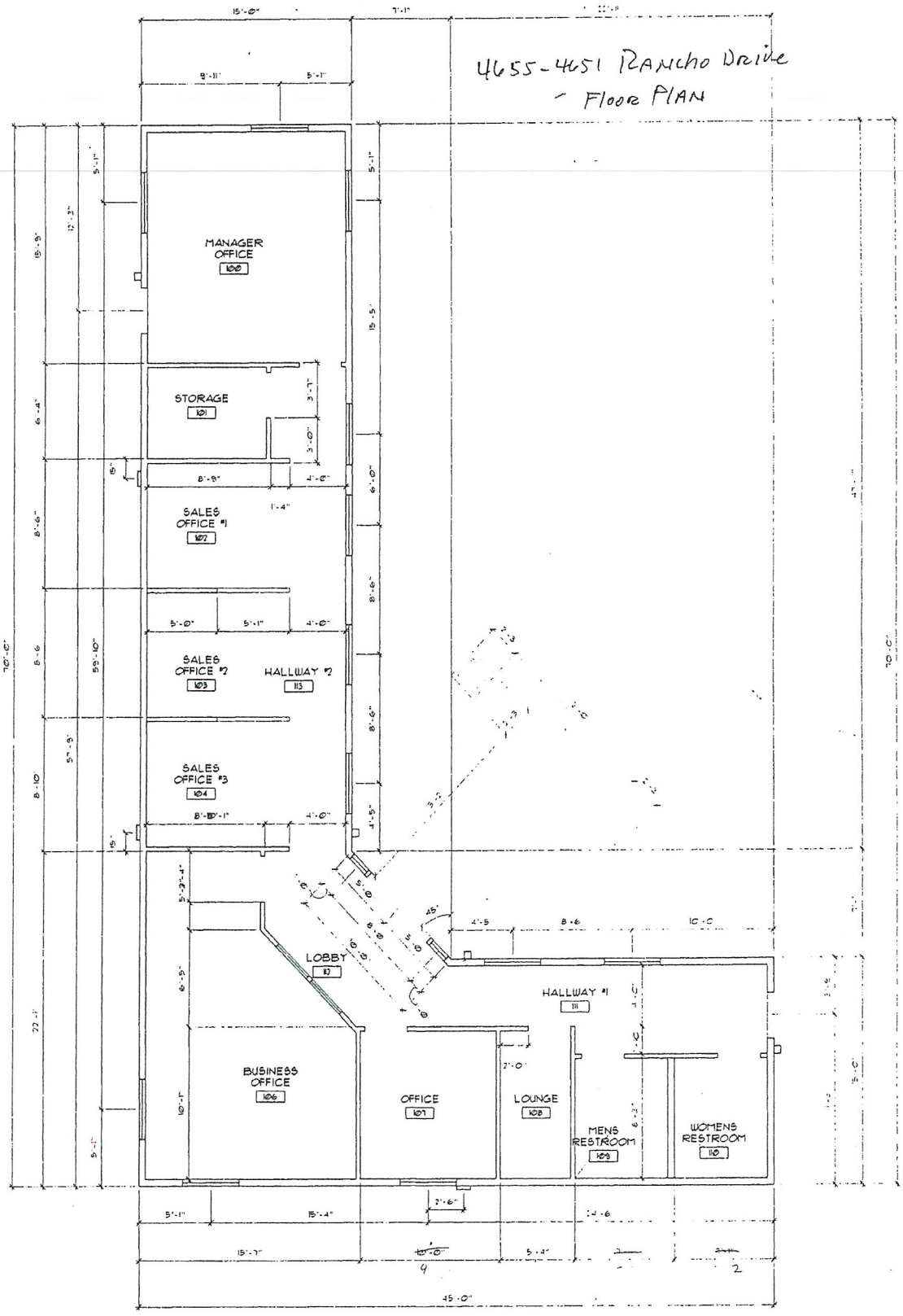
SUP-43897

4655-4651 Rancho Drive
- Floor Plan





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NOV 17 2011
SUP-43897



SUP-43897 - APPLICANT: COX COMMERCIAL FLEET SERVICES, LLC - OWNER: DFA, LLC
4655 NORTH RANCHO DRIVE

11/20/11

KAEMPFER CROWELL

KAEMPFER CROWELL RENSHAW GRONAUER & FIORENTINO

ATTORNEYS AT LAW

LAS VEGAS OFFICE

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Suite 900
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Tel: 775.852.3900
Fax: 775.327.2011

CARSON CITY OFFICE
510 W. Fourth Street
Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

November 16, 2011

VIA EMAIL
drankin@lasvegasnevada.gov

Doug Rankin
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT
333 No. Rancho Drive, 3rd Flr.
Las Vegas, NV 89106

Re: Justification letter – Special Use Permit (Auto Repair Garage, Major)
APN: 138-02-101-009

Dear Mr. Rankin:

Please be advised, this office represents Cox Commercial Fleet Services, LLC (the "Applicant") with respect to a special use permit for Auto Repair, Major on the above referenced property. The property is generally located near Rancho Drive and Lone Mountain Road and is zoned C-2 (the "Site"). Previously, the Site was used for a Rental Store with Outside Storage (equipment rental). There are two existing buildings on the Site with parking and landscaping.

The Applicant is seeking a special use permit for Auto Repair, Major. The Applicant intends to use the existing buildings for repair of its fleet vehicles that service cable needs in Southern Nevada. The rear building on the Site will be used for the repair work. Generally, the repair work will include oil changes, air filters, tire rotation and balancing, replacement of tires and other repairs for general maintenance of the fleet vehicles. Most of the fleet vehicles are vans and trucks but there are a limited number of vehicles that exceed a gross weight of 10,000 pounds. The facility would not be open to the public.

Additionally, an auto parts retailer may utilize a portion of the existing building in the front of the Site to provide parts directly to the fleet service repair facility. The front building would also be used for offices and storage needs.

We believe this request is appropriate as there are a number of similar automotive repair type uses along the Rancho Drive corridor.

RECEIVED
NOV 17 2011
SUP-43897

KAEMPFER
CROWELL

Thank you for your consideration of this request.

Sincerely,

KAEMPFER CROWELL RENSHAW GRONAUER & FIORENTINO

Jennifer Lazovich

JJL/sfm
Encl.

cc: Marie Gross

RECEIVED
NOV 17 2011

SUP-43897

City of Las Vegas Agenda Item No.: **39.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: DECEMBER 13, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

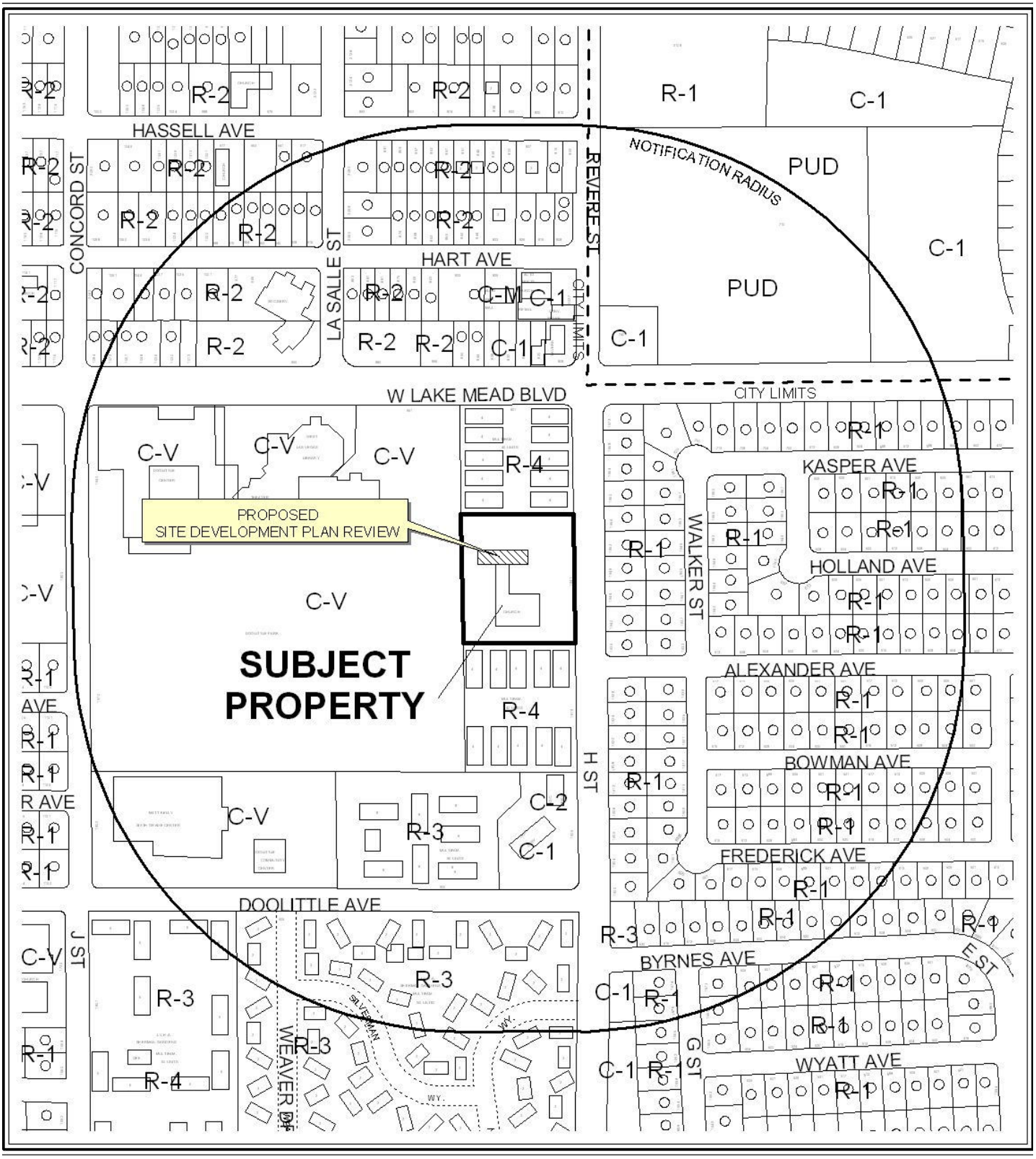
SUBJECT:
SDR-43718 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: TRUE LOVE BAPTIST CHURCH - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 5,445 SQUARE-FOOT ADDITION TO AN EXISTING CHURCH/HOUSE OF WORSHIP on 2.28 acres at 1941 "H" Street (APNs 139-21-703-003), C-V (Civic) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 01/18/2012
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter



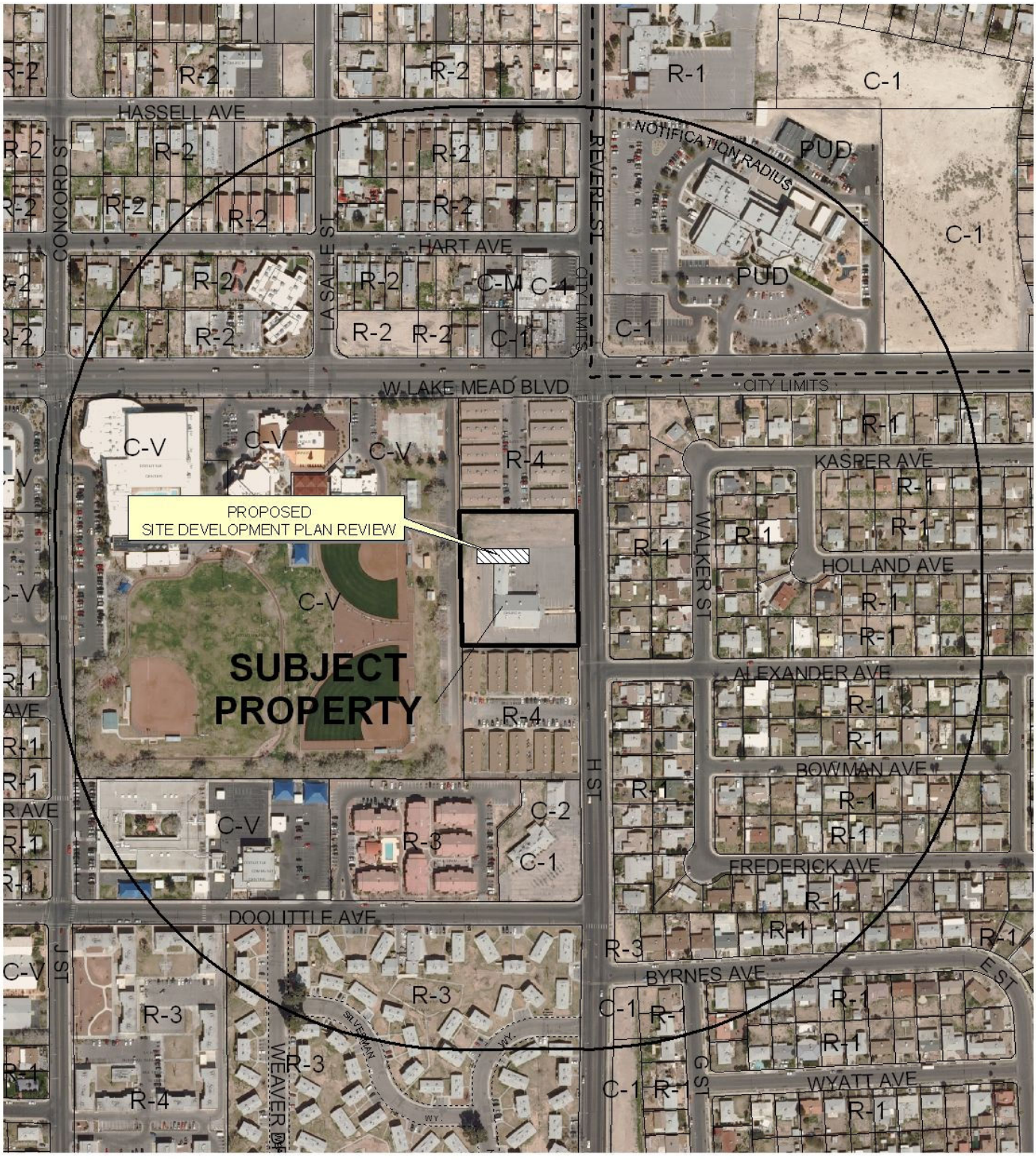
0 300 600 Feet

CASE: **SDR-43718**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

N



0 300 600 Feet

CASE: **SDR-43718**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: DECEMBER 13, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: TRUE LOVE BAPTIST CHURCH

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SDR-43718	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SDR-43718 CONDITIONS

Planning

1. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

2. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 10/27/11, except as amended by conditions herein.

3. Any changes based upon right-of-way, traffic or drainage studies or street improvements required by the city or public utilities shall not reduce the widths of perimeter landscape buffers, height of walls or quantities of plant materials from that on submitted landscape plans date stamped 10/27/11. Any changes based upon subsequently submitted studies must be accommodated elsewhere on the site.

4. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device.

7. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.08.040.

10. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

12. Roofing materials shall conform to the requirements of Title 19.08.040(B)(3)(b). Asphalt shingles are prohibited.

13. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

14. Remove all substandard sidewalk improvements, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. The existing "pan style" driveways accessing this site may remain.

15. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

16. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

Staff Report Page One
December 13, 2011 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant proposes to add a 5,445 square-foot, single-story addition to an existing 10,790 square-foot church on 2.28 acres at 1941 H Street. Included with this proposal is additional parking and landscaping. The applicant intends for the additional space to be used as ancillary classroom space in support of the existing church services. Staff recommends approval, as the expansion remains consistent with the existing use.

ISSUES

- The site-specific development standards for the C-V (Civic) zoning district were established with the approved Rezoning ZON-32214.
- There is no internal circulation provided from the existing building to the proposed addition.
- The materials specified for proposed the addition are not aesthetically compatible with the existing Church building. Asphalt shingles are a prohibited roofing material, per Title 19.08.040(B)(3)(b).

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
10/19/60	The Board of City Commissioners approved a request for Rezoning (Z-0034-60) from R-E (Residence Estates) to C-1 (Limited Commercial) at property generally located on the west side of "H" Street between Wyatt and the north city limits.
06/26/63	The Board of Commissioners of the City of Las Vegas approved a request for Rezoning (Z-0034-60) from C-1 (Limited Commercial) to R-4 (High Density Residential) at property generally located on the west side of "H" Street between Doolittle Avenue and College Avenue.
01/04/61	The Board of Commissioners of the City of Las Vegas approved a request for a Variance (V-0020-60) to allow a Community Recreation Facility, including a Bowling Alley, at property generally located on the west side of "H" Street between Owens Avenue and College Avenue.
02/18/09	The City Council approved the request to Rezone (ZON-32214) 2.18 acres of property to the C-V (Civic) zoning district and the related request for a Site Development Plan Review (SDR-32218) for a proposed 4,686 square-foot modular building addition to an existing Church/House of Worship on 2.28 acres at 1941 "H" Street. The Planning Commission and staff recommended approval.

Most Recent Change of Ownership	
09/03/74	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
c. 1975	Church/House of Worship constructed at 1941 "H" Street.
04/03/07	Building permit #85342 was issued for 770 linear feet of six-foot high block wall at the north and south property lines at 1941 "H" Street. A final inspection was completed on 06/09/07.

Pre-Application Meeting	
10/03/11	A pre-application meeting was held to discuss the development and submittal requirements for a Site Development Plan Review for adding classrooms to an existing church site.

Neighborhood Meeting
A neighborhood meeting is not required, nor was one held.

Field Check	
11/03/11	A field check was conducted by staff. The site contains a well-maintained Church/House of Worship.

Details of Application Request	
Site Area	
Net Acres	2.28

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Church/House of Worship	PF (Public Facilities)	C-V (Civic)
North	Apartments	C (Commercial)	R-4 (High Density Residential)
South	Apartments	M (Medium Density Residential)	R-4 (High Density Residential)
East	Single-Family Residences	L (Low Density Residential)	R-1 (Single Family Residential)
West	City Park and Library	PF (Public Facilities)	C-V (Civic)

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan			
West Las Vegas Plan	X		Y
Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District - 140 Feet	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to 19.10.010, the following standards apply:

Standard	*Approved (ZON-32214)*	*Provided*
Min. Setbacks		
• Side	20 Feet	76 Feet
• Rear	20 Feet	55 Feet
Max. Lot Coverage	16 %	15 %
Max. Building Height	16 Feet	16 Feet
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated, w/ a Roof or Trellis
Mech. Equipment	Screened	Screened

Residential Adjacency Standards	*Required/Allowed*	*Provided*	*Conformance*
3:1 proximity slope	48 Feet	55 Feet	Y
Adjacent development matching setback	20 Feet	55 Feet	Y
Trash Enclosure	50 Feet	290 Feet	Y

Pursuant to Title 19.10.010, the following standards apply:

Landscaping and Open Space Standards			
	Approved (ZON-32214)		
Standards	*Ratio*	*Trees*	*Provided*
Buffer Trees:			
• North	1 Tree / 30 Linear Feet	12 Trees	10 Trees
• South	1 Tree / 20 Linear Feet	10 Trees	13 Trees
• East	1 Tree / 20 Linear Feet	13 Trees	4 Trees
• West	1 Tree / 20 Linear Feet	10 Trees	6 Trees

TOTAL PERIMETER TREES	**45 Trees**	**33 Trees**

Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	15 Trees	22 Trees
LANDSCAPE BUFFER WIDTHS			
Min. Zone Width • North • South • East • West	 5 Feet 3 Feet 10 Feet 16 Feet		 5 Feet 4 Feet 10 Feet 5 Feet
Wall Height	6 Feet Adjacent to Residential		6 Feet

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
H Street	Secondary Collector	Master Plan of Streets and Highways / Title 19.04 Complete Streets	60	N

Pursuant to 19.12, the following standards apply:

Parking Requirement							
	Gross Floor Area or Number of Units	***Required***			***Provided***		***Compliance***
			Parking		*Parking*		
Use		***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Church/House of Worship	430 Seats	1 space per each four fixed seats, or one space per each 100 SF of non-fixed seating area in the gathering room					
TOTAL SPACES REQUIRED			108		129		
Regular and Handicap Spaces Required			103	5	119	10	Y

ANALYSIS

The proposed development consists of an existing 10,790 square-foot church with a projected 5,445 square-foot addition and associated parking and landscaping. The proposed one-story addition will be attached to the existing church but will not have internal access to the main building. The additional space will be used for ancillary classroom space and does not aesthetically match the existing white brick building. The proposed asphalt shingles are prohibited materials, per Title 19.08.040(B)(3)(b). The applicant will have to provide a suitable substitute roofing material prior to the issuance of building permits. The proposed addition, parking, and landscaping comply with the development standards established by the approved Rezoning ZON-32214.

The applicant has clearly stated the intent to use this facility as an ancillary use to the established Church/House of Worship use. There were concerns regarding the future use of this addition as a Public or Private School, Primary use, which were discussed during the original pre-application conference. In the event that the proposed 5,445 square-foot space were to be used as a Public or Private School, Primary, a Variance would be required for a parking deficiency and a change in building occupancy may trigger the requirement for a Site Development Plan Review and Special use Permit.

As the addition is an appropriate expansion of the existing facility and will not have a negative impact on neighboring properties, staff recommends approval of the proposed addition. If denied, the subject site will remain as it is.

FINDINGS (SDR-43718)

In order to approve a Site Development Plan application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

   The proposed development is compatible with the adjacent development and development in the area. It will not negatively affect the surrounding residential and park uses.

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;**

   The proposed development is consistent with the PF (Public Facilities) General Plan designation and complies with the existing C-V (Civic) development standards.

3. **Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

   The site access is provided by two existing driveways that empty onto H Street. The site is an existing Church/House of Worship use, and the additional facilities will not negatively impact adjacent roadways or neighborhood traffic.

4. **Building and landscape materials are appropriate for the area and for the City;**

   The proposed building materials do not match the existing church facilities. Staff recommends that the applicant consider choosing material and color finish that is consistent with the existing white-painted brick Church. The applicant shall specify roofing materials that comply with Title 19.08 standards, as conditioned. The landscape materials are appropriate and a condition has been added to ensure compliance with minimum size requirements.

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;**

   The massing and placement of the proposed addition fit within the site. However, there are concerns regarding the proposed rose-colored masonry not matching the existing white painted concrete brick finish church facilities and inconsistent architectural details. Staff recommends that the applicant pursue selections of colors that will provide a more attractive street front appearance.

6. **Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

   The proposed addition will be subject to permit review and inspection prior to occupancy; therefore, appropriate measures will be taken to protect the health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 13

NOTICES MAILED 230

APPROVALS 0

PROTESTS 0

MH

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-43718** APN: 139-21-703-003

Name of Property Owner: TRUE LOVE BAPTIST CHURCH

Name of Applicant: TRUE LOVE BAPTIST CHURCH

Name of Representative: Curtis R. Wilson

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ **Yes** ☑ **No**

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: x _____

Print Name: Willie Jacobs, Jr.

Subscribed and sworn before me

This 26th day of OCTOBER, 2011

Ben Winslow

Notary Public in and for said County and State

BEN WINSLOW
Notary Public State of Nevada
No. 98-3957-1
My Appt. Exp. September 23, 2014

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: True Love Baptist Church Addition

Project Address (Location) 1941 H Street

Project Name True Love Baptist Church Addition **Proposed Use** Classrooms

Assessor's Parcel #(s) 139-21-703-003 **Ward #** _____

General Plan: existing _____ proposed _____ **Zoning:** existing C-V proposed C-V

Commercial Square Footage 15,850 **Floor Area Ratio** 15.95%

Gross Acres 2.28 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER True Love Baptist Church **Contact** CURTIS WILSON

Address 1941 NORTH "H" ST **Phone:** (702) 672-8087 **Fax:** —

City LAS VEGAS **State** NV **Zip** 89106

E-mail Address DEACON 2 @ COX.NET / CURTIS @ LOCHSA.COM

APPLICANT True Love Baptist Church **Contact** CURTIS WILSON

Address 1941 NORTH "H" ST **Phone:** (702) 672-8087 **Fax:** —

City LAS VEGAS **State** NV **Zip** 89106

E-mail Address DEACON 2 @ COX.NET / CURTIS @ LOCHSA.COM

REPRESENTATIVE ethos three ARCHITECTURE **Contact** John Lopeman, AIA

Address 8985 S. Eastern Ave., Suite 220 **Phone:** 456-1070 **Fax:** 456-7020

City Las Vegas **State** NV **Zip** 89123

E-mail Address jclopeman@ethosthree.com

Property Owner Signature* X _____

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name WILLIE JACOBS JR

Subscribed and sworn before me

This 26th day of OCTOBER, 20 14.

Ben Winslow

Notary Public in and for said County and State

BEN WINSLOW
Notary Public State of Nevada
No. 98-3957-1
My Appt. Exp. September 23, 2014

FOR DEPARTMENT USE ONLY

Case #	SDR-43719
Meeting Date:	12/3/2014
Total Fee:	1030 00 TW
Date Received:*	10/27/2014
Received By:	M Reed

*The application will not be deemed complete until the submitted materials have been reviewed by the Department of Planning for consistency with applicable sections of the Zoning Ordinance.

Revised 10/27/08

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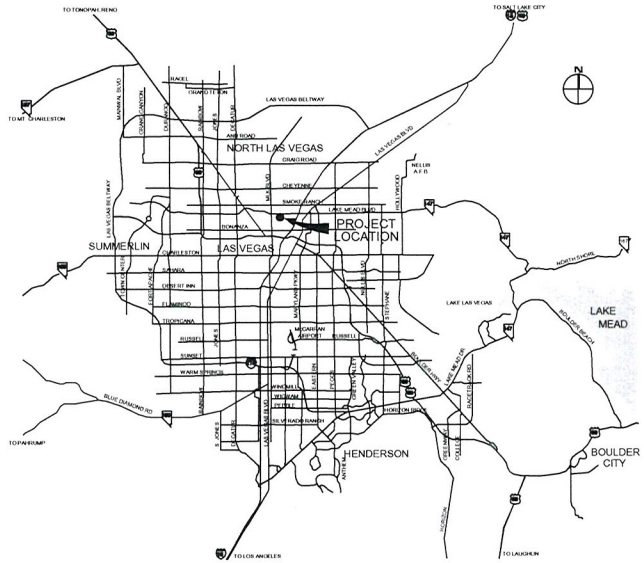
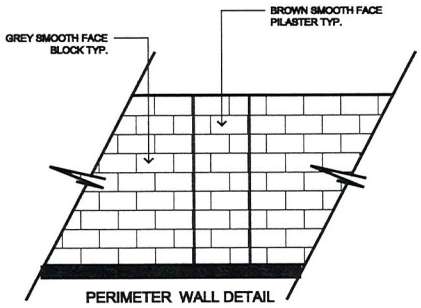
VICINITY MAP



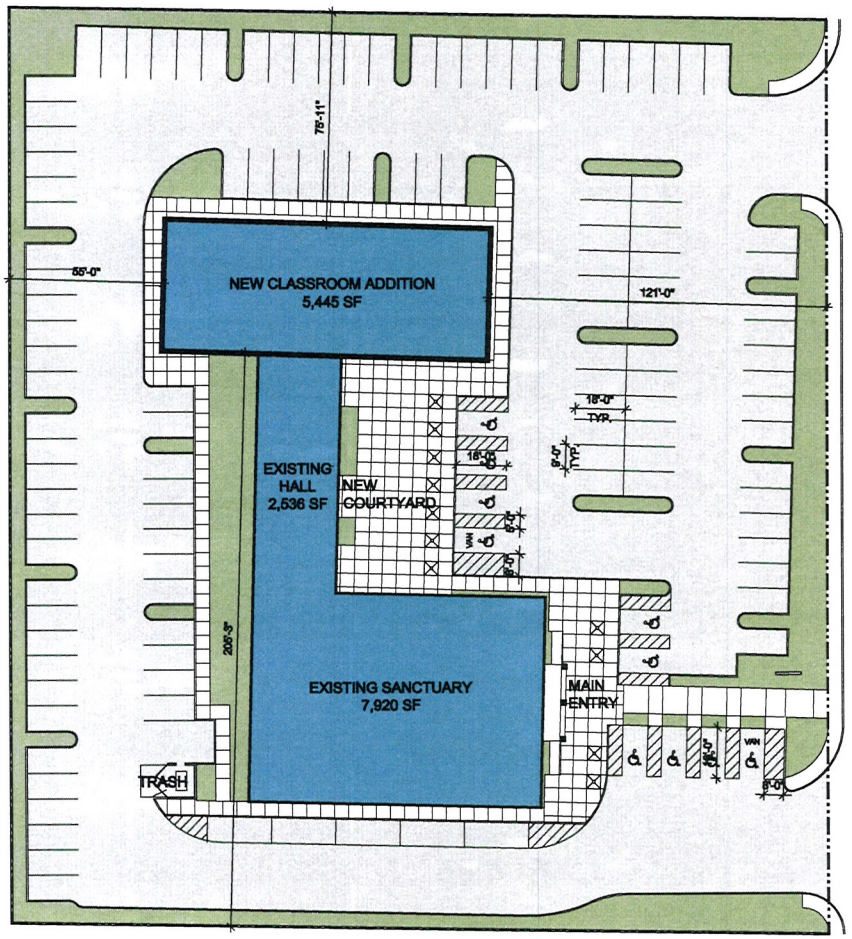


SITE DATA
PARKING ANALYSIS

SITE AREA	95,737 SF
	2.2 ACRES
F.A.R.	16.5%
NEW BUILDING AREA:	5,445 SF
JURISTICTION:	CITY OF LAS VEGAS
ZONED:	CV
PARKING REQUIRED:	NOT APPLICABLE
PARKING PROVIDED	129
HANDICAP ACCESSIBLE PARKING REQUIRED	5
HANDICAP ACCESSIBLE PARKING PROVIDED	10
VAN ACCESSIBLE PARKING REQUIRED	2
VAN ACCESSIBLE PARKING PROVIDED	2

R-4

C-V



R-4

SITE PLAN

SCALE : 1"=20'-0"

8985 s. eastern
suite 220
las vegas, nv 89123
p 702.456.1070
f 702.456.7020

DRAWING APPROVED:
DATE:

ethos three ARCHITECTURE

SITE PLAN

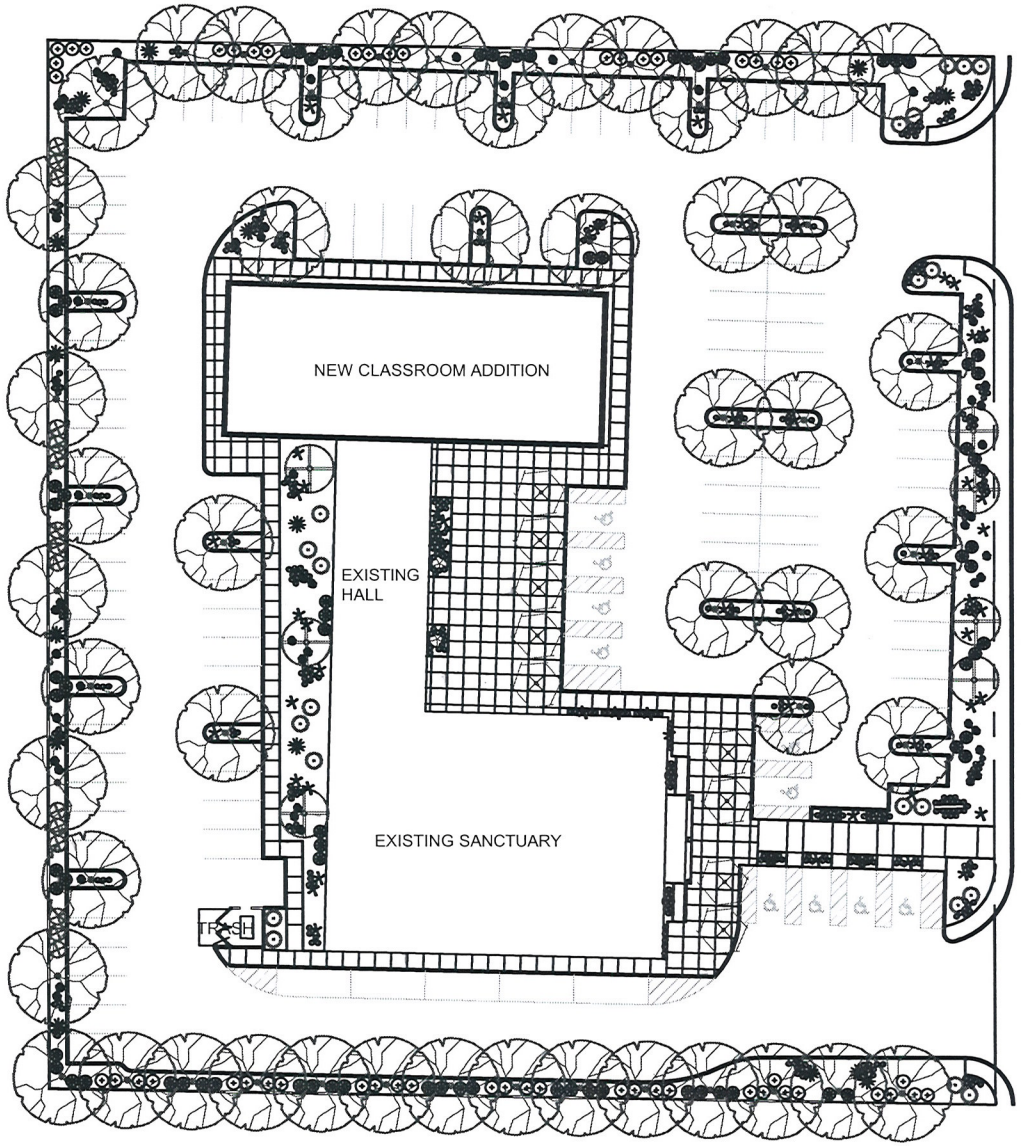
True Love Baptist Church
1941 H Street

0 10 20 40

10-27-11

SHT A1.1

RECEIVED
OCT 27 2011
SDR-43718



PLANT SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	REMARKS
TREES					
	ELAEOCARPUS DECIPIENS	JAPANESE BLUEBERRY TREE		24" BOX	STD.
	PRUNUS CAROLINIANA	CAROLINA CHERRY LAUREL		24" Box	STD.
	QUERCUS ILEX	HOLLY OAK		24" BOX	STD.
SHRUBS					
	EUPHORBIA ANTISYPHILITICA	CANDELILLA		5 GAL	
	LONICERA X AMERICANA 'PAM'S PINK'	PAM'S PINK HONEYSUCKLE		5 GAL	
	SOPHORA SECUNDIFLORA	TEXAS MOUNTAIN LAUREL		15 GAL	
	XYLOSMA CONGESTUM 'COMPACTA'	COMPACT XYLOSMA		5 GAL	
GROUNDCOVERS					
	ROSMARINUS OFFICINALIS 'TUSCAN BLUE'	UPRIGHT ROSEMARY		5 GAL	
	TEUCRIUM CHAMAEDRYS	BUSH GERMANDER		1 GAL	MIN. 18" O.C.
ACCENTS					
	CYCAS REVOLUTA	SAGO PALM		24" BOX	
	DASYLIRION QUADRANGULATUM	TOOTHLESS SOTOL		5 GAL	
	HESPERALOE PARVIFLORA 'RED'	RED YUCCA		5 GAL	
	YUCCA PALLIDA	PALE-LEAF YUCCA		5 GAL	
OTHER					
	BOULDERS	'CHERRY MIST' BOULDERS FROM MINERAL PARK	14	2' - 3' DIAMETER	SEE DETAIL 'N' SHEET L3.01

LANDSCAPE NOTES:

1. CITY OF LAS VEGAS STANDARDS TO BE FOLLOWED.
2. ALL PLANTER AREAS TO RECEIVE A 2" LAYER OF ⅜" SCREENED CRUSHED GRANITE ROCK GROUNDCOVER, INCLUDING THE AREA OF FUTURE ROADWAY AND CURBING AS INDICATED ON THE PLAN. ('HUALAPAI RED' COLOR, FROM MINERAL PARK DECORATIVE ROCK, or 'REBEL RED' FROM KALAMAZOO MATERIALS, or 'RED GRANITE' FROM VISTA LANDSCAPE CENTER.)
3. PLANT QUANTITIES SHOWN ON PLANT SCHEDULE ARE FOR REFERENCE ONLY. CONTRACTOR TO VERIFY ALL PLANT QUANTITIES.

north

0 30' 60' 120'

SCALE: 1"=60'-0"

PLANTING PLAN

RECEIVED
OCT 27 2011
SDR-43718

HILL CLARK & ASSOCIATES
LANDSCAPE ARCHITECTURE
74 N. Pecos Road, Ste. B
Henderson, NV 89074
P: (702) 260-9356
F: (702) 260-9357

Consultant

Seal

Rev	Date	By	Description

Project Name: TRUE LOVE BAPTIST CHURCH
LAKE MEAD BLVD. & H STREET
LAS VEGAS, NV

Sheet Title: PLANTING PLAN

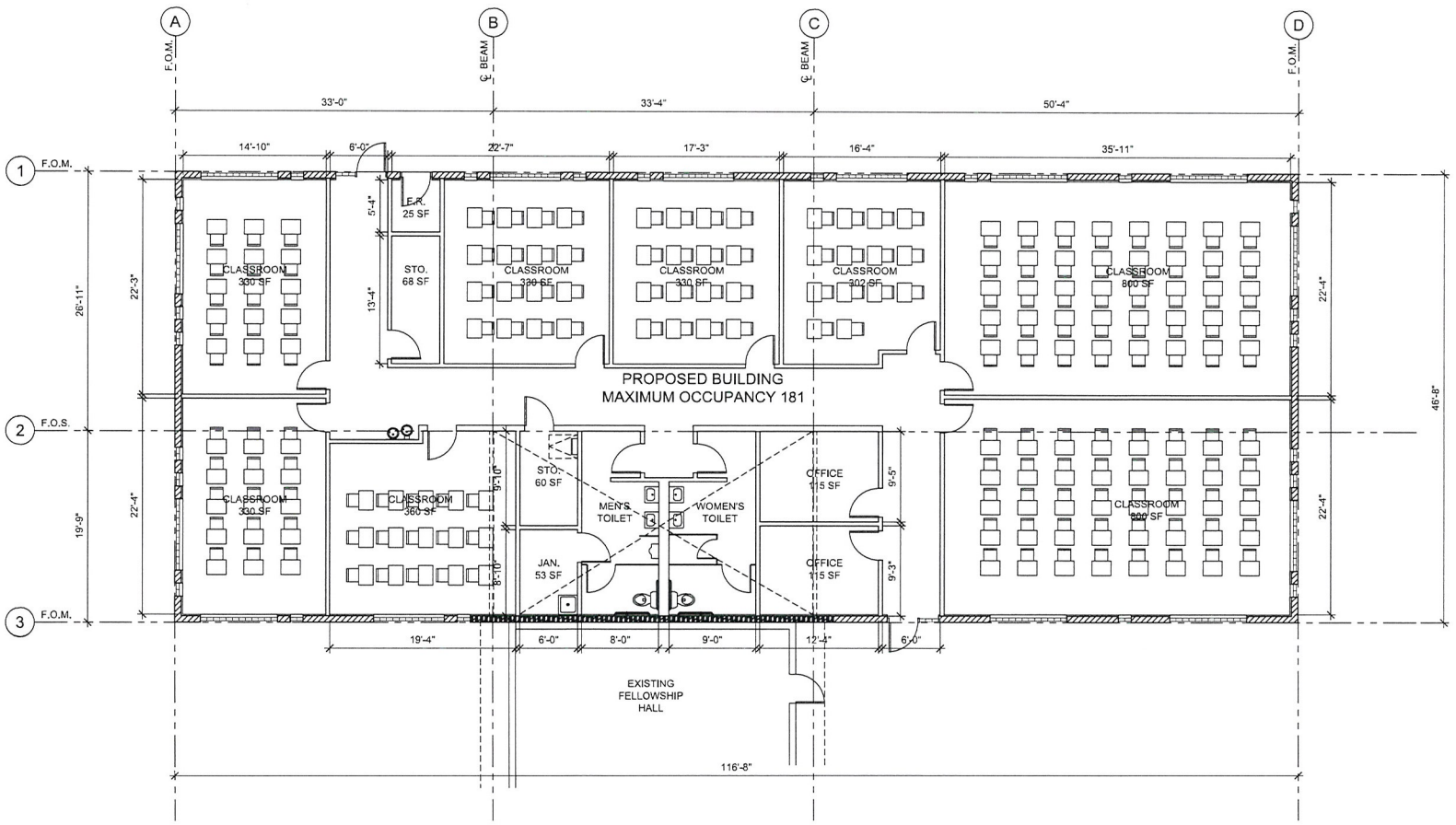
Drawn/Checked By: BC

Date: 10/27/11

Project Number: 1131

Sheet Number: L2.01

8985 s. eastern
suite 220
las vegas, nv 89123
p 702.456.1070
f 702.456.7020



DRAWING APPROVED:
DATE:

ethos three
ARCHITECTURE

Floor Plan

True Love Baptist Church
1941 H Street

SHT A2.1

FLOOR PLAN

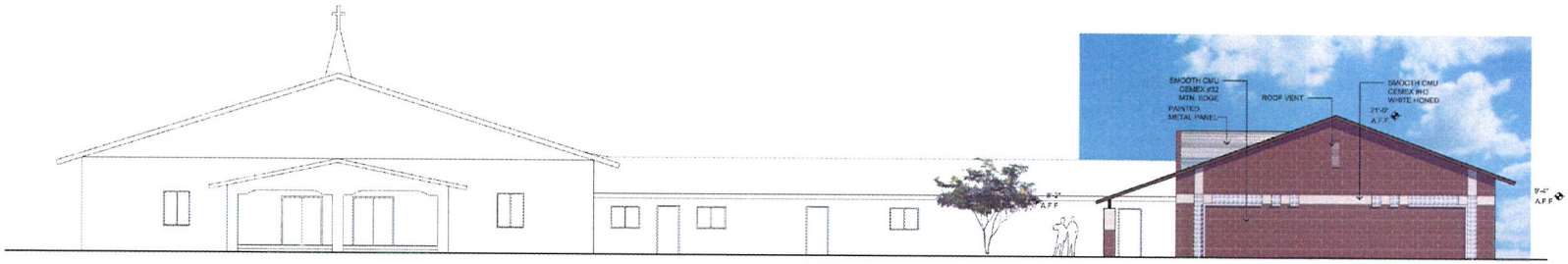
SCALE : 3/16" = 1'-0"

RECEIVED
OCT 27 2011

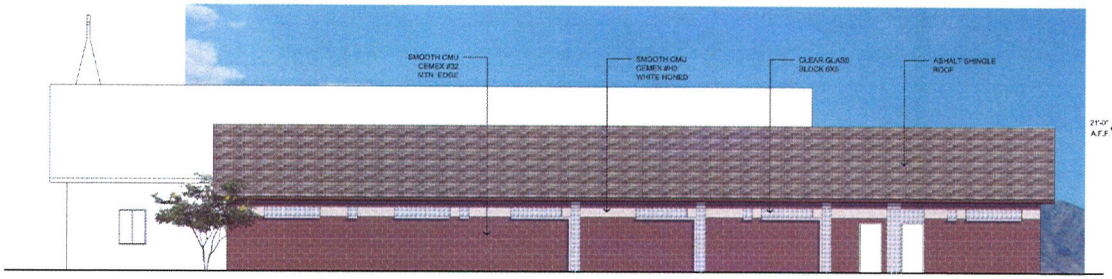
0 2' 4' 8'

10-27-11

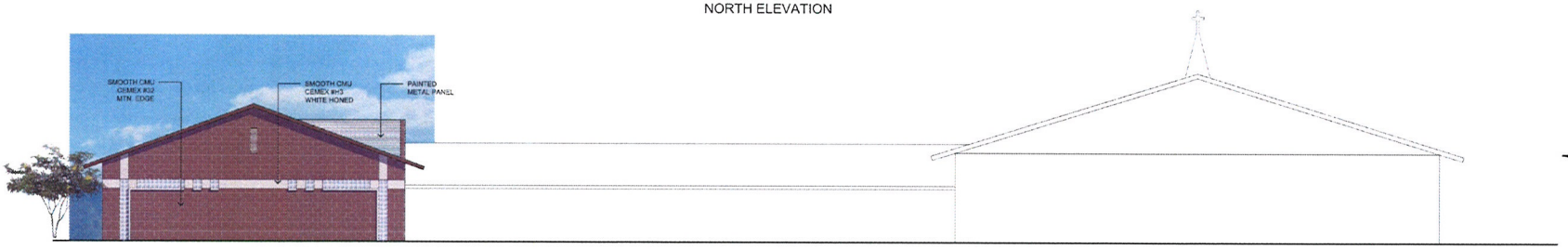
SDR-43718



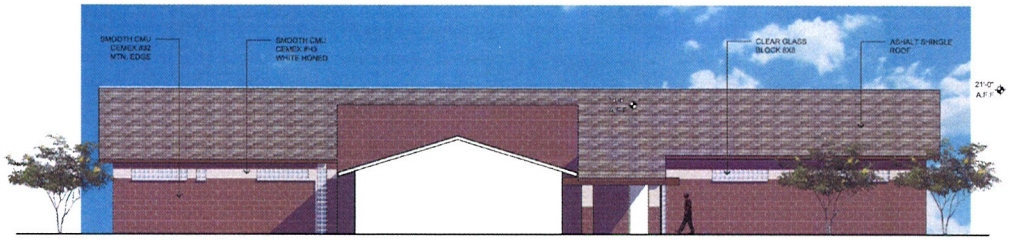
EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION

ELEVATIONS

SCALE : 1/8"=1'-0"

8985 s. eastern
suite 220
las vegas, nv 89123
p 702.456.1070
f 702.456.7020

DRAWING APPROVED:
DATE:

ethos three
ARCHITECTURE

ELEVATIONS

True Love Baptist Church
1941 H Street

0 4 8 16 08-21-11

SHT A5.1

RECEIVED
OCT 27 2011

SDR-43718

TRUE LOVE ♥ *Missionary Baptist Church*

ethos three
ARCHITECTURE

classroom addition



CEMEX CMU
WHITE
HONED

CEMEX CMU
MTN. EDGE
SMOOTH

SHERWIN WILLIAMS
SW 6066
SAND TRAP

SHERWIN WILLIAMS
SW 7003
TOQUE WHITE

CLEAR GLASS BLOCK
8"X8"



RECEIVED
OCT 27 2011
SDR-43718



SDR-43718 - APPLICANT/OWNER: TRUE LOVE BAPTIST CHURCH
1941 "H" STREET

11/03/11



SDR-43718 - APPLICANT/OWNER: TRUE LOVE BAPTIST CHURCH
1941 "H" STREET

11/03/11



SDR-43718 - APPLICANT/OWNER: TRUE LOVE BAPTIST CHURCH
1941 "H" STREET

11/03/11

ethos three
ARCHITECTURE

October 26, 2011

Planning Department
City of Las Vegas
333 N. Rancho Drive
Las Vegas, Nevada 89106

RE: **True Love Baptist Church Classroom Addition**
APN: 139-21-703-002

Dear Planning Department,

We are requesting a Site Development Review for a Classroom Addition and parking lot redesign at an existing Religious Facility located at 1941 H Street, known as True Love Baptist Church. The addition is 5,445 square feet and consists of 8 classrooms, 2 offices and toilet rooms.

The Classroom Addition will allow the church to efficiently provide religious instruction to its congregation. The parking lot redesign is intended to improve traffic flow as well as increase parking capacity of the site.

These improvements to the property will enhance the neighborhood by introducing space needed for instruction, beautifying the property, and improving site utilization, efficiency and capacity.

Sincerely,

John Lopeman, AIA

RECEIVED
NOV - 8 2011

SDR-43718
REVISED

8985 S. Eastern Suite 220 Las Vegas, Nevada 89123 P: 702.456.1070 www.ethosthree.com

City of Las Vegas Agenda Item No.: **40.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: DECEMBER 13, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

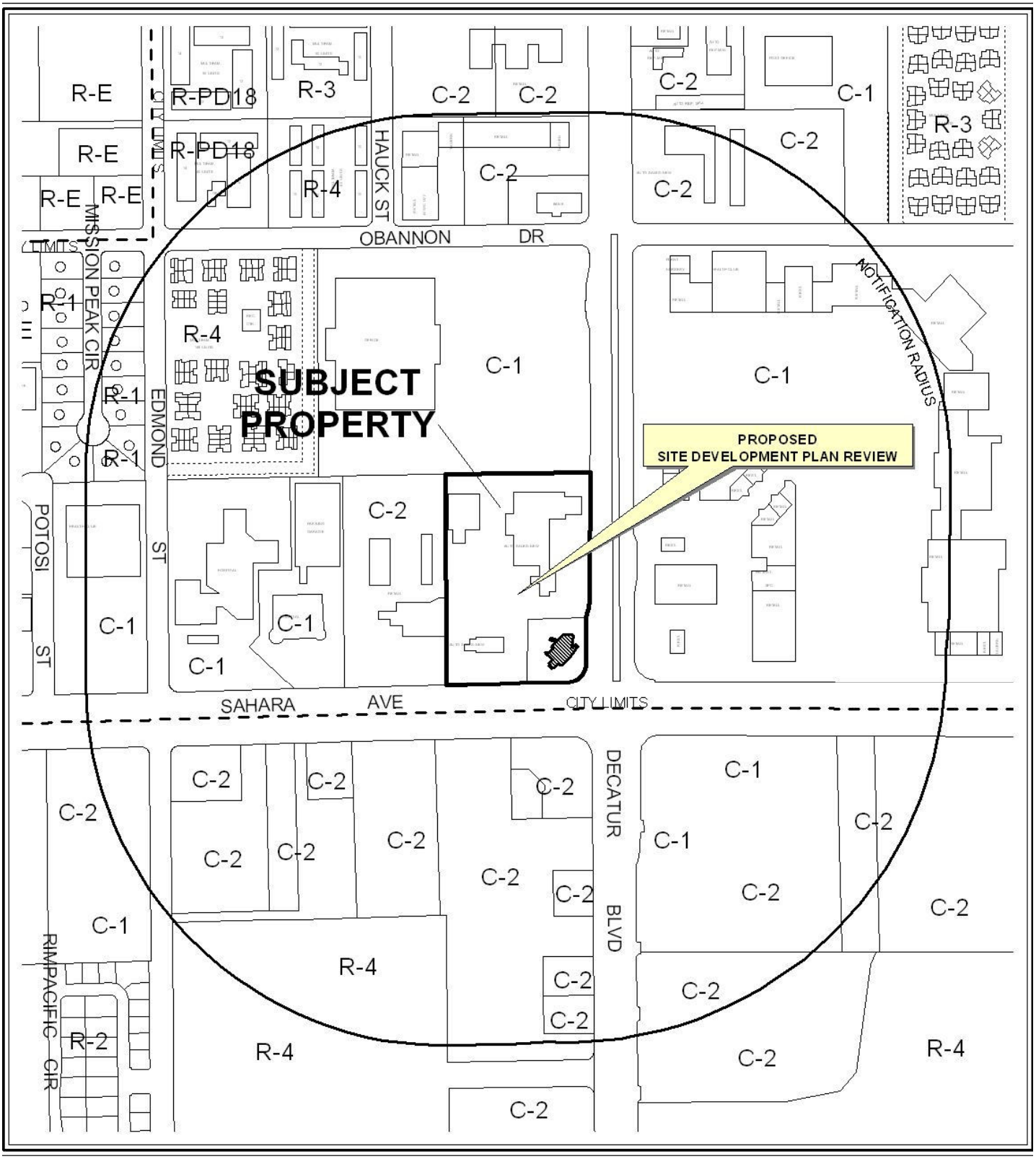
SUBJECT:
SDR-43737 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: JRJ PROPERTIES - For possible action on a request for a Site Development Plan Review FOR A PROPOSED MOTOR VEHICLE SALES (NEW) FACILITY WITH WAIVERS TO ALLOW LANDSCAPE BUFFER WIDTHS OF ZERO FEET ALONG PORTIONS OF THE SOUTH AND EAST PROPERTY LINES WHERE 15 FEET IS REQUIRED AND ALONG THE NORTH AND WEST PROPERTY LINES WHERE EIGHT FEET IS REQUIRED on 5.40 acres at the northwest corner of Sahara Avenue and Decatur Boulevard (APNs 163-01-803-004 and 005), C-2 (General Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 01/18/2012
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter



0 300 600 Feet

CASE: **SDR-43737**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N



0 300 600 Feet

CASE: **SDR-43737**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: DECEMBER 13, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: JRJ PROPERTIES

**** STAFF RECOMMENDATION(S) ****

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SDR-43737	Staff recommends APPROVAL, subject to conditions:	

**** CONDITIONS ****

SDR-43737 CONDITIONS

Planning

1. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

2. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 10/31/11, except as amended by conditions herein.

3. The display of vehicles in landscape planters shall be prohibited, except for the existing display pads located adjacent to Decatur Boulevard, immediately south of the northern driveway onto the site, as depicted in the site plan date stamped 10/31/11.

4. A Waiver from 19.08.080 is hereby approved, to allow a landscape buffer width of zero feet along the north and west property lines where an eight-foot wide landscape buffer is required and portions of the south and east property lines where a 15-foot wide landscape buffer is required.

5. Any changes based upon right-of-way, traffic or drainage studies or street improvements required by the city or public utilities shall not reduce the widths of perimeter landscape buffers, height of walls or quantities of plant materials from that on submitted landscape plans date stamped 10/31/11. Any changes based upon subsequently submitted studies must be accommodated elsewhere on the site.

6. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

7. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

8. The applicant shall coordinate with the City Surveyor and other city staff to determine the most appropriate mapping action necessary to consolidate the existing lots. The mapping action shall be completed and recorded prior to the issuance of any building permits.

9. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device.

10. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).

11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.08.040.

13. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

16. Remove all substandard improvements, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All new driveways shall meet Uniform Standard Drawing #222a as required by the City Traffic Engineer. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Remove the southernmost driveway on Decatur Boulevard and replace with curb, gutter, and sidewalk meeting current City Standards.

17. Landscape and maintain all unimproved rights-of-way adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

18. As appropriate, submit an Encroachment Agreement to the City of Las Vegas and/or obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Decatur Boulevard and Sahara Avenue public rights-of-way adjacent to this site prior to the issuance of any building permits. The applicant must carry an insurance policy for the term of the Encroachment Agreement and add the City of Las Vegas as an additionally insured entity on this insurance policy. If requested by the City, the applicant shall remove property encroaching in the public right-of-way at the applicant's expense pursuant to the terms of the City's Encroachment Agreement. The installation and maintenance of all private improvements in the public right-of-way shall be the responsibility of the adjacent property owner(s) and shall be transferred with the sale of the property for the entire term of the Encroachment Agreement. This Encroachment Agreement may supersede L-ENCR # 4418.

19. Vehicles shall neither be displayed nor stored within the public right of way adjacent to this site. All delivery vehicles shall maneuver for loading and unloading on site; there shall be no parking, loading or unloading of vehicles within the Sahara Avenue or Decatur Boulevard public rights-of-way.

20. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

Staff Report Page One
December 13, 2011 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is proposing to remodel and expand an existing Motor Vehicle Sales (New) Facility. The site includes property adjacent to the northwest corner of Sahara Avenue and Decatur Boulevard that had previously occupied by a service station and is now undeveloped. The existing car dealership will be feature an additional 5,613 square feet of retail floor space and will include minor improvements to the facade of the existing dealership building. The applicant also proposes to provide solar collectors for providing on site power and vehicle charging stations.

ISSUES

- The Motor Vehicle Sales (New) use is conditionally allowed in the C-2 (General Commercial) zoning district.
- Waivers to the landscape buffer width requirements of zero feet along portions of the south and east property lines where 15 feet is required and along the north and west property lines where eight feet are necessary. Staff recommends approval of the waivers.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
01/21/04	The City Council approved a Site Development Plan Review (SDR-3347) for the proposed remodeling and expansion of an existing Motor Vehicle Sales (New) facility on 9.39 acres adjacent to the northwest corner of Sahara Ave and Decatur Boulevard. The Planning Commission and staff recommended approval.

Most Recent Change of Ownership	
02/01/85	A deed was recorded for a change in ownership for APN 163-01-803-004
08/29/03	A deed was recorded for a change in ownership for APN 163-01-803-005

Related Building Permits/Business Licenses	
1970	This site was originally constructed as an automotive dealership.
11/26/01	Building permit #01-20568 was issued against Plan Check #C-0288-01 for the partial demolition and redevelopment of a car dealership at 2333 South Decatur Boulevard. A certificate of occupancy was issued on 02/22/02.

Pre-Application Meeting	
10/04/11	A pre-application meeting was held with the applicant to discuss the requirements for the redevelopment of an existing Motor Vehicle Sales (New) facility.

Neighborhood Meeting
A neighborhood meeting is not required for this type of request.

Field Check	
11/03/11	A field check was conducted by staff. The site contains a well-maintained Motor Vehicle Sales (New) facility and undeveloped lot at the corner of Sahara Avenue and Decatur Boulevard.

Details of Application Request	
Site Area	
Net Acres	5.4

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Motor Vehicle Sales (New)	GC (General Commercial)	C-2 (General Commercial)
North	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	Unincorporated Clark County - Convenience Store	Unincorporated Clark County – CG (Commercial General)	Unincorporated Clark County – C-2 (General Commercial)
East	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
West	Office, Other Than Listed	SC (Service Commercial)	C-1 (Limited Commercial)

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area		X	
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Width	100 Feet	405 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	10 Feet	2 Feet	Y*
• Corner	15 Feet	15 Feet	Y
• Rear	20 Feet	40 Feet	Y
Max. Lot Coverage	50 %	25 %	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated, w/ a Roof or Trellis	Y
Mech. Equipment	Screened	Screened	Y

**The two foot setback is from a legal, nonconforming structure that was constructed in 1970.*

Pursuant to Title 19.08, the following standards apply:

Landscaping and Open Space Standards				
Standards	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
Buffer Trees:				
• North	1 Tree / 30 Linear Feet	14 Trees	0 Trees	N
• South	1 Tree / 20 Linear Feet	21 Trees	7 Trees	N
• East	1 Tree / 20 Linear Feet	30 Trees	5 Trees	N
• West	1 Tree / 30 Linear Feet	20 Trees	0 Trees	N
TOTAL PERIMETER TREES		**85 Trees**	**12 Trees**	**N**
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	4 Trees	0 Trees	N

LANDSCAPE BUFFER WIDTHS			
Min. Zone Width			
• North	8 Feet	0 Feet	N
• South	15 Feet	0 Feet	N
• East	15 Feet	0 Feet	N
• West	8 Feet	0 Feet	N

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Sahara Avenue	Primary Arterial	Master Plan of Streets and Highways	150	Y
Decatur Boulevard	Primary Arterial	Master Plan of Streets and Highways	100	Y

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Motor Vehicle Sales (New)	23,681 SF	1 space per 500 SF of GFA	48				
Office, Other Than Listed	22,396 SF	1 space per 300 SF of GFA	75				
TOTAL SPACES REQUIRED			123		210		
Regular and Handicap Spaces Required			118	5	202	8	Y
Loading Spaces			3		4		Y

Waivers		
Requirement	***Request***	***Staff Recommendation***
15-foot wide landscape buffer along the south and west property lines.	No landscape buffers along portions of the north and west property lines.	Approval
Eight-foot wide landscape buffers along the north and west property lines.	No landscape buffers along the north and west property lines.	Approval

ANALYSIS

The proposed development consists of the refurbishment of 40,464 square feet of existing Motor Vehicle Sales (New) facilities with a new 5,613 square-foot facility located on the undeveloped corner of Sahara Avenue and Decatur Boulevard. The applicant will remap the two parcels into a single commercial lot and continue to meet all conditional requirements for a Motor Vehicle Sales (New) use located within the C-2 (General Commercial) zoning district.

The applicant has requested a waiver of the Title 19.08 landscape perimeter buffer requirements in order to retain the original site layout along the north and west property lines and portions of the south and east property line. Staff supports this request, as a component of the right-of-way improvements along Sahara Avenue consist of 15 feet of offsite landscaping and sidewalk. Any increase to the landscape buffer widths along the developed portions of the site would likely create a parking deficiency and cause site circulation conflicts. The plan shows existing vehicle display areas in the landscape buffer along Decatur Boulevard which has been conditionally approved; no other expansion of vehicle displays within the landscape buffer area may occur without approval of a site development plan review. In addition to these display areas, there are 87 additional spaces available on the site for vehicle storage and display, as no spaces that are required to meet the minimum parking standards may be used for these purposes.

Access to the site is adequately provided from three driveways from Sahara Avenue and two driveways from Decatur Boulevard. Adequate parking is shown and 15 solar-power collecting shade structures are proposed, thus negating the need for parking lot landscaping.

The applicant is addressing the neighborhood need for redeveloping this existing Automotive Sales (New) facility while remaining consistent with the goals and objectives of the 2020 Master Plan complying to the Title 19 Development Standards as much as possible; therefore, staff recommends conditional approval of the proposed Site Development Plan Review.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

   The proposed remodel and expansion of the existing car dealership is appropriate along this segment of Sahara Avenue and is compatible with adjacent 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;**

   The proposed project is consistent with the General Plan, Title 19 and the Commercial Development Standards. The applicant is providing a sound redevelopment plan for an existing Motor Vehicle Sales (New) facility that has been not been operating for the past two years. It is expected that this proposal will allow visual improvements to the site to occur, providing benefit to the property and adjacent commercial properties.

3. **Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

   The site will have access to Sahara Avenue, which is undergoing a capital improvement project for the Bus Rapid Transit (BRT) line. The site is also accessed from Decatur Boulevard, a 100-foot wide primary arterial which adequately provides access to serve the proposed use. The site access and on-site circulation will not negatively impact adjacent roadways or neighborhood traffic.

4. **Building and landscape materials are appropriate for the area and for the City;**

   The proposed building materials provide visual consistency with the surrounding commercial developments along this segment of Sahara Avenue and Decatur Boulevard. Although deficient in on site landscaping, staff supports the requested waivers for no landscape buffers along portions of the south and east property lines, as there will be landscaping provided off site with the completion of the Sahara BRT capital improvement project. The remaining waivers for landscape buffers are supported, as the addition of the landscape buffers to the existing layout would create additional burdens to development such as parking deficiencies and poor site circulation.

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;**

   The submitted building elevations demonstrate visual consistency with the surrounding commercial developments and provide an aesthetically pleasing environment. The applicant has provided a sound plan for redeveloping the existing facilities that incorporate green technologies to be used on site.

6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

The proposed development will be subject to inspection by the City and will not compromise the health safety and welfare of the general public.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 23

NOTICES MAILED 35

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-43737 APN: 163-01-803-004,005

Name of Property Owner: JRJ PROPERTIES

Name of Applicant: _____

Name of Representative: _____

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ **Yes** ☒ **No**

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: James J. Chaisson PARTNER

Print Name: JAMES J. CHAISSON PARTNER

Subscribed and sworn before me

This 10th day of October, 2011

_____

Notary Public in and for said County and State

ROBERT M. TORRES
Notary Public, State of Nevada
Appointment No. 99-51343-1
My Appt. Expires Jan. 27, 2015

RECEIVED
OCT 31 2011
City of Las Vegas

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Enigma Energy Special Use Permit

Project Address (Location) 2333 S. Decatur Las Vegas Nevada

Project Name Enigma Energy Car Dealership **Proposed Use** Dealership/Charging

Assessor's Parcel #(s) 163-01-803-004, 005 **Ward #** 1- Tarkanian

General Plan: existing GC proposed GC **Zoning:** existing C-2 proposed No Ch

Commercial Square Footage 42,545 **Floor Area Ratio** _____

Gross Acres 5.4 **Lots/Units** _____ **Density** _____

Additional Information proposed use will be for a charging station, solar energy and dealership

PROPERTY OWNER JRJ PROPERTIES **Contact** JIM CHAISSON, SR

Address 4021 MEADOWS LANE **Phone:** _____ **Fax:** _____

City LAS VEGAS **State** NV **Zip** 89107

E-mail Address JIMCHAISSONSR@YAHOO.COM

APPLICANT _____ **Contact** _____

Address _____ **Phone:** _____ **Fax:** _____

City _____ **State** _____ **Zip** _____

E-mail Address _____

REPRESENTATIVE KME Architects **Contact** Kelvin Haywood

Address 231 West Charleston Boulevard Suite 140 **Phone:** (702) 888-2088 **Fax:** (702) 888-2089

City Las Vegas **State** Nevada **Zip** 89102

E-mail Address kelvin@kmearchitects.com

Property Owner Signature* James Chaisson Partner

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name JAMES D. CHAISSON PARTNER

Subscribed and sworn before me

This 10 day of OCTOBER, 20 11.

Notary Public in and for said County and State

ROBERT M. TORRES
Notary Public, State of Nevada
Appointment No. 99-51343-1
My Appt. Expires Jan. 27, 2015

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SDR-43737
Meeting Date:	12/13/11
Total Fee:	$1,030
Date Received:*	10/31/11
Received By	BJS

*The application will not be deemed complete until the submitted materials have been reviewed by the Department of Planning for consistency with applicable sections of the Zoning Ordinance.

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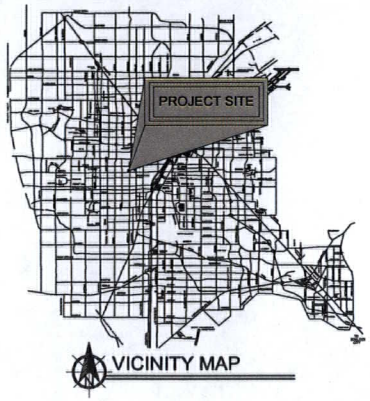

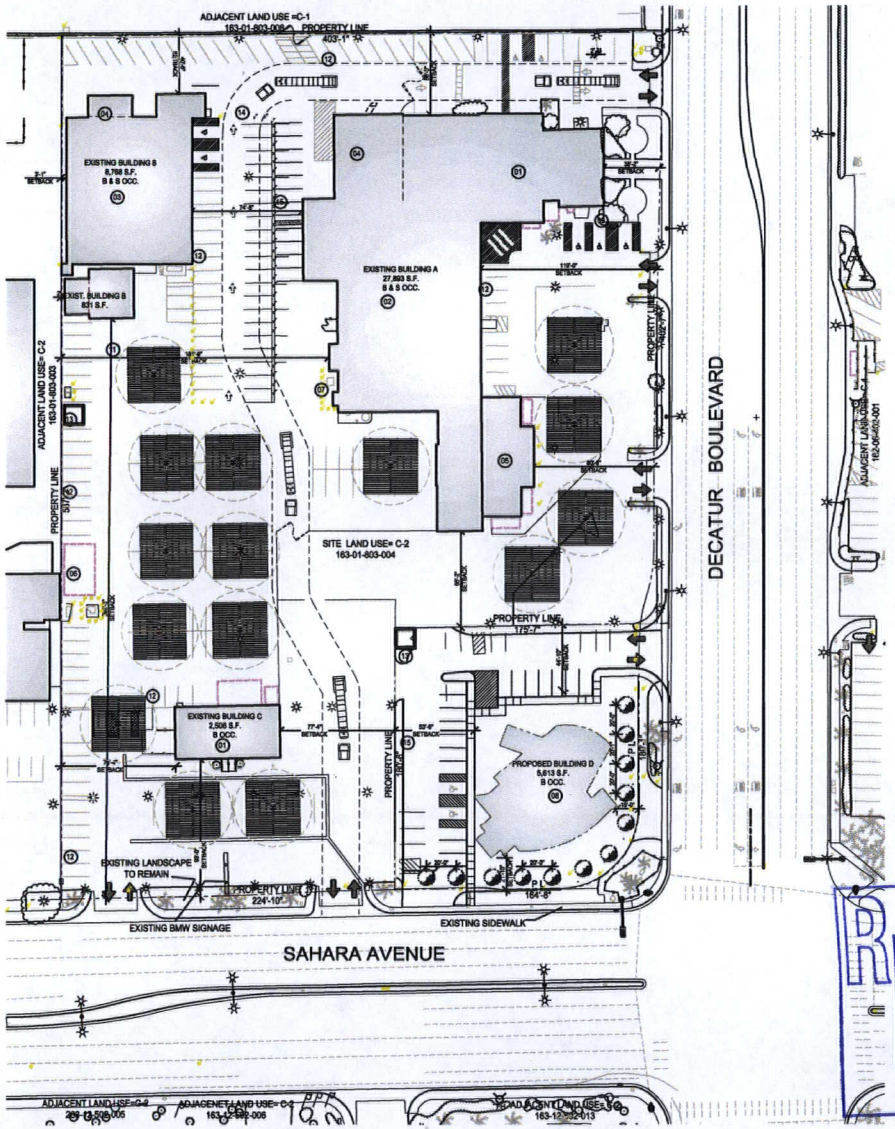

SITE PLAN/ LANDSCAPE PLAN

SCALE: 1" = 40'-0"

1

PARKING CALCULATION
PER TITLE 19A (TABLE 19.10)

EXISTING BUILDING A
OCCUPANCY: B & S
BLDG. SQUARE FT = 10,524 S.F. (B OCC. 1:300)
BLDG. SQUARE FT = 17,369 S.F. (S OCC. 1:500)
BLDG. SQUARE FT = 27,893 S.F. TOTAL

TOTAL PARKING REQUIRED:

STANDARD STALLS	66	STALLS
H.C. ACCESSIBLE (H)	3	STALLS
PARKING REQUIRED:	69	STALLS

EXISTING BUILDING B
OCCUPANCY: B & S
BLDG. SQUARE FT = 3,753 S.F. (B OCC. 1:300)
BLDG. SQUARE FT = 6,312 S.F. (S OCC. 1:500)
BLDG. SQUARE FT = 10,065 S.F. TOTAL

TOTAL PARKING REQUIRED:

STANDARD STALLS	24	STALLS
H.C. ACCESSIBLE (H)	1	STALLS
PARKING REQUIRED:	25	STALLS

EXISTING BUILDING C
OCCUPANCY: B
BLDG. SQUARE FT = 2,506 S.F. (B OCC. 1:300)
BLDG. SQUARE FT = 2,506 S.F. TOTAL

TOTAL PARKING REQUIRED:

STANDARD STALLS	7	STALLS
H.C. ACCESSIBLE (H)	1	STALLS
PARKING REQUIRED:	8	STALLS

PROPOSED BUILDING D
OCCUPANCY: B
BLDG. SQUARE FT = 5,613 S.F. (B OCC. 1:300)
BLDG. SQUARE FT = 5,613 S.F. TOTAL

TOTAL PARKING REQUIRED:

STANDARD STALLS	17	STALLS
H.C. ACCESSIBLE (H)	1	STALLS
PARKING REQUIRED:	18	STALLS

TOTAL PARKING REQUIRED:

STANDARD STALLS	111	STALLS
H.C. ACCESSIBLE (H)	6	STALLS
PARKING PROVIDED:	117	STALLS

TOTAL PARKING PROVIDED:

STANDARD STALLS	202	STALLS
H.C. ACCESSIBLE (H)	8	STALLS
PARKING PROVIDED:	210	STALLS

SITE PLAN KEY NOTES

01	CAR DEALERSHIP (NEW USED)
02	SERVICE BAYS
03	BATTERY STORAGE & I-CELL MANUFACTURING DIRECT CHARGING POWER CELL (DCPC)
04	OPEN CANOPY
05	DEALERSHIP SALES
06	STORAGE SHED
07	TRANSFORMERS	ELECTRICAL PANELS
08	PHASE II FUTURE SITE OF CHARGING STATION (w/ FUTURE UNDERGROUND GROUND SALTWATER TANK)
09	EXISTING LANDSCAPING TO REMAIN
10	PROPOSED TRASH ENCLOSURE LOCATIONS
11	PROPOSED ARBOR LOCATIONS (TYPICAL)
12	EXISTING PARKING STALLS
13	NEW TRASH ENCLOSURE (TYP. OF 2)
14	NEW FIRE TRUCK ACCESS ROUTE
15	NEW STANDARD PARKING STALLS

PLANTING LEGEND

EXISTING LANDSCAPE

ITEM	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE
A	35	-	PALM TREE	24" BOX
B	4	-	SMALL TREES	15 GALLON
C	12	-	MEDIUM TREES	15 GALLON
D	16	-	MEDIUM TREES	24" BOX

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PROJECT:
ENIGMA ENERGY - MASTER PLAN
5000,5050 WEST SAHARA AVENUE
LAS VEGAS, NEVADA

SHEET TITLE:
SITE PLAN/ LANDSCAPE SITE PLAN

REVISIONS	DATE
REVISIONS 1	11-4-2011
REVISIONS 2	11-16-2011

DRAWN BY: K.H.
DATE: 10-27-2011
JOB NO: 2011-040
SCALE: AS INDICATED

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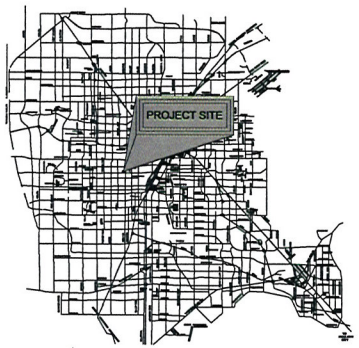
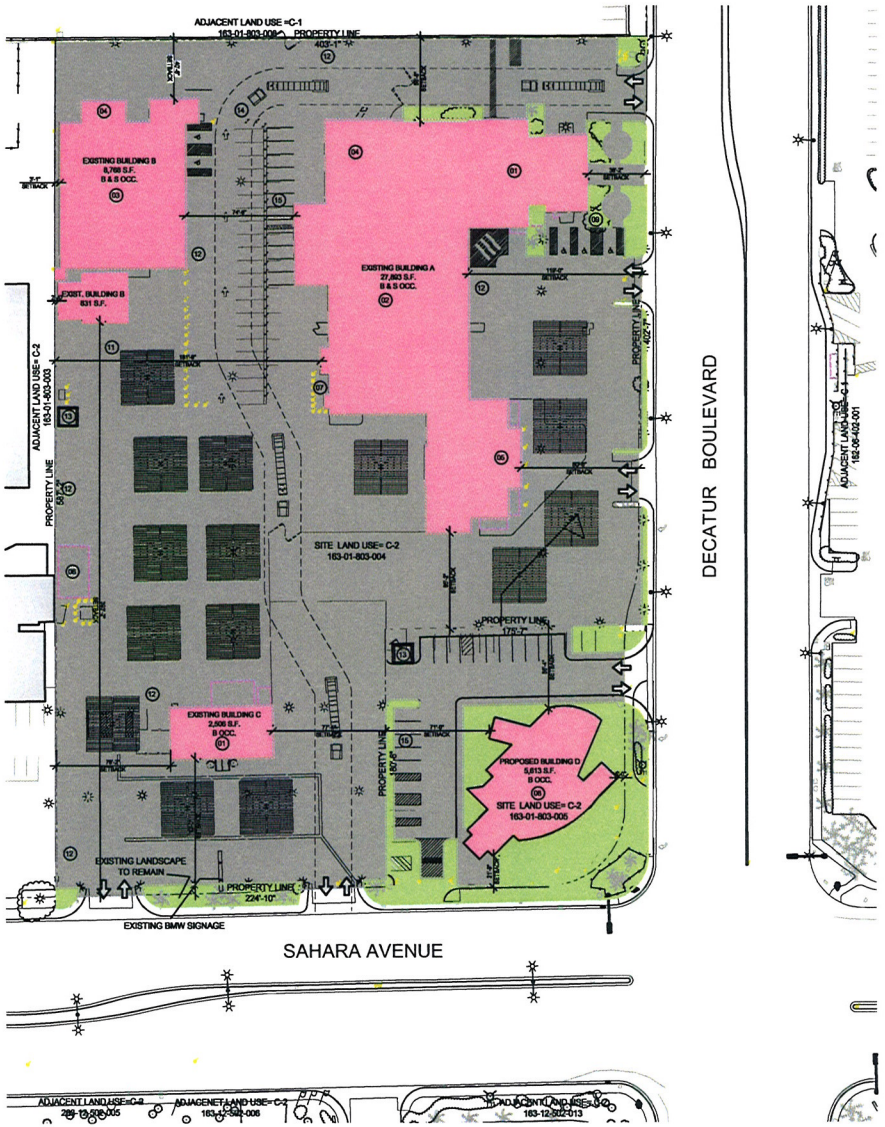


VICINITY MAP



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07 TRANSFORMERS | ELECTRICAL PANELS
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12 EXISTING PARKING STALLS
13 NEW TRASH ENCLOSURE (TYP. OF 2)
14 NEW FIRE TRUCK ACCESS ROUTE
15 NEW STANDARD PARKING STALLS

PLANTING LEGEND

EXISTING LANDSCAPE

ITEM	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE
A	23		PALM TREE	24" BOX
B	4		SMALL TREES	5 GALLON
C	12		MEDIUM TREES	15 GALLON

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PROJECT:
ENIGMA ENERGY - MASTER PLAN
5000,5050 WEST SAHARA AVENUE
LAS VEGAS, NEVADA

SHEET TITLE:
SITE PLAN/ LANDSCAPE SITE PLAN

REVISIONS	DATE

DRAWN BY: K.H.
DATE: 10-27-2011
JOB NO: 2011-040
SCALE: AS INDICATED

SHEET
A1.01

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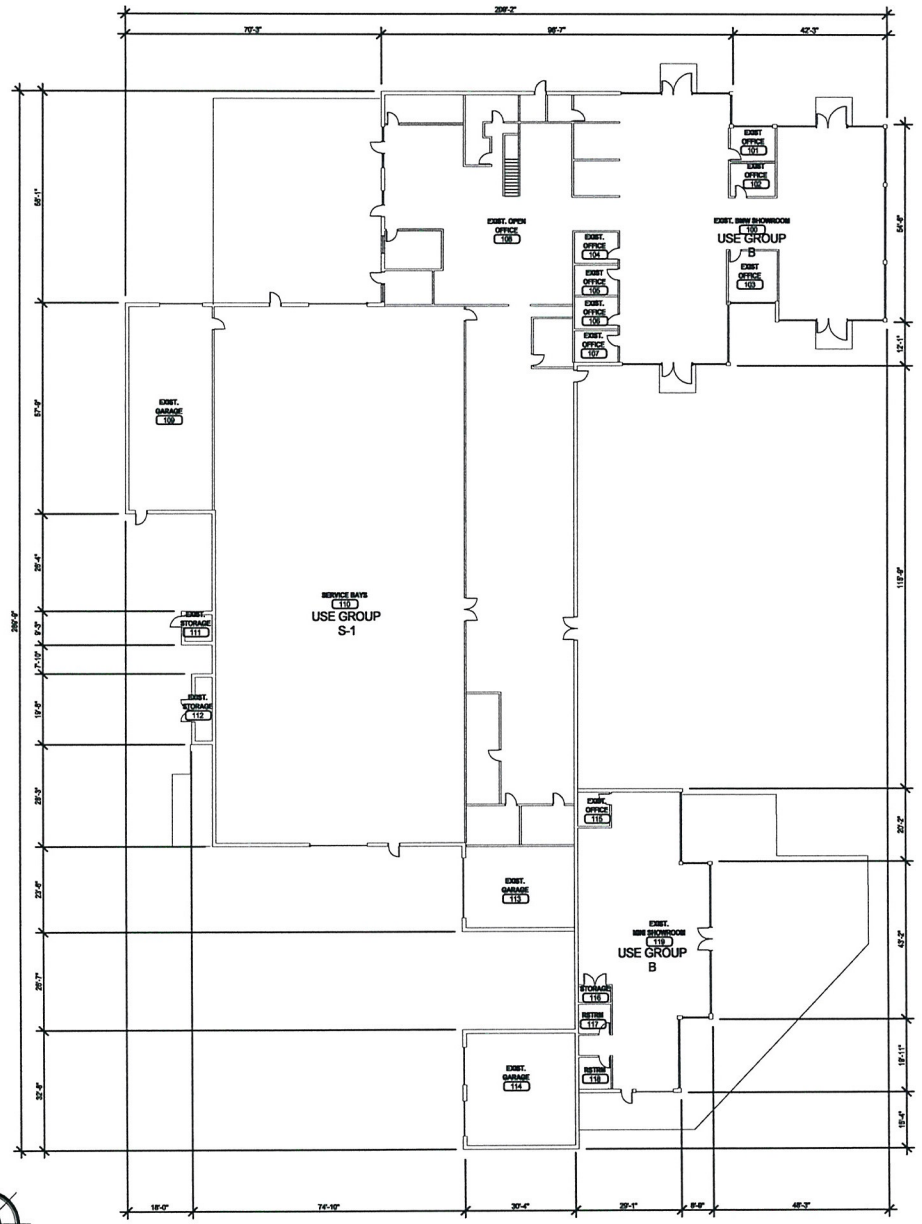

EXISTING BUILDING A FLOOR PLAN

SCALE: 1/16" = 1'-0"

OCCUPANT LOAD PER TITLE 19	
EXISTING BUILDING A (1ST FLOOR)	8,260 S.F.
OCUPANCY: B - EXIST. BMW OFFICE SPACE (1:100)	
CALCULATION: 8,260 SQ. FT. / 100	82 OCC.
EXISTING BUILDING A (1ST FLOOR)	17,369 S.F.
OCUPANCY: S-1 - BATTERY STORAGE (1:300)	
CALCULATION: 17,369 SQ. FT. / 300	57 OCC.
EXISTING BUILDING A (1ST FLOOR)	2264 S.F.
OCUPANCY: B - EXIST. MIMI OFFICE SPACE (1:100)	
CALCULATION: 2564 SQ. FT. / 100	25 OCC.
TOTAL OCCUPANTS	164 OCC.

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PROJECT:
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LAS VEGAS, NEVADA

SHEET TITLE:
EXISTING BUILDNG A FLOOR PLAN

REVISIONS	DATE

DRAWN BY: J.C.
DATE: 10-27-2011
JOB NO: 2011-040
SCALE: AS INDICATED

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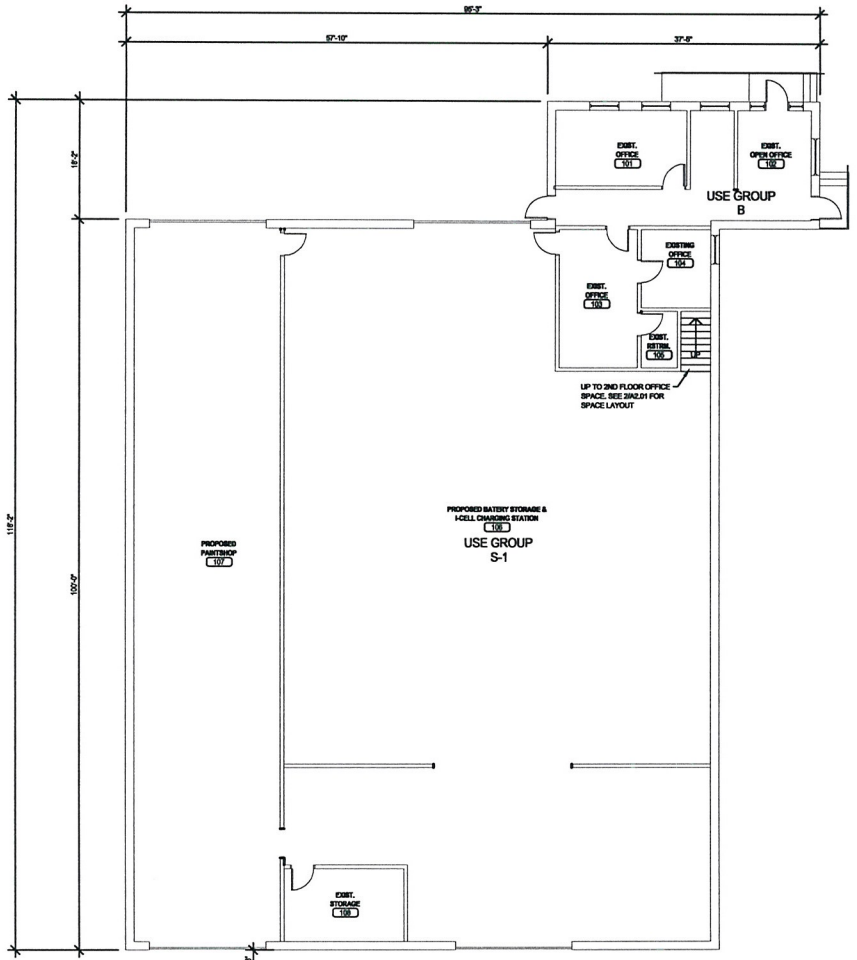
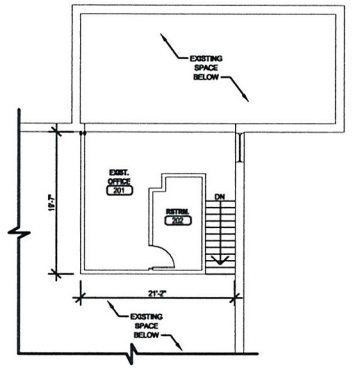


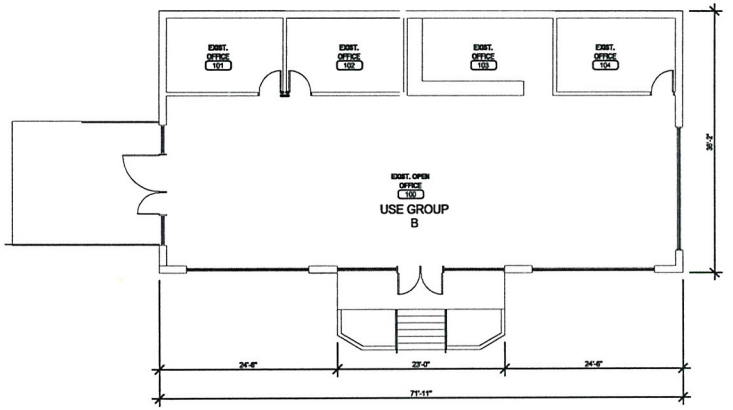
EXISTING BUILDING B
1ST FLOOR PLAN 1

SCALE: 1/8" = 1'-0"



EXISTING BUILDING B
2ND FLOOR PLAN 2

SCALE: 1/16" = 1'-0"



EXISTING BUILDING C
1ST FLOOR PLAN 3

SCALE: 1/8" = 1'-0"

OCCUPANT LOAD PER TITLE 19	
EXISTING BUILDING B (1ST FLOOR) OCUPANCY: B - OFFICE (1:100) CALCULATION: 3287 SQ. FT. / 100	3287 S.F. 32 OCC.
EXISTING BUILDING B (2ND FLOOR) OCUPANCY: B - OFFICE (1:100) CALCULATION: 1112 SQ. FT. / 100	466 S.F. 4 OCC.
EXISTING BUILDING B (1ST FLOOR) OCUPANCY: S - STORAGE (1:300) CALCULATION: 5481 SQ. FT. / 300	5481 S.F. 18 OCC.
EXISTING DETACHED STORAGE OCUPANCY: S - STORAGE (1:300) CALCULATION: 831 SQ. FT. / 300	831 S.F. 3 OCC.
TOTAL OCCUPANTS	53 OCC.
EXISTING BUILDING C (1ST FLOOR) OCUPANCY: B - OFFICE (1:100) CALCULATION: 2,388 SQ. FT. / 100	2,506 S.F. 25 OCC.
TOTAL OCCUPANTS	25 OCC.

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LAS VEGAS, NEVADA

SHEET TITLE:
EXISTING BUILDING B & C - EXISTING FLOOR PLANS

REVISIONS	DATE

DRAWN BY: J.C.
DATE: 10-27-2011
JOB NO: 2011-040
SCALE: AS INDICATED

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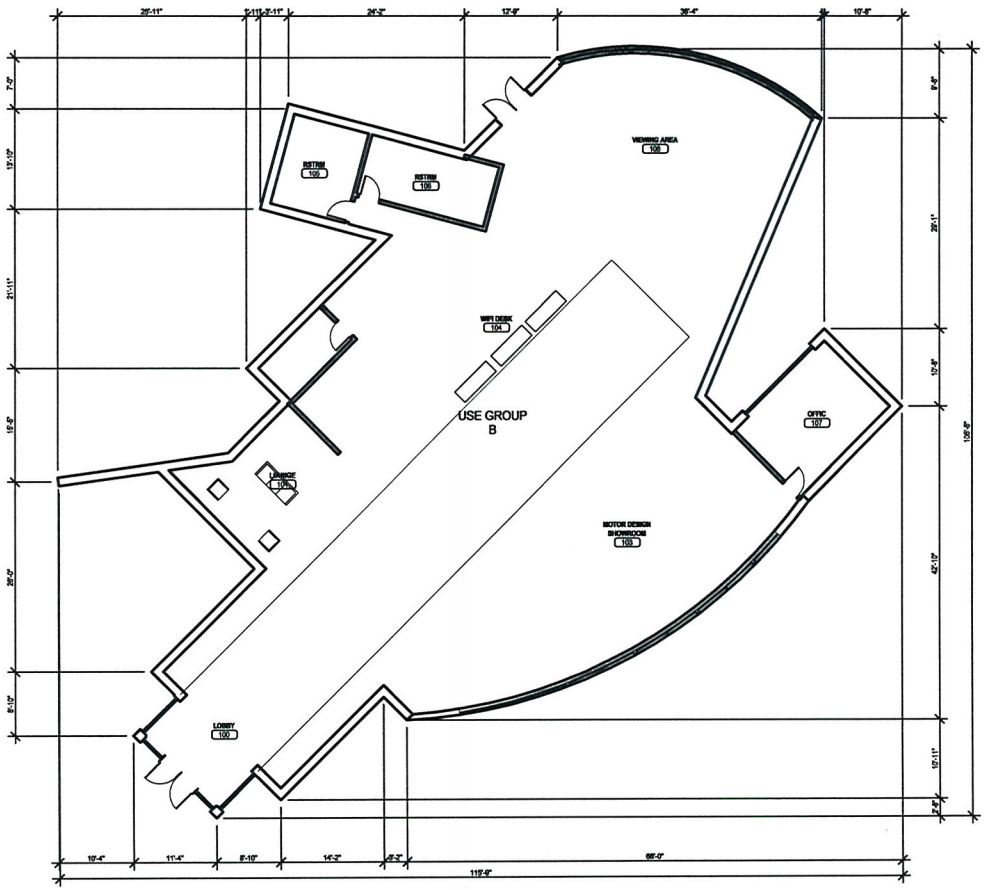
A2.02

OCCUPANT LOAD PER TITLE 19	
PROPOSED BUILDING D (1ST FLOOR)	5,613 S.F.
OCUPANCY: B - OFFICE (1:100)	
CALCULATION: 5,613 SQ. FT. / 100	53 OCC.
TOTAL OCCUPANTS	53 OCC.



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PROPOSED BUILDING D FLOOR PLAN

SCALE: 1/16" = 1'-0"

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SHEET TITLE:
PROPOSED BUILDNG D FLOOR PLAN

REVISIONS	DATE

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DATE: 10-27-2011
JOB NO: 2011-040
SCALE: AS INDICATED

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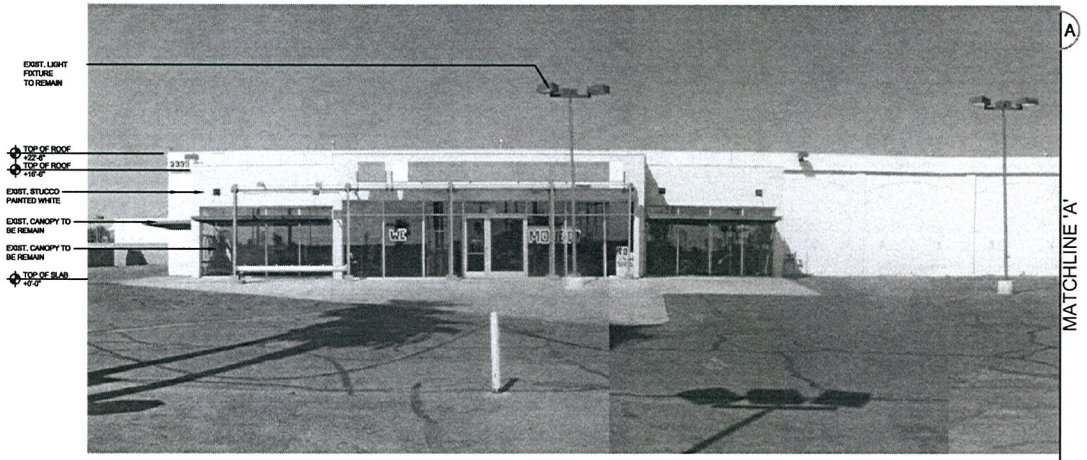


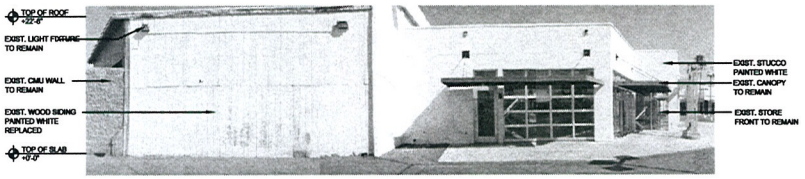
EAST ELEVATION BUILDING A- EXISTING 1

NTS



EAST ELEVATION BUILDING A- EXISTING 2

NTS



SOUTH ELEVATION BUILDING A- EXISTING 3

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PROJECT:
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5000,5050 WEST SAHARA AVENUE
LAS VEGAS, NEVADA

SHEET TITLE:
ELEVATIONS BUILDING A- EXISTING

REVISIONS	DATE

DRAWN BY: J.C.
DATE: 10-27-2011
JOB NO: 2011-040
SCALE: AS INDICATED

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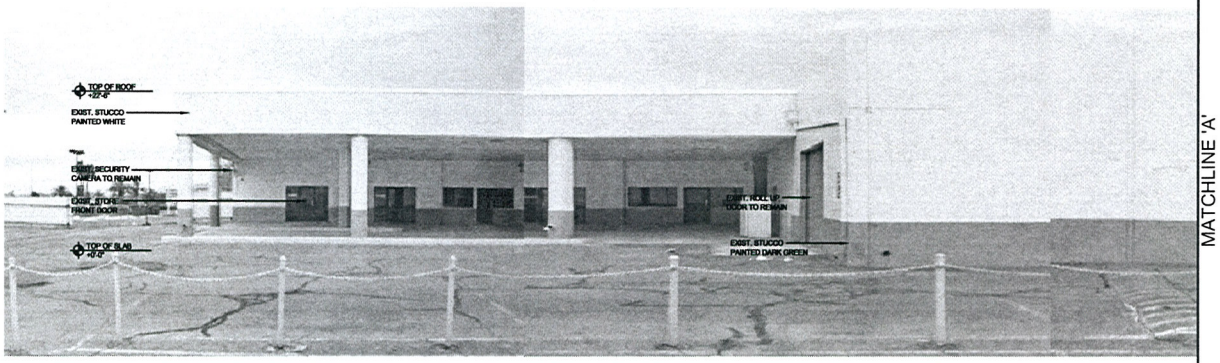
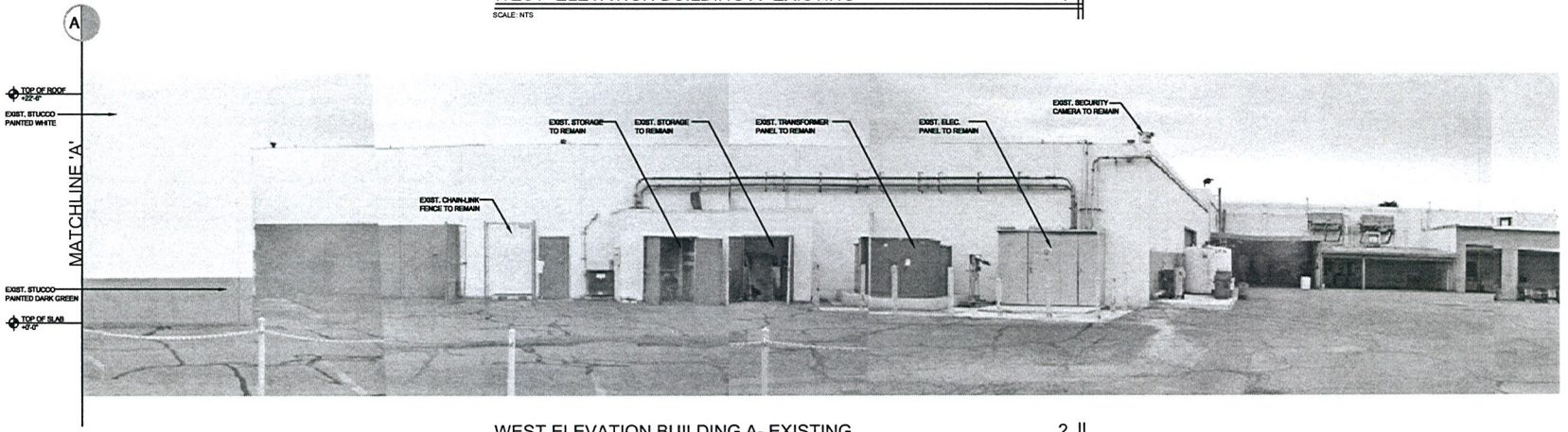


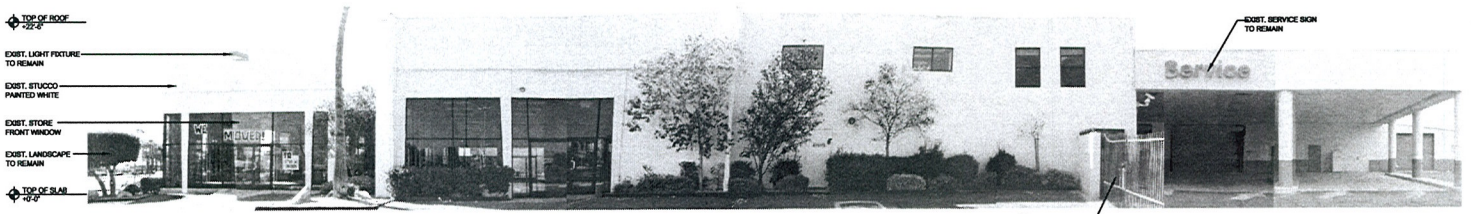
WEST ELEVATION BUILDING A- EXISTING 1

SCALE: NTS



WEST ELEVATION BUILDING A- EXISTING 2

SCALE: NTS



NORTH ELEVATION BUILDING A- EXISTING 3

SCALE: NTS

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5000,5050 WEST SAHARA AVENUE
LAS VEGAS, NEVADA

SHEET TITLE:
ELEVATIONS BUILDING A- EXISTING

REVISIONS	DATE

DRAWN BY: J.C.
DATE: 10-27-2011
JOB NO: 2011-040
SCALE: AS INDICATED

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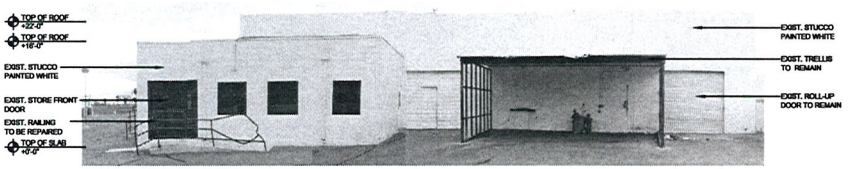
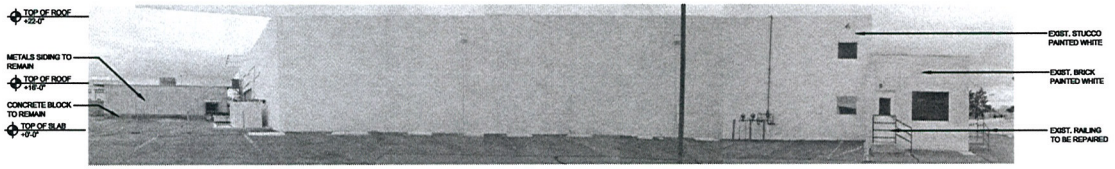
SDR-43737



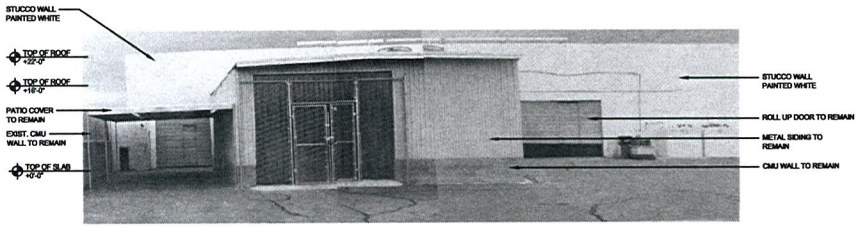
EAST ELEVATION BUILDING B- EXISTING 1

SCALE: NTS



SOUTH ELEVATION BUILDING B- EXISTING 2

SCALE: NTS



NORTH ELEVATION BUILDING B-EXISTING 3

SCALE: NTS

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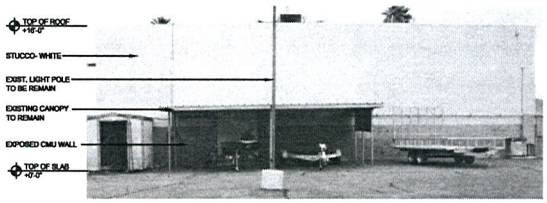
PROJECT:
ENIGMA ENERGY - MASTER PLAN
5000,5050 WEST SAHARA AVENUE
LAS VEGAS, NEVADA

SHEET TITLE:
ELEVATIONS BUILDING B- EXISTING

REVISIONS	DATE

DRAWN BY: J.C.
DATE: 10-27-2011
JOB NO: 2011-040
SCALE: AS INDICATED

SHEET
A5.03



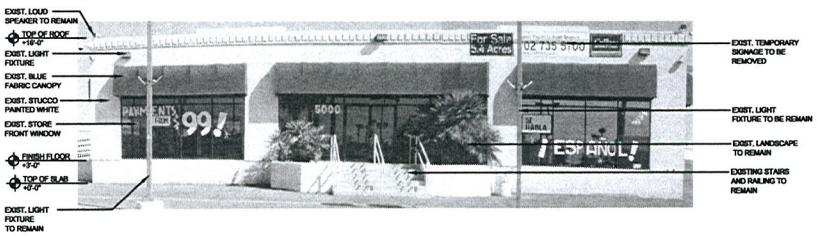
NORTH ELEVATION BUILDING C- EXISTING 1

SCALE: NTS



EAST ELEVATION BUILDING C- EXISTING 2

SCALE: NTS



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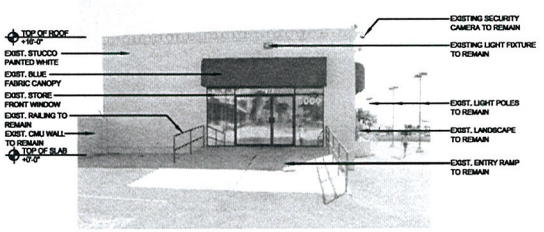
SCALE: NTS



WEST ELEVATION BUILDING C- EXISTING 4

SCALE: NTS

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5000,5050 WEST SAHARA AVENUE
LAS VEGAS, NEVADA

SHEET TITLE:
ELEVATIONS BUILDING C- EXISTING

REVISIONS	DATE

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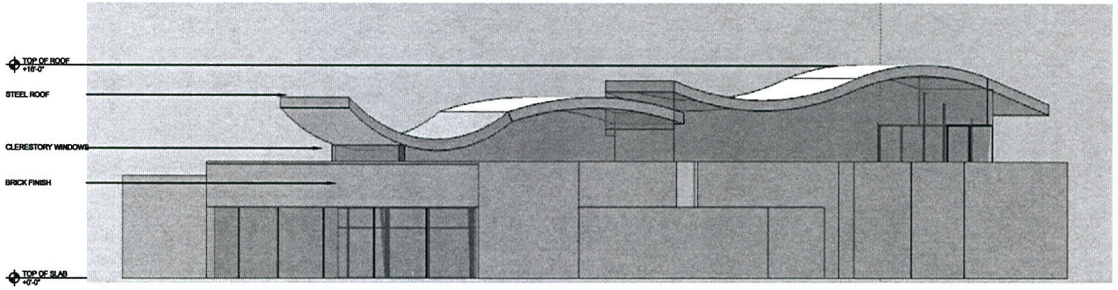

NORTH ELEVATION- PROPOSED BUILDING 1

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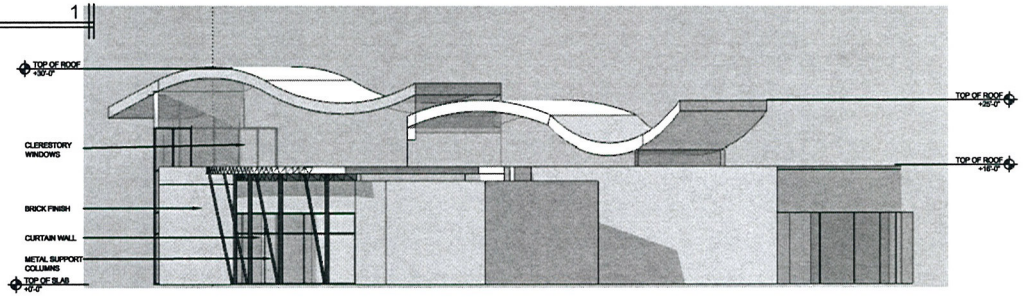

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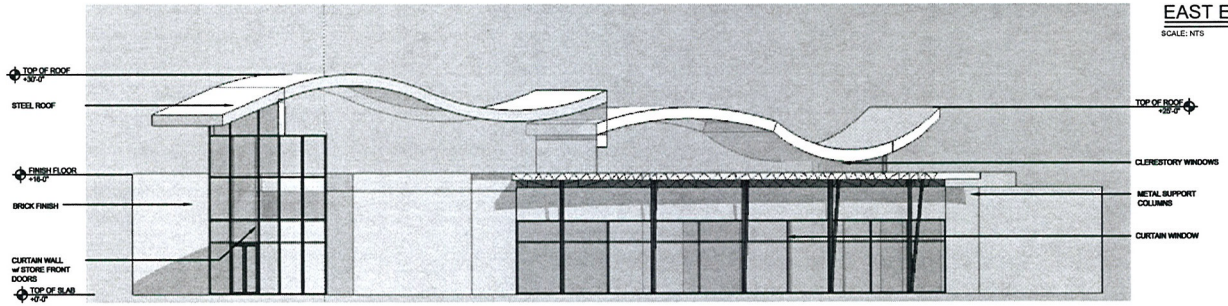

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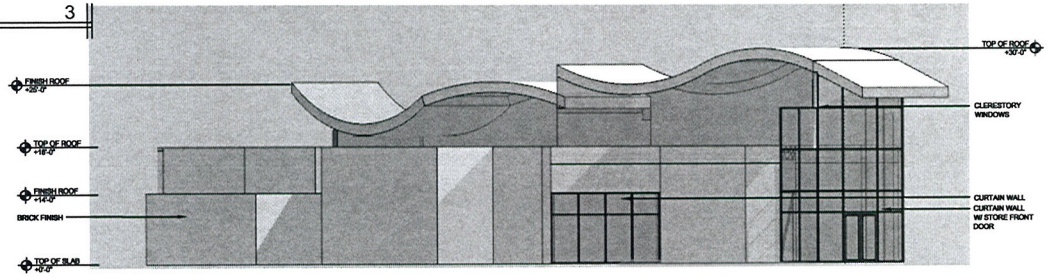

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PROJECT:
ENIGMA ENERGY - MASTER PLAN
5000,5050 WEST SAHARA AVENUE
LAS VEGAS, NEVADA

SHEET TITLE:
ELEVATIONS- PROPOSED BUILDING

REVISIONS	DATE

DRAWN BY: J.C.
DATE: 10-27-2011
JOB NO: 2011-040
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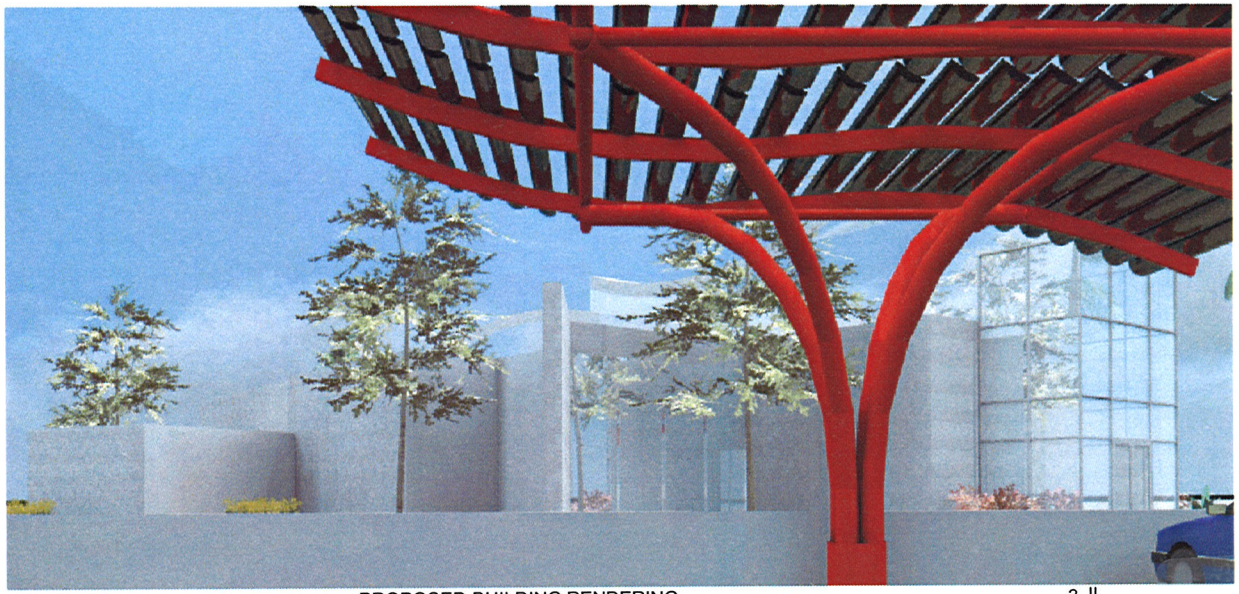
PROPOSED BUILDING RENDERING 1

SCALE:NTS



PROPOSED BUILDING RENDERING 2

SCALE: NTS



PROPOSED BUILDING RENDERING 3

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PROJECT:
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5000,5050 WEST SAHARA AVENUE
LAS VEGAS, NEVADA

SHEET TITLE:
PROPOSED BUILDING RENDERING

REVISIONS	DATE

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DATE: 10-27-2011
JOB NO: 2011-040
SCALE: AS INDICATED

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SDR-43737 - APPLICANT/OWNER: JRJ PROPERTIES
2333 AND 2451 SOUTH DECATUR BOULEVARD

11/03/11



SDR-43737 - APPLICANT/OWNER: JRJ PROPERTIES
2333 AND 2451 SOUTH DECATUR BOULEVARD

11/03/11



SDR-43737 - APPLICANT/OWNER: JRJ PROPERTIES
2333 AND 2451 SOUTH DECATUR BOULEVARD

11/03/11



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2333 AND 2451 SOUTH DECATUR BOULEVARD

11/03/11



SDR-43737 - APPLICANT/OWNER: JRJ PROPERTIES
2333 AND 2451 SOUTH DECATUR BOULEVARD

11/03/11

kme ARCHITECTS

November 16, 2011

City of Las Vegas
Development Services Center
731 S. 4th Street
Las Vegas, NV 89101

Attn: Department of Planning

Re: Enigma Energy
Flagship Car Dealership
5000 | 5050 West Sahara
APN 163 01 803, 003,004,005

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11 NOV 16 PM 2:38
PLANNING AND DEVELOPMENT

Kelvin Haywood
President

Melvin Green
Principal

Emanuele Arguelles
Principal

Justification Letter

KME Architects, LLC on behalf of our client Enigma Energy, is pleased to submit this submittal package for a Site Development Plan Review. Enigma Energy (A Clear Path to a Cleaner Future) is 21st Century Energy Company and is in the Business of Providing Clean-Energy Solutions.

Enigma Energy plans to implement and execute building and operation of the following:

- create 6,000 to 13,500 "Living Wage" jobs for Nevadans.
- build a 5-acre Flagship Car Dealership on 5000 and 5050 W. Sahara Avenue, Las Vegas – Enigma Energy Electric Vehicles, for selling new and used vehicles and serving conventional gas-powered automobiles, dual mode hybrid vehicles, and total electric vehicles by the end of 2011.
- will have leading-edge, any-make-of-car, power-electric charging stations, on site, and a customer service center to provide superior service, product education and personal convenience to the consumer.
- will be building and operating a network of Convenience Center and Service Sites with Electric Vehicle Power Charging stations that provide electric-vehicle quick charges. These sites will also serve as solar arbor stations to convert solar energy into usable electricity to return to the power grid and generate a profit for Enigma Energy.

Our client Enigma Energy is working with the Nevada State Department of Employment, Training and Rehabilitation (DETR) to qualify for tax incentives for providing training and employment for minority job seekers.

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In addition our client Enigma Energy is developing an agreement with the Las Vegas Valley Water District department of flood control to build solar panel arrays above the 100-mile flood control channel network and convert solar rays into electricity for transmission onto the power grid. Their widespread conversion of solar rays into electricity will help Nevadans reduce their dependency on oil- and coal-fire generated energy and help reduce costs on providing and using renewal electric energy.

Lastly, our client Enigma Energy is establishing a full-product LED retail store which will provide long-lasting, energy efficient, state-of-the-art, LED lights for residential, commercial, hospitality and industrial application.

We request a meeting with City of Las Vegas Planning committee to discuss this projects and the requirement to ensure the project move forward in a expeditiously fashion.

Sincerely,

Kelvin Haywood
President

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City of Las Vegas Agenda Item No.: **41.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: DECEMBER 13, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
ABEYANCE - TXT-43007 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action to amend the LVMC Title 19, Unified Development Code (UDC) of the City of Las Vegas, to make various corrections, clarifications and updates as part of the UDC's six month review. Staff recommends APPROVAL.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Proposed Amendment and Staff Report
2. UDC 6-Month Review Redlined Draft

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 13, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
TXT-43007	Staff recommends APPROVAL.	

** PROPOSED AMENDMENT(S) **

1. See attached "UDC 6-month Review Redlined Draft" for proposed modifications to LVMC Title 19 – the Unified Development Code of the City of Las Vegas. Text to be deleted is in red and struck through, while text to be added is in blue and underlined.

RTS

Staff Report Page One
December 13, 2011 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

Discussion and possible action to amend the LVMC Title 19, Unified Development Code (UDC) of the City of Las Vegas, to make various corrections, clarifications and updates as part of the UDC's six month review.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
05/29/08	The Planning & Development Department introduced the form-based code project to the Planning Commission at the Planning Commission Workshop.
03/23/09	At the Joint City Council and Planning Commission Workshop, the form-based code project was described as being a critical component for implementing corridor plans and walkable community plans.
03/26/09	The Planning & Development Department introduced the form-based code project to the Southern Nevada Home Builders Association (SNHBA) at their Community Development Committee meeting.
05/28/09	Project update was presented at the Planning Commission meeting under a Director's Business Item (DIR-34177).
01/28/10	The Planning & Development Department provided an update on the form-based code project to the Southern Nevada Home Builders Association (SNHBA) at their Community Development Committee meeting.
01/28/10	The Planning & Development Department held their first Customer Feedback Group meeting with representatives from various stakeholder groups.
03/04/10	The Planning & Development Department provided an overview and update on the form-based code project to the National Association of Industrial and Office Properties (NAIOP) at their membership meeting.
05/13/10	The Planning & Development Department provided an update on the form-based code project to the Planning Commission at the Planning Commission Workshop.
09/23/10	A review of Chapters 19.00, 19.12, 19.14 and 19.18 was presented at the Planning Commission meeting under a Director's Business Item (DIR-39291).
10/21/10	A review of Chapters 19.06, 19.10 and 19.16 was presented at the Planning Commission meeting under a Director's Business Item (DIR-39292).
11/18/10	The Planning Commission recommended adoption of a Text Amendment (TXT-39750) regarding the merging of Titles 18 (Subdivision Regulations) and 19 (Zoning Code) into one Title to be known as the Unified Development Code (UDC) of the City of Las Vegas.

03/16/11	The City Council adopted Bill 2011-7 as Ordinance 6135 to merge Titles 18 (Subdivision Regulations) and 19 (Zoning Code) into one Title to be known as the Unified Development Code (UDC) of the City of Las Vegas.
10/11/11	The Planning Commission voted to hold this item in abeyance to the November 8, 2011 Planning Commission meeting at the request of the staff.
11/08/11	The Planning Commission voted to hold this item in abeyance to the December 13, 2011 Planning Commission meeting at the request of the staff.

ANALYSIS

In late 2010, the Planning Commission recommended adoption of a Unified Development Code (UDC) for the city of Las Vegas to consolidate the city's subdivision and zoning codes into one comprehensive development code. As a part of the drafting of new code, department staff worked extensively with members of the public and other city staff to create a new approach to presenting the development standards appropriate to the city. Part of the adoption process of the UDC called for a review and update to the code to take place approximately six months after the adoption of the code. This review is not intended to introduce any substantive changes but is instead meant to make any needed corrections and provide clarification where confusion has resulted from the conversion of the previous two codes into the UDC. Changes are summarized below:

Summary of Changes:

The following text and tables summarize the purposed changes for each chapter under the UDC:

Chapter 19.00 – General Provisions:

Changes
• Adds a Subsection to the Enforcement Section (19.00.090) regarding the registration of certain nonprofit organizations. This was adopted as Ordinance 5998 but was inadvertently left out of the UDC. • Adds the C-PB, R-PD, and T-D districts to the established zoning districts tables, as appropriate, and adds a clarifying footnote regarding the future use of the R-PD district. • Made various language changes for the purpose of clarity and other minor corrections and formatting fixes.

Chapter 19.02 – Subdivision Design, Construction and Improvement Requirements:

Changes
• Made various language changes for the purpose of clarity and other minor corrections and formatting fixes.

Chapter 19.04 – Complete Street Standards:

Changes
• Made various language changes for the purpose of clarity and other minor corrections and formatting fixes. • Added the C-PB district to the "Transportation – Land Use Matrix – Table 1." • Added clarifications regarding the relationship of the Residential Street sections with the adjacent development.

Chapter 19.06 - Residential Districts - Purpose and Development and Design Standards:

Changes
• Changed various graphics to provide more consistent labeling and clearer standards. • Added a graphic regarding the Residential Adjacency – Proximity Slope • Updated references to reflect changes to landscaping standards. • Corrected various section references. • Made various language changes for the purpose of clarity and other minor corrections and formatting fixes.

Chapter 19.08 – Commercial and Industrial Districts - Purpose and Development and Design Standards:

Changes
• Removed redundant standards to make clearer what are the expectations. • Changed various graphics to provide more consistent labeling and clearer standards. • Added a graphic regarding the Residential Adjacency – Proximity Slope • Updated references to reflect changes to landscaping standards. • Corrected various section references. • Added back into the code standards for the C-PB district. • Reduced the front and corner side setbacks for the C-2 district to be consistent with the C-1 setbacks. • Made various language changes for the purpose of clarity and other minor corrections and formatting fixes.

Chapter 19.10 - Special Area and Overlay Districts - Purpose and Development and Design Standards:

Changes
• Changed various graphics to provide more consistent labeling and clearer standards. • Adds the use information specific to the C-V district into Section 19.10.020 and clarifies development standards for the district with regards to landscape buffers, residential adjacency and parking.

- Adds a Subsection C to Section 19.10.090 regarding use provisions in the CD-O district.
- Adds an additional map to Section 19.10.100 regarding the Special Signage Sub-district within the Downtown Casino Overlay District.
- Updated the Historic Designation Overlay District Section (19.10.150) to reflect changes to state law and updated terms and definitions to reflect national standards for historic preservation.
- Made various language changes for the purpose of clarity and other minor corrections and formatting fixes.

Chapter 19.12 – Permissible Uses:

Changes
• Adds the C-PB district to the permitted uses table with appropriate indications for the various uses permitted within the district • Removes the C-V district from the permitted uses table along with indications for the various uses requiring a Special Use Permit and all related provision in Section 19.12.070. This information is now located in 19.10.020. • Moved the Use Restrictions for the CD-O district to Section 19.12.080 from 19.12.090 • Made various language changes for the purpose of clarity and other minor corrections and formatting fixes.

Chapter 19.14 – Nonconforming Uses and Structures:

Changes
• No changes.

Chapter 19.16 - Applications and Procedures:

Changes
• Changed the recordation time limits applicable to Tentative Map to align with state law in Subsection 19.16.050(O). • Made various language changes for the purpose of clarity and other minor corrections and formatting fixes.

Chapter 19.18 – Definitions & Measures:

Changes
• Added various definitions that had been approved by previous City Council action but were inadvertently left out of the UDC adoption related to Specified Anatomical Areas, Specified Sexual Activities and Sexual Novelty.

- Modified the definition for Convenience Store to better correspond to Title 6.
- Provided a graphic to clarify what is meant and intended regarding a Patio Cover.
- Clarifying language added regarding side-loading wheelchair lift parking space requirements.
- Made various language changes for the purpose of clarity and other minor corrections and formatting fixes.

FINDINGS

The proposed text amendment will accomplish the following:

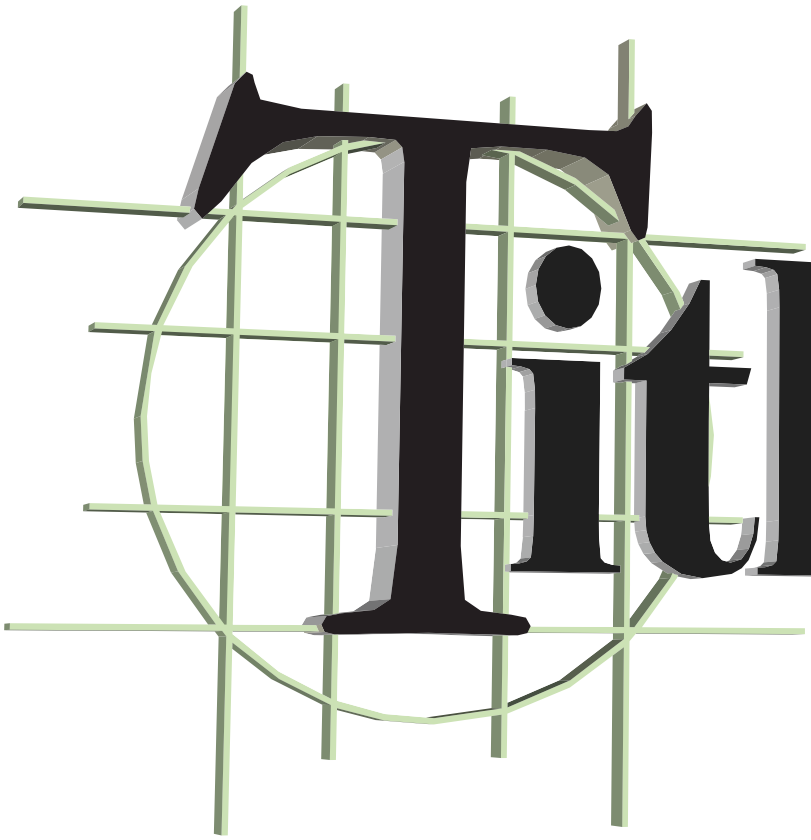
- Correct typos and grammatical errors found since the UDC was adopted in March of 2011.
- Clarify standards for various districts and development activities.
- Improves graphics to better provide information related to various standards.
- Re-introduce the Planned Business Park (C-PB) District as a zoning district.

NOTICES MAILED NEWPAPER ONLY

APPROVALS 0

PROTESTS 0

Unified Development Code



The City of Las Vegas

Mayor
Oscar B. Goodman

City Council
Mayor Pro Tem Gary Reese
Steve Wolfson
Lois Tarkanian
Steven D. Ross
Ricki Y. Barlow
Stavros S. Anthony

City Manager
Elizabeth N. Fretwell

Adopted March 16, 2011

Table of Contents

Chapter 19.00 - General Provisions

19.00.010 Short Title 13
19.00.020 Authority 13
19.00.030 Purpose and Intent 13
19.00.040 Relationship to General Plan 13
19.00.050 Relationship of Zoning Districts to General Plan 14
19.00.060 Effectiveness and Applicability 14
19.00.070 Administration 14
19.00.080 Interpretation 15
19.00.090 Enforcement 17
19.00.100 Official Zoning Map 18
19.00.110 Rules for Interpretation of Zoning District Boundaries 19
19.00.120 Fee Schedule 19

Chapter 19.02 - Subdivision Design and Improvement Requirements

19.02.010 Minimum Standards 25
19.02.020 Director of Public Works 25
19.02.030 Lots 25
19.02.040 Sidewalks 25
19.02.050 Drainage Improvements and Facilities 25
19.02.060 Curbs and Gutters 25
19.02.070 Sanitary Sewer Improvements 25
19.02.080 Public Sanitary Lines 25
19.02.090 Sanitary Sewer Cleanout 26
19.02.100 Water Supply 26
19.02.110 Fire Hydrants 26
19.02.120 Landscaping Plan 27
19.02.130 Improvements 27
19.02.140 Intersections 29
19.02.150 Vertical Curves 29
19.02.160 Reverse or Compound Curves 29
19.02.170 Roadways and Streets - Design Criteria 29
19.02.180 Street Grade Requirements 29
19.02.190 Sight Clearance 29
19.02.200 Paving Transitions and Crossovers 30
19.02.210 Access Street Paving Requirements 30
19.02.220 Compaction of Street Sub-grade and Base Material 30

19.02.230 Driveways 30
19.02.240 Street Lighting 30
19.02.250 Access Control Gates and Storage Areas 30
19.02.260 Emergency Access Gates 30
19.02.270 Private Drive Construction 30
19.02.280 Traffic Circulation Safety 30
19.02.290 Vehicular Access Prohibition to Primary or Secondary Thoroughfares 31
19.02.300 Multiple Species Habitat Conservation 31

Chapter 19.04 - Complete Streets Standards

19.04.010 Street Connectivity 39
19.04.020 Road Network 39
19.04.030 Vehicle/Pedestrian Separation Management 39
19.04.040 Connectivity 39
19.04.050 Street Naming and Address Assignments 41
19.04.060 Amenity Zone 42
19.04.070 Private Street Requirements 43
19.04.080 Private Drive Requirements 43
19.04.090 Alley Requirements 43
19.04.100 Culs-De-Sac 44
19.04.110 Partially Dedicated Street or Alley 44
19.04.120 Improvement Width 44
19.04.130 Residential Subdivisions 44
19.04.140 Nonresidential Subdivisions.. 44
19.04.150 Signs in Public Rights-of-Way 44
19.04.160 Transportation - Land Use Matrix 45
19.04.170 120' Parkway Arterial Street 48
19.04.180 106' Primary Arterial Street 49
19.04.190 80' Major Collector Street 50
19.04.200 60' Minor Collector Street 51
19.04.210 47' Residential Street 52
19.04.220 47' Residential Street (Narrow Lot) 53

Chapter 19.06 - Residential Districts - Purpose and Development and Design Standards

19.06.010 Applicability 59
19.06.020 Intent of Residential Development Standards 59
19.06.030 General 59
19.06.040 Development Standards 60
19.06.050 U (Undeveloped) 69
19.06.060 R-E (Residence Estates) 75

19.06.070 R-1 (Single Family Residential) 81
19.06.080 R-CL (Single Family Compact-Lot) 87
19.06.090 R-TH (Single Family Attached) 93
19.06.100 R-2 (Medium-Low Density Residential) 99
19.06.110 R-3 (Medium Density Residential) 105
19.06.120 R-4 (High Density Residential) 111
19.06.130 R-MH (Mobile/Manufactured Home) 117
19.06.140 Residential Sign Standards 123

Chapter 19.08 - Commercial and Industrial Districts - Purpose and Development and Design Standards

19.08.010 Applicability 153
19.08.020 Intent of Commercial and Industrial Development Standards 153
19.08.030 General 153
19.08.040 Development Standards 154
19.08.050 P-O (Professional Office) 167
19.08.060 O (Office) 173
19.08.070 C-1 (Limited Commercial) 179
19.08.080 C-2 (General Commercial) 185
19.08.085 C-PB (Planned Business Park) 191
19.08.090 C-M (Commercial / Industrial) 195
19.08.100 M (Industrial) 201
19.08.110 Commercial and Industrial Parking Design Standards 207
19.08.120 Commercial and Industrial District Sign Standards 213

Chapter 19.10 - Special Area and Overlay Districts - Purpose and Development and Design Standards

19.10.010 Purpose and Intent 249
19.10.020 C-V (Civic) 251
19.10.030 P-C (Planned Community) 255
19.10.040 PD (Planned Development) 259
19.10.050 R-PD (Residential Planned Development) 263
19.10.060 T-C (Town Center) 265
19.10.070 T-D (Traditional Development) 269
19.10.080 A-O (Airport Overlay) 273
19.10.090 CD-O (Designed Commercial Overlay) 277
19.10.100 DC-O (Downtown Casino Overlay) 279
19.10.110 DCP-O (Downtown Centennial Plan Overlay) 287
19.10.120 DE-O (Downtown Entertainment Overlay) 289
19.10.130 G-O (Gaming Enterprise Overlay) 291
19.10.140 HS-O (Hillside Overlay) 293

19.10.150 HD-O (Historic Designation Overlay) 305
19.10.160 SB-O (Las Vegas Boulevard Scenic Byway Overlay) 321
19.10.170 LW-O (Live/Work Overlay) 323
19.10.180 RP-O (Rural Preservation Overlay) 325

Chapter 19.12 - Permitted Uses

19.12.010 Land Use Tables 331
19.12.020 Accessory Uses and Structures 341
19.12.030 Temporary Commercial Permits 341
19.12.040 Conditional Uses 341
19.12.050 Special Use Permits 342
19.12.060 Parking Requirements 342
19.12.070 Permissible Use Descriptions and Applicable Conditions and Requirements 342
19.12.080 Use Provisions for C-V District 406
19.12.090 Use Restrictions for P-O, O and CD-O Districts 406
19.12.100 Similar and Prohibited Uses 407
19.12.110 Intent and Effect of Cross-Referencing Tools 407
19.12.120 Off-Premise Signs 408
19.12.130 Motor Vehicle Dealerships, Test Driving Route Plans 412

Chapter 19.14 - Nonconforming Uses and Structures

19.14.010 Intent 417
19.14.020 Applicability 417
19.14.030 Regulations 417
19.14.040 Expansion of a Nonconforming Use in a Conforming Building 419
19.14.050 Nonconforming Uses and Buildings - Restoration After Damage 419
19.14.060 Building - Abatement in "R" Residential Districts 419
19.14.070 Renewable Energy Systems and Nonconforming Uses and Buildings 419
19.14.080 Nonconforming Signs 419
19.14.090 Non-conformity Resulting From City Action 421

Chapter 19.16 - Applications and Procedures

19.16.010 General Requirements 427
19.16.020 Annexation 431
19.16.030 General Plan Amendment 433
19.16.040 Parcel Map 439
19.16.050 Tentative Map 443
19.16.060 Final Map 447
19.16.070 Reversionary Map 453
19.16.080 Vacations 455

19.16.090 Rezoning 459
19.16.100 Site Development Plan 465
19.16.110 Special Use Permit 471
19.16.120 Administrative Deviation 479
19.16.130 Waiver 483
19.16.140 Variance 485
19.16.150 Development Agreements 491
19.16.160 Temporary Commercial Permit 493
19.16.170 Temporary Sign Permit 497
19.16.180 Home Occupation Permit 499
19.16.190 Model Home Permit 503
19.16.200 Sign Certificate 505
19.16.210 Maintenance Districts 509
19.16.220 Unified Development Code Text Amendment 515
19.16.230 Street Name Change 517
19.16.240 Review of Conditions 519
19.16.250 Required Review 521
19.16.260 Extension of Time 523
19.16.270 Master Sign Plan 525
19.16.280 Appendices 529

Chapter 19.18 - Definitions and Measures

19.18.010 General 535
19.18.020 Words and Terms Defined 535
19.18.030 Measurement Rules 571

Appendices

Appendix A Parcel Map Application Checklist 585
Appendix B Tentative Map Application Checklist 587
Appendix C Final Map Application Checklist 591
Appendix D Monumentation Requirement 595
Appendix E Required Certificates 599

19.00

General Provisions

19.00
General Provisions

19.00.010 Short Title 13

19.00.020 Authority 13

19.00.030 Purpose and Intent 13

19.00.040 Relationship to General Plan 13

19.00.050 Relationship of Zoning Districts To General Plan 14

19.00.060 Effectiveness and Applicability 14

19.00.070 Administration 14

19.00.080 Interpretation..... 15

19.00.090 Enforcement 17

19.00.100 Official Zoning Map 18

19.00.110 Rules for Interpretation of Zoning District Boundaries 19

19.00.120 Fee Schedule 19

SHORT TITLE 19.00.010

The provisions of this Title shall be known and may be cited as the Unified Development Code of the City of Las Vegas and may be referred to as "this Title".

AUTHORITY 19.00.020

This Title is adopted pursuant to the provisions of the Nevada Revised Statutes (NRS), including NRS Chapter 278. The City Council may amend the text of this Title or the Official Zoning Map Atlas which is a part of this Title whenever public necessity, safety, general welfare or convenience requires.

PURPOSE AND INTENT 19.00.030

It is the purpose and intent of the City Council that this Title promotes the following purposes:

General

A. To preserve and enhance the present qualities and advantages that exist in the City;

B. To encourage the most appropriate use of land, water and natural resources consistent with the public interest;

C. To overcome present problems and handicaps and effectively manage future problems that may result from the use and development of land and property;

D. To prevent the impacts of both overcrowding of land and undue concentrations of population as well as the negative effects of leapfrogging sprawl and under-utilization of land and property;

E. To manage the orderly and efficient provision of adequate levels of public facilities and services necessary to support planned development;

F. To protect human, environmental, social, natural and economic resources;

G. To maintain, through orderly growth and development, the character and stability of present and future land use and development in the City.

H. To ensure that required on-site and off-site dedications and public improvements are properly installed or guaranteed;

Implementation of General Plan

I. To coordinate and ensure the execution of the City's General Plan through effective implementation of development review requirements, adequate facility and services review and other goals, policies or programs contained in the General Plan.

Comprehensive, Consistent and Equitable Regulations

J. To establish a system of fair, comprehensive, consistent and equitable regulations, standards and procedures for the review and approval of all proposed development, divisions, and mapping of land within the City in a manner consistent with State law.

Efficiently and Effectively Managed Procedures

K. To promote fair procedures that are efficient and effective in terms of time and expense and that appropriate process is followed in the review and approval of applications made under this Title;

L. To be effective and responsive in terms of the allocation of authority and delegation of powers and duties among ministerial, appointed and elected officials; and

M. To foster a positive customer service attitude and to respect the rights of all applicants and affected citizens.

Sustainability

N. To promote the implementation of the "Sustaining Las Vegas" Policy, Sustainable Energy Strategy and Climate Protection resolution of the City.

RELATIONSHIP TO GENERAL PLAN 19.00.040

The adoption of this Title is consistent and compatible with and furthers the goals, policies, objectives and programs of the General Plan. It is the intent of the City Council that all regulatory decisions made pursuant to this Title be consistent with the General Plan.

For purposes of this Section, "consistency with the General Plan" means not only consistency with the Plan's land use and density designations, but also consistency with all policies and programs of the General Plan, including those that promote compatibility of uses and densities, and orderly development consistent with available resources.

RELATIONSHIP OF ZONING DISTRICTS TO GENERAL PLAN 19.00.050

The establishment of zoning districts is intended to be one of the means of implementing the City's General Plan and any amendment thereto, as such implementation is permitted and required by State Law. The General Plan serves as a guideline and framework for the zoning and regulatory provisions of this Title. With respect to the Land Use Element of the General Plan, there are goals, objectives and provisions for use categories and density ranges, but also for the achievement of other planning objectives such as appropriate mixing and buffering of uses to ensure overall compatibility.

EFFECTIVENESS AND APPLICABILITY 19.00.060

A. General

The provisions of this Title are effective as of the date specified by Ordinance 6135 as adopted by the City Council on March 16, 2011, unless otherwise modified by ordinance, and shall apply to the development of all land, public or private, within the corporate limits of the City, except as specifically provided otherwise in Nevada Revised Statutes. No application for the development of land, or for approval of a map under this Title, shall be approved unless the application is determined to be in conformance with the requirements of this Title and all applicable development regulations, including any standards, plans or policies that have been adopted so as to have a regulatory effect. No land shall be divided, used, or structure constructed, except in accordance with the regulations and requirements of this Title, including the requirement to obtain applicable approvals and permits prior to the development of the property. All development applications filed on or after the effective date of this Title, whether for new development or for the expansion or alteration of existing development, shall be processed in accordance with the standards, requirements and procedures established herein. For development applications which were filed before and are pending on the effective date of this Title, the City may require compliance with the standards and procedures set forth in this Title unless the applicant demonstrates that it is inequitable for the City to do so.

B. Exceptions

The provisions of this Title and any amendments hereto shall not affect the validity of any lawfully issued and effective building permits for development issued prior to the effective date of this Title, if the construction was prior to the effective date of this ordinance, and if the construction continued under valid permits until complete. If any such permit expires prior to completion, all future development shall be in conformance with the requirements of this Title.

ADMINISTRATION 19.00.070

A. Director of Planning

For the purposes of this Title, the term "Director" means the Director of the Department of Planning. The Director is hereby designated as the Secretary of the Planning Commission. Except where otherwise specified, the Director is responsible for the administration and enforcement of this Title. In connection with that responsibility, the Director shall have the authority to:

1. Accept and process applications under this Title;
2. Organize and maintain records associated with those applications;
3. Conduct the necessary review of maps and development documentation which have been submitted under this Title;
4. Verify compliance with all subdivision, zoning and development requirements;
5. Adopt specifications and procedures relating to the administration of this Title;
6. Take action to approve, deny or otherwise act upon applications in accordance with the provisions of this Title;
7. Approve or deny administrative deviations, exceptions and waivers in accordance with the provisions of this Title;
8. Perform any other function described in this Title that is not otherwise assigned to a particular person or entity; and
9. Delegate, designate or assign to another person any function described in this Section or Title, except to the extent not permitted by law.

B. Delegation of Authority

Whenever reference is made to the head of a Department or to some other City officer or employee, the reference shall be construed as authorizing the head of the Department or other officer to designate, delegate to and authorize professional-level subordinates to perform the required act or duty, unless the terms of the provisions or an applicable State statute specifies otherwise.

INTERPRETATION 19.00.080

A. Rules of Interpretation

In interpreting the language of this Title, the rules set out in this Section shall be observed unless the interpretation would be inconsistent with the express language of this Title. In the case of conflicting language, the more restrictive language shall apply.

B. Meaning and Intent

All provisions, terms, phrases and expressions contained in this Title shall be liberally construed in order to carry out the intent of the City Council. Terms used in this Title, unless otherwise specifically defined, shall have the meanings prescribed by NRS for the same terms. Any term not specifically defined or prescribed shall have the ordinary meaning ascribed to it in a dictionary of common usage.

C. Text Controls

In case of any conflict between the text of this Title and any figure, the text shall control.

D. Computation of Time

The time within which an act is to be performed shall be computed by excluding the first day and including the last day. If the last day is a Saturday, Sunday, legal holiday or other day that the City is officially closed to the public, that day shall be excluded. The following time-related words shall have the meanings ascribed below:

"Day" means a calendar day unless otherwise stated.

"Week" means seven calendar days.

"Month" means one calendar month.

"Year" means a calendar year, unless a fiscal year is indicated.

E. Other Clarifications

1. Headings

a. Levels of headings used in this Title include Chapters (for example "Chapter 19.00"), Sections (for example "19.00.010"), Subsections (for example "A."), Paragraphs (for example "1.") and Subparagraphs (for example "a.").

b. The headings contained in this Title are for convenience only and do not limit or modify the intent or meaning of the provisions.

2. Tense. Unless clearly indicated to the contrary, words used in the present tense shall include the future, words used in the plural shall include the singular, words used in the singular shall include the plural, and words of one gender shall include the other.

3. Use of Certain Words. The words "shall," "must," and "will" are always mandatory. The words "may" and "should" are discretionary. Words and phrases shall be construed according to the common and approved usage in the language, but technical words and phrases that may have acquired a peculiar and appropriate meaning in the law shall be construed and understood according to that meaning.

4. Written Information. References to "written" information shall mean any representation of words, letters or figures whether by printing or other form or method of writing.

5. Conjunctions. Unless the context clearly indicates the contrary, conjunctions shall be interpreted as follows:

"And" indicates that all connected items or provisions apply; and

"Or" indicates that the connected items or provisions may apply singularly or in any combination.

H. Implementation

All applications which have been accepted as complete by the Director prior to the effective date of this Title shall be processed in accordance with, and subject to, the regulations and requirements in effect at the time the application was accepted as complete. Unless otherwise provided in this Title, the review of previously approved Special Use Permits and other zoning actions bearing a time limitation or subject to periodic review may be evaluated with reference to the requirements of this Title, as amended, unless the property owner or developer demonstrates that it is inequitable for the City to do so. Except as otherwise provided in LVMC 19.00.060 (B), any application accepted as complete after the effective date of this Title shall be processed in accordance with and subject to this Title.

I. Minimum Requirements

Within the scope and authority of this Title, the provisions hereof are intended to be the minimum requirements adopted for the promotion of the public health, safety and general welfare. Where the provisions of this Title impose greater restrictions than those of any other

ordinance, resolution or regulation, the provisions of this Title shall prevail. Where the provisions of any other ordinance, resolution or regulation impose greater restrictions than those of this Title, the provisions of that other ordinance, resolution or regulation shall prevail.

J. Private Covenants or Deed Clauses

No provision of this Title is intended to interfere with or abrogate or annul any easement, private covenants, deed restriction or other agreement between private parties. In cases in which this Title imposes a greater restriction upon the use of land or structures, the provisions of this Title shall prevail and control. By virtue of this Title, the City is not a party to and has no power or authority to enforce private deed covenants, conditions or restrictions. Private covenants or deed restrictions which impose conditions more restrictive than those imposed by this Title, or which impose restrictions not covered by this Title, are not implemented nor superseded by this Title.

K. Regulatory Conflicts

Except as otherwise specifically provided, it is not the intent of this Title to repeal, abrogate, annul, or in any way to impair or interfere with any other existing provisions or law or ordinance, or any other rules, regulations or permits previously adopted or issued, or which will be adopted or issued pursuant to law relating to the erection, construction or alteration of an establishment or the moving or enlargement of any buildings. Without limiting the application of the preceding sentence, the provisions of LVMC Chapter 14.11 shall prevail over any provision of this Title to the extent of any conflict or inconsistency.

L. Limitations on City Action

The issuance or granting of a building permit or approval of plans or specifications under the authority of the Building Code shall not be construed to be a permit for, or an approval of, any violation of any provisions of this Title or any amendments thereto, or of any other law. No permit, approval, representation, action or inaction on the part of a City officer or employee which purports, or could be interpreted, to authorize the violation or cancellation of any of the provisions of this Title shall limit the City's authority to enforce the provisions of this Title or any other provision of the Municipal Code. No permit or other approval issued under the provisions of this Title shall constitute or imply approval of any business license or permit required by any provision of the Municipal Code. Any permit, license or other approval which is issued in error in conflict with this Title is voidable by order of the City.

M. Other Limitations

No provision in this Title amounts to a guarantee, warranty or promise that any particular type of construction will be free from defect, will perform in a certain manner, or will be exempt from other legal requirements applicable thereto. The issuance of a permit, or the inspection or approval of any permit, plans or work under this Title, shall in no way constitute a guarantee, warranty or promise that any particular material, labor or construction will be free from defect, or perform in a certain manner, or will be durable, safe or fit for a particular purpose or use. Compliance with this Title is not intended to substitute for the performance of any private duty, nor to reduce or eliminate any private liability on the part of an owner, developer or permittee.

N. Appeals of Interpretation

1. **General.** Except as otherwise provided in Paragraph (2) below, any person aggrieved in connection with the inability to obtain a building permit or by the decision of any administrative officer or agency based upon or made in the course of the administration or enforcement of any provision of this Title 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 in the office of the Department. The appeal must be filed within ten 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.

2. **Appeal Unavailable.** An appeal pursuant to Paragraph (1) is not available:

   a. For the purpose of avoiding or circumventing the application procedures set forth in LVMC Chapter 19.16; or

   b. Regarding a decision where the result of, or the remedy or relief from, that decision is specifically provided for by means of an application or process described in LVMC Chapter 19.16. Such decisions include without limitation:

      i. An administrative decision to deny a particular application where LVMC Chapter 19.16 specifically provides for a subsequent application or process to follow such a denial; or

      ii. An administrative decision that a particular development or activity does not qualify

or is ineligible for a particular type of application, where LVMC Chapter 19.16 specifically provides for a subsequent application or process to follow such a decision.

ENFORCEMENT 19.00.090

A. General

1. **Purpose**. Enforcement of the provisions of this Title shall be pursued in order to provide for its effective administration, to ensure compliance with any condition of development approval, to promote the City's planning efforts, and to protect the public health, safety and general welfare.

2. **Responsibility**. The provisions of this Title, and any conditions of development approval which have been imposed thereunder, may be enforced by the Director; the Las Vegas Metropolitan Police Department; and any other City of Las Vegas officer and employee designated to do so. Any structure or use which is established, operated, erected, moved, altered, enlarged, or maintained contrary to the provisions of this Title shall be subject to the remedies and penalties set forth in this Chapter. A building permit, business license, subdivision or other application may be denied for failure to comply with this Title, including any condition or standard imposed on any application granted under this Title.

3. **Stop Work Order.** A "Stop Work Order" may be issued with respect to any construction which is in violation of this Title or in violation of any condition which has been imposed on a permit or other approval under this Title.

B. Violations

1. **Misdemeanor**

   a. It is unlawful for any person to sell, offer for sale or cause or permit to be sold or offered for sale, any portion of any subdivision or other division of land in the City prior to the recording of an approved parcel map or final map with the County Recorder;

   b. It is unlawful for any person, whether acting as a principal, agent or employee, to violate any provision of this Title, or of any condition imposed upon a Tentative Map, Parcel Map, Special Use Permit, Site Development Plan Review, Variance, Administrative Deviation, Home Occupation Permit or Temporary Commercial Permit granted hereunder.

   c. It is unlawful for the owner, general agent, lessee or tenant of a building or premises or for any other person to cause, permit or assist in the occurrence or commitment of a violation of any provision of this Title or of any condition imposed upon a Tentative Map, Parcel Map, Special Use Permit, Site Development Plan Review, Variance, Administrative Deviation, Home Occupation Permit or Temporary Commercial Permit granted hereunder.

2. **Administrative Action.** For any violation of this Title, or of any approval granted or condition of approval imposed hereunder, the City may pursue administrative action to:

   a. Review, modify, suspend, or revoke an approval or permit issued hereunder;

   b. Require the discontinuance of a use operating as a conditional use under LVMC 19.12.040; or

   c. As an alternative to requiring discontinuance under Subparagraph (b) of this Paragraph (2), require that a use operating as a conditional use under LVMC 19.12.040 comply with additional conditions or limitations.

3. **Nuisance**. Any building or structure set up, erected, built, moved, or maintained or any use of property contrary to the provisions of this Title shall be, and is declared to be, unlawful and a public nuisance and the City Attorney shall, upon order of the City Council, immediately commence actions or proceedings for the abatement, removal and enjoinment of it in a manner provided by law and shall take such other steps and shall apply to the court as may have jurisdiction to grant relief to abate or remove the building, structure or use, and restrain and enjoin any person from setting up, erecting, building, moving, or maintaining any building or structure, or using any property contrary to the provisions of this Title.

4. **Remedies Cumulative.** All remedies provided herein shall be cumulative and not exclusive.

5. **Violations Continue.** Any violation of the previous Subdivision Regulations or Zoning Code will continue to be a violation under this Title and be subject to penalties and enforcement under this Section, unless the use, development, construction, or other activity complies with the provisions of this Title.

C. Registration of Certain Nonprofit Organizations

In order to assist in the enforcement of the land use-related provisions of this Title, any nonprofit organization proposing to operate a use or activity within a building or upon any premises shall first register with the Department's Business Services Division. Registration information is authorized to be shared within the Department to ensure that the proposed operation is or will be in conformance with the provisions of this Title.

OFFICIAL ZONING MAP 19.00.100

A. Adoption of Official Zoning Map

The boundaries of each zoning district are delineated and shown on the Official Zoning Map of the City of Las Vegas. The Official Zoning Map, together with all notations, references, dimensions, designations and other information shown on the map, is adopted and made part of this Title by reference. The Official Zoning Map shall be stored, maintained, and kept current by the Department.

B. Establishment of Zones

1. The residential zoning districts established by this Title are as follows and shall be known and cited as:

Abbreviated Designation	Zoning District Name	District Purpose
U	Undeveloped	page 69
R-E	Residential Estates	page 75
R-1	Single Family Residential	page 81
R-CL	Single Family Compact-Lot	page 87
R-TH	Single Family Attached	page 93
R-2	Medium-Low Density Residential	page 99
R-3	Medium Density Residential	page 105
R-4	High Density Residential	page 111
R-MH	Mobile/Manufactured Home Residential	page 117

2. The commercial and industrial zoning districts established by this Title are as follows and shall be known and cited as:

Abbreviated Designation	Zoning District Name	District Purpose
P-O	Professional Office	page 167
O	Office	page 173
C-1	Limited Commercial	page 179
C-2	General Commercial	page 185
C-PB	Planned Business Park	page 191
C-M	Commercial/Industrial	page 195
M	Industrial	page 201

3. The special area zoning districts established by this Title are as follows and shall be known and cited as:

Abbreviated Designation	Zoning District Name	District Purpose
C-V	Civic	page 251
P-C	Planned Community	page 255
PD	Planned Development	page 259
R-PD	Residential Planned Development [1]	page 263
T-C	Town Center	page 265
T-D	Traditional Development	page 269

Footnotes:

1. Development within an R-PD District, except as provided for in LVMC 19.10.050 or elsewhere in this Title, is not available after the effective date of this Title.

4. The ~~zoning~~ overlay districts established by this Title are as follows and shall be known and cited as:

Abbreviated Designation	~~Zoning~~ Overlay District Name	District Purpose
A-O	Airport Overlay	page 273
CD-O	Designed Commercial Overlay	page 277
DC-O	Downtown Casino Overlay	page 279
DCP-O	Downtown Centennial Plan Overlay	page 287
DE-O	Downtown Entertainment Overlay	page 289
G-O	Gaming Overlay	page 291

HS-O	Hillside Development Overlay	page 293
HD-O	Historic Designation Overlay	page 305
SB-O	Las Vegas Boulevard Scenic Byway Overlay	page 321
LW-O	Live/Work Overlay	page 323
RP-O	Rural Preservation Overlay	page 325

C. Transitional Rules

Property which, on the effective date of this Title, was classified under a zoning classification which no longer exists under this Title will be reclassified by the City to an existing classification by subsequent Rezoning action. Until that action occurs, such property shall be governed by the requirements and limitations applicable to the zoning classification in effect just before the adoption of this Title.

D. Amendments

1. No change to the Official Zoning Map shall be authorized without the approval of a rezoning application. The application shall be processed in accordance with the requirements of LVMC 19.16.090. No change to the Official Zoning Map shall be authorized or become effective without final action of the City Council or a court of competent jurisdiction.

2. No amendment or rezoning shall be approved unless it is consistent with the goals, objectives and policies of the General Plan.

3. The Official Zoning Map shall show the dates and appropriate action references for all approved amendments.

E. Correction of Errors

The new Official Zoning Map may correct drafting and clerical errors or omissions in the previous Official Zoning Map, but no corrections shall have the effect of amending this Title or any subsequent amendment thereto except in accordance with the notice and hearing procedures set forth in LVMC 19.16.090.

F. Preservation of Old Maps

Unless the previous Official Zoning Map is lost or totally destroyed, all of the remaining parts shall be preserved, together with all available records pertaining to its adoption or amendment.

RULES FOR INTERPRETATION OF ZONING DISTRICT BOUNDARIES 19.00.110

A. Boundary Presumptions

The following presumptions shall apply in determining uncertain boundaries of a district as shown on the Official Zoning Map:

1. Where a boundary follows a public street or alley, the centerline of the street shall be the boundary.

2. Where a boundary follows a lot line, the lot line shall be the boundary.

3. In cases where district boundary lines are indicated as approximately paralleling street, alley, right-of-way or easement lines existing at the time of the enactment of this Title, they shall be construed as meaning 100 feet distant from the street, alley, right-of-way or easement line, unless otherwise specifically dimensioned on the Official Zoning Map.

4. In instances where district boundary lines divide a parcel of unsubdivided property, the precise location of the district boundary shall be determined by the use of the scale appearing on the Official Zoning Map, unless the boundary is indicated by a specific dimension on the Official Zoning Map.

5. Where any public right-of-way is officially vacated or abandoned, the land use district regulations applied to abutting property shall thereafter extend to the former centerline of the vacated or abandoned right-of-way.

B. Determination

With regard to any uncertainty of boundaries that cannot be resolved with reference to the above presumptions, the Director shall determine the location of the district boundary.

FEE SCHEDULE 19.00.120

A. Adopted

The Director is authorized to charge fees related to the processing of applications, appeals and other requests in accordance with the Fee Schedule. The fee schedule,

which is adopted by resolution of the City Council and is incorporated by this reference, shall be maintained on file in the office of the City Clerk. The fee schedule may be revised or amended from time to time by resolution of the City Council.

B. When payable

Fees for filing applications, appeals and other requests under this Title are set forth in the Fee Schedule and are due at the time the application or request is filed.

C. Additional Fees

With respect to any application, appeal or other request under this Title that requires notification of a public hearing, the applicant shall also pay the notification and advertising costs identified in the Fee Schedule. Payment of those costs shall be made upon filing of the application.

D. Waiver of Fees

The City Manager may waive any fee referred to in the Fee Schedule on behalf of:

1. Any member of the Southern Nevada Regional Planning Coalition; or

2. Any entity with whom the Coalition is required to integrate long-term planning programs pursuant to NRS 278.02584.

19.02

Subdivision Design, Construction and Improvement Requirements

Unified Development Code
Title 19

19.02
Subdivision Design and Improvement Requirements

19.02.010 Minimum Standards 25
19.02.020 Director of Public Works 25
19.02.030 Lots 25
19.02.040 Sidewalks 25
19.02.050 Drainage Improvements and Facilities 25
19.02.060 Curbs and Gutters 25
19.02.070 Sanitary Sewer Improvements 25
19.02.080 Public Sanitary Lines 25
19.02.090 Sanitary Sewer Cleanout 26
19.02.100 Water Supply 26
19.02.110 Fire Hydrants 26
19.02.120 Landscaping Plan 27
19.02.130 Improvements 27
19.02.140 Intersections 29
19.02.150 Vertical Curves 29
19.02.160 Reverse or Compound Curves 29
19.02.170 Roadways and Streets - Design Criteria 29
19.02.180 Street Grade Requirements 29
19.02.190 Sight Clearance 29
19.02.200 Paving Transitions and Crossovers 30
19.02.210 Access Street Paving Requirements 30
19.02.220 Compaction of Street Sub-grade and Base Material 30
19.02.230 Driveways 30
19.02.240 Street Lighting 30
19.02.250 Access Control Gates and Storage Areas 30
19.02.260 Emergency Access Gates 30
19.02.270 Private Drive Construction 30

19.02.280 Traffic Circulation Safety 30

19.04.290 Vehicular Access Prohibition to Primary or Secondary Thoroughfares 31

19.04.300 Multiple Species Habitat Conservation 31

MINIMUM STANDARDS 19.02.010

The design standards of this Chapter shall constitute the minimum design and construction standards for all development and land divisions created through the parcel map, tentative map and final map processes. All improvements required by this Title shall be designed, installed and maintained in accordance with applicable City standards.

DIRECTOR OF PUBLIC WORKS 19.02.020

The Director of Public Works is responsible for the administration and enforcement of any provisions of this Title that are assigned or delegated to the Director of Public Works by the provisions of this Title. In connection with that responsibility, the Director of Public Works shall have the authority to:

A. Cooperate with the Director of Planning in administering and enforcing this Title;

B. Act upon and process applications under this Title, to the extent assigned or delegated that responsibility;

C. Conduct the necessary review of maps and development documentation which have been submitted under this Title;

D. Provide interpretations and references regarding applicable requirements for off-site improvements, rights-of-way, dedications, and drainage and traffic studies;

E. Provide comments or other input to ensure the inclusion of appropriate survey data, recommendations and related documentation;

F. Approve or deny administrative exceptions and waivers in accordance with the provisions of this Title; and

G. Delegate, designate or assign to another person any function described in this Section, except to the extent not permitted by law.

LOTS 19.02.030

A. City Boundary Line

Lots shall not be divided by City boundary lines.

B. Minimum Area Requirements

In addition to the minimum lot area requirements of this Title, the size of any lot which is not served by public water supply or which is not served by a public sanitary sewer system must comply with applicable Clark County District Board of Health standards.

SIDEWALKS 19.02.040

Sidewalks shall be provided in accordance with City standards. Alternative pedestrian ways, greenbelt systems or other sidewalk designs may be approved by the Director and the Director of Public Works. The final sidewalk system shall provide a logical and continuous path to area pedestrian destinations, including schools and playgrounds. Sidewalk and pedestrian way width and construction shall be in accordance with City standards.

DRAINAGE IMPROVEMENTS AND FACILITIES 19.02.050

The design and construction of all curbs, gutters and other drainage improvements and facilities shall comply with City standards and with any site-specific drainage plan and technical drainage study that has been accepted or approved by the City.

CURBS AND GUTTERS 19.02.060

All curbs and gutters on all streets required to meet the provisions of LVMC Chapter 19.04, whether private or public, shall be eighteen inch L-type. All curbs and gutters on streets not required to meet LVMC Chapter 19.04 standards with a right-of-way width of sixty feet or more shall be twenty-four inch L-type. On all other streets, whether private or public, thirty-inch roll-type curb and gutter may be allowed as long as the requirements of the site-specific drainage plan and technical drainage study do not prohibit the use of roll-type curb due to anticipated drainage flows.

SANITARY SEWER IMPROVEMENTS 19.02.070

The design and construction of all sanitary sewer improvements shall comply with City standards.

PUBLIC SANITARY LINES 19.02.080

A. Location

Public sanitary sewer lines shall be located in dedicated public rights-of way, public streets, public sanitary sewer easements or public alleys. In any case where a public sanitary sewer line is located in a public utility easement, a sanitary sewer easement shall also be granted.

B. Installation

Except in commercial subdivisions, public sanitary sewer lines shall be installed to provide laterals to each lot. Laterals that serve ~~single family~~ single family dwellings shall have a minimum diameter of four inches and be extended to the property line. Plans and profiles showing the exact coordinates for both manholes and laterals shall be provided on all Sanitary Sewer and Storm Drain Final Location Maps after construction of such facilities have been completed. Such Maps shall be submitted to the City upon completion of construction.

SANITARY SEWER CLEANOUT 19.02.090

No sanitary sewer or grease, sand, or oil separator cleanout shall be permitted in public rights-of-way.

WATER SUPPLY 19.02.100

A. Adequacy

Water supply shall be adequate for all domestic use plus fire protection. The system is adequate if it can furnish the required fire flow (in gallons per minute) from any fire hydrant for the required duration of time while the required residual pressures are maintained in the system. Fire flow shall be provided in accordance with the requirements of the Fire Code and the Department of Fire and Rescue.

B. Delivered By Pump

Adequate water supply does not include the extent to which a system depends upon pumps delivering directly to mains. Required fire flow shall be available even though pumps may not be operating.

C. Source Other Than Water District

For a subdivision that proposes a water supply from a source other than the Las Vegas Valley Water District, the subdivider must submit to the City a copy of a State well permit; the design showing pressure, capacity, potential population capable of being served; and measures necessary to comply with National Board of Fire Underwriters recommended fire flow. The subdivider must submit an agreement or other written commitment satisfactory to the City guaranteeing a water supply for the subdivision. Lines to hydrants shall conform to recommendations of the National Board of Fire Underwriters.

D. From Wells

Any water supply obtained from wells shall be clearly shown on the map. A statement shall be submitted stating the capacity of the well, pressure, population that can be served and State certificate number issued for each well.

FIRE HYDRANTS 19.02.110

A. Determination of Number Required

For purposes of determining the number of hydrants required for a particular development, the maximum amount of flow per hydrant that may be counted in determining the system's adequacy is one thousand five hundred gallons per minute. The criteria for determining the fire flow and number of hydrants for any specific subdivision shall be those set forth in the Fire Code and the I.S.O. Manual adopted by the City.

B. Placement

Fire hydrants shall be spaced in accordance with the requirements of the Fire Code and the Department of Fire and Rescue.

C. Location

Hydrants shall be located in conformance with applicable Standard Drawings and the Fire Code. No hydrant shall be located inside or within twenty feet of the required right-of-way radius of a cul-de-sac. Public fire hydrant easements shall be provided for all public fire hydrants not located within public street rights-of-way.

D. Installation

Fire hydrants shall be installed prior to the commencement of any combustible construction in accordance with the requirements of the Fire Code and the Department of Fire and Rescue. All-weather access, as approved by the Department of Fire and Rescue, shall be provided to all hydrants and combustible construction.

E. Specifications

Hydrants shall conform to the latest edition of American Water Works Standard, C502, for fire hydrants, and the specifications set forth in City standards.

LANDSCAPING PLAN 19.02.120

Where landscaping is proposed or required for a residential subdivision, a landscaping plan shall be provided by the subdivider as an integral part of the subdivision design. Such a plan shall be prepared and submitted with each final map application addressing the landscape design of the subdivision with respect to such features as wall or fence design; land forms or berms; rocks and boulders; trees and plant materials; sculpture, art, paving materials, street furniture; subdivision entrance statements; common area landscaping; and other open space areas. Landscaping shall conform to all applicable City requirements. In no case shall landscaping or landscaping features be permitted that impede proper visibility at intersections or driveways.

IMPROVEMENTS 19.02.130

A. Essential Rights-Of-Way and Off-Site Improvements

Uses of land permitted in each zoning district shall be allowed only when the permit for any proposed improvement on the land includes provisions for the:

1. Dedication of all essential rights-of-way for major streets, minor streets, flood control, utilities and other public purposes; and

2. Provisions for the installation of essential off-site improvements as directed by the City. Essential rights-of-way and off-site improvements are defined as those rights-of-way and improvements required in connection with a proposed Rezoning, Special Use Permit, Variance, or Site Development Plan; required by the subdivision regulations of the City; or required by the Director of Public Works as appropriate and necessary to mitigate the impact of the development of property in the area. All improvements shall be constructed in accordance with the City standards and specifications.

B. Construction Agreement

The subdivider is responsible for the construction of all public improvements and for any private improvements associated with the parcel map or subdivision that may be required by the City. Required improvements shall be completed prior to the recordation of the parcel map or final map, unless the subdivider enters into an agreement with the City to install such improvements as provided for in Subsection (C) of this Section or has executed a covenant running with a land agreement, whichever is applicable, as determined by the Department of Public Works. Required dedications must be accomplished prior to the release of the parcel map or final map or such dedications must be noted on the approved maps as being offered for dedication.

C. Secured Agreement Required

The subdivider shall execute an agreement that guarantees the construction of the required public improvements and shall provide security for their construction in an amount equal to the estimated cost of construction plus ten percent additional for contingencies. The agreement shall be secured by such good and sufficient bond or other security as is deemed appropriate by the City to protect the public interest, and shall be in an amount determined to be sufficient to complete all required improvements and to remove all rubbish, trash, debris, surplus material and equipment from the area. The Director of Public Works shall be responsible for review and, if deemed acceptable, approval of all cost estimates for construction of required public improvements. The subdivider's engineer shall be responsible for submitting all improvement plans and quantity estimates in a manner and form that complies with City requirements.

D. Common Area and Off-Site Improvements Requirements

1. In connection with the approval of any parcel map or final map, the developer or subdivider must provide for the installation of common area and off-site improvements by obtaining the City's approval of either a phasing plan or a development agreement, as determined by the Director and the Director of Public Works.

2. The phasing plan or development agreement shall set out a development schedule for all common area and off-site improvements, including but not limited to water, sewer and storm drainage lines; streets; open space improvement; trails; parks; and landscaping. Except as otherwise provided in Paragraph (3), completion of common area and off-site improvements within any residential subdivision shall be scheduled to be concurrent with development (e.g., when fifty percent of the development is completed, at least fifty percent of the common area and off-site improvements shall be completed). Calculation of the percentage of the development that is completed shall be based upon the number of building permits issued.

3. All common area and off-site improvements within any residential subdivision shall be completed when seventy-five percent of the development is completed (e.g., when seventy-five percent of the development is completed, one hundred percent

of the common area and off-site improvements shall be completed). Calculations of the percentage of the development that is completed shall be based on the number of building permits issued.

4. A phasing plan is subject to review and approval by the Director of Public Works, as are revisions to the plan.

5. A development agreement is subject to review and approval pursuant to LVMC 19.16.150.

6. In the case of either a phasing plan or development agreement, the City is authorized to require security or a performance guarantee for the installation of common area and off-site improvements. The amount of the required security or performance guarantee shall be established by the Director of Public Works, and the form of security or performance guarantee must be acceptable to the City Attorney. To the extent possible, the provisions of Subsection (C) shall apply directly or by analogy to the installation of improvements and security required under this Section.

7. In accordance with LVMC 19.16.050(K), a specific parks in-lieu-of plan must be approved with the tentative map if the developer proposes park improvements in lieu of paying residential construction taxes.

E. Security Documents

The surety documents or other documents of security required in connection with an agreement to install improvements shall specify the duration of the security and its manner of release, and shall provide remedies in the event of default. Such security may be in the form of:

1. A cash deposit or approved government securities;

2. A performance or surety bond issued by a company authorized to issue such bonds in Nevada;

3. An agreement with a lending institution operating under Nevada law; providing, that the institution shall reserve sufficient funds out of the subdivider's construction loan (or funds otherwise set aside for the use of the subdivider) to assure completion of all required improvements, shall retain ten percent of the funds until the improvements are accepted by the City and shall not release any funds without the approval of the Director of Public Works;

4. A first deed of trust on real property located in or near the City. The deed of trust must name the City as beneficiary and be accompanied by appropriate agreements or other documents that sufficiently bind the subdivider and trustor to the satisfaction of the City Attorney. The appraised market value of the property which is the subject of the deed of trust must equal or exceed one hundred twenty-five percent of the value of the amount of security determined necessary by the Director of Public Works; or

5. In the case of improvements whose estimated cost is fifty thousand dollars or less, an agreement with the City providing that, in consideration of issuing a building or grading permit, the City may withhold certificates of occupancy, recordation of a map or the inspection of buildings associated with the project unless and until the improvements have been completed to the City's satisfaction.

F. Special Improvement Districts

A subdivider may request the inclusion of a subdivision within a special improvement district and the City may include a subdivision in accordance with applicable procedures. If the City Council approves a special improvement district that includes a subdivision, the City may release the subdivider from the improvement guarantee executed pursuant to Subsection (E) above. The obligation to release shall not accrue until the contract for the special improvement district project has been awarded, and the release shall be only to the extent that the work of improvement will be accomplished through the special improvement district.

G. May Be Required

In connection with development approvals or permit approvals for residential and nonresidential developments that are not otherwise subject to the land division requirements of this Title, the City may require, as a condition of approval, that the developer install one or more of the following, to applicable City standards:

1. Appropriate off-site improvements;

2. Site access improvements; and

3. Private streets and common area improvements that are proposed to serve the development.

H. Off-Site improvements Agreement—Security

In order to assure the installation of any improvements required pursuant to Subsection (G) of this Section, the developer may be required to do one or more of the following:

1. Enter into a development agreement or covenant running with land agreement;

2. Enter into an off-site improvements agreement and post adequate security therefor in accordance with the provisions of this Section;

3. Provide an alternate or equivalent means of assurance that is satisfactory to the City, including the payment of moneys in lieu of improvements.

INTERSECTIONS 19.02.140

A. Length

Any intersection of any street that provides external access from a subdivision to any existing or planned street abutting the subdivision which has a right-of-way of sixty feet or more shall be offset from any other intersection by at least two hundred twenty feet, measured from centerline to centerline. Intersections of streets providing service internally within a subdivision, where they do not intersect arterial or major streets, shall be offset a minimum of one hundred twenty-five feet. The City Traffic Engineer, at his sole discretion, may allow lesser separation than the distances set forth above if the applicant can demonstrate that the alternative design can safely accommodate traffic circulation.

B. Angles

Street intersections shall be at an angle of ninety degrees, or as close to ninety degrees as is practicable. In no case shall an intersection be at an angle less than seventy-five degrees.

C. Standard Compliance

Intersection designs shall comply with the applicable Uniform Construction Design Standards except in cases where a 60-foot planned minor collector intersects a roadway of an equal or lesser right-of-way width. At such intersections, pavement widths and curb return radii shall comply with City Standards.

VERTICAL CURVES 19.02.150

Vertical curves shall be provided in all changes in grade where the total algebraic difference is one percent or greater meeting the standards of the most recent edition of "A Policy on Geometric Design of Highways and Streets" (also known as The Green Book). The Director of Public Works may waive this requirement if the applicant can demonstrate that meeting this requirement is impractical.

REVERSE OR COMPOUND CURVES 19.02.160

Reverse or compound curves on any street, except residential streets, shall be separated by a tangent of one hundred feet or more. The Director of Public Works may waive this requirement if the applicant can demonstrate that meeting this requirement is impractical.

ROADWAYS AND STREETS -- DESIGN CRITERIA 19.02.170

A. The design of roadways shall take into account and be based upon topography and drainage considerations.

B. All lots shall have frontage on, and access to, a public street or an irrevocable private street or private drive. Public street dedications to ensure lot access or the continuity of necessary public streets adjacent to or through the subdivision also may be required, as necessary, by the Department of Public Works.

STREET GRADE REQUIREMENTS 19.02.180

All streets should be designed and located so that as many building sites as possible are at or above the grade of the street. Grades of streets shall conform as closely as possible to the original topography. A combination of steep grades and curves should be avoided. Minimum street grade shall be 0.004 feet per foot, unless an acceptable alternate design is approved by the Director of Public Works.

SIGHT CLEARANCE 19.02.190

A sight visibility restriction zone (SVRZ) shall be provided at all intersections, including roadway with roadway and driveway with roadway intersections. Each such zone shall comply with Standard Drawing No. 201.2 of the Uniform Standard Drawings, Clark County Area, as it may be revised from time to time, or the applicable sign restriction standards set forth in the most recent edition of the manual entitled "A Policy on Geometric Design of Highways and Streets," as published by the American Association of State Highway and Transportation Officials. Each SVRZ shall be detailed on all plans that depict drainage, grading, fence layout, landscaping or other construction improvements. If required by the City Traffic Engineer, an additional exhibit detailing the SVRZ shall be recorded and a copy submitted to the City plans library. The final map shall provide a general statement making reference to the latest approved construction improvement plan. If a separate SVRZ exhibit is required by the City Traffic Engineer, the final map shall make reference to the exhibit as a recorded document identified by its book and instrument numbers. The SVRZ requirements of this Section shall apply to the location

of all public and private facilities and improvements, as determined by the Director of Public Works.

PAVING TRANSITIONS AND CROSSOVERS 19.02.200

The Director of Public Works may require the subdivider to install paving transitions and crossovers to accommodate existing and proposed paving improvements with a "sawtooth" or nonuniform alignment or width if the necessary public right-of-way or easement exists or can be obtained by the City.

ACCESS STREET PAVING REQUIREMENTS 19.02.210

The subdivider shall provide paved access from existing paved streets to the subdivision boundary where no such access exists. The access must be paved to a minimum travel width of twenty-four feet, with AC paving and standard base course as specified by the Director of Public Works. The Director of Public Works shall designate which street must be improved as an access street and may require a secondary paved access route and other mitigation measures deemed necessary as a result of or based upon traffic projects within the subdivision, the location of the subdivision, or neighborhood concerns.

COMPACTION OF STREET SUB-GRADE AND BASE MATERIALS 19.02.220

Compaction of street sub-grade and base materials shall comply with City standards.

DRIVEWAYS 19.02.230

A. Driveway design and construction shall comply with City standards.

B. For nonresidential development, or for residential lots other than ~~single-family~~ single family or duplex lots, the number, type and location of driveways must first be approved by the Director of Public Works.

C. Except as otherwise permitted by this Chapter or by City standards, or as otherwise approved by the Director of Public Works:

1. For any ~~single-family~~ single family or duplex residential lot, no more than a single entrance or circular driveway shall be provided.

2. No driveway access shall be permitted from the side or rear yard of any residential lot onto any primary or secondary thoroughfare so designated on the City's Master Plan of Streets and Highways.

STREET LIGHTING 19.02.240

Street lighting for public streets shall be designed, installed or upgraded in accordance with City standards unless the City Council allows an exception. The installation or upgrading 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 or upgrade.

ACCESS CONTROL GATES AND STORAGE AREAS 19.02.250

When utilized on private streets or drives, access control gates and storage areas shall be designed, installed and located in accordance with City standards. Access control gates and all appurtenant facilities and equipment shall not be located in the public right-of-way. An adequate vehicle queuing area as determined by the Director of Public Works must be provided in order to prevent blockage of public streets. A pedestrian gate separate from the vehicular movement area shall also be provided.

EMERGENCY ACCESS GATES 19.02.260

All emergency access gates shall be designed, installed and maintained in accordance with City standards.

PRIVATE DRIVE CONSTRUCTION 19.02.270

Private drives shall be constructed in sufficient manner and width to accommodate anticipated on-site traffic conditions and shall be in accordance with LVMC 19.04.090 and any other applicable City standards.

TRAFFIC CIRCULATION SAFETY 19.02.280

Subdivisions shall be designed to provide safe and convenient living environments and traffic circulation. Whenever blocks are longer than one thousand two hundred feet, the Planning Commission may require the dedication and construction of pedestrian walkways, pedestrian or bicycle pathways or greenbelts of not less than five feet in width where deemed necessary for circulation and access to schools and playgrounds. The complete length of any such way shall be fully visible from the adjacent street.

VEHICULAR ACCESS PROHIBITION TO PRIMARY OR SECONDARY THOROUGHFARES 19.02.290

Each lot within a subdivision shall have access to a public or private street or private drive that complies with City standards. Lots with residential zoning and having less than one hundred feet on any side adjacent to a primary or secondary thoroughfare, as designated on the City's Master Plan of Streets and Highways, shall be prohibited vehicular access to the primary or secondary thoroughfare. The access prohibition shall be clearly indicated on the recorded final map. Unless no alternative exists due to the size or depth of the land to be divided, no residential lot shall front onto a primary or secondary thoroughfare. All such lots shall be oriented to have either their rear or side yard lines adjacent to the primary or secondary thoroughfare.

MULTIPLE SPECIES HABITAT CONSERVATION 19.02.300

A. Definitions

As used in this Section, the following terms shall have the following meanings:

"Development permit" means an on-site or off-site permit issued by the City to authorize the development of a parcel which has not previously been improved in accordance with all applicable City ordinances. The term includes building permits and grading permits for construction activity, but does not include demolition permits or temporary power permits.

"Implementing Agreement" means the document entitled "Clark County Multiple Species Habitat Conservation Plan Implementing Agreement," approved by the City Council on November 1, 2000, and as thereafter modified.

"Mitigation fee" means the fee imposed pursuant to the provisions of this Section.

"Multiple Species Habitat Conservation Plan" means the "Clark County Multiple Species Habitat Conservation Plan" approved by the City Council on August 18, 1999, and as thereafter modified.

"Parcel" means a parcel of real property that is the subject of a development permit application.

"Residential unit" means a building or portion thereof used by one family and containing but one kitchen, and designed for ~~single-family~~ single family residential purposes only.

"Section 10(a) permit" means a permit issued by the Secretary of Interior pursuant to Section 10(a) of the Federal Endangered Species Act of 1973, 16 U.S.C. Section 1539, to allow the incidental taking of threatened or endangered species in the course of otherwise lawful activities.

B. Purpose of Provisions

The purposes of this Section are to:

1. Provide funds to implement conservation actions within the City to protect various habitats and species located within the City;

2. Comply with the terms of the Multiple Species Habitat Conservation Plan and the corresponding Implementing Agreement, both of which have been approved by the City Council; and

3. Comply with Section 10(a) permits that have been or will be issued with regard to development activity within the City.

C. Mitigation Fee

1. Development Permits

No development permit for or real property located within the City shall be issued or approved without payment of the mitigation fee. Except as otherwise provided in Subparagraphs (a) and (b), each applicant for a development permit shall pay a mitigation fee of five hundred fifty dollars per gross acre (or portion thereof) that is included within any parcel to be developed and any additional area to be disturbed for related off-site improvements.

a. **Land Disturbance Report Required.** Each applicant for a development permit shall, prior to issuance thereof, complete a land disturbance report on the forms furnished by City departments responsible for issuing development permits. The land disturbance report must be complete, be signed by the applicant and contain at a minimum the following information: assessor's parcel number(s), number of acres within the parcel and the area to be disturbed by related off-site improvements, and the amount of any mitigation fee(s) actually paid.

b. **Processing Fee.** Each applicant for a development permit shall pay to the City department responsible for the issuance of a development permit a processing fee of twenty-

five dollars per residential development permit and fifty dollars per commercial development permit.

2. Exceptions

The following types of development are not required to pay the mitigation fee:

a. Reconstruction of any structure damaged or destroyed by fire or other natural causes;

b. Rehabilitation or remodeling of existing structures or existing off- site improvements; or

c. Any land disturbance by the City for a governmental purpose.

3. Adjustments

In the following cases, the mitigation fee shall be adjusted as indicated:

a. For any development concerning which the developer previously has paid mitigation-related fees pursuant to a consultation under Section 7 of the Federal Endangered Species Act, the mitigation fee shall be reduced by the amount of any Section 7 fees actually paid to the federal government.

b. For ~~single-family~~ single family residential development and manufactured housing on lots two gross acres in size or greater, where less than one-quarter of an acre of the property is graded or otherwise disturbed, with the balance of the property left in its natural condition, the mitigation fee shall be one hundred thirty-seven dollars and fifty cents. Where more than one-quarter acre but less than one-half acre is graded or otherwise disturbed, and the balance of the property is left in its natural condition, the fee shall be two hundred seventy-five dollars. Where more than one-half acre is graded or otherwise disturbed by the construction, the fee shall be five hundred fifty dollars per acre for each acre (or fraction thereof greater than one-half) which is graded or otherwise disturbed.

c. For freestanding off-premises signs, communication towers and similar structures that are unoccupied except for maintenance, where less than one-quarter of an acre of the property is graded or otherwise disturbed, the mitigation fee shall be one hundred thirty-seven dollars and fifty cents. Where more than one-quarter but less than one-half acre is graded or otherwise disturbed, the fee shall be two hundred seventy-five dollars. Where more than one-half acre is graded or otherwise disturbed by the construction, the fee shall be two hundred fifty dollars per acre for each acre (or fraction thereof greater than one-half) which is graded or otherwise disturbed.

d. Where a development permit has been issued previously and has expired, the applicant for a new development permit on the same parcel shall pay the mitigation fee required by the current version of this Section less any amount previously paid under this Section or its predecessor.

4. Collection and Deposit to Special Reserve Fund

All mitigation fees collected pursuant to the provisions of this Section shall be transmitted on a monthly basis, pursuant to an interlocal agreement, for deposit into a special reserve fund. That fund, including interest and other income which accrues thereto, shall be expended solely for the implementation of the terms of the Multiple Species Habitat Conservation Plan and associated Section 10(a) permits, as those documents currently exist or as they may hereafter be amended or issued.

5. Real Property Acceptance In Lieu of Payment

After approval by the U.S. Fish and Wildlife Service and the City Council, and upon compliance with any applicable statutory or charter provisions, the City or its designee may accept real property or interests therein in lieu of the payment of mitigation fees. The fair market value of such real property must equal or exceed the amount of the mitigation fees otherwise required to be paid.

D. Compliance with Provisions

1. Any person, firm or entity that engages in any activity within the City which is covered by the Multiple Species Habitat Conservation Plan, including residential and commercial development, agriculture, mining, grazing, and off-highway vehicle activities shall comply with the provisions of the following, all of which are on file in the offices of the City Clerk and the Department:

a. This Section;

b. The Multiple Species Habitat Conservation

Plan;

c. The Implementing Agreement; and

d. Any Section 10(a) permit issued in connection therewith.

2. Any person, firm or entity (including any agent or employee) that complies with the provisions of this Section is permitted to incidentally take any species for which a Section 10(a) permit has been issued in favor of the City so long as that person, firm or entity has complied and continues to comply with the provision of the Multiple Species Habitat Conservation Plan, the Implementing Agreement, and any Section 10(a) permit issued in connection therewith.

3. Any person, firm or entity that is not required to pay a mitigation fee pursuant to this Section, but which is otherwise in compliance with the provisions of this Section, the Multiple Species Habitat Conservation Plan, the Implementing Agreement, and any Section 10(a) permit issued in connection therewith, is permitted to incidentally take any species covered by the Multiple Species Habitat Conservation Plan and for which a Section 10(a) permit has been issued in favor of the City.

4. The City is authorized to immediately revoke the permission granted to any person, firm or entity pursuant to Paragraphs (2) or (3), without additional action or notice, if that person, firm or entity ceases to be in compliance with Paragraphs (1), (2) or (3) of this Subsection.

19.04

Complete Streets Standards

Unified Development Code

Title 19

19.04
Complete Streets Standards

19.04.010 Street Connectivity..... 39

19.04.020 Roadway Network 39

19.04.030 Vehicle/Pedestrian Separation Management 39

19.04.040 Connectivity 39

19.04.050 Street Naming and Address Assignments..... 41

19.04.060 Amenity Zone 42

19.04.070 Private Street Requirements..... 43

19.04.080 Private Drive Requirements 43

19.04.090 Alley Requirements 43

19.04.100 Culs-De-Sac 44

19.04.110 Partially Dedicated Street or Alley..... 44

19.04.120 Improvement Width 44

19.04.130 Residential Subdivisions 44

19.04.140 Nonresidential Subdivisions 44

19.04.150 Signs in Public Rights-of-Way 44

19.04.160 Transportation - Land Use Matrix..... 45

19.04.170 120' Parkway Arterial Street..... 48

19.04.180 106' Primary Arterial Street..... 49

19.04.190 80' Major Collector Street..... 50

19.04.200 60' Minor Collector Street..... 51

19.04.210 47' Residential Street 52

19.04.220 47' Residential Street (Narrow Lot)..... 53

STREET CONNECTIVITY 19.04.010

A. Purpose

The purpose of this Chapter is to set forth requirements for achieving a connected transportation system as outlined in the City's General Plan to provide a safe and accessible environment for a variety of transportation modes and users.

All proposed development shall be designed in a manner that provides for and facilitates the logical overall design, placement and continuity of streets with respect to adjacent land parcels, and in accordance with this Title, the City's Master Plan of Streets and Highways and LVMC Title 13.

B. Applicability

1. The street connectivity standards set forth herein are minimum requirements and shall apply to all new development projects whether utilizing public streets, private streets or private drives. Except as otherwise provided in this Chapter, any request to deviate from these standards shall require the submittal of an application for a Variance, which shall be subject to the procedures and standards set forth in LVMC 19.16.140.

2. Where a proposed development is adjacent to existing improvements, the Director of Public Works shall determine the extent to which it is appropriate to implement the standards outlined in this Chapter and approve, if necessary, designs for the transition from existing improvements to those that meet the standards of this Chapter.

ROADWAY NETWORK 19.04.020

A. The roadway network of the City shall generally be laid out as outlined below:

1. Arterials shall follow section lines unless otherwise addressed in LVMC Title 13.

2. Major collector road spacing shall be ~~of~~ at distances not exceeding 2,640 feet (1/2 mile) from an arterial or another major collector;

3. Minor collector road spacing shall not be closer than 660 feet from an arterial, major collector or another minor collector;

4. Residential and Local Street spacing shall be at intervals of no more than 660 feet.

5. High Density Residential or Mixed-Use Development shall provide street connections at intervals of no more than 330 feet.

VEHICLE/PEDESTRIAN SEPARATION MANAGEMENT 19.04.030

Pedestrian and vehicle separation shall be accomplished by the following treatments:

A. Sidewalks shall be required on both sides of all public and private streets in accordance with City Standards.

B. Sidewalks shall be provided adjacent to private drives to separate pedestrian and vehicular movements, which include, but are ~~to include but~~ not limited to commercial center drives, commercial driveways, park entrances and multi-family residential developments.

C. Sidewalks shall be offset from vehicular travel lanes along arterial and collector streets as illustrated for each such street classification in LVMC 19.04.170 through 19.04.200.

D. Sidewalk location on residential streets should be as illustrated for each such street classification in LVMC 19.04.210 through 19.04.220. The ultimate location shall be determined by the approved roadway cross section for the development.

E. Pedestrian roadway crossings not located at intersections, also known as mid-block crossings, must receive the approval of the City Traffic Engineer prior to being marked or used for such purposes.

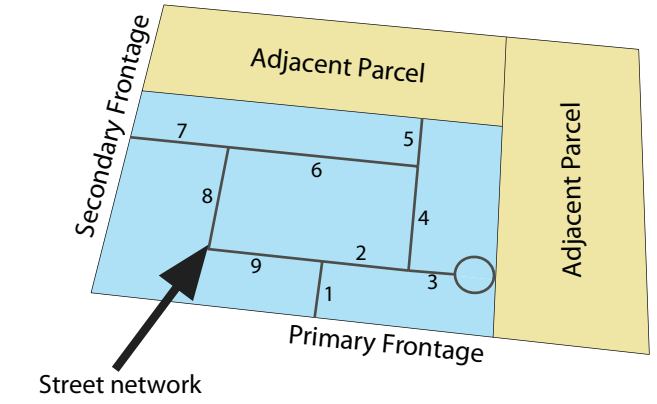
CONNECTIVITY 19.04.040

A. Connectivity is a ~~measure~~ measurement of ~~how efficiently~~ the diversity of vehicular or pedestrian options a transportation network provides ~~access between internal and external destinations~~ within and around its transportation network. It is measured using a Connectivity Ratio. The higher the ratio, the more options there are for travelers in a given neighborhood and the lower the ratio, less options are available.

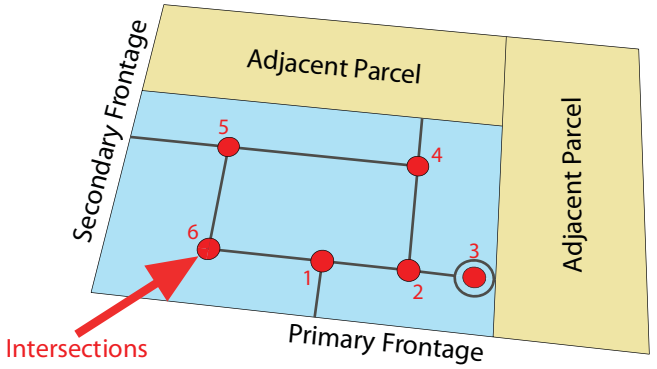
B. ~~A Connectivity Ratio shall be used to determine the adequacy of street layout design for all proposed development.~~

~~1.~~ The Connectivity Ratio is calculated as the ratio of the number of street links (road sections between intersections) in the development's street layout divided by the number of street nodes (intersections and ~~cul-de-sac heads~~ terminations).

FIGURE 1 - CALCULATING THE CONNECTIVITY RATIO FOR A SITE



# of Links = 9



# of Nodes = 6

Connectivity Ratio Equation = Links/Nodes*

9(Links)/6(Nodes) = **1.5**

**Only Links and Nodes that are Internal to the site are used in the connecitvity equation.*

For comparison purposes, a perfect street grid has a Connectivity Ratio ~~over~~ of 2.0, while a ~~conventional cul-de-sac~~ subdivision with only culs-de-sac has a Connectivity Ratio of ~~very close to~~ 1.0. Figure 1 illustrates the elements used to determine a site's Connectivity Ratio.

~~a~~ 1. As set forth in Table 1 of this Section, elements of a development's transportation network shall have the assigned value for use in calculating a development's Connectivity Ratio.

Table 1

Transportation Network Element	Connectivity Value (Link or Node)
Internal Street	1.0 Link
~~Intersection –~~ Internal Intersection	1.0 Node
Cul-de-sac ~~Terminus~~ or other non-Intersection Terminus	1.0 Node
~~Intersection – External Street or Stub Terminus (to future adjacent development)~~	~~0.5 Link~~
~~Intersection –~~ Stub ~~Terminus (~~ street to future adjacent development~~)~~ with Temporary Turn Around Easements	~~1.0~~ 0.5 Link
Non-vehicular (pedestrian/ bicycle) Path – Unrestricted	0.5 Link

i. Any curve or bend of a street that exceeds 75 degrees shall receive credit as a node. Any curve or bend that does not exceed 75 degrees shall not be considered a node.

ii. A node (Intersection) with a master planned street providing access to a proposed subdivision shall not be considered in computing the Connectivity Ratio.

iii. If a subdivision is planned to be constructed in distinct development phases, the initial phase individually and in conjunction with all subsequent phases shall achieve and maintain the minimum required Connectivity Ratio.

iv. Temporary stub-out streets proposed for connection to a future phase or adjacent property shall ~~be constructed to the property line of the development or phase to which access is proposed for future development of adjacent lands. In~~

~~addition,~~ provide a temporary turn-around ~~must be provided~~. The additional right-of-way needed to accommodate a temporary turn around shall be provided through a temporary easement which must be clearly labeled on the Final Map.

v. If the temporary stub-outs street shall ultimately provide connectivity to the adjacent property, the following shall apply:

(A) For all projects where the connection stub street is constructed as part of the initial or only phase of construction, a sign stating "Street Connection to Future Development" shall be installed by the developer at the end of the stub street prior to the first Certificate of Occupancy being issued. Maintenance of the sign shall be the responsibility of the developer until City of Las Vegas, Homeowners Association or other private entity accepts the streets for maintenance.

(B) For projects where the connections are not constructed until future phases, stub streets shall be constructed to extend to the end of the radii at the intersection with the future street. A sign stating "Future Internal Street and Connection to Future Development" shall be installed by the developer at the end of the stub street. The sign shall be placed immediately after the placement of the base paving course. Maintenance of the sign shall be the responsibility of the developer until the City of Las Vegas, Homeowners Association or other private entity accepts the streets for maintenance.

b. The Final Map shall disclose and identify all stub streets and include any notations of any street stubs which are intended to provide future connection to adjoining future streets or undeveloped property.

2. The minimum required Connectivity Ratio ~~required shall be~~ is 1.30 (links/nodes) for all development in R-1, R-MH, R-CL, R-TH, R-2, R-3 and R-4 zoning districts. The Connectivity Ratio required for multi-family residential developments will be determined by the Director, with advice from the Director of Public Works, based on the proposed site layout.

a. The required Connectivity Ratio may be reduced by the Director, with the advisement of the Director of Public Works, through the submittal of an application for an Administrative Deviation, which shall be subject to the procedures and standards set forth in LVMC 19.16.120, if the applicant demonstrates it is impossible or impracticable to achieve due to topographic conditions, natural features, adjacent existing development patterns, or other site limitations.

b. Applications for Tentative Maps within the specified zoning districts shall identify the calculated Connectivity Ratio concurrent with submittal. The Connectivity Ratio shall also be noted on the recorded Final Map.

3. For developments proposed in zoning districts not identified in Paragraph (2) above, there is no minimum Connectivity Ratio requirement; however, a Connectivity Ratio shall be calculated as provided for in this Section and submitted with any Site Development Plan Review or Tentative Map submittal.

STREET NAMING AND ADDRESS ASSIGNMENTS 19.04.050

A. The naming of streets and the assignment of addresses and address numbers to building and lots within the City shall conform to the provision of this Section.

B. The intersection of Main and Fremont Streets shall be the initial point of assigning the address numbers to all blocks, lots and building in the City.

C. Street Numbering - East-West Streets

1. All buildings or lots that front on east-west streets which intersect or start from Main Street shall be assigned address numbers beginning at that point with the numbers one and zero, and thereafter be numbered progressively through each block. Following each intersection with a numbered street, the numbering shall begin again with the numbers one and zero, with the number of hundreds indicated by the number of the intersecting street.

2. All numbers on the east-west streets shall be even on the north side and odd on the south side.

3. Where Main Street terminates at Las Vegas Boulevard South, Las Vegas Boulevard South shall be the base line for numbering along east-west streets to the southerly City limits.

D. Street Numbering - North-South Streets

1. All buildings or lots that front on north-south streets which intersect or start from Fremont Street (or the northwesterly prolongation thereof, as described in Paragraph (2) of this Subsection) shall be assigned address numbers beginning at that point with the numbers one hundred and one hundred one, and thereafter progressively through each block. Approximately eight blocks shall be assigned per mile; provided, however, that in areas in which other jurisdictions have established a different pattern, the numbers shall be apportioned accordingly.

2. For purposes of Paragraph (1) of this Subsection, the northwesterly prolongation of Fremont Street shall be defined as follows: Commencing at the intersection of the northwesterly prolongation of Fremont Street and that portion of Ogden Avenue located between City Parkway and Main Street; westerly along U.S. Highway 95 to the easterly prolongation of Westcliff Drive, the easterly prolongation of Westcliff Drive, and the westerly prolongation of Westcliff Drive with minor deviations north and south to the intersection with the CC 215 Beltway; Far Hills Avenue and the westerly prolongation of Far Hills Avenue to the intersection of the westerly prolongation of Westcliff Drive; the westerly prolongation of Westcliff Drive to the westerly City limits.

3. Buildings or lots on north-south streets shall be assigned address numbers that are even on the east side and odd on the west side.

4. Where Fremont Street intersects Charleston Boulevard, Charleston Boulevard shall become the base line for assigning address numbers along north-south streets to the easterly City limits.

5. The assignment of address numbers for buildings or lots on north-south streets south of Charleston Boulevard shall begin with one thousand one hundred. Thereafter, the base numbering for each succeeding block shall increase by one hundred over the preceding block's base number.

6. The assignment of address numbers for buildings or lots on north-south streets north of Charleston Boulevard shall begin with one and zero, and the assignment of numbers up to one hundred shall continue on those streets until their intersection with Sunrise Avenue.

7. The assignment of address numbers for buildings or lots on north-south streets north of Sunrise Avenue shall begin with two hundred and, thereafter, the base numbering of each succeeding block shall increase by one hundred over the preceding block's base number.

E. In internal areas of the City in which numbering conflicts with the rules set out in Subsections (C) and (D), the assignment of new numbers shall conform to the existing pattern where possible.

F. That certain document entitled "City of Las Vegas Street Naming and Address Assignment Regulations, 2009 Edition," a copy of which shall be maintained in the office of the City Clerk, is adopted by reference and made a part of this Code as if fully set forth herein. The provisions thereof, as they may be amended and supplemented from time to time by ordinance or resolution of the City Council, shall govern the naming of streets and other rights-of-way and the assigning of addresses within the City.

G. The provisions of this Section are minimum requirements for the naming of streets and assignment of addresses within the City. Any request to deviate from these requirements shall be processed by means of a Variance application, which shall be subject to the procedures and standards set forth in LVMC 19.16.140.

H. It is unlawful for any person to:

1. Use or display a street name, building number or address number that does not conform to the provisions of this Section;

2. Display a street name, building number or address number in a manner that does not conform to the provisions of this Section; or

3. Fail to display a street name, building number or address number in the manner required by this Section.

AMENITY ZONE 19.04.060

A. The Amenity Zone may consist of an Amenity Area, Sidewalk, Off-site Buffer Strip, and On-site Planting Area. The required elements for each street classification are as indicated by the tables and illustrated by the figures in LVMC 19.04.170 through 19.04.220 for each street type respectively. The Amenity Zone is intended to enhance pedestrian access and safety, while providing adequate space for landscaping and utility and public safety features.

B. The Amenity Zone Boundaries are identified by

referenced inside and outside delineations in accordance to one of the following cases:

1. **Case (A).** The zone is located fully within the dedicated public right-of-way and is delineated as follows:

   a. The inside delineation shall be set at the back-~~of curd~~ of-curb, or if there is no curb, then the edge of the paved roadway; and

   b. The outside delineation shall be the right-of-way line.

2. **Case (B).** The zone is located partially within the dedicated right-of-way and extends into the adjacent private property, common element, or open space that has been set aside for landscaping and public pedestrian access and is delineated as follows:

   a. The inside delineation shall be set at the back-~~of curd~~ of-curb, or if there is no curb, then the edge of the paved roadway; and

   b. The outside delineation shall be clearly identified, by a recorded document with appropriate public easements for such purposes.

3. **Case (C).** The zone is located fully outside the dedicated right-of-way, as the right-of-way line is at the back of the curb, and is in the adjacent private property, common element, or open space that has been set aside for landscaping and public pedestrian access and is delineated as follows:

   a. The inside delineation shall be set at the back-~~of curd~~ of-curb, or if there is no curb, then the edge of the paved roadway; and

   b. The outside delineation shall be clearly identified, by a recorded document with appropriate public easements for such purposes.

PRIVATE STREET REQUIREMENTS 19.04.070

Private streets must comply with applicable City standards and with the following requirements:

A. Private streets shall have the same dimensions as the comparable public streets unless separated by gates.

B. Where access control gates are to be used in conjunction with private streets, the ~~principle~~ principal vehicular entrance gate must have a minimum width of 50 feet and comply with the Uniform Standard Drawings and LVMC 19.02.250. Additional access control gates for vehicles must be designated and signed for residents only, have automatic methods of opening, and may be of a narrower width and depth as determined by the Director of Public Works.

C. Private streets shall meet the minimum construction standards for public streets.

D. Street name signs for private streets shall bear the words "privately maintained," and shall be a color and design established by the City and in conformance with the most recent edition of the Manual of Uniform Traffic Control Devices. The color of such a sign shall be brown with white letters.

E. Any proposed deviations from the minimum public street standards must be approved by a Waiver and must be separated from abutting standard streets by a gate that meets City standards.

PRIVATE DRIVE REQUIREMENTS 19.04.080

Private drives shall only be permitted in multi-family residential and ~~non-residential~~ nonresidential developments and shall:

A. Have a minimum pavement width of twenty-four feet;

B. Be accessible only from a public or private street;

C. Terminate in:

   1. An intersection with a public or private street; or

   2. A cul-de-sac that conforms to LVMC 19.04.100; and

D. Be provided with street name signs that bear the words "privately maintained," and are of a color and design established by the City and in conformance with the Manual of Uniform Traffic Control Devices. The color of such a sign shall be brown with white letters.

ALLEY REQUIREMENTS 19.04.090

All alleys constructed after the effective date of this Title shall be private alleys and privately maintained unless otherwise authorized by the Director of Public Works. Where public alleys are to be provided, they shall be paved and have a minimum width of twenty feet and be in accordance with City standards.

~~CUL-DE-SACS~~ CULS-DE-SAC 19.04.100

For public streets which terminate other than at an intersection with another public street, and private streets that terminate other than at an intersection with another private or public street, the termination shall be provided by means of a circular cul-de-sac that shall be designed and installed in accordance with City standards.

PARTIALLY DEDICATED STREET OR ALLEY 19.04.110

Whenever there exists a partially dedicated street or alley abutting a proposed subdivision, the remainder of the required right-of-way shall be dedicated and improved by the subdivider unless the City approves a plan to vacate the street or alley.

IMPROVEMENT WIDTH 19.04.120

A. Except as otherwise provided in this Section, whenever the owner or developer of property abutting a planned street or highway as shown on the Master Plan of Streets and Highways Map, other than a freeway or expressway, is required by this Title, or by any other law or regulation, to install any improvement on a proposed or existing planned street or highway, he shall improve the area from the right-of way line to the centerline, or from such point within the right-of-way to the centerline as may be required by the City Engineer.

B. Whenever the owner or developer of property abutting a federal or state highway as shown on the Master Plan of Streets and Highways Map, is required by this Title, or by any other law or regulation, to install any public roadway improvement on a proposed or existing street or highway, the owner or developer shall provide all public roadway improvements on both sides of the roadway or as required by the City Engineer.

C. Any required improvement shall also include the additional area created by the curbline radius as described in LVMC 13.12.100

RESIDENTIAL SUBDIVISIONS 19.04.130

A. Interior Blocks Requirements

Within the interior of residential subdivisions:

1. Blocks should be 330 to 660 feet in length, measured centerline to centerline, unless it is determined by the Director of Public Works to be impractical to do so due to topographical conditions, environmental constraints, lot shape, or site accessibility;

2. Blocks shall not exceed one thousand feet in length between intersections, except where topographical or other conditions require longer blocks; and

3. Block depths should be designed so as to provide two rows of lots, except where lots are planned to back on a major highway, drainage channel, shopping center, or common open space area. Nothing in this Subsection, however, is intended to prevent the inclusion within any subdivision plan of blocks of greater depth or of irregular outline, where they are necessary to provide access to central areas within the subdivision.

B. Exterior Blocks Requirements

Along the exterior of a residential subdivision's block, lengths shall be consistent with road network spacing standards established by LVMC 19.04.020.

~~NON-RESIDENTIAL~~ NONRESIDENTIAL SUBDIVISIONS 19.04.140

Commercial or industrial blocks shall be of a length and width necessary and appropriate for the proposed use with adequate provision for off-street parking and deliveries.

SIGNS IN PUBLIC RIGHTS-OF-WAY 19.04.150

A. Signs Prohibited in Public Rights-of-Way

1. General Rule. Signs shall be prohibited in the public right-of-way, except as provided in this Section.

2. Presumption. A sign erected or placed in the public right-of-way and containing an individual's name, telephone number, address or identification of a product shall be presumed to have been erected or placed by or at the direction of the person or entity associated with that name, business, telephone number, address or product. That presumption is a rebuttable presumption which the affected person or entity may disprove by competent evidence in any enforcement action or administrative proceeding involving such signs. However, in an administrative proceeding against the affected person or entity, 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 affected person or entity.

B. Signs Permitted in Public Rights-of-Way

The following signs may be permitted in the public right-of-way:

1. Public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information and direct or regulate pedestrian or vehicular traffic;

2. Bus stop signs erected by a public transit company;

3. Informational signs of a public utility regarding its poles, lines, pipes or facilities;

4. Marquee, projecting and suspended signs projecting over a public right-of-way in conformity with the provisions in this Title;

5. Development entry statement signs and interior directional signs may be permitted as provided for in this Title and provided the sign owner(s) enters into an encroachment agreement with the City;

6. Other signs which have been authorized by the City, including but not limited to signs on bus stop shelters, signs permitted by the approval of an encroachment agreement or emergency warning signs erected by a governmental agency, a public utility company or a contractor doing authorized or permitted work within the public right-of-way. Such signs are exempted from all requirements of this Title.

TRANSPORTATION - LAND USE MATRIX 19.04.160

The Transportation - Land Use Matrix, Table 1 of this Section, is intended to demonstrate the inter-connectedness of land use and the adjacent transportation network. As used in this Section, the matrix identifies each zoning district and indicates the compatibility of the that district with the range of streets detailed in this Chapter. As indicated by the matrix key:

A. Green identifies compatible street - land use combinations where no mitigation is anticipated;

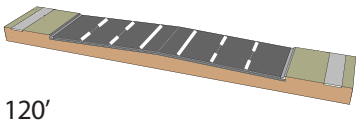
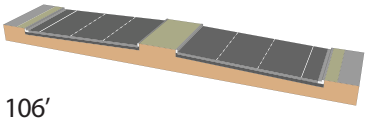
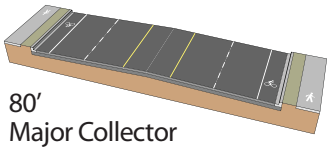
B. Yellow identifies compatible street - land use combinations where mitigation may be requested; and

C. Blue identifies less compatible street - land use combinations where mitigation may be required.

Mitigation may take the form of site orientation considerations, increased perimeter buffer areas, enhanced landscaping or other measures meant to improve the compatibility and connection of development with the adjacent transportation network. Mitigation measures, if any, will be determined on a case-by-case basis as part of the Site Development Plan Review or the Tentative Map review.

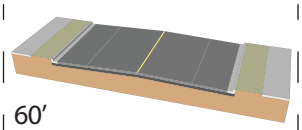
19.04.160

Transportation - Land Use Matrix - Table 1

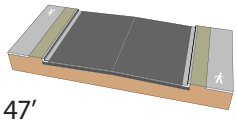
	 120′ Parkway Arterial Street	 106′ Primary Arterial Street	 80′ Major Collector Street
U Undeveloped			
R-E Residential Estates			
R-1 Single Family Residential			
R-MH Mobile/Manufactured Home Residential			
R-CL Single Family Compact-Lot			
R-TH Single Family Attached			
R-2 Medium-Low Density Residential			
R-3 Medium Density Residential			
R-4 High Density Residential			
P-O Professional Office			
O Office			
C-1 Limited Commercial			
C-2 General Commercial			
C-PB Planned Business Park			
C-M Commercial/Industrial			
M Industrial			

19.04.160

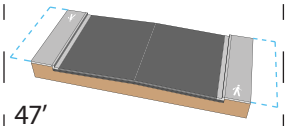
Transportation - Land Use Matrix - Table 1



60′
Minor Collector
Street



47′
Residential
Street



47′
Residential Street
(Narrow Lot)

60′ Minor Collector Street	47′ Residential Street	47′ Residential Street (Narrow Lot)	
			U Undeveloped
			R-E Residential Estates
			R-1 Single Family Residential
			R-MH Mobile/Manufactured Home Residential
			R-CL Single Family Compact-Lot
			R-TH Single Family Attached
			R-2 Medium-Low Density Residential
			R-3 Medium Density Residential
			R-4 High Density Residential
			P-O Professional Office
			O Office
			C-1 Limited Commercial
			C-2 General Commercial
			C-PB Planned Business Park
			C-M Commercial/Industrial
			M Industrial

MATRIX KEY

Compatible Street - Land Use Combination (No mitigation)

Compatible Street - Land Use Combination (Mitigation may be requested)

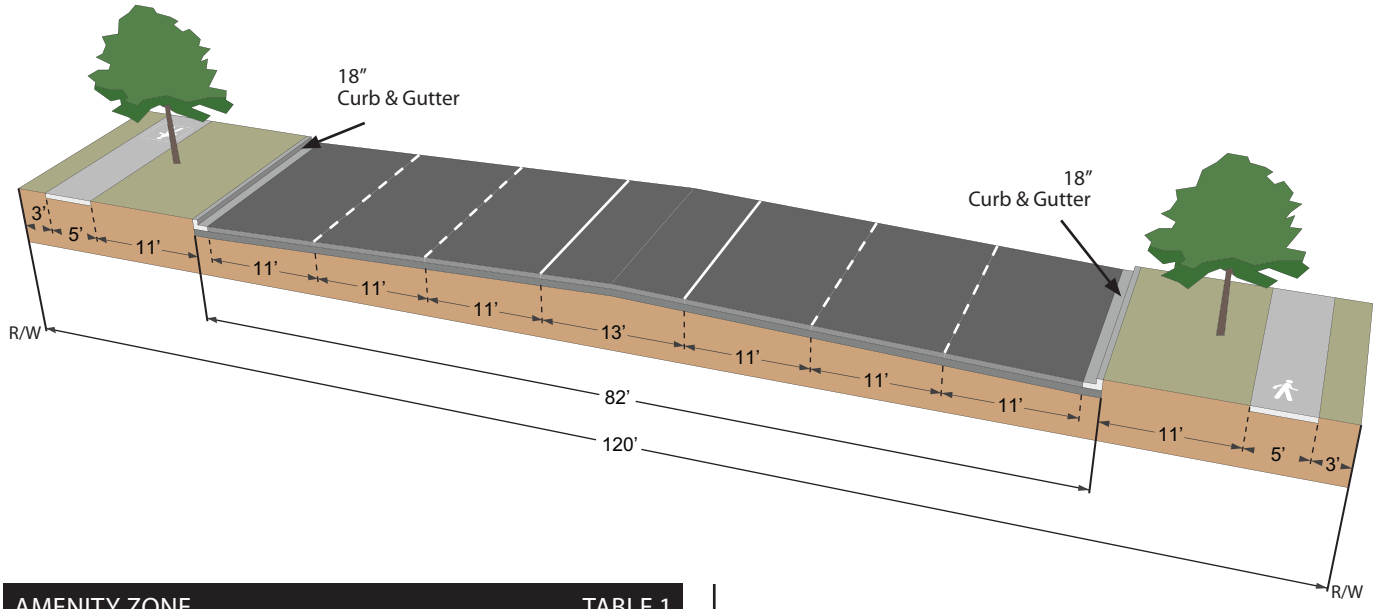
Less Compatible Street - Land Use Combination (Mitigation may be required)

19.04.170

120' PARKWAY ARTERIAL STREET

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.

FIGURE 1 - STREET SECTION/DIMENSIONS



AMENITY ZONE (see Figures 2 and 3)		TABLE 1
A.	Utility & Mechanical Boxes	Above ground utilities shall be sited outside of the right-of-way [1]
B.	Street Lights	18 inches from back of curb [2]
C.	Fire Hydrants	Shall be placed in the amenity area in accordance with the fire code
D.	Tree Placement [3]	Trees shall be placed within the amenity area to provide maximum shade of the sidewalk
E.	Tree Spacing	45 feet on center
F.	Sidewalk Width	5 feet
G.	Off-site Buffer Strip	3 feet
	Maintenance	Maintenance of the amenity zone shall be the responsibility of the adjacent property owners

Footnotes:

1. *If permitted within the right-of-way, above ground utilities shall be located in the amenity area.*
2. *Street light conduits and permitted underground dry utilities shall be located under the sidewalk.*
3. *In addition to any landscaping standards provided in this Title, all planting within the right-of-way must comply with LVMC Chapter 13.48.*

FIGURE 2 - AMENITY ZONE - UTILITY AND PUBLIC SAFETY FEATURES

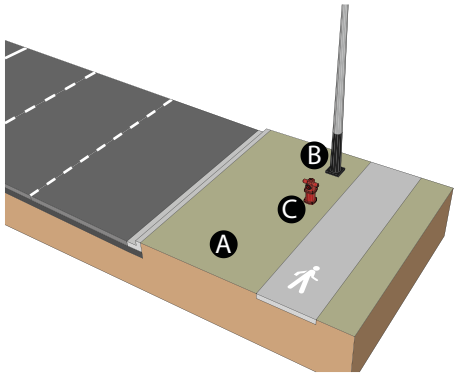
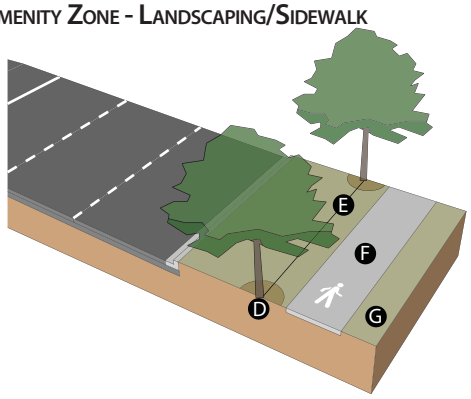


FIGURE 3 - AMENITY ZONE - LANDSCAPING/SIDEWALK

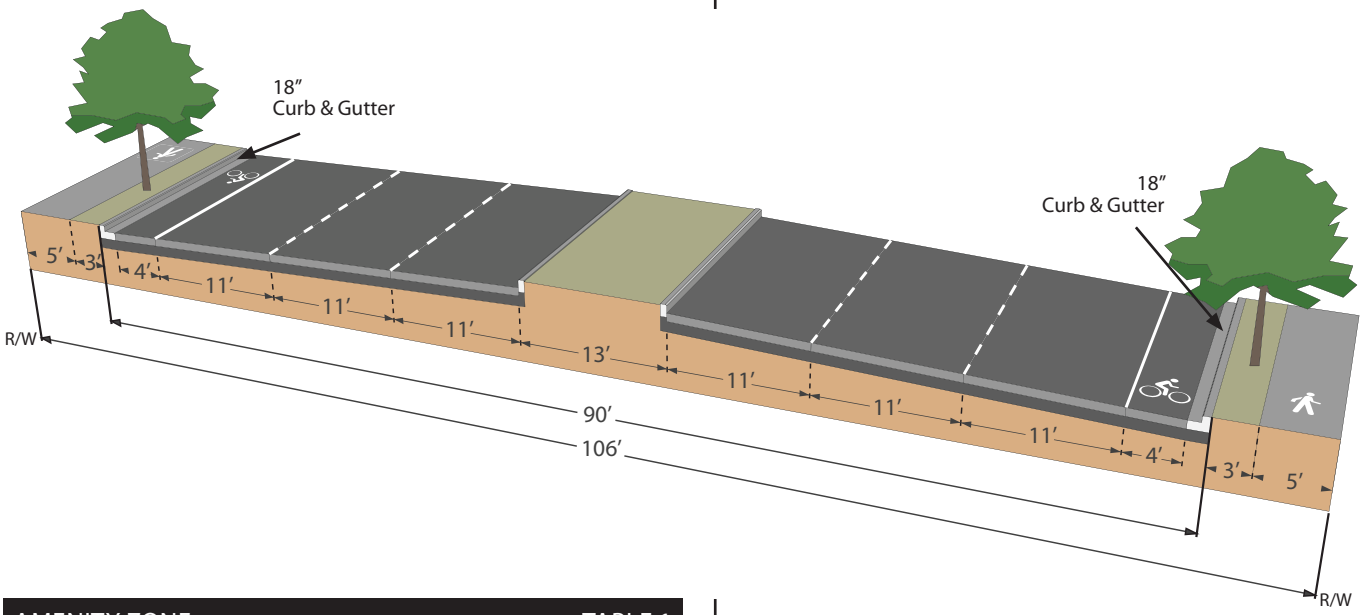


19.04.180

106' PRIMARY ARTERIAL STREET

A street which has a minimum right-of-way width of one hundred and six 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.

FIGURE 1 - STREET SECTION/DIMENSIONS



AMENITY ZONE (see Figures 2 and 3)		TABLE 1
A.	Utility & Mechanical Boxes	Above ground utilities shall be sited outside of the right-of-way [1]
B.	Street Lights	18 inches from back of curb [2]
C.	Fire Hydrants	Shall be placed in the amenity area in accordance with the fire code
D.	Tree Placement [3]	Trees shall be placed within amenity area to provide maximum shade of the sidewalk
E.	Tree Spacing	45 feet on center
F.	Sidewalk Width	5 feet
	Maintenance	Maintenance of the amenity zone shall be the responsibility of the adjacent property owners

Footnotes:

1. *If permitted within the right-of-way, above ground utilities shall be located in the amenity area.*
2. *Street light conduits and permitted underground dry utilities shall be located under the sidewalk.*
3. *In addition to any landscaping standards provided in this Title, all planting within the right-of-way must comply with LVMC Chapter 13.48.*

FIGURE 2 - AMENITY ZONE - UTILITY AND PUBLIC SAFETY FEATURES

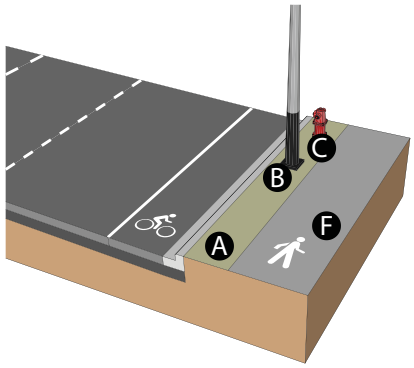
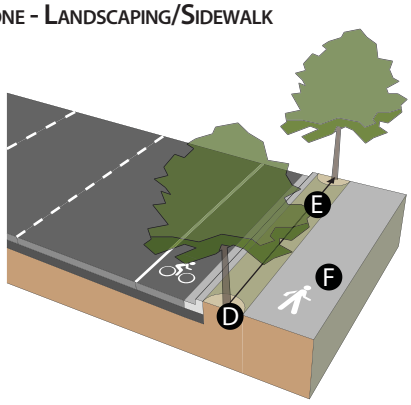


FIGURE 3 - AMENITY ZONE - LANDSCAPING/SIDEWALK

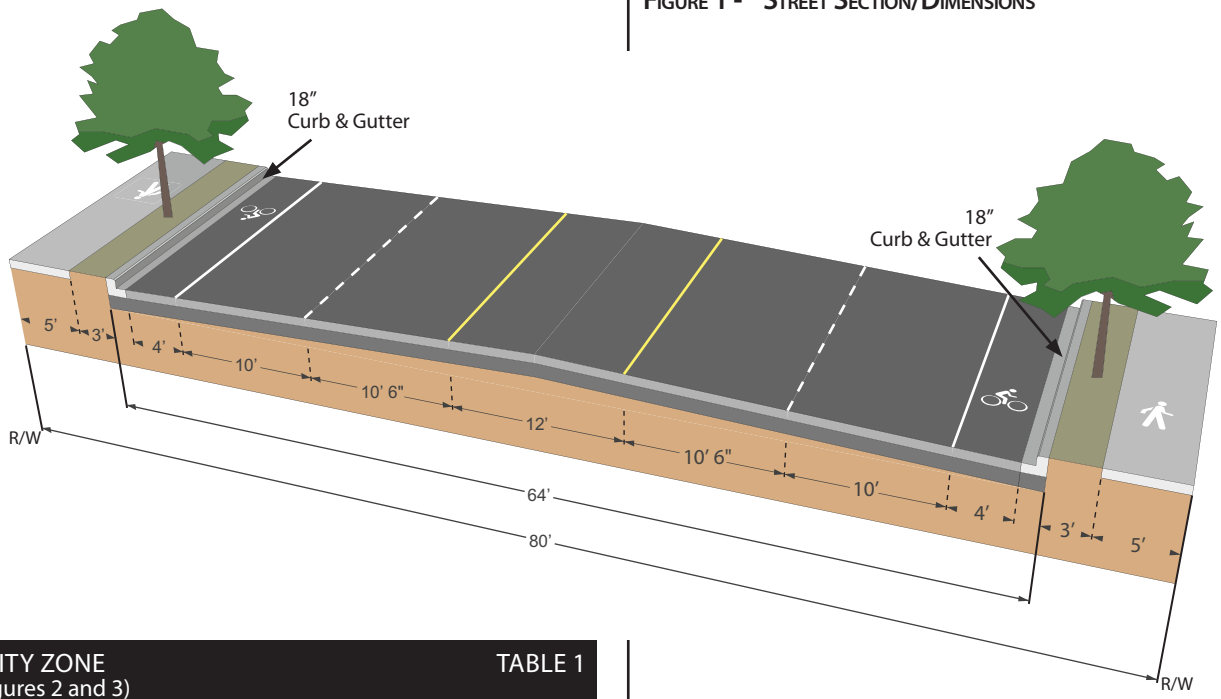


19.04.190

80' MAJOR COLLECTOR STREET

A street which has a minimum right-of-way width of eighty 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.

FIGURE 1 - STREET SECTION/DIMENSIONS



AMENITY ZONE (see Figures 2 and 3)		TABLE 1
A.	Utility & Mechanical Boxes	Above ground utilities shall be sited outside of the right-of-way [1]
B.	Street Lights	18 inches from back of curb [2]
C.	Fire Hydrants	Shall be placed in the amenity area in accordance with the fire code
D.	Tree Placement [3]	Trees shall be placed within amenity area to provide maximum shade of the sidewalk
E.	Tree Spacing	40 feet on center
F.	Sidewalk Width	5 feet
	Maintenance	Maintenance of the amenity zone shall be the responsibility of the adjacent property owners

Footnotes:

1. *If permitted within the right-of-way, above ground utilities shall be located in the amenity area.*
2. *Street light conduits and permitted underground dry utilities shall be located under the sidewalk.*
3. *In addition to any landscaping standards provided in this Title, all planting within the right-of-way must comply with LVMC Chapter 13.48.*

FIGURE 2 - AMENITY ZONE - UTILITY AND PUBLIC SAFETY FEATURES

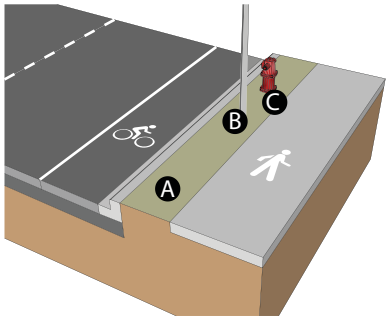
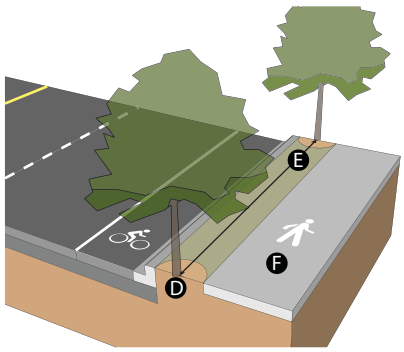


FIGURE 3 - AMENITY ZONE - LANDSCAPING/SIDEWALK

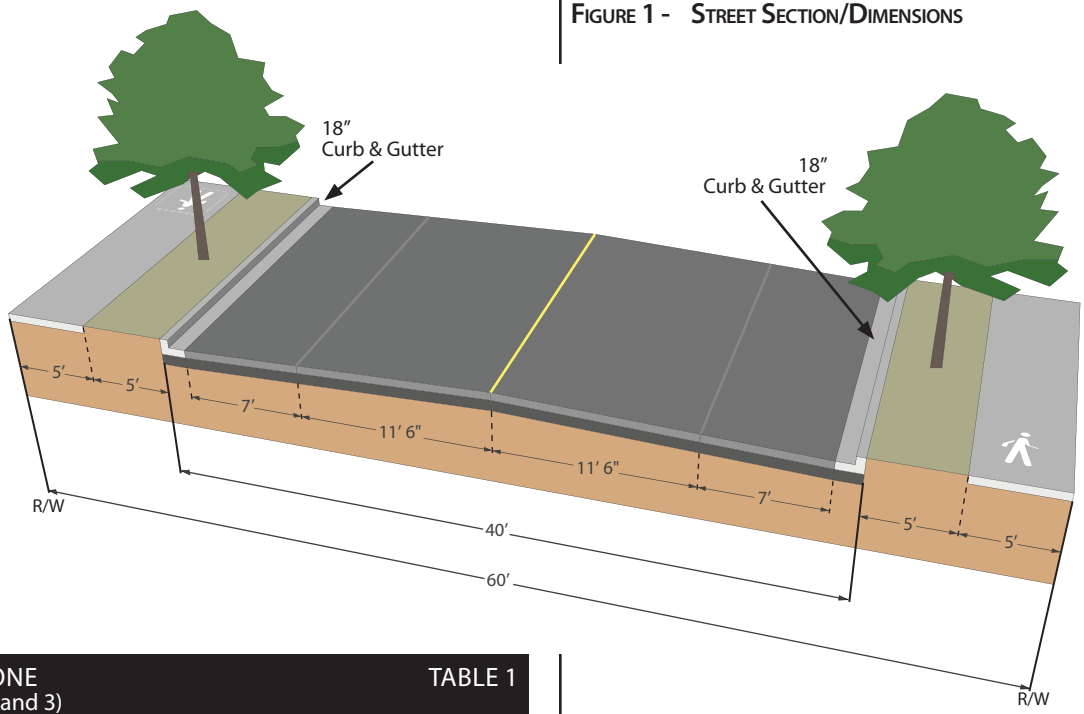


19.04.200

60' MINOR COLLECTOR STREET

A street with a minimum right-of way width of sixty feet which collects traffic from the local streets and distributes them to the major collector or arterial system.

FIGURE 1 - STREET SECTION/DIMENSIONS



AMENITY ZONE (see Figures 2 and 3)		TABLE 1
A.	Utility & Mechanical Boxes	Above ground utilities shall be sited outside of the right-of-way [1]
B.	Street Lights	18 inches from back of curb [2]
C.	Fire Hydrants	Shall be placed in the amenity area in accordance with the fire code
D.	Tree Placement [3]	Trees shall be placed within amenity area to provide maximum shade of the sidewalk
E.	Tree Spacing	25 feet on center
F.	Sidewalk Width	5 feet
	Maintenance	Maintenance of the amenity zone shall be the responsibility of the adjacent property owners

Footnotes:

1. *If permitted within the right-of-way, above ground utilities shall be located in the amenity area.*
2. *Street light conduits and permitted underground dry utilities shall be located under the sidewalk.*
3. *In addition to any landscaping standards provided in this Title, all planting within the right-of-way must comply with LVMC Chapter 13.48.*

FIGURE 2 - AMENITY ZONE - UTILITY AND PUBLIC SAFETY FEATURES

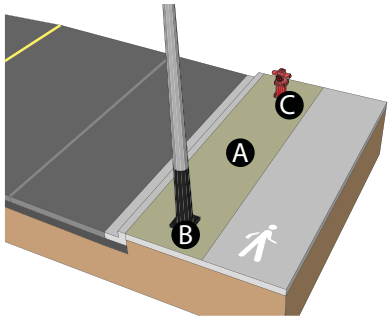
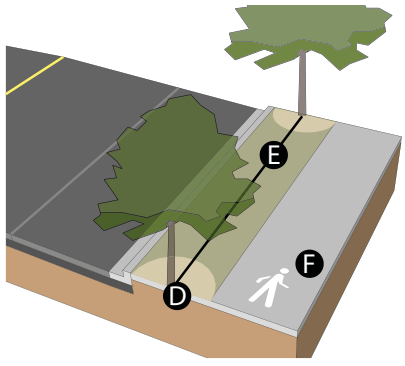


FIGURE 3 - AMENITY ZONE - LANDSCAPING/SIDEWALK

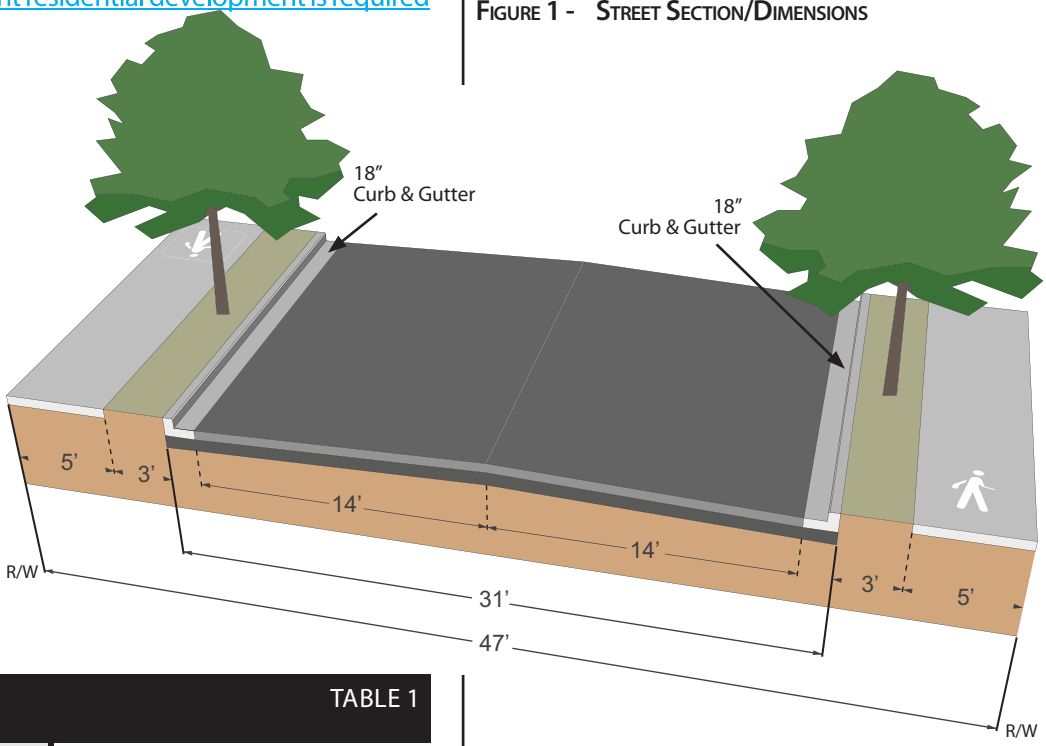


19.04.210

47' RESIDENTIAL STREET

A street with a minimum right-of way width of forty-seven feet which is designed to carry residential traffic between minor collectors and is designed to accommodate on-street parking where adjacent residential development is required to be sprinkled.

FIGURE 1 - STREET SECTION/DIMENSIONS



AMENITY ZONE (see Figures 2 and 3)		TABLE 1
A.	Utility & Mechanical Boxes	Above ground utilities shall be sited outside of the right-of-way [1]
B.	Street Lights	18 inches from back of curb [2]
C.	Fire Hydrants	Shall be placed in the amenity area in accordance with the fire code
D.	Tree Placement [3]	Trees shall be placed within amenity area to provide maximum shade of the sidewalk
E.	Tree Spacing	25 feet on center
F.	Sidewalk Width	5 feet
	Maintenance	Maintenance of the amenity zone shall be the responsibility of the adjacent property owners

Footnotes:

1. *If permitted within the right-of-way, above ground utilities shall be located in the amenity area.*
2. *Street light conduits and permitted underground dry utilities shall be located under the sidewalk.*
3. *In addition to any landscaping standards provided in this Title, all planting within the right-of-way must comply with LVMC Chapter 13.48.*

FIGURE 2 - AMENITY ZONE - UTILITY AND PUBLIC SAFETY FEATURES

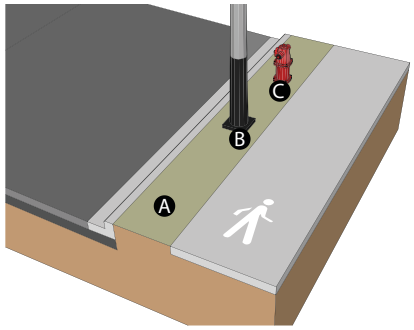
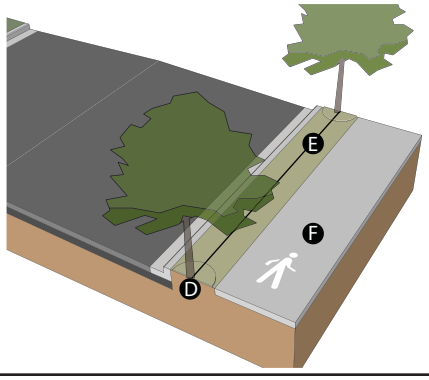


FIGURE 3 - AMENITY ZONE - LANDSCAPING/SIDEWALK

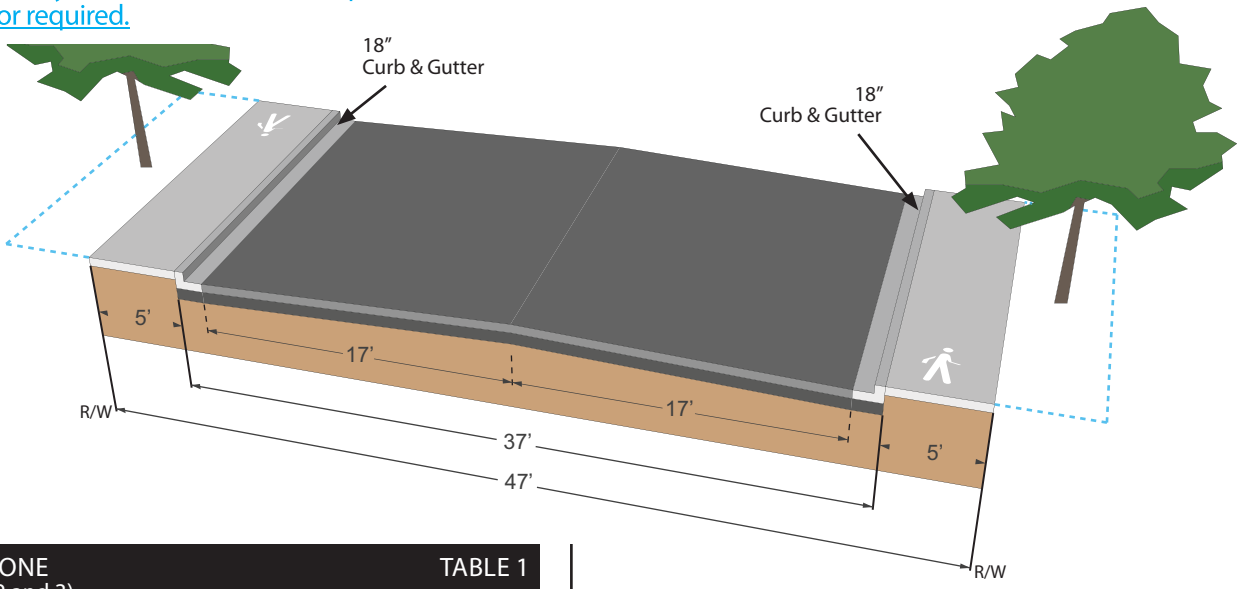


19.04.220

47' RESIDENTIAL STREET (NARROW LOT)

A street, typically adjacent to residential lots with lot widths of less than forty feet, with a minimum right-of way width of forty-seven feet which is designed to carry residential traffic between minor collectors and is designed to accommodate on-street parking ~~adjacent to residential lots with lot widths less than forty feet~~. This alternative residential street design shall also be used for residential development with lots greater than forty feet where residential sprinklers are not anticipated or required.

FIGURE 1 - STREET SECTION/DIMENSIONS



AMENITY ZONE (see Figures 2 and 3)		TABLE 1
A.	Utility & Mechanical Boxes	Above ground utilities shall be sited outside of the right-of-way [1]
B.	Street Lights	18 inches from back of curb [2]
C.	Fire Hydrants	Shall be placed in the amenity area in accordance with the fire code
D.	Sidewalk Width	5 feet
E.	Tree Placement	1 tree per lot placed to provide maximum shade of sidewalk while providing adequate root growth area
F.	On-site Tree Planting Zone	5 foot wide planting area adjacent to the front property line
	Maintenance	Maintenance of the amenity zone shall be the responsibility of the adjacent property owners

Footnotes:

1. *If permitted within the right-of-way, above ground utilities shall be located in the amenity area.*
2. *Street light conduits and permitted underground dry utilities shall be located under the sidewalk.*

FIGURE 2 - AMENITY ZONE - UTILITY AND PUBLIC SAFETY FEATURES

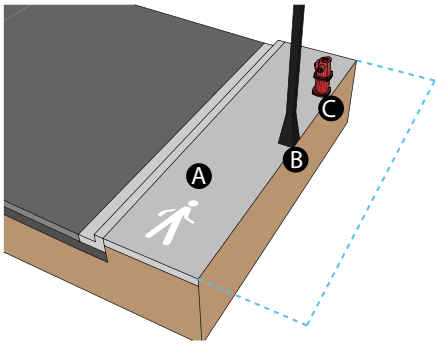
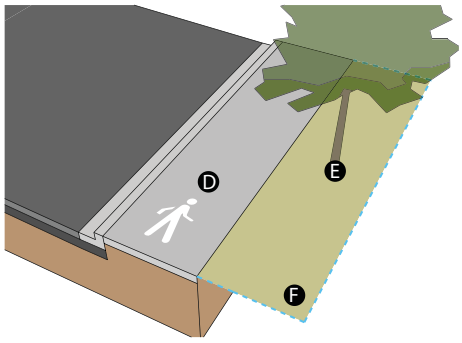


FIGURE 3 - AMENITY ZONE - LANDSCAPING/SIDEWALK



19.06

Residential Districts – Purpose and Development and Design Standards

Unified Development Code
Title 19

19.06

Residential Districts - Purpose and Development and Design Standards

19.06.010 Applicability 59

19.06.020 Intent of Residential Development Standards 59

19.06.030 General 59

19.06.040 Development Standards 60

19.06.050 U (Undeveloped) 69

19.06.060 R-E (Residence Estates) 75

19.06.070 R-1 (Single Family Residential) 81

19.06.080 R-CL (Single Family Compact-Lot) 87

19.06.090 R-TH (Single Family Attached) 93

19.06.100 R-2 (Medium-Low Density Residential) 99

19.06.110 R-3 (Medium Density Residential) 105

19.06.120 R-4 (High Density Residential) 111

19.06.130 R-MH (Mobile/ Manufactured Home) 117

19.06.140 Residential Sign Standards 123

APPLICABILITY 19.06.010

This chapter applies to all residential development within the City of Las Vegas and to all residential zoning districts.

Except as otherwise provided in this Chapter, the standards set forth herein, are minimum requirements. Any request to deviate from these standards shall require the submittal of an application for an Administrative Deviation, if appropriate, or Variance, which shall be subject to the procedures and standards set forth in LVMC 19.16.120 and 19.16.140, respectively.

INTENT OF RESIDENTIAL DEVELOPMENT STANDARDS 19.06.020

The intent of establishing standards for residential development is:

A. To ensure that new residential development will not negatively impact the use and enjoyment of adjacent and neighboring properties;

B. To ensure that new residential development will contribute to the overall attractiveness of the City;

C. To increase design compatibility between abutting properties and land uses;

D. To reinforce a sense of community and to preserve the integrity of neighborhoods and places of business; and

E. To reduce unsightly views;

F. To provide for landscaping and buffering that:

1. Conserves water and reduces erosion;

2. Reduces heat and glare generated by development; and

3. Aids in filtering dust and particulate matter from the air.

GENERAL 19.06.030

A. Access

All lots or parcels shall have frontage upon a public street; provided however, that lots within a recorded Subdivision or Parcel Map may provide access to a public street by way of a commonly owned private street or a private access easement. All private access streets must be fully improved in accordance with the Traffic Circulation Improvements Standards contained in the Design Standards Manual.

B. Grading

1. Grading Plan Approval - When Required. When the natural grade of a lot is proposed to be raised more than two feet at any point from existing grade, three copies of a finished lot grading plan and legal description of the property shall be filed with the Department of Public Works and the Department. The plan shall include proposed and existing grades, building locations, and building height information for the development site and for the adjacent properties, and any justification for the proposal. The Director of Public Works may withhold or deny development approval unless the applicant demonstrates to the Director of Public Works' satisfaction that the proposal is necessary in order to develop the site in a manner which conforms to applicable drainage and other development standards. The Director may withhold or deny development approval unless the applicant demonstrates to the Director's satisfaction that the proposal will not be incompatible or out of harmony with the surrounding area.

2. Grading Plan - Appeal of Denial. The applicant may appeal to the City Council any final decision rendered pursuant to Paragraph (1) of this Subsection. In connection with the appeal, the City may require notification of surrounding property owners. The City may charge a fee for the appeal and for any required notification in accordance with the Fee Schedule.

C. Construction

No building, structure or land shall be erected, reconstructed, structurally altered or used for a purpose other than a use allowed in the zoning district in which the building, structure or land use is located.

D. Lot Size

Lot size refers to the amount of horizontal land area contained within property lines. No lot area shall be so reduced that the size, width, setbacks, yards, required open space or total lot area is less than prescribed by this Title; nor shall the unit density be increased in any manner, except in conformity with the regulations established in this Chapter.

1. Yard Area. No yard, open space or off-street parking or loading space, required in conjunction with a building or land use, shall be included as part

of a yard, open space or parking or loading space required for any other building or land use, unless otherwise provided in this Title.

2. **Utility Facilities.** Public and private utility facilities (i.e. pumping and switching stations, reservoirs, power substations, etc.) using land or an unoccupied building requiring less than 500 square feet of site area are exempt from the minimum lot size requirements of all zoning districts, provided that all other applicable provisions of this Chapter are satisfied.

3. **Reduction of Existing Lot.** When an existing lot is reduced as a result of conveyance to a federal, state or local government for a public purpose and the remaining area is at least ninety (90) percent of the required minimum lot size for the district in which it is located, then that remaining lot shall be deemed to be in compliance with the minimum lot size standards of this Chapter, without the necessity of further administrative approvals.

DEVELOPMENT STANDARDS 19.06.040

A. Tables

Except as otherwise noted, the minimum lot size, maximum unit density, minimum lot width, minimum building setbacks, maximum lot coverage, minimum building separation and maximum building height for uses in each district shall be governed by the dimensional standards in the tables listed for each district. Explanatory notes for provisions in the tables follow the tables as needed.

B. Building Placement

In addition to the dimensional standards and requirements listed for building placement in the tables provided for each district, development on any lot subject to the standards provided in this Chapter shall conform to the following:

1. **Projections into Setback Area.** The following structures are permitted to project into the established setback area for the lot or parcel as indicated:

   a. **Architectural Features.** Bay windows, fireplaces, roof eaves, cabinets designed to screen utility meters and similar architectural features may encroach no more than two feet into any required setback area, provided that the encroachments:

      i. Remain at least three feet from the property line; and

      ii. Do not increase the living space of the structure at the floor level.

   b. **Other Architectural Embellishments.** Architectural embellishments and institutional symbols for churches, public buildings and quasi-public buildings may extend into any required setback area, provided that they are clearly shown and approved as a part of a Special Use Permit, Site Development Plan or other required application.

   c. **Lots Adjacent to Open Space.** On any lot which adjoins a golf course, park area, common open space or similar open space, open balconies may extend up to five feet into the required setback for the dwelling and toward the open space; provided, however, that the projection extends no closer than three feet from the property line.

   d. **Mechanical Equipment.** Mechanical equipment such as air-conditioning units, pool filtering and heating equipment, water softeners, and similar mechanical equipment may occupy the required rear and side yard setback areas if totally screened from abutting lots and streets by fences, walls or landscaping, and if such mechanical equipment does not restrict required access through such setback areas as determined by the Department.

C. Accessory Structures

In addition to the standards listed for accessory structures in the tables provided for each district, accessory structures on any lot subject to the standards provided in this Chapter shall conform to the following:

1. No accessory structure 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.

2. No accessory structure is permitted in front of the primary structure unless the structure is a side-loaded garage ~~which~~ that is used strictly as an ancillary use and does not encroach into the front setback area.

3. No setback is required for a detached accessory structure from a property line which abuts an alley.

4. Accessory structures must be aesthetically compatible with the principal dwelling unit.

5. Accessory structures may contain any type of room use but may not contain any kitchen except as otherwise specifically provided in this Title with respect to a Class I accessory structure.

6. On corner lots, the roof of an accessory structure may be attached to the main dwelling, if there is a minimum six foot separation between the walls of the accessory structure and the main building and provided that at least two sides of the breezeway are open. A gate or fence which is at least 50 percent open construction may be attached to one end of the breezeway.

D. Building Height

In addition to the standards listed for building height in the tables provided for each district, building heights for development on any lot subject to the standards provided in this Chapter shall conform to the following:

1. Roof-mounted solar panel units that are permitted as a conditional use pursuant to LVMC Chapter 19.12 shall not be considered as a part of the building height for purposes of this Chapter.

2. Chimneys, vent stacks and skylights may be erected above the required height limits, provided that in no case shall structures above the permitted height limit be constructed for the purpose of providing additional floor space.

E. Patio Covers

In addition to the standards listed for patio covers in the tables provided for each district, patio covers on any lot subject to the standards provided in this Chapter shall conform to the following:

1. Any patio cover extending into the established setback area for the lot or parcel may not be enclosed with any materials, including wood, metal, canvas, plastic, glass or any other screening material. An enclosed patio cover must conform to the setback standards applicable to the main dwelling.

2. The height of the patio cover shall not exceed twelve feet.

3. A detached patio cover shall conform to the applicable Accessory Structure standards for the lot or parcel.

F. Landscape Buffers and Turf Limitations

In addition to the standards listed for landscape buffers and turf limitations in the tables provided for each district, development on any lot subject to the standards provided in this Chapter shall conform to the following:

1. Landscape Required

a. All ~~multifamily~~ multi-family development or single family developments with five or more lots adjacent to streets classified as major collectors or larger shall meet or exceed the minimum standards, and shall comply with any restrictions, established in this Title. All landscaping required by this Chapter shall also comply with the provisions of LVMC 13.48.040 and 19.02.190.

b. Except as otherwise permitted by the Director, all landscape and irrigation plans shall be prepared and stamped by a registered architect, landscape architect, residential designer or civil engineer.

c. The owner, developer and occupant of the property are jointly and severally responsible for maintaining or assuring the ongoing maintenance of installed landscaping so that the landscaping continues to thrive. Prior to the issuance of a building permit, the owner, developer or contractor shall post a performance bond or equivalent security to assure the performance of the maintenance obligation for a minimum of two years.

d. All revisions to an approved landscape plan must first be reviewed and approved by the Department prior to installation of the landscaping.

e. Where perimeter landscape buffers are indicated, the standard planting requirement is as set forth in Figure 1. Alternatives to the standard planting requirement are set forth in Figures 2 and 3.

2. Additional Landscaping May Be Required

Additional landscaping may be required by the Director or reviewing authority in order to respond to special site features, maintain an established landscape pattern created by existing landscaping in the surrounding area, or mitigate the impact of a particular development.

Illustrations & Graphics 19.06.040(F)

FIGURE 1 - STANDARD PLANTING REQUIREMENT

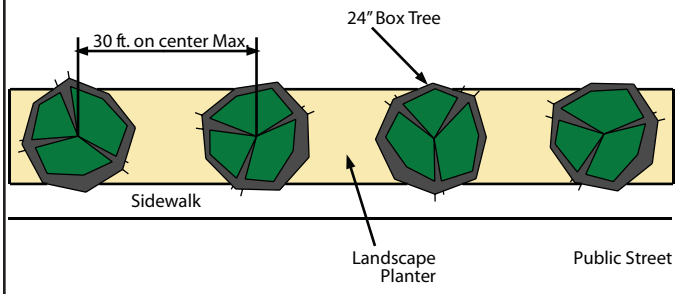
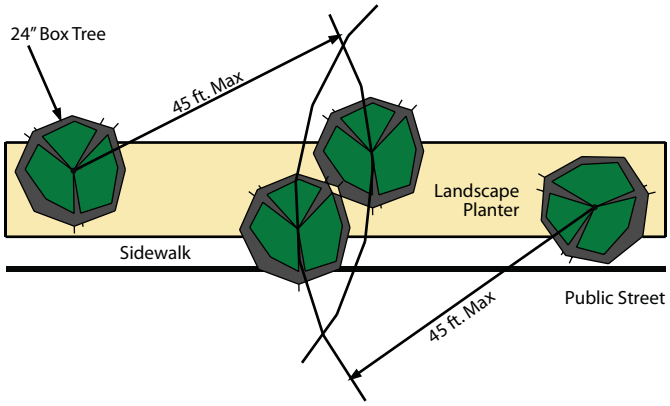
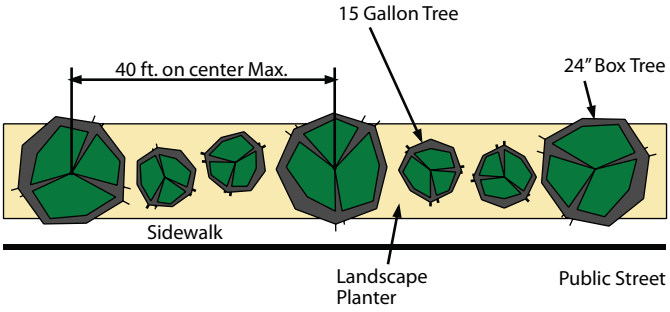


FIGURE 2 - STANDARD PLANTING REQUIREMENT ALTERNATIVE 1



CLUSTERED PLANTING: CLUSTERING OF TREES IS ALLOWED IF: 1) THE TOTAL NUMBER OF TREES EXCEEDS THE MINIMUM REQUIREMENT BY AT LEAST ONE TREE; AND 2) THE SPACING BETWEEN ANY TWO TREES DOES NOT EXCEED FORTY-FIVE FEET.

FIGURE 3 - STANDARD PLANTING REQUIREMENT ALTERNATIVE 2



VARIABLE SIZE PLANTING: ONE TWENTY-FOUR INCH BOX DECIDUOUS TREE, EVERGREEN TREE, OR FIFTEEN FOOT PALM TREE FOR EVERY FORTY LINEAR FEET OF PLANTER, PLUS ONE EXTRA TREE OF SIMILAR SIZE TO PROVIDE COVERAGE AT EACH END OF PLANTERS. THE SPACING OF SUCH TREES SHALL NOT EXCEED FORTY FEET ON CENTER. IN ADDITION, TWO FIFTEEN GALLON DECIDUOUS TREES, EVERGREEN TREES, OR PALM TREES ARE REQUIRED FOR EVERY FORTY LINEAR FEET OF PLANTER, TO BE LOCATED BETWEEN THE TREES PLANTED PURSUANT TO THE PRECEDING SENTENCE. THE FIFTEEN GALLON TREES MAY BE EITHER SPACED REGULARLY OR GROUPED IN BETWEEN THE LARGER TREES.

3. Alternative Landscape Designs

The Director or other reviewing authority may approve variations to the standards and designs set out in this Chapter if they respond more appropriately to a particular site and provide equivalent means of achieving the intent of this Chapter.

4. Maintenance

Property owners shall be responsible for:

a. Maintaining all walls in good structural and finish condition;

b. Maintaining all landscaping in a healthy and vigorous living condition and in accordance with LVMC 13.48.040 and 19.02.190;

c. Promptly replacing dead vegetation with healthy, living plants, in accordance with standard seasonal planting practices.

5. Installation of Required Landscaping

a. All required perimeter landscaping shall be installed in compliance with an approved landscape plan prior to occupancy.

b. Prior to the installation of any required landscaping, the developer shall demonstrate compliance with the approved landscape plan by providing the Department a complete bill of materials.

c. When applicable to a phased development plan, a phased landscape installation plan may be approved concurrently with a Site Development Plan Review.

6. Irrigation of Landscaping

a. All required landscaping shall be installed with an irrigation system designed to eliminate any ~~run-off~~ run off of water into the public rights-of-way.

b. In order to minimize damage to buildings and solid walls from soil settling, expansion/contraction (cracked foundation), all overhead spray irrigation systems shall be a minimum of twenty-four (24) inches back from any building and solid walls with no overspray contacting any building or solid walls.

c. An automatic irrigation system is required for all planting areas, and shall include:

i. An electric automatic controller and multiple program capabilities;

ii. Multiple repeat cycle capabilities; and

ii. A flexible calendar program.

d. All irrigation water shall be retained on-site. When required, swales shall channel water to larger holding areas, catch basins, other planting areas, gravel sumps, dry-wells, or any combination thereof. Areas that accumulate system water shall be provided with underground drainage systems to carry water to holding or discharge areas. Nuisance flows shall not spill over the sidewalk and into any street.

7. Turf Limitations

a. The use of turf is subject to and limited by LVMC Chapter 14.11 and the provisions of this Paragraph (7), with the provisions that are most restrictive to govern in a particular case. No new turf shall be installed in residential front yard areas except as provided for in LVMC 14.11.150(B), or in the common areas of residential developments unless the common area is intended as usable open space. Additionally, turf shall be limited in the rear and side yard areas of residential lots as follows:

Table 1 - Turf Limitations

Use	Use of Turf
~~Single-family~~ Single Family	Limited to a maximum of 50% of the total side and rear yard areas or 100 square feet, whichever is greater (up to a maximum of 5,000 square feet) provided that no turf installation in a side or rear yard area has a dimension of less than 10 feet
Multi-family	Limited to a maximum of 30% of total landscapable area
Nonresidential	See LVMC 19.08.030 (F)(7)

b. The turf limitations contained in this Subsection are intended to increase the use of water efficient vegetation. Landscaping shall be designed, and the landscaping materials shall be chosen and installed, so as to ensure that, within three years of normal growth, at least ~~fifty~~ 50 percent of the area covered by non-turf landscaping will consist of water efficient vegetation.

c. The maximum amount of turf allowable pursuant to Subparagraph (a) may be increased proportionally by the percentage of water used for irrigation that comes from a source to which the property owner has secured water rights.

8. Landscape Materials

Landscaping shall include drought-resistant and water efficient plant materials consistent with the ~~Southern Nevada Water Authority xeriscape guidelines~~ Southern Nevada Regional Planning Coalition Regional Plant List and the turf limitations of Paragraph (7).

Where perimeter landscape buffers are indicated the following are the requirements for landscape material:

a. Trees shall be spaced within the required buffer zones in accordance with Table 2 below, with trees to be spaced on center.

Table 2 – Landscape Buffer – Standard Tree Spacing

Use	Standard
~~Single-family~~ Single Family	1-24" box tree per 30 linear feet
Multi-family	1-24" box tree per 20 linear feet [1]
Nonresidential	See LVMC 19.08.030 (F)(8)

Footnotes:

1. *Where adjacent to any right-of-way classified as a freeway, the spacing maybe increased to 1-24" box tree per 30 linear feet.*

b. Shrub Requirements. Shrubs are required in all buffer areas, with a minimum of four 5-gallon shrubs required for every required tree.

c. Ground Cover Requirements. Ground covers

shall be installed in all landscaped areas. Non-vegetative ground covers shall include, without limitation, rocks and small stones, crushed rock and bark, installed to a minimum depth of two inches in all areas.

9. Buffer Zone Encroachments

The following encroachments are permitted within required buffer zones:

a. Driveways (curb cuts) that are located perpendicular or approximately perpendicular to the street right-of-way.

b. Sidewalks that are located perpendicular or approximately perpendicular to the street right-of-way.

10. Utility Boxes and Installations

a. Along streets that border a residential subdivision, all utility boxes and above-ground utility installations, other than utility poles, that are in excess of twenty-seven cubic feet in size and that are to be placed outside the right-of-way shall be installed with landscaping on two sides, with one side being available for access by utility companies. The landscaping must include tall grasses and/or shrubbery which, at maturity, will provide adequate screening of the utility structures.

b. Within proposed trail corridors that are identified in the Master Plan Transportation Trails Element and the Master Plan Recreation Trails Element, no utility box or above-ground utility installation, other than a utility pole, that is in excess of twenty-seven cubic feet in size (excluding pad and concrete collars) shall be allowed. In addition, all utility boxes to be placed immediately adjacent to a trail corridor shall be placed so that the access doors open parallel to the trail corridor and are accessible without the need to cut down or reduce the effectiveness of the landscaping within the trail area.

11. Deviations

a. The Planning Commission or City Council may grant a waiver to deviate from the standards set forth in Paragraphs (1) through (7) of this Subsection as part of a Site Development Plan Review if the applicant can show through convincing and substantial evidence that the waiver will not compromise the objective of the City in safeguarding the interests of the citizens of the City, the proposed project will substantially meet the intent of the standard, and the granting of the waiver will not detrimentally affect the public health, safety or general welfare.

b. An exception or modification from the standards set forth in Paragraphs (8) through (10) of this Subsection may be approved upon the request of an applicant if the applicant can show through convincing and substantial evidence that the exception or modification will not compromise the objective of the City in safeguarding the interests of the citizens of the City, the proposed project will substantially meet the intent of the standard, and the granting of the exception or modification will not detrimentally affect the public health, safety or general welfare. Such an exception or modification may be granted by the Director in connection with the approval of a Site Development Plan Review. In cases where the Director does not approve a requested exception or modification, the request may be acted upon by the Planning Commission or City Council, the request for exception or modification need not be identified as a separate action item, and disposition of the request may be incorporated into the action on the Site Development Plan Review. Notice of action on the request for exception or modification may be incorporated into the notice of decision regarding the Site Development Plan Review.

G. Parking

In additions to the standards listed for parking in the tables provided for each district, development on any lot subject to the standards provided in this Chapter shall conform to the following:

1. Every building or land use established, every existing building enlarged and every existing use expanded shall provide off-street parking and loading spaces in accordance with the minimum parking requirements set forth in LVMC 19.12.070 and any other applicable requirements and standards of this Title. Existing parking and loading spaces shall not be reduced below the minimum required by this Title.

2. All on-site parking shall be provided on the same parcel as the principal use, except as permitted by the off-site parking provisions of this Title. Parking

on the public right-of-way may not be counted towards satisfying the requirement for on-site parking.

3. All parking and vehicle storage areas, including recreational vehicle parking in residential land use districts, shall occur on paved areas and conform to the conditions and requirements for "Vehicle Parking, Storage or Repair in Residential Zoning Districts" as outlined in LVMC Chapter 19.12, except that:

   a. Parking surfaces used for temporary real estate sales offices may consist of decomposed granite, chat, reclaimed asphalt paving or other material approved by the Department of Public Works.

4. Except as otherwise provided in LVMC 19.12.070 or some other provision of this Title, when more than one use is to be conducted on a site, parking shall be calculated and provided for each of the uses separately.

5. Driveways may be used to satisfy minimum on-site parking requirements for ~~single-family~~ single family dwellings, provided that sufficient space is available to satisfy the minimum design standards and no parking space is located so as to require the moving of any vehicle on the premises in order to enter or leave any other space.

6. Multi-family residential uses shall provide handicapped parking at the rate of one space for each dwelling unit that is designed for occupancy by the handicapped. The number of spaces required for use by a vehicle with a side-loading wheelchair lift shall be in accordance with the requirements of LVMC ~~19.18.030(D)~~ 19.08.110(C)(3)(b).

H. Fences and Walls

In additions to the standards listed for fences and walls in the tables provided for each district, development on any lot subject to the standards provided in this Chapter shall conform to the following:

1. **Front Yard Screen Wall Prohibition.** No screen wall shall be built in the front yard of a residential property.

2. **Perimeter and Screen Walls**

   a. **General.** There is no requirement to construct a wall or fence. However, all perimeter or screen walls and fences must comply with applicable building code requirements. The height of a wall or fence shall be measured from the side with the greatest vertical exposure above finished grade.

3. **Fences, Walls and Architectural Character**

   a. **Perimeter walls.** Perimeter walls, end walls, return walls and common area walls shall be decorative and shall be installed by the developer. Acceptable decorative wall materials include, without limitation, stone, decorative block, slump, stone, and wrought iron, and shall have a minimum percentage of contrasting material as indicated for each district. The contrasting material requirement may be fulfilled by contrasting color, or a combination of contrasting material and contrasting color, if approved by the Department in its discretion. All walls shall include such detail variations as may be required by the Department, including ~~pilaster~~ pilasters, ornaments, decorative caps, decorative iron cutouts or fluted blocks. Any decorative materials or ironwork attached to the top of a perimeter wall shall not encroach into public rights-of-way or abutting properties. Pilasters, if used, shall have a maximum spacing of twenty-four feet on center. All perimeter walls shall:

      i. Match the design of abutting perimeter walls. The established wall design shall be continued until the next street intersection. In cases where the existing wall is considered by the Director to be of unacceptable design, the design shall not be carried beyond the next street intersection unless a transitional wall area designed to soften the differences between the walls is constructed; and

      ii. Be maintained by the property owner, the developer, a business association or other similar organization, or by such other means as may be approved by the City.

   b. **Retaining Walls.** Retaining walls which are visible from adjacent properties or rights-of-way shall be decorative and shall be installed by the developer. Acceptable materials for retaining wall construction include split-face block, decorative block, slump stone, stone, caliche rock, colored or exposed aggregate, and textured-finish concrete. All walls shall include detail variations such as pilasters, ornaments, decorative caps, or fluted blocks. All walls shall be maintained by the property owner, the developer, a business association

or other similar organization, or by such other means as may be approved by the City. In cases where the height of a retaining wall exceeds four feet, a minimum of five shrubs of a five-gallon size, and five shrubs of a one-gallon size, for each twenty feet of linear planting area shall be planted in the area at the base of the wall. In cases where there are multiple-stepped retaining walls, a minimum of five shrubs of a five-gallon size, and five shrubs of a one-gallon size, for each twenty feet of linear planting area shall be planted in the area between the walls and at the base of the lowest wall. A minimum planting area of four feet is required between the retaining walls.

c. Wall Separation. Where a screen or perimeter walls abuts another screen or perimeter wall, the separation shall either be:

i. A minimum of three feet from face of wall to face of wall, with access provided to the area between the walls for maintenance; or

ii. A maximum of eight inches, with the resulting gap between the walls to be filled and capped with a cementitious material that:

A) Will not increase the load on the walls; and

B) Has been approved by the Department and the Department of Building and Safety.

4. Materials. Unless otherwise approved as part of an overall development plan, the following materials shall not be acceptable for use as screen or perimeter walls:

a. ~~Chainlink~~ Chain link or open wire fencing (except as temporary construction fencing);

b. Razor wire or ~~barber~~ barbed wire (except as may be approved under the procedures set forth in the City's Building Code);

c. Corrugated metal;

d. Bright colored plastic; and

e. Untextured or unfinished concrete or block (CMU) walls.

I. Residential Adjacency Standards

1. Applicability

a. All property to be developed for multi-family residential or nonresidential use that is located adjacent to either ~~single-family~~ single family residential property or property which is designated for such development in the General Plan shall conform to the residential adjacency standards set forth in this Subsection.

b. For purposes of this Subsection:

i. Property is "adjacent" to other property if the properties share a common property line or are separated only by a street right-of-way or easement.

ii. "Property subject to the standards for this Subsection" means the property that is described in Subparagraph (a) of this Paragraph (1) that must conform to the residential adjacency standards of this Section.

iii. "Protected property" means residential property that is developed for sale or designated for such development, and ~~single-family~~ single family residential property, as those types of property are described in Subparagraph (a) of this Paragraph (1).

2. Building Height And Setback Requirements (see Figure 4)

a. Proximity Slope

i. Except as otherwise provided in this Paragraph (2), no building subject to the standards of this Subsection shall exceed the height of a line drawn from the property line of a protected property at a 3:1 slope directly into the property subject to the standards of this Subsection. For example, a 100-foot high building must be set back 300 feet from the property line of the protected property, if both the property line of that property and the grade of the building subject to the standards of this Subsection are at the same elevation. The Proximity Slope limitation contained in this Subparagraph (i) applies to architectural projections above rooflines.

ii. The Proximity Slope limitation contained in Subparagraph (a)(i) does not apply when ~~non-residential~~ nonresidential buildings, such as schools and churches, are built on the protected property.

iii. Notwithstanding the Proximity Slope limitation contained in Subparagraph (a)(i), a one story building up to 15 feet in height may be constructed to the applicable setback line that is established for the zoning district in which the property subject to the standards of this Subsection is located or which is established by Subparagraph (d) of this Paragraph (2).

b. Changes in Grade. Notwithstanding the Proximity Slope limitation contained in Subparagraph (a)(i) above, if the natural slope of the ground rises or falls from the point of origin of the slope line, the actual building height may be greater or lesser by the difference in grade.

c. Exceptions

i. The following structures may project a maximum of 12 feet above the Proximity Slope:

A) Chimney and vent stacks.

B) Roof structures for the use of solar panel units, elevators, stairs, tanks, ventilation and similar necessary mechanical equipment.

C) Visual screens which surround mounted mechanical equipment.

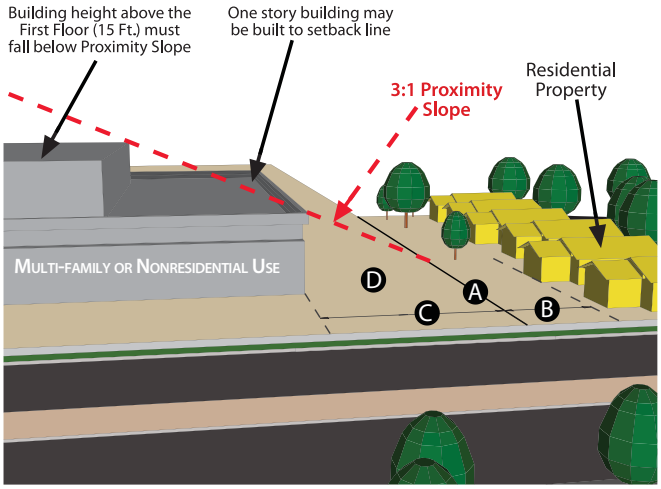
D) Skylights.

E) Whip and mounted antennas.

ii. Church steeples, utility transmission lines and towers, wireless communication facilities when attached to a utility transmission line pole or tower, small wind energy systems, and municipal utility facilities such as water towers are exempt from the maximum height provisions.

d. Building Setback. In addition to the required building setback line, no building setback on property subject to the standards of this Subsection shall be less than the required building setback for the protected property.

FIGURE 4 - PROXIMITY SLOPE - 3:1 SLOPE REQUIREMENT



A REFERS TO THE RESIDENTIAL PROPERTY LINE

B REFERS TO THE RESIDENTIAL SETBACK

C REFERS TO THE MULTI-FAMILY RESIDENTIAL OR COMMERCIAL SETBACK (MUST AT MINIMUM EQUAL THE RESIDENTIAL SETBACK)

D REFERS TO THE MULTI-FAMILY RESIDENTIAL OR COMMERCIAL SETBACK AREA (MAY IN PART INCLUDE PARKING, DRIVE, ROAD, ALLEY OR EASEMENT)

e. Waiver. The requirements of this Paragraph (2) may be waived by the City Council for:

i. Any ~~multifamily~~ multi-family residential project that is intended to meet the affordable housing objectives of the General Plan if the City Council determines that the waiver is critical to the viability of the project and that the intent of this Paragraph (2) can be achieved; or

ii. Any mixed-use development that contains a significant residential element.

3. Spill-Over Lighting

a. Lighting Standard. No lighting from a property subject to the standards of this Section shall create greater than 0.5 of one foot-candle at the property line of a protected property.

b. Redirecting/Screening of Light Sources. All sources of light, including security lighting, illuminated signs, vehicular headlights and other sources, shall be directed away from protected property or screened so that the light level above is not exceeded.

4. Trash Receptacles

Garbage storage areas for properties subject to the standards of this ~~Section~~ Subsection shall be screened and odor controlled, and trash pick up shall be scheduled to minimize any impact on protected properties. In addition, trash receptacles shall be located a minimum of 50 feet from any property line of a protected property.

5. Exclusions

a. Higher Ambient Light Levels. Where existing ambient light levels from multiple sources already exceed the standards, the subject source may not increase the existing light levels, unless approved in connection with the approval of a Site Development Plan.

J. Downtown Centennial Plan Overlay District

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

19.06.050

U UNDEVELOPED DISTRICT

The U District functions as a temporary classification to be used until property is ready for development for a more intense, permanent use. This classification is intended to be used as a holding zone to prevent the premature, haphazard development of property.

BUILDING PLACEMENT (see Figure 1)	TABLE 1
A. Minimum Lot Size Minimum Lot Width	20,000 square feet 100 feet [1]
B. Max. Lot Coverage Dwelling Units per Lot	NA 1
C. Minimum Front Yard Setback	50 feet to public street [2] 30 feet to private street or access easement [3]
D. Minimum Side Yard Setback	10 feet
E. Minimum Corner Side Yard Setback	15 feet
F. Minimum Rear Yard Setback	35 feet

Footnotes:

1. *Notwithstanding the minimum lot width in this Table, lots located along the circular portion of a cul-de-sac or a knuckle portion of a street may be reduced to a minimum of 30 feet in width at the front property line, provided the average lot width meets the required lot width.*
2. *The minimum front setback for an attached, open porte cochere is 30 feet.*
3. *For lots located on a cul-de-sac or a street knuckle, the minimum front yard setback shall be 20 feet from the edge of the private street or access easement.*

ACCESSORY STRUCTURES (see Figure 2)	TABLE 2
A. Separation from Main Bldg.	6 feet
B. Minimum Corner Side Yard Setback	15 feet
C. Minimum Rear Yard Setback	3 feet
D. Minimum Side Yard Setback	3 feet
E. Size and Coverage	Not to exceed 50% of the floor area of the principal dwelling unit [1]

Footnotes:

1. *The aggregate total of the ground floor areas of all accessory buildings shall not cover more than 50 percent of the rear yard area.*

FIGURE 1 - BUILDING PLACEMENT

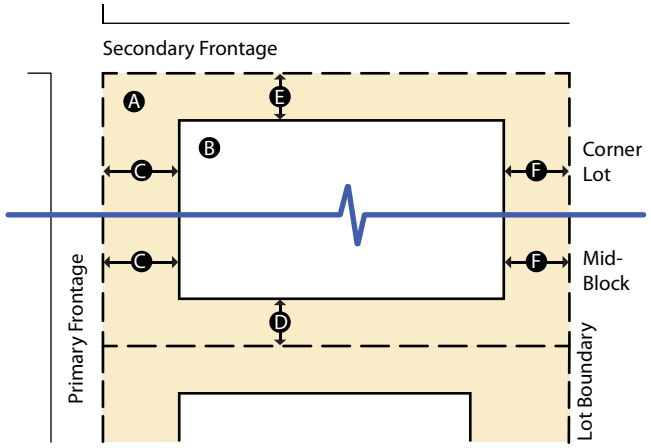


FIGURE 2 - ACCESSORY STRUCTURES

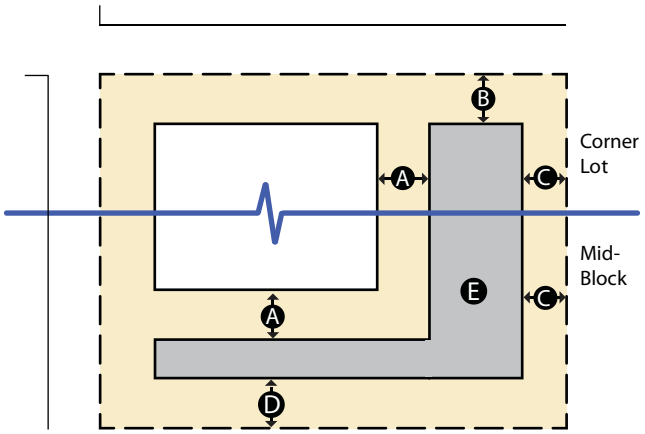
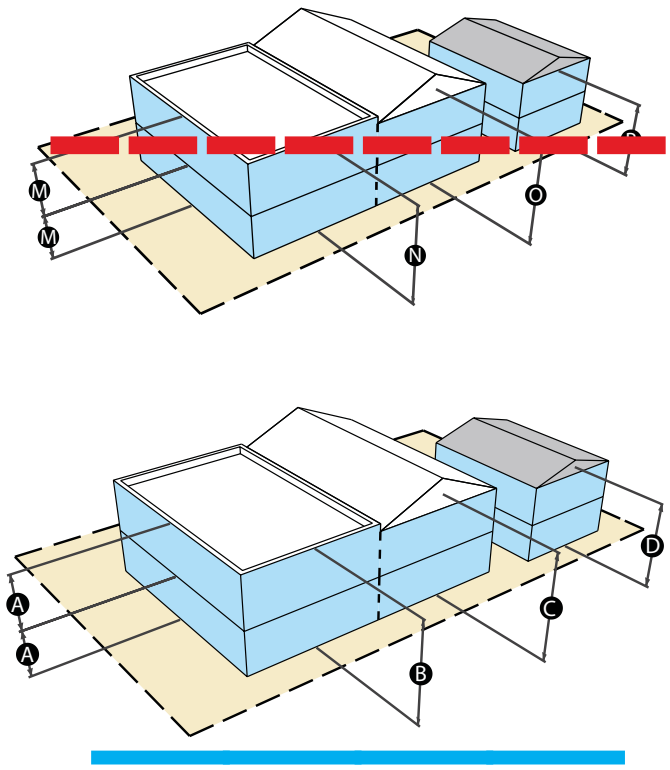
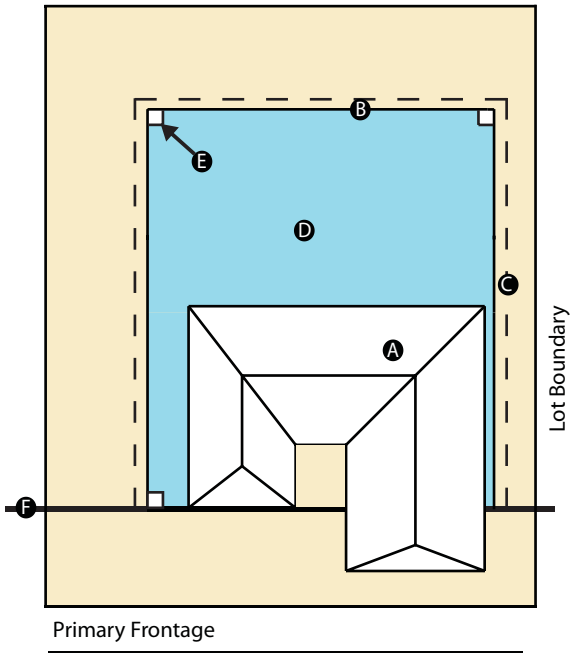


FIGURE 3 - BUILDING HEIGHT



BUILDING HEIGHT (see Figure 3)	TABLE 3
~~M~~ A. Stories	2 max
~~N~~ B. Flat Roof - Max. Height	35 feet measured to the top of the roof coping
~~O~~ C. Pitched Roof - Max. Height	35 feet measured to the midpoint between the eaves and ridgeline of a pitched roof
~~P~~ D. Accessory Bldg. - Stories	Not to exceed 2 stories, 35 feet in height or the height of the principal dwelling unit, whichever is less

FIGURE 4 - PATIO COVER



PATIO COVER (see Figure 4)	TABLE 4
A. Principal Dwelling Unit	
B. Patio Cover Setback to Post	15 feet - Rear 15 feet - Side 15 feet - Corner Side
C. Patio Cover Overhang	May overhang 2 feet beyond the post/support column
D. Patio Cover	Buildable Envelope
E. Patio Cover Support Columns	Must be located within the required Setbacks
F. Front Yard Setback	Patio Cover may not extend into

LANDSCAPE BUFFERS AND TURF LIMITATIONS (see Figure 5)		TABLE 5
A.	Landscape Buffer - Minimum Zone Depths [1]	6 feet - Adjacent to Right-of-Way ~~+~~ [2] 0 feet - Interior Lot Lines
B.	Primary Dwelling	
C.	Impermeable Surfaces	Should be minimized to reduce stormwater quality management impacts
D.	Front Yard Area - Turf Coverage	0%
E.	Front Yard Setback Line	

Footnotes:

1. *Nonresidential development shall have a minimum landscape buffer width of 15 feet adjacent to a right-of-way and eight feet along interior lot lines.*

2. *Only applies to ~~single family~~ single family developments with five or more lots.*

PARKING (see Figure 5)		TABLE 6
F.	Minimum On-site Parking Requirement [1] - Single Family Residential	2 unimpeded spaces per dwelling unit

Footnotes:

1. *For any use approved for this district other than Single Family Residential (Attached or Detached) the On-site Parking Requirements shall be as outlined in LVMC ~~19.12.160~~ 19.12.060 for that use and shall meet the parking area design standards as outlined in LVMC 19.08.110.*

FIGURE 5 - LANDSCAPE BUFFER AND TURF LIMITATIONS / ~~SINGLE FAMILY~~ SINGLE FAMILY (ATTACHED OR DETACHED) PARKING

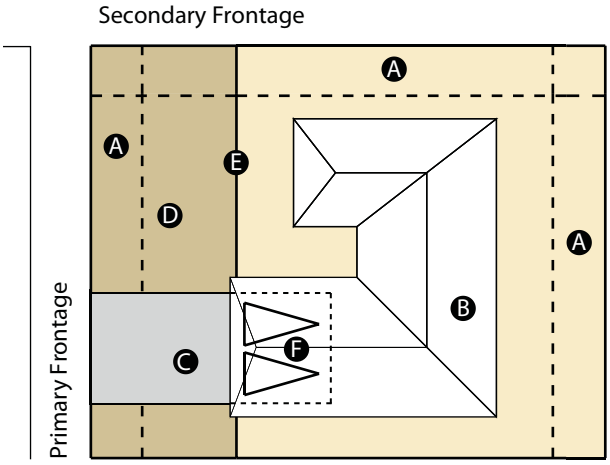
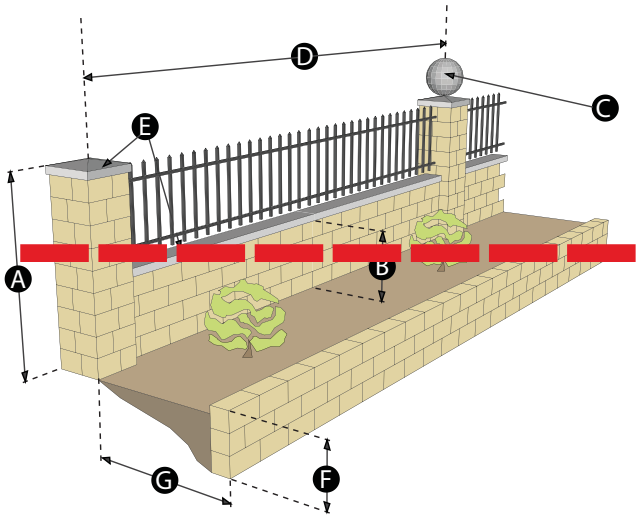
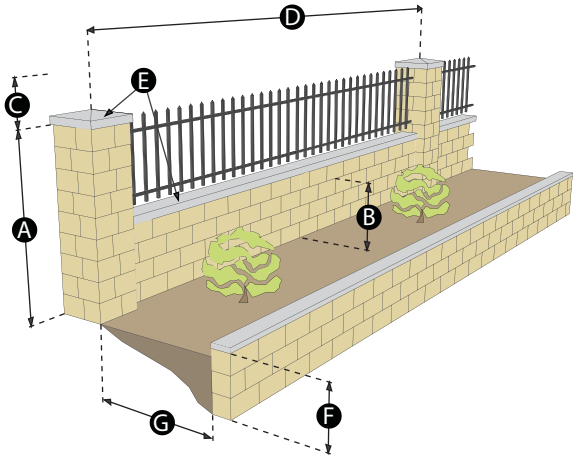


FIGURE 6 - FRONT YARD WALL/FENCE WITH STANDARD STEPBACK





FENCES AND WALLS

Front Yard Wall/Fence (see Figure 6)		Table 7
A.	Maximum primary wall height	5 feet
B.	Maximum solid wall base height	2 feet
C.	Maximum ~~Pilaster~~ Ornament height above wall	18 inches
D.	Maximum on-center distance between Pilasters	24 feet
E.	Decorative Cap feature	5 inches
Front Yard Wall/Fence with Standard Stepback [1]		
F.	Maximum secondary wall height	2 feet
G.	Minimum spacing between wall sections - Outside Dimensions	5 feet

Footnotes:

1. *Retaining walls along the front property line may not exceed two feet in height. Where the grade of the front yard slopes at a ratio greater than 2:1, multiple retaining walls may be constructed, provided there is a minimum distance of five feet between retaining walls for landscaping. (See Figure 6).*

Perimeter and Retaining Walls (see Figure 7)	Table 8
Perimeter and Retaining Walls with Slope ≤ 2%	
A. Maximum ~~Overall~~ Wall Height	10 feet
B. Maximum Perimeter Wall Height	6 - 8 feet
C. Maximum Retaining Wall Height	4 feet
D. Maximum ~~Pilaster~~ Ornament Height above wall	18 inches
E. Contrasting Material	20%
Perimeter and Retaining Walls with Slope > 2%	
A. Maximum ~~Overall~~ Wall Height	12 feet
B. Maximum Perimeter Wall Height	6 - 8 feet
C. Maximum Retaining Wall Height	6 feet
D. Maximum ~~Pilaster~~ Ornament Height above wall	18 inches
E. Contrasting Material	20%

FIGURE 7 - RETAINING AND PERIMETER WALL

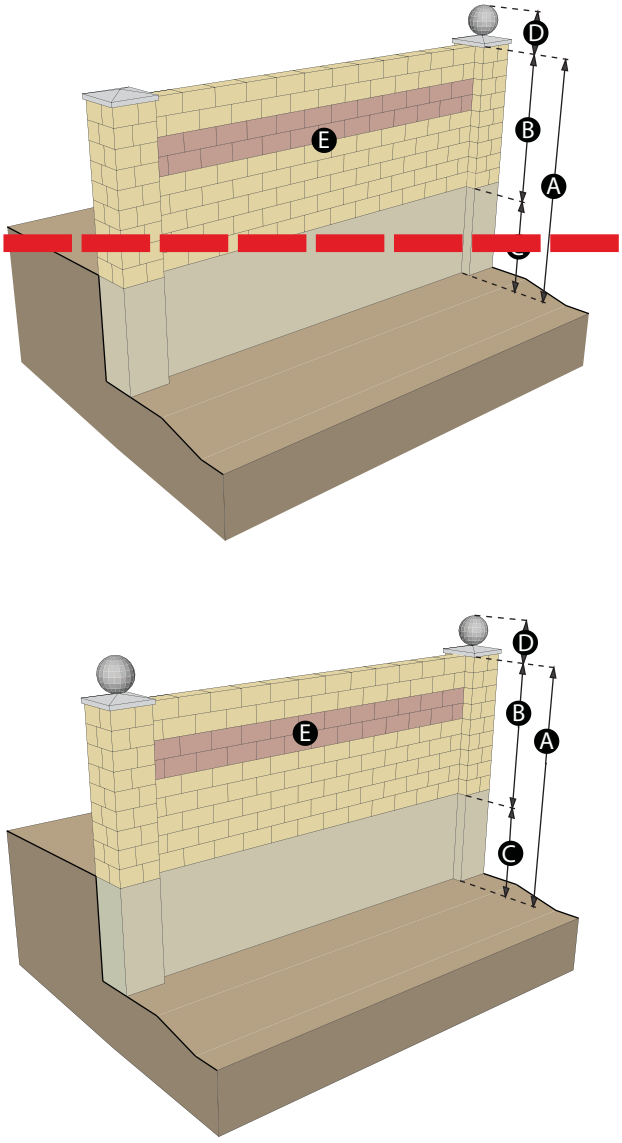
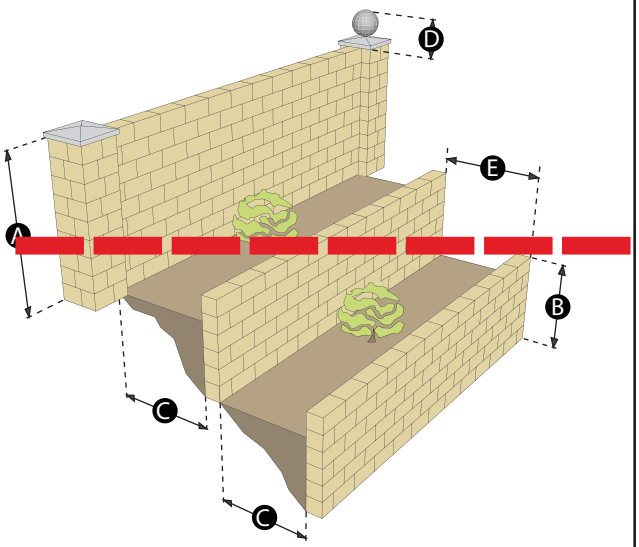
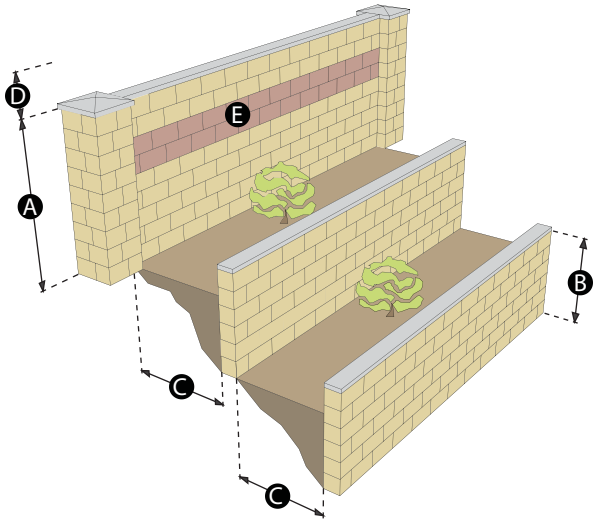


FIGURE 8 - RETAINING AND PERIMETER WALL STANDARD STEPBACK





Perimeter and Retaining Walls Standard Stepback (see Figure 8)		Table 9
A.	Maximum Primary wall Height	6 - 8 feet
B.	Maximum Secondary wall Height	4 feet
C.	Minimum spacing between wall sections ~~- Inside Dimensions~~	~~4~~ 5 feet
D.	Maximum ~~Pilaster~~ Ornament Height	18 inches
E.	~~Minimum spacing between wall sections - Outside Dimensions~~ Contrasting Material	~~5 feet~~ 20%

19.06.060

R-E RESIDENTIAL ESTATES DISTRICT

The purpose of the R-E District is to provide for low density residential units located on large lots and conveying a rural environment. This District is consistent with the policies of the Desert Rural Density Residential category of the General Plan.

BUILDING PLACEMENT (see Figure 1)	TABLE 1
A. Minimum Lot Size Minimum Lot Width	20,000 square feet 100 feet [1]
B. Max. Lot Coverage Dwelling Units per Lot	NA 1
C. Minimum Front Yard Setback	50 feet to public street [2] 30 feet to private street or access easement [3]
D. Minimum Side Yard Setback	10 feet
E. Minimum Corner Side Yard Setback	15 feet
F. Minimum Rear Yard Setback	35 feet

Footnotes:

1. *Notwithstanding the minimum lot width in this Table, lots located along the circular portion of a cul-de-sac or a knuckle portion of a street may be reduced to a minimum of 30 feet in width at the front property line, provided the average lot width meets the required lot width.*
2. *The minimum front setback for an attached, open porte cochere is 30 feet.*
3. *For lots located on a cul-de-sac or a street knuckle, the minimum front yard setback shall be 20 feet from the edge of the private street or access easement.*

ACCESSORY STRUCTURES (see Figure 2)	TABLE 2
A. Separation from Main Bldg.	6 feet
B. Minimum Corner Side Yard Setback	15 feet
C. Minimum Rear Yard Setback	3 feet
D. Minimum Side Yard Setback	3 feet
E. Size and Coverage	Not to exceed 50% of the floor area of the principal dwelling unit [1]

Footnotes:

1. *The aggregate total of the ground floor areas of all accessory buildings shall not cover more than 50 percent of the rear yard area.*

FIGURE 1 - BUILDING PLACEMENT

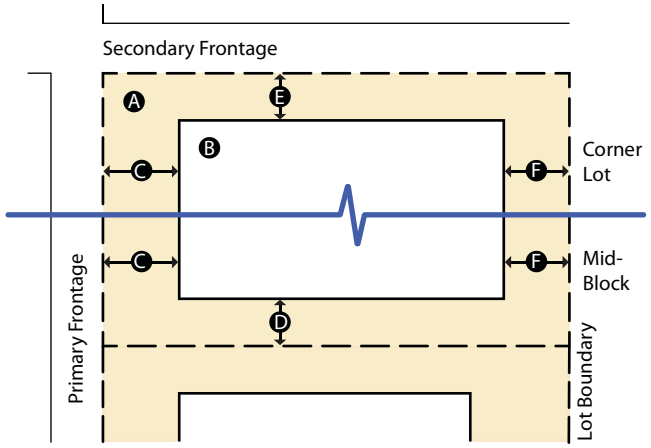


FIGURE 2 - ACCESSORY STRUCTURES

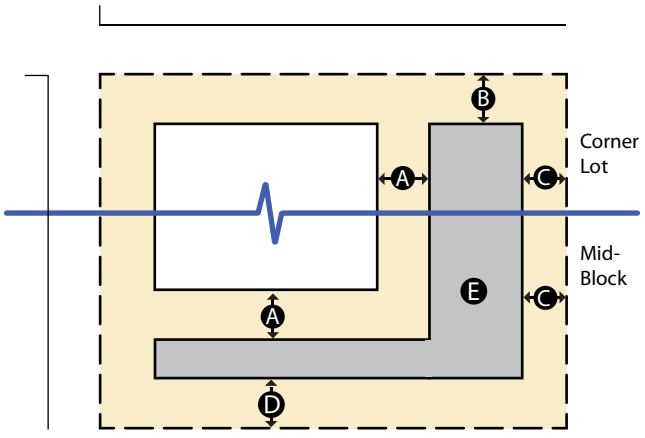


FIGURE 3 - BUILDING HEIGHT

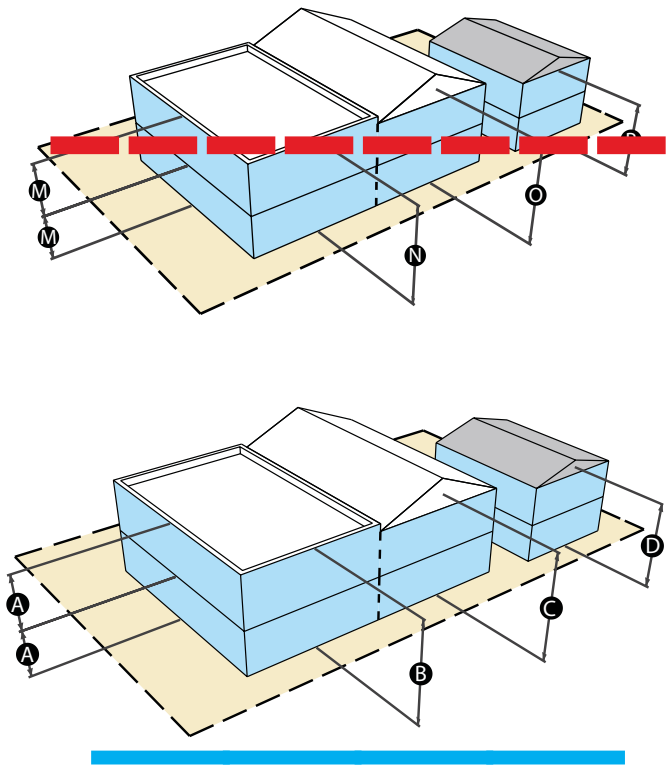
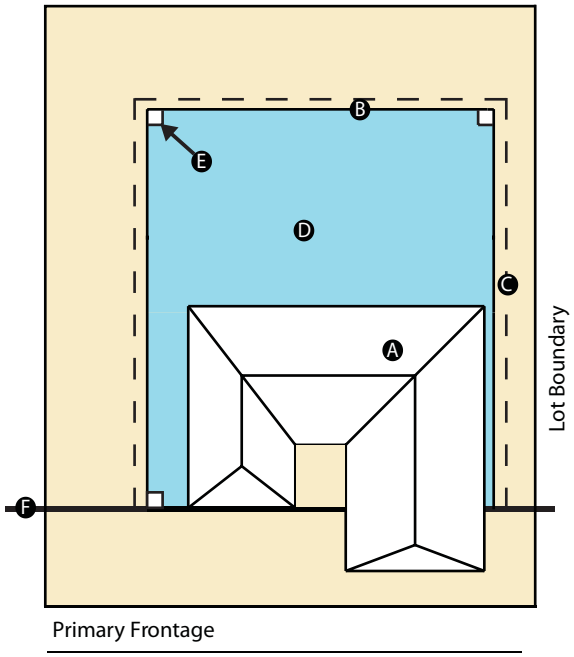


FIGURE 4 - PATIO COVER



BUILDING HEIGHT (see Figure 3)	TABLE 3
~~M~~ A. Stories	2 max
~~N~~ B. Flat Roof - Max. Height	35 feet measured to the top of the roof coping
~~O~~ C. Pitched Roof - Max. Height	35 feet measured to the midpoint between the eaves and ridgeline of a pitched roof
~~P~~ D. Accessory Bldg. - Stories	Not to exceed 2 stories, 35 feet in height or the height of the principal dwelling unit, whichever is less

PATIO COVER (see Figure 4)	TABLE 4
A. Principal Dwelling Unit	
B. Patio Cover Setback to Post	15 feet - Rear 15 feet - Side 15 feet - Corner Side
C. Patio Cover Overhang	May overhang 2 feet beyond the post/support column
D. Patio Cover	Buildable Envelope
E. Patio Cover Support Columns	Must be located within the required Setbacks
F. Front Yard Setback	Patio Cover may not extend into

LANDSCAPE BUFFERS AND TURF LIMITATIONS (see Figure 5)		TABLE 5
A.	Landscape Buffer - Minimum Zone Depths [1]	6 feet - Adjacent to Right-of-Way [+2] 0 feet - Interior Lot Lines
B.	Primary Dwelling	
C.	Impermeable Surfaces	Should be minimized to reduce stormwater quality management impacts
D.	Front Yard Area - Turf Coverage	0%
E.	Front Yard Setback Line	

Footnotes:

1. *Nonresidential development shall have a minimum landscape buffer width of 15 feet adjacent to a right-of-way and eight feet along interior lot lines.*

2. *Only applies to ~~single-family~~ single family developments with five or more lots.*

PARKING (see Figure 5)		TABLE 6
F.	Minimum On-site Parking Requirement [1] - Single Family Residential	2 unimpeded spaces per dwelling unit

Footnotes:

1. *For any use approved for this district other than Single Family Residential (Attached or Detached) the On-site Parking Requirements shall be as outlined in LVMC ~~19.12.160~~ 19.12.060 for that use and shall meet the parking area design standards as outlined in LVMC 19.08.110.*

FIGURE 5 - LANDSCAPE BUFFER AND TURF LIMITATIONS / ~~SINGLE-FAMILY~~ SINGLE FAMILY (ATTACHED OR DETACHED) PARKING

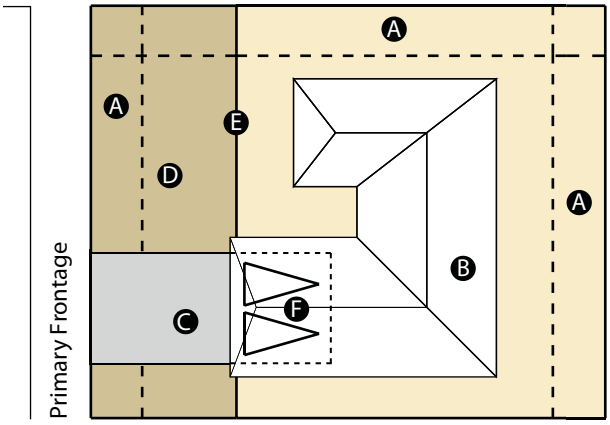
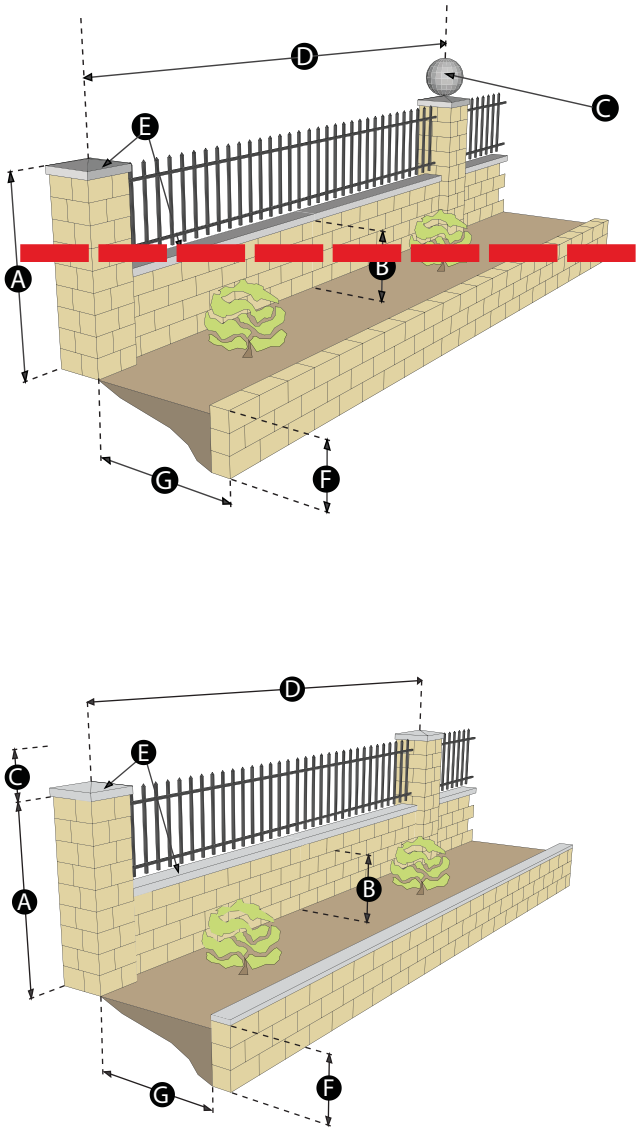


FIGURE 6 - FRONT YARD WALL/FENCE WITH STANDARD STEPBACK



FENCES AND WALLS

Front Yard Wall/Fence (see Figure 6)	Table 7
A. Maximum primary wall height	5 feet
B. Maximum solid wall base height	2 feet
C. Maximum ~~Pilaster~~ Ornament height above wall	18 inches
D. Maximum on-center distance between Pilasters	24 feet
E. Decorative Cap feature	5 inches
Front Yard Wall/Fence with Standard Stepback [1]	
F. Maximum secondary wall height	2 feet
G. Minimum spacing between wall sections - Outside Dimensions	5 feet

Footnotes:

1. *Retaining walls along the front property line may not exceed two feet in height. Where the grade of the front yard slopes at a ratio greater than 2:1, multiple retaining walls may be constructed, provided there is a minimum distance of five feet between retaining walls for landscaping. (See Figure 6).*

Perimeter and Retaining Walls (see Figure 7)	Table 8
Perimeter and Retaining Walls with Slope ≤ 2%	
A. Maximum ~~Overall~~ Wall Height	10 feet
B. Maximum Perimeter Wall Height	6 - 8 feet
C. Maximum Retaining Wall Height	4 feet
D. Maximum ~~Pilaster~~ Ornament Height above wall	18 inches
E. Contrasting Material	20%
Perimeter and Retaining Walls with Slope > 2%	
A. Maximum ~~Overall~~ Wall Height	12 feet
B. Maximum Perimeter Wall Height	6 - 8 feet
C. Maximum Retaining Wall Height	6 feet
D. Maximum ~~Pilaster~~ Ornament Height above wall	18 inches
E. Contrasting Material	20%

FIGURE 7 - RETAINING AND PERIMETER WALL

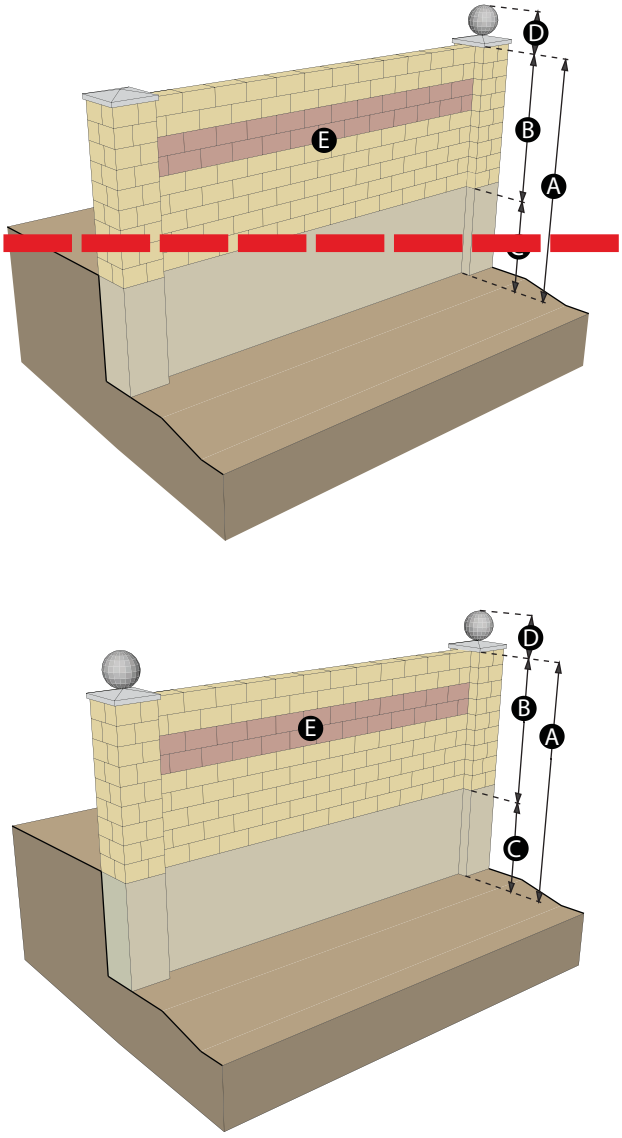
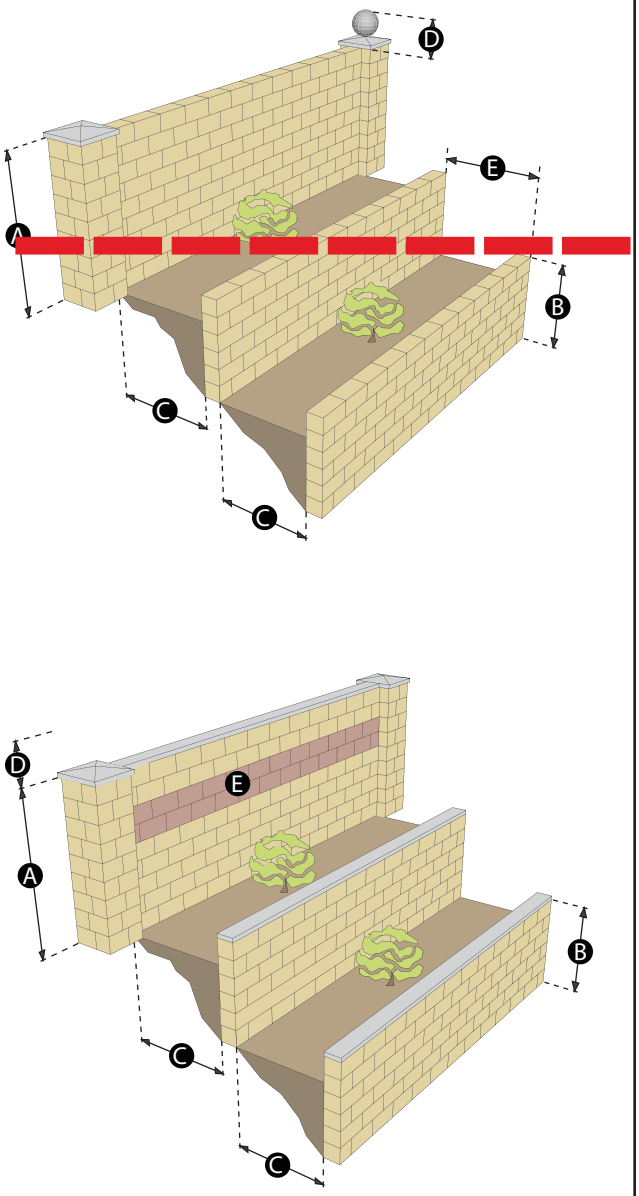


FIGURE 8 - RETAINING AND PERIMETER WALL STANDARD STEPBACK



Perimeter and Retaining Walls Standard Stepback (see Figure 8)		Table 9
A.	Maximum Primary wall Height	6 - 8 feet
B.	Maximum Secondary wall Height	4 feet
C.	Minimum spacing between wall sections ~~- Inside Dimensions~~	~~4~~ 5 feet
D.	Maximum ~~Pilaster~~ Ornament Height	18 inches
E.	~~Minimum spacing between wall sections - Outside Dimensions~~ Contrasting Material	~~5 feet~~ 20%

19.06.070

R-1 ~~SINGLE-FAMILY~~ SINGLE FAMILY RESIDENTIAL DISTRICT

The purpose of the R-1 District is to provide for the development of ~~single-family~~ single family detached dwellings in a suburban setting. The R-1 District is consistent with the policies of the Low Density Residential category of the General Plan.

BUILDING PLACEMENT (see Figure 1)		TABLE 1
A.	Minimum Lot Size Minimum Lot Width	6,500 square feet 65 feet [1]
B.	Max. Lot Coverage Dwelling Units per Lot	50% 1
C.	Minimum Front Yard Setback	20 feet
D.	Minimum Side Yard Setback	5 feet
E.	Minimum Corner Side Yard Setback	15 feet
F.	Minimum Rear Yard Setback	15 feet

Footnotes:

1. *Notwithstanding the minimum lot width in this Table, lots located along the circular portion of a cul-de-sac or a knuckle portion of a street may be reduced to a minimum of 30 feet in width at the front property line, provided the average lot width meets the required lot width.*

ACCESSORY STRUCTURES (see Figure 2)		TABLE 2
A.	Separation from Main Bldg.	6 feet
B.	Minimum Corner Side Yard Setback	15 feet
C.	Minimum Rear Yard Setback	3 feet
D.	Minimum Side Yard Setback	3 feet
E.	Size and Coverage	Not to exceed 50% of the floor area of the principal dwelling unit [1, 2]

Footnotes:

1. *The aggregate total of the ground floor areas of all accessory buildings shall not cover more than 50 percent of the rear yard area.*
2. *The aggregate total of the ground floor areas of all structures and dwellings, including accessory structures, shall not exceed the percentage of lot coverage permitted.*

FIGURE 1 - BUILDING PLACEMENT

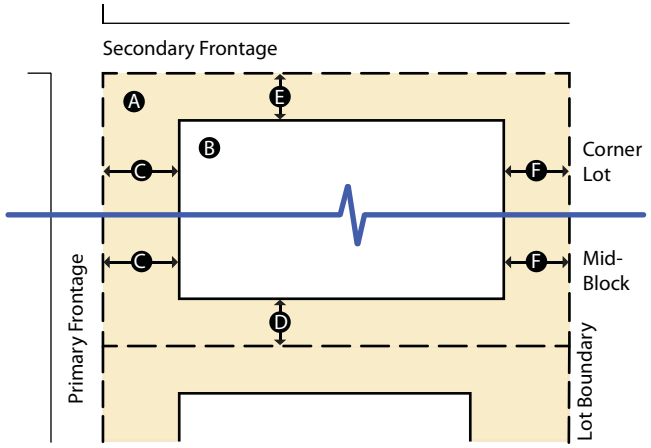


FIGURE 2 - ACCESSORY STRUCTURES

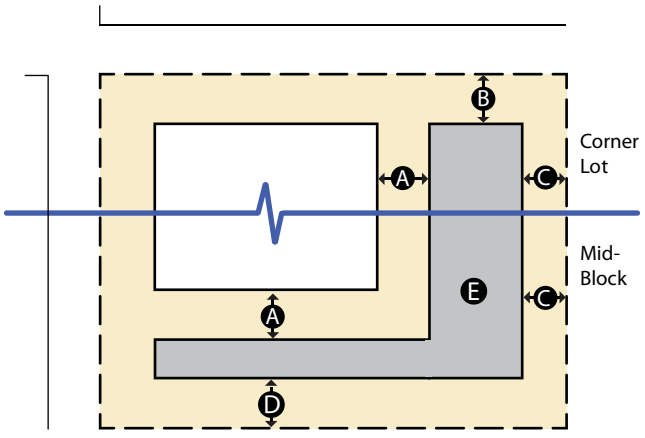


FIGURE 3 - BUILDING HEIGHT

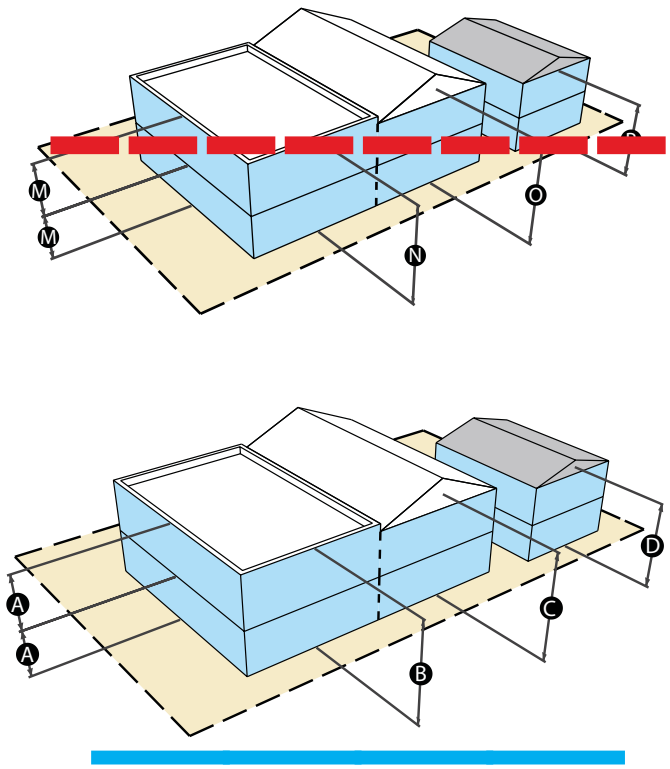
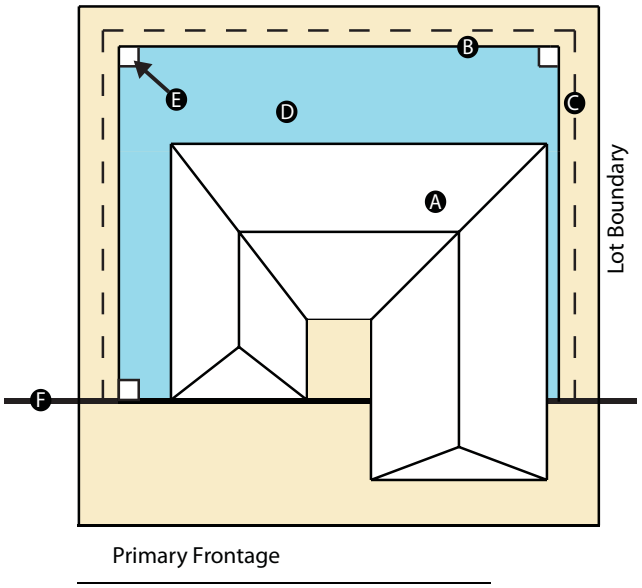


FIGURE 4 - PATIO COVER



BUILDING HEIGHT (see Figure 3)	TABLE 3
~~M~~ A. Stories	2 max
~~N~~ B. Flat Roof - Max. Height	35 feet measured to the top of the roof coping
~~O~~ C. Pitched Roof - Max. Height	35 feet measured to the midpoint between the eaves and ridgeline of a pitched roof
~~P~~ D. Accessory Bldg. - Stories	Not to exceed 2 stories, 35 feet in height or the height of the principal dwelling unit, whichever is less

PATIO COVER (see Figure 4)	TABLE 4
A. Principal Dwelling Unit	
B. Patio Cover Setback to Post	5 feet - Rear 5 feet - Side 15 feet - Corner Side
C. Patio Cover Overhang	May come to within 3 feet of Rear and Side Property Lines
D. Patio Cover	Buildable Envelope
E. Patio Cover Support Columns	Must be located within the required Setbacks
F. Front Yard Setback	Patio Cover may not extend into

LANDSCAPE BUFFERS AND TURF LIMITATIONS (see Figure 5)	TABLE 5
A. Landscape Buffer - Minimum Zone Depths [1]	6 feet - Adjacent to Right-of-Way [+2] 0 feet - Interior Lot Lines
B. Primary Dwelling	

C.	Impermeable Surfaces	Should be minimized to reduce stormwater quality management impacts
D.	Front Yard Area - Turf Coverage	0%
E.	Front Yard Setback Line	

Footnotes:

1. *Nonresidential development shall have a minimum landscape buffer width of 15 feet adjacent to a right-of-way and eight feet along interior lot lines.*

2. *Only applies to ~~single-family~~ single family developments with five or more lots.*

PARKING (see Figure 5)		TABLE 6
F.	Minimum On-site Parking Requirement [1] - Single Family Residential	2 unimpeded spaces per dwelling unit

Footnotes:

1. *For any use approved for this district other than Single Family Residential (Attached or Detached) the On-site Parking Requirements shall be as outlined in LVMC ~~19.12.160~~ 19.12.060 for that use and shall meet the parking area design standards as outlined in LVMC 19.08.110.*

FIGURE 5 - LANDSCAPE BUFFER AND TURF LIMITATIONS / SINGLE-FAMILY (ATTACHED OR DETACHED) PARKING

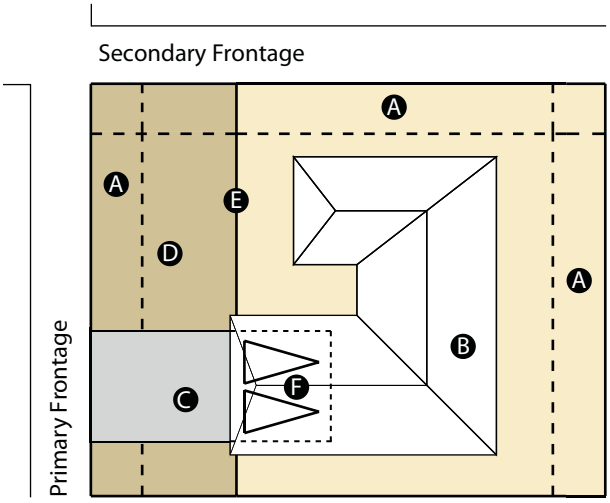
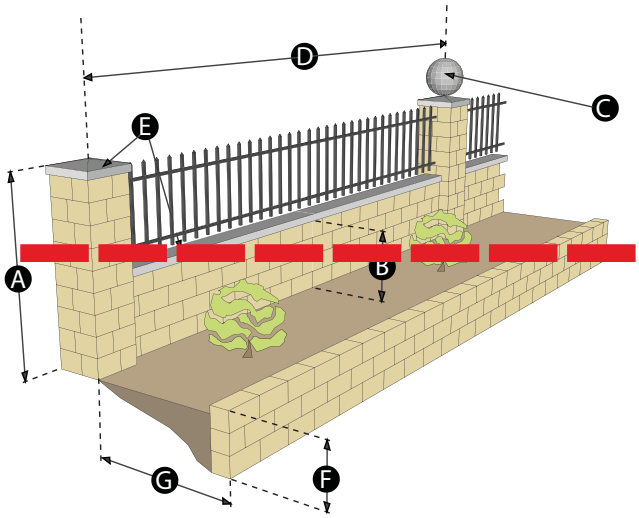
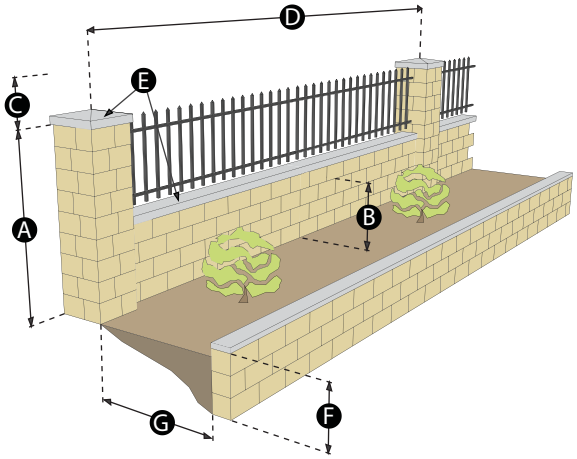


FIGURE 6 - FRONT YARD WALL/FENCE WITH STANDARD STEPBACK





FENCES AND WALLS

Front Yard Wall/Fence (see Figure 6)		Table 7
A.	Maximum primary wall height	5 feet
B.	Maximum solid wall base height	2 feet
C.	Maximum ~~Pilaster~~ Ornament height above wall	18 inches
D.	Maximum on-center distance between Pilasters	24 feet
E.	Decorative Cap feature	5 inches
Front Yard Wall/Fence with Standard Stepback [1]		
F.	Maximum secondary wall height	2 feet
G.	Minimum spacing between wall sections - Outside Dimensions	5 feet

Footnotes:

1. *Retaining walls along the front property line may not exceed two feet in height. Where the grade of the front yard slopes at a ratio greater than 2:1, multiple retaining walls may be constructed, provided there is a minimum distance of five feet between retaining walls for landscaping. (See Figure 6).*

Perimeter and Retaining Walls (see Figure 7)		Table 8
Perimeter and Retaining Walls with Slope ≤ 2%		
A.	Maximum ~~Overall~~ Wall Height	10 feet
B.	Maximum Perimeter Wall Height	6 - 8 feet
C.	Maximum Retaining Wall Height	4 feet
D.	Maximum ~~Pilaster~~ Ornament Height above wall	18 inches
E.	Contrasting Material	20%
Perimeter and Retaining Walls with Slope > 2%		
A.	Maximum ~~Overall~~ Wall Height	12 feet
B.	Maximum Perimeter Wall Height	6 - 8 feet
C.	Maximum Retaining Wall Height	6 feet
D.	Maximum ~~Pilaster~~ Ornament Height above wall	18 inches
E.	Contrasting Material	20%

FIGURE 7 - RETAINING AND PERIMETER WALL

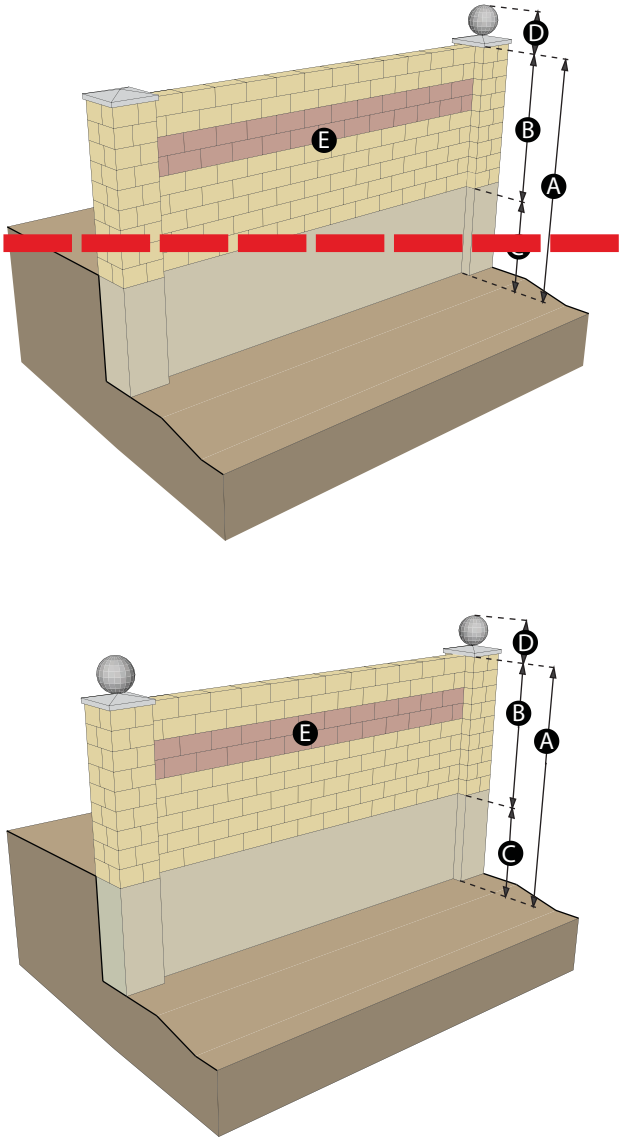
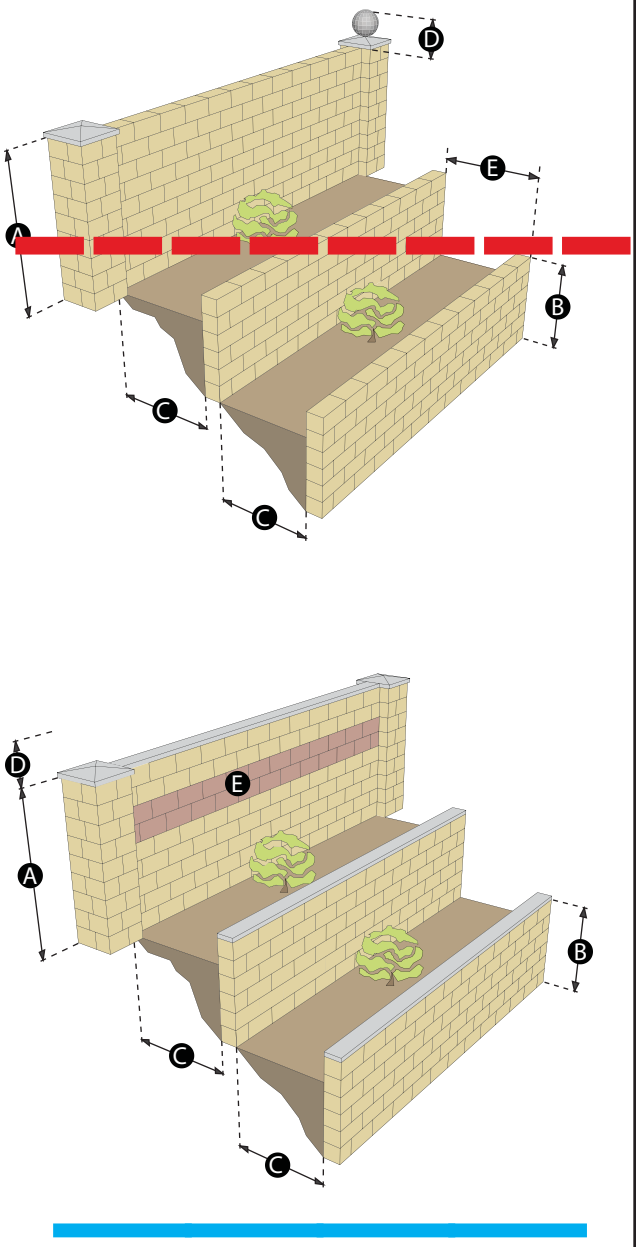


FIGURE 8 - RETAINING AND PERIMETER WALL STANDARD STEPBACK



Perimeter and Retaining Walls Standard Stepback (see Figure 8)		Table 9
A.	Maximum Primary wall Height	6 - 8 feet
B.	Maximum Secondary wall Height	4 feet
C.	Minimum spacing between wall sections ~~- Inside Dimensions~~	~~4~~ 5 feet
D.	Maximum ~~Pilaster~~ Ornament Height	18 inches
E.	~~Minimum spacing between wall sections - Outside Dimensions~~ Contrasting Material	~~5 feet~~ 20%

19.06.080

R-CL ~~SINGLE-FAMILY~~ SINGLE FAMILY COMPACT-LOT DISTRICT

The purpose of the R-CL District has been to provide for ~~single-family~~ single family units and other customary residential uses on a smaller lot size. The density associated with the R-CL District is consistent with the policies of the Medium-Low Density Residential category of the General Plan.

BUILDING PLACEMENT (see Figure 1)		TABLE 1
A.	Minimum Lot Size Minimum Lot Width	3,000 square feet 35 feet [1]
B.	Max. Lot Coverage Dwelling Units per Lot	70% 1
C.	Minimum Front Yard Setback	14 feet to house 18 feet to front entry garage
D.	Minimum Side Yard Setback	10 feet (combined) [2, 3, 4]
E.	Minimum Corner Side Yard Setback	10 feet
F.	Minimum Rear Yard Setback	10 feet

Footnotes:

1. *Notwithstanding the minimum lot width in this Table, lot widths shall be sufficient to provide the street frontage necessary for driveways to conform to the requirements of LVMC 13.16, 19.02.230 and any other driveway standards adopted by the City.*

2. *The side yard setbacks may be configured in any manner that conforms to the International Building Code and results in maintaining the total side yard setback width required on each lot. In no case, however, may lots be configured or improvements placed on lots in a manner that results in open space or yard setback area for one lot actually being located on a separately owned lot. The use of "use easements" to create such a result is specifically prohibited.*

3. *For corner lots, the minimum corner side yard setback is ten feet; therefore, the total combined side yard setback width must be fifteen feet.*

4. *All dwellings located less than ten feet from a side property line must maintain a separation of at least ten feet between principal structures (including garages) on adjacent lots.*

ZERO-LOT LINE DEVELOPMENT (see Figure 2)		TABLE 2
A.	Minimum Side Yard Setback	10 feet
B.	Building Setback Line	
C.	Minimum Maintenance Easement Width	3 feet [1, 2]

Footnotes:

1. *A perpetual easement shall be provided on the adjacent lot for the maintenance of the wall of the dwelling with the zero lot line. With the exception of walls, fences, vertical trellises or other connecting elements, the*

FIGURE 1 - BUILDING PLACEMENT

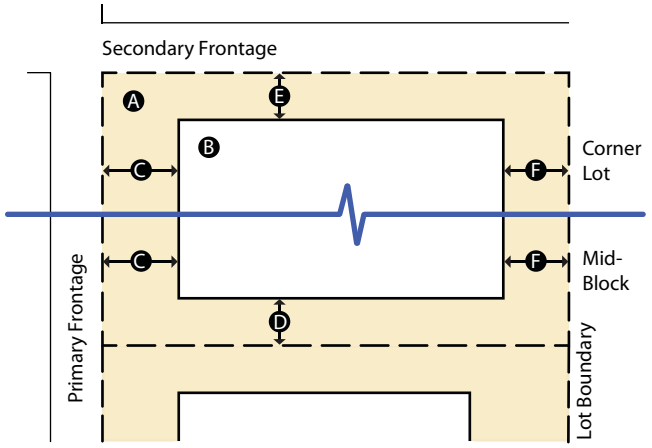


FIGURE 2 - ZERO-LOT LINE DEVELOPMENT

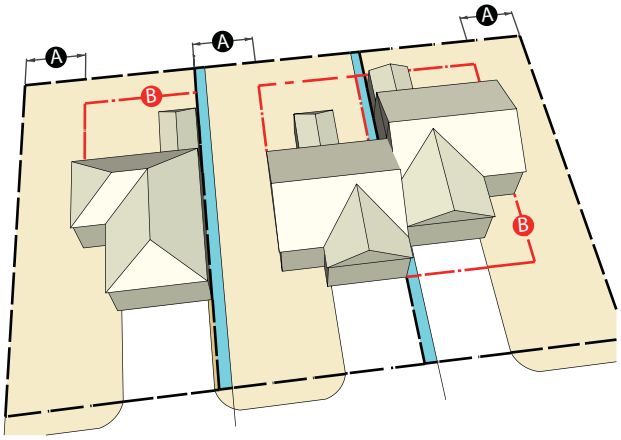


FIGURE 3 - ACCESSORY STRUCTURES

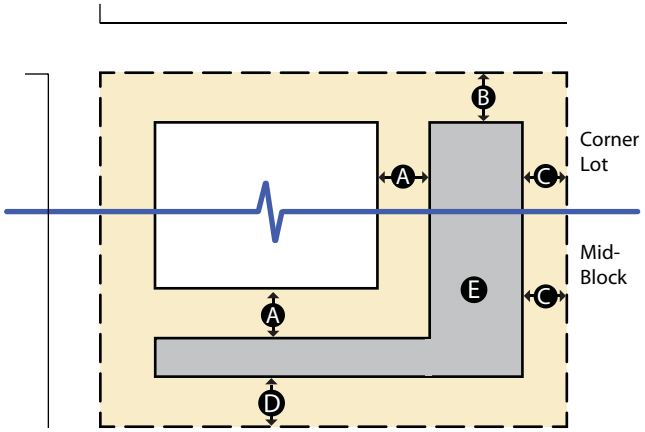
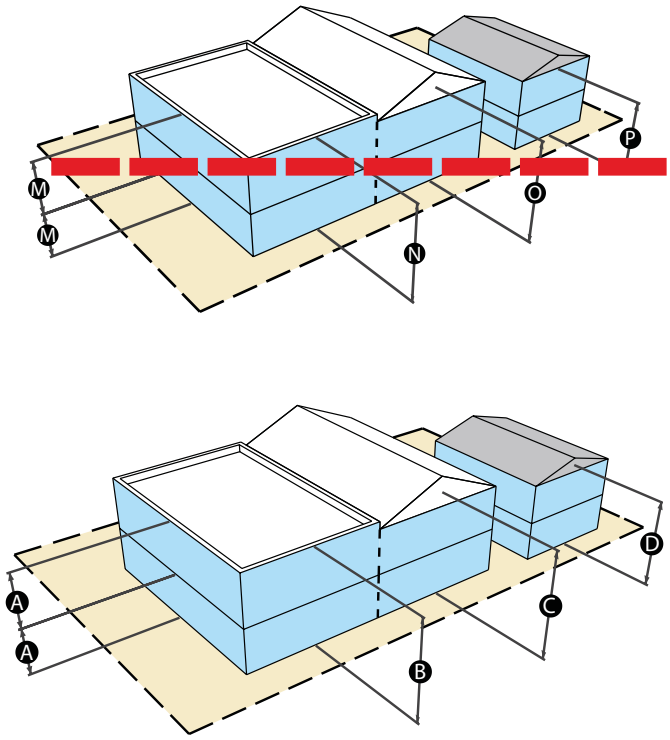


FIGURE 4 - BUILDING HEIGHT



required easement shall be kept free of structures. No doors, windows, air conditioning units, utility meters, electrical panel boxes or openings of any kind shall be permitted on the wall of a dwelling or garage placed on a zero lot line. The roof must be designed to prevent waste runoff from draining on to the adjoining lot. Required easements shall be shown on the Final Map and shall be incorporated into each deed transferring title to the property.

2. *In no case shall the owner of any zero lot line property be granted an easement on the adjoining property for the use or enjoyment of any portion of that property.*

ACCESSORY STRUCTURES (see Figure 3)	TABLE 3
A. Separation from Main Bldg.	6 feet
B. Minimum Corner Side Yard Setback	10 feet
C. Minimum Rear Yard Setback	3 feet
D. Minimum Side Yard Setback	3 feet
E. Size and Coverage	Not to exceed 50% of the floor area of the principal dwelling unit [1, 2]

Footnotes:

1. *The aggregate total of the ground floor areas of all accessory buildings shall not cover more than 50 percent of the rear yard area.*

2. *The aggregate total of the ground floor areas of all structures and dwellings, including accessory structures, shall not exceed the percentage of lot coverage permitted.*

BUILDING HEIGHT (see Figure 4)	TABLE 4
~~M~~ A. Stories	2 max
~~N~~ B. Flat Roof - Max. Height	35 feet measured to the top of the roof coping
~~O~~ C. Pitched Roof - Max. Height	35 feet measured to the midpoint between the eaves and ridgeline of a pitched roof
~~P~~ D. Accessory Bldg. - Stories	Not to exceed 2 stories, 35 feet in height or the height of the principal dwelling unit, whichever is less

PATIO COVER (see Figure 5)		TABLE 5
A.	Principal Dwelling Unit	
B.	Patio Cover Setback to Post	5 feet - Rear 5 feet - Side 10 feet - Corner Side
C.	Patio Cover Overhang	May come to within 3 feet of Rear and Side Property Lines
D.	Patio Cover	Buildable Envelope
E.	Patio Cover Support Columns	Must be located within the required Setbacks
F.	Front Yard Setback	Patio Cover may not extend into

LANDSCAPE BUFFERS AND TURF LIMITATIONS (see Figure 6)		TABLE 6
A.	Landscape Buffer - Minimum Zone Depths [1]	6 feet - Adjacent to Right-of-Way [+2] 0 feet - Interior Lot Lines
B.	Primary Dwelling	
C.	Impermeable Surfaces	Should be minimized to reduce stormwater quality management impacts
D.	Front Yard Area - Turf Coverage	0%
E.	Front Yard Setback Line	

Footnotes:

1. *Nonresidential development shall have a minimum landscape buffer width of 15 feet adjacent to a right-of-way and eight feet along interior lot lines.*

2. *Only applies to ~~single family~~ single family developments with five or more lots.*

PARKING (see Figure 6)		TABLE 7
F.	Minimum On-site Parking Requirement [1] - Single Family Residential	2 unimpeded spaces per dwelling unit

FIGURE 5 - PATIO COVER

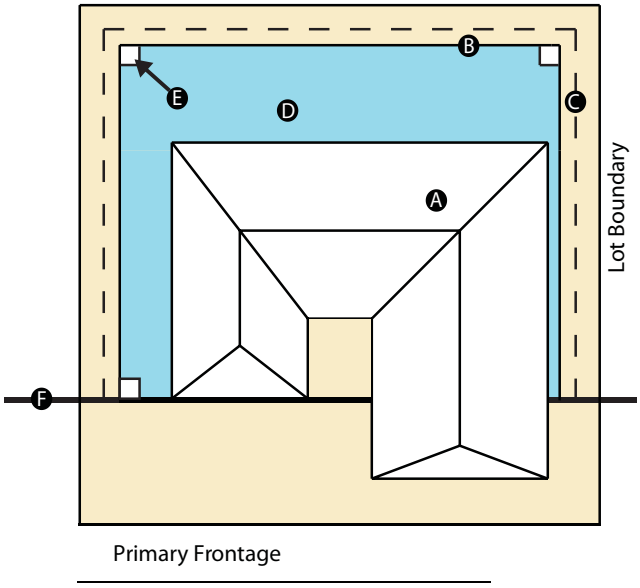


FIGURE 6 - LANDSCAPE BUFFER AND TURF LIMITATIONS / SINGLE-FAMILY (ATTACHED OR DETACHED) PARKING

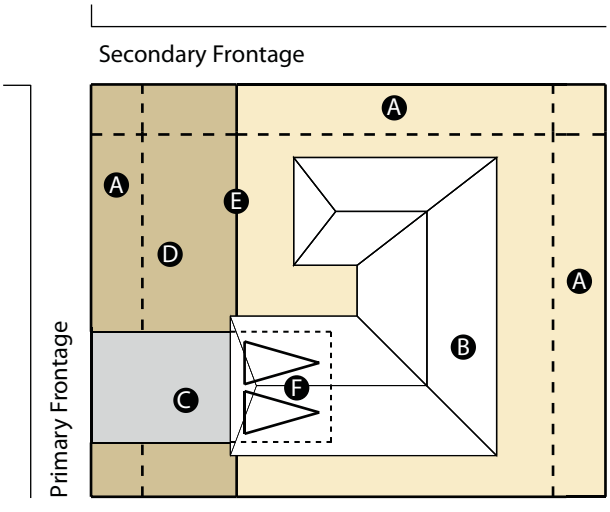
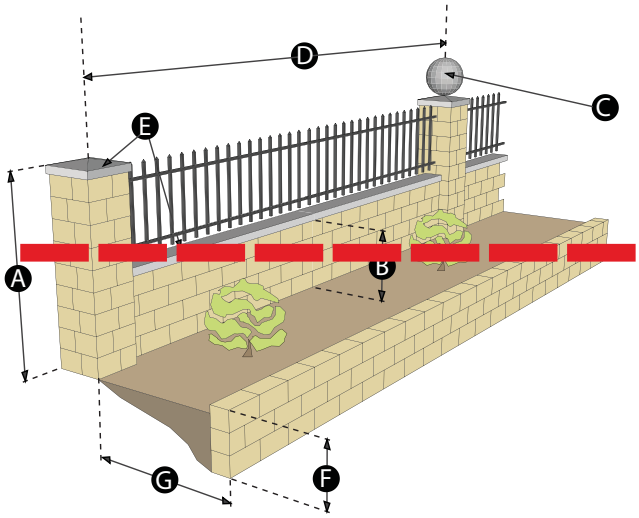
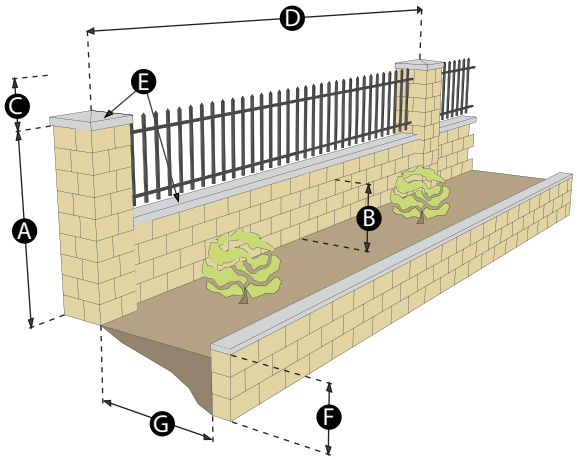


FIGURE 7 - FRONT YARD WALL/FENCE WITH STANDARD STEPBACK





Footnotes:

1. *For any use approved for this district other than Single Family Residential (Attached or Detached) the On-site Parking Requirements shall be as outlined in LVMC ~~19.12.160~~ 19.12.060 for that use and shall meet the parking area design standards as outlined in LVMC 19.08.110.*

FENCES AND WALLS

Front Yard Wall/Fence (see Figure 7)	Table 8
A. Maximum primary wall height	5 feet
B. Maximum solid wall base height	2 feet
C. Maximum ~~Pilaster~~ Ornament height above wall	18 inches
D. Maximum on-center distance between Pilasters	24 feet
E. Decorative Cap feature	5 inches
Front Yard Wall/Fence with Standard Stepback [1]	
F. Maximum secondary wall height	2 feet
G. Minimum spacing between wall sections - Outside Dimensions	5 feet

Footnotes:

1. *Retaining walls along the front property line may not exceed two feet in height. Where the grade of the front yard slopes at a ratio greater than 2:1, multiple retaining walls may be constructed, provided there is a minimum distance of five feet between retaining walls for landscaping. (See Figure 7).*

Perimeter and Retaining Walls (see Figure 8)	Table 9
Perimeter and Retaining Walls with Slope ≤ 2%	
A. Maximum ~~Overall~~ Wall Height	10 feet
B. Maximum Perimeter Wall Height	6 - 8 feet
C. Maximum Retaining Wall Height	4 feet
D. Maximum ~~Pilaster~~ Ornament Height above wall	18 inches
E. Contrasting Material	20%
Perimeter and Retaining Walls with Slope > 2%	
A. Maximum ~~Overall~~ Wall Height	12 feet
B. Maximum Perimeter Wall Height	6 - 8 feet
C. Maximum Retaining Wall Height	6 feet
D. Maximum ~~Pilaster~~ Ornament Height above wall	18 inches
E. Contrasting Material	20%

FIGURE 8 - RETAINING AND PERIMETER WALL

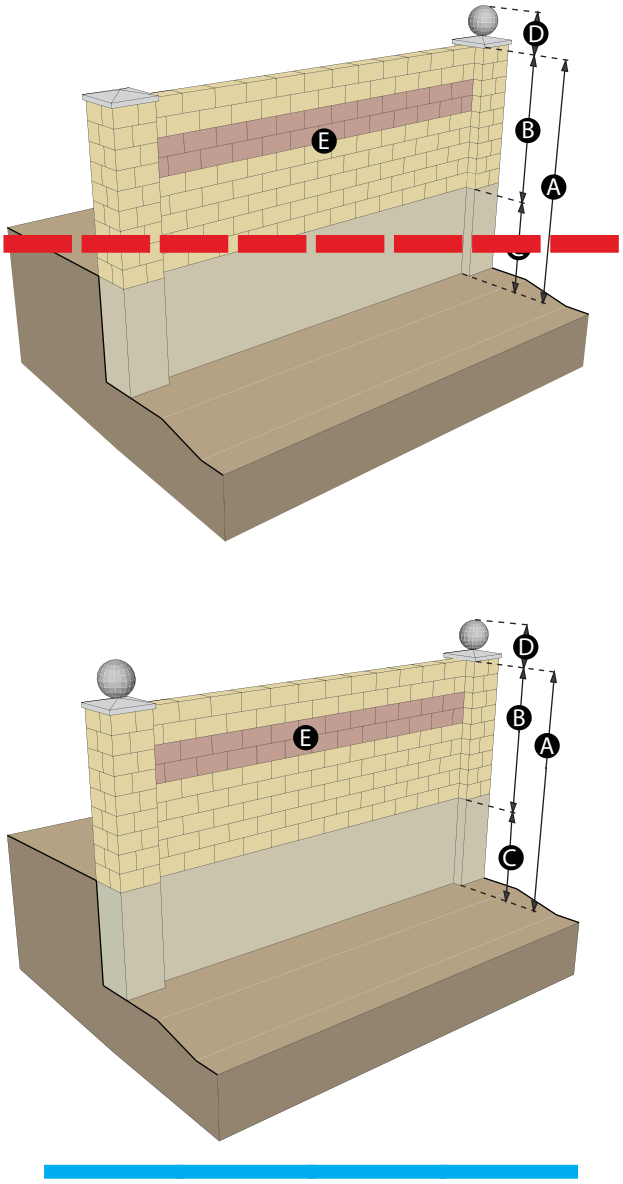
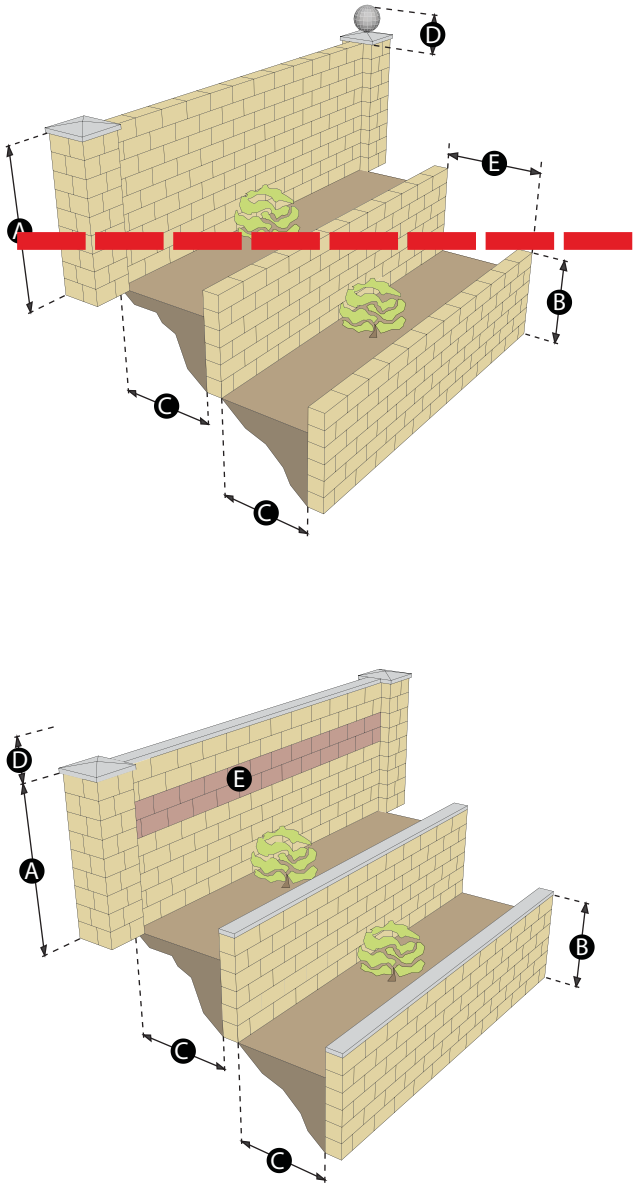


FIGURE 9 - RETAINING AND PERIMETER WALL STANDARD STEPBACK



Perimeter and Retaining Walls Standard Stepback (see Figure 9)		Table 10
A.	Maximum Primary wall Height	6 - 8 feet
B.	Maximum Secondary wall Height	4 feet
C.	Minimum spacing between wall sections ~~- Inside Dimensions~~	~~4~~ 5 feet
D.	Maximum ~~Pilaster~~ Ornament Height	18 inches
E.	~~Minimum spacing between wall sections - Outside Dimensions~~ Contrasting Material	~~5 feet~~ 20%

19.06.090

R-TH SINGLE FAMILY - ATTACHED DISTRICT

The purpose of the R-TH district is to accommodate ~~single-family~~ single family attached residences with designs and densities that transition between multi-family and ~~single-family~~ single family uses. The R-TH district is consistent with the policies of the Medium Density Residential category of the General Plan.

BUILDING PLACEMENT (see Figure 1)		TABLE 1
A.	Minimum Lot Size Minimum Lot Width	1,600 square feet 20 feet
B.	Max. Lot Coverage Dwelling Units per Lot	95% 1
C.	Minimum Front Yard Setback	10 feet [1]
D.	Minimum Side Yard Setback	n/a
E.	Minimum Corner Side Yard Setback	10 feet
F.	Minimum Rear Yard Setback	5 feet

Footnotes:

1. *A porch, if provided, may encroach a maximum of five feet into the required setback area.*

ACCESSORY STRUCTURES (see Figure 1)		TABLE 2
G.	Separation from Main Bldg.	6 feet
H.	Size and Coverage	Not to exceed 50% of the floor area of the principal dwelling unit [1]

Footnotes:

1. *The aggregate total of the ground floor areas of all structures and dwellings, including accessory structures, shall not exceed the percentage of lot coverage permitted.*

BUILDING HEIGHT (see Figure 2)		TABLE 3
A.	Stories Max. Height	3 max. 45 feet [1]
B.	Accessory Bldg. Stories	Not to exceed 2 stories, 35 feet in height or the height of the principal dwelling unit, whichever is less

Footnotes:

1. *Height is measured to the top of the roof coping of a flat roof or to the midpoint between the eaves and ridgeline of a pitched roof.*

FIGURE 1 - BUILDING PLACEMENT/ACCESSORY STRUCTURES

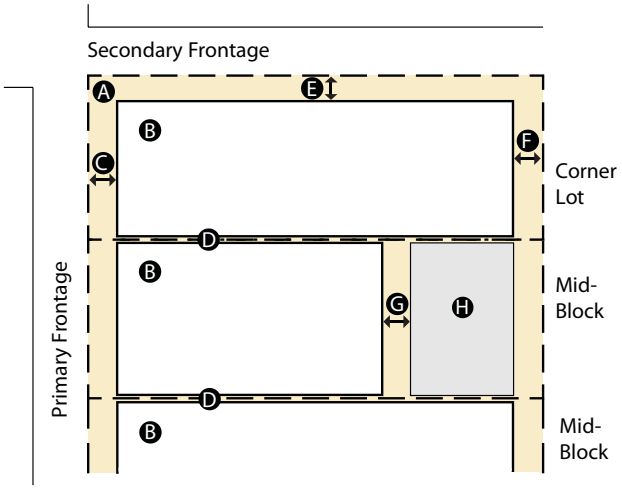


FIGURE 2 - BUILDING HEIGHT

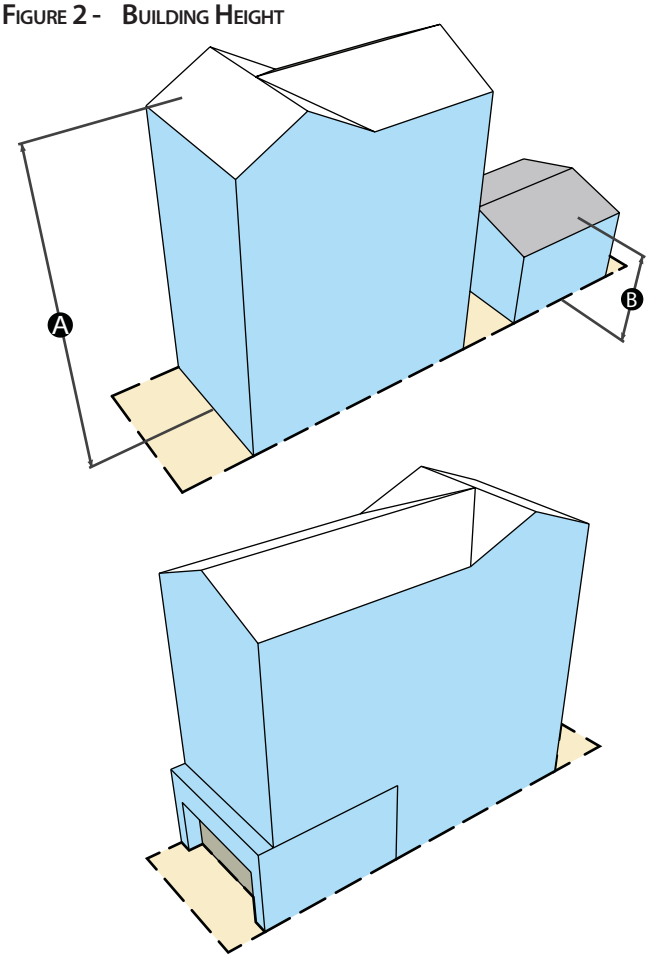
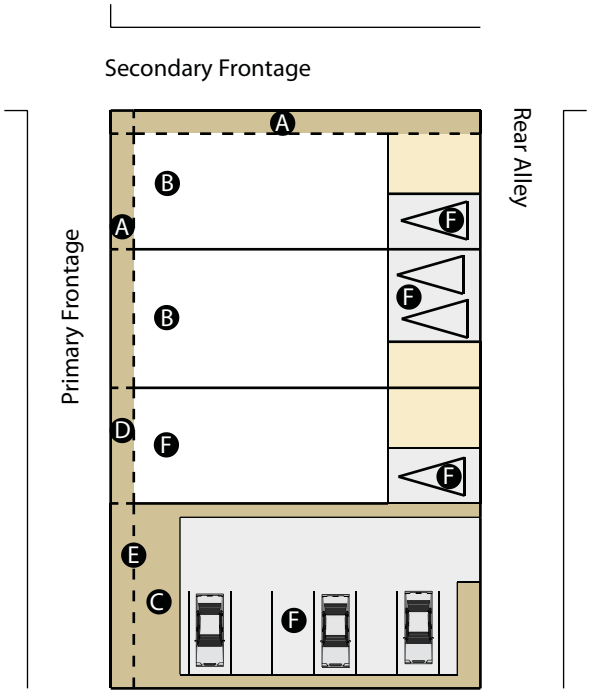


FIGURE 3 - LANDSCAPE BUFFER AND TURF LIMITATIONS / ~~SINGLE-FAMILY~~ SINGLE FAMILY (ATTACHED) PARKING



LANDSCAPE BUFFERS AND TURF LIMITATIONS (see Figure 3)		TABLE 4
A.	Landscape Buffer - Minimum Zone Depths [1]	6 feet - Adjacent to Right-of-Way ~~1~~ [2] 0 feet - Interior Lot Lines
B.	Primary Dwelling	
C.	Parking Lot Screening	Screening from adjacent roadways shall be provided ~~2~~ [3]
D.	Front Yard Area - Turf Coverage	0%
E.	Front Yard Setback Line	

Footnotes:

1. *Nonresidential development shall have a minimum landscape buffer width of 15 feet adjacent to a right-of-way and eight feet along interior lot lines.*

2. *Only applies to single-family developments with five or more lots.*

~~2~~ 3. *Screening maybe accomplished by use of a low wall or berm with a maximum height of thirty inches, a solid living hedge with an approximate maximum height of thirty-six inches, or some other screening method that has been approved as part of a landscape plan and provides a continuous screen.*

PARKING (see Figure 3)		TABLE 5
F.	Minimum On-site Parking Requirement [1] - Single-Family Attached District	1 unimpeded space per dwelling unit plus 1 guest parking space per 6 units [2]

Footnotes:

1. *For any use approved for this district other than Single-Family Attached or Townhouse the On-site Parking Requirements shall be as outlined in LVMC ~~19.12.160~~ 19.12.060 for that use and shall meet the parking area design standards as outlined in LVMC 19.08.110.*

2. *Guest parking shall be evenly spread throughout the development.*

FENCES AND WALLS

Front Yard Wall/Fence (see Figure 4)	Table 6
A. Maximum primary wall height	5 feet
B. Maximum solid wall base height	2 feet
C. Maximum ~~Pilaster~~ Ornament height above wall	18 inches
D. Maximum on-center distance between Pilasters	24 feet
E. Decorative Cap feature	5 inches
Front Yard Wall/Fence with Standard Stepback [1]	
F. Maximum secondary wall height	2 feet
G. Minimum spacing between wall sections - Outside Dimensions	5 feet

Footnotes:

1. *Retaining walls along the front property line may not exceed two feet in height. Where the grade of the front yard slopes at a ratio greater than 2:1, multiple retaining walls may be constructed, provided there is a minimum distance of five feet between retaining walls for landscaping. (See Figure 4).*

FIGURE 4 - FRONT YARD WALL/FENCE WITH STANDARD STEPBACK

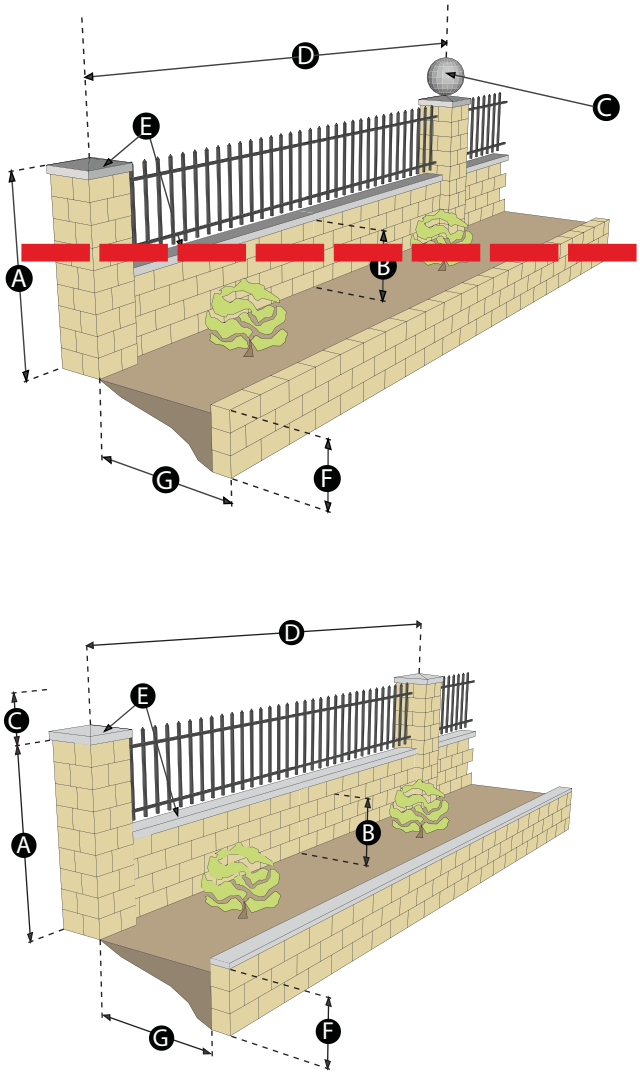
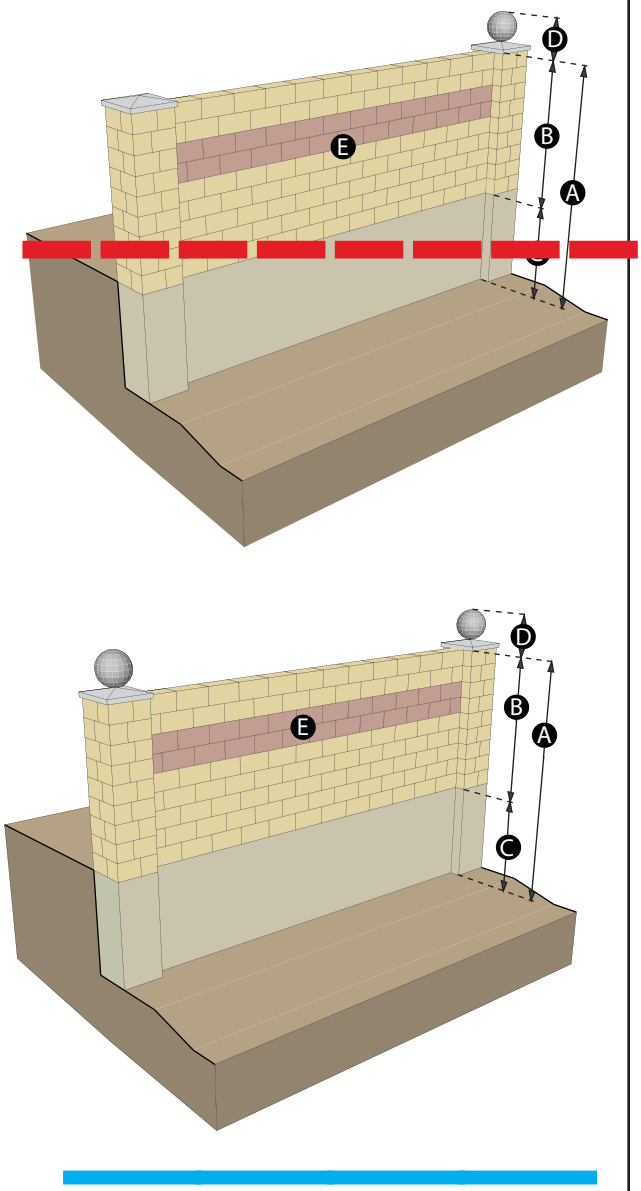


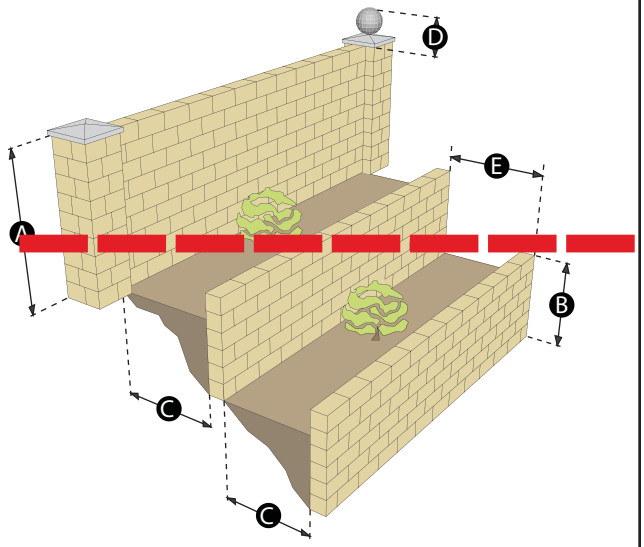
FIGURE 5 - RETAINING AND PERIMETER WALL

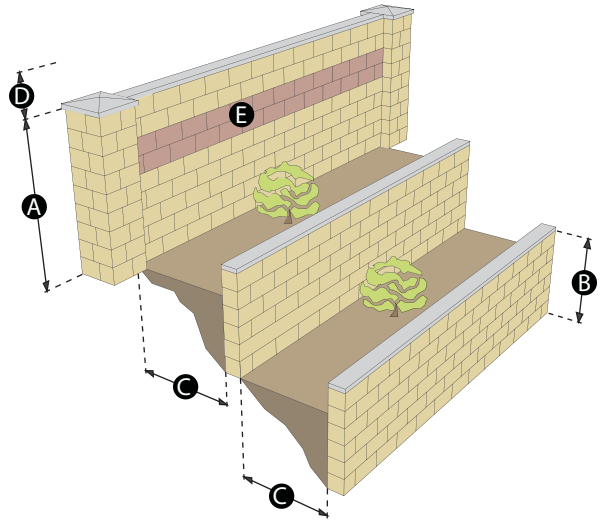


Perimeter and Retaining Walls (see Figure 5)		Table 7
Perimeter and Retaining Walls with Slope ≤ 2%		
A.	Maximum ~~Overall~~ Wall Height	10 feet
B.	Maximum Perimeter Wall Height	6 - 8 feet
C.	Maximum Retaining Wall Height	4 feet
D.	Maximum ~~Pilaster~~ Ornament Height above wall	18 inches
E.	Contrasting Material	20%
Perimeter and Retaining Walls with Slope > 2%		
A.	Maximum ~~Overall~~ Wall Height	12 feet
B.	Maximum Perimeter Wall Height	6 - 8 feet
C.	Maximum Retaining Wall Height	6 feet
D.	Maximum ~~Pilaster~~ Ornament Height above wall	18 inches
E.	Contrasting Material	20%

Perimeter and Retaining Walls Standard Stepback (see Figure 6)		Table 8
A.	Maximum Primary wall Height	6 - 8 feet
B.	Maximum Secondary wall Height	4 feet
C.	Minimum spacing between wall sections ~~- Inside Dimensions~~	~~4~~ 5 feet
D.	Maximum ~~Pilaster~~ Ornament Height	18 inches
E.	~~Minimum spacing between wall sections - Outside Dimensions~~ Contrasting Material	~~5 feet~~ 20%

FIGURE 6 - RETAINING AND PERIMETER WALL STANDARD STEPBACK





R-2 MEDIUM-LOW DENSITY RESIDENTIAL DISTRICT

The purpose of the R-2 District is to establish lots primarily for medium to low density ~~single-family~~ single family detached units and duplex units. The R-2 District is consistent with the policies of the Medium-Low Density and Medium-Low Attached Residential categories of the General Plan.

BUILDING PLACEMENT (see Figure 1)		TABLE 1
A.	Minimum Lot Size Minimum Lot Width	6,500 square feet NA
B.	Max. Lot Coverage Dwelling Units per Acre	NA 6-12 [1]
C.	Minimum Front Yard Setback	20 feet
D.	Minimum Side Yard Setback	5 feet
E.	Minimum Corner Side Yard Setback	5 feet
F.	Minimum Rear Yard Setback	20 feet
G.	Minimum Distance Between Buildings	10 feet

Footnotes:

1. *Maximum dwelling units per acre (DUA) is determined by the underlying General Plan Designation and may not exceed the density permitted under said designation.*

ACCESSORY STRUCTURES (see Figure 2)		TABLE 2
A.	Separation from Main Bldg.	6 feet
B.	Minimum Corner Side Yard Setback	5 feet
C.	Minimum Rear Yard Setback	3 feet
D.	Minimum Side Yard Setback	3 feet
E.	Size and Coverage	Not to exceed 50% of the floor area of the principal dwelling unit [1]

Footnotes:

1. *The aggregate total of the ground floor areas of all accessory buildings shall not cover more than 50 percent of the rear yard area.*

FIGURE 1 - BUILDING PLACEMENT

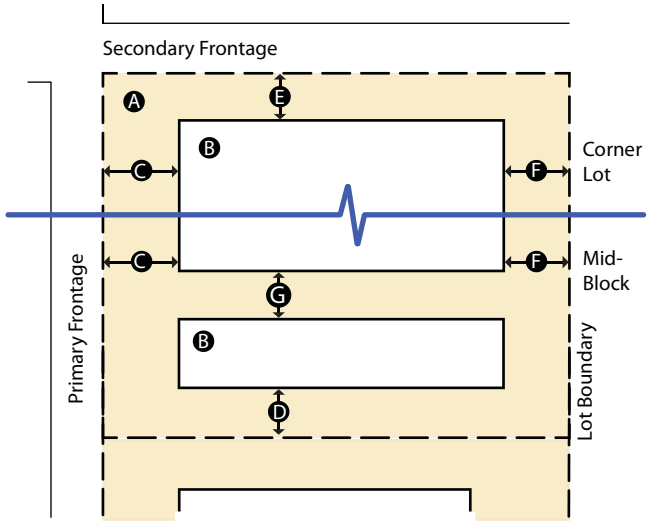


FIGURE 2 - ACCESSORY STRUCTURES

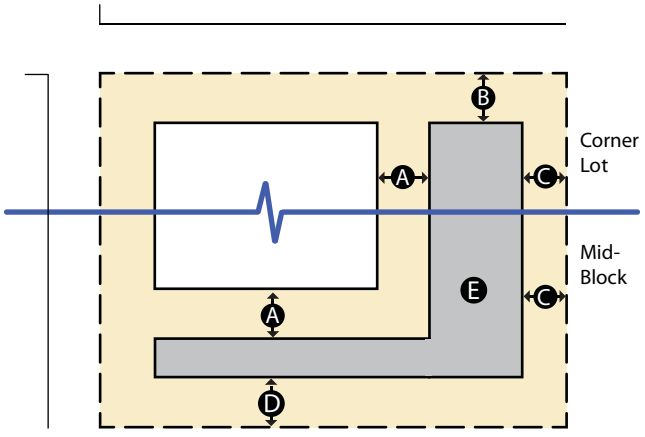
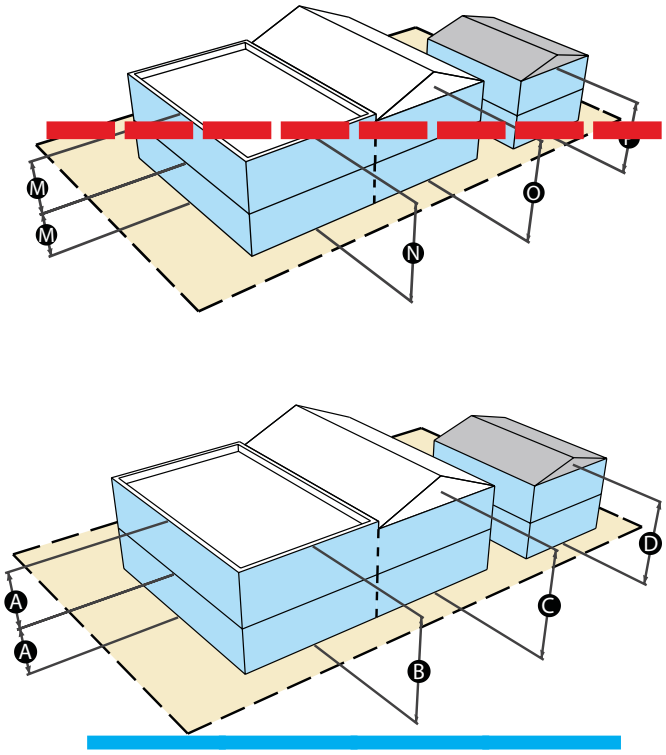
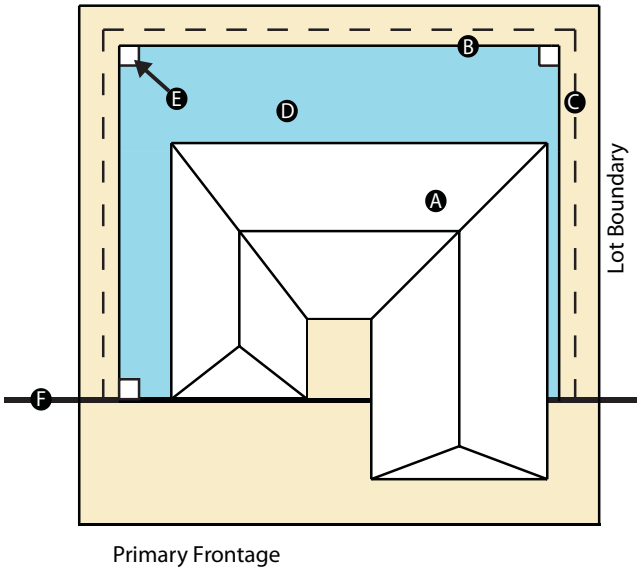


FIGURE 3 - BUILDING HEIGHT



BUILDING HEIGHT (see Figure 3)	TABLE 3
~~M~~ A. Stories	2 max
~~N~~ B. Flat Roof - Max. Height	35 feet measured to the top of the roof coping
~~O~~ C. Pitched Roof - Max. Height	35 feet measured to the midpoint between the eaves and ridgeline of a pitched roof
~~P~~ D. Accessory Bldg. - Stories	Not to exceed 2 stories, 35 feet in height or the height of the principal dwelling unit, whichever is less

FIGURE 4 - PATIO COVER



PATIO COVER (see Figure 4)	TABLE 4
A. Principal Dwelling Unit	
B. Patio Cover Setback to Post	5 feet - Rear 5 feet - Side 5 feet - Corner Side
C. Patio Cover Overhang	May come to within 3 feet of Rear and Side Property Lines
D. Patio Cover	Buildable Envelope
E. Patio Cover Support Columns	Must be located within the required Setbacks
F. Front Yard Setback	Patio Cover may not extend into

LANDSCAPE BUFFERS AND TURF LIMITATIONS (see Figure 5)		TABLE 5
A.	Landscape Buffer - Minimum Zone Depths [1]	6 feet - Adjacent to Right-of-Way [1] [2] 0 feet - Interior Lot Lines
B.	Primary Dwelling	
C.	Impermeable Surfaces	Should be minimized to reduce stormwater quality management impacts
D.	Front Yard Area - Turf Coverage	0%
E.	Front Yard Setback Line	

Footnotes:

1. *Nonresidential development shall have a minimum landscape buffer width of 15 feet adjacent to a right-of-way and eight feet along interior lot lines.*

2. *Only applies to ~~single-family~~ single family developments with five or more lots.*

PARKING (see Figure 5)		TABLE 6
F.	Minimum On-site Parking Requirement [1] - Single Family Residential	2 unimpeded spaces per dwelling unit

Footnotes:

1. *For any use approved for this district other than Single Family Residential (Attached or Detached) the On-site Parking Requirements shall be as outlined in LVMC ~~19.12.160~~ 19.12.060 for that use and shall meet the parking area design standards as outlined in LVMC 19.08.110.*

FIGURE 5 - LANDSCAPE BUFFER AND TURF LIMITATIONS / SINGLE-FAMILY (ATTACHED OR DETACHED) PARKING

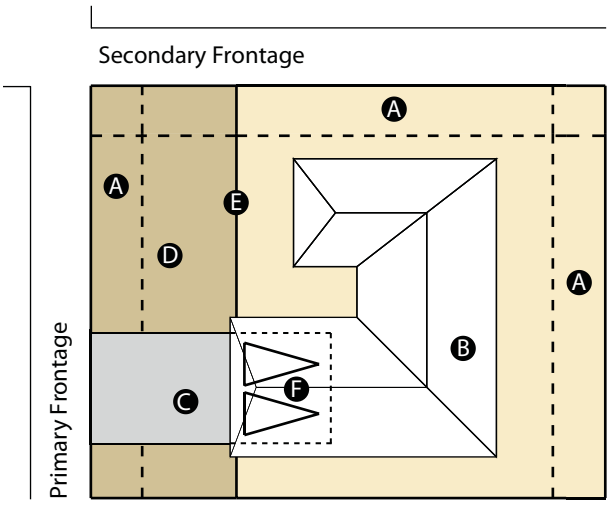
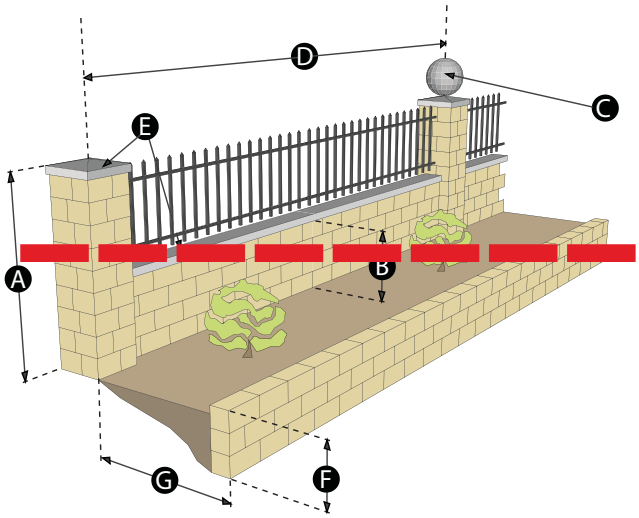
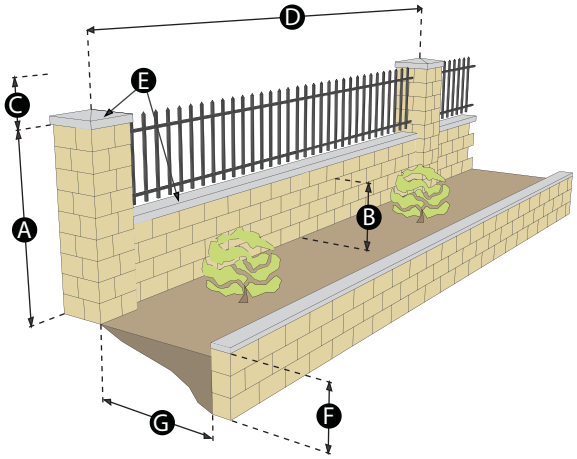


FIGURE 6 - FRONT YARD WALL/FENCE WITH STANDARD STEPBACK





FENCES AND WALLS

Front Yard Wall/Fence (see Figure 6)	Table 7
A. Maximum primary wall height	5 feet
B. Maximum solid wall base height	2 feet
C. Maximum ~~Pilaster~~ Ornament height above wall	18 inches
D. Maximum on-center distance between Pilasters	24 feet
E. Decorative Cap feature	5 inches
Front Yard Wall/Fence with Standard Stepback [1]	
F. Maximum secondary wall height	2 feet
G. Minimum spacing between wall sections - Outside Dimensions	5 feet

Footnotes:

1. *Retaining walls along the front property line may not exceed two feet in height. Where the grade of the front yard slopes at a ratio greater than 2:1, multiple retaining walls may be constructed, provided there is a minimum distance of five feet between retaining walls for landscaping. (See Figure 6).*

Perimeter and Retaining Walls (see Figure 7)		Table 8
Perimeter and Retaining Walls with Slope ≤ 2%		
A.	Maximum ~~Overall~~ Wall Height	10 feet
B.	Maximum Perimeter Wall Height	6 - 8 feet
C.	Maximum Retaining Wall Height	4 feet
D.	Maximum ~~Pilaster~~ Ornament Height above wall	18 inches
E.	Contrasting Material	20%
Perimeter and Retaining Walls with Slope > 2%		
A.	Maximum ~~Overall~~ Wall Height	12 feet
B.	Maximum Perimeter Wall Height	6 - 8 feet
C.	Maximum Retaining Wall Height	6 feet
D.	Maximum ~~Pilaster~~ Ornament Height above wall	18 inches
E.	Contrasting Material	20%

FIGURE 7 - RETAINING AND PERIMETER WALL

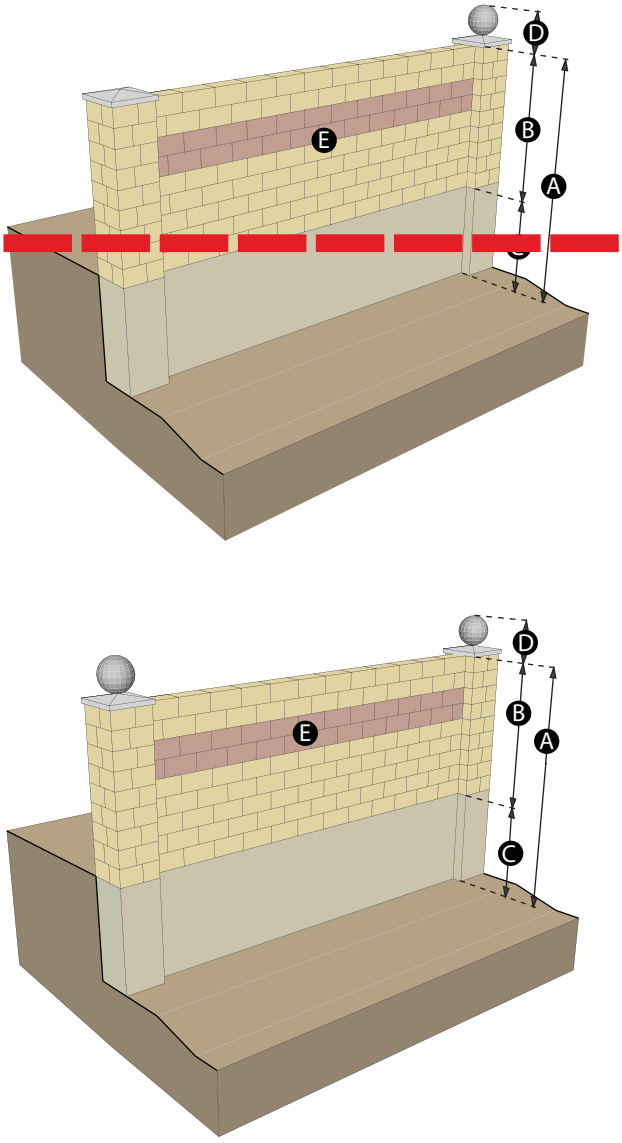
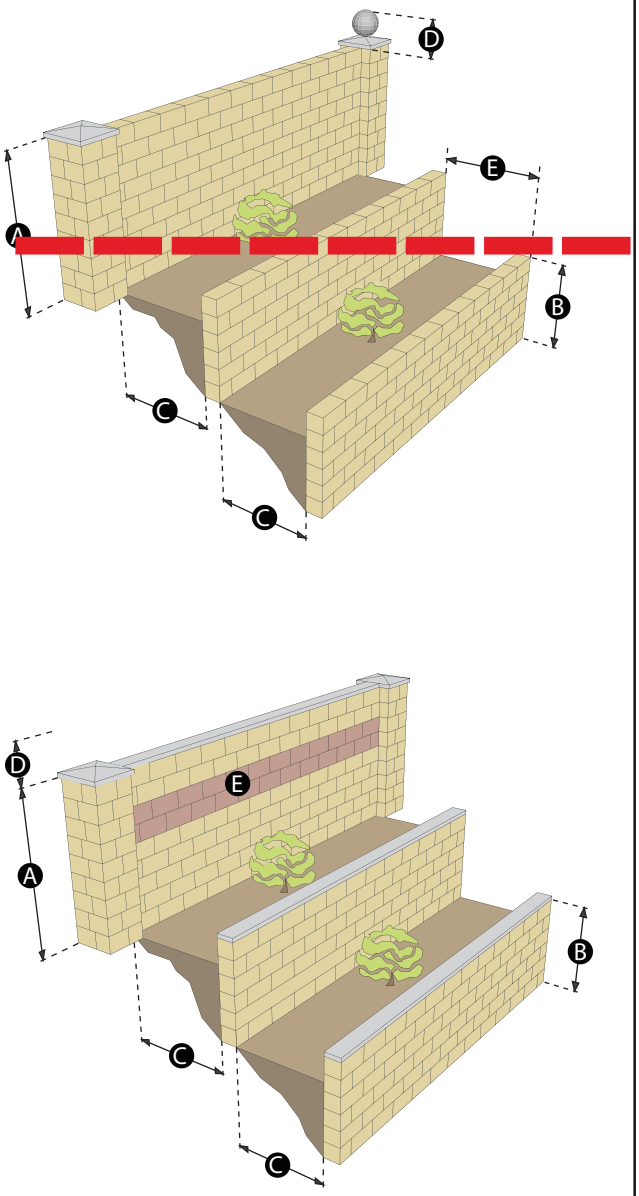


FIGURE 8 - RETAINING AND PERIMETER WALL STANDARD STEPBACK



Perimeter and Retaining Walls Standard Stepback (see Figure 8)		Table 9
A.	Maximum Primary wall Height	6 - 8 feet
B.	Maximum Secondary wall Height	4 feet
C.	Minimum spacing between wall sections ~~- Inside Dimensions~~	~~4~~ 5 feet
D.	Maximum ~~Pilaster~~ Ornament Height	18 inches
E.	~~Minimum spacing between wall sections - Outside Dimensions~~ Contrasting Material	~~5 feet~~ 20%

19.06.110

R-3 MEDIUM DENSITY RESIDENTIAL

The purpose of the R-3 District is to provide for the development of a variety of multi-family units such as duplexes, townhouses and medium density apartments. The R-3 District is consistent with the policies of the Medium Density Residential and High Density Residential categories of the General Plan.

BUILDING PLACEMENT (see Figure 1)	TABLE 1
A. Minimum Lot Size Minimum Lot Width	6,500 square feet NA
B. Max. Lot Coverage Dwelling Units per Acre	NA 13-50 [1]
C. Minimum Front Yard Setback	10 feet
D. Minimum Side Yard Setback	5 feet
E. Minimum Corner Side Yard Setback	5 feet
F. Minimum Rear Yard Setback	20 feet
G. Minimum Distance Between Buildings	10 feet

Footnotes:

1. *Maximum dwelling units per acre (DUA) is determined by the underlying General Plan Designation and may not exceed the density permitted under said designation.*

ACCESSORY STRUCTURES (see Figure 2)	TABLE 2
A. Separation from Main Bldg.	6 feet
B. Minimum Corner Side Yard Setback	5 feet
C. Minimum Rear Yard Setback	3 feet
D. Minimum Side Yard Setback	3 feet
E. Size and Coverage	Not to exceed 50% of the floor area of the principal dwelling unit [1]

Footnotes:

1. *The aggregate total of the ground floor areas of all accessory buildings shall not cover more than 50 percent of the rear yard area.*

FIGURE 1 - BUILDING PLACEMENT

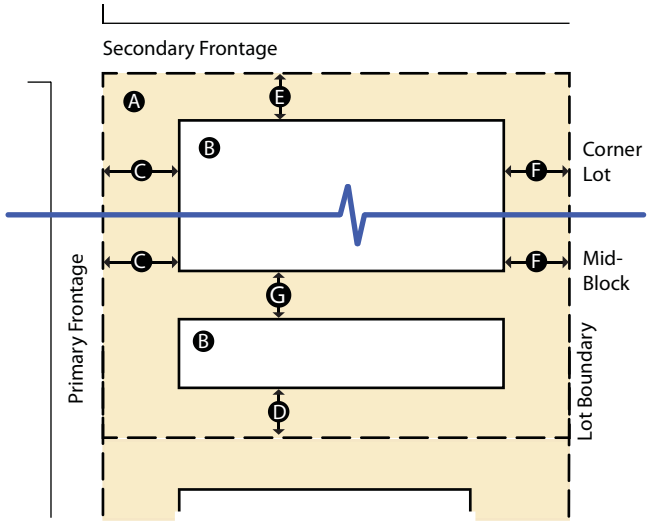


FIGURE 2 - ACCESSORY STRUCTURES

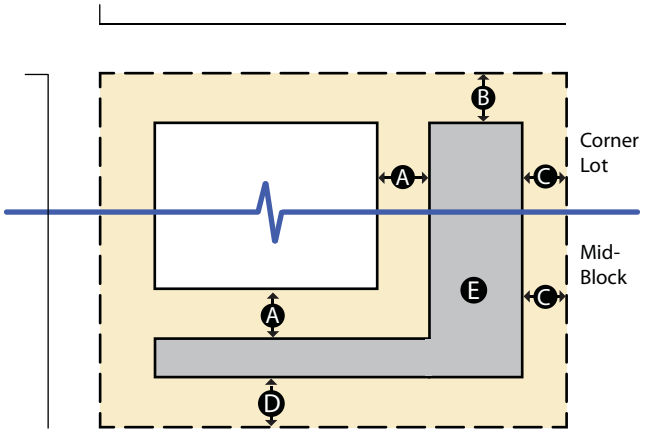


FIGURE 3 - BUILDING HEIGHT

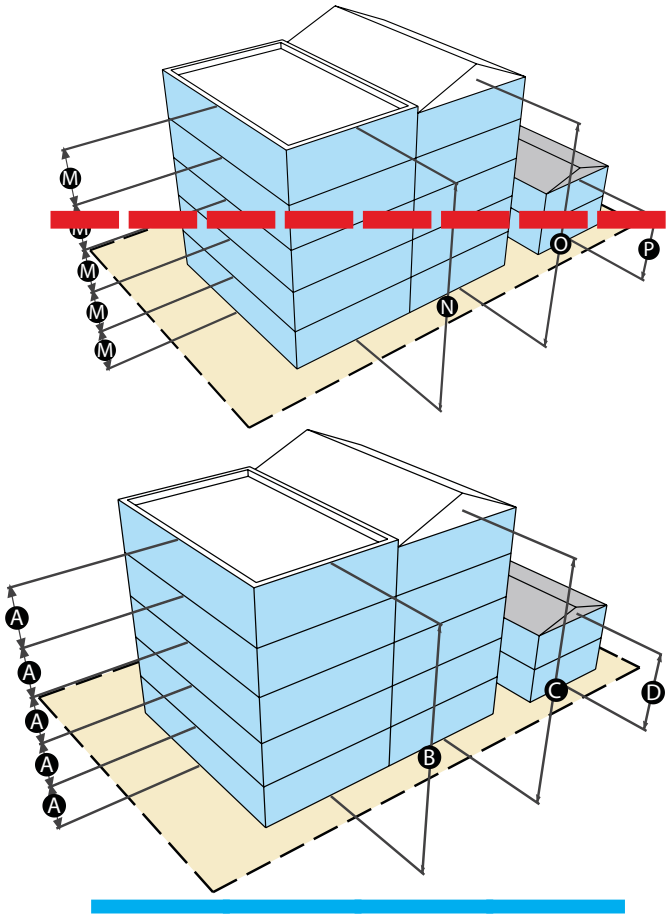
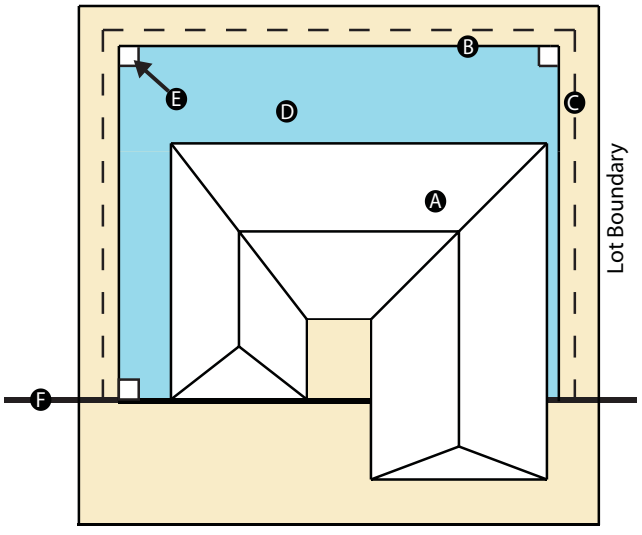


FIGURE 4 - PATIO COVER



BUILDING HEIGHT (see Figure 3)	TABLE 3
~~M~~ A. Stories	5 max
~~N~~ B. Flat Roof - Max. Height	55 feet measured to the top of the roof coping
~~O~~ C. Pitched Roof - Max. Height	55 feet measured to the midpoint between the eaves and ridgeline of a pitched roof
~~P~~ D. Accessory Bldg. - Stories	Not to exceed 2 stories, 35 feet in height or the height of the principal dwelling unit, whichever is less

PATIO COVER (see Figure 4)	TABLE 4
A. Principal Dwelling Unit	
B. Patio Cover Setback to Post	5 feet - Rear 5 feet - Side 5 feet - Corner Side
C. Patio Cover Overhang	May come to within 3 feet of Rear and Side Property Lines
D. Patio Cover	Buildable Envelope
E. Patio Cover Support Columns	Must be located within the required Setbacks
F. Front Yard Setback	Patio Cover may not extend into

LANDSCAPE BUFFERS AND TURF LIMITATIONS (see Figure 5)		TABLE 5
A.	Landscape Buffer - Minimum Zone Depths [1]	10 feet - Adjacent to Right-of-Way [1] [2] 6 feet - Interior Lot Lines [2] [3]
B.	Primary Dwelling	
C.	Turf Coverage	30% of landscapable area
D.	Front Yard Setback Line	

Footnotes:

1. *Nonresidential development shall have a minimum landscape buffer width of 15 feet adjacent to a right-of-way and eight feet along interior lot lines.*

2. *When adjacent to or across the street from an existing single-family residential use or zoning district, the buffer shall be increased to 15 feet.*

~~2~~ 3. *When building setbacks are less restrictive, the setbacks shall prevail.*

PARKING (see Figure 5)		TABLE 6
E.	Minimum On-site Parking Requirement [1] - Multi-Family Residential [2]	1.25 spaces per studio or one bedroom unit 1.75 spaces per two bedroom unit 2.0 spaces per three or more bedroom unit plus one guest parking space per six units [3]

Footnotes:

1. *For any use approved for this district other than Multi-Family Residential the On-site Parking Requirements shall be as outlined in LVMC ~~19.12.160~~ 19.12.060 for that use and shall meet the parking area design standards as outlined in LVMC 19.08.110.*

2. *Handicapped parking for multi-family residential uses shall be provided at the rate of one space for each dwelling unit that is designed for occupancy by the handicapped.*

3. *Guest parking shall be evenly spread throughout the development.*

FIGURE 5 - LANDSCAPE BUFFER AND TURF LIMITATIONS / MULTI-FAMILY PARKING

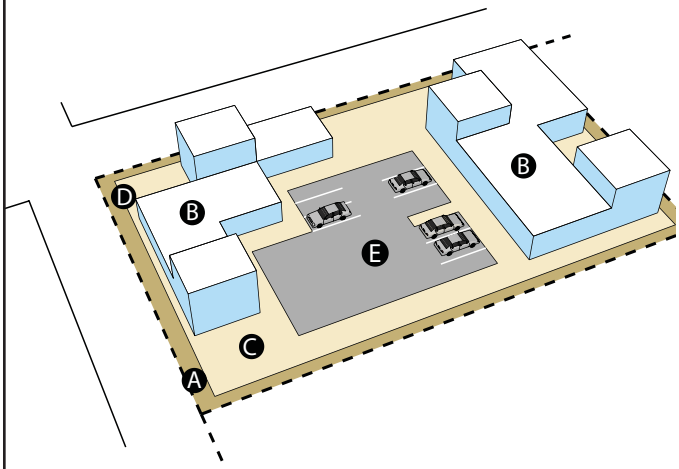
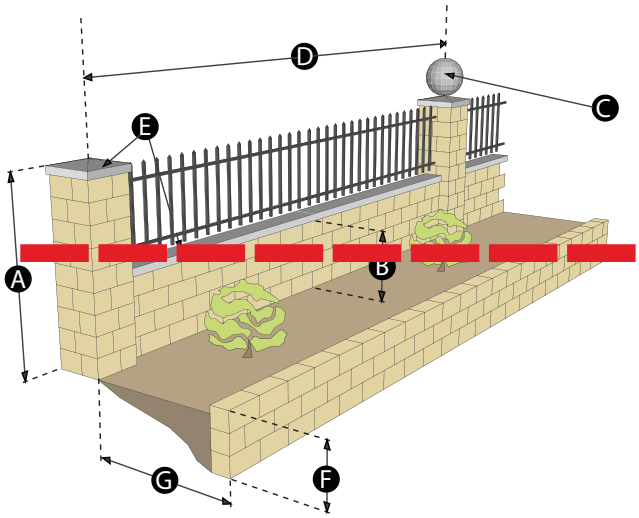
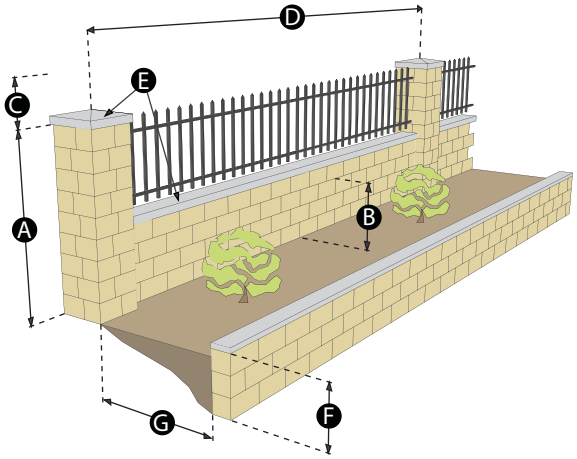


FIGURE 6 - FRONT YARD WALL/FENCE WITH STANDARD STEPBACK





FENCES AND WALLS

Front Yard Wall/Fence (see Figure 6)		Table 7
A.	Maximum primary wall height	5 feet
B.	Maximum solid wall base height	2 feet
C.	Maximum ~~Pilaster~~ Ornament height above wall	18 inches
D.	Maximum on-center distance between Pilasters	24 feet
E.	Decorative Cap feature	5 inches
Front Yard Wall/Fence with Standard Stepback [1]		
F.	Maximum secondary wall height	2 feet
G.	Minimum spacing between wall sections - Outside Dimensions	5 feet

Footnotes:

1. *Retaining walls along the front property line may not exceed two feet in height. Where the grade of the front yard slopes at a ratio greater than 2:1, multiple retaining walls may be constructed, provided there is a minimum distance of five feet between retaining walls for landscaping. (See Figure 6).*

Perimeter and Retaining Walls (see Figure 7)		Table 8
Perimeter and Retaining Walls with Slope ≤ 2%		
A.	Maximum ~~Overall~~ Wall Height	10 feet
B.	Maximum Perimeter Wall Height	6 - 8 feet
C.	Maximum Retaining Wall Height	4 feet
D.	Maximum ~~Pilaster~~ Ornament Height above wall	18 inches
E.	Contrasting Material	20%
Perimeter and Retaining Walls with Slope > 2%		
A.	Maximum ~~Overall~~ Wall Height	12 feet
B.	Maximum Perimeter Wall Height	6 - 8 feet
C.	Maximum Retaining Wall Height	6 feet
D.	Maximum ~~Pilaster~~ Ornament Height above wall	18 inches
E.	Contrasting Material	20%

FIGURE 7 - RETAINING AND PERIMETER WALL

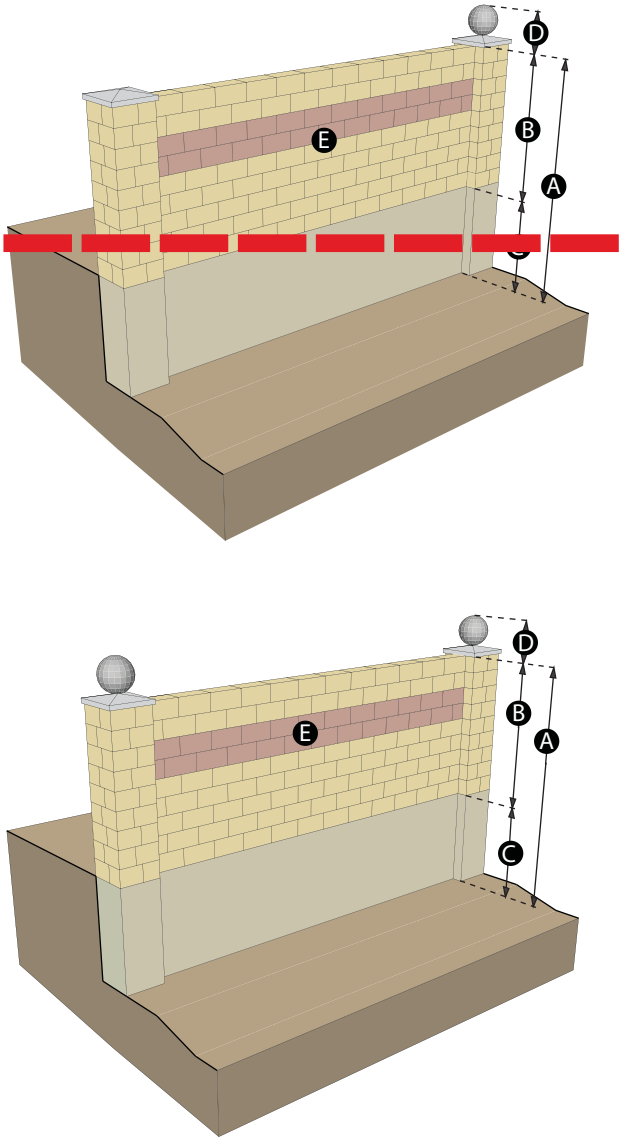
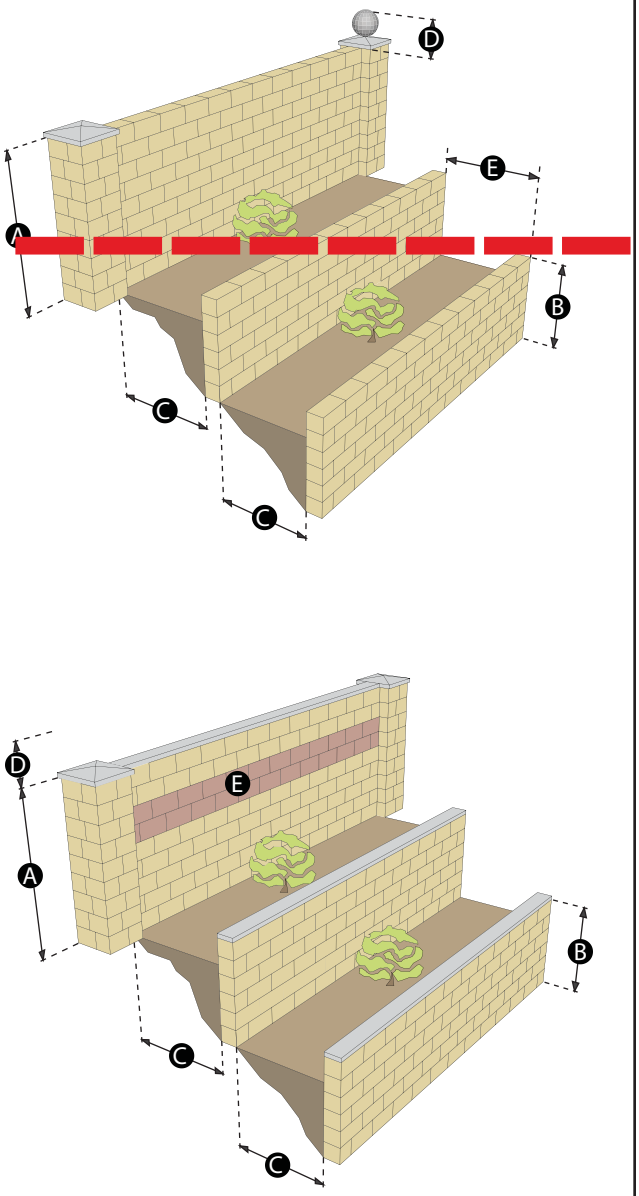


FIGURE 8 - RETAINING AND PERIMETER WALL STANDARD STEPBACK



Perimeter and Retaining Walls Standard Stepback (see Figure 8)		Table 9
A.	Maximum Primary wall Height	6 - 8 feet
B.	Maximum Secondary wall Height	4 feet
C.	Minimum spacing between wall sections ~~- Inside Dimensions~~	~~4~~ 5 feet
D.	Maximum ~~Pilaster~~ Ornament Height	18 inches
E.	~~Minimum spacing between wall sections - Outside Dimensions~~ Contrasting Material	~~5 feet~~ 20%

19.06.120

R-4 HIGH DENSITY RESIDENTIAL DISTRICT

The R-4 District is intended to allow for the development of high density multi-family units within the downtown urban core and in other high intensity areas suitable for high density residential development. The R-4 District is consistent with the policies of the High Density Residential category of the General Plan.

BUILDING PLACEMENT (see Figure 1)		TABLE 1
A.	Minimum Lot Size Minimum Lot Width	7,000 square feet NA
B.	Max. Lot Coverage Dwelling Units per Acre	NA Unlimited [1] [2]
C.	Minimum Front Yard Setback	10 feet
D.	Minimum Side Yard Setback	5 feet
E.	Minimum Corner Side Yard Setback	5 feet
F.	Minimum Rear Yard Setback	20 feet [~~2~~] [3]
G.	Minimum Distance Between Buildings	Unlimited

Footnotes:

1. *The maximum density is unlimited. However, the height limit on development imposes a de facto limitation on density in all areas except as provided for by LVMC 19.06.040 (I) .*
2. *Maximum dwelling units per acre (DUA) is determined by the underlying General Plan Designation and may not exceed the density permitted under said designation.*
3. *Where the rear twenty feet of the lot has direct access to an alley and is used for the on-site parking, the rear yard setback area may be covered by a roof provided it is otherwise open on three sides.*

ACCESSORY STRUCTURES (see Figure 2)		TABLE 2
A.	Separation from Main Bldg.	6 feet
B.	Minimum Corner Side Yard Setback	5 feet
C.	Minimum Rear Yard Setback	3 feet
D.	Minimum Side Yard Setback	3 feet
E.	Size and Coverage	Not to exceed 50% of the floor area of the principal dwelling unit [1]

FIGURE 1 - BUILDING PLACEMENT

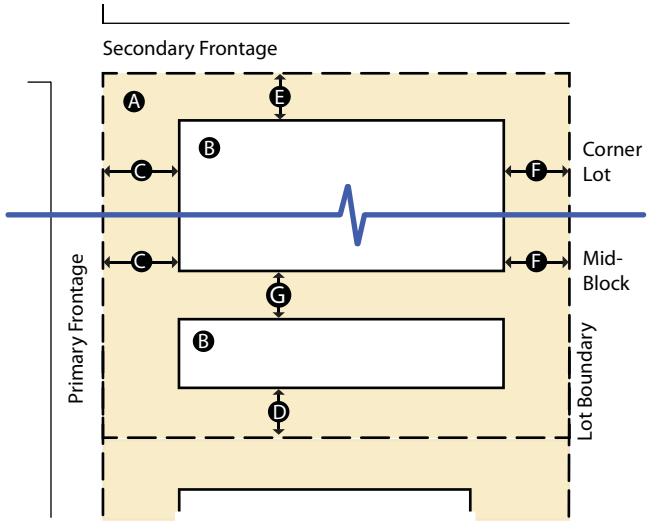


FIGURE 2 - ACCESSORY STRUCTURES

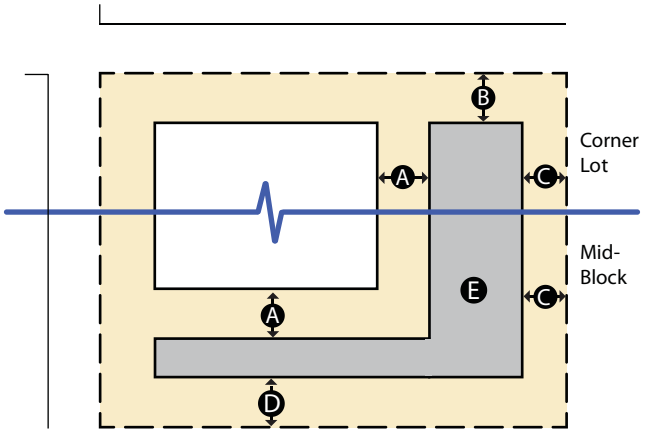


FIGURE 3 - BUILDING HEIGHT

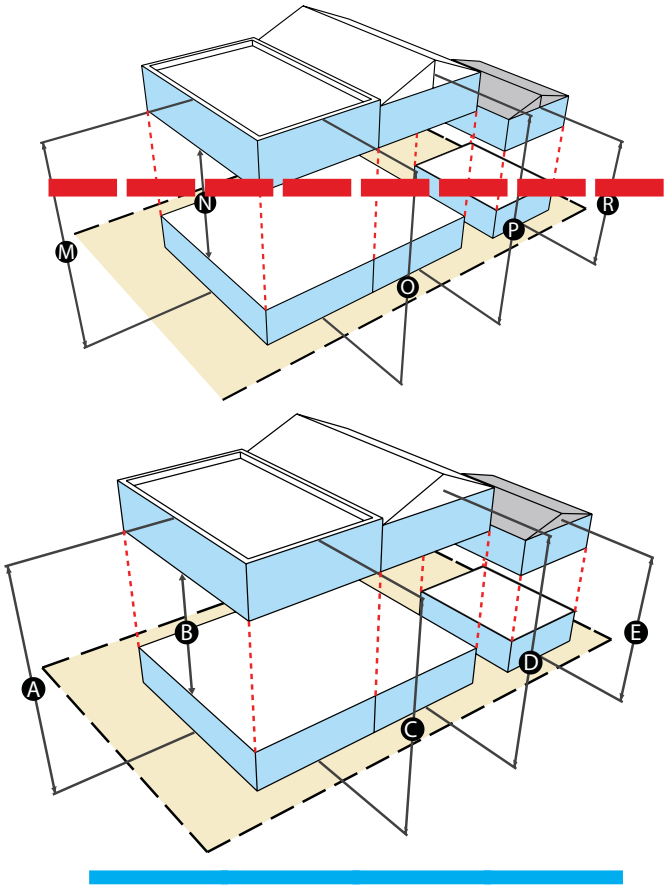
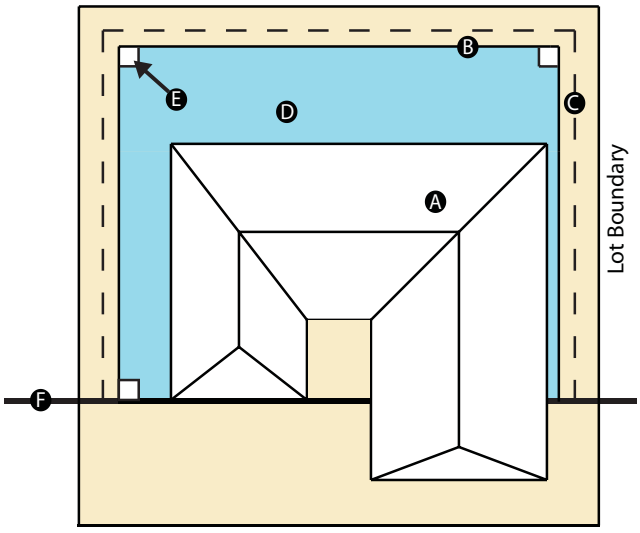


FIGURE 4 - PATIO COVER



Footnotes:

1. *The aggregate total of the ground floor areas of all accessory buildings shall not cover more than 50 percent of the rear yard area.*

BUILDING HEIGHT (see Figure 3)	TABLE 3
~~M~~ A. Stories	NA
~~N~~ B. ~~Flat Roof - Max. Height~~ Floors	~~55 feet measured to the top of the roof coping~~ NA
~~O~~ C. ~~Pitched Roof - Max. Height~~ Flat Roof - Max. Height	~~55 feet measured to the midpoint between the eaves and ridgeline of a pitched roof~~ 55 feet measured to the top of the roof coping
~~P~~ D. ~~Accessory Bldg. - Stories~~ Pitched Roof - Max. Height	~~Not to exceed 2 stories, 35 feet in height or the height of the principal dwelling unit, whichever is less~~ 55 feet measured to the midpoint between the eaves and ridgeline of a pitched roof
E. Accessory Bldg. - Stories	Not to exceed 2 stories, 35 feet in height or the height of the principal dwelling unit, whichever is less

PATIO COVER (see Figure 4)	TABLE 4
A. Principal Dwelling Unit	
B. Patio Cover Setback to Post	5 feet - Rear 5 feet - Side 5 feet - Corner Side
C. Patio Cover Overhang	May come to within 3 feet of Rear and Side Property Lines
D. Patio Cover	Buildable Envelope
E. Patio Cover Support Columns	Must be located within the required Setbacks
F. Front Yard Setback	Patio Cover may not extend into

LANDSCAPE BUFFERS AND TURF LIMITATIONS (see Figure 5)		TABLE 5
A.	Landscape Buffer - Minimum Zone Depths [1]	10 feet - Adjacent to Right-of-Way [1] [2] 6 feet - Interior Lot Lines [2] ~~2~~ [3]
B.	Primary Dwelling	
C.	Turf Coverage	30% of landscapable area
D.	Front Yard Setback Line	

Footnotes:

1. *Nonresidential development shall have a minimum landscape buffer width of 15 feet adjacent to a right-of-way and eight feet along interior lot lines.*

2. *When adjacent to or across the street from an existing single-family residential use or zoning district, the buffer shall be increased to 15 feet.*

~~2~~ 3. *When building setbacks are less restrictive, the setbacks shall prevail.*

PARKING (see Figure 5)		TABLE 6
E.	Minimum On-site Parking Requirement [1] - Multi-Family Residential [2]	1.25 spaces per studio or one bedroom unit 1.75 spaces per two bedroom unit 2.0 spaces per three or more bedroom unit plus one guest parking space per six units [3]

Footnotes:

1. *For any use approved for this district other than Multi-Family Residential the On-site Parking Requirements shall be as outlined in LVMC ~~19.12.160~~ 19.12.060 for that use and shall meet the parking area design standards as outlined in LVMC 19.08.110.*

2. *Handicapped parking for multi-family residential uses shall be provided at the rate of one space for each dwelling unit that is designed for occupancy by the handicapped.*

3. *Guest parking shall be evenly spread throughout the development.*

FIGURE 5 - LANDSCAPE BUFFER AND TURF LIMITATIONS / MULTI-FAMILY PARKING

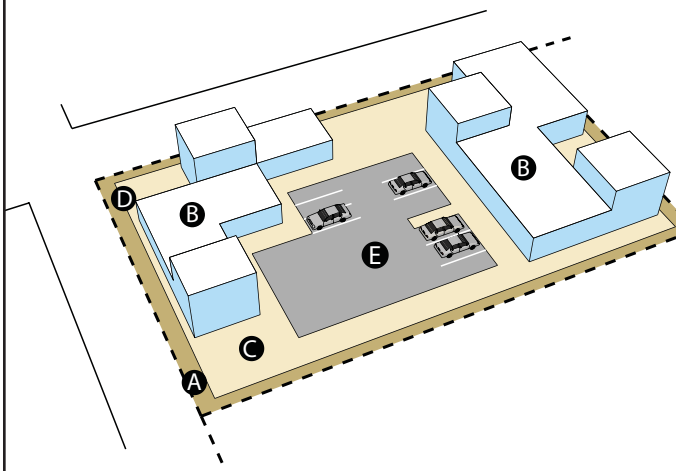
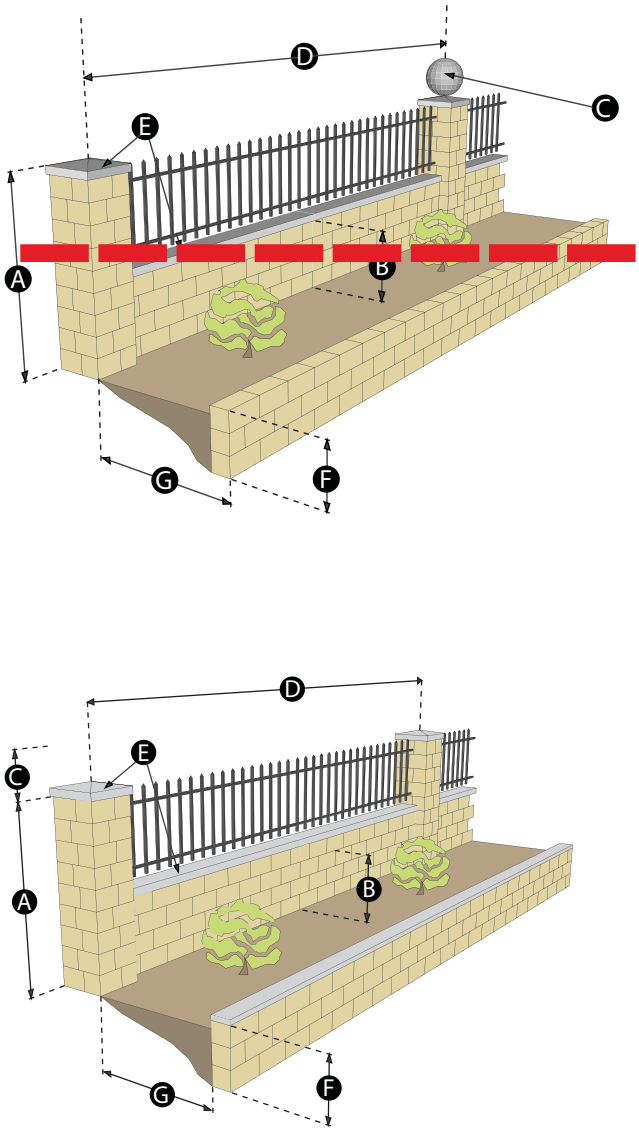


FIGURE 6 - FRONT YARD WALL/FENCE WITH STANDARD STEPBACK



FENCES AND WALLS

Front Yard Wall/Fence (see Figure 6)	Table 7
A. Maximum primary wall height	5 feet
B. Maximum solid wall base height	2 feet
C. Maximum ~~Pilaster~~ Ornament height above wall	18 inches
D. Maximum on-center distance between Pilasters	24 feet
E. Decorative Cap feature	5 inches
Front Yard Wall/Fence with Standard Stepback [1]	
F. Maximum secondary wall height	2 feet
G. Minimum spacing between wall sections - Outside Dimensions	5 feet

Footnotes:

1. *Retaining walls along the front property line may not exceed two feet in height. Where the grade of the front yard slopes at a ratio greater than 2:1, multiple retaining walls may be constructed, provided there is a minimum distance of five feet between retaining walls for landscaping. (See Figure 6).*

Perimeter and Retaining Walls (see Figure 7)	Table 8
Perimeter and Retaining Walls with Slope ≤ 2%	
A. Maximum ~~Overall~~ Wall Height	10 feet
B. Maximum Perimeter Wall Height	6 - 8 feet
C. Maximum Retaining Wall Height	4 feet
D. Maximum ~~Pilaster~~ Ornament Height above wall	18 inches
E. Contrasting Material	20%
Perimeter and Retaining Walls with Slope > 2%	
A. Maximum ~~Overall~~ Wall Height	12 feet
B. Maximum Perimeter Wall Height	6 - 8 feet
C. Maximum Retaining Wall Height	6 feet
D. Maximum ~~Pilaster~~ Ornament Height above wall	18 inches
E. Contrasting Material	20%

FIGURE 7 - RETAINING AND PERIMETER WALL

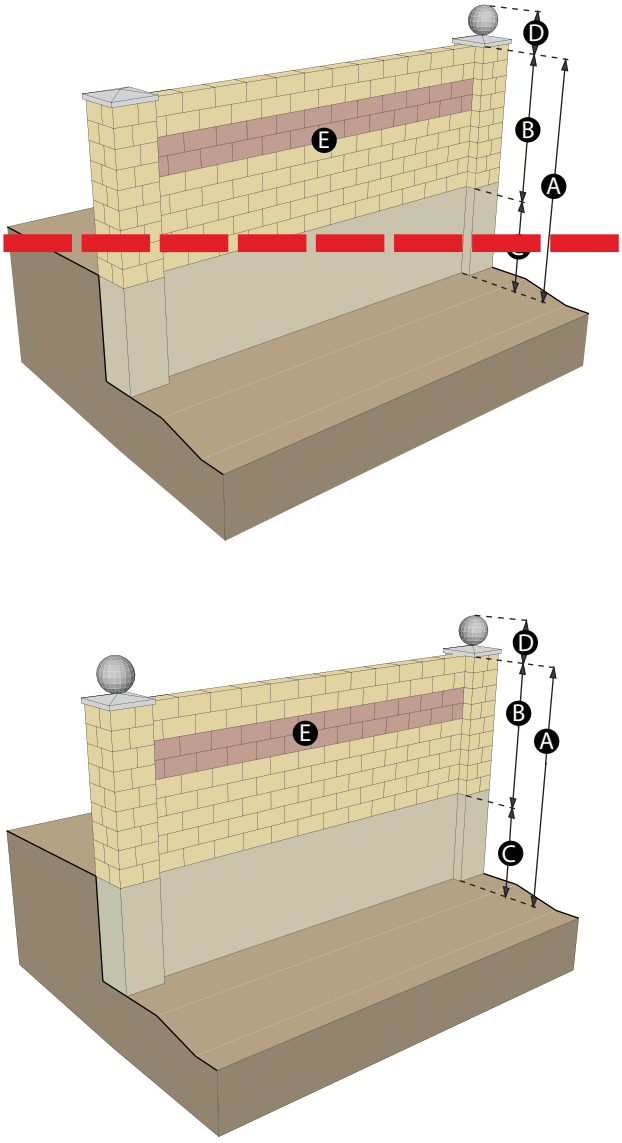
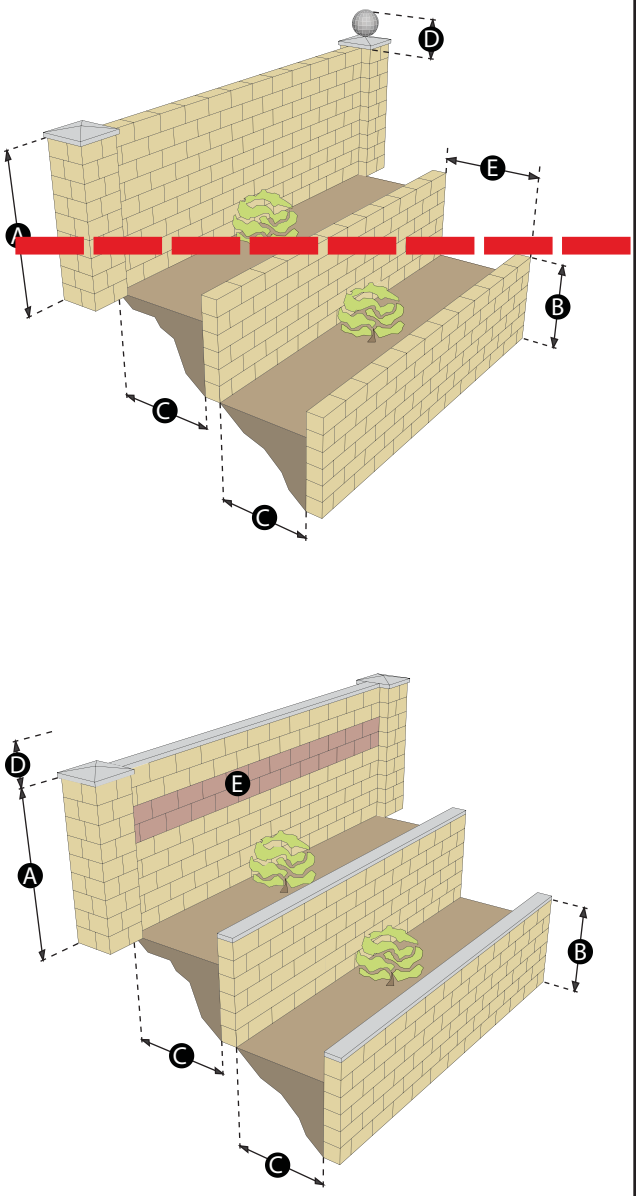


FIGURE 8 - RETAINING AND PERIMETER WALL STANDARD STEPBACK



Perimeter and Retaining Walls Standard Stepback (see Figure 8)		Table 9
A.	Maximum Primary wall Height	6 - 8 feet
B.	Maximum Secondary wall Height	4 feet
C.	Minimum spacing between wall sections ~~- Inside Dimensions~~	~~4~~ 5 feet
D.	Maximum ~~Pilaster~~ Ornament Height	18 inches
E.	~~Minimum spacing between wall sections - Outside Dimensions~~ Contrasting Material	~~5 feet~~ 20%

19.06.130

R-MH MOBILE/MANUFACTURED HOME RESIDENCE DISTRICT

The purpose of the R-MH District is to establish subdivision lots primarily for mobile or manufactured homes. The R-MH District is consistent with the policies of the Low Density Residential category of the General Plan.

BUILDING PLACEMENT [1] (see Figure 1)		TABLE 1
A.	Minimum Lot Size Minimum Lot Width	6,500 square feet [2] 65 feet [2, 3]
B.	Max. Lot Coverage Dwelling Units per Lot	50% 1
C.	Minimum Front Yard Setback	15 feet [4]
D.	Minimum Side Yard Setback	5 feet
E.	Minimum Corner Side Yard Setback	10 feet [4]
F.	Minimum Rear Yard Setback	10 feet [4]

Footnotes:

1. *The wheels on a mobile home may be removed and the mobile home may be permanently attached to a footing and foundation in accordance with all requirements of the Department. In a Mobile Home Park, the wheels on a mobile home may be removed and the mobile home may be temporarily attached to a footing and foundation with written agreement from the park owner/manager and in accordance with the requirements of the Department.*

2. *Sites within a Mobile Home Park may have a minimum lot area of 4,000 square feet and minimum lot width of 45 feet.*

3. *Notwithstanding the minimum lot width in this Table, lots located along the circular portion of a cul-de-sac or a knuckle portion of a street may be reduced to a minimum of 30 feet in width at the front property line, provided the average lot width meets the required lot width.*

4. *Sites within a Mobile Home Park may have a minimum front, corner side and rear yard setback of 5 feet.*

ACCESSORY STRUCTURES [1] (see Figure 2)		TABLE 2
G.	Separation from Main Bldg.	6 feet
H.	Minimum Corner Side Yard Setback	10 feet
J.	Minimum Rear Yard Setback	3 feet
K.	Minimum Side Yard Setback	3 feet
L.	Size and Coverage	Not to exceed 50% of the floor area of the principal dwelling unit [2, 3]

FIGURE 1 - BUILDING PLACEMENT

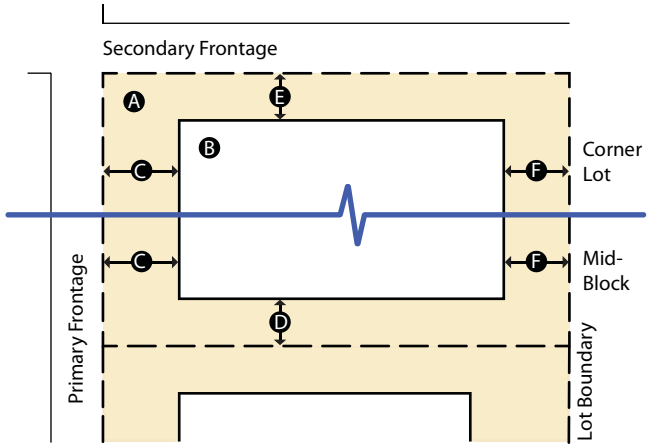


FIGURE 2 - ACCESSORY STRUCTURES

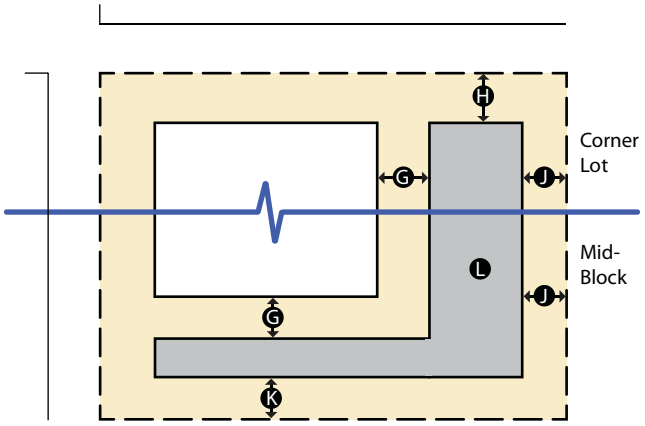


FIGURE 3 - BUILDING HEIGHT

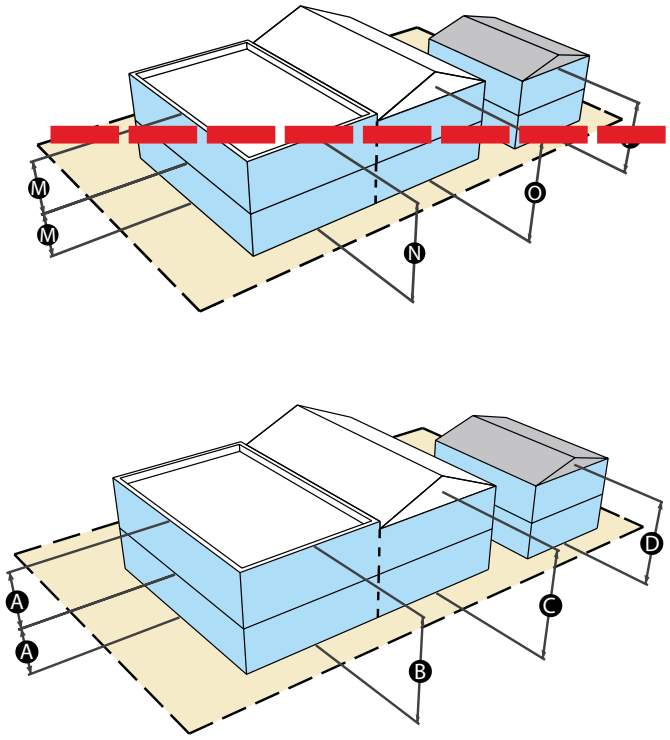
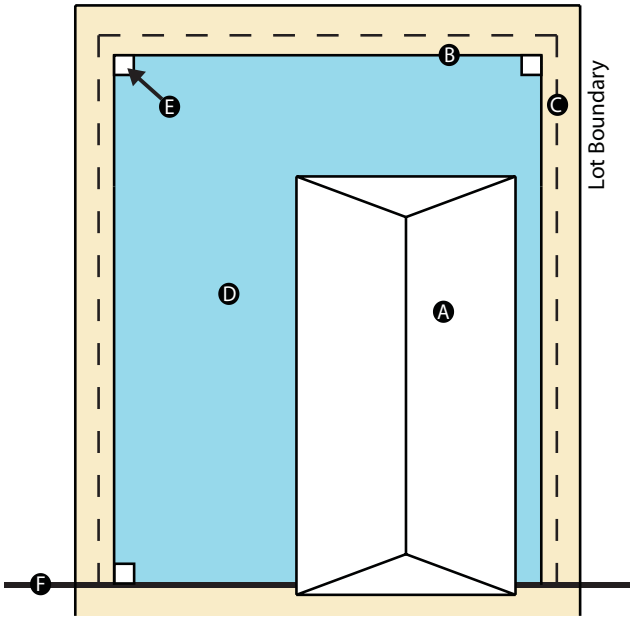


FIGURE 4 - PATIO COVER



Footnotes:

1. *Any building attached to a mobile home and used for living purposes shall have interior access and shall contain no kitchen facilities. No living quarters of any kind will be permitted in any accessory building and no residential use of the property shall be permitted unless the lot contains a mobile home.*
2. *The aggregate total of the ground floor areas of all accessory buildings shall not cover more than 50 percent of the rear yard area.*
3. *The aggregate total of the ground floor areas of all structures and dwellings, including accessory structures, shall not exceed the percentage of lot coverage permitted.*

BUILDING HEIGHT (see Figure 3)	TABLE 3
~~M~~ A. Stories	2 max
~~N~~ B. Flat Roof - Max. Height	35 feet measured to the top of the roof coping
~~O~~ C. Pitched Roof - Max. Height	35 feet measured to the midpoint between the eaves and ridgeline of a pitched roof
~~P~~ D. Accessory Bldg. - Stories	Not to exceed 2 stories, 35 feet in height or the height of the principal dwelling unit, whichever is less

PATIO COVER (see Figure 4)	TABLE 4
A. Principal Dwelling Unit	
B. Patio Cover Setback to Post	5 feet - Rear 5 feet - Side 10 feet - Corner Side
C. Patio Cover Overhang	May come to within 3 feet of Rear and Side Property Lines
D. Patio Cover	Buildable Envelope
E. Patio Cover Support Columns	Must be located within the required Setbacks
F. Front Yard Setback	Patio Cover may not extend into

LANDSCAPE BUFFERS AND TURF LIMITATIONS (see Figure 5)		TABLE 5
A.	Landscape Buffer - Minimum Zone Depths [1]	6 feet - Adjacent to Right-of-Way [+2] 0 feet - Interior Lot Lines
B.	Primary Dwelling	
C.	Front Yard Area - Turf Coverage	0%
D.	Front Yard Setback Line	

Footnotes:

1. *Nonresidential development shall have a minimum landscape buffer width of 15 feet adjacent to a right-of-way and eight feet along interior lot lines.*

2. *Only applies to ~~single family~~ single family developments with five or more lots.*

PARKING (see Figure 5)		TABLE 6
E.	Minimum On-site Parking Requirement [1] - Manufactured Home or Mobile Home	2 unimpeded spaces per dwelling unit [2]

Footnotes:

1. *For any use approved for this district other than Manufactured Home or Mobile Home, the On-site Parking Requirements shall be as outlined in LVMC ~~19.12.160~~ 19.12.060 for that use and shall meet, if applicable, the parking area design standards as outlined in LVMC 19.08.110.*

FIGURE 5 - LANDSCAPE BUFFER AND TURF LIMITATIONS / MANUFACTURED HOME/MOBILE HOME PARKING

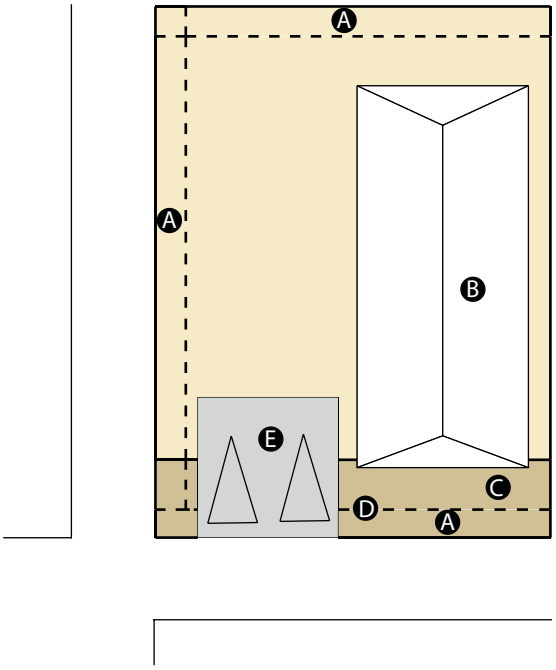
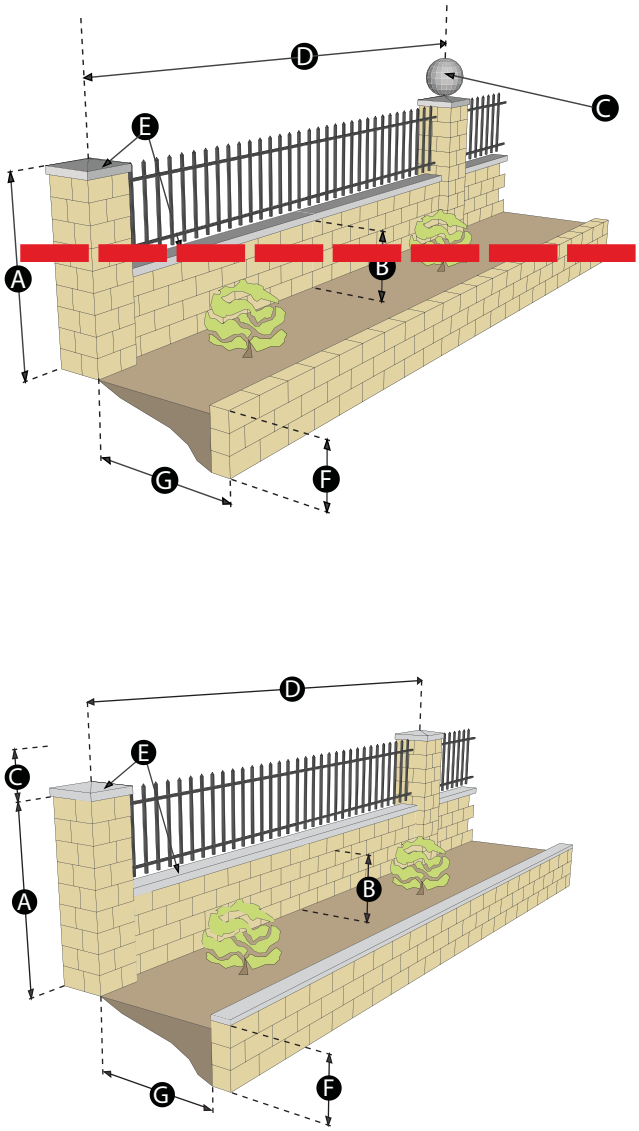


FIGURE 6 - FRONT YARD WALL/FENCE WITH STANDARD STEPBACK



FENCES AND WALLS

Front Yard Wall/Fence (see Figure 6)	Table 7
A. Maximum primary wall height	5 feet
B. Maximum solid wall base height	2 feet
C. Maximum ~~Pilaster~~ Ornament height above wall	18 inches
D. Maximum on-center distance between Pilasters	24 feet
E. Decorative Cap feature	5 inches
Front Yard Wall/Fence with Standard Stepback [1]	
F. Maximum secondary wall height	2 feet
G. Minimum spacing between wall sections - Outside Dimensions	5 feet

Footnotes:

1. *Retaining walls along the front property line may not exceed two feet in height. Where the grade of the front yard slopes at a ratio greater than 2:1, multiple retaining walls may be constructed, provided there is a minimum distance of five feet between retaining walls for landscaping. (See Figure 6).*

Perimeter and Retaining Walls [1] (see Figure 7)	Table 8
Perimeter and Retaining Walls with Slope ≤ 2%	
A. Maximum ~~Overall~~ Wall Height	10 feet
B. Maximum Perimeter Wall Height	6 - 8 feet
C. Maximum Retaining Wall Height	4 feet
D. Maximum ~~Pilaster~~ Ornament Height above wall	18 inches
E. Contrasting Material	20%
Perimeter and Retaining Walls with Slope > 2%	
A. Maximum ~~Overall~~ Wall Height	12 feet
B. Maximum Perimeter Wall Height	6 - 8 feet
C. Maximum Retaining Wall Height	6 feet
D. Maximum ~~Pilaster~~ Ornament Height above wall	18 inches
E. Contrasting Material	20%

Footnotes:

1. *A Mobile Home Park shall have a decorative masonry perimeter wall six feet in height. Any wall abutting a public street shall be set back a minimum of five feet and landscaping shall be installed and permanently maintained between the wall and the public streets.*

FIGURE 7 - RETAINING AND PERIMETER WALL

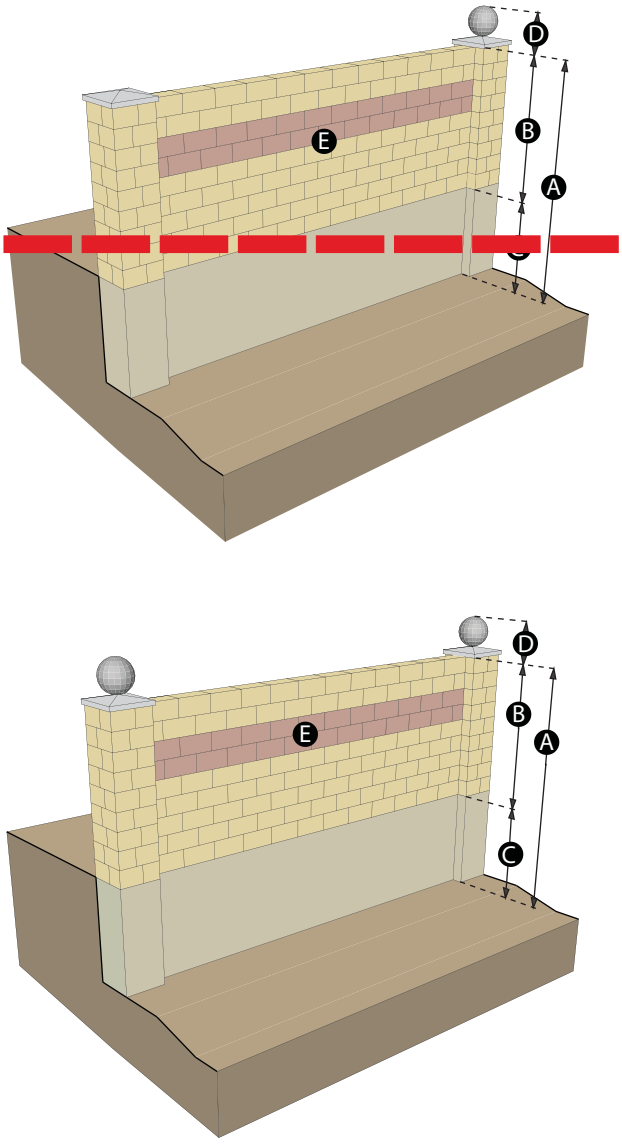
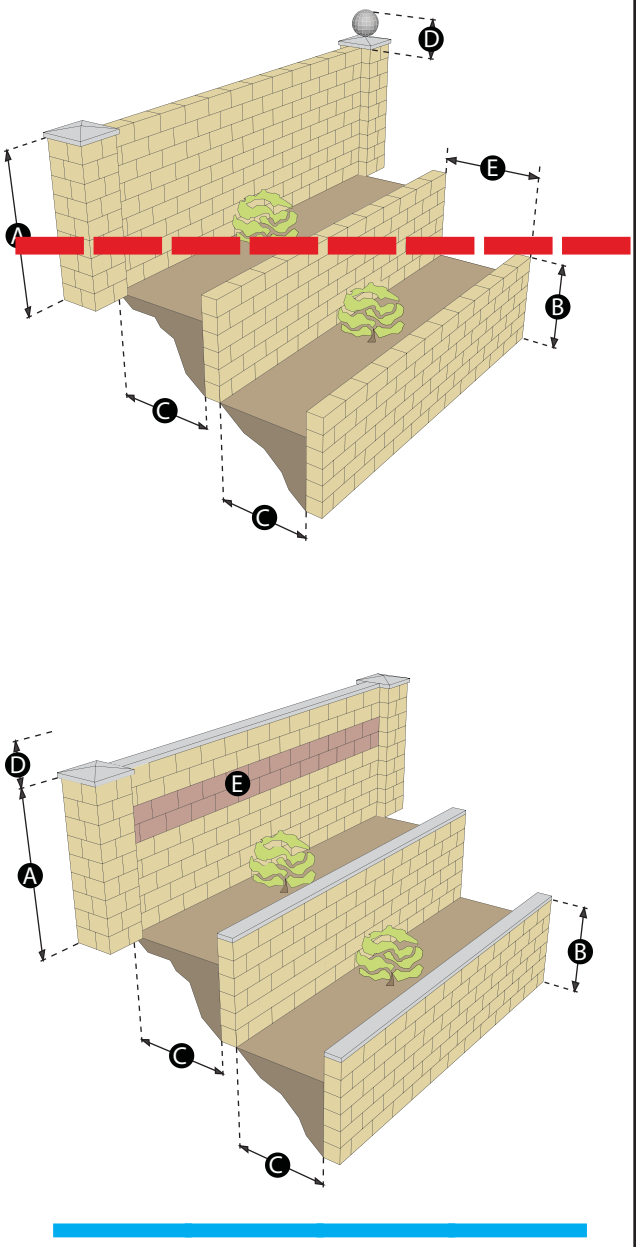


FIGURE 8 - RETAINING AND PERIMETER WALL STANDARD STEPBACK



Perimeter and Retaining Walls Standard Stepback (see Figure 8)		Table 9
A.	Maximum Primary wall Height	6 - 8 feet
B.	Maximum Secondary wall Height	4 feet
C.	Minimum spacing between wall sections ~~- Inside Dimensions~~	~~4~~ 5 feet
D.	Maximum ~~Pilaster~~ Ornament Height	18 inches
E.	~~Minimum spacing between wall sections - Outside Dimensions~~ Contrasting Material	~~5 feet~~ 20%

19.06.140

RESIDENTIAL SIGN STANDARDS

A. Conformance and Purpose

1. Conformance Required

A sign shall be erected, placed, established, relocated, painted, created, or maintained within a residential district in the City only in conformance with the standards, procedures, exemptions and other requirements of this Section.

2. Purpose

The goal of this Section is to achieve a balance among: the use of signs for business advertising; the public's need for signs as aids to way-finding; traffic safety; community appearance, particularly along its major corridors; and the maintenance of the residential character of the City's neighborhoods. In furtherance of that goal, this Section has the following specific purposes:

a. To improve the quality, visibility, conspicuity and appearance of signs, and the appearance of properties, thoroughfares and neighborhoods within the City in accordance with the Las Vegas 2020 Master Plan;

b. To establish a set of design criteria to allow a limited variety of signs in residential districts, subject to the standards of this Section and the certification procedures of this Title;

c. To allow without permit or certification certain signs that are small, unobtrusive, and incidental to the principal use of the respective lots on which they are located, subject to the substantive requirements of this Section;

d. To provide for temporary signs without commercial messages in limited circumstances;

e. To prohibit all signs within residential districts not expressly permitted by this Section; and

B. General Requirements

1. General

On-premise signs may be allowed on residential property in the City in accordance with this Section.

2. Compliance with City Codes

In addition to the requirements of this Section, all signs shall comply with applicable provisions of the technical codes of the City of Las Vegas. All signs shall be attached in compliance with the City Building Code. Signs allowed under this Section, either with or without a sign certificate, shall be erected or placed in accordance with applicable height, size and setback requirements and shall conform to applicable lighting standards and other standards, restrictions and conditions set forth in this Title.

3. Certificate Required

Prior to the construction, placement, erection or modification of any on-premise sign requiring a certificate under the provisions of this Section, the owner(s) of the lot or the owner's authorized agent shall secure a sign certificate in accordance with the requirements of LVMC 19.16.200. No person shall install a sign that requires a certificate unless the appropriate certificate has been obtained, nor shall any person permit or cause such a sign to be installed without a certificate.

4. General Standards

a. Conformance with Sign Standards. No sign shall be allowed within a residential district unless the size, characteristics and location of the sign conform to the requirements of this Section, and the number of signs on the lot does not exceed the limitations imposed by this Section.

b. Signs in public right-of-way. Except as otherwise provided in LVMC 19.04.160, no sign shall be erected in the public right-of-way.

c. Required mounting. Except as otherwise provided in this Section, all on-premise signs shall be permanently mounted to a building or freestanding permanently secured support structure. Portable on-premise signs shall only be permitted under LVMC 19.06.140(G). No sign shall be painted onto a wood or masonry perimeter fence.

d. Sound. No sign shall emit any sound as part of the advertising message.

e. Odors. No sign shall emit any odor as part of the advertising message.

f. Street addresses. On-premise freestanding or monument signs identifying a building or complex of structures, located along the street frontage to which the street address applies,

shall display the address of the building or the range of addresses within the complex. Any other on-premise sign may incorporate a street address. The area of the street address text shall not be computed as part of the sign face. All street addresses displayed shall be in conformance with the most recently adopted version of the "City of Las Vegas Street Naming and Address Assignment Regulations".

g. Issuance of Certificate. No sign certificate shall be issued for an existing or proposed sign in a residential district unless the sign is consistent with the requirements of this Title (including those protecting existing signs) and is consistent with any Master Sign Plan in effect for the property.

5. Construction Materials and Attachment

a. All signs, other than temporary signs conforming in all respects with the requirements of LVMC 19.06.140(G), shall be constructed of durable materials.

b. All signs shall be permanently attached to the ground, a building or other structure by direct attachment to a rigid wall, frame or structure, except as allowed for certain temporary signs in accordance with LVMC 19.06.140(G).

6. Licensed Contractor Required

All signs that require a construction permit under applicable codes shall be installed by a qualified contractor licensed by the City of Las Vegas and the State of Nevada.

7. Maintenance

a. All signs shall be maintained in good structural condition, in compliance with all building and electrical codes, and in conformance with this Section at all times.

b. All materials used in sign construction shall be maintained in such a manner as to be free from fading, peeling, chipping and other states of general deterioration.

8. Revocation

A sign certificate is revocable if the sign is abandoned or allowed to become unsafe or dangerous, or is otherwise condemned. The owner(s) shall maintain the sign in safe condition at all times and shall remove the sign if abandoned.

9. Determination of Visibility or Legibility

Where a determination of "visibility" or "legibility" is required, the standard shall be based on the minimum required eyesight of an adult eligible to receive a Nevada driver's license (wearing any corrective lenses required by such license). Where the height of the person is material to the determination, the person shall be presumed to be more than five feet and less than six feet tall.

10. Sign Certificate Application

Where a sign certificate is required, an application shall be submitted in accordance with LVMC 19.16.200.

C. Residential Protection Standards

1. Illuminated Signs

Any illuminated sign requiring a sign certificate and located within 200 feet of property zoned or shown on the General Plan as planned for ~~single-family~~ single family residential (attached or detached) use shall be subject to the following additional lighting standards:

a. If the sign is located within 40 feet of the property planned or zoned for residential use and is or will be visible from such property, it may be internally illuminated or lighted with direct white light;

b. If the sign is located more than 40 feet from the property planned or zoned for residential use but within 200 feet of such property and the sign is or will be visible from such property, it may be interior-lit or lighted with direct white light, but it shall not contain bare bulbs, exposed neon tube, animation or a electronic message unit; and

c. Direct lighting fixtures for such signs shall be aimed up and/or away from the property planned or zoned for residential use.

2. Electronic Message Unit, Animated and Flashing Signs

Electronic message units, animated signs and flashing signs are prohibited within 200 feet of property planned or zoned for residential use unless the design of the sign or its location and orientation ensure that the electronic message

unit, animated or flashing portion of the sign, or any other light from the sign will not be visible from the property planned or zoned for residential use.

D. Certain Illegal and Abandoned Signs

1. Action Required

a. Abandoned sign faces or sign copy shall be removed from public view by covering the sign face, replacing the sign face with a blank sign face, or replacing the sign copy with sign copy that relates to an on-going business, product, service, idea or commercial activity on-site.

b. Abandoned sign structures and illegal signs shall be removed by the owner(s) of the property, the owner's agent, or the person having the beneficial use of the building, structure or land where such sign is located within 10 days, in the case of illegal signs, and 30 days, in the case of abandoned sign structures, after written notification from the City.

c. Failure to comply with a notice from the City demanding the removal of an abandoned sign or an illegal sign within the time period specified in the notice shall be considered a violation of this Subchapter. See also LVMC 19.16.200(E) .

E. Exempt and Prohibited Signs

1. Substitution of Non-Commercial Messages

Any sign authorized in this Section may contain non-commercial copy in lieu of any other copy.

2. Exempt Signs

The following signs shall be exempt from regulation under this Section:

a. Any public safety sign, notice or warning required by a valid and applicable federal, state, or local law, regulation or ordinance;

b. Non-commercial messages unless otherwise regulated by this Section;

c. Any sign inside a building that is not legible from a distance of more than three feet beyond the nearest boundary line of the premises on which the sign is located;

d. Works of art or decorative architectural graphics that do not include a commercial message and are not symbolic of any commercial business and are not symbolic of commercial activities taking place on the premises on which the graphic is located;

e. Official notices of any court, public body or officer, or any other sign required by law;

f. Notices posted by a utility or other quasi-public agent in the performance of a public duty or by any person giving due legal notice; or

g. Signs not visible from the public right-of-way.

3. Prohibited Signs

The following signs are prohibited:

a. All signs not expressly permitted or exempted under this Section;

b. Any on-premise sign that is associated with a use that no longer occupies the premises on which it is located;

c. Pole signs placed or erected after August 1, 2002 that do not meet the freestanding sign design standards contained in this Section;

d. A private sign of any kind located on or over any public street, walkway, parking or other public property except as otherwise provided for in this Section;

e. Displays that employ white, red or blue rotating lights or any lights that simulate emergency vehicle lights;

f. Except as lawfully permitted as a temporary special event or civic event sign, beacons, pennants, inflatable signs, tethered balloons, portable signs and similar attention gaining devices;

g. Signs placed on parked vehicles or trailers, or parked commercial vehicles where the vehicle or trailer is not used by the business advertised for the transportation of persons or goods in the ordinary course of business;

h. Permanent balloon signs; and

i. Outdoor, portable electric signs, except as permitted under the provisions for temporary signs.

FIGURE 1 - DECORATIONS

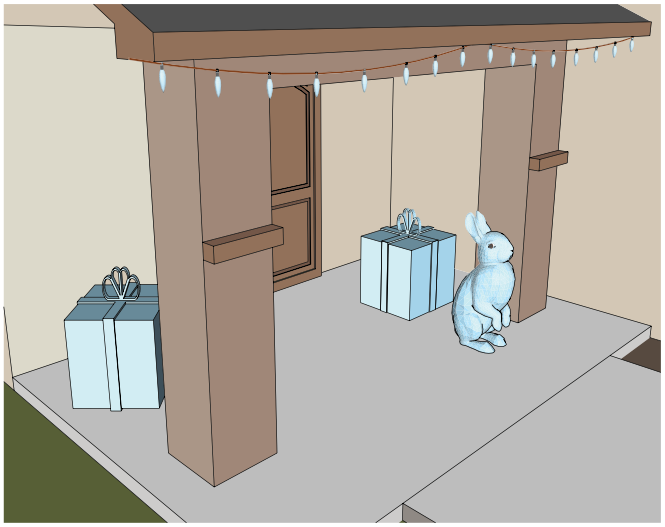
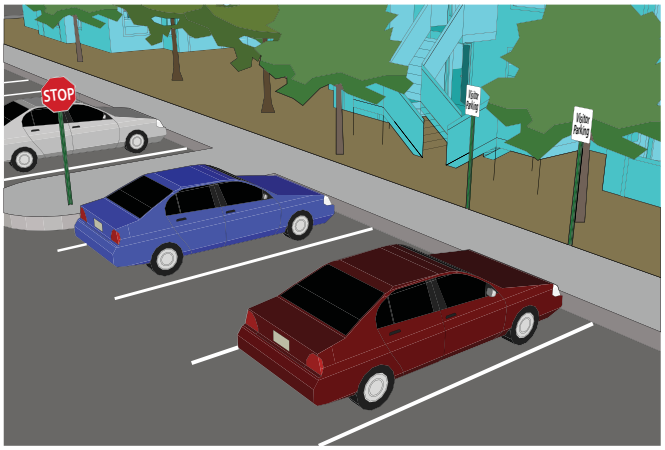


FIGURE 2 - TRAFFIC CONTROL SIGNS ON PRIVATE PROPERTY



F. Signs Permitted in Residential Districts

The following signs and similar devices are permitted in residential districts as indicated, subject to the specified conditions:

1. Decorations (see Figure 1)

Signs in the nature of decorations, clearly incidental and customary and commonly associated with any national, local or religious holiday are permitted without a sign certificate within all residential districts; provided that such signs are not displayed for a period of not more than sixty (60) consecutive days nor more than sixty (60) days in any one (1) calendar year. Such signs are not restricted as to type, number, area, height, location, illumination, or animation.

2. Traffic Control Signs on Private Property (see Figure 2)

Any traffic control sign on private property, such as "Stop," "Yield" and similar signs, the face of which meets Department of Public Works standards and which contains no commercial message of any sort is permitted without a sign certificate within all residential districts.

3. Official Flags of Governments and Governmental Agencies (see Figure 3)

Flags of the United States, state flags, municipal flags, flags of foreign nations and any other flag representing a government or governmental agency are permitted without a sign certificate within all residential districts, provided that:

a. The flag is not flown from a pole the top of which is more than 40 feet in height (see "A" in Figure 2) ;

b. No more than one flag for any one governmental unit or nation is permitted on each parcel of land; and

c. No more than four flags are permitted on the same parcel of land.

4. Official Flags of Private Entities (see Figure 3)

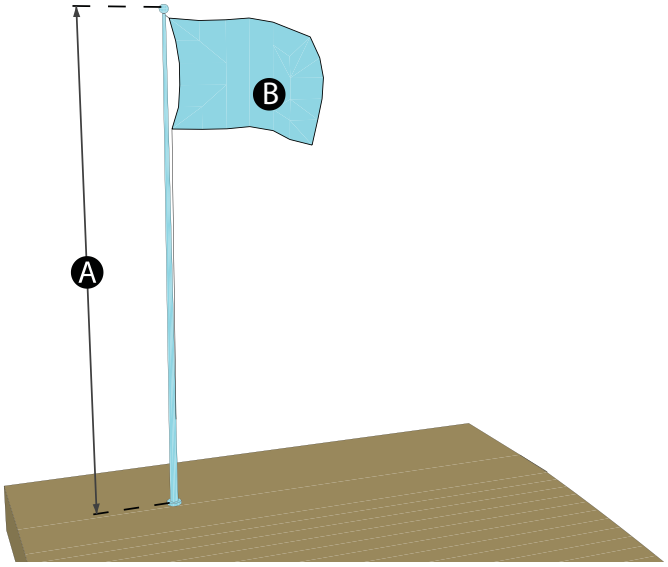
Official flags of private corporations or other private entities are permitted at the location of the main headquarters, corporate offices or branch office of the subject entity provided that:

a. The flags do not exceed 60 square feet in area (see "B" in Figure 3);

b. The flags are not flown from a pole the top of which is more than 40 feet in height; and

c. No more than one flag is permitted on each parcel of land.

FIGURE 3 - OFFICIAL FLAGS



Garage or Yard Sale Signs
19.06.140(F)(5)

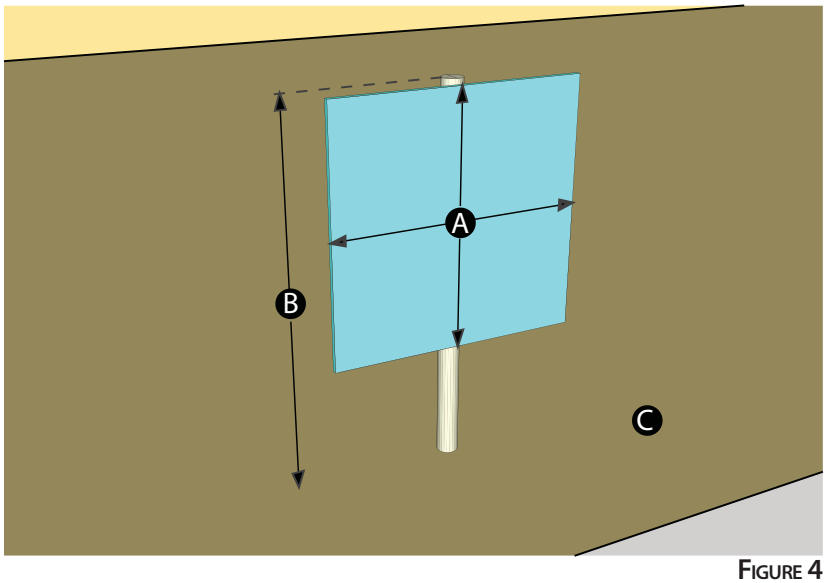


FIGURE 4

Table 1. Garage or Yard Sale Sign Standards in Residential Districts (see Figure 4)

Standard	U, R-E, R-1, R-CL , R-TH, R-2 R-3, R-4 and R-MH
Maximum Number	1 sign per event
Maximum Area (see Ⓐ in Figure 4)	16 square feet
Maximum Height (see Ⓑ in Figure 4)	6 feet
Location (see Ⓒ in Figure 4)	No such sign shall be placed on private property without the permission of the property owner(s), and no such sign shall be placed on any public land, including rights-of-way, traffic medians, public sidewalks, public trails, bicycle paths on City property, in City rights-of-way, or on fixed structures such as light poles or traffic signals
Additional Standards	1. No such sign may be used more than 24 hours prior to the start of the garage or yard sale event. 2. The property owner(s) shall be responsible for removal of the signs at the end of the garage or yard sale event.
Illumination Permitted	No
Certificate Required	No

Illustrations & Graphics

Incidental Signs (Attached and Freestanding)
19.06.140(F)(6)

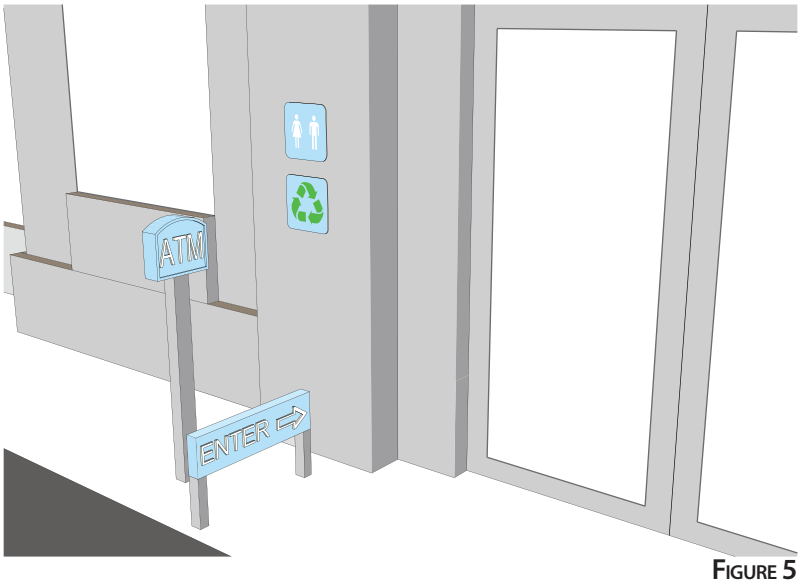


FIGURE 5

Table 2. Incidental Sign Standards (Attached or Freestanding) in Residential Districts (see Figure 5)

Standard	U, R-E, R-1, R-CL, R-TH, R-2, R-3, R-4 and R-MH
Non-directional Signs	Typical incidental signs include, but are not limited to, "restroom," "telephone," "no parking," "entrance," "exit," and generic directions such as "office," "ATM," or "stores."
Maximum Number	No specific limit
Maximum Area	1. 4 square feet if set back less than 30 feet from the public right-of-way 2. 9 square feet if set back 30 or more feet from the public right-of-way
Maximum Height	5 feet
Minimum Setback	5 feet from all property lines
Additional Standards	Non-directional signs shall not carry any commercial message whatsoever
Illumination Permitted	No
Certificate Required	No
Directional Signs	Signs specifically designed to give parking or traffic directions and other directional information commonly associated with and related to the permitted use
Maximum Number	2 per driveway or vehicular access except that any such sign not legible from the public right-of-way shall not be counted in this limitation
Maximum Area	12 square feet. If the sign includes a business name or logo, it shall not comprise more than 50% of the permitted sign area
Maximum Height	7 feet
Minimum Setback	5 feet from all property lines
Illumination Permitted	Internal illumination only
Certificate Required	No

Open House Signs
19.06.140(F)(7)

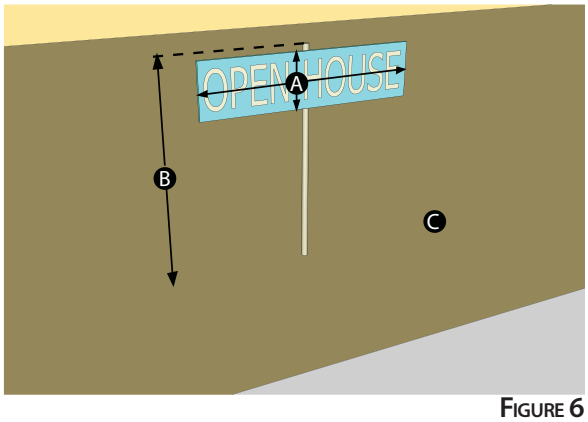


FIGURE 6

Table 3. Open House Sign Standards in Residential Districts (see Figure 6)

Standard	U, R-E, R-1, R-CL, R-TH, R-2, R-3, R-4 and R-MH
Open House Signs	An "open house" realty sign is intended to serve only the short-term customer directing potential homebuyers to an open house of a dwelling unit "For Sale". Such signs are not permanent directional signs.
Maximum Number	6 per event
Maximum Area (see Ⓐ in Figure 6)	9 square feet per sign
Maximum Height (see Ⓑ in Figure 6)	6 feet
Sign Placement (see Ⓒ in Figure 6)	1. Open house signs shall only be placed on private property and shall not be placed on any public land, including rights-of-way, traffic medians, public sidewalks, public trails, bicycle paths on City property, in City right-of-way between the sidewalk and the curb, on signs in the right-of-way, or on fixed structures such as light poles or traffic signals 2. No such sign shall block or overhang any sidewalk or other established pedestrian walkway. 3. In order to place "Open House" signs on the private property, other than the property that is the subject of the open house event, authorization from the property owner(s) or the owner's duly authorized agent is required.
Additional Standards	1. All open house signs shall state "Open House". 2. Such signs shall not be used for the sale of any residence for which there are current signs (either weekend or continuous) unless the residence is a re-sale and is for sale by owner(s) or listed by an agent other than the marketing agent for the development. 3. All such signs shall contain the listing agent's name and telephone number. A business card is permissible as long as it is protected from the elements. 4. No such signs may be displayed more than one hour prior to nor more than one hour after the period a real estate licensee or broker is on duty at the home for sale; and 5. The property owner(s) shall be responsible for removal of the signs at the end of the open house event.
Illumination Permitted	No
Certificate Required	No

Project Flags
19.06.140(F)(8)

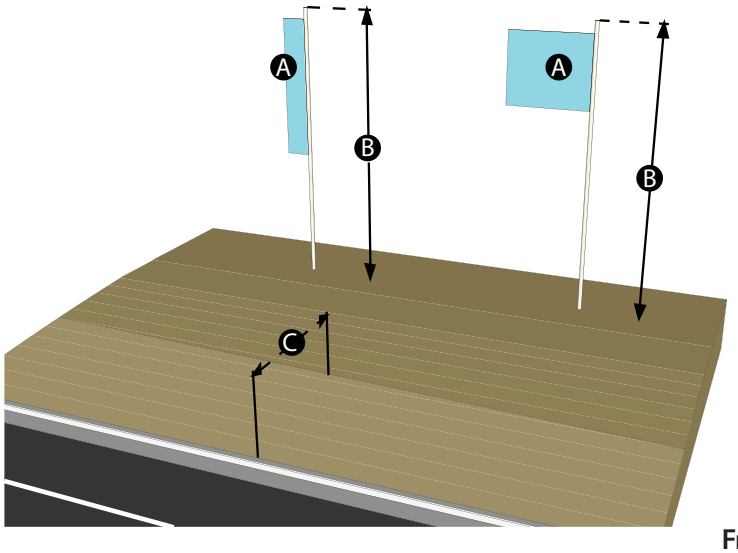


FIGURE 7

Table 4. Project Flag Standards in Residential Districts (see Figure 7)

Standard	U, R-E, R-1, R-CL, R-TH, R-2, R-3, R-4 and R-MH
Project Flag Signs	Project flags are decorative flags intended to identify a specific development containing a residential use. These flags do not contain any advertising copy other than the name or the logo of the development.
Maximum Number	25 flags per development that is 10 acres in area or less, plus one additional flag for each additional one-half acre in area
Maximum Area (see Ⓐ in Figure 7)	24 square feet per flag
Maximum Height (see Ⓑ in Figure 7)	24 feet
Location (see Ⓒ in Figure 7)	5 feet to all property lines
Illumination Permitted	No
Certificate Required	No

House of Worship Directional Signs
19.06.140(F)(9)

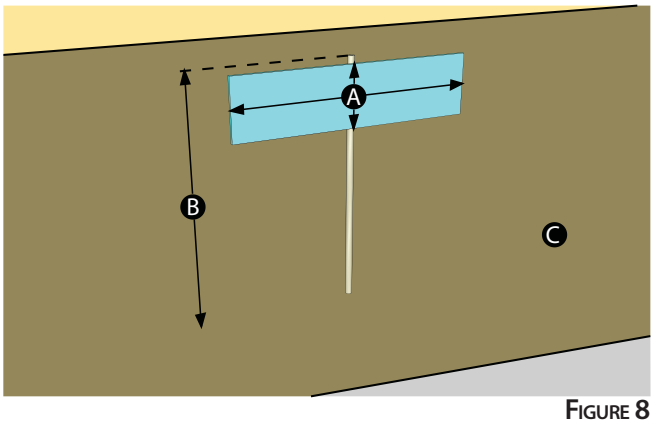


FIGURE 8

Table 5. House of Worship Directional Sign Standards in Residential Districts (see Figure 8)

Standard	U, R-E, R-1, R-CL, R-TH, R-2, R-3, R-4 and R-MH
House of Worship Directional Signs	House of Worship directional signs are intended to assist the public in finding their way to houses of worship or religious services held in nontraditional locations or facilities. Such signs are not permanent directional signs and may only be used during the periods stated in this Subsection.
Maximum Number	6 signs
Maximum Area (see Ⓐ in Figure 8)	9 square feet per sign
Maximum Height (see Ⓑ in Figure 8)	6 feet
Sign Placement (see Ⓒ in Figure 8)	1. Such signs shall only be placed on private property and shall not be placed on any rights-of-way, traffic medians, public sidewalks, public trails, bicycle paths, on signs in the right-of-way, or on fixed structures such as light poles or traffic signals. 2. No such sign shall block or overhang any sidewalk or other established pedestrian walkway. 3. In order to place such signs on private property other than the property containing the house of worship or the premises of the religious services, written authorization from the property owner(s) or the owner's duly authorized agent is required.
Additional Standards	1. All such signs shall contain the name of the house of worship and its address; 2. All such signs shall contain the name and telephone number of the official of the house of worship responsible for the signs. A business card is permissible as long as it is protected from the elements; 3. The house of worship shall be responsible for removal of the signs at the end of the display period; and 4. No such sign shall be installed before 6 PM on Friday, and all such signs shall be removed by 6 AM on Monday (Tuesday when City offices are closed on Monday due to a holiday).
Illumination Permitted	No
Certificate Required	No

Community Interior Directional Signs
19.06.140(F)(10)

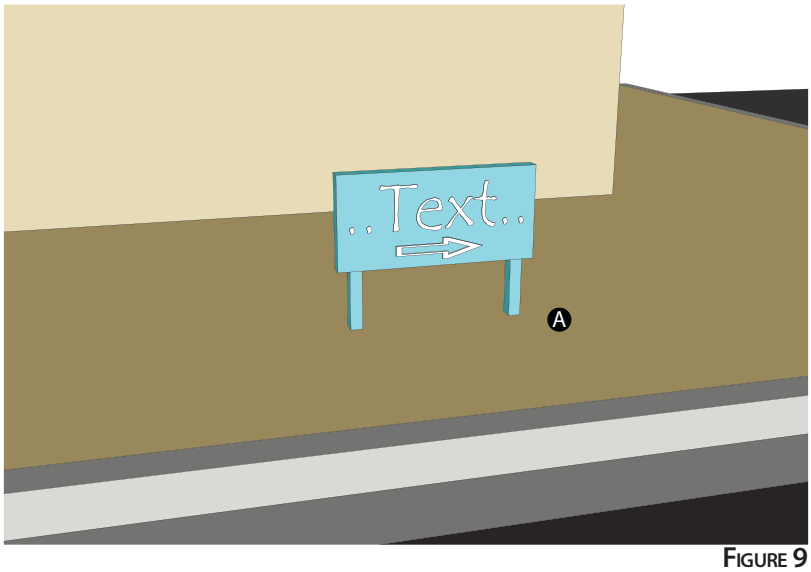


FIGURE 9

Table 6. Community Interior Directional Sign Standards in Residential Districts (see Figure 9)

Standard	U, R-E, R-1, R-CL, R-TH, R-2, R-3, R-4 and R-MH
Maximum Number	There is no specific limit on the number of signs
Sign Location (see Ⓐ in Figure 9)	1. On private property or within public right-of-way, including median, subject to approval of an encroachment agreement; and 2. Placement subject to approval of the City of Las Vegas Traffic Engineer.
Illumination Permitted	Direct white light or internal illumination only
Certificate Required	Yes

Development Entry Statement Signs
19.06.140(F)(11)

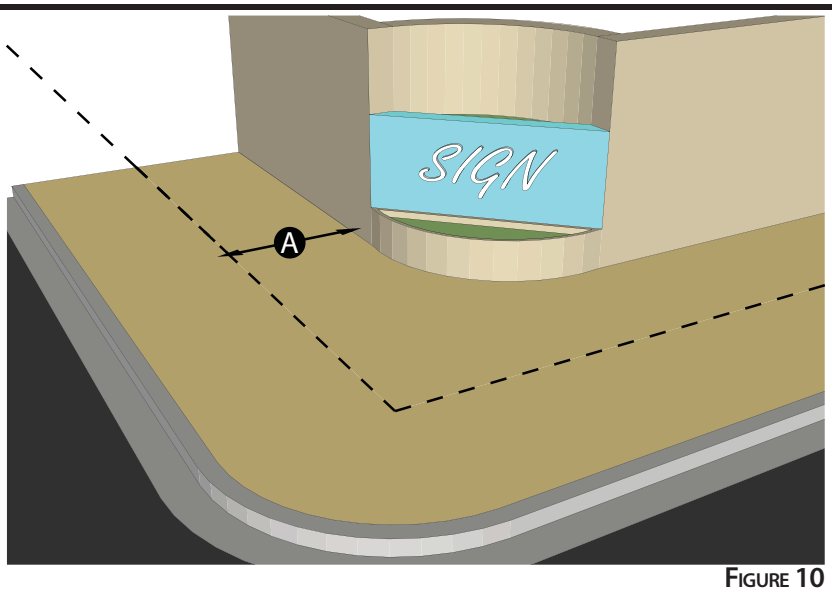


FIGURE 10

Table 7. Development Entry Statement Sign Standards in Residential Districts (see Figure 10)

Standard	U, R-E, R-1, R-CL, R-TH, R-2, R-3, R-4 and R-MH
Maximum Number	2 signs at each entry to a subdivision, apartment complex, or identifiable community. The developer may place one sign on each side of the entry street/drive or one sign in the median, subject to approval of an encroachment agreement if applicable
Sign Location (see Ⓐ in Figure 10)	Setback 5 feet from the property line or a location approved by the City of Las Vegas Traffic Engineer.
Illumination Permitted	Direct white light or internal illumination only
Certificate Required	Yes

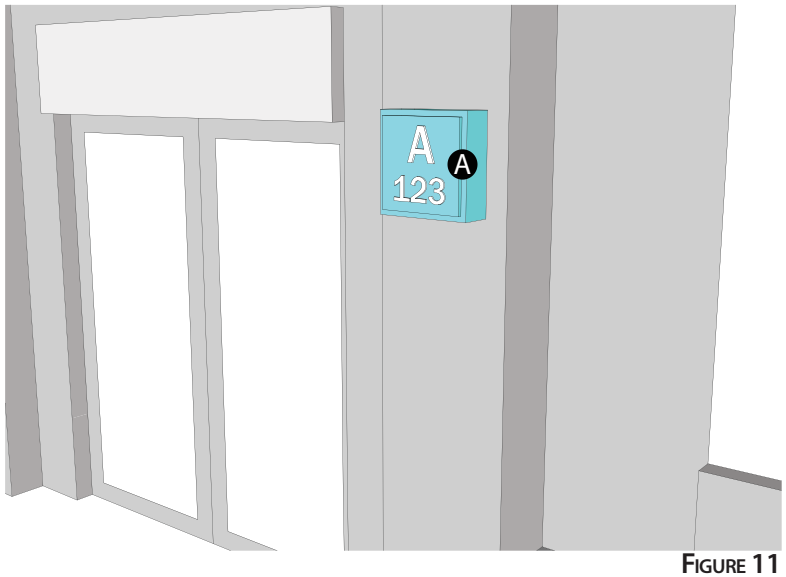


FIGURE 11

Table 8. Building Marker Standards in Residential Districts (see Figure 11)

Standard	U, R-E, R-1, R-CL, R-TH, R-2, R-3, R-4 and R-MH
Maximum Number	There is no specific limit on the number of signs
Maximum Area (see Ⓐ in Figure 11)	4 square feet per sign
Maximum Height	NA
Minimum Setback	NA
Illumination Permitted	No
Certificate Required	No

Directory Signs
19.06.140(F)(13)

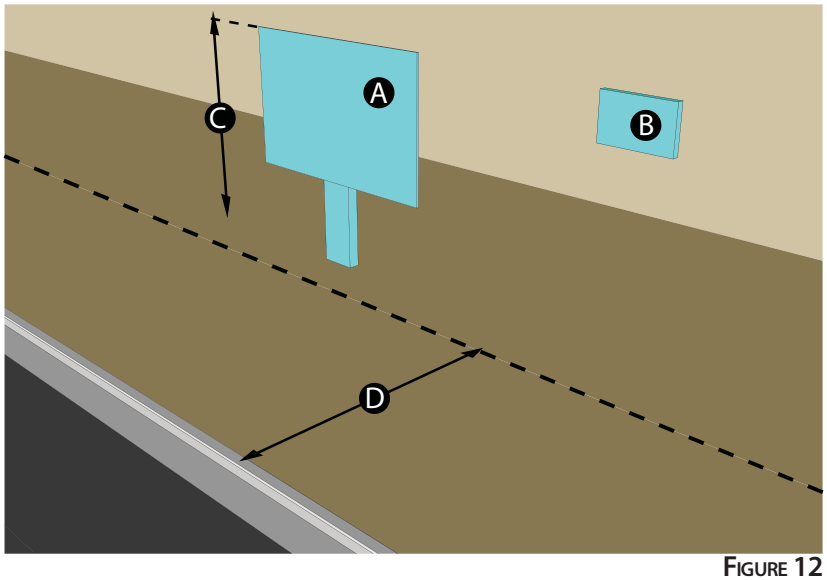


FIGURE 12

Table 9. Directory Sign Standards in Residential Districts (see Figure 12)

Standard	U, R-E and R-1	R-CL, R-TH, R-2, R-3, R-4 and R-MH
Maximum Number	1. 1 freestanding sign per building or per driveway, whichever is greater and 2. 1 attached sign per public entrance	1. 1 freestanding sign per building or per driveway, whichever is greater and 2. 1 attached sign per public entrance
Maximum Area (see A and B in Figure 12)	1. 24 square feet for freestanding 2. 12 square feet or 5% of the building elevation to which it is attached, whichever is less	1. 24 square feet for freestanding 2. 12 square feet or 5% of the building elevation to which it is attached, whichever is less
Maximum Height (see C in Figure 12)	8 feet if freestanding	8 feet if freestanding
Minimum Setback (see D in Figure 12)	25 feet from all property lines, if freestanding	25 feet from all property lines, if freestanding
Additional Standards	1. Permitted only if the development utilizes private streets 2. Only the word "Directory" should be legible from the public right-of-way; the directory sign(s) should be located so that the user can pull out of off-site traffic to read the details of the directory. 3. Directory signs are permitted in addition to any other allowed attached or freestanding signs.	1. Only the word "Directory" should be legible from the public right-of-way; the directory sign(s) should be located so that the user can pull out of off-site traffic to read the details of the directory. 2. Directory signs are permitted in addition to any other allowed attached or freestanding signs.
Illumination Permitted	Direct white light or internal illumination only	Direct white light or internal illumination only
Certificate Required	No	No

Institutional Signs (Attached)
19.06.140(F)(14)

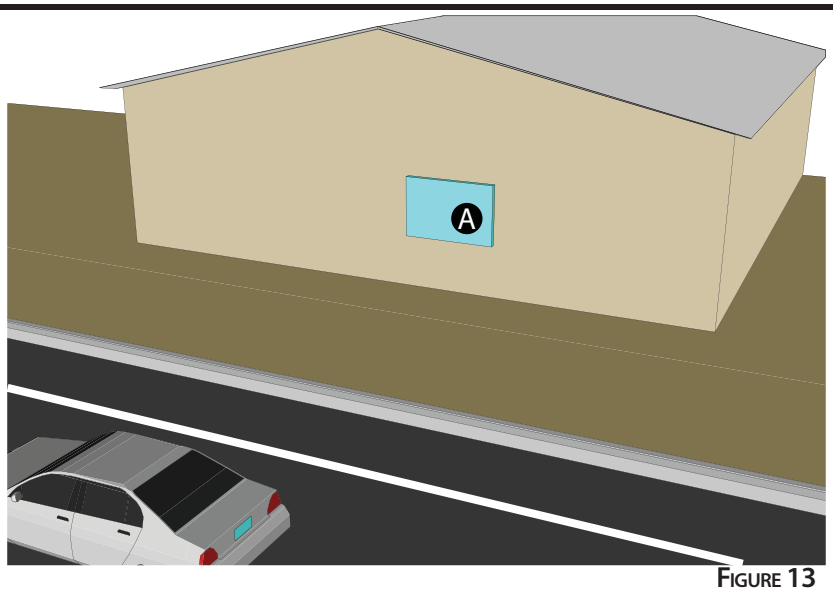


FIGURE 13

Table 10. Attached Institutional Sign Standards in Residential Districts (see Figure 13)

Standard	U, R-E, R-1, R-CL, R-TH, R-2, R-3, R-4 and R-MH
Maximum Number	1 sign per building elevation that faces directly onto a street frontage or on-site parking area
Maximum Area (see Ⓐ in Figure 13)	10% of the building elevation to which it is attached
Maximum Height	NA
Minimum Setback	NA
Illumination Permitted	Direct white light or internal illumination only
Certificate Required	Yes

Institutional Signs (Freestanding)
19.06.140(F)(15)

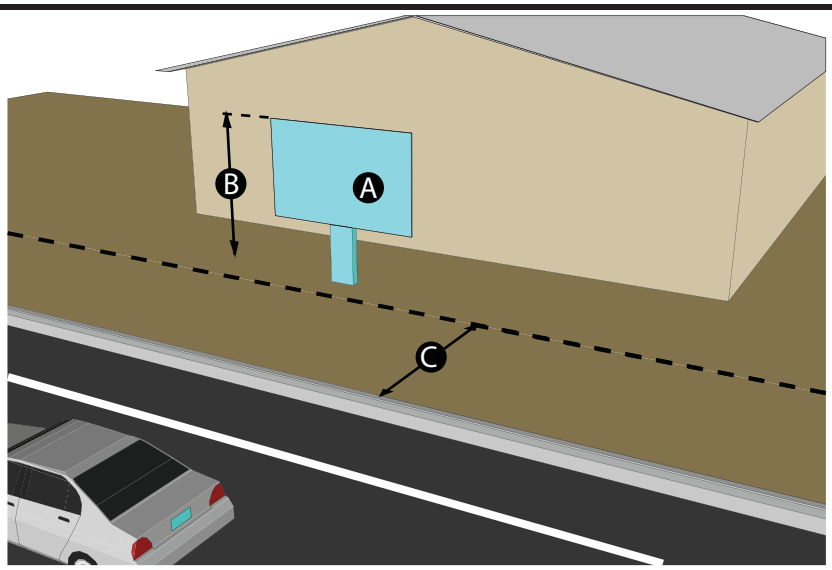


FIGURE 14

Table 11. Freestanding Institutional Sign Standards in Residential Districts (see Figure 14)

Standard	U, R-E, R-1, R-CL, R-TH, R-2, R-3, R-4 and R-MH
Maximum Number	1 sign per street frontage on the site of any house of worship, school, or other institution that is a permitted use in the subject zoning district
Maximum Area (see Ⓐ in Figure 14)	50 square feet
Maximum Height (see Ⓑ in Figure 14)	8 feet
Minimum Setback (see Ⓒ in Figure 14)	5 feet from all property lines
Illumination Permitted	Direct white light or internal illumination only
Certificate Required	Yes

Freestanding Signs
19.06.140(F)(16)

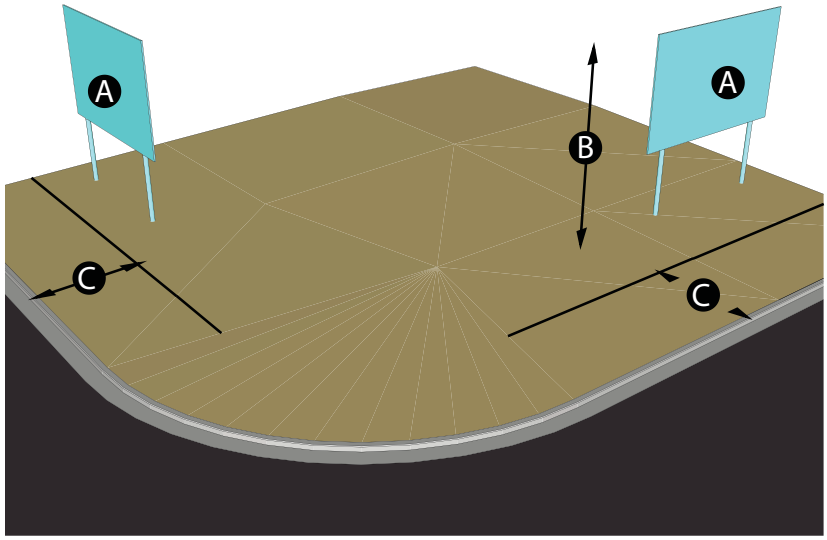


FIGURE 15

Table 12. Freestanding Sign Standards in Residential Districts(see Figure 15)

Standard	R-3, R-4 and R-MH
Maximum Number	1 sign per development; however, developments that have street frontage on two or more streets that are 80 feet or more in width may have 1 sign on each such street frontage
Maximum Area (see Ⓐ in Figure 15)	48 square feet
Maximum Height (see Ⓑ in Figure 15)	12 feet
Minimum Setback (see Ⓒ in Figure 15)	5 feet from all property lines
Additional Standards	1. All freestanding and monument signs on the same lot or in the same development shall maintain a minimum separation of 100 feet measured along the street frontage. 2. See also Residential Protection Standards in LVMC 19.06.140 (C).
Illumination Permitted	Internal and external illumination. In addition, signs over 200 feet from property which is designated in the General Plan for future residential development may be animated or contain an electronic message unit
Certificate Required	Yes



FIGURE 16

Table 13. Wall Sign Standards in Residential Districts (see Figure 16)

Standard	U, R-E, R-1, R-CL, R-TH and R-2	R-3, R-4 and R-MH
Maximum Number	1 sign	1 sign per street front
Maximum Area	2 square feet	50 square feet
Maximum Height	12 inches above the top of the wall, marquee or parapet to which it is attached	12 inches above the top of the wall, marquee or parapet to which it is attached
Minimum Setback	NA	NA
Maximum Projection	A wall sign shall not project more than 24 inches from the building elevation, there shall be no additional message on the additional horizontal surface created by the projection.	A wall sign shall not project more than 24 inches from the structure to which it is attached. There shall be no additional message on the additional horizontal surface created by the projection.
Additional Standards	1. Sign shall be an integral part of or be supported by the wall or wall element (such as awning or marquee) to which they are attached. 2. See also Residential Protection Standards in LVMC 19.06.140 (C).	1. Sign shall be an integral part of or be supported by the wall or wall element (such as awning or marquee) to which they are attached. 2. See also Residential Protection Standards in LVMC 19.06.140 (C).
Illumination Permitted	Direct white light or internal illumination only	Internal and external illumination of wall signs is permitted except on a building elevation facing and located within 200 feet of property zoned or shown on the General Plan as planned for single-family residential (attached or detached) use
Certificate Required	Yes	Yes

Monument Signs
19.06.140(F)(18)

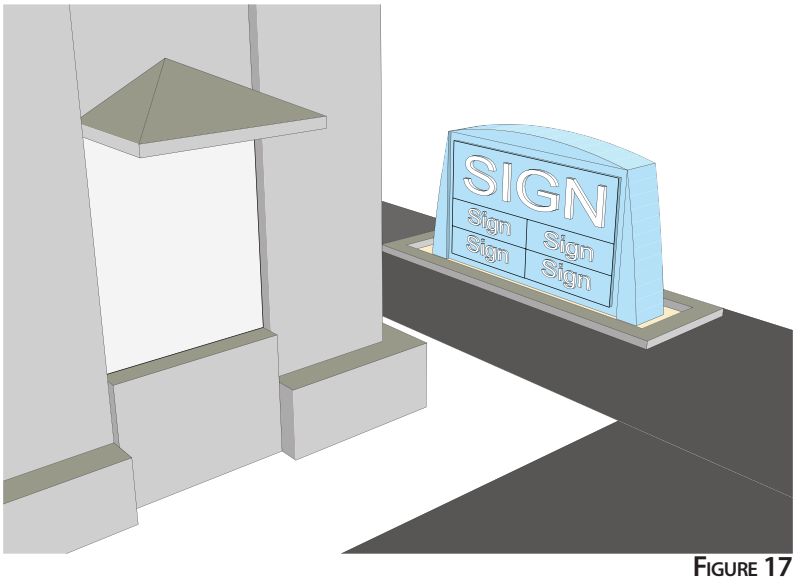


FIGURE 17

Table 14. Monument Sign Standards in Residential Districts(see Figure 17)

Standard	R-3, R-4 and R-MH
Maximum Number	1 sign per street frontage
Maximum Area	60 square feet
Maximum Height	8 feet
Minimum Setback	5 feet from all property lines
Additional Standards	1. All freestanding and monument signs on the same lot or in the same development shall maintain a minimum separation of 100 feet measured along the street frontage. 2. See also Residential Protection Standards in LVMC 19.06.140 (C).
Illumination Permitted	Direct white light or internal illumination only
Certificate Required	Yes

FIGURE 18 - POLITICAL SIGNS

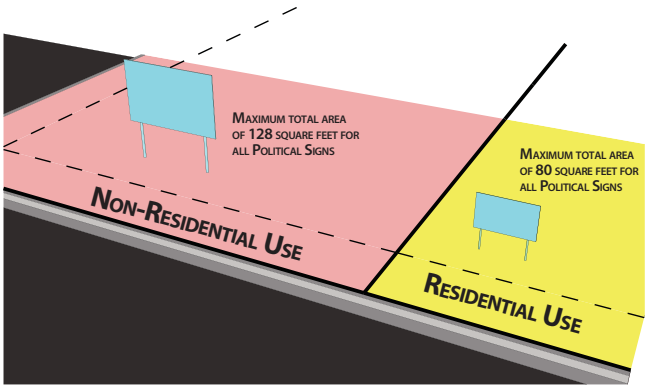


FIGURE 19 - SUBDIVISION DEVELOPMENT SALE SIGNS

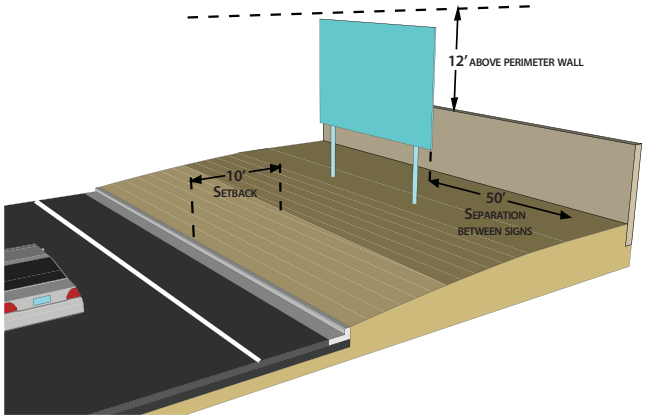
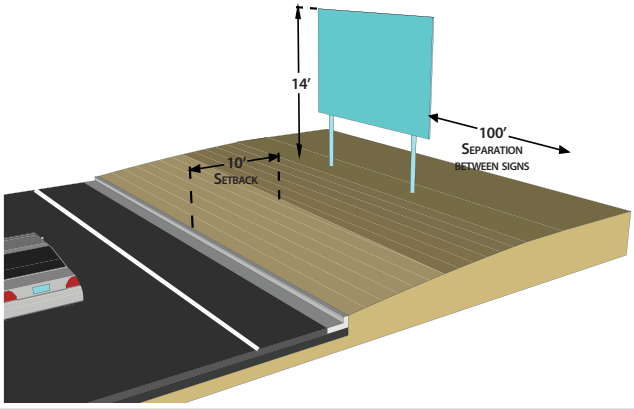


FIGURE 20 - SUBDIVISION DEVELOPMENT CONTINUOUS DIRECTIONAL SIGNS



G. Temporary Signs

Temporary signs are not constructed or intended for long term use. A limited number of temporary signs are permitted in residential districts as follows:

1. Political Signs (see Figure 18)

a. Maximum area. 16 square feet per sign; not to exceed a maximum total area of 80 square feet for all such signs located on a lot containing a residential use. For all other uses, the maximum total area shall not exceed 128 square feet.

b. Additional standards

i. Political signs shall be placed only on private property.

ii. Political signs shall be designed and located in such a manner so that such signs do not interfere with or will be confused with a traffic control signal or sign, or obstruct the vision of traffic.

iii. Political signs shall not be placed on any public property or right-of-way or posted on any utility pole or device.

c. Certificate required. All political signs in excess of 32 square feet require a sign certificate. Other political signs do not require a sign certificate.

d. Illumination permitted. Separate illumination of political signs in residential districts is not permitted.

e. Removal. All political signs that relate to an election shall be removed within 15 days after the election to which they pertain. Signs supporting a candidate who loses a primary election or wins a nonpartisan race in a primary election with more than 50 percent of the vote shall be removed within 15 days after the primary election.

i. The person or persons who are responsible for the erection, placement or distribution of any political sign, including the person whose candidacy the sign supports, are jointly and severally responsible for the removal of the political sign and the cost thereof.

ii. If any sign is not removed within the time period set forth above, the City may, upon

5 days written notice to a candidate or other person responsible, remove and dispose of any such sign. The City shall certify the removal and may charge the candidate or other person responsible for the City's cost for the removal. Removal charges shall be paid within 30 days after receipt of a statement of charges.

2. Subdivision Development Sale Signs (see Figure 19)

a. Maximum number. One subdivision development sale sign per residential subdivision per street frontage, with a maximum of two signs per subdivision.

b. Maximum area. 300 square feet per sign.

c. Maximum height. 22 feet, or 12 feet above the nearest property line wall.

d. Minimum setbacks and separations

i. 10 feet from any public right-of-way.

ii. 50 feet from any other on-premise, off-premise or subdivision development sale sign.

e. Additional standards. The sign shall be a freestanding sign that is firmly secured in the ground, as approved by the Building Official.

f. Illumination permitted. Direct white light or internal illumination only.

g. Certificate required. Yes. The certificate application shall be accompanied by:

i. A site plan that clearly depicts the location of the proposed sign; description, drawing or picture of the proposed sign and description of the means by which it will be secured; and

ii. Written authorization for the placement of the sign from the owner(s) of the property or from the owner's duly authorized agent on which the sign is to be located.

h. Duration of Certificate. The certificate shall be valid for 24 months or until the last unit or lot is sold, whichever occurs first. At that time, the sign shall be removed unless a new certificate has been obtained. The property owner(s) and certificate holder shall each be responsible for maintenance and removal of the sign.

3. Subdivision Development Continuous Directional Signs (see Figure 20)

Subdivision development directional signs are not considered "on-premise" signs or "off-premise" signs and are subject to the following:

a. Maximum number. Eight signs per residential subdivision.

i. A sign structure advertising two or more different subdivisions may count all the signs on that structure towards the eight sign limit for only one of the subdivisions advertised on such structure, if the owner(s) or lessee(s) of the sign files a plan depicting the location and use and details of how all such signs are allocated.

b. Maximum area

i. Two of the eight permitted signs may be up to128 square feet in area.

ii. Two of the eight permitted signs may be up to 96 square feet in area.

iii. The remaining four of the eight permitted signs shall not exceed 40 square feet in area.

iv. An embellishment of up to 20 percent of each sign area may be added to the sign.

c. Maximum height. 14 feet, except that any authorized sign that exceeds 40 square feet in size may be up to of 22 feet in height.

d. Minimum setbacks and separations

i. 10 feet from any public right-of-way.

ii. 100 feet from any other sign or on-premise or off-premise sign.

iii. 660 feet from the nearest travel lane of Summerlin Parkway from Station 499 + 78 to Station 601 + 30.

e. Additional standards

i. These signs are allowed only on vacant developable lots;

ii. For any sign 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 is required;

iii. Such signs shall not be located more than four miles from the subdivision to which it is providing direction; and

iv. Each sign shall be a freestanding sign that is firmly secured in the ground, as approved by the City of Las Vegas Building Official.

f. Illumination permitted. No.

g. Certificate required. Yes. The certificate application shall be accompanied by:

i. A site plan that shows where the sign will be placed on property; and

ii. A master location plan that indicates where all other subdivision development directional signs (not including weekend directional signs) for the subdivision will be placed.

h. Duration of certificate. The sign certificate shall be valid for 24 months or until the last unit or lot is sold, whichever occurs first. At that time, the sign shall be removed unless a new certificate has been obtained. The property owner(s) and the certificate holder shall each be responsible for maintenance and removal of the sign.

i. Landowner(s) consent. Any person placing a directional sign shall obtain the permission of the owner(s) of the property on which the sign is placed. Nothing in this ordinance shall be construed to authorize the placement of any sign without the permission of the landowner(s).

4. Subdivision Development Weekend Directional Signs (see Figure 21)

Weekend directional signs shall be used to direct traffic to residential projects only and shall not be employed for ~~non-residential~~ nonresidential purposes of any kind.

a. Maximum number. 70 weekend directional signs per residential subdivision.

b. Maximum area. Four square feet per sign.

c. Maximum height.

i. Four feet above nearest street curb.

ii. 32 inches above nearest street curb when within 50 feet of any street intersection or driveway opening. Where no curb exists, height shall be measured from edge of adjacent public right-of-way.

d. Sign placement.

i. Maximum placement distance of any weekend directional sign from its respective residential subdivision project shall be four miles as measured along a radial line whose axis is located at any point on the subject property.

ii. Minimum spacing between signs relating to the same project is 300 feet, provided however, two signs may be placed within 10 feet of each other at locations where the path of travel turns direction.

iii. Signs shall be placed at least 25 feet from any street intersection or driveway and not block or overhang any sidewalk or other established pedestrian way.

e. Additional standards.

i. Changes in copy and graphics may be made without re-issuance of certificates; if, the name of the subdivision changes, the developer shall apply for a new certificate.

ii. Signs may only be installed after 6 PM on Friday or on the day before any Federal, State, or City holiday that may occur throughout the week, and all signs shall be removed by 6 AM on Monday or by the same time on the day after such holiday.

iii. Signs shall be made of plastic, or some other weather resistant material approved by the Director, and shall be attached to a single metal stake. Signs mounted on wooden stakes are prohibited.

f. Illumination permitted. No.

g. Master sign plan required. Weekend directional signs shall not be installed unless such signs are approved as a part of a master weekend directional sign plan. A

certificate application and sign map shall be presented for each development for which weekend directional signs are to be employed. The application and map shall be in a form and include exhibits as specified by the Department. The map shall indicate the approximate location on each street of each sign to be installed and shall include a statement that at the time of installation no sign is to be installed in violation of the spacing requirements of this Subchapter or to cause any already-in-place weekend directional sign to be in violation of the spacing requirements. The certificate application shall state the name and mailing address of the party to be notified in the event of any violations of this Section. A master weekend directional sign certificate may be issued to cover all weekend directional signs that have been approved as part of a master weekend directional sign plan.

h. Insurance required. Applicants for weekend directional sign certificates shall provide proof of and maintain comprehensive liability insurance in the minimum amount of $4,000,000 per occurrence in a form acceptable to the Director. If any sign is placed in any unimproved public right-of-way, the certificate holder shall assume full responsibility for any damages or injuries to persons or property resulting either wholly or in part from the placement of the sign and shall agree to defend and indemnify the City and hold the City harmless from all liability for damages or injuries.

i. Landowner(s) consent. Any person placing a directional sign shall obtain the permission of the owner(s) of the property on which the sign is placed. Nothing in this Title shall be construed to authorize the placement of any sign without the permission of the landowner(s).

j. Violations. Weekend directional signs that are without proper certification; that are placed within 25 feet of a street intersection or driveway; that block or overhang sidewalks and other public pedestrian walkways; or that are left remaining after the time limitations set forth in this Section may be impounded immediately. Violations and the recovery of signs are subject to the charges and remedies provided in Table 15 below.

FIGURE 21 - SUBDIVISION DEVELOPMENT WEEKEND DIRECTIONAL SIGNS

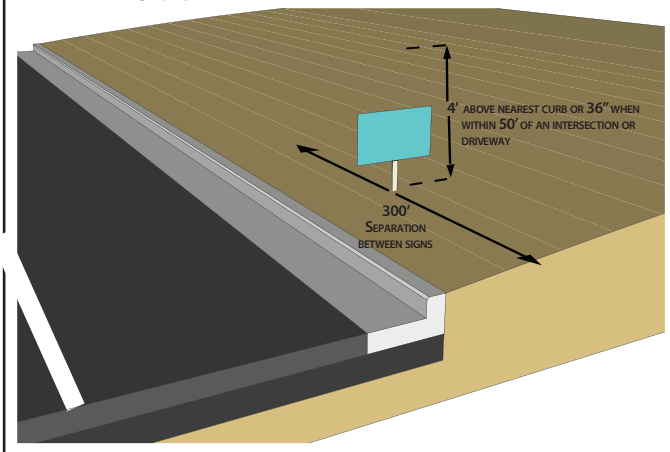


FIGURE 22 - REAL ESTATE SIGNS ADVERTISING RESIDENTIAL PROPERTY

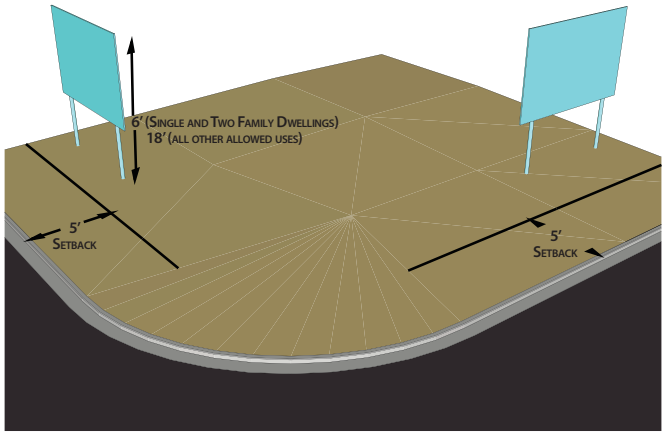


Table 15 – Penalties

Violation	Penalty
1st	$10 per sign if without proper certification. Fee shall be waived if owner(s) obtains proper sign certificate. If properly certified, warning only.
2nd	$10 per sign.
3rd	$15 per sign and misdemeanor citation.
4th	Revocation of weekend directional sign certificate.

5. Real Estate Signs Advertising Residential Property (see Figure 22)

a. Maximum number. One per street frontage.

b. Maximum area.

i. Six square feet for single and two family dwellings.

ii. 32 square feet for all other allowed uses. Real estate signs exceeding 32 square feet, up to a maximum of 64 square feet may be approved by the Director by means of a temporary sign certificate.

c. Maximum height. Six feet for single and two family dwellings, 18 feet for all other allowed uses.

d. Minimum setback. Five feet from all property lines.

e. Certificate required. No.

19.08

Commercial and Industrial Districts – Purpose and Development and Design Standards

Unified Development Code
Title 19

19.08

Commercial and Industrial Districts - Purpose and Development and Design Standards

19.08.010 Applicability 153

19.08.020 Intent of Commercial and Industrial Development Standards 153

19.08.030 General 153

19.08.040 Development Standards 154

19.08.050 P-O (Professional Office) ... 167

19.08.060 O (Office) 173

19.08.070 C-1 (Limited Commercial) 179

19.08.080 C-2 (General Commercial) 185

19.08.085 C-PB (Planned Business Park) 191

19.08.090 C-M (Commercial / Industrial) 195

19.08.100 M (Industrial) 201

19.08.110 Commercial and Industrial Parking Design Standards 207

19.08.120 Commercial and Industrial District Sign Standards 213

APPLICABILITY 19.08.010

This Chapter applies to all commercial and industrial development within the City of Las Vegas and to all commercial and industrial zoning districts.

Except as otherwise provided in this Chapter, the standards set forth herein, are minimum requirements. Any request to deviate from these standards shall require the submittal of an application for an Administrative Deviation, if appropriate, or Variance, which shall be subject to the procedures and standards set forth in LVMC 19.16.120 and 19.16.140, respectively.

INTENT OF COMMERCIAL AND INDUSTRIAL DEVELOPMENT STANDARDS 19.08.020

The intent of establishing standards for commercial and industrial development is:

A. To promote commercial development which enhances the quality of life for City residents;

B. To encourage sensitive design and planning of commercial and industrial development which enhances compatibility between the built environment and the natural environment and will not negatively impact the use and enjoyment of adjacent and neighboring properties;

C. To promote improved design and enhanced site planning of commercial and industrial development that will contribute to the overall attractiveness of the City;

D. To increase design compatibility between abutting properties and land uses;

E. To promote design and site planning which furthers the goals of the City's General Plan and advances the vision of the City;

F. To reinforce a sense of community and to preserve the integrity of neighborhoods and places of business; and

G. To reduce unsightly views.

H. To provide for landscaping and buffering that:

1. Conserves Water and reduces erosion;

2. Reduces heat and glare generated by development; and

3. Aids in filtering dust and particulate matter from the air.

GENERAL 19.08.030

A. Access

All lots or parcels shall have frontage upon a public street; provided however, that lots within a recorded Subdivision or Parcel Map may provide access to a public street by way of a commonly owned private street or a private access easement. All private access streets must be fully improved in accordance with the Traffic Circulation Improvements Standards contained in the Design Standards Manual.

B. Grading

1. **Grading Plan Approval - When Required.** When the natural grade of a lot is proposed to be raised more than two feet at any point from existing grade, three copies of a finished lot grading plan and legal description of the property shall be filed with the Department of Public Works and the Department. The plan shall include proposed and existing grades, building locations, and building height information for the development site and for the adjacent properties, and any justification for the proposal. The Director of Public Works may withhold or deny development approval unless the applicant demonstrates to the Director of Public Works' satisfaction that the proposal is necessary in order to develop the site in a manner which conforms to applicable drainage and other development standards. The Director may withhold or deny development approval unless the applicant demonstrates to the Director's satisfaction that the proposal will not be incompatible or out of harmony with the surrounding area.

2. **Grading Plan - Appeal of Denial.** The applicant may appeal to the City Council any final decision rendered pursuant to Paragraph (1) of this Subsection. In connection with the appeal, the City may require notification of surrounding property owners. The City may charge a fee for the appeal and for any required notification in accordance with the Fee Schedule.

C. Compliance with Regulations

1. No building, structure or land shall be erected, reconstructed, structurally altered or used for a purpose other than a use allowed in the zoning district in which the building, structure or land use is located.

2. No building, structure or land shall be used to produce greater heights, smaller yards or less unoccupied area than prescribed by the regulations applicable to the zoning district in which the building, structure or land use is located.

3. No lot area shall be so reduced that the size, width, setbacks, yards, required open space or total lot area is less than prescribed by this Title.

4. No yard, open space or off-street parking or loading space, required in conjunction with a building or land use, shall be included as part of a yard, open space or parking or loading space required for any other building or land use, unless otherwise provided in this Title.

DEVELOPMENT STANDARDS 19.08.040

A. Tables

Except as otherwise noted, the minimum lot size, minimum lot width, minimum building setbacks, maximum lot coverage, minimum building separation and maximum building height for uses in each district shall be governed by the dimensional standards in the tables listed for each district. Explanatory notes for provisions in the tables follow the tables as needed.

B. Building Placement

In addition to the dimensional standards and requirements listed for building placement in the tables provided for each district, development on any lot subject to the standards provided in this Chapter shall conform to the following:

1. **Architectural Character and Materials.** The purpose of these guidelines is not to dictate a particular architectural style for commercial and industrial development in the City, but to provide a set of guidelines and standards by which commercial and industrial development can be compatible with its surroundings and help to further the overall vision of development which has been established by the City. Building designs that incorporate a base tying the building into the ground, a midsection, and a top that terminates the building, are strongly encouraged.

2. **Bulk and Scale**

   a. Box-like or single, monolithic forms must be relieved by variations in massing or articulation of facades. The perceived height and bulk of buildings shall be reduced by dividing the building mass into smaller scale components in order to relate to human scale. Buildings shall incorporate jogs, offsets or other architectural features to reduce the visual length of long walls. Variation of roof lines is required to reduce the apparent size of commercial buildings and provide visual interest. Building surfaces over twenty feet high or fifty feet in length shall be relieved with a change of wall plane or by other means that provide strong shadow and visual interest.

   b. Buildings should be compatible with the scale of development allowed by the applicable land uses for the surrounding area as established at the time of application, and should be sited and designed to provide a sensitive transition to nearby, less intensive areas.

   c. Projects on the edges of zoning districts should be developed in a manner that minimizes the adverse impacts resulting from incongruous height, bulk and scale of large buildings. Alternatives to mitigate such impacts include, but are not limited to, siting and design, additional building setbacks or stepping back of upper floors, and the actual physical reduction of the height, bulk and scale of a project.

3. **Exterior Materials and Finishes**

   a. ~~Buildings should be compatible with the scale of development allowed by the applicable land uses for the surrounding area as established at the time of application, and should be sited and designed to provide a sensitive transition to nearby, less intensive areas.~~

   ~~b.~~ Concrete or clay tile and architectural metal should be used on all sloped roofs. Standard three-tab asphalt shingles, fiberglass shingles, and wood shingles and shakes are prohibited.

   ~~c~~ b. Stone, stucco, colored or exposed aggregate or textured finish concrete, decorative block and brick are the preferred materials for building exteriors. Simulated materials and building systems that provide a look that is similar to the preferred materials may also be acceptable.

   ~~d~~ c. Highly reflective, shiny or mirror-like materials and unplastered exposed standard concrete, standard concrete masonry units and glazed tile should not be used except as accents. Reflective glass at the pedestrian level is

prohibited. Glass on the second floor and above shall not be greater than twenty-two percent reflectivity so as not to reflect light and solar heat on other buildings, streets and sidewalks.

ed. Restraint should be used in the number of different materials and colors selected.

4. Coherent Design

a. All sides of a building shall be coherently designed and treated. A consistent level of detailing and finish is required for all sides of a building.

b. Any building design that utilizes a flat roof shall incorporate a parapet wall and/or cornice element on all sides of the roof.

c. Preferably, roof access should be from the interior of the building. If not possible, external stairwells and ladders should be incorporated into the overall design of the primary structure or be adequately screened from view.

d. Service and loading zones shall be located to the rear, side or in an internal location where visibility from public rights-of-way and views from neighboring buildings and properties will be minimized.

5. Building Façade

a. The building design should incorporate patterns and materials that provide visual interest. This should be accomplished through the use of changes in color, materials or relief, such as the inclusion of beltlines, pilasters, recesses, pop outs, etc. Flat, plain building walls are not acceptable. There should be a contrast in the size of solid area to window area. In general, there should be more wall than window. Windows and large areas of glass should be recessed in shadow or otherwise contrast with the building façade. Large glazed areas should be divided into smaller parts by using mullions to express individual windows or groupings of windows. The use of arcades, covered walkways, awnings, and other shade devices is strongly encouraged to provide shade to protect pedestrians from the intense desert sun.

b. Features such as windows and arcades shall total at least sixty percent of the length of any façade that abuts a public street.

c. Lightly tinted or "Low-e" glass is acceptable and advisable. Mirrored and metallic tints are prohibited.

6. Orientation

a. Buildings on corner lots should be oriented to the corner and to the street fronts, and should make a strong tie to the building lines of each street unless the applicant can demonstrate by substantial and convincing evidence that to do so would be infeasible. Parking and curb cuts shall be located away from corners.

b. Interconnected walkways and parking drives between buildings on the site and those of adjacent development should be used to provide for the safe and efficient movement of pedestrians, bicycles and vehicles within the site and between the site and adjacent development where feasible.

c. In order to develop and maintain a strong street edge, buildings for stand alone projects or individual pad developments associated with a larger commercial center should be located at the front of the site at the minimum setback line, with the exception of additional width landscaping or a single drive-through lane.

7. Applicability of Standards. Except as otherwise provided in this Paragraph (7), the standards set forth in Paragraphs (1) through (6) of Subsection (B) are minimum requirements. The Planning Commission or City Council may grant a waiver to any of these standards as part of a Site Development Plan Review if the applicant can show through convincing and substantial evidence that the waiver will not compromise the objective of the City in safeguarding the interests of the City, the proposed project will substantially meet the intent of the standard, and the granting of the waiver will not detrimentally affect the public health, safety or general welfare.

C. Accessory Structures

In addition to the standards listed for accessory structures in the tables provided for each district, accessory structures on any lot subject to the standards provided in this Chapter shall conform to the following:

1. Timing of Placement. Accessory structures shall not be established or constructed on a site prior to the start of construction of the principal structure

on that site, except that construction trailers may be placed on a site at the same time clearance and grading begins. Construction trailers may remain on the site only for the duration of construction.

2. **Locational Restrictions.** Detached accessory structures shall not be located within the required perimeter landscaping on a site, or in such a manner as to interfere with required on-site parking or driveways.

3. **Appearance.** Accessory structures shall be designed to be architecturally compatible with the principal structure on the site, utilizing the same colors, materials and style.

D. Building Height

In addition to the standards listed for building height in the tables provided for each district, building heights for development on any lot subject to the standards provided in this Chapter shall conform to the following:

1. Roof-mounted solar panel units that are permitted as a conditional use pursuant to LVMC Chapter 19.12 shall not be considered as a part of the building height for purposes of this Chapter.

2. Chimneys, vent stacks and skylights may be erected above the required height limits provided that in no case shall structures above the permitted height limit be constructed for the purpose of providing additional floor space.

E. Urban Design, Screening and Lighting

1. **Site Geography.** Where feasible, and when geotechnical conditions are favorable, natural features such as washes and existing vegetation should be retained in their natural state and integrated into the design of the site. When geotechnical conditions are favorable, on-site detention of storm water is encouraged as a means of reducing stormwater runoff. Areas such as common areas and existing washes should be explored for this type of use. Buildings should be sited to avoid or lessen the impact of development on sensitive areas such as slopes and drainage washes. The siting of buildings and development of a site should conform to specific site conditions and opportunities such as non-rectangular lots, location on intersections, unusual topography, vegetation, views or other natural features. On sites which contain slopes of five percent or more, the development of the site should reflect, rather than obscure, the natural topography of the site through the use of various techniques such as smooth transition of grades at the property lines, blending of cut and fill slopes, and terracing.

a. Site Grading Design

i. Where natural sloping is to be used for topographic transitions at the property edges, slopes should not exceed three to one and should be landscaped with approved materials to achieve minimum ground coverage of sixty percent (not including trees). The sixty percent coverage should be reached within two years after a Certificate of Occupancy is issued by the City.

ii. Cut and fill slopes should be rounded where they meet natural grade so that they blend with the natural slope.

b. Site Grading Permit. No lands shall be graded or the natural ground surface otherwise disturbed so as to create a dust nuisance, except for clearing of weeds and debris, unless the developer:

i. In cases where a final map is required, has complied with the provisions of this Title ~~18~~; or

ii. Otherwise, has obtained approval of a Site Development Plan and Civil Improvement Plans for the site or area to be graded.

c. Natural Features. The area of any channel or wash which is to be retained in its natural state, improved as a non-concrete channel, or improved with a combination of natural materials and other materials such as stamped, patterned concrete, may be counted toward the requirements for open space within the proposed development.

d. Drainage. In order to provide a more natural appearance and to provide for the stabilization of natural channels where geotechnical conditions are favorable, drainageways should be lined with natural materials such as grass, soil, gravel, rock or other materials allowed by the Clark County Regional Flood Control District Hydrologic Criteria and Drainage Design Manual (HCDDM) as adopted by the City. The use of plain concrete for lining of drainageways should be permitted only as part of a flood control plan or drainage study approved by the Department of Public Works.

i. All natural drainage channels on sites of fifteen net acres or greater in size should be identified and shown generally on the site plan at the time of submittal of a Site Development Plan Review application. If it is expected that the Drainage Study will require improvements to existing drainage channels or other on-site drainage facilities, the proposed preliminary design of such channels and of proposed structures such as weirs, drop structures or other appurtenant structures shall be shown on the site plan. Such structures should be built of natural materials unless the applicant can demonstrate, based on a subsequent approved drainage study, that to do so would be infeasible.

ii. When detention basins are utilized, they should be integrated into the overall landscaping and site development plan of the proposed project. Such areas may be counted toward the open space requirements of the development.

2. **Bicycle, Pedestrian and Automobile Linkages and Circulation.** The following standards are designed to reduce dependency on the automobile, reduce the number of daily trips by single occupancy vehicles, and preserve the capacity of existing roadways. Consideration shall be given to alternative transportation modes, such as bicycle and pedestrian ways and paths, and shall be included in site master planning.

a. **Integration of Bicycle and Pedestrian Paths.** Provisions shall be made in all developments to integrate bicycle and pedestrian paths (as defined in the Trails Element of the City's Master Plan) that connect to adjacent developments and residential neighborhoods.

b. **Bus Turnouts.** Bus turnouts and shelters shall be required where deemed necessary by the City Traffic Engineer. If shelters are provided, they shall be installed behind the sidewalk area. Boarding areas at bus turnouts shall provide adequate handicap access in accordance with applicable ADA requirements. Required turnouts may encroach into the perimeter landscape area and may require the granting of easements for placement and maintenance. Bus turnouts shall comply with the Uniform Standard Drawings, Clark County Area, as adopted by the City.

c. **Sidewalks.** Sidewalks shall be provided along any façade featuring a customer entrance that exits into a parking area or travel lane. Sidewalks that abut ninety degree parking spaces shall be a minimum of seven feet in width in instances where vehicle wheel stops are not used between the parking space and the sidewalk curb, and five feet in width when vehicle wheel stops are installed. Sidewalk ramps and curb cuts shall be constructed in accordance with the Uniform Standard Drawings, Clark County Area, as adopted by the City.

d. **Internal Site Access.** A continuous internal pedestrian and handicap accessible walkway shall be provided from the perimeter public sidewalk to the principal customer entrance. Additional pedestrian walkways should be distinguished through the use of special pavers, bricks or patterned concrete, and should be raised slightly to enhance pedestrian safety and the attractiveness of the walkway.

e. **Path Along Drainage Channels and Washes.** Applicants are strongly encouraged to incorporate bicycle and pedestrian paths along drainage channels and washes. If maintenance roads for a channel are required, consideration should be given to designing them as multi-use facilities to accommodate maintenance vehicles, bicyclists and pedestrians. The design of such paths must first be approved by the Department of Public Works and the Department.

i. A minimum ten-foot landscape area on each side of the channel shall buffer plain concrete drainage channels which do not incorporate bicycle and pedestrian paths or maintenance roads and which are visible from public view. Maintenance of the landscaping shall be the responsibility of the property owner, the developer, a business association or other similar association, or by such other means as may be approved by the City.

ii. The area of any such paths and landscape areas along drainage channels and washes may be counted toward the open space requirements of the development.

3. **Pedestrian Open Spaces and Plazas**

a. **Plazas Required.** Outdoor pedestrian open spaces and plazas provide shade, opportunities for rest and relief from traffic and noise as

well as areas for additional outdoor activities such as vending and dining. Commercial developments shall provide pedestrian open spaces and plazas in relation to the size of the development and shall include designs for such areas in the site plan. Such areas shall be interspersed throughout the development, and shall be accessible in accordance with applicable ADA requirements.

i. Commercial developments shall provide public open space and plaza areas in accordance with this Paragraph (3).

ii. Developments of five acres in size or greater shall provide a minimum of fifty square feet of plaza space for each one acre of gross land area. Such plaza spaces shall be in addition to any such spaces provided by individual tenants or businesses for the use of their customers.

b. Integration of Open Spaces. Pedestrian open spaces and plazas shall be integral to the overall design of the proposed commercial development and shall be located in areas of high pedestrian traffic in such a manner to be convenient and readily accessible. Such spaces shall remain open and accessible during normal hours of operation.

c. Site Amenities. Site amenities, including without limitation benches, pergolas, landscaped arbors, artwork and other appropriate landscape features, shall be incorporated into the design of each pedestrian open space/plaza.

d. Minimum Size. The minimum size for any individual pedestrian open space shall be two hundred fifty square feet.

4. Screening. The following uses and equipment shall be screened from public view from all rights-of-way, pedestrian areas, and parking lots: Trash and refuse collection areas; mechanical equipment such as air conditioners, pumps and motors; propane tanks and other storage tanks; electrical equipment such as switching equipment and transformers; emergency generators; valves; vents; utility meters; satellite dishes; grouped mailboxes; and any commercial project which abuts a residential property. Screening includes, without limitation, solid walls and landscaping of a density sufficient to screen the use.

a. Interior Screen Walls

i. Service and loading areas shall be screened by the use of walls or dense landscaping, or both, that will serve as both a visual barrier and a noise barrier. In no instance shall the screening be less than eight feet in height, and it may be required to be higher depending on the use to be screened. Walls shall be architecturally integrated into the design of the development.

b. Collection Areas and Dumpsters

i. Refuse collection areas and dumpsters shall be:

A) Provided in sufficient size and numbers to meet the needs of the development;

B) Located away from the street front and screened from view from rights-of-way, sidewalks, and abutting properties through the use of landscaping and screening; and

C) Shall have solid metal gates, and a roof or trellis structure; and

D) Are subject to the residential adjacency standards set forth in LVMC 19.08.040(~~I~~H).

c. Mechanical and Electrical Equipment. In the initial design stage of a development project, mechanical and electrical equipment should be incorporated into the architectural form and layout of the proposed building to reduce the need for screening.

i. Mechanical and electrical equipment, satellite dishes and any other communications equipment, excluding communications towers and antennas, shall be concealed from view of public rights-of-way and neighboring properties from street level within one hundred feet of the property boundary. Communication antennas shall be of a design, and installed in such a manner, as to blend in with the architecture and design of the building on which they are mounted. Where reasonable height parapet or screen walls are insufficient to provide screening, all equipment shall be painted in a neutral color to blend with roofing materials.

ii. Ground and wall mounted mechanical and electrical service equipment, such as utility boxes, valves, gas and electric meters shall be screened from public view with materials architecturally compatible with the finishes and character of the principal structures within the development or through the use of shrubs and landscaping, and shall be screened to the height of the tallest equipment, integrated with the building design, or both.

d. **Mechanical Equipment on Sloped Roofs.** Except as otherwise specifically provided in this Title, no mechanical equipment shall be mounted on or attached to any sloped roof.

e. **Outside Storage Areas.** Outside storage areas shall be screened by solid walls. All such walls shall be similar in design and materials to the main buildings or match other screening walls on the site.

5. **Lighting Requirements.** Appropriate levels of lighting shall be provided to create adequate visibility and safety at night. (This standard does not apply to public street lighting, which is governed by other standards).

a. **Light Intensity.** Exterior lighting shall be of low intensity and of a cutoff variety so that light will not spill out onto surrounding properties or project above the horizontal plane of the light source.

b. **Lighting Colors.** Warm lighting colors are encouraged. The blue-white colors of fluorescent and mercury vapor lamps are prohibited for exterior lighting.

c. **Light Levels.** The amount of light produced by exterior light sources shall be reduced to that necessary to maintain a minimum comfort level for safety and security purposes. Light levels shall not exceed an average of:

i. 2.0 foot-candles in parking lots; or

ii. 0.2 foot-candles at a residential property line.

d. **Location of lighting.** Where utilized, freestanding light pole fixtures shall be integrated into landscape buffer areas. Light fixture locations shall not conflict with required landscape materials.

e. **Height of Fixtures.** The height of light poles shall not exceed thirty feet, including the base; heights no greater than twenty feet are strongly encouraged. Light fixtures of up to forty feet in height, including the base, may be permitted for parking lots of fifteen acres or greater in size.

f. **Style of Fixtures.** Lighting fixtures, including poles and base, shall be compatible with the architectural character and color of the proposed development.

g. **Wall Mounted Lights.** Wall mounted lights shall be directed downward. Soffit mounted light fixtures shall be recessed in the soffit or otherwise fully shielded from view from any property line. Ground mounted or other upward directional lighting shall be permissible only where some form of shield or light baffling is provided to create a soft, uniform light quality and minimize light spillage beyond the trees, landscaping, walls or signs being illuminated.

h. **Pedestrian Lighting.** The design of the fixtures shall be compatible with the overall design of the development, and shatterproof lamp coverings shall be used. The fixtures shall be placed to minimize glare and shall be located as to not present hazards for pedestrians or vehicles. Along walkways, low-level lighting (i.e., below eye level) that directs light downward onto the ground surface is encouraged.

i. **Maintenance.** All approved lighting shall be continuously maintained in a working manner.

6. **Applicability of Standards.** Except as otherwise provided in this Paragraph (6), the standards set forth in this Subsection (E) are minimum requirements. An exception or modification to any of these standards may be approved upon the request of an applicant if the applicant can show through convincing and substantial evidence that the exception or modification will not compromise the objective of the City in safeguarding the interests of the citizens of the City, the proposed project will substantially meet the intent of the standard, and the granting of the exception or modification will not detrimentally affect the public health, safety or general welfare. Such an exception or modification may be granted by the Director in connection with the approval of a Site Development Plan Review. In cases where the Director does not approve a requested exception or modification, the request may be acted upon by the Planning Commission

or City Council as part of a Site Development Plan Review. In the case of action by the Planning Commission or City Council, the request for exception or modification need not be identified as a separate action item, and disposition of the request may be incorporated into the action on the Site Development Plan Review. Notice of action on the request for exception or modification may be incorporated into the notice of decision regarding the Site Development Plan Review.

F. Landscape Buffers and Turf Limitations

In addition to the standards listed for landscape buffers and turf limitations in the tables provided for each district, development on any lot subject to the standards provided in this Chapter shall conform to the following:

1. Landscape Required

a. All Site Development Plans for office, retail, commercial, institutional, and industrial development shall meet or exceed the minimum standards, and shall comply with any restrictions, established in this Title. All landscaping required by this Chapter shall also comply with the provisions of LVMC 13.48.040 and 19.02.190.

b. Except as otherwise permitted by the Director, all landscape and irrigation plans shall be prepared and stamped by a registered architect, landscape architect, residential designer or civil engineer.

c. The owner, developer and occupant of the property are jointly and severally responsible for maintaining or assuring the ongoing maintenance of installed landscaping so that the landscaping continues to thrive. Prior to the issuance of a building permit, the owner, developer or contractor shall post a performance bond or equivalent security to assure the performance of the maintenance obligation for a minimum of two years.

d. All revisions to an approved landscape plan must first be reviewed and approved by the Department prior to installation of the landscaping.

e. Where perimeter landscape buffers are indicated the standard planting requirement is as set forth in Figure 1. Alternatives to the standard planting requirement are set forth in Figures 2 and 3.

2. Additional Landscaping May Be Required

Additional landscaping may be required by the Director or reviewing authority in order to respond to special site features, maintain an established landscape pattern created by existing landscaping in the surrounding area, or mitigate the impact of a particular development.

3. Alternative Landscape Designs

The Director or other reviewing authority may approve variations to the standards and designs set out in this Chapter if they respond more appropriately to a particular site and provide equivalent means of achieving the intent of this Chapter.

4. Maintenance

Property owners shall be responsible for:

a. Maintaining all walls in good structural and finish condition;

b. Maintaining all landscaping in a healthy and vigorous living condition and in accordance with LVMC 13.48.040 and 19.02.190;

c. Promptly replacing dead vegetation with healthy, living plants, in accordance with standard seasonal planting practices.

5. Installation of Required Landscaping

a. All required perimeter landscaping shall be installed in compliance with an approved landscape plan prior to occupancy.

b. Prior to the installation of any required landscaping the developer shall demonstrate compliance with the approved landscape plan by providing the Department a complete bill of materials.

c. When applicable to a phased development plan, a phased landscape installation plan may be approved concurrently with a Site Development Plan Review.

6. Irrigation of Landscaping

a. All required landscaping shall be installed with an irrigation system designed to eliminate any run-off of water into the public rights-of-way.

b. In order to minimize damage to buildings

and solid walls from soil settling, expansion/ contraction (cracked foundation), all overhead spray irrigation systems shall be a minimum of twenty-four (24) inches back from any building and solid walls with no overspray contacting any building or solid walls.

c. An automatic irrigation system is required for all planting areas, and shall include:

i. An electric automatic controller and multiple program capabilities;

ii. Multiple repeat cycle capabilities; and

ii. A flexible calendar program.

d. All irrigation water shall be retained on-site. When required, swales shall channel water to larger holding areas, catch basins, other planting areas, gravel sumps, dry-wells, or any combination thereof. Areas that accumulate system water shall be provided with underground drainage systems to carry water to holding or discharge areas. Nuisance flows shall not spill over the sidewalk and into any street.

7. Turf Limitations

a. The use of turf is subject to and limited by LVMC Chapter 14.11 and the provisions of this Paragraph (7), with the provisions that are most restrictive to govern in a particular case.

Table 1 - Turf Limitations

Use	Use of Turf
Institutional	Prohibited, except for schools, parks and cemeteries
Golf Course	Limited to 5 acres average per hole, with a maximum 10 additional acres for driving range

b. The turf limitations contained in this Subsection are intended to increase the use of water efficient vegetation. Landscaping shall be designed, and the landscaping materials shall be chosen and installed, so as to ensure that, within three years of normal growth, at least fifty percent of the area covered by non-turf landscaping will consist of water efficient vegetation.

c. The maximum amount of turf allowable pursuant to Subparagraph (a) may be increased proportionally by the percentage of water used for irrigation that comes from a source to which the property owner has secured water rights.

8. Landscape Materials

Landscaping shall include drought-resistant and water efficient plant materials consistent with the ~~Southern Nevada Water Authority xeriscape guidelines~~ Southern Nevada Regional Planning Coalition Regional Plant List and the turf limitations of Paragraph (7).

Where perimeter landscape buffers are indicated the following are the requirements for landscape material:

a. Trees shall be spaced within the required buffer zones in accordance with Table 2 below, with trees to be spaced on center.

Table 2 – Landscape Buffer – Tree Spacing

Use	Standard
Commercial	1-24" box tree per 20 linear feet [1]
Industrial	1-24" box tree per 20 linear feet [1]

Footnotes:

1. *Where adjacent to any other commercial or industrial lot or right-of-way classified as a freeway, the spacing maybe increased to 1-24" box tree per 30 linear feet.*

b. Shrub Requirements. Shrubs are required in all buffer areas, with a minimum of four 5-gallon shrubs required for every required tree.

c. Ground Cover Requirements. Ground covers shall be installed in all landscaped areas. Non-vegetative ground covers shall include, without limitation, rocks and small stones, crushed rock and bark, installed to a minimum depth of two inches in all areas.

9. Buffer Zone Encroachments

The following encroachments are permitted within required buffer zones:

a. Driveways (curb cuts) that are located perpendicular or approximately perpendicular to the street right-of-way.

FIGURE 1 - STANDARD PLANTING REQUIREMENT

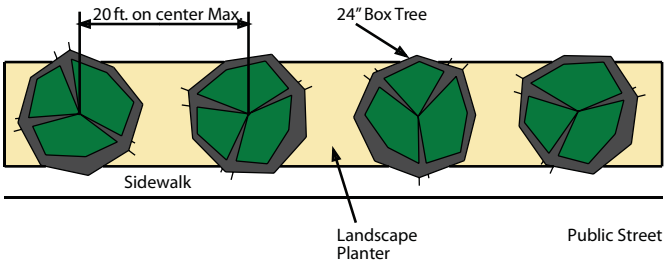
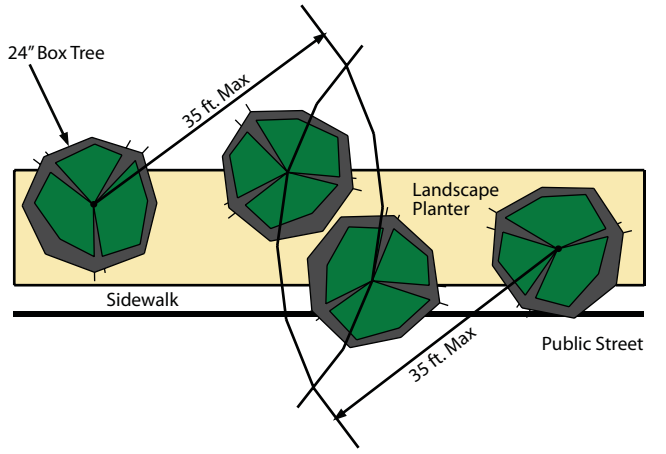
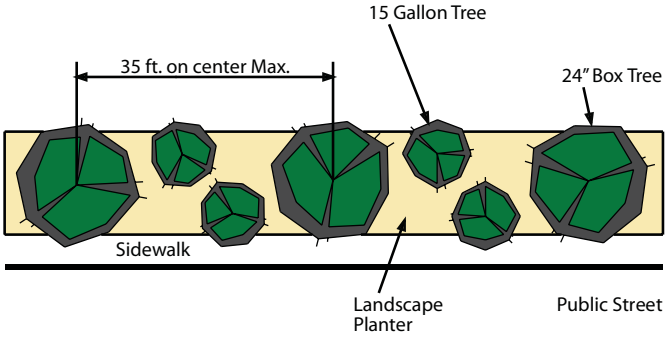


FIGURE 2 - STANDARD PLANTING REQUIREMENT ALTERNATIVE 1



CLUSTERED PLANTING: CLUSTERING OF TREES IS ALLOWED IF: 1) THE TOTAL NUMBER OF TREES EXCEEDS THE MINIMUM REQUIREMENT BY AT LEAST ONE TREE; AND 2) THE SPACING BETWEEN ANY TWO TREES DOES NOT EXCEED THIRTY-FIVE FEET.

FIGURE 3 - STANDARD PLANTING REQUIREMENT ALTERNATIVE 2



VARIABLE SIZE PLANTING: ONE TWENTY-FOUR INCH BOX DECIDUOUS TREE, EVERGREEN TREE, OR FIFTEEN FOOT PALM TREE FOR EVERY THIRTY-FIVE LINEAR FEET OF PLANTER, PLUS ONE EXTRA TREE OF SIMILAR SIZE TO PROVIDE COVERAGE AT EACH END OF PLANTERS. THE SPACING OF SUCH TREES SHALL NOT EXCEED THIRTY-FIVE FEET ON CENTER. IN ADDITION, TWO FIFTEEN GALLON DECIDUOUS TREES, EVERGREEN TREES, OR PALM TREES ARE REQUIRED FOR EVERY THIRTY-FIVE LINEAR FEET OF PLANTER, TO BE LOCATED BETWEEN THE TREES PLANTED PURSUANT TO THE PRECEDING SENTENCE. THE FIFTEEN GALLON TREES MAY BE EITHER SPACED REGULARLY OR GROUPED IN BETWEEN THE LARGER TREES.

b. Sidewalks that are located perpendicular or approximately perpendicular to the street right-of-way.

10. Utility Boxes and Installations

a. Along streets that border a residential subdivision, all utility boxes and above-ground utility installations, other than utility poles, that are in excess of twenty-seven cubic feet in size and that are to be placed outside the right-of-way shall be installed with landscaping on two sides, with one side being available for access by utility companies. The landscaping must include tall grasses and/or shrubbery which, at maturity, will provide adequate screening of the utility structures.

b. Within proposed trail corridors that are identified in the Master Plan Transportation Trails Element and the Master Plan Recreation Trails Element, no utility box or above-ground utility installation, other than a utility pole, that is in excess of twenty-seven cubic feet in size (excluding pad and concrete collars) shall be allowed. In addition, all utility boxes to be placed immediately adjacent to a trail corridor shall be placed so that the access doors open parallel to the trail corridor and are accessible without the need to cut down or reduce the effectiveness of the landscaping within the trail area.

11. Parking Lot Landscaping. Landscaping within parking lots shall be in accordance with LVMC 19.08.110(C)(12) .

12. Landscaping of Plazas. Any pedestrian open space/plaza that abuts a blank wall shall include a minimum five-foot wide landscaped area next to the wall to soften and screen the wall and increase pedestrian comfort and interest. Landscaping plans shall take into consideration site-specific geotechnical recommendations that may require additional protection to prevent infiltration of water into unsuitable soils. Applicants are strongly encouraged to design the outside wall of planters in such a manner that they might also be used for seating.

a. Landscaping for the above purpose shall reach a minimum height at maturity of five feet.

b. If such landscaping is installed within a raised

planter, the height of the planter shall not exceed two feet six inches in height, and the height of the planter may be included in measuring the minimum height of the required landscaping.

13. Deviations

a. The Planning Commission or City Council may grant a waiver to deviate from the standards set forth in Paragraph (1) through (7) as part of a Site Development Plan Review if the applicant can show through convincing and substantial evidence that the waiver will not compromise the objective of the City in safeguarding the interests of the citizens of the City, the proposed project will substantially meet the intent of the standard, and the granting of the waiver will not detrimentally affect the public health, safety or general welfare.

b. An exception or modification from the standards set forth in Paragraph (8) through (12) may be approved upon the request of an applicant if the applicant can show through convincing and substantial evidence that the exception or modification will not compromise the objective of the City in safeguarding the interests of the citizens of the City, the proposed project will substantially meet the intent of the standard, and the granting of the exception or modification will not detrimentally affect the public health, safety or general welfare. Such an exception or modification may be granted by the Director in connection with the approval of a Site Development Plan Review. In cases where the Director does not approve a requested exception or modification, the request may be acted upon by the Planning Commission or City Council, the request for exception or modification need not be identified as a separate action item, and disposition of the request may be incorporated into the action on the Site Development Plan Review. Notice of action on the request for exception or modification may be incorporated into the notice of decision regarding the Site Development Plan Review.

G. Fences and Walls

In addition to the standards listed for fences and walls in the tables provided for each district, development on any lot subject to the standards provided in this Chapter shall conform to the following:

1. Front Yard Screen Wall Prohibition. No screen wall shall be built in the front yard of a ~~residential~~ commercial or industrial property.

2. Perimeter and Screen Walls

a. General. For commercial and industrial properties, a perimeter wall shall be constructed adjacent to any residential zoning district or property used solely for residential purposes, shall be a minimum of six feet in height, and in no case shall exceed the height limitation applicable to the adjacent zoning district or property. In all other cases, there ~~There~~ is no requirement to construct a wall or fence. However, all perimeter or screen walls and fences must comply with applicable building code requirements. The height of a wall or fence shall be measured from the side with the greatest vertical exposure above finished grade.

3. Fences, Walls and Architectural Character

a. Perimeter walls. Perimeter walls, end walls, return walls and common area walls shall be decorative and shall be installed by the developer. Acceptable decorative wall materials include, without limitation, stone, decorative block, slump~~,~~ stone~~,~~ and wrought iron~~,~~ and shall have a minimum percentage of contrasting material as indicated for each district. The contrasting material requirement may be fulfilled by contrasting color, or a combination of contrasting material and contrasting color, if approved by the Department in its discretion. All walls shall include such detail variations as may be required by the Department, including pilasters, decorative caps, decorative iron cutouts or fluted blocks. Any decorative materials or ironwork attached to the top of a perimeter wall shall not encroach into public rights-of-way or abutting properties. Pilasters, if used, shall have a maximum spacing of twenty-four feet on center. All perimeter walls shall:

i. Match the design of abutting perimeter walls. The established wall design shall be continued until the next street intersection. In cases where the existing wall is considered by the Director to be of unacceptable design, the design shall not be carried beyond the next street intersection unless a transitional wall area designed to soften the differences between the walls is constructed; and

ii. Be maintained by the property owner, the developer, a business association or other similar organization, or by such other means as may be approved by the City.

b. Retaining Walls. Retaining walls which are visible from adjacent properties or rights-of-way shall be decorative and shall be installed by the developer. Acceptable materials for retaining wall construction include split-face block, decorative block, slump stone, stone, caliche rock, colored or exposed aggregate, and textured-finish concrete. All walls shall include detail variations such as pilasters, decorative caps, or fluted blocks. All walls shall be maintained by the property owner, the developer, a business association or other similar organization, or by such other means as may be approved by the City. In cases where the height of a retaining wall exceeds four feet, a minimum of five shrubs of a five-gallon size, and five shrubs of a one-gallon size, for each twenty feet of linear planting area shall be planted in the area at the base of the wall. In cases where there are multiple-stepped retaining walls, a minimum of five shrubs of a five-gallon size, and five shrubs of a one-gallon size, for each twenty feet of linear planting area shall be planted in the area between the walls and at the base of the lowest wall. A minimum planting area of four feet is required between the retaining walls.

c. Wall Separation. Where a screen or perimeter walls abuts another screen or perimeter wall, the separation shall either be:

i. A minimum of three feet from face of wall to face of wall, with access provided to the area between the walls for maintenance; or

ii. A maximum of eight inches, with the resulting gap between the walls to be filled and capped with a cementitious material that:

A) Will not increase the load on the walls; and

B) Has been approved by the Department and the Department of Building and Safety.

4. Materials. Unless otherwise approved as part of an overall development plan, the following materials shall not be acceptable for use as screen or perimeter walls:

a. ~~Chainlink~~ Chain link or open wire fencing (except as temporary construction fencing);

b. Razor wire or ~~barber~~ barbed wire (except as may be approved under the procedures set forth in the City's Building Code);

c. Corrugated metal;

d. Bright colored plastic; and

e. Untextured or unfinished concrete or block (CMU) walls.

H. Residential Adjacency Standards

1. Applicability

a. All property to be developed for nonresidential or multifamily residential use that is located adjacent to property which is zoned R-E, R-1 or R-CL, unless such adjacent property is developed with a nonresidential use, shall conform to the residential adjacency standards set forth in this Subsection.

b. For purposes of this Subsection:

i. Property is "adjacent" to other property if the properties share a common property line or are separated only by a street right-of-way or easement.

ii. "Property subject to the standards for this Subsection" means the property that is described in Subparagraph (a) of this Paragraph (1) that must conform to the residential adjacency standards of this Subsection.

iii. "Protected property" means residential property that is developed for sale or designated for such development, and ~~single-family~~ single family residential property, as those types of property are described in Subparagraph (a) of this Paragraph (1).

2. Building Height And Setback Requirements (see Figure 4)

a. Proximity Slope

i. Except as otherwise provided in this Paragraph (2), no building subject to the

standards of this Subsection shall exceed the height of a line drawn from the property line of a protected property at a 3:1 slope directly into the property subject to the standards of this Subsection. For example, a 100-foot high building must be set back 300 feet from the property line of the protected property, if both the property line of that property and the grade of the building subject to the standards of this Subsection are at the same elevation. The Proximity Slope limitation contained in this Subparagraph (a) applies to architectural projections above rooflines.

ii. The Proximity Slope limitation contained in Subparagraph (a) does not apply when ~~non-residential~~ nonresidential buildings, such as schools and churches, are built on the protected property.

iii. Notwithstanding the Proximity Slope limitation contained in Subparagraph (a), a one story building up to 15 feet in height may be constructed to the applicable setback line that is established for the zoning district in which the property subject to the standards of this Subsection is located or which is established by Paragraph (d) of this Subsection (2).

b. Changes in Grade. Notwithstanding the Proximity Slope limitation contained in Paragraph (a) above, if the natural slope of the ground rises or falls from the point of origin of the slope line, the actual building height may be greater or lesser by the difference in grade.

c. Exceptions

i. The following structures may project a maximum of 12 feet above the Proximity Slope:

A) Chimney and vent stacks.

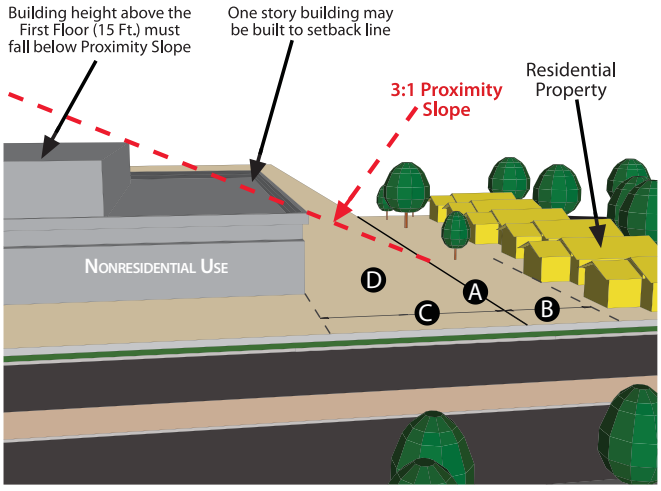
B) Roof structures for the use of solar panel units, elevators, stairs, tanks, ventilation and similar necessary mechanical equipment.

C) Visual screens which surround mounted mechanical equipment.

D) Skylights.

E) Whip and mounted antennas.

FIGURE 4 - PROXIMITY SLOPE - 3:1 SLOPE REQUIREMENT



A REFERS TO THE RESIDENTIAL PROPERTY LINE
B REFERS TO THE RESIDENTIAL SETBACK
C REFERS TO THE COMMERCIAL SETBACK (MUST AT MINIMUM EQUAL THE RESIDENTIAL SETBACK)
D REFERS TO THE COMMERCIAL SETBACK AREA (MAY IN PART INCLUDE PARKING, DRIVE, ROAD, ALLEY OR EASEMENT)

ii. Church steeples, utility transmission lines and towers, wireless communication facilities when attached to a utility transmission line pole or tower, small wind energy systems, and municipal utility facilities such as water towers are exempt from the maximum height provisions.

d. **Building Setback.** In addition to the required building setback line, no building setback on property subject to the standards of this Section shall be less than the required building setback for the protected property.

e. **Waiver.** The requirements of this Paragraph (2) may be waived by the City Council for:

i. Any mixed-use development that contains a significant residential element.

3. **Spill-Over Lighting**

a. **Lighting Standard.** No lighting from a property subject to the standards of this Section shall create greater than 0.5 of one foot-candle at the property line of a protected property.

b. **Redirecting/Screening of Light Sources.** All sources of light, including security lighting, illuminated signs, vehicular headlights and other sources, shall be directed away from protected property or screened so that the light level above is not exceeded.

4. **Trash Receptacles**

Garbage storage areas for properties subject to the standards of this Section shall be screened and odor controlled, and trash pick up shall be scheduled to minimize any impact on protected properties. In addition, trash receptacles shall be located a minimum of 50 feet from any property line of a protected property.

5. **Exclusions**

a. **Higher Ambient Light Levels.** Where existing ambient light levels from multiple sources already exceed the standards, the subject source may not increase the existing light levels, unless approved in connection with the approval of a Site Development Plan.

I. Downtown Centennial Plan Overlay District

All structures located in the Downtown Centennial Plan Overlay District are exempted from the automatic application of the building height, building setback and lot coverage provisions of this Chapter, including the Residential Adjacency Setback provided, however, that this exemption does not prohibit the City Council from imposing a building height, setback or lot coverage requirement in connection with the approval of a Site Development Plan.

19.08.050

P-O PROFESSIONAL OFFICE

The P-O District is intended to allow for office uses in an area which is predominantly residential but because of traffic and other factors is no longer suitable for the continuation of low density residential uses. This district is designed to be a transitional zone to allow low intensity administrative and professional offices. These uses are characterized by a low volume of direct daily client and customer contact. To decrease the impact to adjacent residential uses, single family structures should be retained or new development in the P-O District should be constructed to maintain a residential character. The P-O District is consistent with the Office category of the General Plan.

BUILDING PLACEMENT (see Figure 1)		TABLE 1
A.	Minimum Lot Width	60 feet
B.	Max. Lot Coverage	50% [1]
C.	Minimum Front Yard Setback	20 feet [2]
D.	Minimum Side Yard Setback	5 feet [2]
E.	Minimum Corner Side Yard Setback	15 feet [2]
F.	Minimum Rear Yard Setback	15 feet [2, 3]

Footnotes:

1. *Lot coverage for mixed-use developments may be increased up to a maximum of seventy-five percent of the net lot area upon the approval of a Site Development Plan Review application in accordance with LVMC 19.16.100.*

2. *A conversion from an existing residential structure may maintain the existing setbacks. Any additions may also be constructed to the existing established corner setback.*

3. *Rear yard setbacks may be affected by the residential adjacency standards set forth in LVMC 19.08.040(H).*

FIGURE 1 - BUILDING PLACEMENT

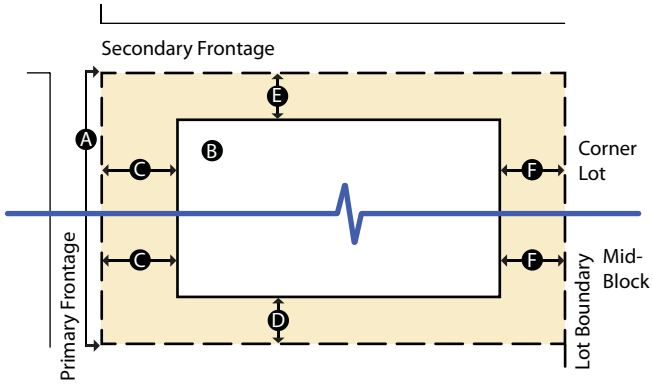
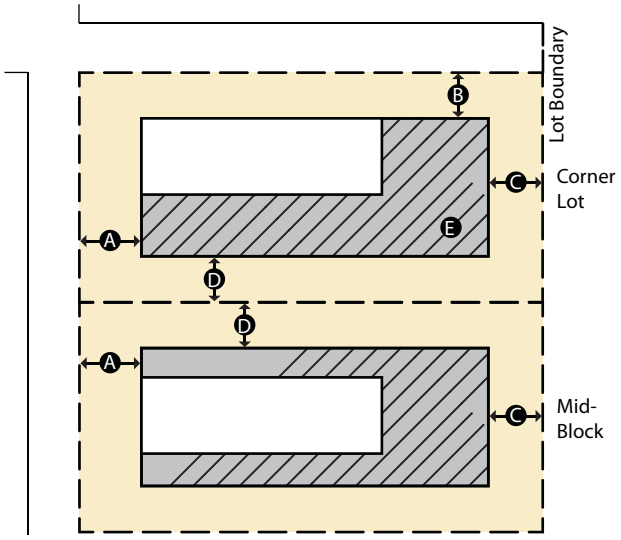


FIGURE 2 - ACCESSORY STRUCTURES

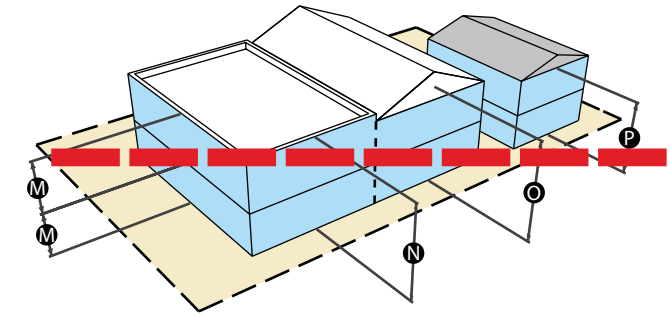


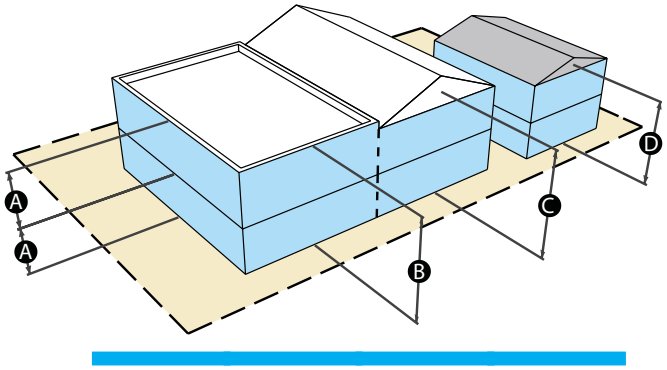
ACCESSORY STRUCTURES (see Figure 2)	TABLE 2
A. Minimum Front Yard Setback	20 feet
B. Minimum Corner Side Yard Setback	15 feet
C. Minimum Rear Yard Setback	8 feet
D. Minimum Side Yard Setback	5 feet
E. Size and Coverage	Not to exceed the aggregate floor area of the principal structure [1]

Footnotes:

1. *The aggregate total of the ground floor areas of all structures (excluding carports and detached trash enclosures) shall not exceed the percentage of lot coverage permitted.*

FIGURE 3 - BUILDING HEIGHT





BUILDING HEIGHT [1] (see Figure 3)	TABLE 3
~~M~~ A. Stories	2 max
~~N~~ B. Flat Roof - Max. Height	35 feet measured to the top of the roof coping
~~O~~ C. Pitched Roof - Max. Height	35 feet measured to the midpoint between the eaves and ridgeline of a pitched roof
~~P~~ D. Accessory Bldg. - Stories	Not to exceed 2 stories, 35 feet in height or the height of the principal structure, whichever is less

Footnotes:

1. *Building heights may be affected by the residential adjacency standards set forth in LVMC 19.08.040(H).*

LANDSCAPE BUFFERS AND TURF LIMITATIONS (see Figure 4)	TABLE 4

A.	Landscape Buffer - Minimum Zone Depths	15 feet - Adjacent to Right-of-Way 8 feet - Interior Lot Lines [1]
B.	Primary Structure	
C.	Turf Coverage	25% of landscapable area
D.	Impermeable Surfaces	Should be minimized to reduce stormwater quality management impacts

Footnotes:

1. *When building setbacks are less restrictive, the setbacks shall prevail.*

PARKING [1] (see Figure 4)		TABLE 5
E.	Minimum On-site Parking Requirement [2]	Shall be as outlined in LVMC 19.12.160 based on the approved use

Footnotes:

1. *Shall meet the parking area design standards as outlined in LVMC 19.08.110.*
2. *Handicapped parking shall be calculated as provided for in LVMC 19.18.030(E).*

FIGURE 4 - LANDSCAPE BUFFER AND TURF LIMITATIONS

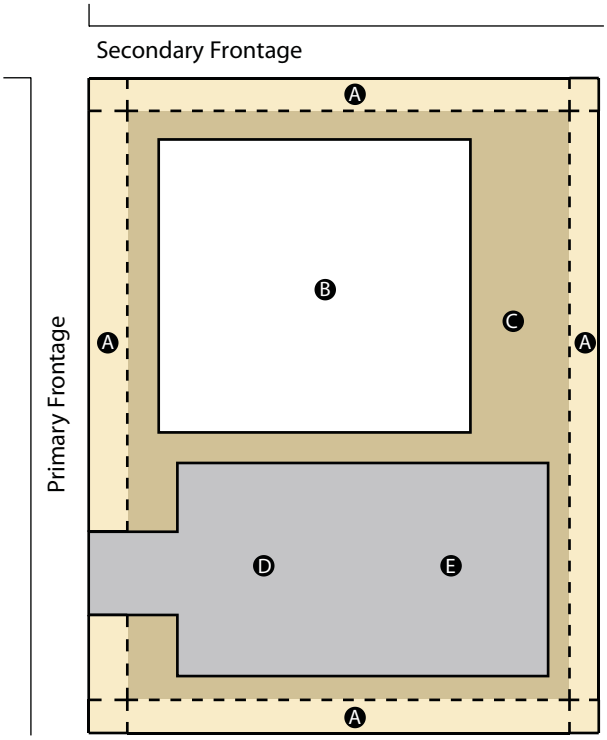
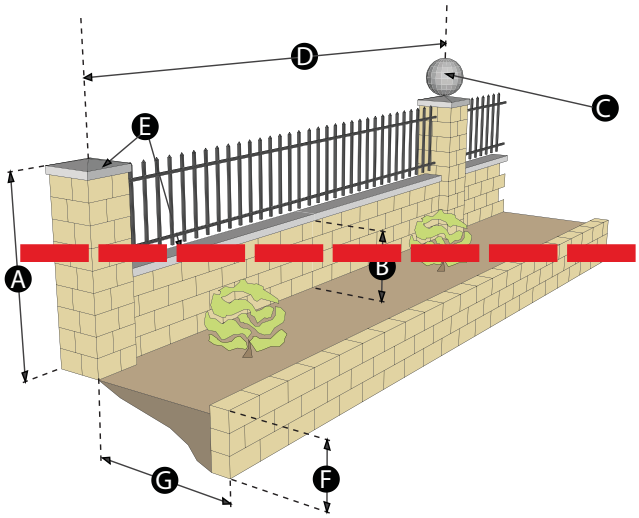
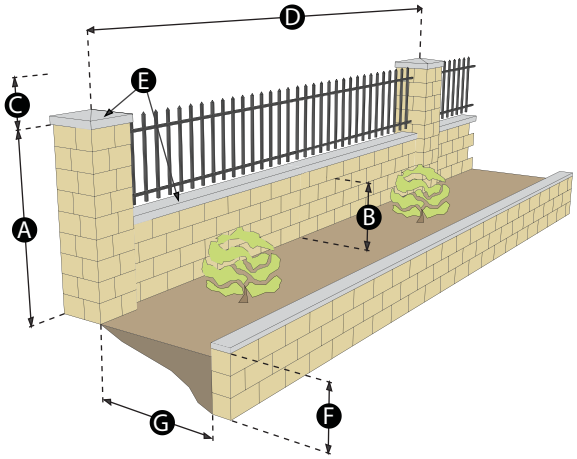


FIGURE 5 - FRONT YARD WALL/FENCE WITH STANDARD STEPBACK





FENCES AND WALLS

Front Yard Wall/Fence (see Figure 5)	Table 6
A. Maximum primary wall height	5 feet
B. Maximum solid wall base height	2 feet
C. Maximum ~~Pilaster~~ Ornament height above wall	18 inches
D. Maximum on-center distance between Pilasters	24 feet
E. Decorative Cap feature	5 inches
Front Yard Wall/Fence with Standard Stepback [1]	
F. Maximum secondary wall height	2 feet
G. Minimum spacing between wall sections - Outside Dimensions	5 feet

Footnotes:

1. *Retaining walls along the front property line may not exceed two feet in height. Where the grade of the front yard slopes at a ratio greater than 2:1, multiple retaining walls may be constructed, provided there is a minimum distance of five feet between retaining walls for landscaping. (See Figure 5).*

Perimeter and Retaining Walls (see Figure 6)		Table 7
Perimeter and Retaining Walls with Slope ≤ 2%		
A.	Maximum ~~Overall~~ Wall Height	10 feet
B.	Maximum Perimeter Wall Height	6 - 8 feet
C.	Maximum Retaining Wall Height	4 feet
D.	Maximum ~~Pilaster~~ Ornament Height above wall	18 inches
E.	Contrasting Material	20%
Perimeter and Retaining Walls with Slope > 2%		
A.	Maximum ~~Overall~~ Wall Height	12 feet
B.	Maximum Perimeter Wall Height	6 - 8 feet
C.	Maximum Retaining Wall Height	6 feet
D.	Maximum ~~Pilaster~~ Ornament Height above wall	18 inches
E.	Contrasting Material	20%

FIGURE 6 - RETAINING AND PERIMETER WALL

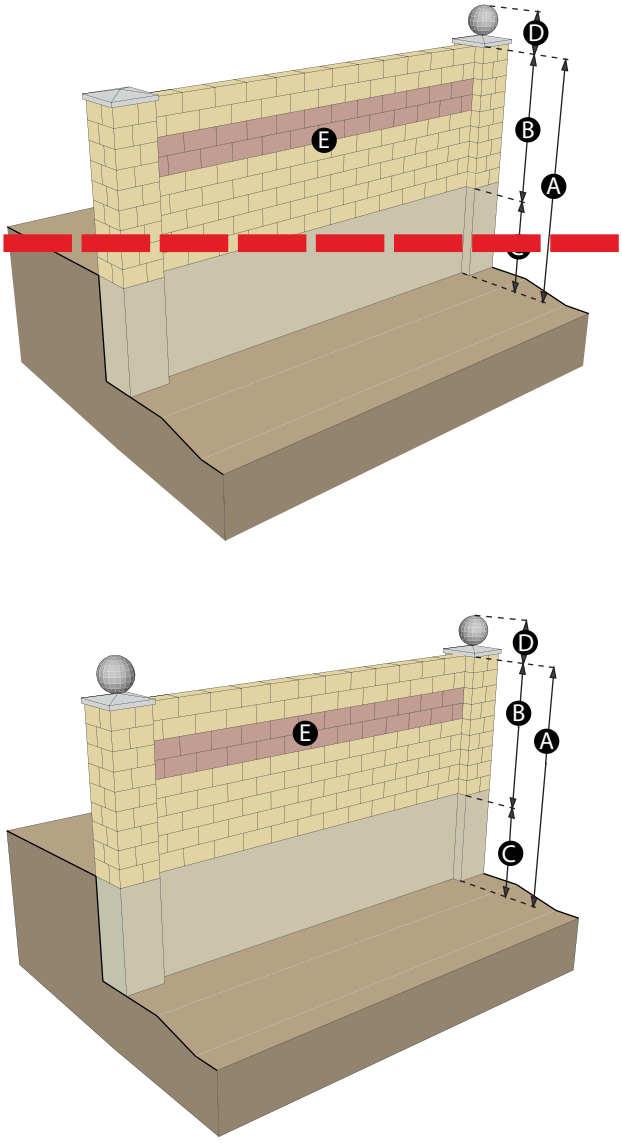
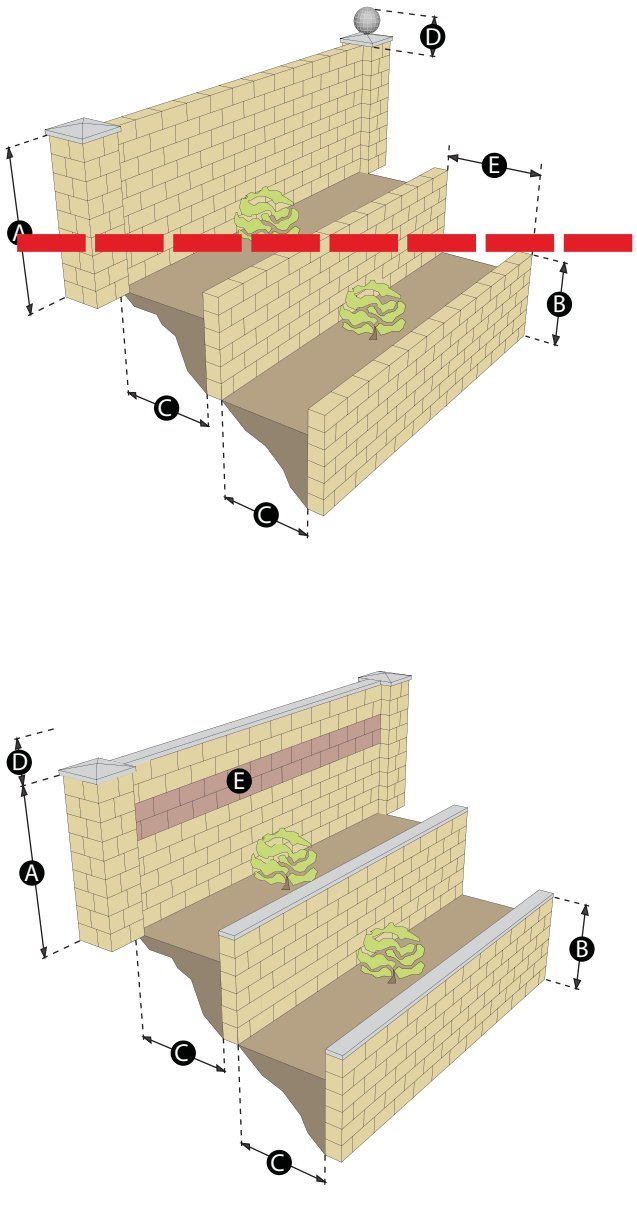


FIGURE 7 - RETAINING AND PERIMETER WALL STANDARD STEPBACK



Perimeter and Retaining Walls Standard Stepback (see Figure 7)		Table 8
A.	Maximum Primary wall Height	6 - 8 feet
B.	Maximum Secondary wall Height	4 feet
C.	Minimum spacing between wall sections ~~- Inside Dimensions~~	~~4~~ 5 feet
D.	Maximum ~~Pilaster~~ Ornament Height	18 inches
E.	~~Minimum spacing between wall sections - Outside Dimensions~~ Contrasting Material	~~5 feet~~ 20%

19.08.060

O OFFICE DISTRICT

The Office District is designed to provide for the development of office uses, supporting service uses and low intensity commercial uses performing administrative, professional and personal services. These may be small office buildings developed in a cluster with an internal traffic circulation system or one larger office building. This district may be used as a buffer between residential and more intense retail/commercial uses. The O District is consistent with the Office category of the General Plan.

BUILDING PLACEMENT (see Figure 1)		TABLE 1
A.	Minimum Lot Width	100 feet
B.	Max. Lot Coverage	30% [1]
C.	Minimum Front Yard Setback	25 feet
D.	Minimum Side Yard Setback	10 feet
E.	Minimum Corner Side Yard Setback	15 feet
F.	Minimum Rear Yard Setback	15 feet [2]

Footnotes:

1. *Lot coverage for mixed-use developments may be increased up to a maximum of seventy-five percent of the net lot area upon the approval of a Site Development Plan Review application in accordance with LVMC 19.16.100.*

2. *Rear yard setbacks may be affected by the residential adjacency standards set forth in LVMC 19.08.040(H).*

ACCESSORY STRUCTURES (see Figure 2)		TABLE 2
A.	Minimum Front Yard Setback	25 feet
B.	Minimum Corner Side Yard Setback	15 feet
C.	Minimum Rear Yard Setback	8 feet
D.	Minimum Side Yard Setback	5 feet
E.	Size and Coverage	Not to exceed the aggregate floor area of the principal structure [1]

Footnotes:

1. *The aggregate total of the ground floor areas of all structures (excluding carports and detached trash enclosures) shall not exceed the percentage of lot coverage permitted.*

FIGURE 1 - BUILDING PLACEMENT

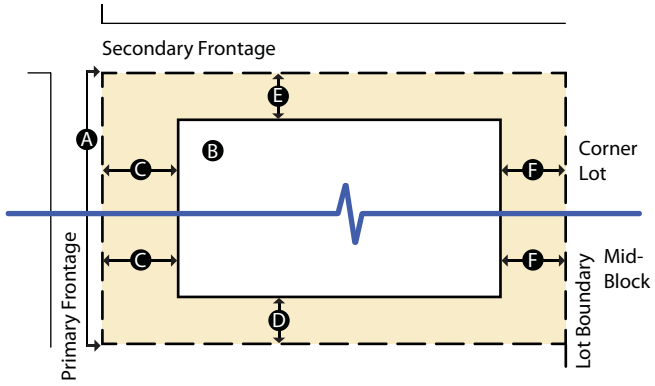


FIGURE 2 - ACCESSORY STRUCTURES

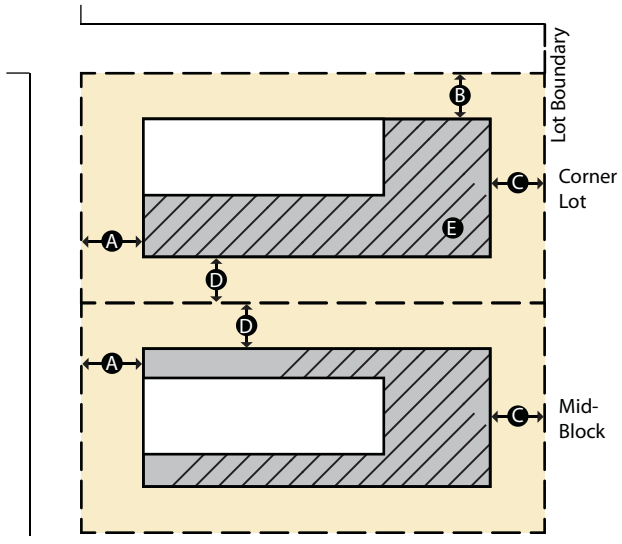


FIGURE 3 - BUILDING HEIGHT

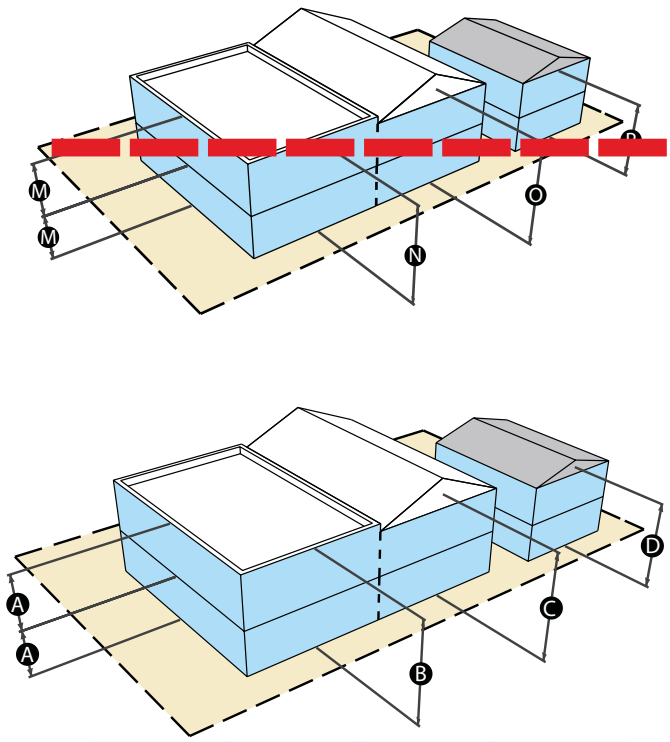
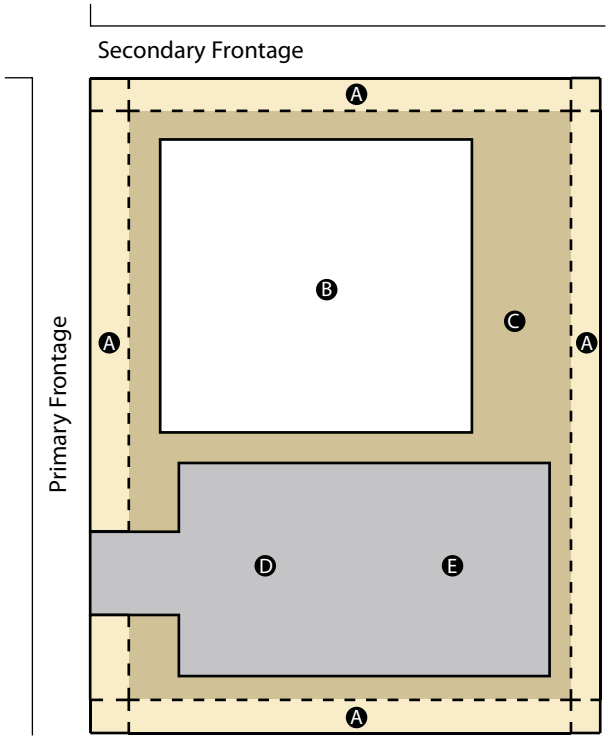


FIGURE 4 - LANDSCAPE BUFFER AND TURF LIMITATIONS



BUILDING HEIGHT [1] (see Figure 3)	TABLE 3
~~M~~ A. Stories	2 max
~~N~~ B. Flat Roof - Max. Height	35 feet measured to the top of the roof coping
~~O~~ C. Pitched Roof - Max. Height	35 feet measured to the midpoint between the eaves and ridgeline of a pitched roof
~~P~~ D. Accessory Bldg. - Stories	Not to exceed 2 stories, 35 feet in height or the height of the principal structure, whichever is less

Footnotes:

1. *Building heights may be affected by the residential adjacency standards set forth in LVMC 19.08.040(H).*

LANDSCAPE BUFFERS AND TURF LIMITATIONS (see Figure 4)	TABLE 4
A. Landscape Buffer - Minimum Zone Depths	15 feet - Adjacent to Right-of-Way 8 feet - Interior Lot Lines
B. Primary Structure	
C. Turf Coverage	25% of landscapable area
D. Impermeable Surfaces	Should be minimized to reduce stormwater quality management impacts

PARKING [1] (see Figure 4)	TABLE 5
E. Minimum On-site Parking Requirement [2]	Shall be as outlined in LVMC 19.12.160 based on the approved use

Footnotes:

1. *Shall meet the parking area design standards as outlined in LVMC 19.08.110.*
2. *Handicapped parking shall be calculated as provided for in LVMC 19.18.030(E).*

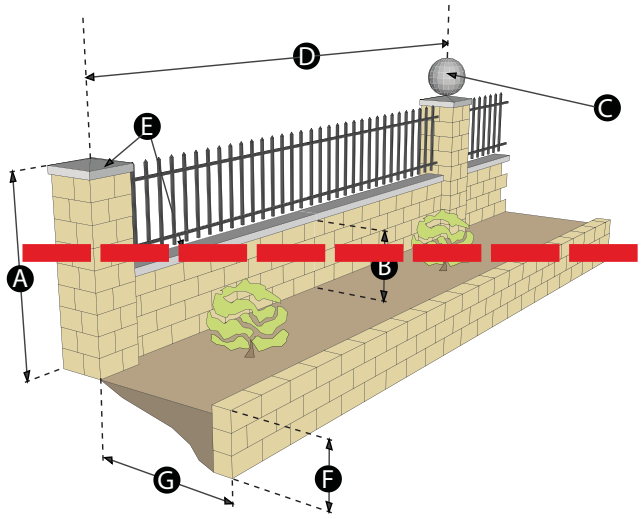
FENCES AND WALLS

Front Yard Wall/Fence (see Figure 5)	Table 6
A. Maximum primary wall height	5 feet
B. Maximum solid wall base height	2 feet
C. Maximum ~~Pilaster~~ Ornament height above wall	18 inches
D. Maximum on-center distance between Pilasters	24 feet
E. Decorative Cap feature	5 inches
Front Yard Wall/Fence with Standard Stepback [1]	
F. Maximum secondary wall height	2 feet
G. Minimum spacing between wall sections - Outside Dimensions	5 feet

Footnotes:

1. *Retaining walls along the front property line may not exceed two feet in height. Where the grade of the front yard slopes at a ratio greater than 2:1, multiple retaining walls may be constructed, provided there is a minimum distance of five feet between retaining walls for landscaping. (See Figure 5).*

FIGURE 5 - FRONT YARD WALL/FENCE WITH STANDARD STEPBACK



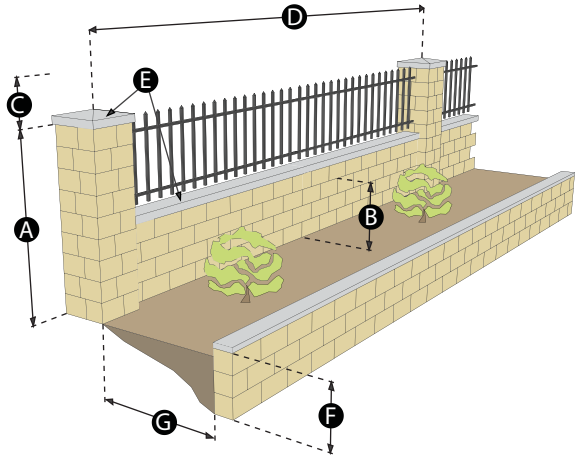
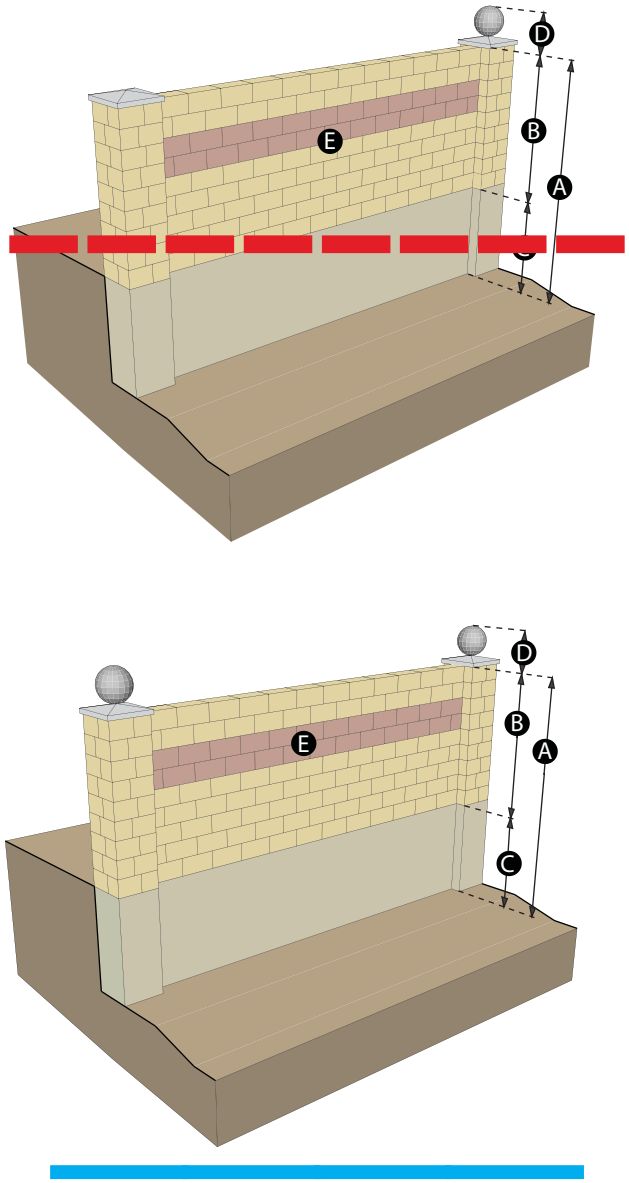


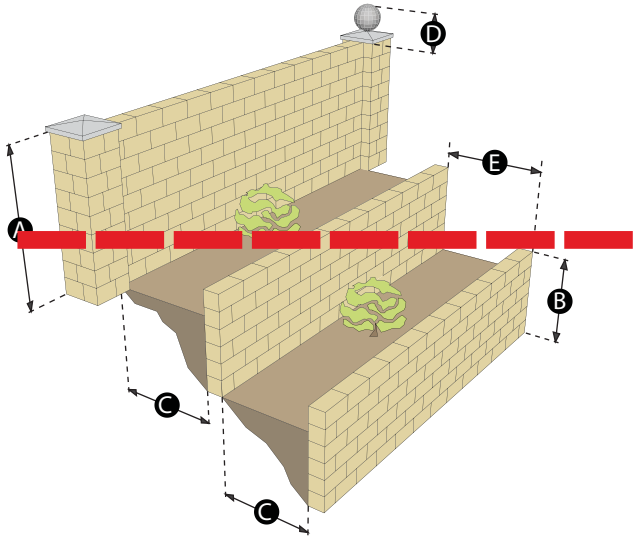
FIGURE 6 - RETAINING AND PERIMETER WALL

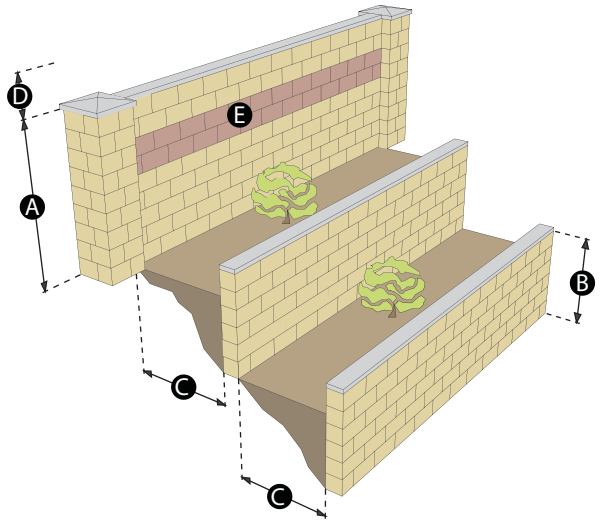


Perimeter and Retaining Walls (see Figure 6)		Table 7
Perimeter and Retaining Walls with Slope ≤ 2%		
A.	Maximum ~~Overall~~ Wall Height	10 feet
B.	Maximum Perimeter Wall Height	6 - 8 feet
C.	Maximum Retaining Wall Height	4 feet
D.	Maximum ~~Pilaster~~ Ornament Height above wall	18 inches
E.	Contrasting Material	20%
Perimeter and Retaining Walls with Slope > 2%		
A.	Maximum ~~Overall~~ Wall Height	12 feet
B.	Maximum Perimeter Wall Height	6 - 8 feet
C.	Maximum Retaining Wall Height	6 feet
D.	Maximum ~~Pilaster~~ Ornament Height above wall	18 inches
E.	Contrasting Material	20%

Perimeter and Retaining Walls Standard Stepback (see Figure 7)	Table 8
A. Maximum Primary wall Height	6 - 8 feet
B. Maximum Secondary wall Height	4 feet
C. Minimum spacing between wall sections ~~- Inside Dimensions~~	~~4~~ 5 feet
D. Maximum ~~Pilaster~~ Ornament Height	18 inches
E. ~~Minimum spacing between wall sections - Outside Dimensions~~ Contrasting Material	~~5 feet~~ 20%

FIGURE 7 - RETAINING AND PERIMETER WALL STANDARD STEPBACK





19.08.070

C-1 LIMITED COMMERCIAL DISTRICT

The C-1 District is intended to provide most retail shopping and personal services, and may be appropriate for mixed use developments. This district should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors. The C-1 District is consistent with the Service Commercial and the Neighborhood Center categories of the General Plan.

BUILDING PLACEMENT (see Figure 1)		TABLE 1
A.	Minimum Lot Width	100 feet
B.	Max. Lot Coverage	50% [1, 2]
C.	Minimum Front Yard Setback	10 feet
D.	Minimum Side Yard Setback	10 feet
E.	Minimum Corner Side Yard Setback	10 feet
F.	Minimum Rear Yard Setback	20 feet [3]

Footnotes:

1. *Senior citizen apartments may be permitted to exceed the lot coverage limitation upon approval of a Site Development Plan Review application in accordance with LVMC 19.16.100*

2. *Lot coverage for mixed-use developments may be increased up to a maximum of seventy-five percent of the net lot area upon the approval of a Site Development Plan Review application in accordance with LVMC 19.16.100.*

3. *Rear yard setbacks may be affected by the residential adjacency standards set forth in LVMC 19.08.040(H).*

FIGURE 1 - BUILDING PLACEMENT

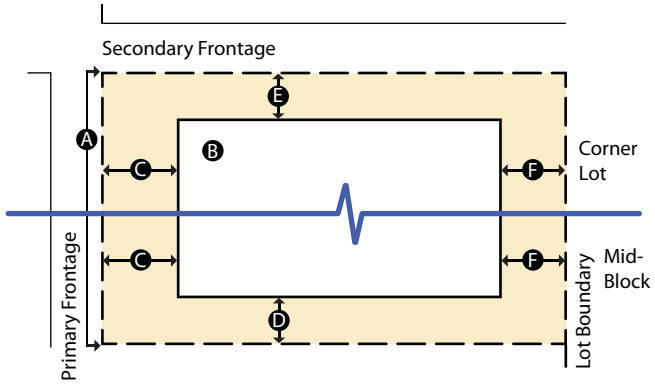
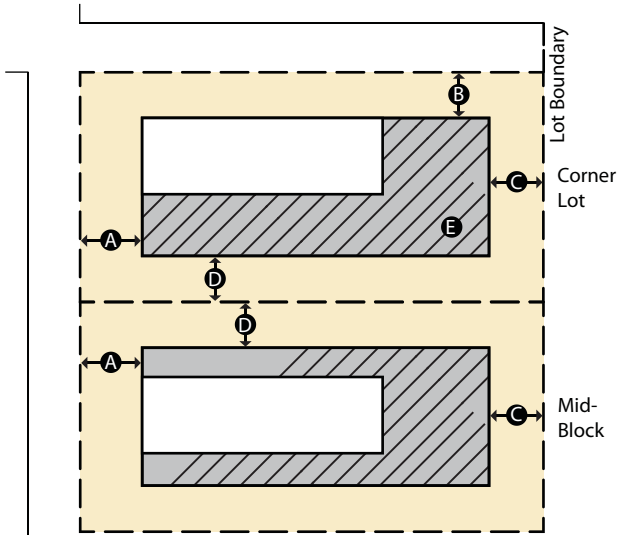


FIGURE 2 - ACCESSORY STRUCTURES

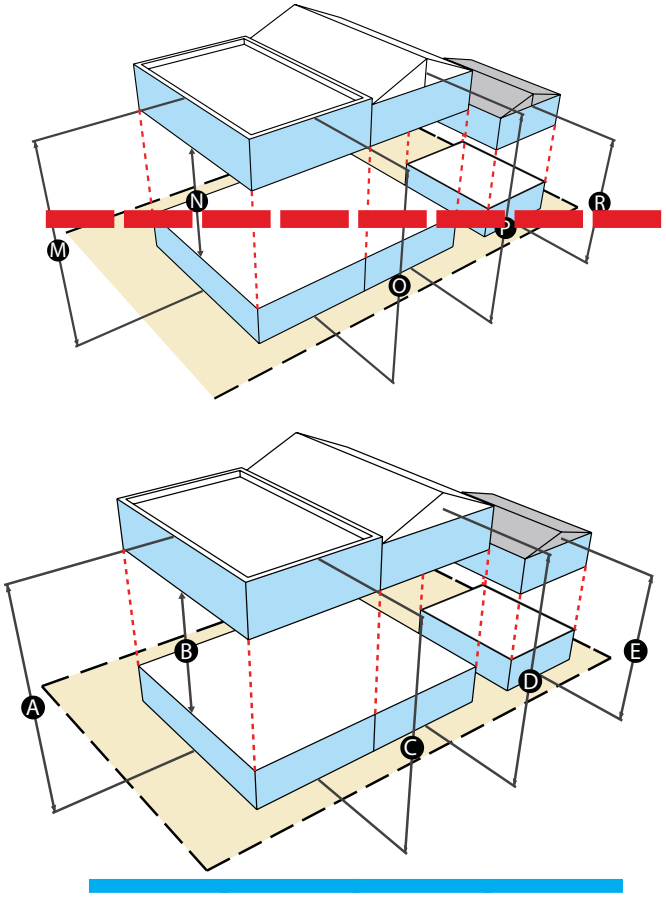


ACCESSORY STRUCTURES (see Figure 2)	TABLE 2
A. Minimum Front Yard Setback	20 feet
B. Minimum Corner Side Yard Setback	15 feet
C. Minimum Rear Yard Setback	8 feet
D. Minimum Side Yard Setback	5 feet
E. Size and Coverage	Not to exceed the aggregate floor area of the principal structure [1]

Footnotes:

1. *The aggregate total of the ground floor areas of all structures (excluding carports and detached trash enclosures) shall not exceed the percentage of lot coverage permitted.*

FIGURE 3 - BUILDING HEIGHT



BUILDING HEIGHT [1] (see Figure 3)	TABLE 3
~~M~~ A. Stories	NA [2]
~~N~~ B. Floors	NA [2]
~~O~~ C. Flat Roof - Max. Height	NA [2]
~~P~~ D. Pitched Roof - Max. Height	NA [2]
~~R~~ E. Accessory Bldg. - Stories	Not to exceed the height of the principal structure

Footnotes:

1. *Building heights may be affected by the residential adjacency standards set forth in LVMC 19.08.040(H).*

2. *For parcels that are outside the Neighborhood Revitalization Area, the maximum building height for mixed-use development is ten stories, or one hundred fifty feet, whichever is less. For purposes of the foregoing, the "Neighborhood Revitalization Area" means the area so designated in the Las Vegas 2020 Master Plan adopted by Ordinance No. 5250, as the boundaries of that area may be amended from time to time*

LANDSCAPE BUFFERS AND TURF LIMITATIONS (see Figure 4)	TABLE 4
A. Landscape Buffer - Minimum Zone Depths	15 feet - Adjacent to Right-of-Way [1] 8 feet - Interior Lot Lines
B. Primary Structure	
C. Turf Coverage	25% of landscapable area
D. Impermeable Surfaces	Should be minimized to reduce stormwater quality management impacts

Footnotes:

1. *When a principle structure is built at a less restrictive building setback, the setbacks shall prevail.*

PARKING [1] (see Figure 4)	TABLE 5
E. Minimum On-site Parking Requirement [2]	Shall be as outlined in LVMC 19.12.160 based on the approved use

Footnotes:

1. *Shall meet the parking area design standards as outlined in LVMC 19.08.110.*
2. *Handicapped parking shall be calculated as provided for in LVMC 19.18.030(E).*

FIGURE 4 - LANDSCAPE BUFFER AND TURF LIMITATIONS

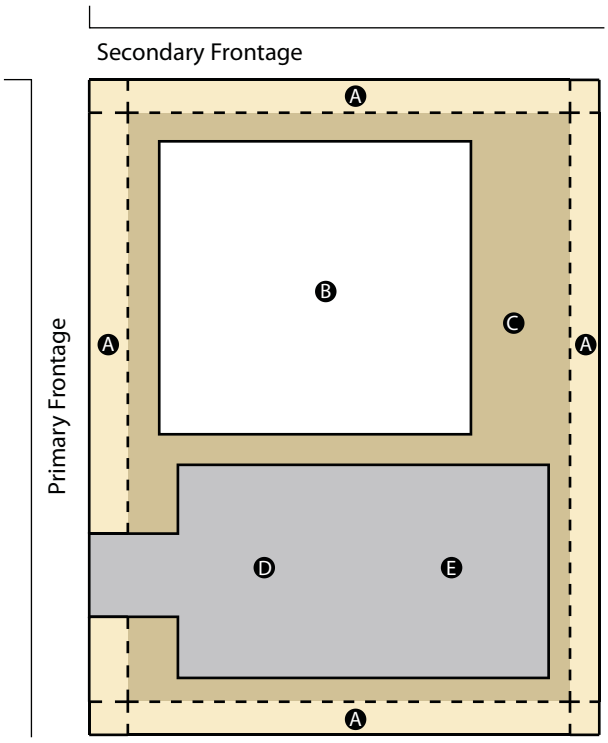
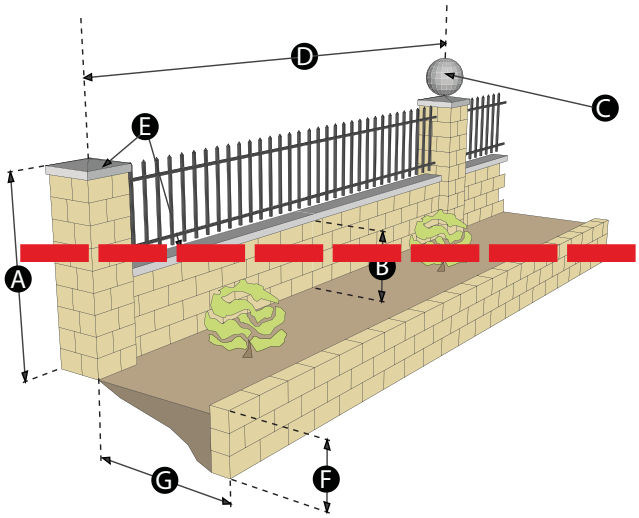
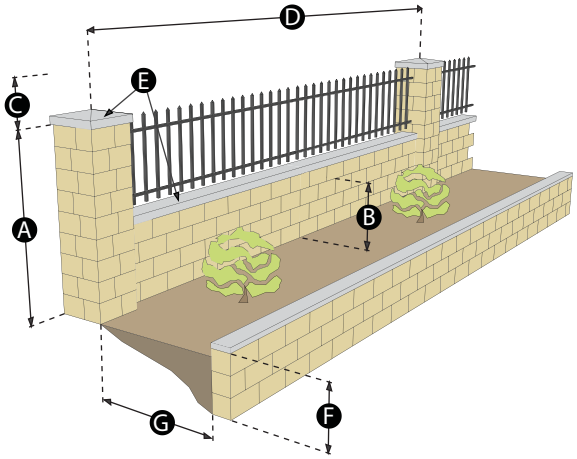


FIGURE 5 - FRONT YARD WALL/FENCE WITH STANDARD STEPBACK





FENCES AND WALLS

Front Yard Wall/Fence (see Figure 5)		Table 6
A.	Maximum primary wall height	5 feet
B.	Maximum solid wall base height	2 feet
C.	Maximum ~~Pilaster~~ Ornament height above wall	18 inches
D.	Maximum on-center distance between Pilasters	24 feet
E.	Decorative Cap feature	5 inches
Front Yard Wall/Fence with Standard Stepback [1]		
F.	Maximum secondary wall height	2 feet
G.	Minimum spacing between wall sections - Outside Dimensions	5 feet

Footnotes:

1. *Retaining walls along the front property line may not exceed two feet in height. Where the grade of the front yard slopes at a ratio greater than 2:1, multiple retaining walls may be constructed, provided there is a minimum distance of five feet between retaining walls for landscaping. (See Figure 5).*

Perimeter and Retaining Walls (see Figure 6)		Table 7
Perimeter and Retaining Walls with Slope ≤ 2%		
A.	Maximum ~~Overall~~ Wall Height	10 feet
B.	Maximum Perimeter Wall Height	6 - 8 feet
C.	Maximum Retaining Wall Height	4 feet
D.	Maximum ~~Pilaster~~ Ornament Height above wall	18 inches
E.	Contrasting Material	20%
Perimeter and Retaining Walls with Slope > 2%		
A.	Maximum ~~Overall~~ Wall Height	12 feet
B.	Maximum Perimeter Wall Height	6 - 8 feet
C.	Maximum Retaining Wall Height	6 feet
D.	Maximum ~~Pilaster~~ Ornament Height above wall	18 inches
E.	Contrasting Material	20%

FIGURE 6 - RETAINING AND PERIMETER WALL

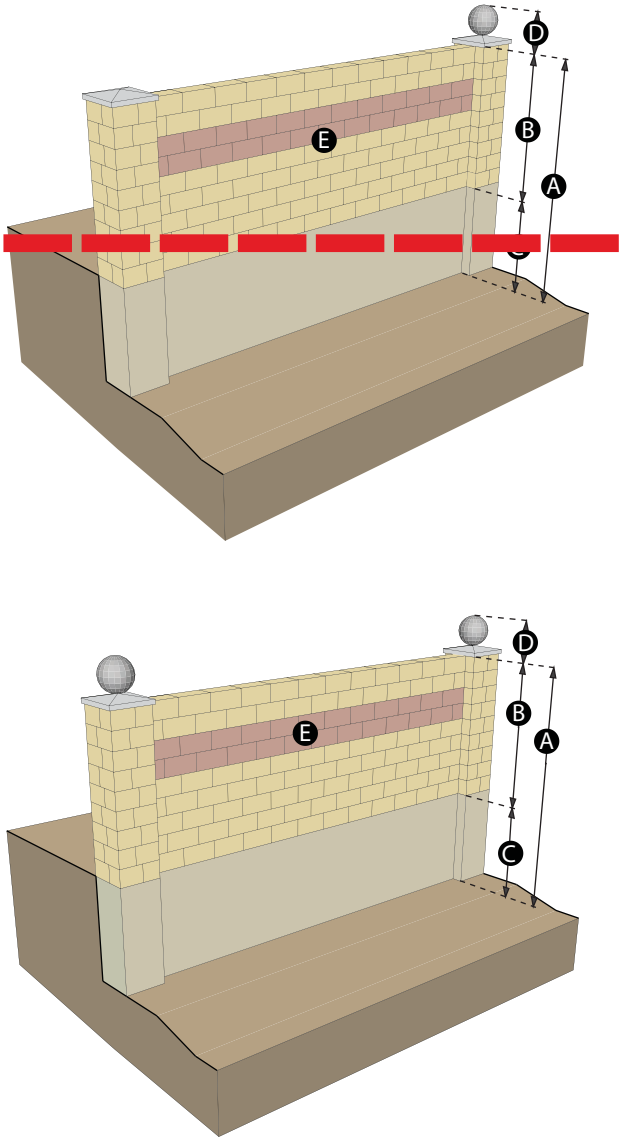
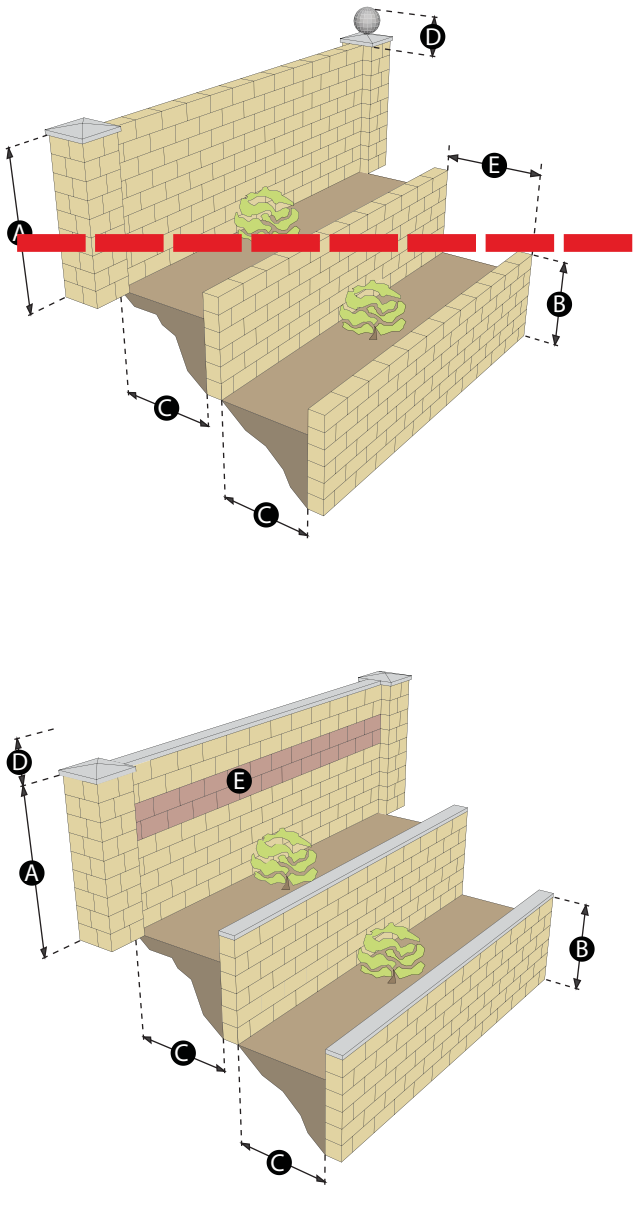


FIGURE 7 - RETAINING AND PERIMETER WALL STANDARD STEPBACK



Perimeter and Retaining Walls Standard Stepback (see Figure 7)		Table 8
A.	Maximum Primary wall Height	6 - 8 feet
B.	Maximum Secondary wall Height	4 feet
C.	Minimum spacing between wall sections ~~- Inside Dimensions~~	~~4~~ 5 feet
D.	Maximum ~~Pilaster~~ Ornament Height	18 inches
E.	~~Minimum spacing between wall sections - Outside Dimensions~~ Contrasting Material	~~5 feet~~ 20%

19.08.080

C-2 GENERAL COMMERCIAL DISTRICT

The C-2 District is designed to provide the broadest scope of compatible services for both the general and traveling public. This category allows retail, service, automotive, wholesale, office and other general business uses of an intense character, as well as mixed-use developments. This district should be located away from low and medium density residential development and may be used as a buffer between retail and industrial uses. The C-2 District is also appropriate along commercial corridors. The C-2 District is consistent with the General Commercial category of the General Plan.

BUILDING PLACEMENT (see Figure 1)		TABLE 1
A.	Minimum Lot Width	100 feet
B.	Max. Lot Coverage	50% [1]
C.	Minimum Front Yard Setback	~~20~~ 10 feet
D.	Minimum Side Yard Setback	10 feet
E.	Minimum Corner Side Yard Setback	~~15~~ 10 feet
F.	Minimum Rear Yard Setback	20 feet [2]

Footnotes:

1. *Lot coverage for mixed-use developments may be increased up to a maximum of seventy-five percent of the net lot area upon the approval of a Site Development Plan Review application in accordance with LVMC 19.16.100.*

2. *Rear yard setbacks may be affected by the residential adjacency standards set forth in LVMC 19.08.040(H).*

FIGURE 1 - BUILDING PLACEMENT

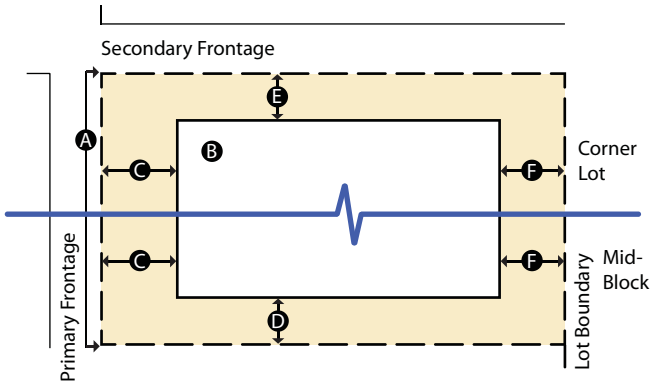
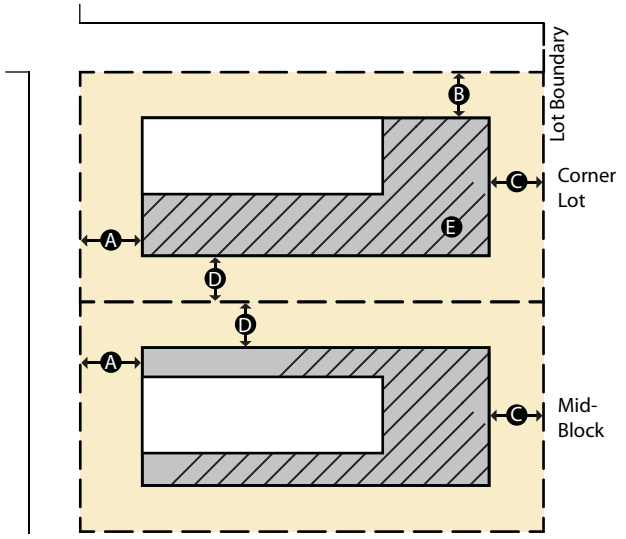


FIGURE 2 - ACCESSORY STRUCTURES

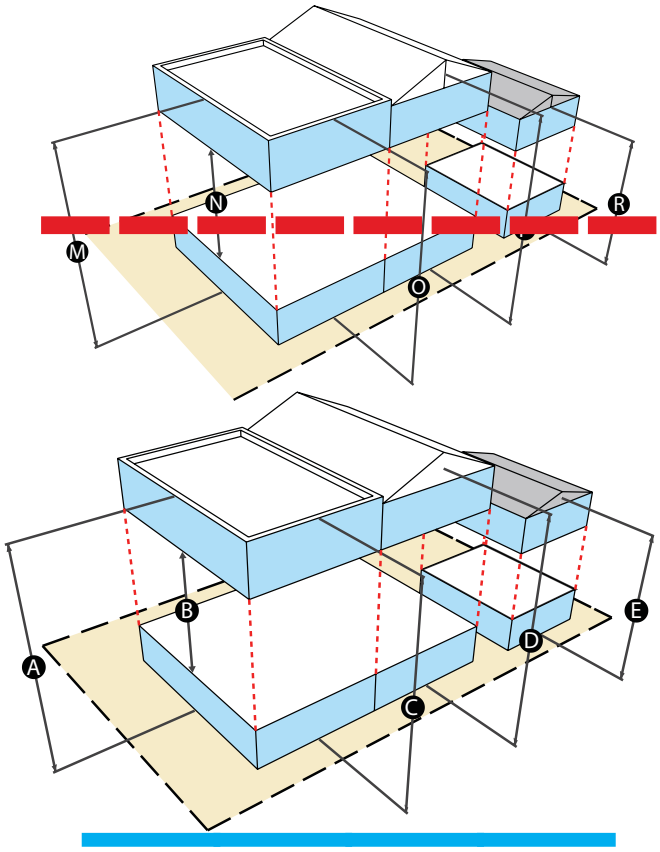


ACCESSORY STRUCTURES (see Figure 2)		TABLE 2
A.	Minimum Front Yard Setback	20 feet
B.	Minimum Corner Side Yard Setback	15 feet
C.	Minimum Rear Yard Setback	8 feet
D.	Minimum Side Yard Setback	5 feet
E.	Size and Coverage	Not to exceed the aggregate floor area of the principal structure [1]

Footnotes:

1. *The aggregate total of the ground floor areas of all structures (excluding carports and detached trash enclosures) shall not exceed the percentage of lot coverage permitted.*

FIGURE 3 - BUILDING HEIGHT



BUILDING HEIGHT [1] (see Figure 3)		TABLE 3
~~M~~ A.	Stories	NA [2]
~~N~~ B.	Floors	NA [2]
~~O~~ C.	Flat Roof - Max. Height	NA [2]
~~P~~ D.	Pitched Roof - Max. Height	NA [2]
~~R~~ E.	Accessory Bldg. - Stories	Not to exceed the height of the principal structure

Footnotes:

1. *Building heights may be affected by the residential adjacency standards set forth in LVMC 19.08.040(H).*

2. *For parcels that are outside the Neighborhood Revitalization Area, the maximum building height for mixed-use development is ten stories, or one hundred fifty feet, whichever is less. For purposes of the foregoing, the "Neighborhood Revitalization Area" means the area so designated in the Las Vegas 2020 Master Plan adopted by Ordinance No. 5250, as the boundaries of that area may be amended from time to time*

LANDSCAPE BUFFERS AND TURF LIMITATIONS (see Figure 4)		TABLE 4
A.	Landscape Buffer - Minimum Zone Depths	15 feet - Adjacent to Right-of-Way 8 feet - Interior Lot Lines
B.	Primary Structure	
C.	Turf Coverage	25% of landscapable area
D.	Impermeable Surfaces	Should be minimized to reduce stormwater quality management impacts

PARKING [1] (see Figure 4)		TABLE 5
E.	Minimum On-site Parking Requirement [2]	Shall be as outlined in LVMC 19.12.160 based on the approved use

Footnotes:

1. *Shall meet the parking area design standards as outlined in LVMC 19.08.110.*
2. *Handicapped parking shall be calculated as provided for in LVMC 19.18.030(E).*

FIGURE 4 - LANDSCAPE BUFFER AND TURF LIMITATIONS

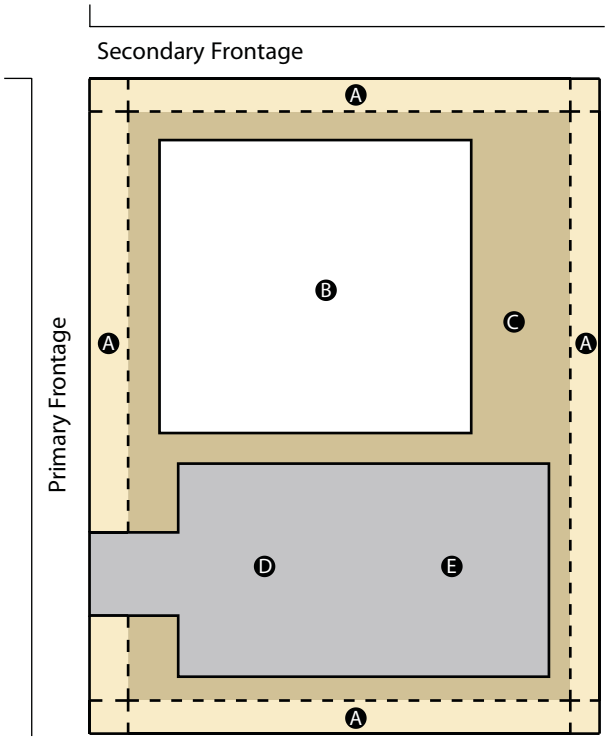
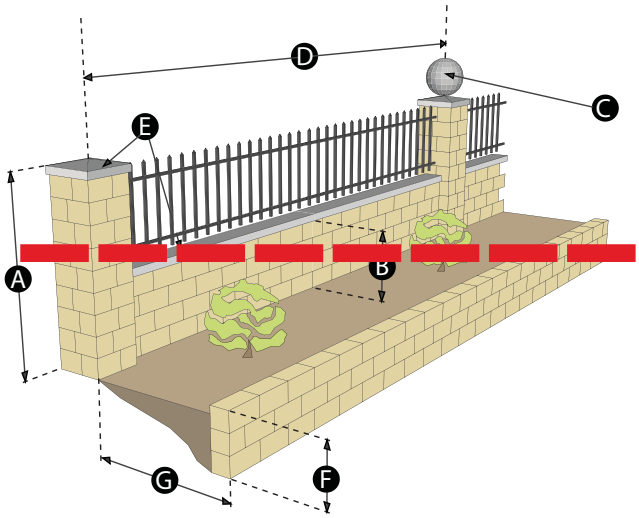
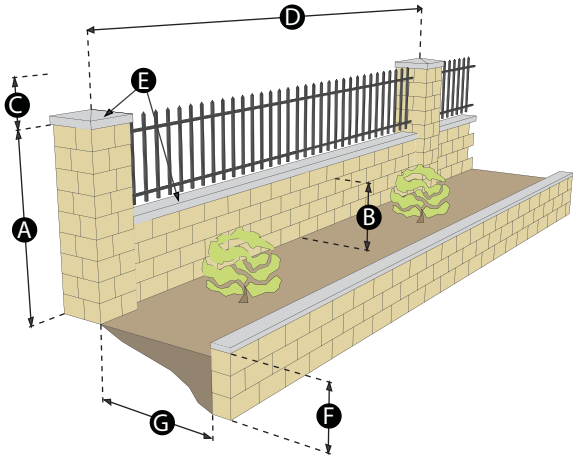


FIGURE 5 - FRONT YARD WALL/FENCE WITH STANDARD STEPBACK





FENCES AND WALLS

Front Yard Wall/Fence (see Figure 5)		Table 6
A.	Maximum primary wall height	5 feet
B.	Maximum solid wall base height	2 feet
C.	Maximum ~~Pilaster~~ Ornament height above wall	18 inches
D.	Maximum on-center distance between Pilasters	24 feet
E.	Decorative Cap feature	5 inches
Front Yard Wall/Fence with Standard Stepback [1]		
F.	Maximum secondary wall height	2 feet
G.	Minimum spacing between wall sections - Outside Dimensions	5 feet

Footnotes:

1. *Retaining walls along the front property line may not exceed two feet in height. Where the grade of the front yard slopes at a ratio greater than 2:1, multiple retaining walls may be constructed, provided there is a minimum distance of five feet between retaining walls for landscaping. (See Figure 5).*

Perimeter and Retaining Walls (see Figure 6)	Table 7
Perimeter and Retaining Walls with Slope ≤ 2%	
A. Maximum ~~Overall~~ Wall Height	10 feet
B. Maximum Perimeter Wall Height	6 - 8 feet
C. Maximum Retaining Wall Height	4 feet
D. Maximum ~~Pilaster~~ Ornament Height above wall	18 inches
E. Contrasting Material	20%
Perimeter and Retaining Walls with Slope > 2%	
A. Maximum ~~Overall~~ Wall Height	12 feet
B. Maximum Perimeter Wall Height	6 - 8 feet
C. Maximum Retaining Wall Height	6 feet
D. Maximum ~~Pilaster~~ Ornament Height above wall	18 inches
E. Contrasting Material	20%

FIGURE 6 - RETAINING AND PERIMETER WALL

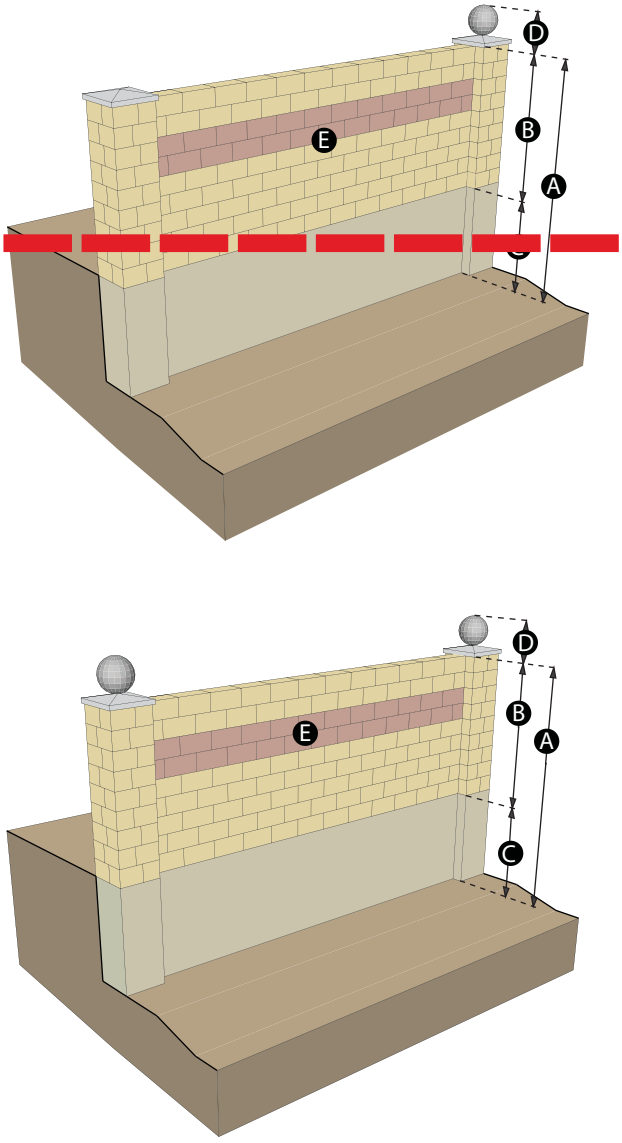
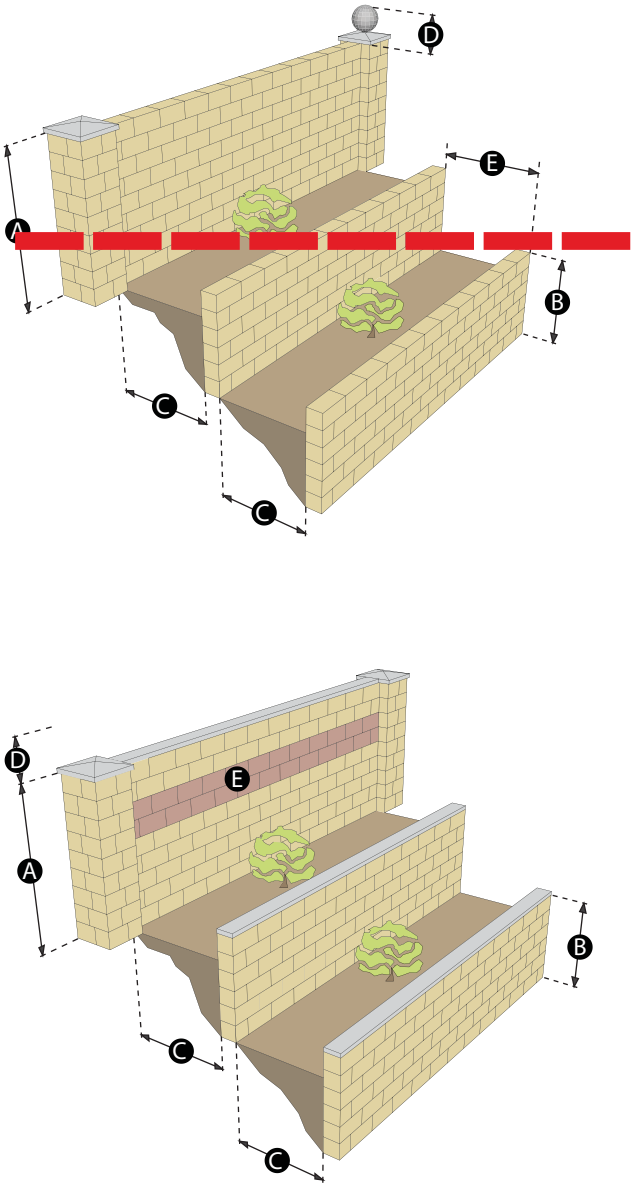


FIGURE 7 - RETAINING AND PERIMETER WALL STANDARD STEPBACK



Perimeter and Retaining Walls Standard Stepback (see Figure 7)		Table 8
A.	Maximum Primary wall Height	6 - 8 feet
B.	Maximum Secondary wall Height	4 feet
C.	Minimum spacing between wall sections ~~- Inside Dimensions~~	~~4~~ 5 feet
D.	Maximum ~~Pilaster~~ Ornament Height	18 inches
E.	~~Minimum spacing between wall sections - Outside Dimensions~~ Contrasting Material	~~5 feet~~ 20%

19.08.085

C-PB PLANNED BUSINESS PARK DISTRICT

The C-PB District allows industrial uses, including light manufacturing, assembling and processing, warehousing and distribution, research, development and testing laboratories; medical related uses and ancillary commercial uses in an Industrial Office Park setting; and mixed-use developments. The C-PB District is consistent with the Light Industry/Research category of the General Plan.

BUILDING PLACEMENT (see Figure 1)	TABLE 1
A. Minimum Lot Width	100 feet
B. Max. Lot Coverage	NA
C. Minimum Front Yard Setback	10 feet
D. Minimum Side Yard Setback	10 feet
E. Minimum Corner Side Yard Setback	10 feet
F. Minimum Rear Yard Setback	20 feet [1]

Footnotes:

1. *Rear yard setbacks may be affected by the residential adjacency standards set forth in LVMC 19.08.040(H).*

ACCESSORY STRUCTURES (see Figure 2)	TABLE 2
A. Minimum Front Yard Setback	10 feet
B. Minimum Corner Side Yard Setback	10 feet
C. Minimum Rear Yard Setback	8 feet
D. Minimum Side Yard Setback	8 feet
E. Size and Coverage	Not to exceed the aggregate floor area of the principal structure

FIGURE 1 - BUILDING PLACEMENT

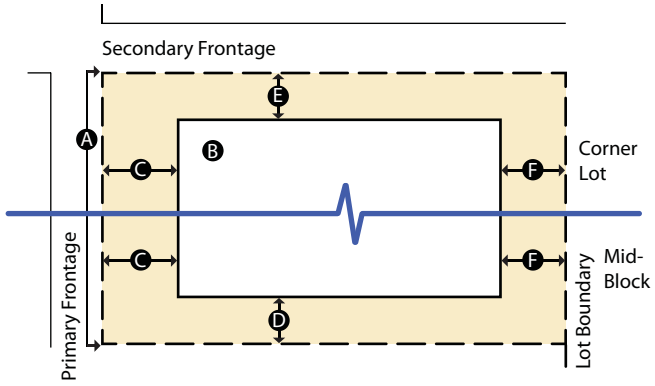


FIGURE 2 - ACCESSORY STRUCTURES

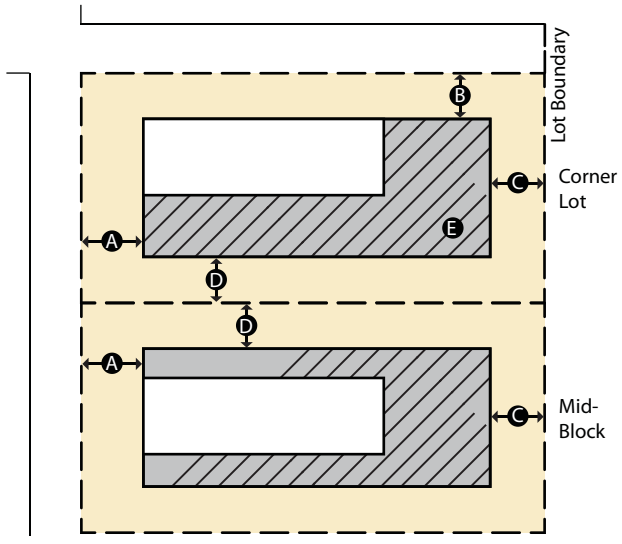


FIGURE 3 - BUILDING HEIGHT

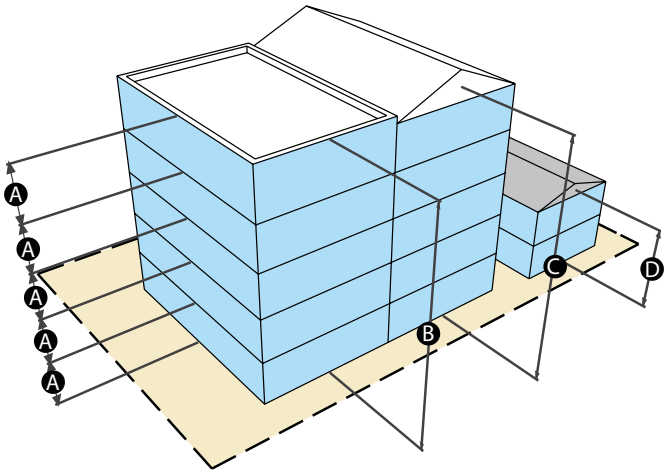
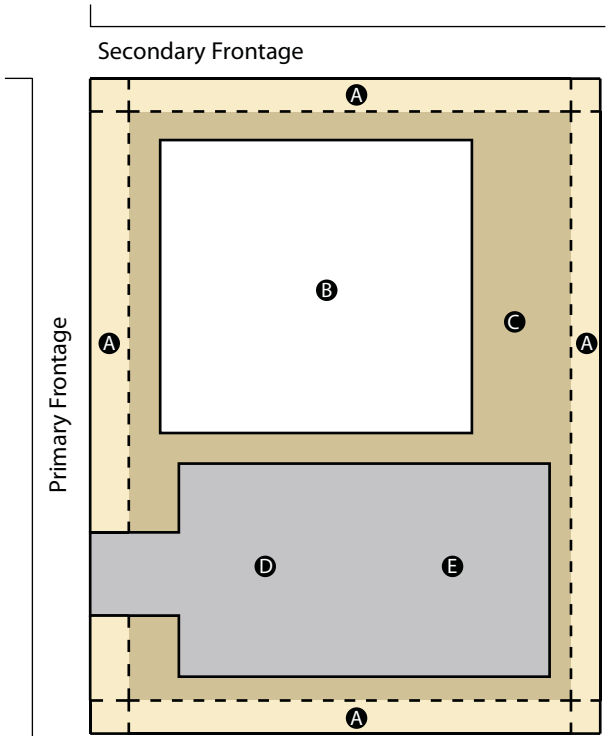


FIGURE 4 - LANDSCAPE BUFFER AND TURF LIMITATIONS



BUILDING HEIGHT [1] (see Figure 3)	TABLE 3
A. Stories	5 max [2,3]
B. Flat Roof - Max. Height	85 feet measured to the top of the roof coping [2,3]
C. Pitched Roof - Max. Height	85 feet measured to the midpoint between the eaves and ridgeline of a pitched roof [2,3]
D. Accessory Bldg. - Stories	Not to exceed the height of the principal structure

Footnotes:

1. *Building heights may be affected by the residential adjacency standards set forth in LVMC 19.08.040(H).*
2. *For parcels of land located within a C-PB Zoning District that is contiguous to, or within two hundred feet of, a freeway or expressway, the maximum building height shall be six stories or one hundred feet, whichever is less.*
3. *Notwithstanding the above, in the case of permitted commercial and retail uses, the maximum building height shall be two stories or thirty-five feet, whichever is less.*

LANDSCAPE BUFFERS AND TURF LIMITATIONS (see Figure 4)	TABLE 4
A. Landscape Buffer - Minimum Zone Depths	15 feet - Adjacent to Right-of-Way 8 feet - Interior Lot Lines
B. Primary Structure	
C. Turf Coverage	25% of landscapable area
D. Impermeable Surfaces	Should be minimized to reduce stormwater quality management impacts

PARKING [1] (see Figure 4)	TABLE 5
E. Minimum On-site Parking Requirement [2]	Shall be as outlined in LVMC 19.12.160 based on the approved use

Footnotes:

1. *Shall meet the parking area design standards as outlined in LVMC 19.08.110.*
2. *Handicapped parking shall be calculated as provided for in LVMC 19.18.030(E).*

FENCES AND WALLS

Front Yard Wall/Fence (see Figure 5)	Table 6
A. Maximum primary wall height	5 feet
B. Maximum solid wall base height	2 feet
C. Maximum Ornament height above wall	18 inches
D. Maximum on-center distance between Pilasters	24 feet
E. Decorative Cap feature	5 inches
Front Yard Wall/Fence with Standard Stepback [1]	
F. Maximum secondary wall height	2 feet
G. Minimum spacing between wall sections - Outside Dimensions	5 feet

Footnotes:

1. *Retaining walls along the front property line may not exceed two feet in height. Where the grade of the front yard slopes at a ratio greater than 2:1, multiple retaining walls may be constructed, provided there is a minimum distance of five feet between retaining walls for landscaping. (See Figure 5).*

Perimeter and Retaining Walls (see Figure 6)	Table 7
Perimeter and Retaining Walls with Slope ≤ 2%	
A. Maximum Wall Height	10 feet
B. Maximum Perimeter Wall Height	6 - 8 feet
C. Maximum Retaining Wall Height	4 feet
D. Maximum Ornament Height above wall	18 inches
E. Contrasting Material	20%
Perimeter and Retaining Walls with Slope > 2%	
A. Maximum Wall Height	12 feet
B. Maximum Perimeter Wall Height	6 - 8 feet
C. Maximum Retaining Wall Height	6 feet

FIGURE 5 - FRONT YARD WALL/FENCE WITH STANDARD STEPBACK

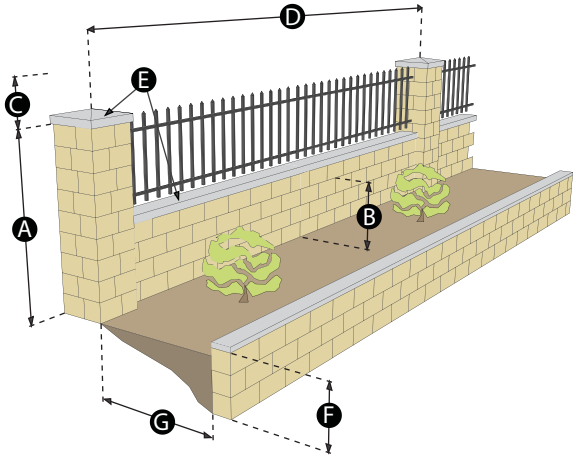
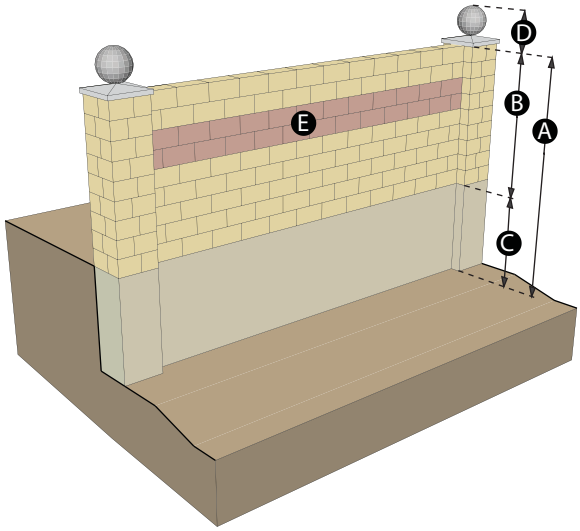


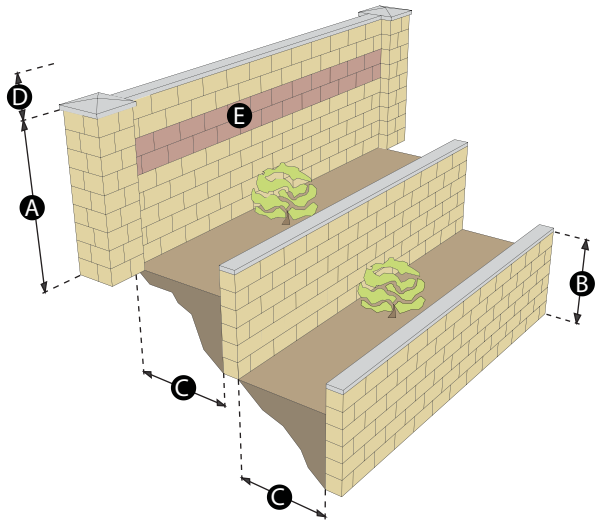
FIGURE 6 - RETAINING AND PERIMETER WALL



D. Maximum Ornament Height above wall	18 inches
E. Contrasting Material	20%

Perimeter and Retaining Walls Standard Stepback (see Figure 7)	Table 8
A. Maximum Primary wall Height	6 - 8 feet
B. Maximum Secondary wall Height	4 feet
C. Minimum spacing between wall sections	5 feet
D. Maximum Ornament Height	18 inches
E. Contrasting Material	20%

FIGURE 7 - RETAINING AND PERIMETER WALL STANDARD STEPBACK



19.08.090

C-M COMMERCIAL/INDUSTRIAL DISTRICT

The C-M District is a general commercial and restricted industrial district designed to provide for a variety of compatible business, warehouse, wholesale, office and limited industrial uses. This district is intended to be located away from areas of low and medium density residential development. The C-M District is consistent with the Light Industry/Research category of the General Plan.

BUILDING PLACEMENT (see Figure 1)		TABLE 1
A.	Minimum Lot Width	100 feet
B.	Max. Lot Coverage	NA
C.	Minimum Front Yard Setback	10 feet
D.	Minimum Side Yard Setback	10 feet
E.	Minimum Corner Side Yard Setback	10 feet
F.	Minimum Rear Yard Setback	20 feet [1]

Footnotes:

1. *Rear yard setbacks may be affected by the residential adjacency standards set forth in LVMC 19.08.040(H).*

ACCESSORY STRUCTURES (see Figure 2)		TABLE 2
A.	Minimum Front Yard Setback	10 feet
B.	Minimum Corner Side Yard Setback	10 feet
C.	Minimum Rear Yard Setback	8 feet
D.	Minimum Side Yard Setback	8 feet
E.	Size and Coverage	Not to exceed the aggregate floor area of the principal structure

FIGURE 1 - BUILDING PLACEMENT

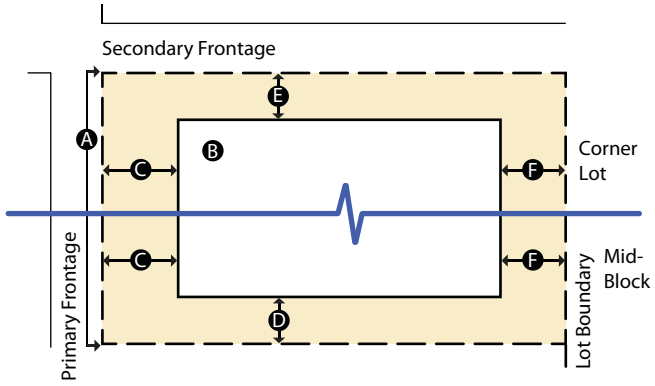


FIGURE 2 - ACCESSORY STRUCTURES

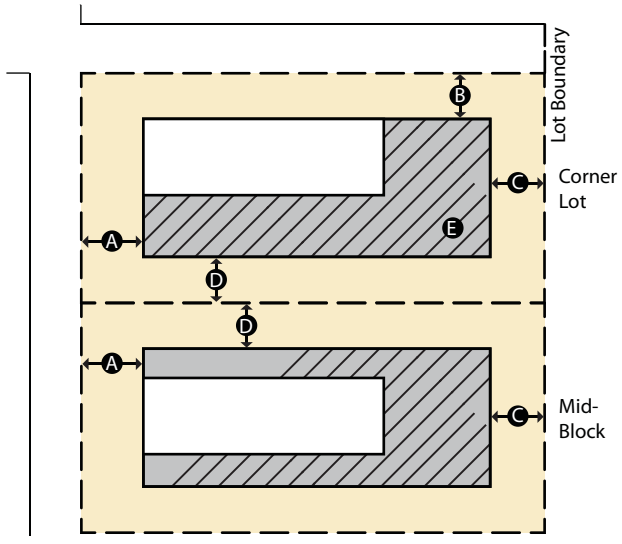
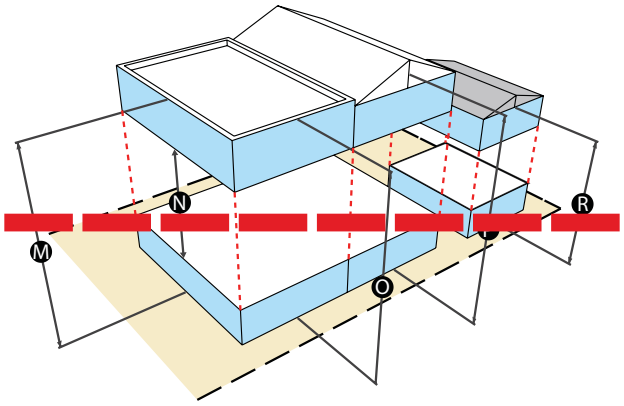
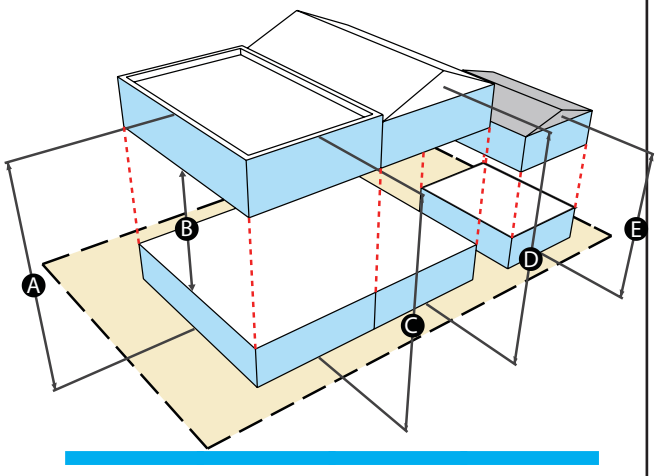


FIGURE 3 - BUILDING HEIGHT





BUILDING HEIGHT [1] (see Figure 3)	TABLE 3
~~M~~ A. Stories	NA
~~N~~ B. Floors	NA
~~O~~ C. Flat Roof - Max. Height	NA
~~P~~ D. Pitched Roof - Max. Height	NA
~~R~~ E. Accessory Bldg. - Stories	Not to exceed the height of the principal structure

Footnotes:

1. *Building heights may be affected by the residential adjacency standards set forth in LVMC 19.08.040(H).*

LANDSCAPE BUFFERS AND TURF LIMITATIONS (see Figure 4)	TABLE 4
A. Landscape Buffer - Minimum Zone Depths	15 feet - Adjacent to Right-of-Way 8 feet - Interior Lot Lines
B. Primary Structure	
C. Turf Coverage	25% of landscapable area
D. Impermeable Surfaces	Should be minimized to reduce stormwater quality management impacts

PARKING [1] (see Figure 4)	TABLE 5
E. Minimum On-site Parking Requirement [2]	Shall be as outlined in LVMC 19.12.160 based on the approved use

Footnotes:

1. *Shall meet the parking area design standards as outlined in LVMC 19.08.110.*
2. *Handicapped parking shall be calculated as provided for in LVMC 19.18.030(E).*

FIGURE 4 - LANDSCAPE BUFFER AND TURF LIMITATIONS

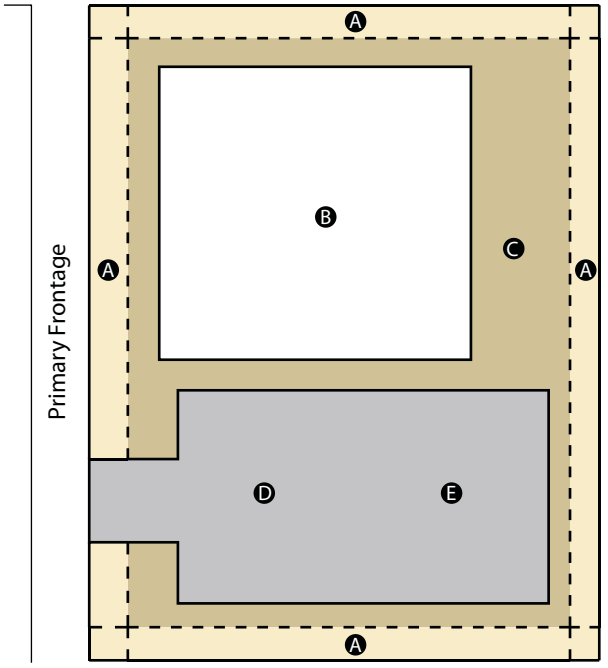
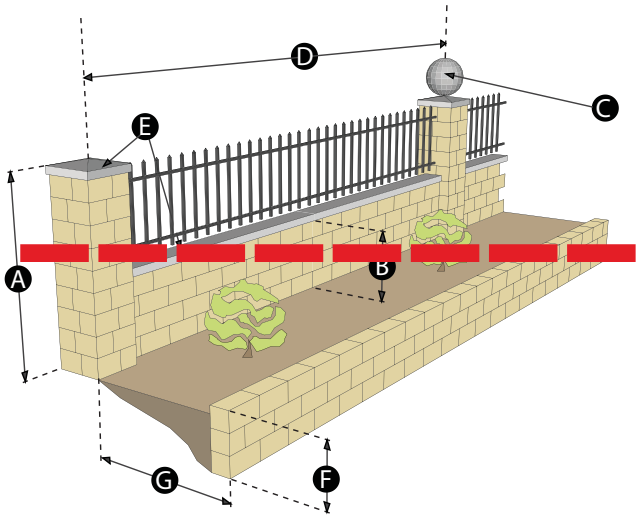
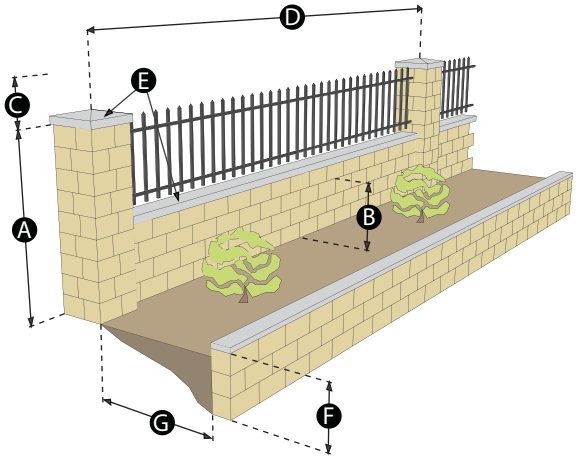


FIGURE 5 - FRONT YARD WALL/FENCE WITH STANDARD STEPBACK





FENCES AND WALLS

Front Yard Wall/Fence (see Figure 5)		Table 6
A.	Maximum primary wall height	5 feet
B.	Maximum solid wall base height	2 feet
C.	Maximum ~~Pilaster~~ Ornament height above wall	18 inches
D.	Maximum on-center distance between Pilasters	24 feet
E.	Decorative Cap feature	5 inches
Front Yard Wall/Fence with Standard Stepback [1]		
F.	Maximum secondary wall height	2 feet
G.	Minimum spacing between wall sections - Outside Dimensions	5 feet

Footnotes:

1. *Retaining walls along the front property line may not exceed two feet in height. Where the grade of the front yard slopes at a ratio greater than 2:1, multiple retaining walls may be constructed, provided there is a minimum distance of five feet between retaining walls for landscaping. (See Figure 5).*

Perimeter and Retaining Walls (see Figure 6)	Table 7
Perimeter and Retaining Walls with Slope ≤ 2%	
A. Maximum ~~Overall~~ Wall Height	10 feet
B. Maximum Perimeter Wall Height	6 - 8 feet
C. Maximum Retaining Wall Height	4 feet
D. Maximum ~~Pilaster~~ Ornament Height above wall	18 inches
E. Contrasting Material	20%
Perimeter and Retaining Walls with Slope > 2%	
A. Maximum ~~Overall~~ Wall Height	12 feet
B. Maximum Perimeter Wall Height	6 - 8 feet
C. Maximum Retaining Wall Height	6 feet
D. Maximum ~~Pilaster~~ Ornament Height above wall	18 inches
E. Contrasting Material	20%

FIGURE 6 - RETAINING AND PERIMETER WALL

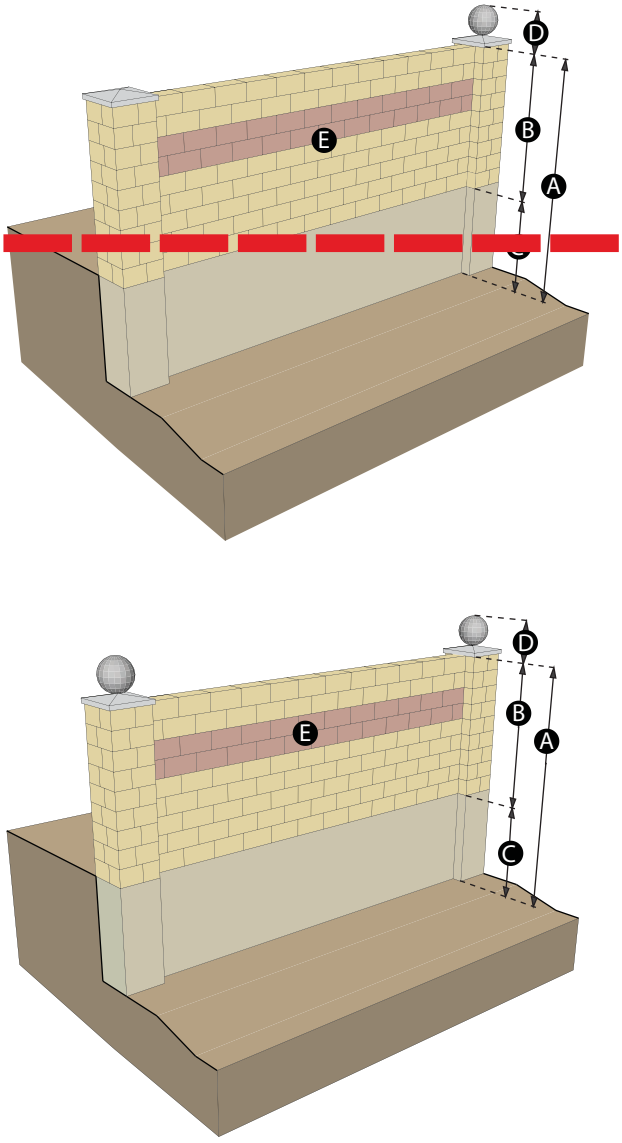
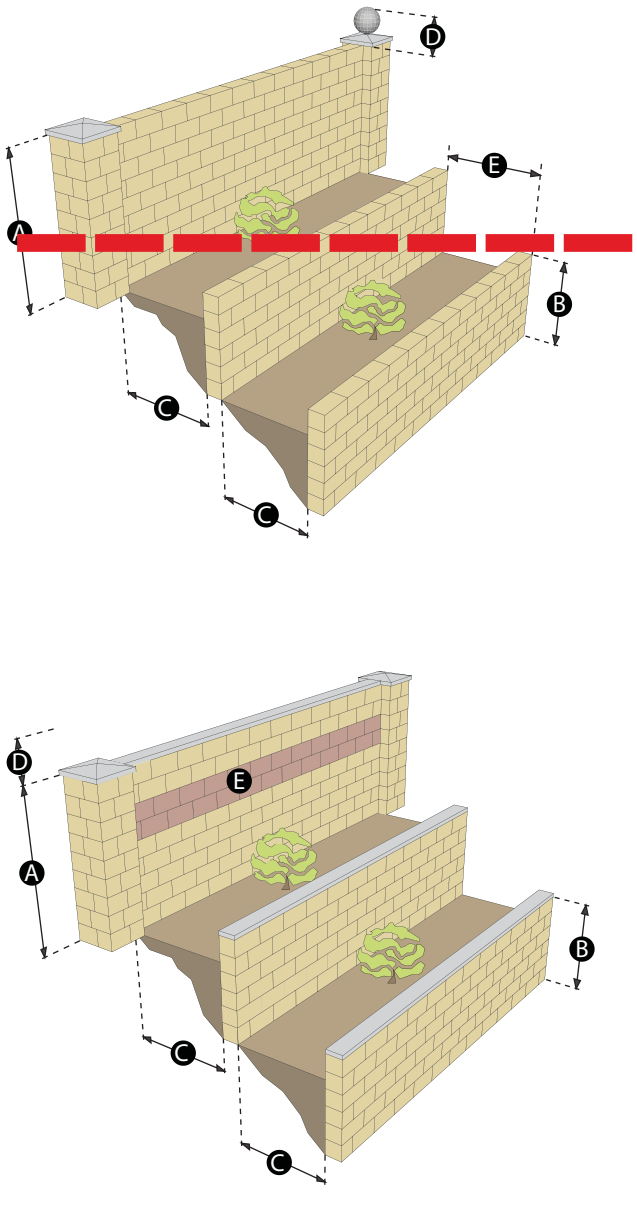


FIGURE 7 - RETAINING AND PERIMETER WALL STANDARD STEPBACK



Perimeter and Retaining Walls Standard Stepback (see Figure 7)		Table 8
A.	Maximum Primary wall Height	6 - 8 feet
B.	Maximum Secondary wall Height	4 feet
C.	Minimum spacing between wall sections ~~- Inside Dimensions~~	~~4~~ 5 feet
D.	Maximum ~~Pilaster~~ Ornament Height	18 inches
E.	~~Minimum spacing between wall sections - Outside Dimensions~~ Contrasting Material	~~5 feet~~ 20%

19.08.100

M INDUSTRIAL DISTRICT

The M District is intended to provide for heavy manufacturing industries in locations where they will be compatible with and not adversely impact adjacent land uses. This district is intended to be located away from all residential development. The M District is consistent with the Light Industry/Research category of the General Plan.

BUILDING PLACEMENT (see Figure 1)		TABLE 1
A.	Minimum Lot Width	100 feet
B.	Max. Lot Coverage	NA
C.	Minimum Front Yard Setback	10 feet [1]
D.	Minimum Side Yard Setback	10 feet [1]
E.	Minimum Corner Side Yard Setback	10 feet [1]
F.	Minimum Rear Yard Setback	0 feet [1, 2]

Footnotes:

1. *Where adjacent to, or across the street from, a residential district, the minimum setback from the property line or the street right-of-way line shall be fifty feet. The setback area shall be maintained free and clear of all buildings or industrial uses, except that this area may be used for parking. Such parking use may include parking for industrial equipment and vehicles if parking areas are completely screened from any residential view.*

2. *Rear yard setbacks may be affected by the residential adjacency standards set forth in LVMC 19.08.040(H).*

ACCESSORY STRUCTURES (see Figure 2)		TABLE 2
A.	Minimum Front Yard Setback	10 feet
B.	Minimum Corner Side Yard Setback	10 feet
C.	Minimum Rear Yard Setback	0 feet
D.	Minimum Side Yard Setback	0 feet
E.	Size and Coverage	Not to exceed the aggregate floor area of the principal structure [1]

FIGURE 1 - BUILDING PLACEMENT

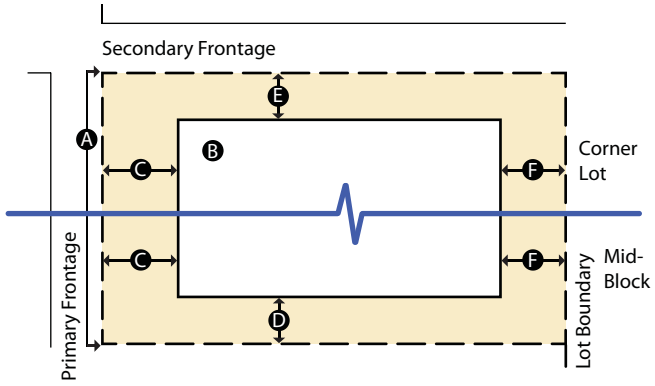


FIGURE 2 - ACCESSORY STRUCTURES

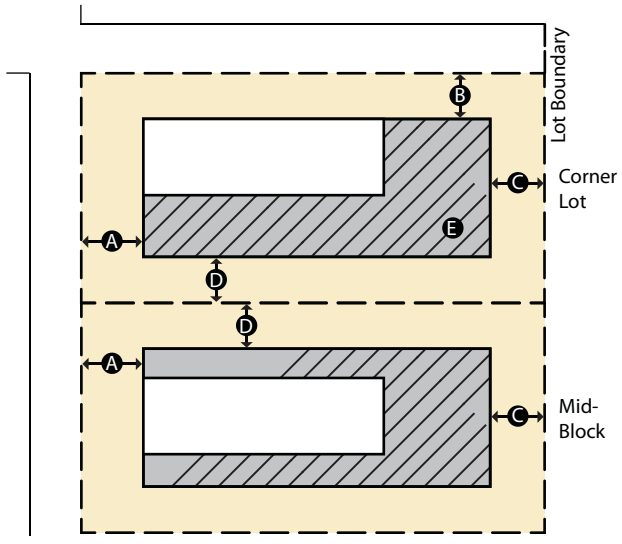
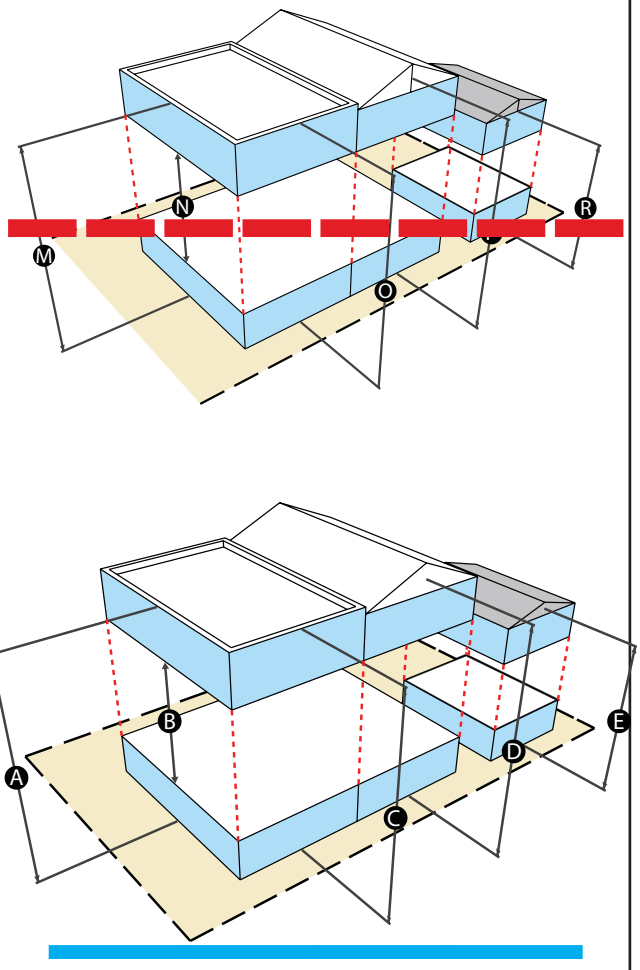


FIGURE 3 - BUILDING HEIGHT



BUILDING HEIGHT [1] (see Figure 3)	TABLE 3
~~M~~ A. Stories	NA
~~N~~ B. Floors	NA
~~O~~ C. Flat Roof - Max. Height	NA
~~P~~ D. Pitched Roof - Max. Height	NA
~~R~~ E. Accessory Bldg. - Stories	Not to exceed the height of the principal structure

Footnotes:

1. *Building heights may be affected by the residential adjacency standards set forth in LVMC 19.08.040(H).*

LANDSCAPE BUFFERS AND TURF LIMITATIONS (see Figure 4)	TABLE 4
A. Landscape Buffer - Minimum Zone Depths	15 feet - Adjacent to Right-of-Way 8 feet - Interior Lot Lines [1]
B. Primary Structure	
C. Turf Coverage	25% of landscapable area
D. Impermeable Surfaces	Should be minimized to reduce stormwater quality management impacts

Footnotes:

1. *When building setbacks are less restrictive, the setbacks shall prevail.*

PARKING [1] (see Figure 4)	TABLE 5
E. Minimum On-site Parking Requirement [2]	Shall be as outlined in LVMC 19.12.160 based on the approved use

Footnotes:

1. *Shall meet the parking area design standards as outlined in LVMC 19.08.110.*
2. *Handicapped parking shall be calculated as provided for in LVMC 19.18.030(E).*

FIGURE 4 - LANDSCAPE BUFFER AND TURF LIMITATIONS

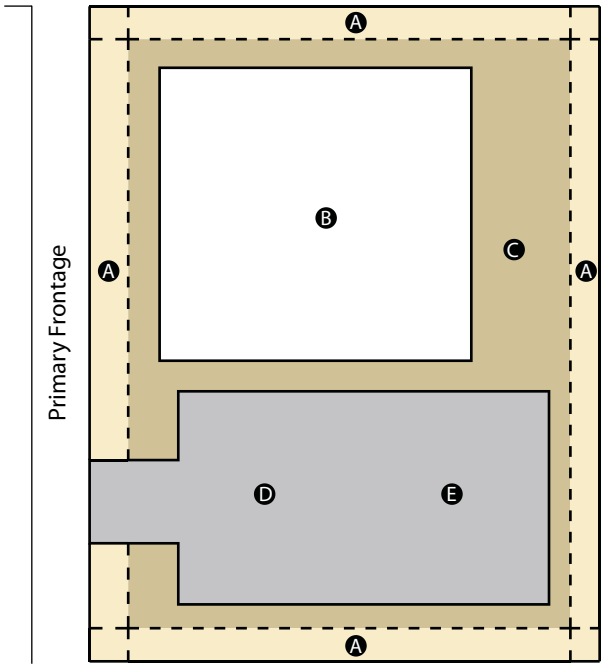
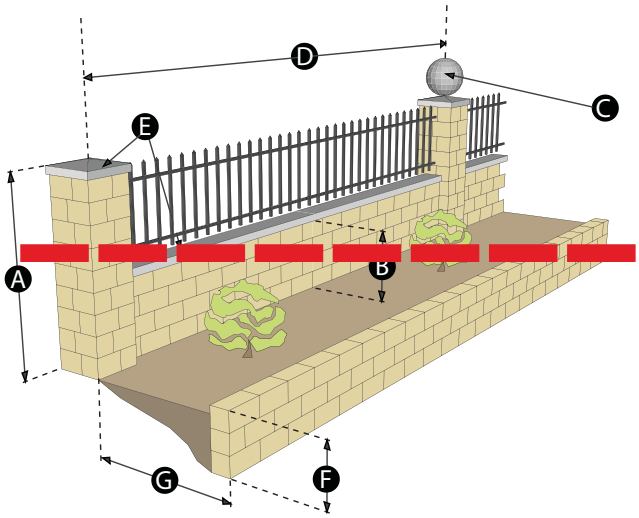
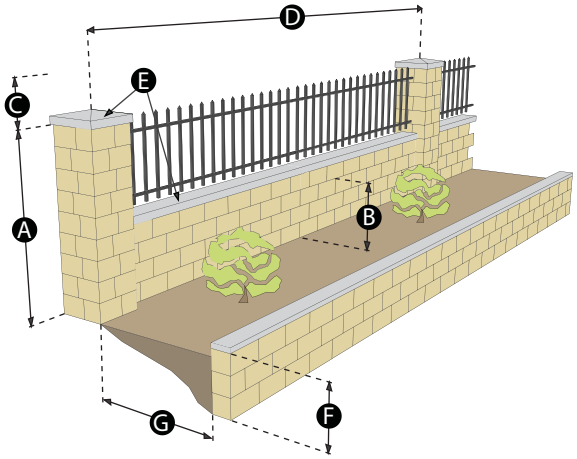


FIGURE 5 - FRONT YARD WALL/FENCE WITH STANDARD STEPBACK





FENCES AND WALLS

Front Yard Wall/Fence (see Figure 5)	Table 6
A. Maximum primary wall height	5 feet
B. Maximum solid wall base height	2 feet
C. Maximum ~~Pilaster~~ Ornament height above wall	18 inches
D. Maximum on-center distance between Pilasters	24 feet
E. Decorative Cap feature	5 inches
Front Yard Wall/Fence with Standard Stepback [1]	
F. Maximum secondary wall height	2 feet
G. Minimum spacing between wall sections - Outside Dimensions	5 feet

Footnotes:

1. *Retaining walls along the front property line may not exceed two feet in height. Where the grade of the front yard slopes at a ratio greater than 2:1, multiple retaining walls may be constructed, provided there is a minimum distance of five feet between retaining walls for landscaping. (See Figure 5).*

Perimeter and Retaining Walls (see Figure 6)	Table 7
Perimeter and Retaining Walls with Slope ≤ 2%	
A. Maximum ~~Overall~~ Wall Height	10 feet
B. Maximum Perimeter Wall Height	6 - 8 feet
C. Maximum Retaining Wall Height	4 feet
D. Maximum ~~Pilaster~~ Ornament Height above wall	18 inches
E. Contrasting Material	20%
Perimeter and Retaining Walls with Slope > 2%	
A. Maximum ~~Overall~~ Wall Height	12 feet
B. Maximum Perimeter Wall Height	6 - 8 feet
C. Maximum Retaining Wall Height	6 feet
D. Maximum ~~Pilaster~~ Ornament Height above wall	18 inches
E. Contrasting Material	20%

FIGURE 6 - RETAINING AND PERIMETER WALL

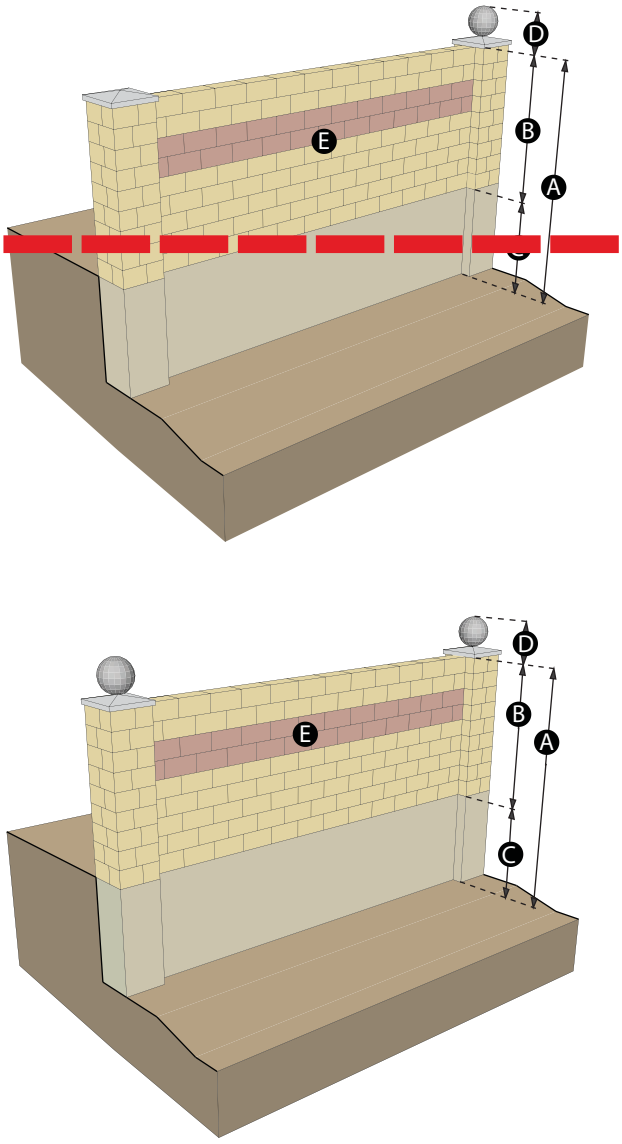
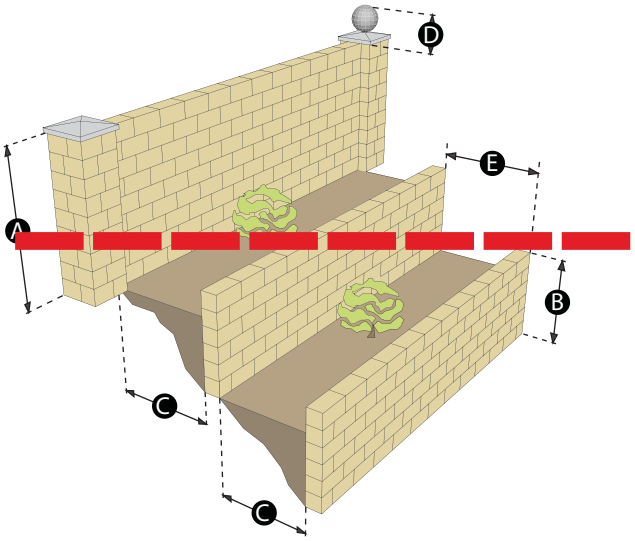
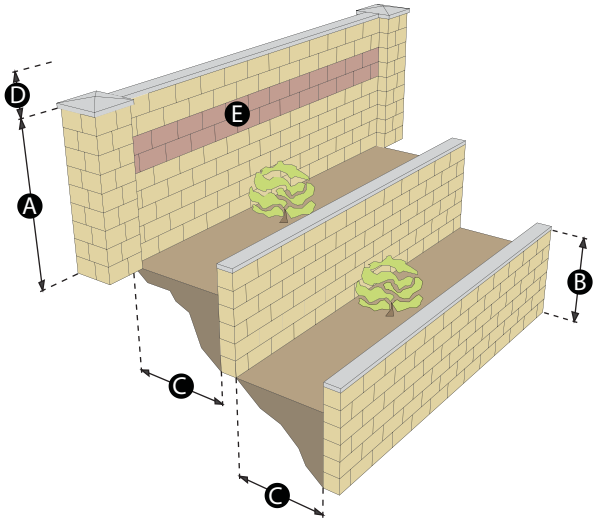


FIGURE 7 - RETAINING AND PERIMETER WALL STANDARD STEPBACK





Perimeter and Retaining Walls Standard Stepback (see Figure 7)		Table 8
A.	Maximum Primary wall Height	6 - 8 feet
B.	Maximum Secondary wall Height	4 feet
C.	Minimum spacing between wall sections ~~- Inside Dimensions~~	~~4~~ 5 feet
D.	Maximum ~~Pilaster~~ Ornament Height	18 inches
E.	~~Minimum spacing between wall sections - Outside Dimensions~~ Contrasting Material	~~5 feet~~ 20%

19.08.110

COMMERCIAL AND INDUSTRIAL PARKING DESIGN STANDARDS

A. Purpose

The purpose of this Section is:

1. To require off-street parking facilities in proportion to the parking demand for each use;

2. To provide accessible, attractive, secure, properly lighted and well-maintained off-street parking facilities;

3. To reduce traffic congestion and hazards; and

4. To assure that maneuverability for emergency vehicles exists.

B. General Regulations

In addition to any standards listed for parking in the tables provided for each district, development on any lot subject to the standards provided in this Chapter shall conform to the following:

1. Every building or land use established, every existing building enlarged and every existing use expanded shall provide off-street parking and loading spaces in accordance with the minimum parking requirements set forth in LVMC 19.12.060 and the any other applicable requirements and standards of this Title. Existing parking and loading spaces shall not be reduced below the minimum required by this Title.

2. All on-site parking shall be provided on the same parcel as the principal use, except as permitted by the off-site parking provisions ~~of this Title~~ described in LVMC 19.18.030(D)(4). Parking on the public right-of-way may not be counted towards satisfying the requirement for on-site parking.

3. All parking and vehicle storage areas shall occur on paved areas, except that:

   a. Parking surfaces used for temporary real estate sales offices may consist of decomposed granite, chat, reclaimed asphalt paving or other material approved by the Department of Public Works; and

   b. Areas within automobile salvage yards used for the storage of wrecked vehicles need only ~~be oiled or otherwise protected so as~~ meet applicable Clark County Department of Air Quality and Environmental Management regulations for "Unpaved Parking Lots and Storage Areas" to prevent fugitive dust ~~a dust nuisance~~.

4. Except as otherwise provided in LVMC 19.12.070 or some other provision of this Title, when more than one use is to be conducted on a site, parking shall be calculated and provided for each of the uses separately.

5. When buildings are located at the front of a site, all parking shall be located to the side or rear of buildings and away from the street front unless the applicant can demonstrate by substantial and convincing evidence that to do so would be infeasible. Parking lots shall not be permitted on street corners unless the applicant can demonstrate by substantial and convincing evidence that to locate them elsewhere would be infeasible.

6. Large parking lots with more than five hundred parking spaces should be divided into well-landscaped, small sub-area parking lots that contain two hundred fifty or fewer parking spaces. Buildings, pedestrian walkways or landscape areas with a minimum width of fifteen feet should be used to delineate the sub-area parking lots.

7. The distribution of parking spaces for any and all individual uses will be required to be arranged on site to ensure optimal access and use by the patrons of such use.

8. Except as otherwise required by the City's Building Code, handicapped parking spaces shall be provided for all uses at the rate described in LVMC 19.18.030 (D).

C. Design of Parking Areas

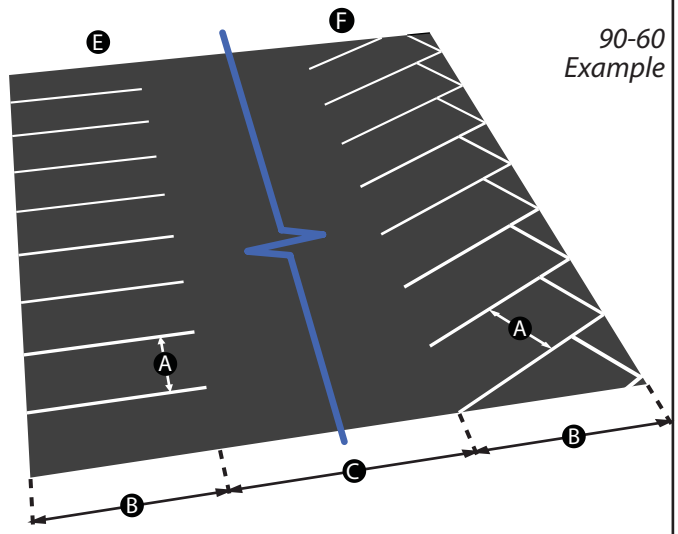
1. Access. Off-street parking areas shall be provided in the following manner:

   a. All parking areas shall provide suitable maneuvering room so that all vehicles may enter an abutting street in a forward direction. The backing of a motor vehicle onto a public street from a parking area shall be prohibited, except for the following:

      i. Existing commercial and industrial facilities parking areas not exceeding two spaces per property.

      ii. Existing public and quasi-public use facilities not exceeding two spaces per property.

FIGURE 1 - ANGLE PARKING DIMENSIONS



90-60 Example

0/Parallel Example

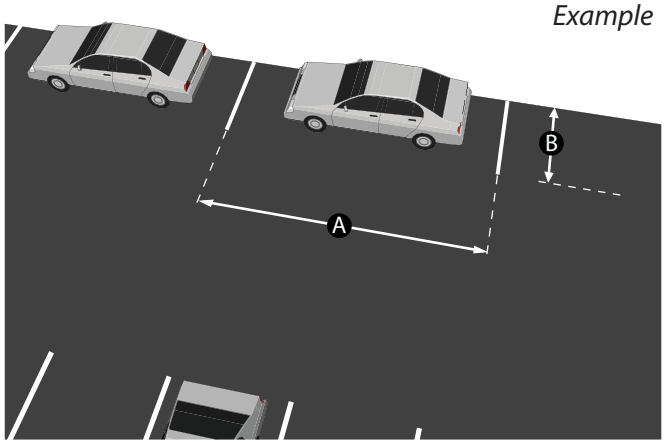
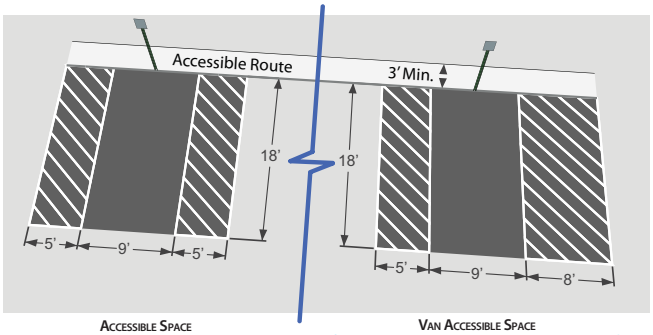


FIGURE 2 - HANDICAPPED PARKING DIMENSIONS



ACCESSIBLE SPACE

VAN ACCESSIBLE SPACE
(VEHICLE WITH A SIDE-LOADING WHEELCHAIR LIFT SPACE)

b. Parking spaces for any use shall be placed in a location to facilitate use of the parking facility.

c. No parking space shall be located so as to require the moving of any vehicle on the premises in order to enter or leave another parking space, except where permitted under the provisions of Paragraph (9) that allow tandem parking.

2. Dimensional Requirements

a. Compact Spaces Permitted. A minimum of seventy percent of the parking spaces shall be standard size and up to thirty percent of the required on-site parking spaces may be designated as compact parking spaces.

b. Size. Minimum size for parking spaces is shown in Table 1 below:

PARKING STALL SIZE		TABLE 1
TYPE OF SPACE	WIDTH	LENGTH
Standard Car	9 feet	18 feet
Compact Car	8 feet	18 feet
Handicapped (Car)	19 feet	18 feet
Handicapped (Vehicle with a Side-loading wheelchair lift)	22 feet	18 feet
Recreational Vehicle	10 feet	30 feet
Parallel Parking	9 feet	23 feet

c. Angle Parking. Minimum dimensional standards for angle parking and access aisles are set forth in Table 2 below:

ANGLE PARKING (SEE FIGURE 1)				TABLE 2
PARKING ANGLE DEGREES	DIMENSIONAL STANDARDS			
	Stall Width (feet) Ⓐ	Depth of Stall (feet) Ⓑ	Access aisle, One-way (feet) Ⓒ	Access aisle, Two-way (feet) Ⓒ
0	23	9′	na	na
30	9	17′	12	24

35	9	17′6″	12	24
40	9	18′6″	12	24
45	9	19′	12	24
50	9	19′6″	12	24
55	9	20′	13	24
60 F	9	20′	15	24
65	9	20′	17	24
70	9	20′	19	24
75	9	19′6″	21	24
80	9	19′6″	23	24
85	9	18′6″	24	24
90 E	9	18′	24	24

d. Size Adjustments. Parking structures may be subject to dimensional adjustments based on utilization (i.e., public or private garage with or without an attendant), but in no case shall the standard stall width be less than eight and one-half feet. Reduction in design standards for parking structures shall be subject to approval by the Director.

e. Construction Standards. All parking facilities shall be designed and constructed in accordance with the standards of the Department of Public Works.

3. Handicapped Parking Design Standards

a. Parking Space Dimensions. Handicapped parking spaces shall be at least nine feet wide and shall have an adjacent access aisle (a minimum of five feet in width) on each side. Two handicapped parking spaces may share a common access aisle.

b. Vehicles with a Side-Loading Wheelchair Lift. ~~One in every six handicapped spaces shall be served by an access aisle at least eight feet wide and shall be designated for the use of vehicles with a side-loading wheelchair lift. Each such parking space and the access route thereto shall have a minimum vertical clearance of eight feet two inches. Spaces shall have signage in accordance with the requirements of LVMC 11.52.135. The dimensions for handicapped parking spaces are illustrated in Figure 2.~~ Handicapped parking spaces designed to accommodate the side loading of a wheelchair or other mobility assistance space shall be at least nine feet wide and shall have two adjacent access aisles (one aisle shall have a minimum of eight feet in width and the other shall be a minimum of five feet in width) as illustrated in Figure 2.

c. Location of Spaces. Handicapped spaces shall be located with the most direct and practical access, at least three feet wide to a primary accessible building entrance unobstructed by bumpers, curbs, or other obstacles to wheel-chairs. The site design shall not permit parked vehicle overhangs or any other obstacle to reduce the clear width of adjacent walkways. Parking spaces and access aisles shall be level with surface slopes not exceeding a ratio of 1:48 in all directions.

d. Signage. Handicapped spaces shall be designated as reserved for the disabled by a sign showing the symbol of accessibility in accordance with the requirements of LVMC 11.52.135. The required signage shall not be obscured by a vehicle parked in the space.

e. Relationship to General On-Site Parking Requirements. Required handicapped parking may be counted towards the fulfillment of the general on-site parking requirements of this Title.

4. Drainage. All parking lots shall be suitably graded and drained in accordance with the standards of the Department of Public Works.

5. Driveways. Driveways (curb cuts) shall be constructed in accordance with the commercial and multi-family geometric standards of the Department of Public Works.

6. Lighting. Parking areas used during the hours of darkness shall have lighting providing adequate illumination for security and safety. The minimum requirement is one foot candle, maintained across the surface of the parking area. Illumination, including security lighting, shall be directed away from adjoining properties and shall be arranged and controlled so as not to cause a nuisance either to highway traffic or to surrounding uses. (See related Lighting Standards in this Chapter)

7. Maintenance. Parking facilities shall be continually maintained in compliance with approved Site Development Plans and shall be free of litter and debris.

8. Surfacing and Striping. Except as otherwise provided in this Chapter, all parking and loading

FIGURE 3 - STANDARD LANDSCAPE ISLAND



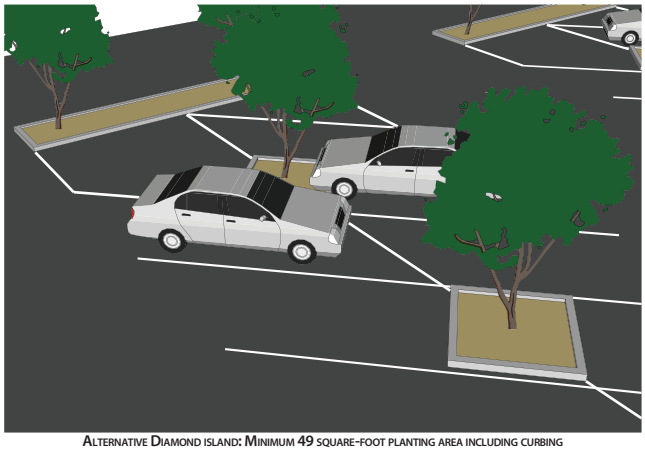
STANDARD PARALLEL ISLAND: MINIMUM 5-FOOT PLANTING WIDTH INSIDE OF CURBING AND RUNS THE LENGTH OF THE ADJACENT PARKING SPACES

FIGURE 4 - ALTERNATIVE LANDSCAPE ISLAND (OFF-SET)



ALTERNATIVE OFF-SET ISLAND: MINIMUM 9-FOOT PLANTING WIDTH INCLUDING CURBING AND RUNS THE LENGTH OF THE ADJACENT PARKING SPACE CREATING AND ALTERNATING PATTERN

FIGURE 5 - ALTERNATIVE LANDSCAPE ISLAND (DIAMOND)



ALTERNATIVE DIAMOND ISLAND: MINIMUM 49 SQUARE-FOOT PLANTING AREA INCLUDING CURBING

facilities shall be surfaced (paved), striped and marked to clearly define access lanes, compact and handicapped parking spaces, and internal circulation movements.

9. **Tandem and Valet Parking.** The Director is authorized to approve an off-street parking program utilizing limited tandem parking for commercial and industrial uses provided that the development requires one hundred fifty or more parking spaces. No more than thirty percent of the total number of spaces shall be designated as tandem. In addition, a valet parking attendant must be on duty during business hours.

10. **Wheel Stops/Curbing.** Concrete wheel stops or curbing at least six inches high and six inches wide shall be provided to prevent vehicles overhanging abutting sidewalks, properties or public rights-of-way, to protect landscaped areas and to protect adjacent properties. Such wheel stops or curbing shall be located at least two feet from any adjacent wall, fence, property line, walkway, landscape area or structure where parking and/or drive aisles are located. Wheel stops or curbing shall not be required to protect a sidewalk or walkway around the perimeter of a building if the sidewalk or walkway is at least seven feet wide.

11. **Carports/Covered Parking.** Carport structures or other similar covered parking structures shall be subject to the accessory structure requirements set forth in LVMC 19.08.040(C).

12. **Parking Lot Landscaping.** Landscaping within parking lots shall be in accordance with the following:

    a. **Landscape Islands**

        i. **Location.** Interior landscape islands shall be provided for all parking lots as follows:

            A) At the end of each row of parking spaces;

            B) Either parallel to parking spaces, at a ratio of one landscape island for every six parking spaces, or perpendicular to parking spaces, if located between abutting rows of parking spaces; (See Figure 3) and

            C) In addition to any required perimeter landscape areas.

ii. **Size.** Landscape islands shall have a minimum width of five feet, as measured from the inside of the curbing, and shall have a minimum length equal to the length of the adjacent parking spaces.

iii. **Alternative Island Options.** Figures 4 and 5 illustrate alternative landscape island configurations that may be approved as part of a Site Development Plan Review provided the design achieves the planting requirements provide in Subparagraph (b) below.

b. Planting Requirements

i. **Trees.** One tree shall be planted for every six uncovered parking spaces. Each landscape island shall have at least one shade tree; required trees shall be a minimum twenty-four inch box evergreen or deciduous shade tree. Tree spacing within a landscape island shall not exceed thirty feet on center.

ii. **Shrubs.** Landscape islands shall include a minimum of four five-gallon shrubs for every required tree.

iii. **Ground Cover.** Landscape islands shall include a two-inch layer of ground cover or rock mulch.

iv. **Perimeter Landscaping.** Landscape materials required for perimeter landscape buffer areas may not be counted towards the requirements for landscape islands in parking lots.

v. **Irrigation.** Landscape materials and any other required landscape areas shall be irrigated with drip irrigation only.

c. Parking Lot Screening. Parking lots shall be screened from adjacent roadways by a low wall or berm with a maximum height of thirty inches, a solid living hedge with an approximate maximum height of thirty-six inches, or some other screening method that has been approved as part of a landscape plan and provides a continuous screen.

d. Adjacency to Buildings. No parking lot shall directly abut any building. A minimum five-foot wide landscape buffer or minimum five-foot wide sidewalk should be used to buffer buildings from parking spaces. A combination of landscape buffer and sidewalk may be used to achieve the minimum five-foot buffer, provided that any sidewalk so used may not have a width of less than three feet.

e. Curbing. Concrete curbing shall be installed at the perimeter of landscape islands and buffers where parking lots or vehicular access aisles directly abut the landscape area.

f. Applicability of Standards. Except as otherwise provided in this Subparagraph (f), the standards set forth in this Paragraph (11) are minimum requirements. An exception or modification to any of these standards may be approved upon the request of an applicant if the applicant can show through convincing and substantial evidence that the exception or modification will not compromise the objective of the City in safeguarding the interests of the citizens of the City, the proposed project will substantially meet the intent of the standard, and the granting of the exception or modification will not detrimentally affect the public health, safety or general welfare. Such an exception or modification may be granted by the Director in connection with the approval of a Site Development Plan Review. In cases where the Director does not approve a requested exception or modification, the request may be acted upon by the Planning Commission or City Council as part of a Site Development Plan Review. In the case of action by the Planning Commission or City Council, the request for exception or modification need not be identified as a separate action item, and disposition of the request may be incorporated into the action on the Site Development Plan Review. Notice of action on the request for exception or modification may be incorporated into the notice of decision regarding the Site Development Plan Review.

D. On-site Loading Standards

1. Purpose

The purpose of these provisions is to establish standards to regulate the number, size, design and location of on-site loading areas in a manner which ensures the following:

a. Accessible, secure, and well-maintained loading and delivery facilities;

b. Reduced potential for traffic congestion and hazards;

c. Protection for adjacent parcels and surrounding neighborhoods from the effects of vehicular noise and traffic generated from the commercial/industrial development; and

d. Loading and delivery service spaces in proportion to the needs generated by the proposed land use which are clearly compatible with adjacent parcels and the surrounding neighborhood.

2. Applicability

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

3. On-Site Loading Requirements

a. The number of loading spaces shall be based upon the total gross floor area in the building or use.

b. On-site loading spaces shall be provided in accordance with Table 3 below:

LOADING REQUIREMENT	TABLE 3
SQUARE FEET	REQUIRED SPACES
Less than 10,000	1
10,000 to 29,999	2
30,000 to 50,000	3
Each one hundred thousand (or fraction thereof) over 50,000	1 additional

4. Design Standards. Off-street loading spaces shall be provided in the following manner:

a. Dimensions. The minimum size of a loading space shall not be less than fifteen feet in width, twenty-five feet in length, with a fifteen foot vertical clearance.

b. Location. Loading spaces shall be located and designed as follows:

i. Adjacent to, or as close to as possible, the main structure.

ii. Situated to ensure that all loading and unloading takes place on-site and in no case within adjacent public right-of-way or on-site traffic areas.

iii. Situated to ensure that all vehicular maneuvers associated with loading and unloading shall occur on-site.

iv. Situated to ensure that impact on adjacent residential uses is minimized.

5. Screening, Security, Striping, Surfacing and Wheel Stops/Curbing. The screening, security, striping, surface and wheel stops/curbing standards for parking areas, as set forth in LVMC 19.08.110 (C), shall apply also to the loading areas required by this Section.

19.08.120

COMMERCIAL AND INDUSTRIAL SIGN STANDARDS

A. Conformance and Purpose

1. Conformance Required

A sign shall be erected, placed, established, relocated, painted, created, or maintained within a commercial or industrial district in the City only in conformance with the standards, procedures, exemptions and other requirements of this Section.

2. Purpose

The goal of this Section is to achieve a balance among: the use of signs for business advertising; the public's need for signs as aids to way-finding; traffic safety; community appearance, particularly along its major corridors; and the maintenance of the residential character of the City's neighborhoods. In furtherance of that goal, this Subchapter has the following specific purposes:

a. To improve the quality, visibility, conspicuity and appearance of signs, and the appearance of properties, thoroughfares and neighborhoods within the City in accordance with the Las Vegas 2020 Master Plan;

b. To establish a set of design criteria to allow a limited variety of signs in residential districts, subject to the standards of this Subchapter and the certification procedures of this Title;

c. To allow without permit or certification certain signs that are small, unobtrusive, and incidental to the principal use of the respective lots on which they are located, subject to the substantive requirements of this Section;

d. To provide for temporary signs without commercial messages in limited circumstances;

e. To prohibit all signs within commercial or industrial districts not expressly permitted by this Section; and

B. General Requirements

1. General

On-premise signs may be allowed on commercial or industrial property in the City in accordance with this Section.

2. Compliance with City Codes

In addition to the requirements of this Section, all signs shall comply with applicable provisions of the technical codes of the City of Las Vegas. All signs shall be attached in compliance with the City Building Code. Signs allowed under this Section, either with or without a sign certificate, shall be erected or placed in accordance with applicable height, size and setback requirements and shall conform to applicable lighting standards and other standards, restrictions and conditions set forth in this Title.

3. Certificate Required

Prior to the construction, placement, erection or modification of any on-premise sign requiring a certificate under the provisions of this Section, the owner(s) of the lot or the owner's authorized agent shall secure a sign certificate in accordance with the requirements of LVMC 19.16.200. No person shall install a sign that requires a certificate unless the appropriate certificate has been obtained, nor shall any person permit or cause such a sign to be installed without a certificate.

4. General Standards

a. Conformance with Sign Standards. No sign shall be allowed within a commercial or industrial district unless the size, characteristics and location of the sign conform to the requirements of this Section, and the number of signs on the lot does not exceed the limitations imposed by this Section.

b. Signs in public right-of-way. Except as otherwise provided in LVMC 19.04.160, no sign shall be erected in the public right-of-way.

c. Required mounting. Except as otherwise provided in this Section, all on-premise signs shall be permanently mounted to a building or freestanding permanently secured support structure. Portable on-premise signs shall only be permitted under Section 19.08.120(G). No sign shall be painted onto a wood or masonry perimeter fence.

d. Sound. No sign shall emit any sound as part of the advertising message.

e. Odors. No sign shall emit any odor as part of the advertising message.

f. Street addresses. On-premise freestanding or monument signs identifying a building or complex of structures, located along the street frontage to which the street address applies, shall display the address of the building or the range of addresses within the complex. Any other on-premise sign may incorporate a street address. The area of the street address text shall not be computed as part of the sign face. All street addresses displayed shall be in conformance with the most recently adopted version of the "City of Las Vegas Street Naming and Address Assignment Regulations".

g. Issuance of Certificate. No sign certificate shall be issued for an existing or proposed sign in a commercial or industrial district unless the sign is consistent with the requirements of this Title (including those protecting existing signs) and is consistent with any Master Sign Plan in effect for the property.

5. Construction Materials and Attachment

a. All signs, other than temporary signs conforming in all respects with the requirements of LVMC 19.08.120(G), shall be constructed of durable materials.

b. All signs shall be permanently attached to the ground, a building or other structure by direct attachment to a rigid wall, frame or structure, except as allowed for certain temporary signs in accordance with LVMC 19.08.120(G).

6. Licensed Contractor Required

All signs that require a construction permit under applicable codes shall be installed by a qualified contractor licensed by the City of Las Vegas and the State of Nevada.

7. Maintenance

a. All signs shall be maintained in good structural condition, in compliance with all building and electrical codes, and in conformance with this Section at all times.

b. All materials used in sign construction shall be maintained in such a manner as to be free from fading, peeling, chipping and other states of general deterioration.

8. Revocation

A sign certificate is revocable if the sign is abandoned or allowed to become unsafe or dangerous, or is otherwise condemned. The owner(s) shall maintain the sign in safe condition at all times and shall remove the sign if abandoned.

9. Determination of Visibility or Legibility

Where a determination of "visibility" or "legibility" is required, the standard shall be based on the minimum required eyesight of an adult eligible to receive a Nevada driver's license (wearing any corrective lenses required by such license). Where the height of the person is material to the determination, the person shall be presumed to be more than five feet and less than six feet tall.

10. Sign Certificate Application

Where a sign certificate is required, an application shall be submitted in accordance with LVMC 19.16.200.

C. Residential Protection Standards

1. Illuminated Signs

Any illuminated sign requiring a sign certificate and located within 200 feet of property zoned or shown on the General Plan as planned for single-family residential (attached or detached) use shall be subject to the following additional lighting standards:

a. If the sign is located within 40 feet of the property planned or zoned for residential use and is or will be visible from such property, it may be internally illuminated or lighted with direct white light;

b. If the sign is located more than 40 feet from the property planned or zoned for residential use but within 200 feet of such property and the sign is or will be visible from such property, it may be interior-lit or lighted with direct white light, but it shall not contain bare bulbs, exposed neon tube, animation or a electronic message unit; and

c. Direct lighting fixtures for such signs shall be aimed up and/or away from the property planned or zoned for residential use.

2. Electronic Message Unit, Animated and Flashing Signs

Electronic message units, animated signs and flashing signs are prohibited within 200 feet of

property planned or zoned for residential use unless the design of the sign or its location and orientation ensure that the electronic message unit, animated or flashing portion of the sign, or any other light from the sign will not be visible from the property planned or zoned for residential use.

D. Certain Illegal and Abandoned Signs

1. Action Required

a. Abandoned sign faces or sign copy shall be removed from public view by covering the sign face, replacing the sign face with a blank sign face, or replacing the sign copy with sign copy that relates to an on-going business, product, service, idea or commercial activity on-site.

b. Abandoned sign structures and illegal signs shall be removed by the owner(s) of the property, the owner's agent, or the person having the beneficial use of the building, structure or land where such sign is located within 10 days, in the case of illegal signs, and 30 days, in the case of abandoned sign structures, after written notification from the City.

c. Failure to comply with a notice from the City demanding the removal of an abandoned sign or an illegal sign within the time period specified in the notice shall be considered a violation of this Section. See also LVMC 19.16.200(E) .

E. Exempt and Prohibited Signs

1. Substitution of Non-Commercial Messages

Any sign authorized in this Section may contain non-commercial copy in lieu of any other copy.

2. Exempt Signs

The following signs shall be exempt from regulation under this Section:

a. Any public safety sign, notice or warning required by a valid and applicable federal, state, or local law, regulation or ordinance;

b. Non-commercial messages unless otherwise regulated by this Section;

c. Any sign inside a building that is not legible from a distance of more than three feet beyond the nearest boundary line of the premises on which the sign is located;

d. Works of art or decorative architectural graphics that do not include a commercial message and are not symbolic of any commercial business and are not symbolic of commercial activities taking place on the premises on which the graphic is located;

e. Official notices of any court, public body or officer, or any other sign required by law;

f. Notices posted by a utility or other quasi-public agent in the performance of a public duty or by any person giving due legal notice; or

g. Signs not visible from the public right-of-way.

3. Prohibited Signs

The following signs are prohibited:

a. All signs not expressly permitted or exempted under this Title;

b. Any on-premise sign that is associated with a use that no longer occupies the premises on which it is located;

c. Pole signs placed or erected after August 1, 2002 that do not meet the freestanding sign design standards contained in this Section;

d. A private sign of any kind located on or over any public street, walkway, parking or other public property except as otherwise provided for in this Section;

e. Displays that employ white, red or blue rotating lights or any lights that simulate emergency vehicle lights;

f. Except as lawfully permitted as a temporary special event or civic event sign, beacons, pennants, inflatable signs, tethered balloons, portable signs and similar attention gaining devices;

g. Signs placed on parked vehicles or trailers, or parked commercial vehicles where the vehicle or trailer is not used by the business advertised for the transportation of persons or goods in the ordinary course of business;

h. Permanent balloon signs; and

i. Outdoor, portable electric signs, except as

FIGURE 1 - DECORATIONS

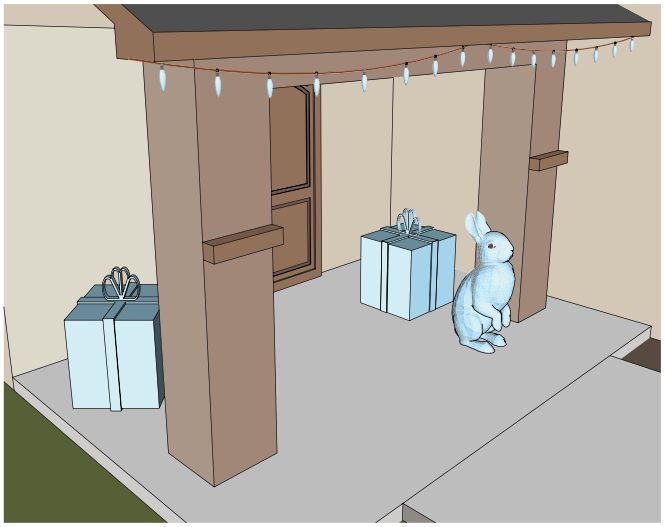
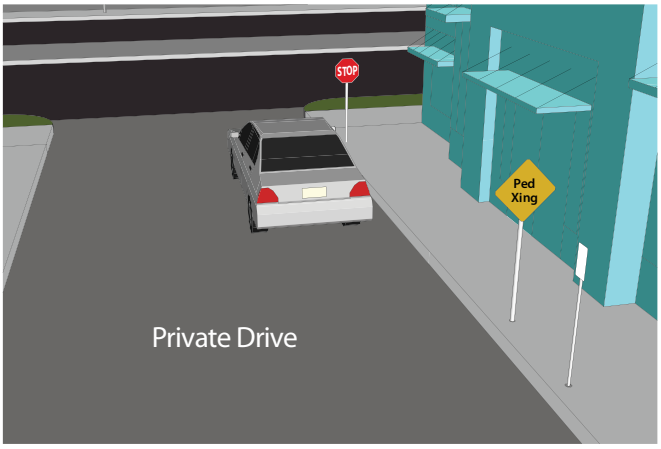


FIGURE 2 - TRAFFIC CONTROL SIGNS ON PRIVATE PROPERTY



permitted under the provisions for temporary signs.

F. Signs Permitted in Commercial and Industrial Districts

The following signs and similar devices are permitted in commercial and industrial districts as indicated, subject to the specified conditions:

1. Decorations (see Figure 1)

Signs in the nature of decorations, clearly incidental and customary and commonly associated with any national, local or religious holiday are permitted without a sign certificate within all commercial and industrial districts; provided that such signs are not displayed for a period of not more than sixty (60) consecutive days nor more than sixty (60) days in any one (1) calendar year. Such signs are not restricted as to type, number, area, height, location, illumination, or animation.

2. Traffic Control Signs on Private Property (see Figure 2)

Any traffic control sign on private property, such as "Stop," "Yield" and similar signs, the face of which meets Department of Public Works standards and which contains no commercial message of any sort is permitted without a sign certificate within all commercial and industrial districts.

3. Official Flags of Governments and Governmental Agencies (see Figure 3)

Flags of the United States, state flags, municipal flags, flags of foreign nations and any other flag representing a government or governmental agency are permitted without a sign certificate within all commercial and industrial districts, provided that:

a. The flag is not flown from a pole the top of which is more than 40 feet in height (see "A" in Figure 3) ;

b. No more than one flag for any one governmental unit or nation is permitted on each parcel of land; and

c. No more than four flags are permitted on the same parcel of land.

4. Official Flags of Private Entities (see Figure 3)

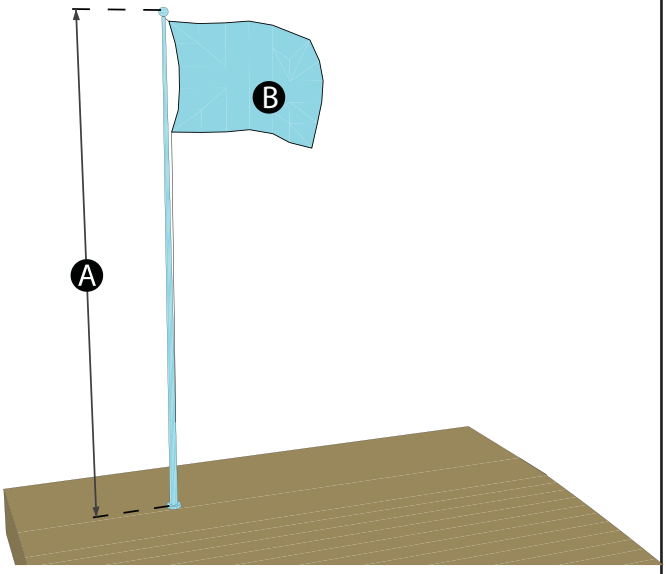
Official flags of private corporations or other private entities are permitted at the location of the main headquarters, corporate offices or branch office of the subject entity provided that:

a. The flags do not exceed 60 square feet in area (see "B" in Figure 3);

b. The flags are not flown from a pole the top of which is more than 40 feet in height; and

c. No more than one flag is permitted on each parcel of land.

FIGURE 3 - OFFICIAL FLAGS



Garage or Yard Sale Signs
19.08.120(F)(5)

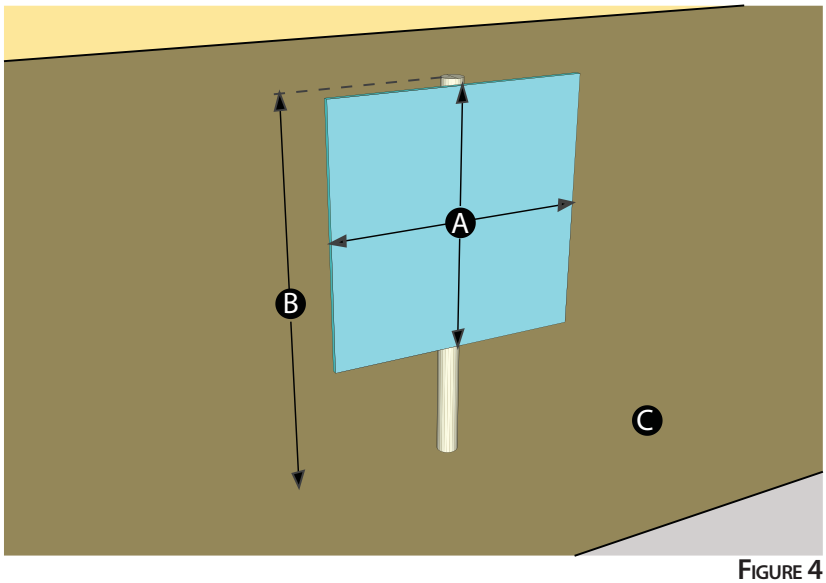


FIGURE 4

Table 1. Garage or Yard Sale Sign Standards in Commercial and Industrial Districts (see Figure 4)

Standard	P-O, O, C-1, C-2, C-M and M
Maximum Number	1 sign per event
Maximum Area (see Ⓐ in Figure 4)	16 square feet
Maximum Height (see Ⓑ in Figure 4)	6 feet
Location (see Ⓒ in Figure 4)	No such sign shall be placed on private property without the permission of the property owner(s), and no such sign shall be placed on any public land, including rights-of-way, traffic medians, public sidewalks, public trails, bicycle paths on City property, in City rights-of-way, or on fixed structures such as light poles or traffic signals
Additional Standards	1. No such sign may be used more than 24 hours prior to the start of the garage or yard sale event. 2. The property owner(s) shall be responsible for removal of the signs at the end of the garage or yard sale event.
Illumination Permitted	No
Certificate Required	No

Incidental Signs (Attached and Freestanding)

19.08.120(F)(6)

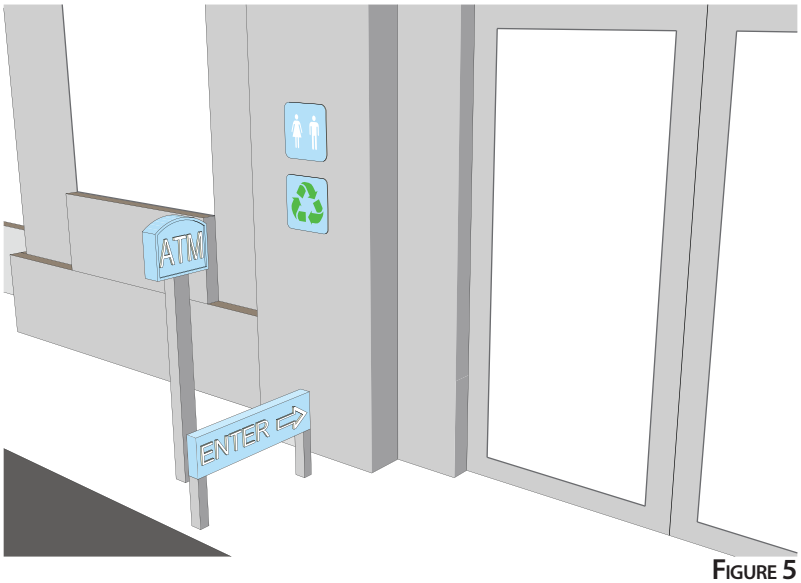


FIGURE 5

Table 2. Incidental Sign Standards in Commercial and Industrial Districts (see Figure 5)

Standard	P-O, O, C-1, C-2, C-M and M
Non-directional Signs	Typical incidental signs include, but are not limited to, "restroom," "telephone," "no parking," "entrance," "exit," and generic directions such as "office," "ATM," or "stores."
Maximum Number	No specific limit
Maximum Area	1. 4 square feet if set back less than 30 feet from the public right-of-way 2. 9 square feet if set back 30 or more feet from the public right-of-way
Maximum Height	5 feet
Minimum Setback	5 feet from all property lines
Additional Standards	Up to 25% of the permitted sign area may contain a logo or name of the business to which the sign pertains
Illumination Permitted	No
Certificate Required	No
Directional Signs	Signs specifically designed to give parking or traffic directions and other directional information commonly associated with and related to the permitted use
Maximum Number	2 per driveway or vehicular access except that any such sign not legible from the public right-of-way shall not be counted in this limitation
Maximum Area	12 square feet. If the sign includes a business name or logo, it shall not comprise more than 50% of the permitted sign area
Maximum Height	7 feet
Minimum Setback	5 feet from all property lines
Illumination Permitted	Internal illumination only
Certificate Required	No

Open House Signs
19.08.120(F)(7)

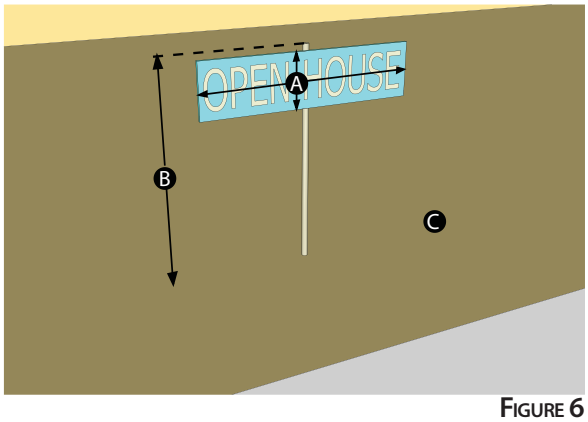


FIGURE 6

Table 3. Open House Sign Standards in Commercial and Industrial Districts (see Figure 6)

Standard	P-O, O, C-1, C-2, C-M and M
Open House Signs	An "open house" realty sign is intended to serve only the short-term customer directing potential homebuyers to an open house of a dwelling unit "For Sale". Such signs are not permanent directional signs.
Maximum Number	6 per event
Maximum Area (see Ⓐ in Figure 6)	9 square feet per sign
Maximum Height (see Ⓑ in Figure 6)	6 feet
Sign Placement (see Ⓒ in Figure 6)	1. Open house signs shall only be placed on private property and shall not be placed on any public land, including rights-of-way, traffic medians, public sidewalks, public trails, bicycle paths on City property, in City right-of-way between the sidewalk and the curb, on signs in the right-of-way, or on fixed structures such as light poles or traffic signals 2. No such sign shall block or overhang any sidewalk or other established pedestrian walkway. 3. In order to place "Open House" signs on the private property, other than the property that is the subject of the open house event, authorization from the property owner(s) or the owner's duly authorized agent is required.
Additional Standards	1. All open house signs shall state "Open House". 2. Such signs shall not be used for the sale of any residence for which there are current signs (either weekend or continuous) unless the residence is a re-sale and is for sale by owner(s) or listed by an agent other than the marketing agent for the development. 3. All such signs shall contain the listing agent's name and telephone number. A business card is permissible as long as it is protected from the elements. 4. No such signs may be displayed more than one hour prior to nor more than one hour after the period a real estate licensee or broker is on duty at the home for sale; and 5. The property owner(s) shall be responsible for removal of the signs at the end of the open house event.
Illumination Permitted	No
Certificate Required	No

Project Flags
19.08.120(F)(8)

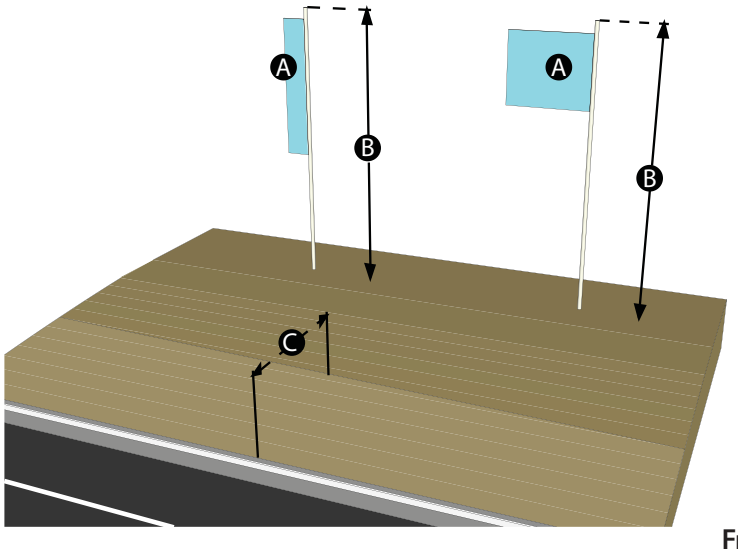


FIGURE 7

Table 4. Project Flag Standards in Commercial and Industrial Districts (see Figure 7)

Standard	P-O, O, C-1, C-2, C-M and M
Project Flag Signs	Project flags are decorative flags intended to identify a specific development containing a residential use. These flags do not contain any advertising copy other than the name or the logo of the development.
Maximum Number	25 flags per development that is 10 acres in area or less, plus one additional flag for each additional one-half acre in area
Maximum Area (see Ⓐ in Figure 7)	24 square feet per flag
Maximum Height (see Ⓑ in Figure 7)	24 feet
Location (see Ⓒ in Figure 7)	5 feet to all property lines
Illumination Permitted	No
Certificate Required	No

House of Worship Directional Signs
19.08.120(F)(9)

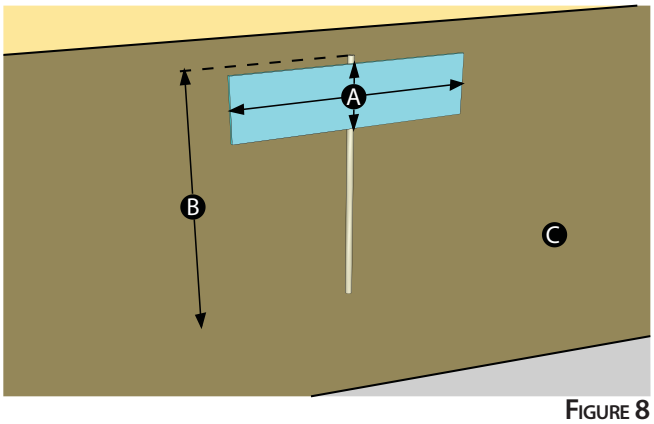


FIGURE 8

Table 5. House of Worship Directional Sign Standards in Commercial and Industrial Districts (see Figure 8)

Standard	P-O, O, C-1, C-2, C-M and M
House of Worship Directional Signs	House of Worship directional signs are intended to assist the public in finding their way to houses of worship or religious services held in nontraditional locations or facilities. Such signs are not permanent directional signs and may only be used during the periods stated in this Subsection.
Maximum Number	6 signs
Maximum Area (see Ⓐ in Figure 8)	9 square feet per sign
Maximum Height (see Ⓑ in Figure 8)	6 feet
Sign Placement (see Ⓒ in Figure 8)	1. Such signs shall only be placed on private property and shall not be placed on any rights-of-way, traffic medians, public sidewalks, public trails, bicycle paths, on signs in the right-of-way, or on fixed structures such as light poles or traffic signals. 2. No such sign shall block or overhang any sidewalk or other established pedestrian walkway. 3. In order to place such signs on private property other than the property containing the house of worship or the premises of the religious services, written authorization from the property owner(s) or the owner's duly authorized agent is required.
Additional Standards	1. All such signs shall contain the name of the house of worship and its address; 2. All such signs shall contain the name and telephone number of the official of the house of worship responsible for the signs. A business card is permissible as long as it is protected from the elements; 3. The house of worship shall be responsible for removal of the signs at the end of the display period; and 4. No such sign shall be installed before 6 PM on Friday, and all such signs shall be removed by 6 AM on Monday (Tuesday when City offices are closed on Monday due to a holiday).
Illumination Permitted	No
Certificate Required	No

Community Interior Directional Signs
19.08.120(F)(10)

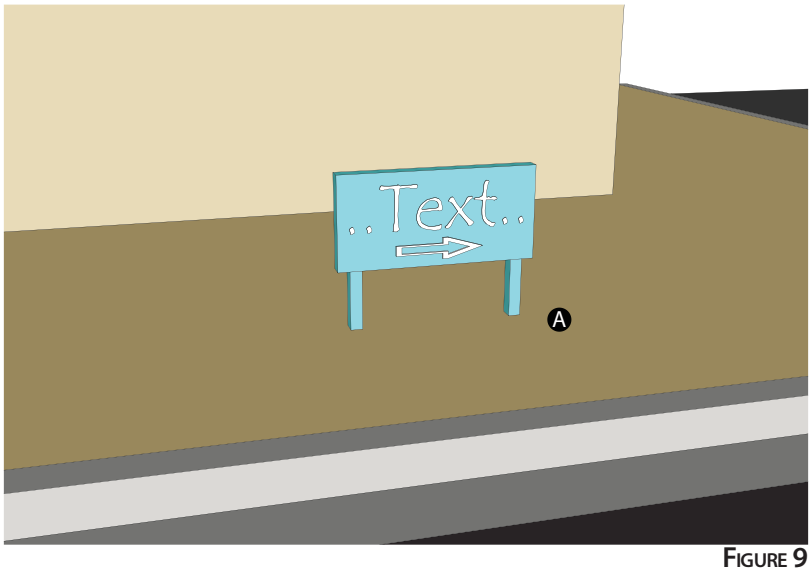


FIGURE 9

Table 6. Community Interior Directional Sign Standards in Commercial and Industrial Districts (see Figure 9)

Standard	P-O, O, C-1, C-2, C-M and M
Maximum Number	There is no specific limit on the number of signs
Sign Location (see Ⓐ in Figure 9)	1. On private property or within public right-of-way, including median, subject to approval of an encroachment agreement; and 2. Placement subject to approval of the City of Las Vegas Traffic Engineer.
Illumination Permitted	Direct white light or internal illumination only
Certificate Required	Yes

Development Entry Statement Signs
19.08.120(F)(11)

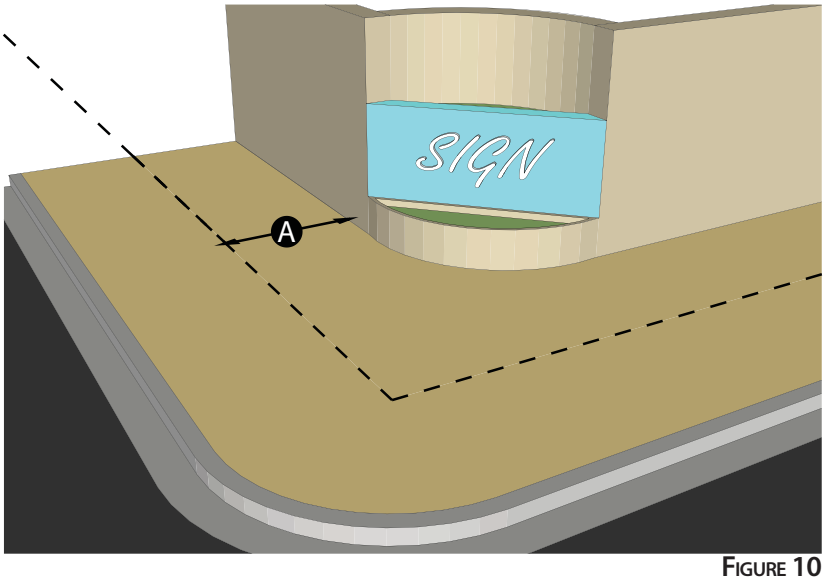


FIGURE 10

Table 7. Development Entry Statement Sign Standards in Commercial and Industrial Districts (see Figure 10)

Standard	P-O, O, C-1, C-2, C-M and M
Maximum Number	2 signs at each entry to a subdivision, apartment complex, or identifiable community. The developer may place one sign on each side of the entry street/drive or one sign in the median, subject to approval of an encroachment agreement if applicable
Sign Location (see Ⓐ in Figure 10)	Setback 5 feet from the property line or a location approved by the City of Las Vegas Traffic Engineer.
Illumination Permitted	Direct white light or internal illumination only
Certificate Required	Yes

Building Markers
19.08.120(F)(12)

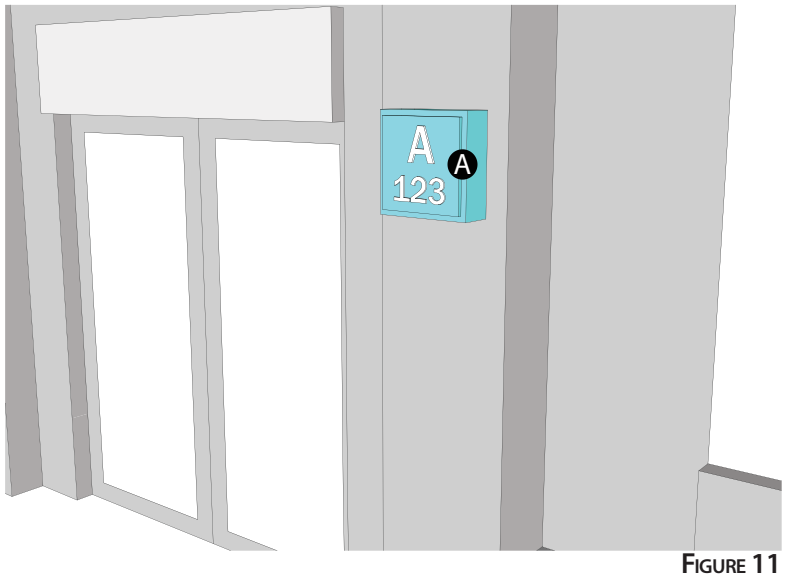


FIGURE 11

Table 8. Building Marker Standards in Commercial and Industrial Districts (see Figure 11)

Standard	P-O, O, C-1, C-2, C-M and M
Maximum Number	There is no specific limit on the number of signs
Maximum Area (see Ⓐ in Figure 11)	4 square feet per sign
Maximum Height	NA
Minimum Setback	NA
Illumination Permitted	No
Certificate Required	No

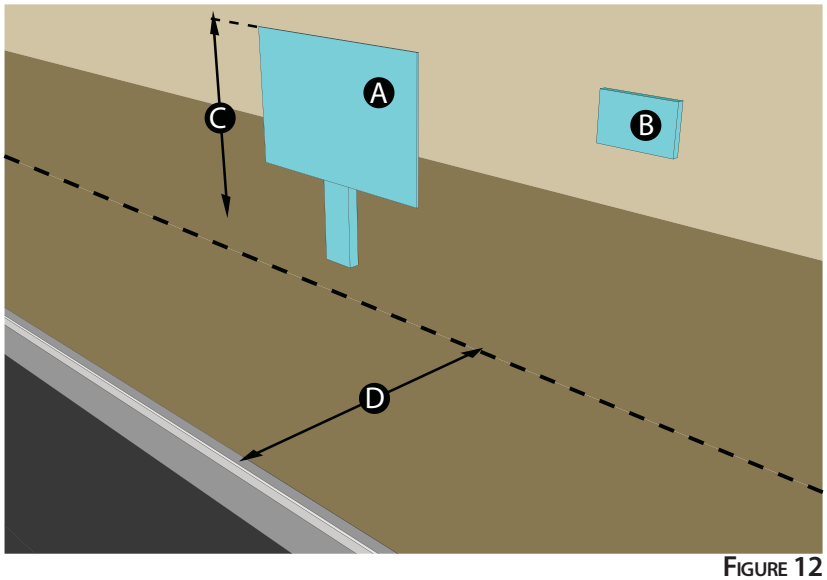


FIGURE 12

Table 9. Directory Sign Standards in Commercial and Industrial Districts (see Figure 12)

Standard	P-O, O, C-1, C-2, C-M and M
Maximum Number	1. 1 freestanding sign per building or per driveway, whichever is greater and 2. 1 attached sign per public entrance
Maximum Area (see Ⓐ and Ⓑ in Figure 12)	1. 24 square feet for freestanding 2. 12 square feet or 5% of the building elevation to which it is attached, whichever is less
Maximum Height (see Ⓒ in Figure 12)	8 feet if freestanding
Minimum Setback (see Ⓓ in Figure 12)	25 feet from all property lines, if freestanding
Additional Standards	1. Only the word "Directory" should be legible from the public right-of-way; the directory sign(s) should be located so that the user can pull out of off-site traffic to read the details of the directory. 2. Directory signs are permitted in addition to any other allowed attached or freestanding signs.
Illumination Permitted	Direct white light or internal illumination only
Certificate Required	No

Arcade Signs
19.08.120(F)(14)



FIGURE 13

Table 10. Arcade Sign Standards in Commercial and Industrial Districts (see Figure 13)

Standard	P-O and O	C-1, C-2, C-M and M
Maximum Number	1 sign per entrance	1 sign per entrance
Maximum Area	4 square feet	16 square feet
Maximum Height	NA	NA
Minimum Setback	An arcade sign shall not extend beyond edge of the building elevation to which it is attached	An arcade sign shall not extend beyond edge of the building elevation to which it is attached
Minimum Clearance	8 feet from the ground to the bottom of the sign	8 feet from the ground to the bottom of the sign
Illumination Permitted	Internal, external, animated and electronic message unit signage	Internal, external, animated and electronic message unit signage
Certificate Required	Yes	Yes

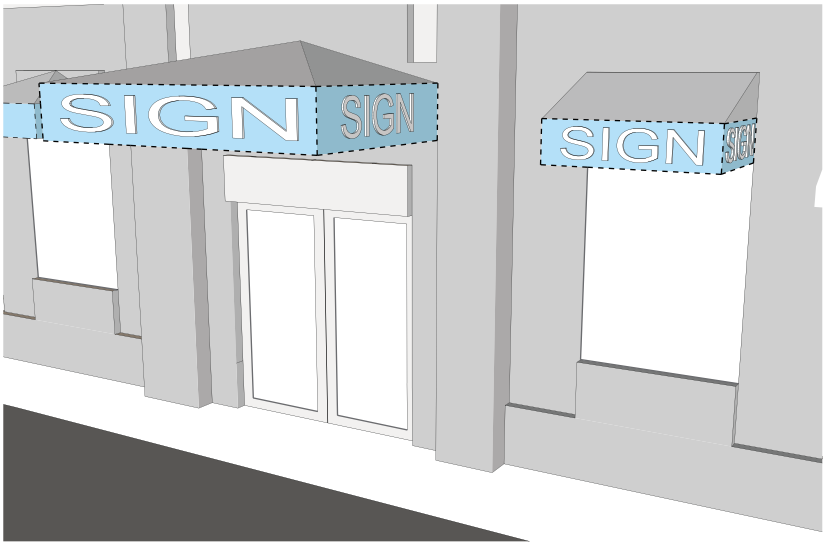


FIGURE 14

Table 11. Awning Sign Standards in Commercial and Industrial Districts (see Figure 14)

Standard	P-O and O	C-1, C-2, C-M and M
Maximum Number	There is no specific limit on the number of signs, although total area limits apply	There is no specific limit on the number of signs, although total area limits apply
Maximum Area	1. The total amount of awning signage allowed per building elevation is equivalent to 10% of the building elevation. In multi-tenant buildings, the 10% maximum sign area for each tenant will be based upon the portion of the building elevation of the leased/occupied area only, except as may be approved through a Master Sign Plan 2. The permitted area of all wall, window and awning signs together shall not exceed the maximum permitted area for wall signs attached to the same wall as the awning sign	1. The total amount of wall signage allowed per building elevation is equivalent to 20% of the building elevation. In multi-tenant buildings, the 20% maximum sign area for each tenant will be based upon that portion of the building elevation of the leased or occupied area only, except as may be approved through a Master Sign Plan. 2. The total combined area of all wall, window, roof, awning and marquee signs shall not exceed 20% of the building elevation to which they are attached
Maximum Height	NA	NA
Minimum Setback	An awning sign shall not extend into the required setback for the building elevation to which it is attached	An awning sign shall not extend into the required setback for the building elevation to which it is attached
Minimum Clearance	8 feet from the ground to the bottom of the sign	8 feet from the ground to the bottom of the sign
Illumination Permitted	Internal and or direct external illumination of awning signs is permitted	Internal and or direct external illumination of awning signs is permitted
Certificate Required	Yes	Yes

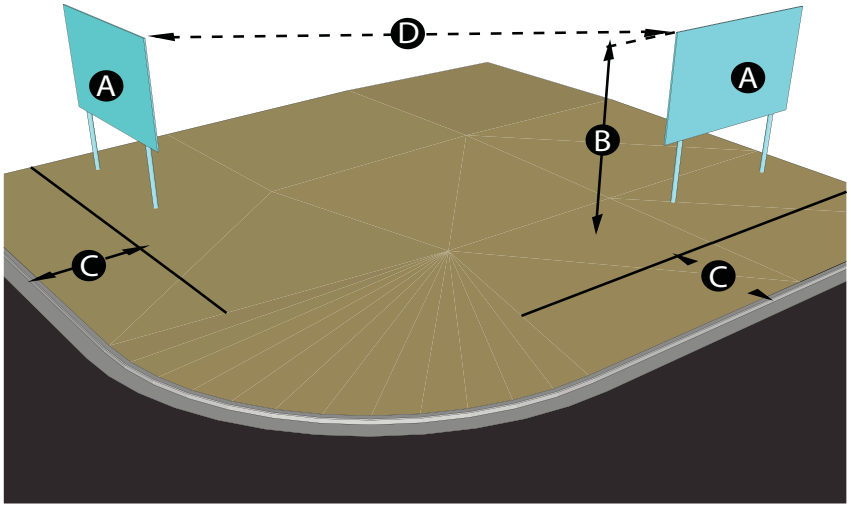


FIGURE 15

Table 12. Freestanding Sign Standards in Commercial and Industrial Districts (see Figure 15)

Standard	P-O	O
Maximum Number	1 sign per street frontage, provided that no more than one sign shall be allowed on lots 43,000 square feet or less in area	1 sign per street frontage, provided that no more than one sign shall be allowed on lots 43,000 square feet or less in area
Maximum Area (see Ⓐ in Figure 15)	48 square feet	1. 75 square feet, if sign does not exceed 16 feet in height 2. 100 square feet, if sign does not exceed 20 feet in height
Maximum Height (see Ⓑ in Figure 15)	12 feet	20 feet
Minimum Setback (see Ⓒ in Figure 15)	5 feet from all property lines	5 feet from all property lines
Additional Standards	1. See also Residential Protection Standards in LVMC 19.08.120 (C)	1. See also Residential Protection Standards in LVMC 19.08.120 (C)
Illumination Permitted	Internal and external illumination of ~~wall~~ freestanding signs is permitted except on a ~~building~~ sign elevation facing and located within 200 feet of property zoned or shown on the General Plan as planned for single-family residential (attached or detached) use	Internal and external illumination of ~~wall~~ freestanding signs is permitted except on a ~~building~~ sign elevation facing and located within 200 feet of property zoned or shown on the General Plan as planned for single-family residential (attached or detached) use
Certificate Required	Yes	Yes

Table 12. Freestanding Sign Standards in Commercial and Industrial Districts (see Figure 15)

Standard	C-1, C-2, C-M and M
Maximum Number	1 sign per each two hundred lineal feet of street frontage or portion thereof. 1. The total number of all freestanding and monument signs shall not exceed one per each two hundred lineal feet of street frontage or portion thereof. 2. Corner lots are permitted to have signs for each street frontage
Maximum Area (see Ⓐ in Figure 15)	The total area of all freestanding and monument signs shall not exceed 2 square feet of sign area for each lineal foot of street frontage. On lots with multiple street frontages, the allowable area for each street frontage shall be calculated separately unless consolidated into one sign, then each street frontage shall be added and total square footage permitted may be allowed in one consolidated sign. Signs within 40 feet of existing developed residential property, or property designated in the General Plan as appropriate for future residential development, the maximum sign area shall be 50 square feet. For each additional foot of setback from the property, the area of a sign may be increased an additional 2 square feet, with a maximum size of 400 square feet unless the site meets criteria for consolidated freestanding signs.
Maximum Height (see Ⓑ in Figure 15)	40 feet, subject to the following: 1. A freestanding sign within 200 feet of the right-of-way line of an elevated freeway or highway to which it is oriented may be erected up to 30 feet above the elevation of the elevated freeway or highway nearest the sign. 2. In addition, signs within two hundred feet of the right-of-way line and which can be read from Interstates 15 and 215, US 95 from the north city limits to the Oran K. Gragson Highway, the Oran K. Gragson Highway or Interstate 515 may be increased to a height equal to 80 feet, when authorized by the City Council, after review by the Planning Commission.
Minimum Setback (see Ⓒ in Figure 15)	5 feet from all property lines
Additional Standards	1. All freestanding and monument signs on the same lot or in the same development shall maintain a minimum separation of 100 feet measured along the street frontage. (See Ⓓ in Figure 15) 2. See also Residential Protection Standards in LVMC 19.08.120 (C)
Illumination Permitted	Internal and external illumination of ~~wall~~ freestanding signs is permitted except on a ~~building~~ sign elevation facing and located within 200 feet of property zoned or shown on the General Plan as planned for single-family residential (attached or detached) use
Certificate Required	Yes

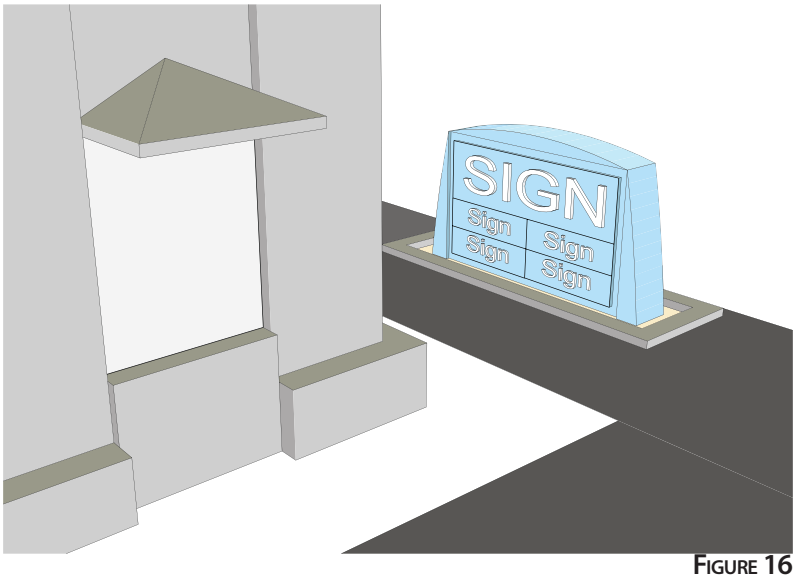


FIGURE 16

Table 13. Monument Sign Standards in Commercial and Industrial Districts (see Figure 16)

Standard	P-O and O	C-1, C-2, C-M and M
Maximum Number	1 sign per street frontage. 1. For lots adjacent to a freeway or expressway that have more than five hundred feet of frontage along the freeway or expressway, one additional sign is allowed along that frontage	1 sign per each two hundred lineal feet of street frontage or portion thereof 1. The total number of all freestanding and monument signs shall not exceed one per each two hundred lineal feet of street frontage or portion thereof
Maximum Area	75 square feet	75 square feet
Maximum Height	1. 8 feet, if less than 100 feet of frontage or 2. 10 feet, if 100 feet or more of frontage	10 feet
Minimum Setback	5 feet from all property lines	5 feet from all property lines
Additional Standards	1. See also Residential Protection Standards in LVMC 19.08.120 (C)	1. All freestanding and monument signs on the same lot or in the same development shall maintain a minimum separation of 100 feet measured along the street frontage. 2. See also Residential Protection Standards in LVMC 19.08.120 (C)
Illumination Permitted	Internal and external illumination. In addition, signs over 200 feet from property which is designated in the General Plan for future residential development may be animated or contain an electronic message unit	NA
Certificate Required	Yes	Yes

Illustrations & Graphics

Window Signs
19.08.120(F)(18)



FIGURE 17

Table 14. Window Sign Standards in Commercial and Industrial Districts (see Figure 17)

Standard	P-O and O	C-1, C-2, C-M and M
Maximum Number	1 sign	There is no specific limit on the number of signs
Maximum Area	Window signs shall not cover more than 25% of the total area of all windows located on a building elevation. In no case shall the combined area of both wall signs and window signs exceed the area permitted for wall signs	Window signs shall not cover more than 25% of the total area of all windows located on a building elevation. The total combined area of all wall, window, roof, awning and marquee signs shall not exceed 20% of the building elevation to which they are attached
Maximum Height	NA	NA
Minimum Setback	NA	NA
Illumination Permitted	Internal and or direct external illumination, except on a building elevation facing and located within two hundred feet of property zoned or shown on the General Plan as planned for single-family residential (attached or detached) use. Animated and electronic message unit signs are prohibited	Internal, external, animated and electronic message unit signs are permitted except on a building elevation visible from and located within two hundred feet of property zoned or shown on the General Plan as planned for single-family residential (attached or detached) use
Certificate Required	No	No



FIGURE 18

Table 15. Wall Sign Standards in Commercial and Industrial Districts (see Figure 18)

Standard	P-O and O
Maximum Number	1 sign per tenant or per building elevation, which faces a street or on-site parking area
Maximum Area	The total amount of wall signage allowed per building elevation is equivalent to 10% of the building elevation. In multi-tenant buildings, the 10% maximum sign area for each tenant will be based upon the portion of the building elevation of the leased or occupied area only
Maximum Height	A wall sign shall not extend more than 12 inches above top of wall, marquee or parapet to which it is attached
Minimum Setback	NA
Maximum Projection	A wall sign shall not project more than 24 inches from the structure to which it is attached; where a wall sign projects from a building elevation, there shall be no additional message on the additional horizontal surface created by the projection
Additional Standards	See also Residential Protection Standards in LVMC 19.08.120 (C)
Illumination Permitted	Internal and or direct external illumination, except on a building elevation facing and located within two hundred feet of property zoned or shown on the General Plan as planned for single-family residential (attached or detached) use. Animated and electronic message unit signs are prohibited
Certificate Required	Yes

Standard	C-1, C-2, C-M and M
Maximum Number	No specific limit on the number of signs, although total area limits apply
Maximum Area	The total amount of wall signage allowed per building elevation is equivalent to 20% of the building elevation. In multi-tenant buildings, the 20% maximum sign area for each tenant will be based upon that portion of the building elevation of the leased/occupied area only, except as may be approved through a Master Sign Plan
Maximum Height	A wall sign shall not extend more than 12 inches above top of wall, marquee or parapet to which it is attached
Minimum Setback	NA
Maximum Projection	A wall sign shall not project more than 4 feet from the structure to which it is attached. There shall be no additional message on the additional horizontal surface created by the projection
Additional Standards	1. Signs shall be an integral part of or be supported by the wall or wall element (such as awning or marquee) to which they are attached. 2. See also Residential Protection Standards in LVMC 19.08.120 (C)
Illumination Permitted	Internal and external illumination of wall signs is permitted except on a building elevation facing and located within 200 feet of property zoned or shown on the General Plan as planned for single-family residential (attached or detached) use
Certificate Required	Yes

Canopy Signs
19.08.120(F)(20)

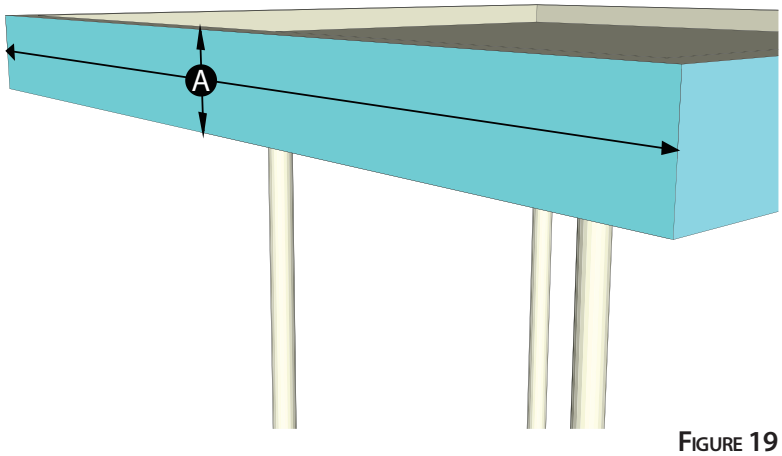


FIGURE 19

Table 16. Canopy Sign Standards in Commercial and Industrial Districts (see Figure 19)

Standard	C-1, C-2, C-M and M
Maximum Number	There is no specific limit on the number of signs, although total area limits apply
Maximum Area (see Ⓐ in Figure 19)	25% of the area of the face of the canopy
Illumination Permitted	Internal and external illumination, animated and electronic message units are permitted
Certificate Required	Yes

Illustrations & Graphics

Consolidated Signs
19.08.120(F)(21)

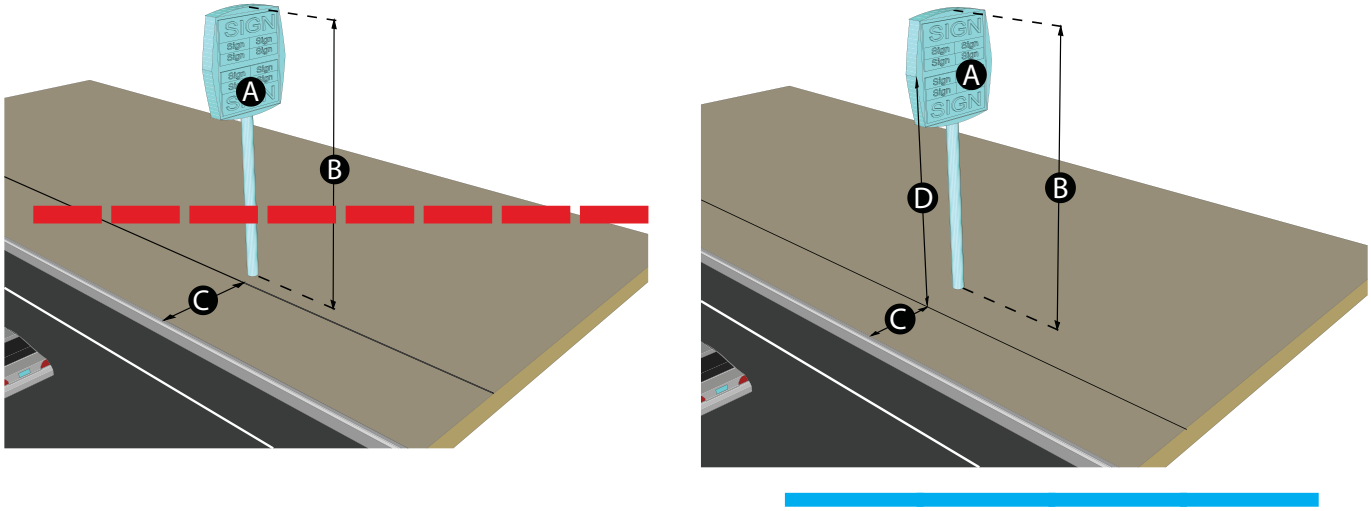


FIGURE 20

Table 17. Consolidated Sign Standards in Commercial and Industrial Districts (see Figure 20)

Standard	C-1, C-2, C-M and M
Maximum Number	Parcels of 5 acres or more in area, or parcels covered by a Master Sign Plan, that front on a street eighty or more feet in width, and qualify to have more than one freestanding sign along the same such street frontage, may consolidate the permitted sign area for all freestanding signs on the same street frontage into one consolidated sign, or as approved through a Master Sign Plan. If the development or commercial subdivision elects to consolidate the permitted freestanding signs, parcels containing individual freestanding buildings within the development or commercial subdivision shall be limited to one monument sign per street frontage in addition to the consolidated sign
Maximum Area (see Ⓐ in Figure 20)	2 square feet per lineal foot of street frontage, counting frontage on all abutting streets, up to one thousand square feet, or one thousand five hundred square feet if part of an approved Master Sign Plan
Maximum Height (see Ⓑ in Figure 20)	1. 50 feet 2. 80 feet, if approved as part of a Master Sign Plan
Minimum Setback (see Ⓒ in Figure 20)	5 feet from all property lines
Additional Standards	1. The erection of a consolidated sign requires a minimum of three tenants or individual uses on the same site. 2. See also Residential Protection Standards in LVMC 19.08.120 (C)
Illumination Permitted	Internal and external illumination, animated and electronic message units are permitted
Certificate Required	Yes

Marquee Signs
19.08.120(F)(22)

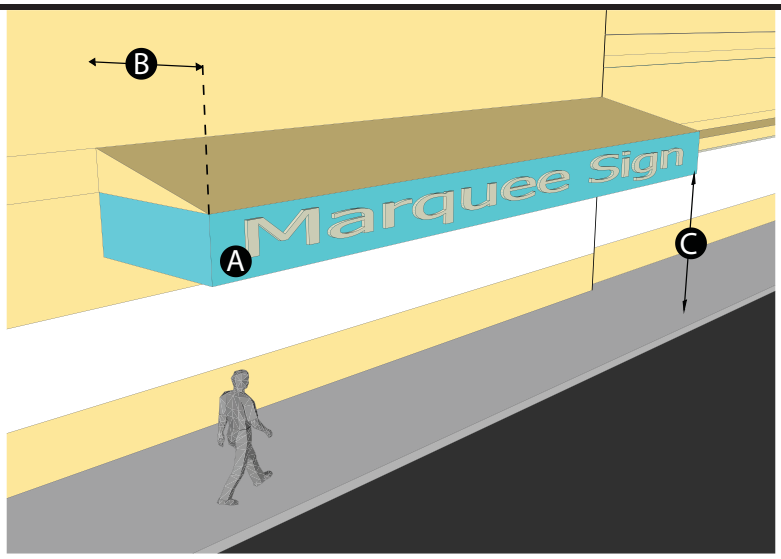


FIGURE 21

Table 18. Consolidated Sign Standards in Commercial and Industrial Districts (see Figure 21)

Standard	C-1, C-2, C-M and M
Maximum Number	1 marquee sign per building elevation
Maximum Area (see Ⓐ in Figure 21)	1. 20% of the building elevation to which it is attached. 2. The total combined area of all wall, window, roof, awning and marquee signs shall not exceed 20% of the building elevation to which they are attached
Maximum Height	A marquee sign shall not extend beyond the top or sides of the building elevation to which it is attached
Minimum Setback (see Ⓑ in Figure 21)	May project over public right-of-way, provided marquee maintains minimum setback of three feet from back of curb
Minimum Clearance (see Ⓒ in Figure 21)	8 feet from the ground to the bottom of the sign
Additional Standards	1. Shall not be located on a building elevation oriented to adjoining residential property. 2. Subject to review by Department of Public Works, to the extent they extend over or near public right-of-way
Illumination Permitted	Internal, external, animated and electronic message unit signage
Certificate Required	Yes

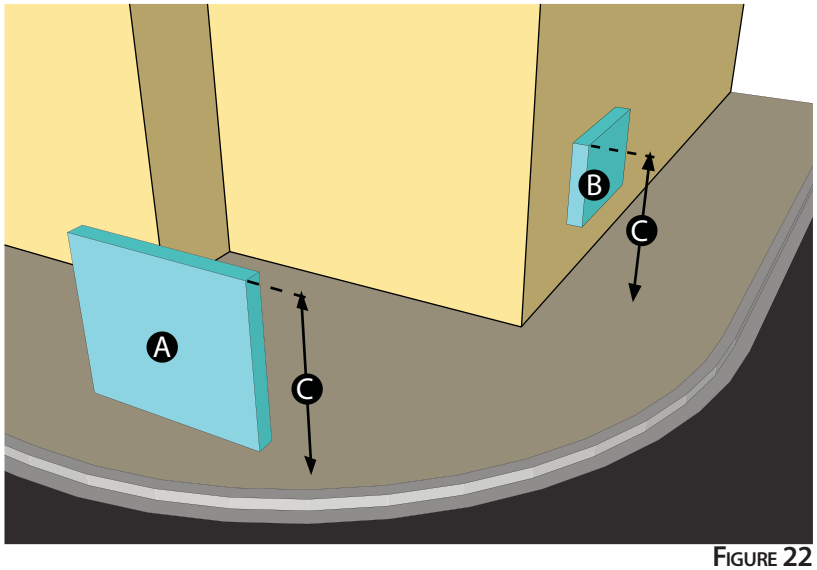


FIGURE 22

Table 19. Message Board Standards in Commercial and Industrial Districts (see Figure 22)

Standard	C-1, C-2, C-M and M
Maximum Number	If visible from the public right-of-way, 2 menu board signs are permitted per drive-through lane where drive-through uses are permitted
Maximum Area (see Ⓐ and Ⓑ in Figure 22)	1. 60 square feet for freestanding and 2. 24 square feet, or not more than 2% of the building elevation if attached, but coverage of the building elevation with all signs in no case shall exceed 20%
Maximum Height (see Ⓒ in Figure 22)	7 feet
Minimum Setback	5 feet from all property lines
Additional Standards	Only the word "Menu" should be legible from the public right-of-way
Illumination Permitted	Direct white light or internal illumination permitted. For a site with a Master Sign Plan, other illumination may be permitted in accordance with the Master Sign Plan
Certificate Required	No

Projecting Signs
19.08.120(F)(24)



FIGURE 23

Table 20. Projecting Sign Standards in Commercial and Industrial Districts (see Figure 23)

Standard	C-1, C-2, C-M and M
Maximum Number	1 sign per entrance
Maximum Area	32 square feet
Maximum Height	1 foot above eave or rafter line, whichever is higher
Minimum Setback	A projecting sign may project over the public right-of-way, provided the projecting sign maintains a minimum setback of 3 feet measured from the back of the curb and such signs do not project more than 6 feet from the building elevation to which they are attached
Minimum Clearance	8 feet from the ground to the bottom of the sign
Additional Standards	1. Projecting signs shall not be permitted on property that has freestanding signs 2. Projecting signs shall be subject to review by the Department of Public Works to the extent they extend over or near the public right-of-way
Illumination Permitted	Internal, external, animated and electronic message unit signage
Certificate Required	Yes

Roof Signs
19.08.120(F)(25)

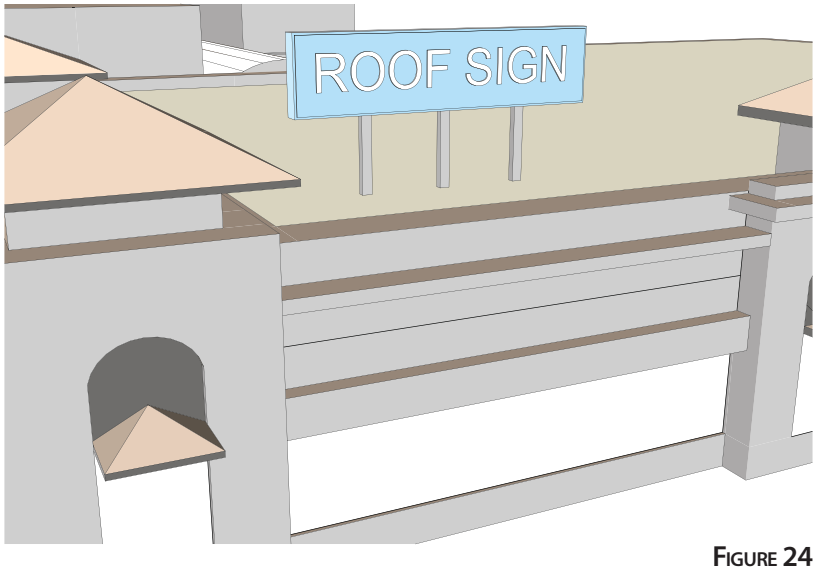


FIGURE 24

Table 21. Roof Sign Standards in Commercial and Industrial Districts (see Figure 24)

Standard	C-1, C-2, C-M and M
Maximum Number	1 sign per building elevation
Maximum Area	20% of the building elevation to which the sign is most nearly parallel to, up to a maximum of 150 square feet. The total combined area of all wall, window, roof, awning and marquee signs shall not exceed 20% of the building elevation to which they are attached
Maximum Height	A roof sign shall not extend more than 8 feet above the top of wall, marquee or parapet to which it is attached. The total height of the building, including the sign, shall not exceed permitted height of the building in the zoning district in which it is located
Minimum Setback	NA
Maximum Projection	A roof sign shall not project horizontally more than 4 feet from the roof to which it is attached. There shall be no additional message on the additional horizontal surface created by the projection
Additional Standards	See also Residential Protection Standards in LVMC 19.08.120 (C)
Illumination Permitted	Internal, external, animated and electronic message unit signs are permitted except on a building elevation visible from and located within two hundred feet of property zoned or shown on the General Plan as planned for single-family residential (attached or detached) use
Certificate Required	Yes

G. Temporary Signs

Temporary signs are not constructed or intended for long term use. A limited number of temporary signs are permitted in ~~residential~~ commercial and industrial districts as follows:

1. Special Event Signs (See Figure 25)

a. General Standards. Special event signs may be approved by the Director for a limited time as a means of publicizing special events such as grand openings.

i. Special event signs may include balloons, inflated devices, searchlights, pennants, portable signs, streamers and other similar devices.

b. Certificate Required. A temporary sign certificate is required for a temporary special event sign.

i. The certificate allows the holder to display temporary event signs on the lot where the event is to occur. Temporary special event signs may be displayed by the same business license holder on the same lot up to four times in any one calendar year. The aggregate time of display of such signs shall not exceed sixty days in any one calendar year.

2. Political Signs (see Figure 26)

a. Maximum area. 64 square feet per political sign. A political sign may be substituted for any other lawful sign, or political copy may be used to replace copy on any existing, conforming sign.

b. Additional standards.

i. Political signs shall be placed only on private property.

ii. Political signs shall be designed and located in such a manner so that such signs do not interfere with or will be confused with a traffic control signal or sign, or obstruct the vision of traffic.

iii. Political signs shall not be placed on any public property or right-of-way or posted on any utility pole or device.

c. Certificate required. All political signs

FIGURE 25 - SPECIAL EVENT SIGNS

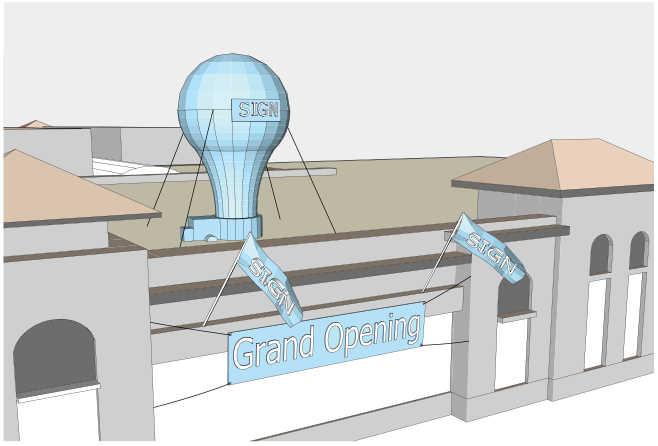


FIGURE 27 - POLITICAL SIGNS

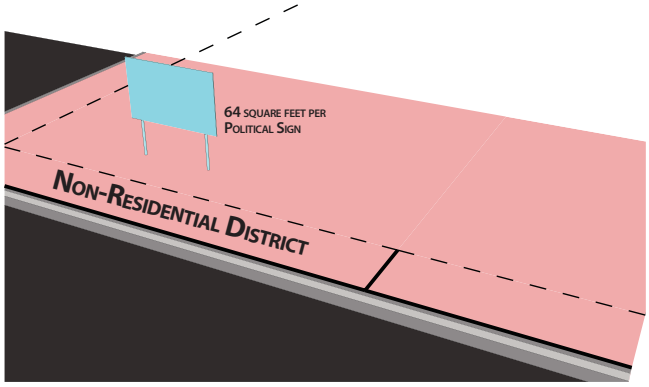


FIGURE 27 - CONSTRUCTION SIGNS

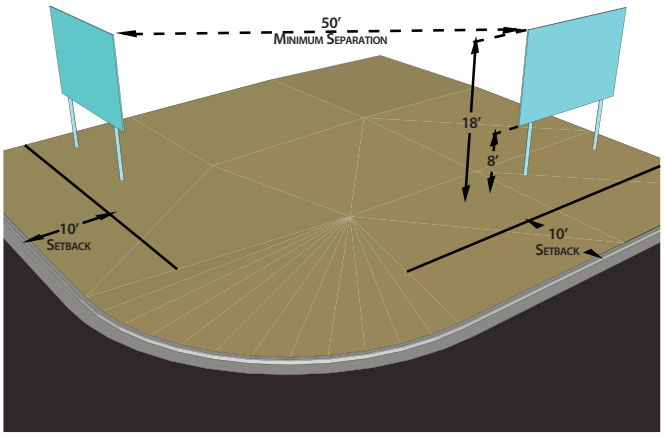
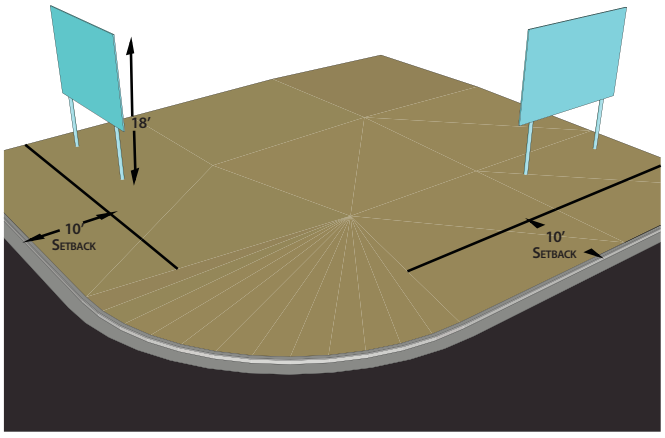


FIGURE 28 - REAL ESTATE SIGNS ADVERTISING COMMERCIAL PROPERTY



in excess of 32 square feet require a sign certificate. Other political signs do not require a sign certificate.

d. Illumination permitted. Where a political sign is erected in place of another permitted sign or political copy is placed on an existing, lawful sign in a ~~non-residential~~ nonresidential district, the illumination standards otherwise applying to the sign shall apply to the political sign or political copy.

e. Removal. All political signs that relate to an election shall be removed within 15 days after the election to which they pertain. Signs supporting a candidate who loses a primary election or wins a nonpartisan race in a primary election with more than 50 percent of the vote shall be removed within 15 days after the primary election.

i. The person or persons who are responsible for the erection, placement or distribution of any political sign, including the person whose candidacy the sign supports, are jointly and severally responsible for the removal of the political sign and the cost thereof.

ii. If any sign is not removed within the time period set forth above, the City may, upon 5 days written notice to a candidate or other person responsible, remove and dispose of any such sign. The City shall certify the removal and may charge the candidate or other person responsible for the City's cost for the removal. Removal charges shall be paid within 30 days after receipt of a statement of charges.

3. Construction Signs (see Figure 27)

a. Maximum number. One construction sign per development per street frontage.

i. Where two construction signs are located on a corner lot, such signs shall be separated by not less than 50 feet.

b. Maximum area. 300 square feet in sign area.

c. Maximum height. 18 feet.

d. Minimum clearance from bottom of the sign to ground. 8 feet.

e. Minimum setback. 10 feet from any public right-of-way.

f. Additional standards.

i. Construction signs shall be freestanding signs and firmly secured in the ground, as approved by the Building Official.

ii. Construction signs are not permitted on residentially zoned property.

g. Illumination permitted. No.

h. Certificate required.

i. A temporary sign certificate is required. The certificate application shall be accompanied by a site or location plan which clearly depicts the location of the proposed sign; a description, drawing or picture of the proposed sign and a description of the means by which it will be secured; and

ii. The certificate is valid for up to 12 months or until the construction is complete, whichever occurs first. At that time, the sign shall be removed unless a new certificate has been obtained. The property owner(s) and the certificate holder, if the latter is not the property owner(s), shall each be responsible for the maintenance and removal of the sign.

4. Real Estate Signs Advertising Commercial Property (see Figure 28)

a. Maximum number. One real estate sign per development or property for sale or lease per street frontage for parcels five acres or less in area, plus one additional sign for each additional five acres of parcel area.

b. Maximum area.

i. Unimproved lots. 32 square feet per sign, or with an approved temporary sign certificate, such sign(s) may be up to 80 square feet in area for lots 20,000 square feet or less in area, plus an additional 40 square feet of sign area for each 20,000 additional square feet of lot area. In no case shall the aggregate sign area of all such permitted signs or the area of a single sign exceed 300 square feet.

ii. Improved lots. 64 square feet.

c. Maximum height. 18 feet.

d. Minimum setback. 10 feet from any public right-of-way.

e. Illumination permitted. No.

f. Additional standards.

i. Real estate signs shall be subject to the provisions of LVMC 19.08.120 (C).

ii. The sign shall be a freestanding sign that is firmly secured in the ground, as approved by the Building Official.

g. Certificate required.

i. A temporary certificate is required for signs in excess of 32 square feet.

ii. The certificate is valid until the property or the last unit is sold or leased. At that time, the sign shall be removed. The property owner(s) and certificate holder, if the latter is not the property owner(s), shall each be responsible for the maintenance and removal of the sign.

19.10

Special Area and Overlay Districts – Purpose and Development and Design Standards

Unified Development Code
Title 19

19.10

Special Area and Overlay Districts - Purpose and Development and Design Standards

19.10.010 Purpose and Intent 249

19.10.020 C-V (Civic) 251

19.10.030 P-C (Planned Community) 255

19.10.040 PD (Planned Development)..... 259

19.10.050 R-PD (Residential Planned Development) 263

19.10.060 T-C (Town Center) 265

19.10.070 T-D (Traditional Development)..... 269

19.10.080 A-O (Airport Overlay) 273

19.10.090 CD-O (Designed Commercial Overlay) 277

19.10.100 DC-O (Downtown Casino Overlay) 279

19.10.110 DCP-O (Downtown Centennial Plan Overlay) 287

19.10.120 DE-O (Downtown Entertainment Overlay) 289

19.10.130 G-O (Gaming Enterprise Overlay)..... 291

19.10.140 HS-O (Hillside Overlay) 293

19.10.150 HD-O (Historic Designation Overlay) 305

19.10.160 SB-O (Las Vegas Boulevard Scenic Byway Overlay) 321

19.10.170 LW-O (Live/Work Overlay) 323

19.10.180 RP-O (Rural Preservation Overlay) 325

PURPOSE AND INTENT 19.10.010

The Special Purpose Districts, Overlay Districts and other area-specific standards and guidelines established in this Chapter:

A. Are to be used in areas of the City which have special characteristics and require special zoning regulations to establish and maintain the character of those areas;

B. May include, as applicable, special regulations regarding land use, buildings and structures, building height, building site areas, setback requirements, landscaping, streetscape and aesthetic characteristics, and any other item or concern regulated by this Title.

19.10.020

C-V CIVIC DISTRICT

A. Intent of the District

The purpose of the C-V District is to provide for the continuation of existing public and quasi-public uses and for the development of new schools, libraries, public parks, public flood control facilities, police, fire, electrical transmission facilities, Water District and other public utility facilities. In addition, the C-V District may provide for any public or quasi-public use operated or controlled by any recognized religious, fraternal, veteran, civic or service organization. The C-V District is consistent with the Public Facilities category of the General Plan.

B. 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 Subsection (D) of this subchapter 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 Subsection (D) of this subchapter 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.

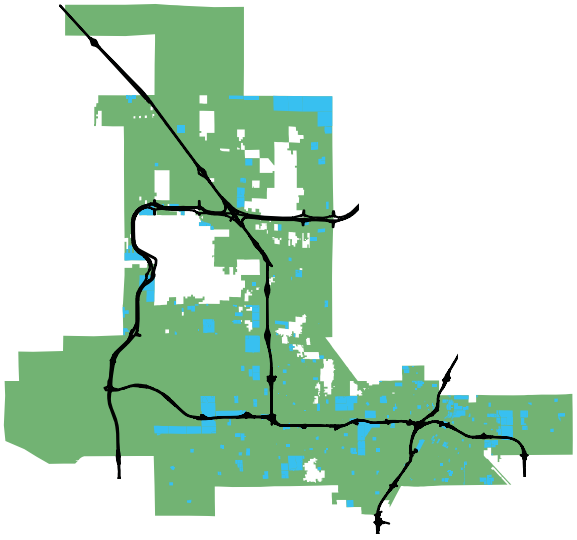
C. Similar Uses

1. **Additional Uses.** The uses permitted in Subsection B of this subchapter are classified on the basis of common operational characteristics and land use compatibility. Uses not specifically listed in this subchapter are prohibited. However, additional uses may be permitted by the Director if the Director finds the use in each case to be similar to the other uses listed in Subsection B of this subchapter.

2. **Appeal of Decision.** An applicant who is aggrieved by the decision of the Director may appeal that 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 of Planning. The appeal must be filed within 10 days after the decision is made. Unless otherwise stated, the Council's determination shall constitute a permanent and consistent interpretative decision, which the Director shall apply in all future instances.

Illustrations & Graphics **C-V 19.10.020**

FIGURE 1 - CIVIC DISTRICT MAP



MAP IS REPRESENTATIVE OF WHERE THE C-V DISTRICT IS LOCATED.

SEE THE OFFICIAL ZONING MAP ATLAS FOR THE EXACT LOCATION OF PROPERTIES CURRENTLY ZONED AS C-V (CIVIC) DISTRICT.

FIGURE 2 - UTILITY INSTALLATIONS

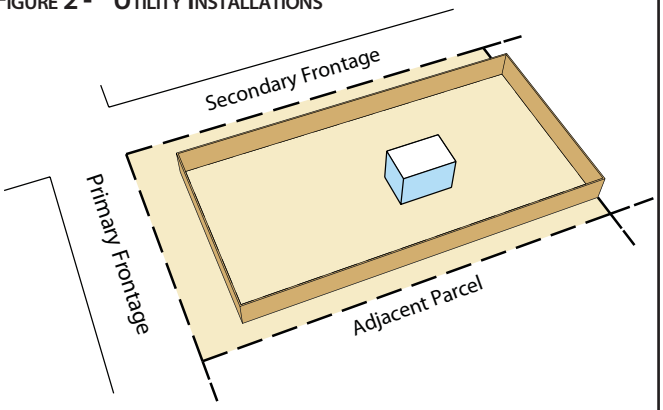
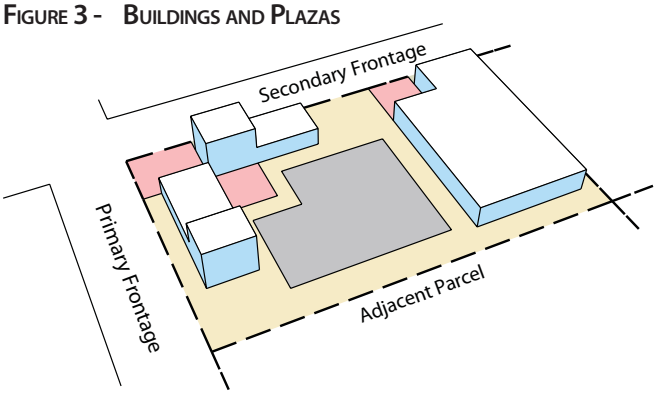


FIGURE 3 - BUILDINGS AND PLAZAS



D. Uses Permitted by Special Use Permit

1. The following uses may be permitted in the C-V District by means of Special Use Permit if in each case the parcel or use is operated or controlled by an agency or subdivision of local, state or federal government.

   a. Banquet Facility;
   b. Beer/Wine/Cooler On-Sale Establishment;
   c. Convention Facility, Publicly Operated;
   d. Custodial Institution;
   e. Gaming Establishment, General Business-Related;
   f. Liquified Petroleum Gas Installation (Over 288 Gallons);
   g. Liquor Establishment (Tavern);
   h. Restaurant with Service Bar;
   i. Social Event with Alcoholic Beverage Sales;
   j. Supper Club.

2. An Off-Premise Sign may be permitted in the C-V District by means of a Special Use Permit 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.

3. The following uses may be permitted in the C-V District by means of Special Use Permit without limitation as to the person or entity that operates or controls the parcel or use:

   a. Cemetery/Mausoleum;
   b. Crematory;
   c. Mortuary or Funeral Chapel.

E. Development Standards

1. Except as provided for in Paragraph (2) of this Subsection and Subsections ~~(C), (D) and (E)~~ (F), (G) and (H)below, the minimum development standards for property in the C-V District shall be established by the City Council in connection with the approval of a rezoning application or administratively in connection with the approval of a site development plan. The standards shall be designed to ensure compatibility of the development with existing and planned development in the surrounding area.

2. In addition to the standards established above, property in the C-V District adjacent to residential uses in the U, R-E, R-1, R-CL and R-2 Districts shall be subject to the height standards of LVMC 19.06.060, the landscape buffer standards of LVMC 19.08.040(F) and parking standards of LVMC 19.08.110.

~~C~~ F. Utility Installations

Utility Installations shall be designed in a manner which enhances compatibility between the built and natural environment and will not negatively impact the use and enjoyment of adjacent and neighboring properties. Site planning for the location of above ground structures shall consider impacts to surrounding uses and be located at least fifteen feet from property lines. Above ground structures shall be oriented and located away from adjacent residential uses. Utility Installations shall be screened with a decorative wall consisting of at least 20% contrasting materials and/or colors which adequately shields surrounding properties from the use. The perimeters of Utility Installations shall be buffered with drought-tolerant landscape material, including but not limited to trees, shrubs, cacti and vines which will adequately screen blank walls from surrounding uses.

~~D~~ G. Buildings and Plazas

1. Buildings and ~~Plazas~~ plazas within the C-V District shall be located at the front of the site at the minimum setback line established by the approved site development plan and should make a strong tie to the building lines of each street unless the applicant can demonstrate by substantial and convincing evidence that to do so would be infeasible.

2. Pedestrian open spaces and plazas shall be integral to the overall design of the proposed development and shall be located in areas of high pedestrian traffic in such a manner to be convenient and readily accessible. Pedestrian open spaces and plaza shall include without limitation benches, pergolas, landscape arbors, artwork and landscape to sufficiently shade or soften the space.

3. Parking lots shall be located to the side or rear of buildings and away from the street front and shall not be permitted on street corners unless the applicant can demonstrate by substantial and convincing evidence that to do so would be infeasible.

~~E~~ H. Signage

Standards for signage within the C-V District shall be the same as those indicated in LVMC 19.08.120 for the P-O District with the following additional standards~~:~~

~~1. Non-illuminated letters identifying the name~~

~~of a public or semi-public institution may be permanently set on the wall of the building, providing the sign does not exceed fifty square feet.~~

~~**2.** Signs on public buildings meeting the foregoing criteria may be permitted on structures which are a part of the institutional architecture or which are symbolic of the institution and the permitted square footage and maximum height limitation of public building signs shall apply only to the written message.~~

~~**3.** In addition to the indicated signs, additional signs may be permitted in conjunction with public and semi-public institutions subject to the review and approval of the Planning Commission as to each case~~.

I. Applicability of Standards

The standards set forth in Subsections (E)(2), (F), (G) and (H) are minimum requirements. Any request to deviate from these standards shall require the submittal of an application for an Administrative Deviation, if appropriate, or Variance, which shall be subject to the procedures and standards set forth in LVMC 19.16.120 and 19.16.140, respectively.

19.10.030

P-C PLANNED COMMUNITY DISTRICT

A. Intent ~~and Objectives~~ of District

1. The Planned Community (P-C) District is established to permit and encourage the development of comprehensively planned communities, with a minimum of 3,000 contiguous acres of land under one ownership or control, which can flourish as unique communities as a result of the comprehensive planning required for this large scale of development. The rezoning of property to the P-C District is appropriate only if the Planned Community Program, with respect to such property, will accomplish the objectives set forth in Paragraph (2), below.

2. In order for property to qualify for P-C District zoning, the master developer must demonstrate the potential for achievement of the following specific objectives throughout the planning, design and development stages:

a. Providing for an orderly and creative arrangement of land uses with respect to each other, to the entire Planned Community and to all adjacent land;

b. Providing for a variety of housing types, employment opportunities and commercial services to achieve a balanced community for families of a wide variety of ages, sizes and levels of income;

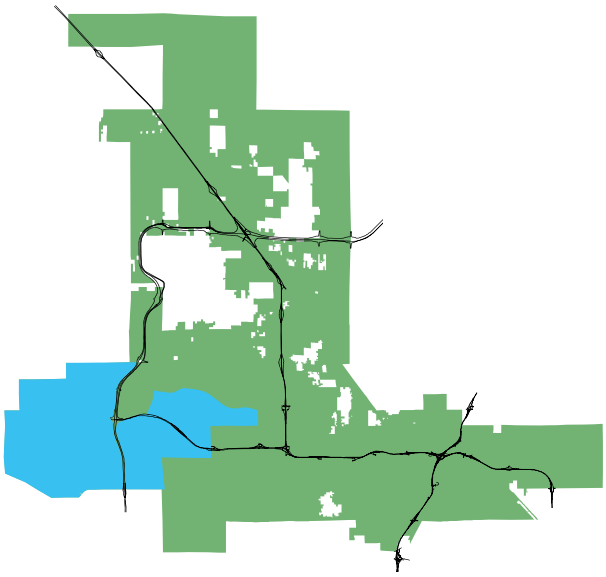
c. Providing for a planned and integrated comprehensive transportation system for pedestrian and vehicular traffic, which may include provisions for mass transportation and roadways, bicycle or equestrian paths, pedestrian walkways and other similar transportation facilities;

d. Providing for cultural, educational, medical, religious and recreational facilities;

e. Locating and siting structures to take maximum advantage of the natural and manmade environment and to provide view corridors; and

f. Providing for adequate, well-located and well-designed open space and community facilities.

FIGURE 1 - PLANNED COMMUNITY DISTRICT MAP



MAP IS REPRESENTATIVE OF WHERE THE P-C DISTRICT IS LOCATED.

SEE THE OFFICIAL ZONING MAP ATLAS FOR THE EXACT LOCATION OF PROPERTY CURRENTLY ZONED AS P-C (PLANNED COMMUNITY) DISTRICT.

B. Permitted Land Uses and Development Standards

Development in the P-C District may consist of any use or combination of uses that are specifically approved for the property in the Planned Community program. The developer shall include in the Planned Community Program a listing of the uses proposed and the general arrangement for each land use category within the proposed P-C District. The listing and general arrangement of the approved land uses shall be shown in the Planned Community Program that is adopted as part of the P-C District approval.

C. Density

The approved Planned Community Program shall establish the maximum number of dwelling units per gross acre for each residential category, as well as for the entire property. The number of dwelling units permitted per gross acre on any parcel in the P-C District shall be determined at the time the Development Plan is approved.

D. Minimum Site Area for Rezoning

The minimum site area that is eligible for rezoning to the P-C District is 3,000 acres. Any additional tract which contains less than the minimum site area and which is contiguous to property previously zoned P-C may also be zoned P-C by the City Council if it otherwise qualifies for the P-C zoning designation and, at the time of such rezoning, is owned by or is under the control of the same property owner (including its successors and assigns) that applied for and obtained P-C zoning on the original property so zoned. The rezoning of any such additional property shall be made subject to an approved Planned Community Program applicable to that property.

E. Special Application Requirements

Plans and documentation which must accompany a rezoning application are as follows:

1. A conceptual development plan for the property, including general land use designations, transportation plans and plans for open space and community facilities. A general phasing plan shall be included to indicate the intended timing of development;

2. Development standards that set forth: densities; building height, bulk and setback requirements; requirements for signage, landscaping, parking and open space; and procedures for Development Plan review and for modifying and deviating from the Planned Community Program;

3. Storm drainage information, which shall consist of a preliminary drainage study completed by a registered professional engineer on a map with a minimum contour interval of five feet;

4. Conceptual utility layout that includes tentative sewer and water main corridors; and

5. Proposed conditions, covenants and restrictions, including design guidelines.

F. Review, Recommendation and Approval

1. Planned Community Program. The initial zoning approval of a P-C District shall consist of a review and recommendation by the Planning Commission and approval by the City Council, in accordance with the provisions of LVMC 19.16.090. The approval of a P-C District by the City Council shall be accomplished directly by ordinance and shall include the approval and adoption of a Planned Community Program. An approved Planned Community Program shall be a matter of record and shall be made available in the Department.

2. Modified Planned Community Program. The developer may develop property in the P-C District in accordance with, but only in accordance with, the approved Planned Community Program and any approved modifications thereof or deviations therefrom. No modification or deviation shall be effective unless it is approved in accordance with this Section and the procedures set forth in the Planned Community Program. The Director may request modification of a program in accordance with the modification procedures set forth in the program.

3. Planned Community Program Procedures. A Planned Community Program shall contain procedures to provide for modification of and deviation from the program pursuant to review by the Director, the Planning Commission or the City Council, or any combination thereof, and such procedures shall be exclusive of any other procedure, other than the procedures for notification of public hearings, that is provided in this Title for the approval of any Rezoning, Variance or Special Use Permit. With respect to any modification or deviation that requires approval by the Planning Commission or City Council, or both, the modification or deviation may be approved only upon a finding by the Planning Commission or City Council, as the case may be, that:

a. The requested modification or deviation, if approved, will not affect the rights of property owners or residents within the P-C District to maintain and enforce previously approved conditions, covenants and restrictions and other rights in the Planned Community Program; and

b. The requested modification or deviation, if approved, will be consistent with the planning objectives and goals of the approved Planned Community Program.

4. Department Conformance Review-Appeal. Each Development Plan that is submitted in connection with the implementation of a Planned Community Program shall be reviewed for conformance therewith by the Director. The Director may require modifications that bring the Development Plan or site plan into conformance with applicable standards of health, safety and welfare and may recommend design adjustments to better fulfill the intent of the Planned Community Program approval and the purposes of the P-C District.

5. Appeal of Director's Decision. An applicant who is aggrieved by the decision of the Director with respect to a proposed Development Plan or site plan may request a review of such decision by the Planning Commission. An applicant who is aggrieved by the decision of the Planning Commission may appeal such decision to the City Council by filing a written request for appeal with the City Clerk within ~~fifteen~~ 15 calendar days after the date of the Planning Commission's decision.

G. Open Space and Landscape Area Requirements

A minimum of 20 percent of the gross property area in the P-C District shall consist of open space, recreation facilities, multi-purpose trails, pedestrian and bikeway facilities, other common community facilities and landscaped areas in public rights-of-way. Any private recreation facility which serves more than one individual lot may be counted as a part of the minimum requirement. Specific open space and landscaped area requirements shall be set forth in the Planned Community Program.

H. Street and Subdivision Design Requirements

All development shall conform to the standard street and subdivision design requirements set forth in LVMC Chapters 19.02 and 19.04, except as otherwise provided for specifically in an approved Planned Community Program.

I. Non-applicability of Other Provisions-Analogous Applications

1. The Development Standards may contain provisions for the processing and review of Minor Exceptions, Deviations, Plot Plan Reviews, Development Plan Modifications and other land use control procedures. If such procedures are so provided, they supersede the corresponding procedures set forth in this Title.

2. With regard to any issue of land use regulation that may arise in connection with the ~~PC~~ P-C District and that is not addressed or provided for specifically in this chapter or in an approved Planned Community Program, the Director may apply by analogy the general definitions, principles and procedures set forth in this Title, taking into consideration the intent of the approved Planned Community Program.

19.10.040

PD PLANNED DEVELOPMENT DISTRICT

A. Intent of District

The intent of the Planned Development (PD) District is to permit and encourage comprehensively planned developments whose purpose is redevelopment, economic development, cultural enrichment or to provide a single-purpose or multi-use planned development. The rezoning of property to the PD District may be deemed appropriate if the development proposed for the District can accomplish one or more of the following goals:

1. Providing for an orderly and creative arrangement of land uses that are harmonious and beneficial to the community;

2. Providing for a variety of housing types, employment opportunities or commercial or industrial services, or any combination thereof, to achieve variety and integration of economic and redevelopment opportunities;

3. Providing for flexibility in the distribution of land uses, in the density of development, and in other matters typically regulated in zoning districts;

4. Providing for cultural, civic, educational, medical, religious or recreational facilities, or any combination thereof, in a planned or a unique setting and design;

5. Providing for the redevelopment of areas where depreciation of any type has occurred.

6. Providing for the revitalization of designated areas;

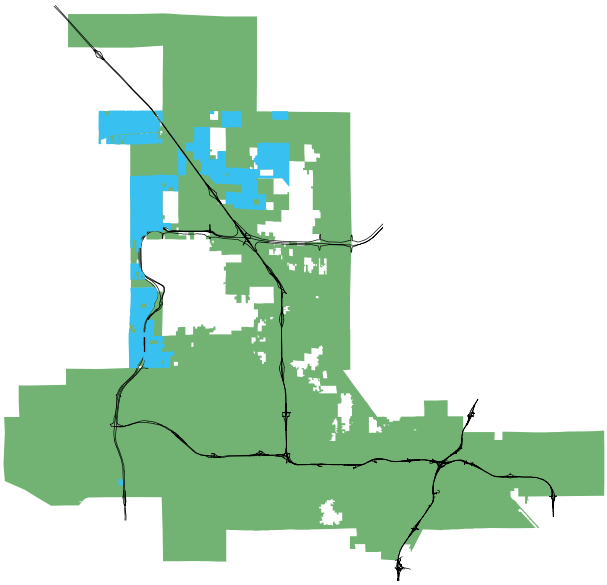
7. Promoting or allowing development to occur in accordance with a uniform set of standards which reflect the specific circumstances of the site;

8. Avoiding premature or inappropriate development that would result in incompatible uses or would create traffic and public service demands that exceed the capacity of existing or planned facilities;

9. Encouraging area-sensitive site planning and design; and

10. Contributing to the health, safety and general welfare of the community and providing development which is compatible with the City's goals and objectives.

FIGURE 1 - PLANNED DEVELOPMENT DISTRICT MAP



MAP IS REPRESENTATIVE OF WHERE THE PD DISTRICT IS LOCATED.

SEE THE OFFICIAL ZONING MAP ATLAS FOR THE EXACT LOCATION OF PROPERTY CURRENTLY ZONED AS PD (PLANNED DEVELOPMENT) DISTRICT.

B. Definitions

For purposes of this Section:

1. "Master development plan" means a specific written plan and accompanying maps which identify, with respect to a PD District development, the proposed location and size of development parcels, land uses and zoning designations; transportation plans and a traffic impact analysis; open space, community facilities and amenity plans; and the applicable development regulations and design standards.

2. "Development standards" means the minimum standards for development in the Planned Development District, including but not limited to standards for intensity and type of use; densities; building design, layout, configuration, height, coverage, spacing, bulk and setback requirements; provision for utilities; topography and drainage patterns; signage; open space and landscaping; on-site vehicular and pedestrian circulation and parking; urban design elements and features; and site amenities.

C. Rezoning And Minimum Site Area

Property may be rezoned to the Planned Development District by the City Council in accordance with the requirements of this Section and LVMC 19.16.090. Each rezoning parcel shall be described as a separate district, with distinct boundaries and specific design and development standards. Each district shall be assigned a district development project number or label, along with the designation "PD". The rezoning shall include the adoption of a specific master development plan and development standards.

The minimum site area for a Planned Development District is 40 acres.

D. Application Requirements

1. In the case of property that is sought to be reclassified to the Planned Development District by the property owner, the owner or authorized representative must meet with the Director, or the Director's designee, before the City has any obligation to accept the rezoning application as complete.

2. In addition to the submittals required by LVMC Chapter ~~19.18~~ 19.16, the following must accompany an application for rezoning submitted by a property owner:

a. A metes and bounds description of the proposed Planned Development District.

b. A proposed master development plan for the entire site.

c. Development standards that are proposed to be applied to the development. The development standards must include provisions regarding the installation of utility boxes and above ground utilities that are at least as restrictive as those set forth in this Tile for comparable development.

d. Any proposed conditions, covenants and restrictions for the development, including easements and grants for public utility purposes.

e. The location of primary and secondary thoroughfares proposed for the development, including right-of-way widths and the location of access points to abutting streets.

f. Identification of all rights-of-way, easements, open spaces or other areas to be dedicated, deeded or otherwise transferred to the City.

g. A plan for the extension of any necessary public services and facilities, including sewer facilities and facilities for flood control and drainage.

h. Guidelines for the physical development of the property, including illustrations of proposed architectural, urban design, landscape, open space and signage concepts.

i. The location and description of all buffering that is proposed between the development site and adjacent properties.

j. Additional information and detail as may be required in order to respond to the unique characteristics of the site and its location.

E. Permitted Uses and Standards

Any combination of residential, commercial, industrial or public uses may be permitted within a specific Planned Development District to the extent they are consistent with the Master Development Plan for that District. The uses to be permitted within the District must be specified in the adopted Master Development Plan for the District. Because of the nature and purpose of the PD District, and notwithstanding any other provision of this Section:

1. An application to rezone property to the PD District

may be denied by the City Council, at its complete discretion, if it finds that the proposed development is incompatible or out of harmony with surrounding uses or the pattern of development within the area.

2. No use, type of development or development standard is presumptively permitted within the PD District unless it already has been included in the adopted plan for the District.

3. An application to allow within the PD District a particular use, type of development or development standard which has not already been included in the adopted plan for the District may be denied if it is incompatible or out of harmony with the surrounding uses or the pattern of development within the area.

F. Approval of Master Development Plan and Development Standards

In connection with the approval of a Planned Development District, the City Council shall adopt a Master Development Plan and Development Standards, which will thereafter govern the development of property within the District. In considering the approval of a Master Development Plan and Development Standards for a Planned Development District, the Planning Commission and City Council shall be guided by the following objectives, and may impose such conditions and requirements deemed necessary to meet those objectives:

1. Consistency of the proposed development with the General Plan~~; this Title; the Design Standards Manual; the Landscape Wall, and Buffer Standards Manual;~~ and other applicable plans, policies, standards and regulations.

2. Compatibility of the proposed development with adjacent and surrounding development.

3. Minimization of the development's impact upon adjacent roadways and neighborhood traffic, and upon other public facilities and infrastructure.

4. Protection of the public health, safety, and general welfare.

G. Modification of Master Development Plan and Development Standards

The development of property within the Planned Development District may proceed only in strict accordance with the approved Master Development Plan and Development Standards. Any request by or on behalf of the property owner, or any proposal by the City, to modify the approved Master Development Plan or Development Standards shall be filed with the Department ~~of Planning and Development~~. In accordance with Paragraphs (1) and (2) of this Subsection, the Director shall determine if the proposed modification is "minor" or "major," and the request or proposal shall be processed accordingly.

1. Minor Modification. A Minor Modification is a modification which is requested or agreed to by the property owner and which is intended to accomplish one or more of the following:

a. A change in the location of a use from the location specified in the approved Master Development Plan, but only if the change in location will not have a significant impact on other uses in the area.

b. The addition of uses that are comparable in intensity to those permitted in connection with the rezoning approval or the approval of a Master Development Plan for the District.

c. A change in parking lot layout, building location or other similar change that conforms with the intent of the previously approved Master Development Plan and Development Standards.

d. A change in the species of plant material proposed for the District.

e. A decrease in the density or intensity of development from that previously approved for the District.

f. Any other change or modification of a similar nature which the Director determines will not have a significant impact on the District or its surroundings. A Minor Modification shall be reviewed and acted upon administratively by the Director. An applicant who is aggrieved by the Director's decision may appeal that decision to the Planning Commission by filing a written appeal with the Department no later than 10 days after the date the applicant receives notice of the administrative decision.

2. Major Modification. A Major Modification includes any modification which does not qualify as a Minor Modification. A Major Modification shall be processed in accordance with the procedures and standards applicable to a rezoning application, as set forth in Subsections (~~H~~ I) to (M), inclusive, of LVMC 19.16.090.

H. Site Development Plan Review

All development within a PD District is subject to the site development plan review procedures set forth in LVMC 19.16.100.

I. Issue Resolution – Analogous Standards

With regard to any issue of land use regulation that may arise in connection with a Planned Development District and that is not addressed or provided for specifically in this Section or in the approved Master Development Plan and Development Standards for that District, the Director may apply by analogy the general definitions, principles, standards and procedures set forth in this Title, taking into consideration the intent of the approved Master Development Plan and Development Standards.

1. Signage. As this Subsection applies to standards for signage:

a. Single and Two-Family residential developments within a PD District shall be ~~the~~ analogous to those standards indicated in LVMC 19.06.140 for the R-1 District; and

b. ~~Multifamily~~ Multi-family residential developments within a PD District shall be ~~the~~ analogous to those standards indicated in LVMC 19.06.140 for the R-3 District.

R-PD RESIDENTIAL PLANNED DEVELOPMENT DISTRICT

A. Intent of R-PD District

The R-PD District has been to provide for flexibility and innovation in residential development, with emphasis on enhanced residential amenities, efficient utilization of open space, the separation of pedestrian and vehicular traffic, and homogeneity of land use patterns. Historically, the R-PD District has represented an exercise of the City Council's general zoning power as set forth in NRS Chapter 278. The density allowed in the R-PD District has been reflected by a numerical designation for that district. (Example: R-PD4 allows up to four units per gross acre.) However, the types of development permitted within the R-PD District can be more consistently achieved using the standard residential districts, which provide a more predictable form of development while remaining sufficiently flexible to accommodate innovative residential development. Therefore, new development under the R-PD District is not favored and will not be available under this Code.

B. Development Standards

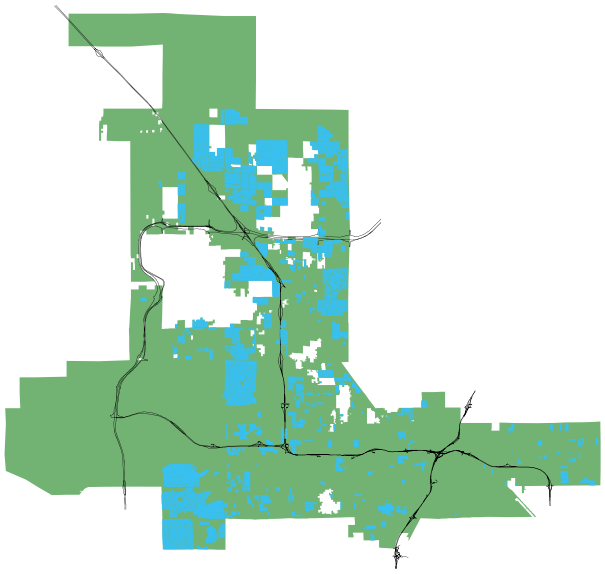
1. The development standards for a project, including minimum front, side and rear yard setbacks, grade changes, maximum building heights, maximum fence heights and fence design, parking standards, standards for any guest houses/casitas and other design and development criteria, shall be as established by the approved Site Development Plan Review for the development.

2. With regard to any issue of development standards that may arise in connection with a Residential Planned Development District and that is not addressed or provided for specifically in this Section or in the approved Site Development Plan Review for that District, the Director may apply by analogy the general definitions, principles, standards and procedures set forth in this Title, taking into consideration the intent of the approved Site Development Plan Review.

a. Signage. As this Paragraph (2) applies to standards for signage:

i. Single and Two-Family residential developments within a R-PD District shall be ~~the~~ analogous to those standards indicated in LVMC 19.06.140 for the R-1 District; and

FIGURE 1 - RESIDENTIAL PLANNED DEVELOPMENT DISTRICT MAP



MAP IS REPRESENTATIVE OF WHERE THE R-PD DISTRICT IS LOCATED.

SEE THE OFFICIAL ZONING MAP ATLAS FOR THE EXACT LOCATION OF PROPERTY CURRENTLY ZONED AS R-PD (RESIDENTIAL PLANNED DEVELOPMENT) DISTRICT.

ii. ~~Multifamily~~ Multi-family residential developments within a R-PD District shall be ~~the~~ analogous to those standards indicated in LVMC 19.06.140 for the R-3 District.

C. Permitted Land Uses

1. Single-family and multi-family residential and supporting uses are permitted in the R-PD District to the extent they are determined by the Director to be consistent with the density approved for the District and are compatible with surrounding uses. In addition, the following uses are permitted as indicated:

a. Home Occupations for which proper approvals have been secured.

b. Child Care-Family Home and Child Care-Group Home, to the extent the Director determines that such uses would be permitted in the equivalent standard residential district.

2. For any use which, pursuant to this Subsection, is deemed to be permitted within the R-PD District, the Director may apply the development standards and procedures which would apply to that use if it were located in the equivalent standard residential district.

3. For purposes of this Subsection, the "equivalent standard residential district" means a residential district listed in the Land Use Tables which, in the Director's judgment, represents the (or a) district which is most comparable to the R-PD District in question, in terms of density and development type.

D. Plan Amendment Approvals, Conditions, Conformance

Amendments to an approved Site Development Plan Review shall be reviewed and approved pursuant to LVMC ~~Title~~ 19.16.100(H). The approving body may attach to the amendment to an approved Site Development Plan Review whatever conditions are deemed necessary to ensure the proper amenities and to assure that the proposed development will be compatible with surrounding existing and proposed land uses.

19.10.060

T-C TOWN CENTER DISTRICT

A. Intent and Objectives

1. The Town Center (T-C) District is established to permit and encourage the development of a mixed-use employment center which will provide economic stability and diversification for the City of Las Vegas. The primary objective of the T-C District concept is to provide employment for in excess of 100,000 individuals while, at the same time, creating a unique blending of human habitation and economic activity. The rezoning of property to the T-C District is appropriate only if the Town Center concept will be followed and the objectives set forth in Paragraph (2) below are adhered to.

2. In the T-C District, the developer must demonstrate the potential for achieving the following outlined objectives throughout the planning, design and development stages:

   a. Providing for an orderly and creative arrangement of land uses with respect to each other, to the Town Center and to all adjacent properties;

   b. Providing for a variety of housing types which are not found elsewhere in the City, as well as employment opportunities and commercial services to achieve a balanced community for individuals and families of wide variety of ages, sizes and levels of income;

   c. Providing for a planned and integrated comprehensive transportation system for pedestrian and vehicular traffic, which may include provisions for mass transportation and roadways, bicycle paths, pedestrian walkways and other similar transportation facilities;

   d. Providing for cultural, educational, medical, religious and recreational facilities;

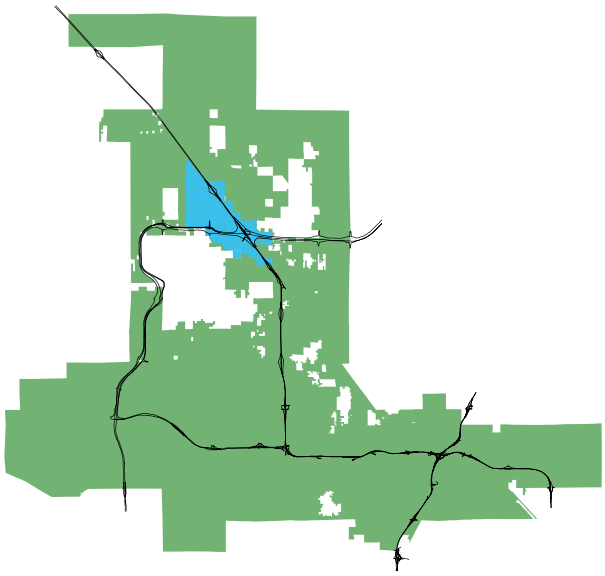
   e. Locating and siting structures to take maximum advantage of the natural and manmade environment and to establish new view corridors; and

   f. Providing for adequate, well-located and well-designed open space and community facilities.

B. Permitted Land Uses and Development Standards

1. Development in the T-C District may consist of any use or appropriate combination of uses that are

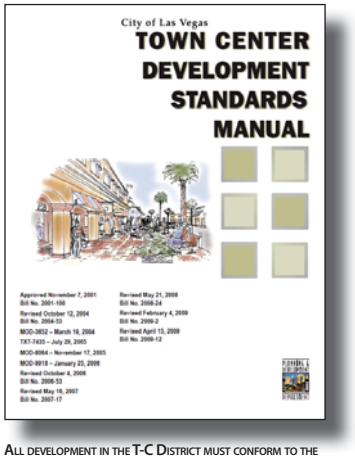
FIGURE 1 - TOWN CENTER DISTRICT MAP



MAP IS REPRESENTATIVE OF WHERE THE T-C DISTRICT IS LOCATED.

SEE THE OFFICIAL ZONING MAP ATLAS FOR THE EXACT LOCATION OF PROPERTY CURRENTLY ZONED AS T-C (TOWN CENTER) DISTRICT.

FIGURE 2 - TOWN CENTER DEVELOPMENT STANDARDS MANUAL



ALL DEVELOPMENT IN THE T-C DISTRICT MUST CONFORM TO THE PROVISIONS OF THE TOWN CENTER DEVELOPMENT STANDARDS MANUAL .

specifically approved for the property in the Town Center Land Use Matrix, as set forth in the Town Center Development Standards Manual (See Figure 2). The developer shall identify in a written analysis the proposed uses for each project and shall specify how each proposed use is consistent with the Land Use Matrix.

2. Development in the T-C District shall conform to the Town Center Development Standards Manual, which is hereby adopted by this reference. The Town Center Development Standards Manual shall be on file in the Office of the City Clerk and in the Department. The Town Center Development Standards Manual may be amended from time to time by ordinance or by resolution of the City Council.

C. Special Application Requirements

Plans and documentation which must accompany a re-zoning application are as follows:

1. A conceptual development plan for the property, including general land use designations, parking plans, transportation plans and plans for open space and community facilities. A general phasing plan shall be included to include the intended timing of development;

2. Proposed development standards that set forth architecture; densities; building height, bulk and setback requirements; requirements for signage, landscaping, parking and open space. The proposed standards should demonstrate consistency and compliance with the Town Center Development Standards Manual;

3. Storm drainage information, which shall consist of a preliminary drainage study completed by a registered professional engineer on a map with a minimum contour interval of five feet;

4. Conceptual utility layout that includes tentative sewer and water main corridors; and

5. Proposed conditions, covenants and restrictions, including architectural, design and other development guidelines to be followed.

D. Development Review, Recommendation, and Approval

1. Zoning Approval. The rezoning of property to the T-C District shall be by means of a review and recommendation by the Planning Commission and approval by the City Council, in accordance with the provisions of LVMC 19.16.090. The approval of a T-C District by the City Council shall be accomplished directly by ordinance. The approval of a T-C District may include the approval of a Development Plan which shall thereafter govern the development of the property.

2. Development Approval

a. Plans for proposed development within the T-C District must be submitted to the Department. The Director or the Director's designee shall review the plans for conformance with the provisions of the Subchapter, and may require modifications to the proposal in order to protect the public health, safety and welfare and to better fulfill the intent of the Town Center Land Use Plan and the Town Center Development Standards Manual.

b. Development of any project within the T-C District may be approved administratively if the proposed development:

i. Requires no additional approval by any board or the City Council; and

ii. Is in full compliance with the Town Center Development Standards Manual, any Development Plan which has been approved for the project, and the intent of the Town Center concept.

c. For any other development, approval must be obtained in accordance with the procedural and substantive requirements set forth in the Town Center Development Standards Manual, this Subchapter, and the provisions of this Title.

3. Appeal of Decision. An applicant that is aggrieved by the decision of the Director or the Director's designee with respect to a proposed plan for development may appeal that decision to the Planning Commission. An applicant that is aggrieved by the decision of the Planning Commission may appeal such decision to the City Council by filing a written request for appeal with the City Clerk within fifteen calendar days after the date of the Planning Commission's decision.

E. Open Space and Landscape Area Requirements

A minimum of 20 percent of the gross property area proposed to be added to or developed within the T-C District shall consist of any combination of open space, recreation facilities, multi-purpose trails, pedestrian and bikeway facilities, other common community facilities

and landscaped areas in public rights-of-way. Any private recreation facility which serves more than one individual lot may be counted as a part of the minimum requirement. Specific open space and landscaped area requirements are as set forth in the Town Center Development Standards Manual.

F. Street and Subdivision Design Requirements

All development shall conform to the standard street and subdivision design requirements set forth in this Title, except as otherwise provided for specifically in the Town Center Development Standards Manual.

G. Analogous Applications

With regard to any issue of land use regulation that may arise in connection with the T-C District and that is not addressed or provided for specifically in this Section or in the Town Center Development Standards Manual, the Director may apply by analogy the general definitions, principles and procedures set forth in this Title, taking into consideration the intent of the approved Town Center Land Use Plan.

19.10.070

T-D TRADITIONAL DEVELOPMENT DISTRICT

A. Intent and Objectives

1. **Purpose.** The Traditional Development (T-D) District is established to permit and encourage the development of comprehensively planned mixed-use communities, with a minimum of eighty contiguous acres of land under one ownership or control, which can generally exist as a self-contained community. The rezoning of the property to the T-D District is appropriate only if the Development Standards and Design Guidelines document that is proposed for such property will accomplish the objectives set forth in Paragraph (2) below.

2. **Minimum Qualifications.** In order for property to qualify for T-D District zoning, the master developer must demonstrate the potential for achievement of the following specific objectives throughout the planning, design and development stages:

   a. Providing for an orderly arrangement of land uses with respect to each other, to the entire area within the proposed district, and to all adjacent land;

   b. Providing for a balanced mix of housing types, commercial uses and civic amenities to provide a self-contained community for families of a wide variety of ages, compositions, and levels of income;

   c. Providing for a hierarchical transportation system of interconnected streets, with facilities for transit, pedestrians, bicycles, recreational paths and vehicles;

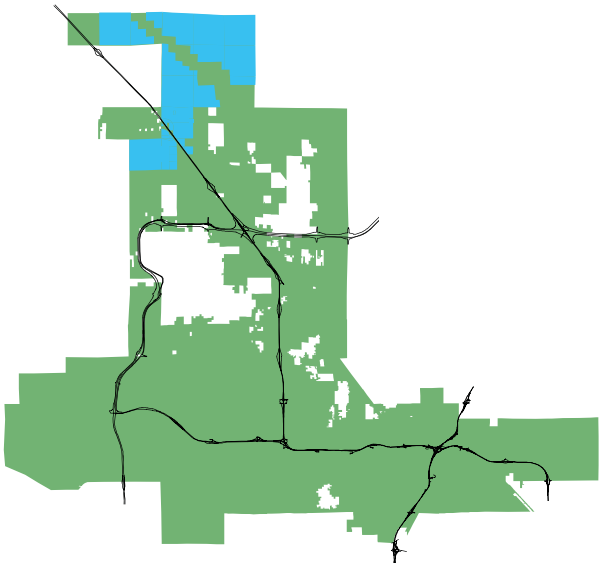
   d. Providing for the means by which the needs of daily living can be met within proximity of dwellings;

   e. Providing a strong relationship between buildings and street type, with emphasis on the pedestrian nature of the community, and de-emphasizing gated private streets and ~~cul-de-sacs~~ culs-de-sac;

   f. Locating development to take maximum advantage of the natural environment;

   g. Providing for adequate, well-located and well-designed open space and community facilities;

FIGURE 1 - TRADITIONAL DEVELOPMENT DISTRICT MAP



MAP IS REPRESENTATIVE OF WHERE THE T-D DISTRICT IS LOCATED.

SEE THE OFFICIAL ZONING MAP ATLAS FOR THE EXACT LOCATION OF PROPERTY CURRENTLY ZONED AS T-D (TRADITIONAL DEVELOPMENT) DISTRICT.

h. Providing for a variety of architecture, landscape architecture and overall image that considers local climate and topography;

i. Providing for a center focus that combines commercial, civic, residential, cultural and recreational uses;

j. Providing for the preservation of natural terrain drainageways (arroyos and desert washes), and of area vegetation, emphasizing these features within developed parks and natural open space; and

k. Providing for the wise use of water and energy. Water should be conserved through participation in appropriate local water conservation programs. Energy should be conserved through the efficient and responsible design of environmentally-friendly homes and other buildings, and participation in appropriate local or national energy conservation programs.

B. Permitted Land Uses and Development Standards

Development in the T-D District shall include residential uses, commercial uses, and civic uses. Within a proposed Development Standards and Design Guidelines document to be submitted in accordance with this Section, the developer shall include a listing of the uses proposed and the arrangement for each land use within the T-D District. The listing and arrangement of the approved land uses shall be show in the Development Standards and Design Guidelines document that is adopted as part of the T-D District approval.

C. Density

The approved Development Standards and Design Guidelines document shall establish the maximum number of dwelling units per gross acre for each residential and mixed-use category, as well as the overall number of residential units for the entire T-D District.

D. Minimum Site Area for Rezoning

The minimum site area that is eligible for rezoning to the T-D District is forty acres, which is the minimum area deemed necessary to accommodate a balanced mix of housing, commercial, and civic uses. Any additional tract which contains less than the minimum site area and which is contiguous to property previously zoned T-D may also be zoned T-D by the City Council if it otherwise qualifies for the T-D zoning designation and, at the time of such rezoning, is owned by or is under the control of the same property owner (including its successors and assigns) that applied for and obtained T-D zoning on the original property so zoned. The rezoning of any such additional property shall be made subject to the approved Development Standards and Design Guidelines applicable to that property.

E. Special Application Requirements

Plans and documentation which must accompany a rezoning application are as follows:

1. Proposed Development Standards and Design Guidelines that set forth:

a. A conceptual development plan for the property, including general land use designations, transportation plans, and plans for open space and civic facilities;

b. Densities;

c. Building height, bulk and setback requirements;

d. Requirements for signage, landscaping, parking and open space;

e. Grading, terracing and retaining wall requirements;

f. A general phasing plan to indicate the intended timing of developments; and

g. Procedures for Development Plan review and for modifying and deviating from the Development Standards and Design Guidelines;

2. Storm drainage and grading information, which shall consist of a preliminary drainage study completed by a registered professional engineer on a map with a minimum contour interval of five feet;

3. Conceptual utility layout that includes tentative sewer and water main corridors; and

4. If required by the Director, a draft development agreement as contemplated by NRS 278.0201 to NRS 278.0207, the substance of which has been deemed acceptable by the Director.

F. Review, Recommendation and Approval

1. Development Standards and Design Guidelines. The initial zoning approval of a T-D District shall consist of a review and recommendation by

the Planning Commission and approval by City Council, in accordance with the provisions of LVMC 19.16.090. The approval of a T-D District by the City Council shall be accomplished directly by ordinance and shall include the approval and adoption of a Development Standards and Design Guidelines document. An approved Development Standards and Design Guidelines document shall be a matter of record and shall be made available in the Department.

2. **Adherence to Development Standards and Design Guidelines.** The developer may develop property in the T-D District in accordance with, but only in accordance with, the approved Development Standards and Design Guidelines and any approved modifications thereof or deviations therefrom. No modification or deviation shall be effective unless it is approved in accordance with this Section and the procedures set forth in the Development Standards and Design Guidelines. The Director may request modification of a program in accordance with the modification procedures set forth in the program.

3. **Modification/Deviation Procedures.** The Development Standards and Design Guidelines shall contain procedures to provide for modification of and deviation from the program pursuant to review by the Director, the Planning Commission or the City Council, or any combination thereof, and such procedures shall be exclusive of any other procedure, other than the procedures for notification of public hearings, that is provided in this Title for the approval of any Rezoning, Variance or Special Use Permit. With respect to any modification or deviation that requires approval by the Planning Commission or City Council, or both, the modification or deviation may be approved only upon a finding by the Planning Commission or City Council, as the case may be, that:

   a. The requested modification or deviation, if approved, will not substantially affect the rights of property owners or residents within the T-D District to maintain and enforce any covenants, conditions and restrictions that have been approved by the City, or any other rights they might have in the Development Standards and Design Guidelines; and

   b. The requested modification or deviation, if approved, will be consistent with the planning objectives and goals of the approved Development Standards and Design Guidelines~~; and~~.

4. **Department Conformance Review.** Each Development Plan that is submitted in connection with the implementation of the Development Standards and Design Guidelines shall be reviewed for conformance therewith by the Director. The Director may require modifications that bring the Development Plan or site plan into conformance with applicable standards of health, safety and welfare, and may recommend design adjustments to better fulfill the intent of the Development Standards and Design Guidelines approval and the purposes of the T-D District.

5. **Appeal of Director's Decision.** An applicant who is aggrieved by the decision of the Director with respect to a proposed Development Plan or site plan may request a review of such decision by the Planning Commission. An applicant who is aggrieved by the decision of the Planning Commission may appeal such decision to the City Council by filing a written request for appeal with the City Clerk within fifteen calendar days after the date of the Planning Commission's decision.

G. Open Space and Landscape Area Requirements

The Development Standards and Design Guidelines shall identity a minimum percentage of the gross property area in the T-D District to be allocated for open space, recreational facilities, multi-purpose trails, pedestrian and bikeway facilities, other common community facilities, and landscaped areas in public rights-of-way. Any private recreation facility which serves more than one individual lot may be counted towards the minimum requirement. Specific open space and landscaped area development standards shall be set forth in the Development Standards and Design Guidelines.

H. Street and Subdivision Design Requirements

All development shall conform to the standard street and subdivision design requirements set forth in this Title, except as otherwise provided for specifically in the approved Development Standards and Design Guidelines.

I. Nonapplicability of Other Provisions – Analogous Applications

1. The Development Standards and Design Guidelines may contain provisions for the processing and review of Minor Exceptions, Deviations, Plot Plan Reviews, Development Plan Modifications and other land use control procedures. If such procedures are so provided in approved Development Standards and Design Guidelines, those procedures supersede the corresponding procedures set forth in this Title.

2. With regard to any issue of land use regulation that may arise in connection with the T-D District and that is not addressed or provided for specifically in this Section or in the approved Development Standards and Design Guidelines, the Director may apply by analogy the general definitions, principles and procedures set forth in this Title, taking into consideration the intent of the approved Development Standards and Design Guidelines.

19.10.080

A-O AIRPORT OVERLAY DISTRICT

A. Establishment

1. There is hereby established an Airport Overlay District which consists of those certain areas that are delineated on the following maps:

a. The McCarran International Airport Official Airspace Zoning Map; ~~sheet number three~~ Sheet Number 3, prepared by the Clark County Airport Engineering Department, dated July 18, 1990; hereafter known as the "McCarran Airport Overlay Map" and;

b. The North Las Vegas Air Terminal Official Airspace Zoning Map, consisting of one sheet, prepared by the Clark County Airport Engineering Department, dated July 18, 1990; hereafter known as the "North Las Vegas Airport Overlay Map."

2. An area which is identified on more than one airport map is considered to be only in the map with the more restrictive height limitations.

3. Copies of the "McCarran Airport Overlay Map" and the "North Las Vegas Airport Overlay Map," are maintained in the Department.

4. Although not included as part of the Airport Overlay District, consideration shall be given to the protection of the Nellis Air Force Base airspace.

B. Airport Height Limitations

Except as otherwise provided in this Section, no structure shall be erected, altered or maintained on any parcel within the boundaries of the Airport Overlay District that would violate the height limitations depicted in the maps adopted herewith. All development within the airspace above the height of 35 feet above the surface of the land, lying beneath the approach surfaces, transitional surfaces, horizontal surfaces and conical surfaces, shall be subject to the height standards established on the Airport Overlay Maps. However, nothing in this Section shall be construed as prohibiting the construction or maintenance of any structure to a height up to 35 feet above the surface of the land on any parcel.

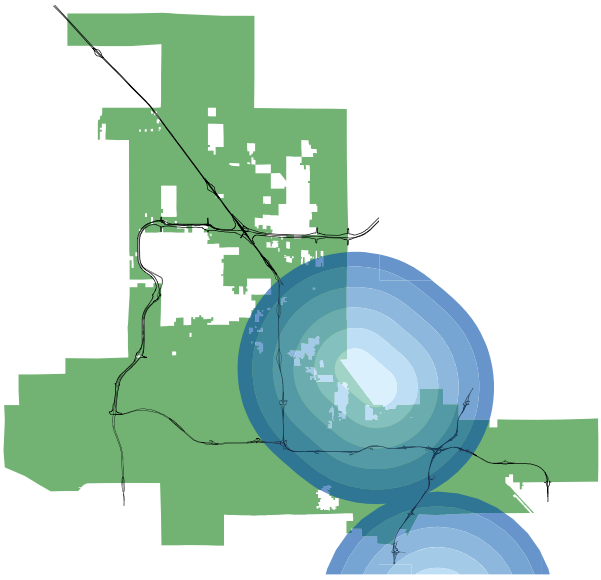
C. Aviation Easement

The issuance of a building permit for construction on property within the Airport Overlay District may be conditioned upon the property owner's signing of an aviation easement.

Illustrations & Graphics

A-O
19.10.080

FIGURE 1 - AIRPORT OVERLAY DISTRICT MAP



MAP IS REPRESENTATIVE OF WHERE THE A-O DISTRICT IS LOCATED.

SEE THE OFFICIAL ZONING MAP ATLAS FOR THE EXACT LOCATION OF PROPERTIES WHICH CURRENTLY FALL WITHIN THE A-O (AIRPORT OVERLAY) DISTRICT.

D. Planning Commission Review and Approval

Except as provided in Subsection (E) below, any new construction or alteration of any existing structure on a parcel located within the Airport Overlay District must first be approved by the Planning Commission if such construction or alteration exceeds any of the following height standards:

1. Two hundred feet above the ground level at its site;

2. The plane of an imaginary surface extending outward and upward at a slope of 100 to 1 for a horizontal distance of 20,000 feet from the nearest point of the nearest runway of any airport subject to the provisions of this subchapter;

3. For highways, railroads and other traverse ways for mobile objects; if construction or alteration is of greater height than the standards set forth in Paragraphs (1) or (2) above, after their height has been adjusted upward for the appropriate traverse way as follows:

a. For interstate highways: 17 feet;

b. For any other public roadways: 15 feet;

c. For any private road: 10 feet or the height of the highest mobile object that would normally traverse the road, whichever is greater;

d. For any railroad: 23 feet;

e. For a waterway or any other unspecified traverse way: the height of the highest mobile object that would normally use the traverse way.

4. Any construction or alteration that would be in an instrument approach area and available information indicates the height might exceed any FAA obstruction standard.

E. Allowable Construction

Planning Commission review may be waived for construction or alteration of any of the following:

1. An object that would be shielded by existing structures of a permanent and substantial character or by natural terrain or topographical features of equal or greater height, and would be located in the congested area of the City where it is evident beyond all reasonable doubt that the structure so shielded will not adversely affect safety in air navigation;

2. An antenna structure of 20 feet or less in height above ground level;

3. An air navigation facility, airport visual approach or landing aid, aircraft arresting device or meteorological device of a type, the location and height of which is fixed by its functional purpose.

F. Use Restrictions

Notwithstanding any other provision of this Section, no use may be made of land or water within any zone established by this subchapter in such a manner as to create electrical interference with navigation signals or radio communication between the airport and aircraft; make it difficult for pilots to distinguish between airport lights and others; result in glare in the eyes of pilots using the airport; impair visibility in the vicinity of the airport; create bird strike hazards; or otherwise in any way endanger or interfere with the landing, takeoff or maneuvering of aircraft intending to use the airport, or which in any way compromises public safety.

G. Non-Conforming Uses

1. The regulations prescribed by this Section shall not be construed to require the removal, lowering or other change or alteration of any structure not conforming to the regulations as of the effective date of this Section, or otherwise interfere with the continuance of a non-conforming use. Nothing contained in this Section shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this Section and is diligently prosecuted.

2. Notwithstanding the preceding provisions of this Section, the owner of any existing nonconforming structure may be required to install, operate and maintain thereon such markers and lights as may be deemed necessary by the aviation authority having jurisdiction to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport obstruction.

H. Special Use Permit

1. Any person desiring to erect or increase the height of any structure, or to permit the growth of any tree, or otherwise use property in a manner which would exceed the limitations of this Section may apply to the Planning Commission for a Special Use Permit. The Special Use Permit application shall be processed in accordance with the Special

Use Permit procedures set forth in LVMC 19.16.110, except that:

a. The applicant shall notify the FAA regional office and the Clark County Department of Aviation of the application prior to the time of submission; and

b. Any approval by the Planning Commission must be referred automatically to the City Council for final disposition.

2. Notwithstanding the preceding provisions of this Section, no Special Use Permit shall be granted that would allow the establishment or creation of an obstruction or permit a nonconforming use, structure or tree to become a greater hazard to air navigation than it was on the effective date of this Section or any amendment thereto.

19.10.090

CD-O DESIGNED COMMERCIAL OVERLAY DISTRICT

A. Intent or Purpose

The purpose of the CD-O Designed Commercial Overlay District is to provide standards for the development of a select type of light commercial uses which will be in harmony with the neighborhood in which ~~it~~ the development is ~~to be~~ located. This is intended to overlay a standard commercial Zoning District in areas where it is necessary to preserve and maintain the character of surrounding land uses with less intense commercial development.

B. Development Standards

Unless otherwise approved by the City Council in a Site Development Plan, building heights in the Designed Commercial Overlay District shall not exceed:

1. One story or ~~twenty~~ 20 feet, whichever is less, for parcels that front Charleston Boulevard between Rancho Drive and Valley View Boulevard;

2. Two stories or ~~thirty-five~~ 35 feet, whichever is less, for all other parcels.

In addition to the standards listed above, lot coverage shall not exceed more than 30% and rear setbacks shall not be less than 25 feet.

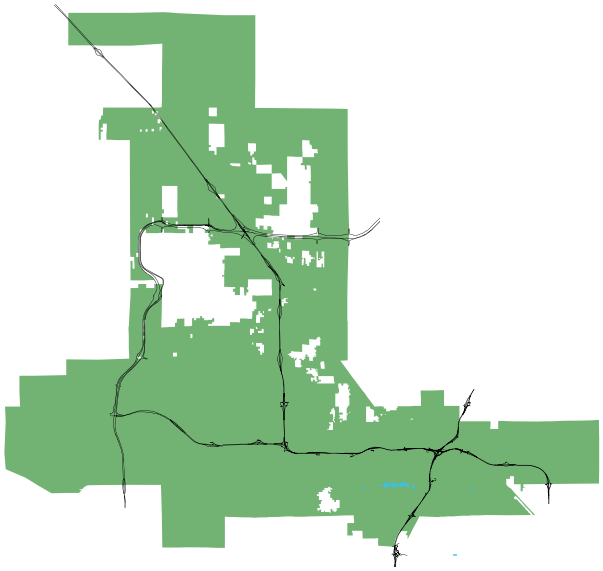
C. Uses

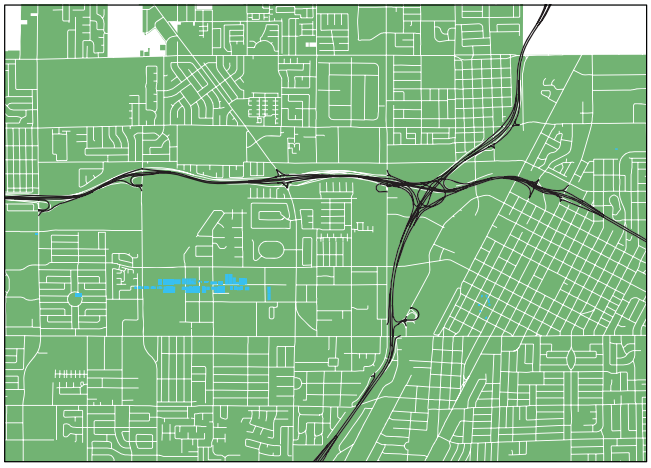
In addition to any applicable standards that may exist for a particular use, uses within the CD-O District shall also conform to the standards referenced in LVMC 19.12.080.

Illustrations & Graphics

CD-O
19.10.090

FIGURE 1 - DESIGNED COMMERCIAL OVERLAY DISTRICT MAPS





MAPS ARE REPRESENTATIVE OF WHERE THE CD-O DISTRICT IS LOCATED.

SEE THE OFFICIAL ZONING MAP ATLAS FOR THE EXACT LOCATION OF PROPERTIES WHICH CURRENTLY FALL WITHIN THE CD-O (DESIGNED COMMERCIAL OVERLAY) DISTRICT.

DC-O DOWNTOWN CASINO OVERLAY DISTRICT

A. Boundaries

There is hereby created the Downtown Casino Overlay District, whose boundaries are depicted in Figure 1. Within the Downtown Casino Overlay District (referred to in this Section as the "District"), a sub-district is created, to be referred to as the Special Signage Sub-district (or the "Sub-District"), whose boundaries are also depicted in the map that appears ~~below~~ in Figure 2.

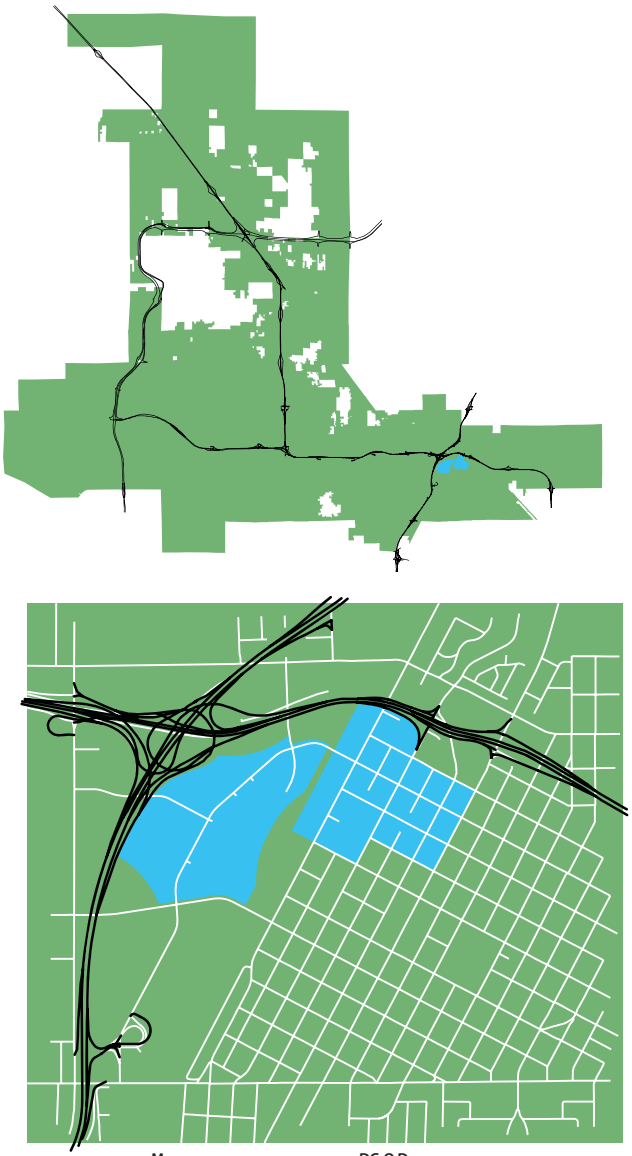
B. Special Sign Standards-Background

The area encompassed by the Downtown Casino Overlay District contributes greatly to the international identity, historical significance, and economic welfare of the City of Las Vegas. One of the key characteristics of this area virtually since its inception is the prominence of neon and illuminated signage, especially within the area encompassed by the Sub-district. Recognizing the unique role of such signage in this context, it is important to provide sign standards that apply only within this District, in order to ensure that future sign development is consistent with the appearance of established signage themes within this District and generates excitement and positive visual interest. The sign standards that follow initially will apply only to property within the Sub-district, with the possibility of expanded application in the future. The sign standards that follow have been developed to promote the general health, safety and welfare of the citizens and visitors, to maintain and enhance the historic Fremont Street sign character, and specifically to address the following issues:

1. **Encourage displays of signage to enhance the District as a nationally recognized place** - Although Las Vegas is nationally and internationally renowned for its role as the world's gaming capital, possibly the most visible symbol of this role is the exuberant and abundant signage of its casinos and related businesses. The continued development of more and better signage will continue to enhance this role.

2. **Preserve the tradition of neon art made famous by the casinos of Fremont Street** - Of all the types of signage in Las Vegas, neon signage ~~fixtures~~ figures most prominently in the history of the City and generates the greatest affection of both visitors and local residents. It is important that not only new signage continue this tradition of neon art, but also that the remaining and salvaged neon signs be refurbished, preserved and displayed in proximity to the Fremont Street Experience and

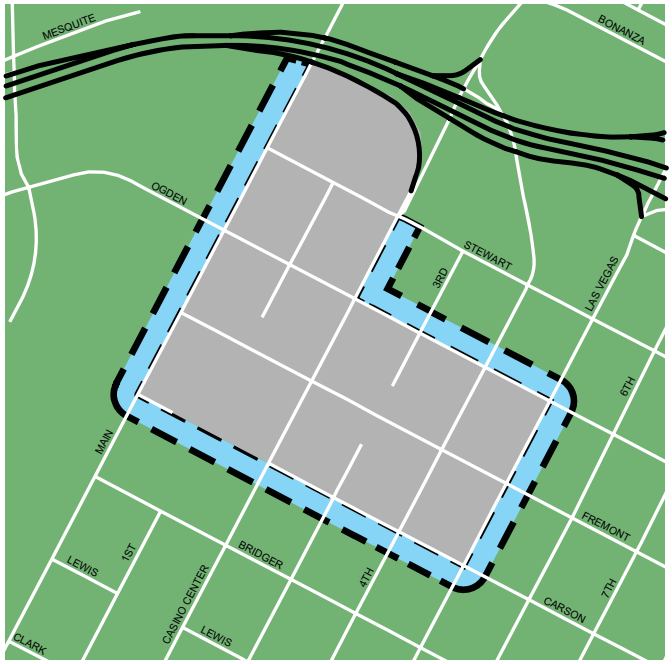
FIGURE 1 - DOWNTOWN CASINO OVERLAY DISTRICT MAPS



MAPS ARE REPRESENTATIVE OF WHERE THE DC-O DISTRICT IS LOCATED.

SEE THE OFFICIAL ZONING MAP ATLAS FOR THE EXACT LOCATION OF PROPERTIES WHICH CURRENTLY FALL WITHIN THE DC-O (DOWNTOWN CASINO OVERLAY) DISTRICT.

FIGURE 2 - SPECIAL SIGNAGE SUBDISTRICT



MAP IS REPRESENTATIVE OF WHERE THE DC-O DISTRICT "SPECIAL SIGNAGE SUB-DISTRICT" IS LOCATED, ALONG WITH THE ASSOCIATED 125-FOOT BUFFER AREA.

surrounding area. Maintaining and preserving the history of "Glitter Gulch," which is unique to Las Vegas, is vital to the ongoing sense of community and pride for the City. There will, therefore, be a general expectation that future signage development within the area around the Fremont Street Experience will contribute to the sense of the area as a special place.

3. **Celebrate the best of the sign makers' art** - The neon and animated signage displayed within the District represents some of the most complex signage ever produced, and is the state of the sign makers' art at this point in time. It is important that this District continue to provide a forum for cutting-edge signage and displays, particularly in neon and animated forms, which will support and bolster the reputation of Las Vegas in these areas.

4. **Strengthen the standing of the District as an integral and essential component of Downtown Las Vegas** - The development of additional signage, particularly in relation to existing, new and future development along the Fremont Street corridor, can enhance the visually exciting character of the existing signage along Fremont Street, including the spectacular canopy shows, if it is illuminated, animated, or neon in character.

5. **Preserve, protect and enhance the historic character of the District** - Many of the historically significant signs and displays incorporate distinct and readily identifiable images, such as the famous "Vegas Vic" neon sign. It is important that the future advertising within this area consider the use of iconic images or three-dimensional representations that can be compatible with the established historical context of the District.

6. **Improve the quality and appearance of new development within the District** - Advertising signage, particularly that involving the use of neon displays or animated features, can be an excellent way of attracting attention in a positive way to new development within the District. Whereas some areas can be spoiled through signage, the established character of this District, much like Times Square in New York City, can only benefit through enhanced signage on new development and older buildings, provided that new signage is compatible with established, existing signage in the area.

7. **Provide freedom of architectural and artistic expression within the District** - One of the hallmarks of casino development in Las Vegas has been the flexibility with which a variety of

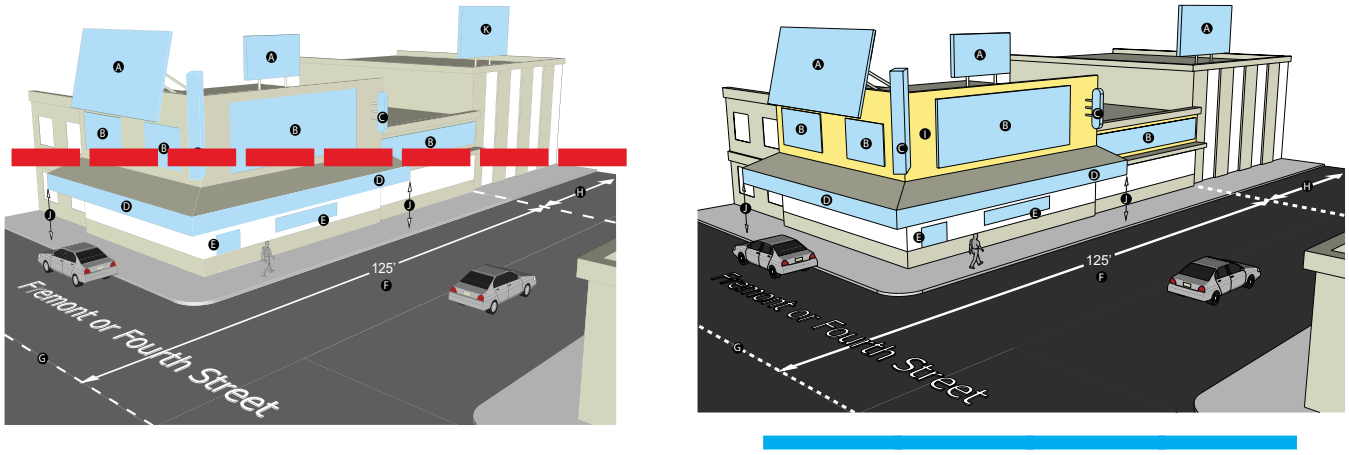


FIGURE ~~2~~ 3

Table 1. Special Sign Standards Illustration Key (see Figure ~~2~~ 3)

A.	Roof Sign
B.	Wall Sign
C.	Projecting Sign
D.	Marquee Sign
E.	Storefront Wall Sign
F.	125-foot Buffer Area

G.	Fremont or Fourth Street Frontage
H.	Non-buffer Area
I.	Eligible Wall Sign Area
J.	Minimum Sign Clearance
K.	Non-buffer Area Signage

architectural styles and features have been blended to create a unique urban form. It is important that signage can also be freely designed to create visual interest that matches and supports the architectural interest of the buildings themselves.

8. **Encourage the redevelopment of the area** - In order for properties within the District to compete successfully in the regional Las Vegas casino environment, it is vital that redevelopment of vacant or underutilized sites be encouraged by all available means. Although such expansion may include new casino development, redevelopment can also mean other forms of new development, such as retail and freestanding entertainment venues, including new signage that creates a visually exciting and vibrant atmosphere within the District.

C. Special Sign Standards

1. Signs on parcels within the Sub-district are exempt from the sign regulations contained in this Title to the extent that those regulations are inconsistent with the provisions of this Section. Provisions of this Title related to signage that are not inconsistent with the provisions of this Section shall continue to apply to signs within the District. Such provisions of this Title related to signage may be applied by the Director or be made applicable as part of the review and approval process set forth in this Section.

2. Any sign existing in the District as of January 2, 2002 that conforms to the provisions of this Title related to signage or has been allowed to continue under nonconforming status may continue under the provisions of this Section as long as a current permit is maintained, the sign is structurally sound and in good working order, and the sign does not create a public nuisance or otherwise violate any ordinance, regulation or statute. Except as otherwise provided by ordinance, any such sign shall not be subject to removal or modification by reason of any amendment to this Title.

3. The sign standards contained in this Section shall:

   a. Be interpreted and applied with reference to the background provisions set forth in Subsection (B) above;

   b. Apply to all property, development, expansion and renovation within the Sub-district except property located within the boundaries of the Pedestrian Mall, as described in LVMC Chapter 11.68; and

   c. Apply to any building facade within 125 feet of the centerline of the streets that border the Sub-district (referred to hereafter as the "buffer area."). (See "F" of Figure ~~2~~ 3)

4. The development, construction, expansion, or renovation of freestanding signs within the Sub-district is prohibited, except signs that:

   a. Belong to or are within the Neon Museum collection;

   b. Have been declared by the Las Vegas Historic Preservation Commission to be "historic" or "contributing"; or

   c. Are components of a way finding system or identity program for the Sub-district.

5. Each wall-mounted sign within the Sub-district shall be a minimum of 10 feet vertically above the height of the finished sidewalk along public rights-of-way and public pedestrian pathways. (See "J" of Figure 2) On-premise signs that do not exceed 65 square feet in size are exempt from this requirement, provided that there is a separation between such signs of at least 50 linear feet along the right-of-way or pathway. (See "E" of Figure ~~2~~ 3)

6. Of all signage to be placed along Fourth Street, or along any street that is adjacent and perpendicular to Fourth Street and is within 125 feet of the centerline of Fourth Street, at least 75% of the total sign surface areas must consist of neon signs or animated signs, or a combination thereof. (See "A," "B," "C," "D," and "E" of Figure ~~2~~ 3) Of all signage that is not within the areas described in the preceding sentence, the minimum percentage of neon or animated signage, or combination thereof, is 50%. (See "K" of Figure 2)

7. Individual sign surface areas shall not exceed a total of 1,500 square feet.

8. For any one wall, the maximum wall coverage for the composite total of all sign surface areas shall not exceed 50% of the eligible wall signage area, as depicted in Figure ~~3~~ 4. This limitation does not apply to roof signs located above the roofline of the building facade nor to transparent "building wrap" signage.

9. The minimum separation distance between off-premise signs shall be ~~5~~ five feet.

10. The total sign surface area of each wall mounted, roof mounted, or parapet mounted sign shall not exceed 1,500 square feet, and no such sign shall extend vertically more than 20 feet above the height of the parapet.

11. Animated signs must be fully operational and continuously animated 24 hours a day. Changes to the image or other animation feature must occur no less frequently than every 30 seconds, except when required maintenance or change of message dictates otherwise.

12. Each off-premise sign with at least two rotating or changing messages, images or contents, must change at least once every 30 seconds, and the sign must be framed by a decorative faceplate or frame that is at least 18 inches in width and that includes at least one band of illuminated neon tubing completely surrounding the sign.

13. At least 75% of off-premise signs are encouraged to be used to advertise places, products, goods, services, idea or statements whose subject is available or located within the District.

14. It is recommended that all signs be fully illuminated from at least one hour before dusk until one hour after dawn. Signs may be fully illuminated during daylight hours also.

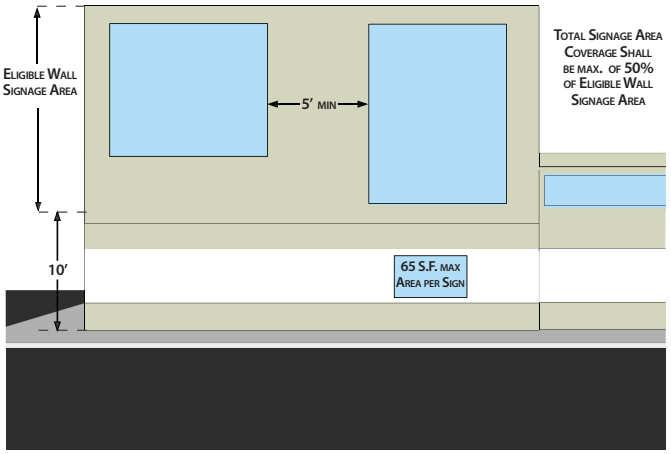
15. Signs may not encroach into any public right-of-way, or any intersection more than ~~8~~ eight feet perpendicular to the building wall to which the sign is attached. (See Figure ~~4~~ 5) Marquee signage along Fourth Street is exempt from this limitation. The city does not encourage encroachment of signage into public rights-of-way, and the applicant or sign owner must obtain all necessary encroachment approvals before the installation of any sign.

16. The owner and operator of each sign is responsible for ensuring that appropriate sign maintenance occurs and that repairs of damaged signs are accomplished promptly.

D. Special Sign Standards-Review and Approval Procedures

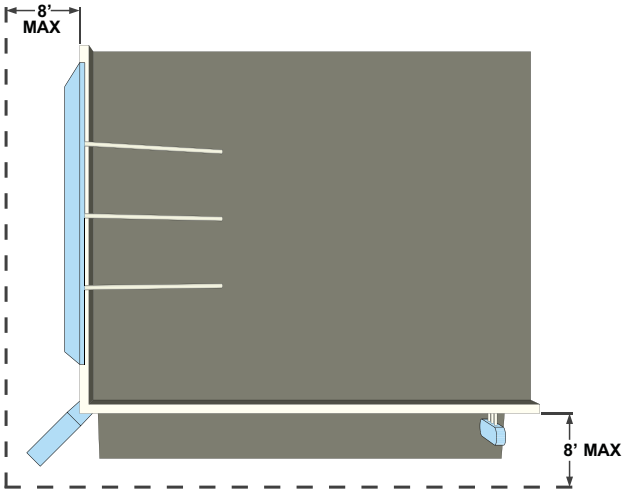
1. **Downtown Design Review Committee.** There is hereby created a Downtown Design Review Committee (DDRC) for the review of signs proposed to be located within the District. The DDRC shall be composed of:

FIGURE ~~3~~ 4 - MAXIMUM ELIGIBLE WALL COVERAGE



THE CITY DOES NOT ENCOURAGE THE ENCROACHMENT OF SIGNAGE INTO PUBLIC RIGHTS-OF-WAY. WHERE ALL NECESSARY APPROVALS HAVE BEEN RECEIVED, SIGNS MAY NOT ENCROACH INTO ANY PUBLIC RIGHT-OF-WAY, OR ANY INTERSECTION MORE THAN 8 FEET.

FIGURE ~~4~~ 5 - SIGNAGE PROJECTION (TOP DOWN VIEW)



THE CITY DOES NOT ENCOURAGE THE ENCROACHMENT OF SIGNAGE INTO PUBLIC RIGHTS-OF-WAY. WHERE ALL NECESSARY APPROVALS HAVE BEEN RECEIVED, SIGNS MAY NOT ENCROACH INTO ANY PUBLIC RIGHT-OF-WAY, OR ANY INTERSECTION MORE THAN 8 FEET.

a. Two members of the Planning Commission appointed by the Commission;

b. One representatives of the Department designated by the Director;

c. One representative of the City's Office of Business Development, designated by its Director; and

d. Three owners of businesses located within the District, as appointed by the Mayor.

The DDRC shall have the authority to review and approve application for all signs, subject to the provisions of this Section. Members shall serve three-year terms and may be reappointed.

2. **Application Process.** Sign applications shall be submitted to the Department. The Department shall forward the application to the DDRC for review and action. The DDRC shall review the application and shall approve, approve with conditions, or deny the application.

3. **Design Review Provisions.** The following design review procedures shall apply:

a. The DDRC may approve a sign application for single or multiple uses if it determines that each sign is compatible with the theme and overall character to be achieved in the area. The DDRC shall base its assessment of compatibility on the following criteria:

i. The application's compliance with the standards identified in this Section.

ii. The relationship of the scale and placement of the sign to the building or premises upon which it is to be displayed.

iii. The relationship of colors of the sign to the colors of adjacent buildings and nearby street graphics.

iv. The similarity or dissimilarity of a sign's size and shape to the size and shape of other signs in the area.

v. The similarity or dissimilarity of the style of lettering on the sign to the style of lettering of nearby street graphics.

vi. The compatibility of the type of illumination, if any, with the type of illumination in the area.

vii. The compatibility of the materials used in the construction of the sign with the material used in the construction of other signs in the area.

viii. The aesthetic and architectural compatibility of the proposed sign with the building upon which the sign is suspended, including its signage, and with the surrounding buildings and their signage.

ix. The sign's use of high quality, durable materials such as hardwoods, painted wood, metal, stainless steel, painted steel, brass or glass.

b. Applications for the design review of signs shall be processed as follows:

i. An application shall include: Ten complete sets of plans which contain visual representations of the lettering, illumination, color, area and height of graphics, and which also indicate the areas and building elevations where they are to be placed and located; photographic or drawn elevations of a minimum of 266 feet of frontage, with proposed signs superimposed, to show the context and perspective of the proposed signs; a drawing of each sign at one-half inch to one-inch scale; and any other items required by the Director or the DDRC.

ii. Applications shall be forwarded to the DDRC by the Department at least one week prior to the regularly scheduled DDRC meeting.

iii. Approval or denial of an application by the DDRC shall be made in writing with reasons for approval, denial, or approval with conditions, within three days following each DDRC meeting. In the event written notification of the action is not provided within that period, the application shall be deemed to have been denied. Decisions of the DDRC may be appealed to City Council in accordance with the provisions of Paragraph (5) below.

4. **Waivers.** The DDRC is authorized to waive any of the sign standards set forth in Subsection (C), other than the prohibitions contained in Paragraph (4) thereof, if:

a. The applicant establishes that a waiver is warranted based upon conditions specific to the parcel; and

b. The DDRC determines that the waiver:

i. Will not compromise the design objectives of the sign standards; and

ii. Will further the City's redevelopment efforts.

5. **Appeals.** The applicant may appeal a decision of the DDRC 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 in the office of the Department. The appeal must be filed within 10 days after notification of the administrative decision has been given (or within 10 days after the deadline for notification has passed), 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.

6. **Rules and Regulations.** The DDRC shall have the authority to adopt rules and regulations concerning its administrative procedures.

DCP-O DOWNTOWN CENTENNIAL PLAN OVERLAY DISTRICT

A. Intent

The intent of the Downtown Centennial Plan Overlay District is to establish special design standards for development within the City's established urban core. The boundaries of the District shall be coterminous with the boundaries of the Las Vegas Downtown Centennial Plan (see Figure 2), as adopted by ordinance, and as the boundaries may be amended from time to time.

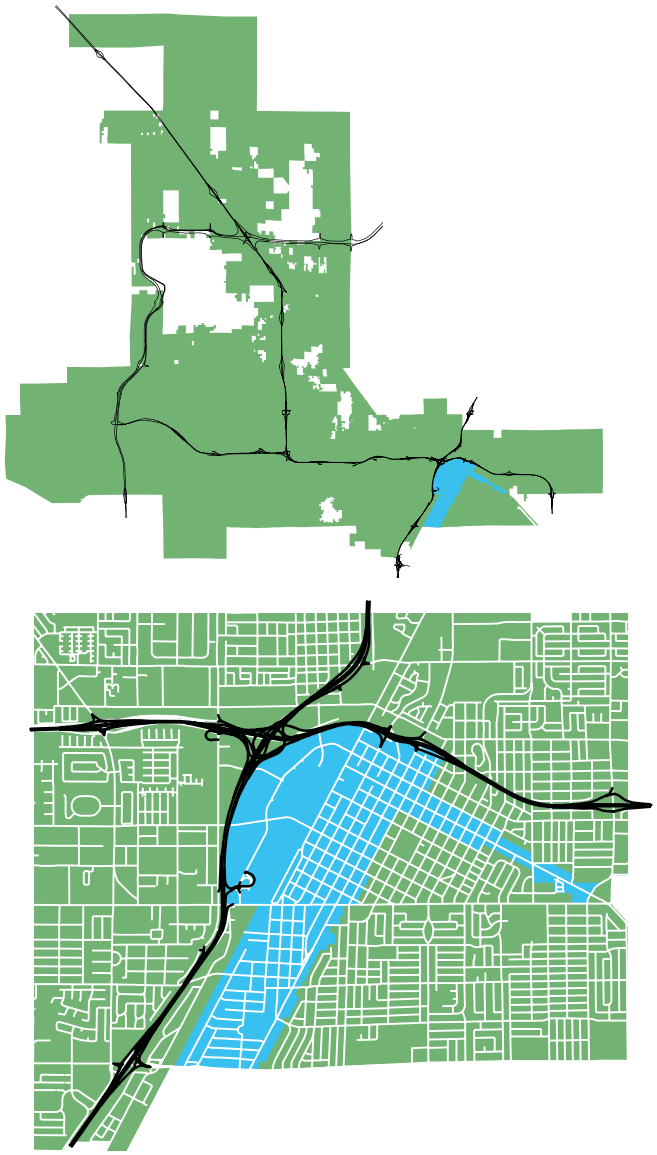
B. Downtown Design Standards

Development within the Downtown Centennial Plan Overlay District shall conform to the Downtown Las Vegas Design Standards (the "Design Standards"), which are included within the Las Vegas Downtown Centennial Plan. Those Design Standards are adopted and incorporated by this reference. In addition, development within the boundaries of any sub-districts within the Downtown Centennial Plan Overlay District shall conform to applicable Design Standards that have been adopted for that sub-district. As and when such Design Standards for sub-districts are adopted, they shall be deemed to be incorporated into this Subsection by this reference. Copies of all Design Standards adopted by the City Council (whether published separately or not) shall be on file in the Office of the City Clerk and in the ~~Planning and Development~~ Department. The Downtown Centennial Plan Design Standards are mandatory and shall apply to any property and zoning category within the District, and any Design Standards adopted for any sub-district are mandatory and shall apply to any property and zoning category within the sub-district to which they pertain. Design Standards referred to in this subsection may be amended from time to time by ordinance or by resolution of the City Council. If the City Council adopts more restrictive design standards for one or more additional sub-districts within the Downtown Centennial Plan Overlay District, those more restrictive standards shall apply to the sub-district to which they pertain.

C. Special Provisions

In order to encourage the development of a complex, visually interesting and urbane walkable mixed-use environment, and to encourage transit-oriented development as future transit routes and stations develop within the Downtown area, properties within the Downtown Centennial Plan Overlay District are exempt from the automatic application of the mandatory maximum building height, required building setback, maximum lot coverage, residential adjacency, standard landscap-

FIGURE 1 - DOWNTOWN CENTENNIAL PLAN OVERLAY DISTRICT MAPS

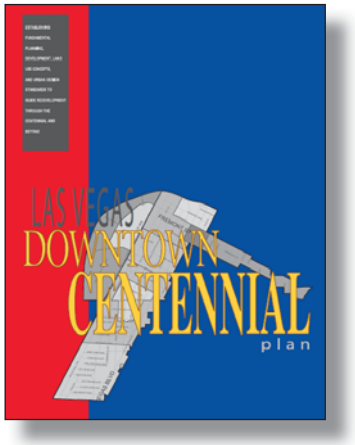


MAPS ARE REPRESENTATIVE OF WHERE THE DCP-O DISTRICT IS LOCATED.

SEE THE OFFICIAL ZONING MAP ATLAS FOR THE EXACT LOCATION OF PROPERTIES WHICH CURRENTLY FALL WITHIN THE DCP-O (DOWNTOWN CENTENNIAL PLAN OVERLAY) DISTRICT.

ing requirements, and standard parking requirements in this Title. However, the exemption does not prohibit City staff, the Planning Commission, and the City Council from imposing limitations on the approval of a Site Development Plan. Site Development Plan applications within the Downtown Centennial Plan Overlay District shall be evaluated on a case-by-case basis to determine the extent to which those standards shall be required.

FIGURE 2 - LAS VEGAS DOWNTOWN CENTENNIAL PLAN



DEVELOPMENT WITHIN THE DCP-O DISTRICT MUST CONFORM TO THE PROVISIONS OF THE LAS VEGAS DOWNTOWN CENTENNIAL PLAN.

DE-O DOWNTOWN ENTERTAINMENT OVERLAY DISTRICT

A. Establishment of the District

There is hereby created the Downtown Entertainment Overlay District (the "District"), consisting of that area of the City bounded by Ogden Avenue on the north, Carson Avenue on the south, Las Vegas Boulevard on the west and 8th Street on the east. The boundaries are depicted in Figure 1.

B. Intent of District

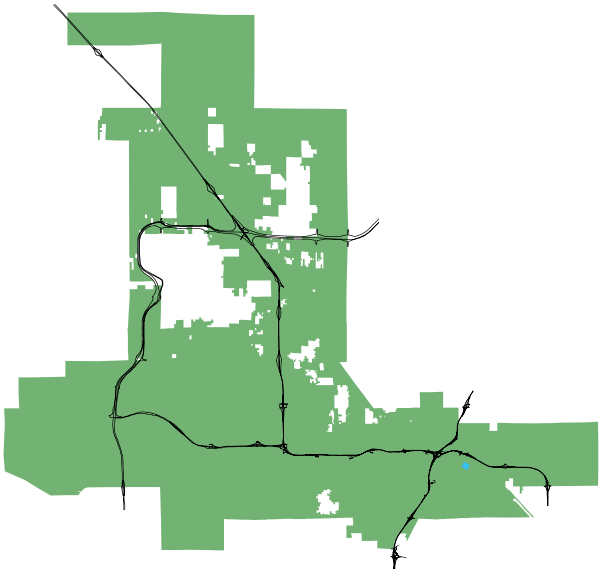
The creation of the District is intended to further the City's downtown redevelopment plans in the spirit of restoring downtown Las Vegas as a dynamic, vibrant center for the entire Las Vegas Valley. Creation of the District is also intended to:

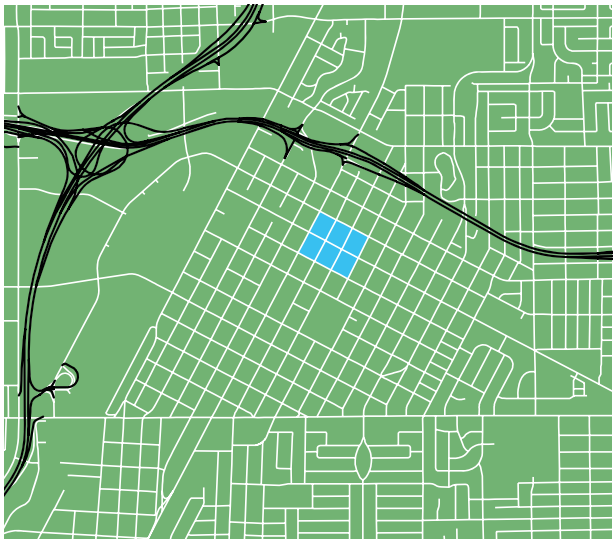
1. Create a safe and secure environment;
2. Eliminate urban blight;
3. Revitalize surrounding neighborhoods;
4. Foster economic development opportunities and expand free enterprise;
5. Eliminate criminal activities;
6. Make the ~~East~~ Fremont East area a community of choice for business and citizens;
7. Adjust the zoning and licensing restrictions to encourage non-gaming blues and jazz nightclubs, comedy clubs, and other musical entertainment venues;
8. Leverage the popularity of the nearby Neonopolis and Fremont Street Experience attractions with the proposed physical proximity of the new district;
9. Encourage and facilitate the creation of an improvement district for a commercial area vitalization project for the District.

C. Separation Requirements for Liquor Establishments

For any liquor establishment (tavern), supper clubs, restaurant service bar, or other liquor-serving establishment that is approved by means of Special Use Permit for a parcel located within the District, the distance separation requirements set forth in LVMC Chapter 19.12 shall not apply. The Special Use Permit approval may

FIGURE 1 - DOWNTOWN ENTERTAINMENT OVERLAY DISTRICT MAPS





MAPS ARE REPRESENTATIVE OF WHERE THE DE-O DISTRICT IS LOCATED.

SEE THE OFFICIAL ZONING MAP ATLAS FOR THE EXACT LOCATION OF PROPERTIES WHICH CURRENTLY FALL WITHIN THE DE-O (DOWNTOWN ENTERTAINMENT OVERLAY) DISTRICT.

include conditions designed to mitigate any impacts related to distance separation.

D. Parking Requirements

For any banquet facility, restaurant, café, tavern, bar, supper club, billiard parlor, nightclub/discotheque, general retail store or video arcade that is approved by means of Special Use Permit or otherwise for a parcel located within the District, the on-site parking requirements set forth in this Title shall not apply. The Special Use Permit or other approval may include conditions designed to mitigate any impacts related to parking.

E. Signage Standards

All new signage shall incorporate exposed neon, LED, animation, or any combination thereof, in at least fifty percent of the total surface area of such signage.

F. Review and Approval Procedures (General)

Except as otherwise provided in this Subsection (F), any application for development within the Downtown Entertainment Overlay District shall be processed in accordance with the normal review and approval processes set forth in LVMC Chapter 19.16. Any application for new signage shall be processed in accordance with the procedures described in Subsection (D) of LVMC 19.10.100.

G. Special Use Permits for Tavern-Limited Establishment

1. A Special Use Permit for a tavern-limited establishment shall be processed in accordance with the Special Use Permit provisions of LVMC 19.16.110. A Special Use Permit for this use may be approved if it meets the Special Use Permit criteria generally, the criteria for a tavern-limited establishment, and the criteria set forth in this Subsection (G).

2. The approval of a Special Use Permit for a tavern-limited establishment may include such conditions as may be recommended by City staff and the Planning Commission, and imposed by the City Council.

H. Relationship to Other Provisions

All provisions of this Title shall apply to property within the District except to the extent that they conflict with the provision of this Section.

19.10.130

G-O GAMING ENTERPRISE OVERLAY DISTRICT

A. Intent

The intent of the Gaming Enterprise Overlay District is to reflect the implementation of the provisions of LVMC Chapter 6.40 and State law that pertain to gaming enterprise districts. The boundaries of the Gaming Enterprise Overlay District are as set forth in the map or maps established under LVMC Chapter 6.40.

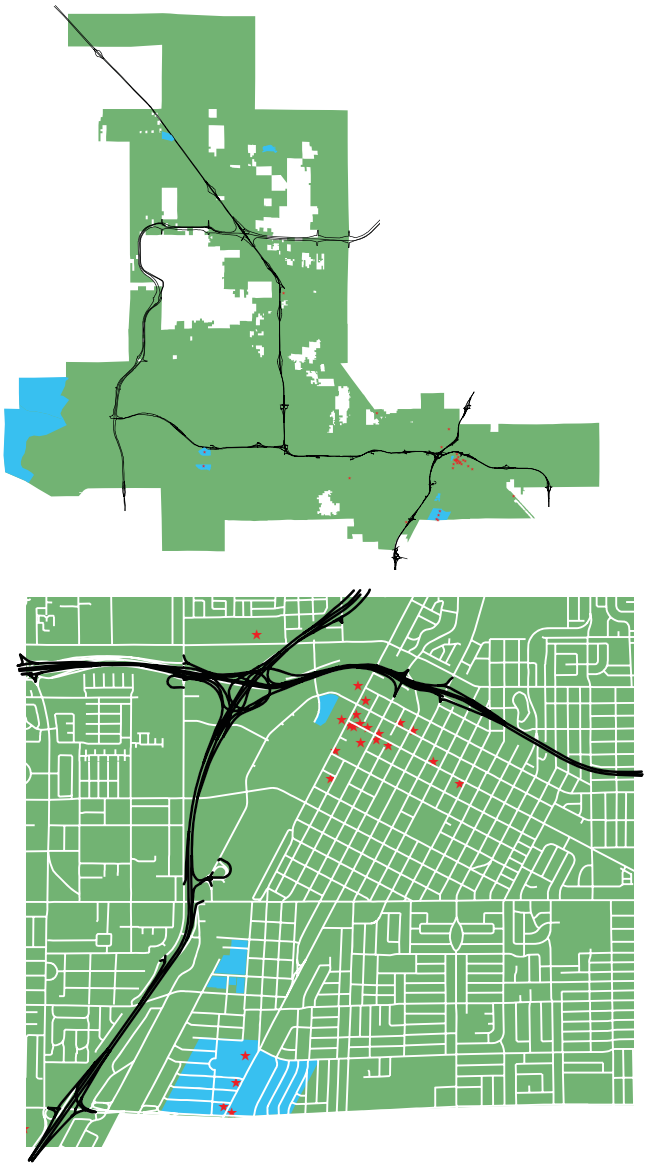
B. Change of Boundaries

Any change to the boundaries of the Gaming Enterprise Overlay District shall be in accordance with the rezoning procedures established in LVMC 19.16.090, as well as the requirements of State law and LVMC 6.40.160.

C. Height Standard Exemption

All licensed gaming establishments within the Gaming Enterprise Overlay District are exempted from the automatic application of any height limitations specified in LVMC Chapter 19.08. However, the exemption does not prohibit the City Council from imposing a similar or equivalent height limitation in connection with the approval of a ~~Site Development Plan~~ site development plan.

FIGURE 1 - GAMING ENTERPRISE OVERLAY DISTRICT MAPS



MAPS ARE REPRESENTATIVE OF WHERE THE G-O DISTRICT IS LOCATED.

SEE THE OFFICIAL ZONING MAP ATLAS FOR THE EXACT LOCATION OF PROPERTIES WHICH CURRENTLY FALL WITHIN THE G-O (GAMING ENTERPRISE OVERLAY) DISTRICT.

19.10.140

HS-O HILLSIDE DEVELOPMENT OVERLAY DISTRICT

A. Introduction

The west boundary of the City of Las Vegas abuts the Spring Mountain Range. A significant portion of the area along this boundary is designated as national conservation and wilderness area. Eventually the foothills leading up to this area will be affected by development and will require special consideration and a development style that will provide for the unique situations which result from the slope of the land.

B. Adoption, Purpose and Intent

1. The purposes of this Section are to:

a. Adopt criteria for the development of properties within hillside areas, which are defined as any portion of land with a vertical slope of fifteen percent or greater; and

b. Ensure that development in hillside areas is in compliance with the goals, policies, and implementing strategies of the Las Vegas 2020 Master Plan, namely, Policy 3.5.3, which provides as follows:

Policy 3.5.3: That, where possible, development be designed and oriented to ensure that view sheds of the mountain ranges surrounding the Las Vegas Valley are preserved, possibly through the development of a foothills ordinance or a set of specific urban design guidelines.

2. This Section:

a. Shall apply to development with natural slopes of fifteen percent or more;

b. Is intended to encourage and guide low density, rural type, large lot or cluster, single family residential development that is designed to be compatible with the hillside terrain and its environment; and

c. Is intended to guide the design of development to work with the land, rather than to alter the land to accommodate the development.

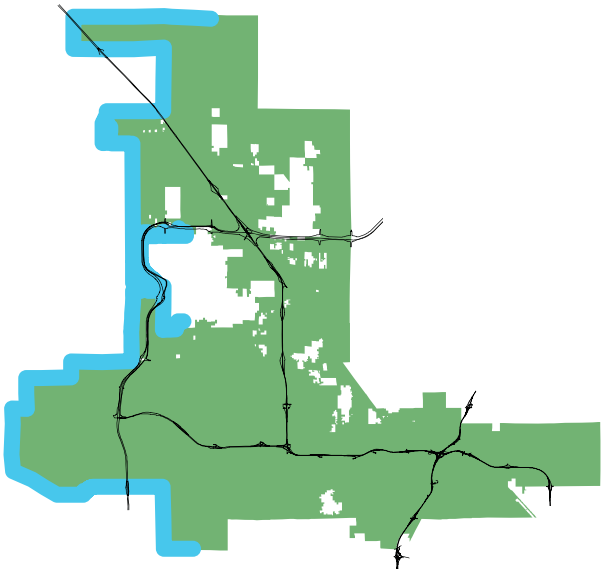
3. In general, all development in hillside areas shall be designed with the following considerations:

a. Protect and conserve significant natural and visual resources, including major boulder

Illustrations & Graphics

HS-O
19.10.140

FIGURE 1 - HILLSIDE DEVELOPMENT DISTRICT MAP



MAP IS REPRESENTATIVE OF WHERE THE HS-O DISTRICT IS LOCATED.

SEE THE SPECIFIC REQUIREMENTS LISTED IN THIS SECTION FOR THE LOCATION AND SITE CONDITIONS THAT QUALIFY PROPERTIES TO FALL WITHIN THE HS-O (HILLSIDE DEVELOPMENT OVERLAY) DISTRICT.

FIGURE 2 - SITE DESIGN - TERRAIN-ADAPTIVE ARCHITECTURE

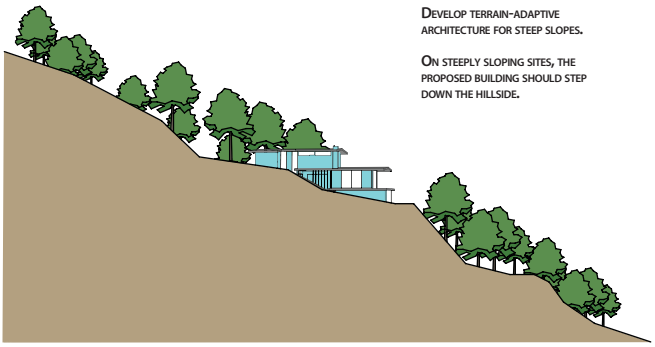
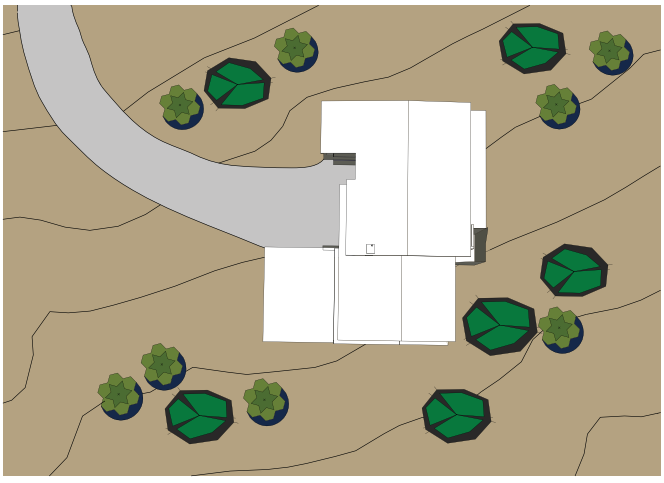


FIGURE 3 - SITE DESIGN - VEHICULAR ACCESS



SIDE GARAGE ACCESS REQUIRES LESS SITE DISTURBANCE

outcrops, major ridges and peaks, prime wildlife habitat, and unique vegetation specimens;

b. Protect people and property from potentially hazardous conditions that are particular to mountains and hillside areas, including rock falls, other unstable slopes, flooding, subsidence, erosion and sedimentation, range fires, soils with high shrink swell capacity, foundation instability, and air pollution;

c. Protect water quality, air quality, and other resources, such as soil and natural vegetation, from incompatible land uses;

d. Minimize the public costs of providing public services and facilities such as streets, water, sewer, emergency services, sanitation services, parks and recreation;

e. Ensure that decisions regarding development in hillside areas are based on complete and accurate information about the environmental conditions and probable development impacts;

f. Minimize the impacts of development by controlling the location, intensity, pattern, design, construction techniques, and materials of development and construction;

g. Maintain significant open spaces that provide view corridors and land use buffers, and maintain the City's unique desert setting;

h. Protect landmarks, prime wash area habitats, and environmentally sensitive lands, while also recognizing the legitimate expectations of property owners and the City's overall economic goals;

i. Encourage innovative planning, design, and construction techniques for development in environmentally sensitive areas; and

j. Minimize grading and site disturbance to maximize compatibility with the natural terrain.

C. Standards and Guidelines

Development plans must demonstrate compliance with this Section. However, there is flexibility in the degree to which a requirement of this Section may be addressed by a development plan and the method used to comply. An applicant who believes that a particular standard does not or should not apply to the applicant's project has the burden to demonstrate why not, and to

provide a solution that will meet the intent of the goals and objectives of this Section.

1. Density

a. The maximum density for a proposed development shall be that permitted by the adopted plan for the area in which the proposed development is located. Where no specific plan for that area has been adopted, the maximum density shall be that established by the land use element of the General Plan.

b. The maximum recommended density within hillside development is two units per acre. Large lot development is encouraged. Nonresidential development other than public facilities is discouraged.

c. One hundred percent site disturbance may occur on areas of a lot or parcel with a slope of less than fifteen percent. Sites with a slope of fifteen percent or greater are subject to the allowable maximum percentage of site disturbance as set forth below:

Slope	Maximum Site Disturbance	Minimum Undisturbed Area of Site
15% to 25%	50%	50%
Over 25%	35%	65%

d. Density and site disturbance may be transferred from portions of a lot or parcel with a slope of fifteen percent or greater to any other portion of the lot, parcel or development site. The portions of the lot or parcel from which density and site disturbance are transferred shall be designated as natural areas. The gross density of the parcel(s) to which density is transferred shall not exceed that allowed by the zoning of the property.

2. Site Design (See Figures 2, 3 and 4)

a. Structures shall be sited in a manner that will fit into the hillside's contour and relate to the form of the terrain. This may be done through a variety of methods, such as varying setbacks and structure heights; the use of innovative building techniques (e.g., earth shelter or earth berm construction); and retaining walls.

FIGURE 4 - SITE DESIGN - MINIMAL GRADE/SITE DISTURBANCE

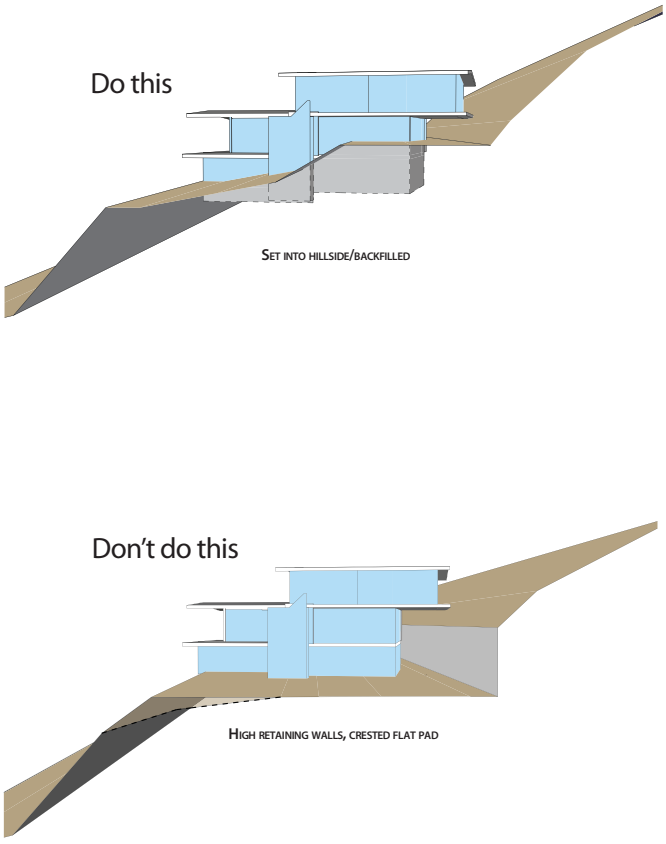
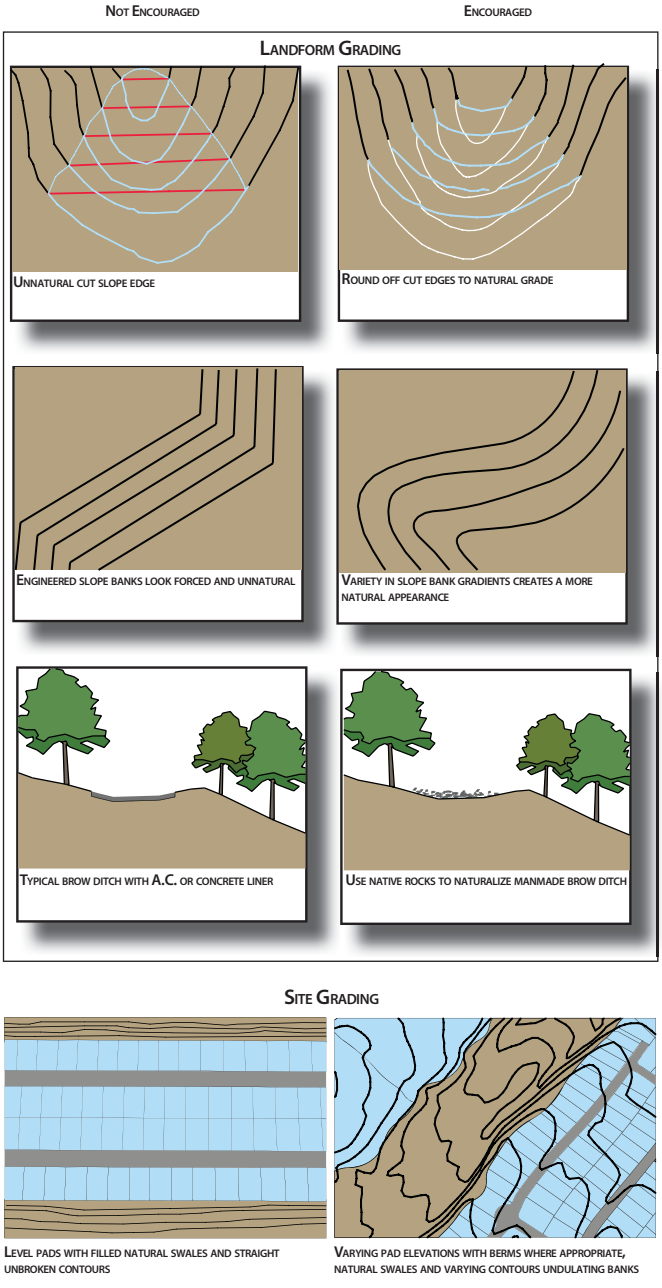


FIGURE 5 - GRADING



b. Site design should take into account the need to do the following, while maintaining the natural character of a hillside area:

i. Preserve vistas of natural hillside areas and ridgelines from "key vantage points";

ii. Preserve views from existing development; and

iii. Allow new dwellings access to views similar to those enjoyed from existing dwellings.

c. Site design should allow for different lot shapes and sizes, as well as split development pads, with the prime determinant being the natural terrain.

3. Grading, Slope Stabilization, Drainage Design

Disturbance to the natural landform should be minimized, should not destroy visual quality and community character, and should not create conditions that result in flooding or erosion. Grading design should address both safety and aesthetics, incorporating the following requirements and guidelines:

a. Portions of a site or lot that are to be graded must be clearly shown on the grading plan.

b. Landform or contour measures should be utilized to produce cut and fill slopes that are compatible with existing land character. Continuous unbroken slope surfaces that are visible from off the site are discouraged.

c. Berms at top of slopes and other locations should be used to screen, vary profile, and insure drainage away from slopes.

d. Where any cut or fill slope exceeds ten feet in horizontal length, the horizontal contours of the slope shall be developed to appear similar to the existing natural contours. (See Figure 5)

e. Grading should be balanced on site whenever possible to avoid excessive cut and fill, and to avoid the unnecessary import or export of earth material.

f. No grubbing, grading or clearing shall occur prior to the approval of civil improvement plans and final grading plans by the Director of Public Works and the issuance of a grading permit. Grubbing, grading, clearing and stockpiling are only to occur in areas identified

for those activities on the approved grading plan.

g. All portions of the site or lot that are to be left ungraded are to remain undisturbed, and are not to be used for stockpiling of materials or excess fill.

h. Areas on a site that are designated as natural areas shall be temporarily fenced, or a barrier placed where they abut construction areas, in order to prevent any disturbance of the natural area.

i. Disturbed areas shall be restored as close as possible to their natural condition by using eonite, permeon, or a similar approved process designed to restore natural color to the landscape.

j. Sides of roadways and driveways that are disturbed shall be revegetated, revarnished, or both.

k. Cut or fill design on slopes that encroach into a floodplain must be approved by the Director and the Director of Public Works concurrent with final grading plan approval.

l. Pad elevations above street level shall be varied to avoid the appearance associated with monotonous, flat, level pads.

m. Unless addressed by means of a retaining wall, slopes that are steeper than thirty three percent, and slopes for which such stabilization is recommended or required by a geotechnical report, shall be stabilized with properly engineered stone rip rapping, sculptured rock or other similar material as follows:

i. Stabilizing material shall blend with the natural appearance of the site or lot and its surrounding terrain.

ii. Vegetation retention and revegetation shall be used in conjunction with rip rapping.

iii. All site revegetation and varnishing shall be completed within ninety days after completion of work or prior to issuance of a final inspection approval, whichever occurs first.

n. Project designs shall be in accordance with the Clark County Regional Flood Control District

FIGURE 6 - MAXIMUM BUILDING HEIGHT

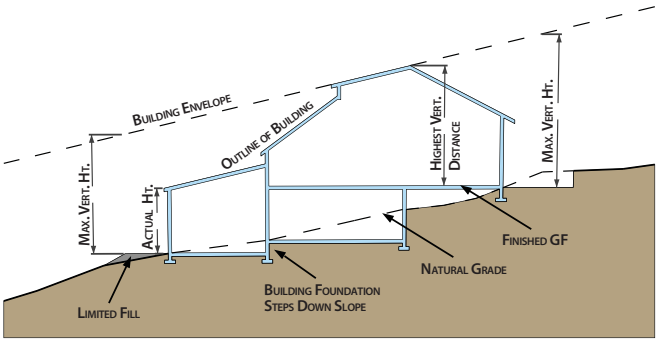
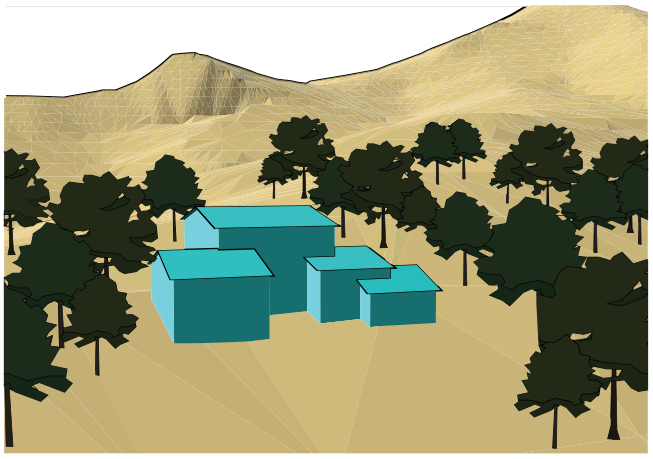


FIGURE 7 - ROOFLINES AND ELEMENTS REFLECT RIDGELINE SILHOUETTES



ROOF FORMS ARE KEPT SMALL AND REFLECT THE SURROUNDING TOPOGRAPHY

FIGURE 8- CLUSTERED DEVELOPMENT

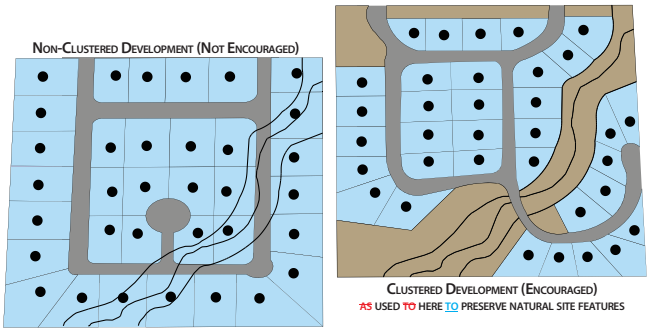
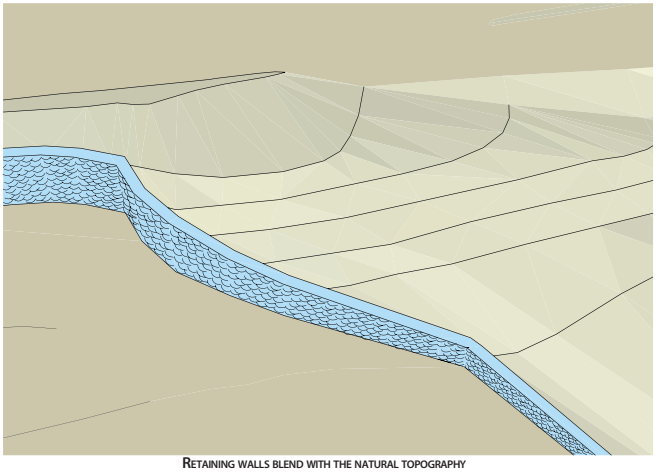


FIGURE 9 - WALLS AND FENCES - BLENDING WITH TOPOGRAPHY



RETAINING WALLS BLEND WITH THE NATURAL TOPOGRAPHY

Hydrologic Criteria and Drainage Design Manual, and shall maintain natural runoff characteristics where at all possible.

4. Architecture/Building Design

Dwellings built within hillside areas shall conform to the following:

a. Reflective building materials (i.e. mirror finishes or metal roofs) are not permitted unless treated to eliminate glare.

b. Limited slab-on-grade, with staggered floor elevations, shall be utilized to avoid massive building forms, excessive cuts and fill, and surfaces which contrast with the surrounding terrain.

c. All external mechanical equipment shall be screened, and required vents shall be architecturally compatible with the structure.

d. Building architecture should have predominant horizontal features. Vertical features should be minimized and generally used to accentuate entryways, garages, main doors and any type of vertical embellishment.

e. No portion of a structure shall exceed a height of two stories or thirty five feet, and a minimum of twenty feet of the structure must be lower than the elevation of the primary ridgeline. (See Figure 6)

f. Dwellings shall use wall articulation (e.g., insets, pop outs, etc.) and roof orientation as a means to prevent a massive look.

g. Rooflines and elements shall reflect the naturally occurring ridgeline silhouettes and topographical variation in order to blend with the hillside. (See Figure 7)

h. Building materials and colors shall be compatible with the natural setting. Whenever possible, exterior colors shall be limited to earthtones that are found in nearby natural vegetation or soil, that come from natural sources (e.g., rock, stone, wood), or that resemble a natural appearance.

5. Clustered Development

Clustered development is encouraged as a means of preserving the natural appearance of the hillside and maximizing the amount of open space. Under

this concept, dwelling units are grouped in the more level portions of the site, while steeper areas are preserved in a natural state. Clustering can enhance the environmental sensitivity of a development project, and facilitate the permanent protection of key features of the natural environment, such as biological habitats, open space areas, scenic areas, ridgelines, and steep slopes. (See Figure 8) Also, it is often more feasible to provide the needed infrastructure for a cluster development, since clustering results in shorter roads and water, sewer, and utility lines. Clustering does not allow an increase in the overall density of an area beyond that which is otherwise permitted by the General Plan.

a. Clustered dwelling units shall be placed in a staggered or stepped manner so their visual impact is lessened.

b. Clustered subdivisions shall be sited so they do not have a dominant presence within the hillside.

c. The location of clustered units shall be restricted to the flatter portions of a site, unless another location better minimizes impacts as relates to public safety, visual impact or environmental issues.

d. Clustered development must preserve open space in its undeveloped form. Appropriate documents must be recorded to ensure the preservation of the open space areas in perpetuity. Open space areas shall be identified on the final subdivision map or parcel map as common lots.

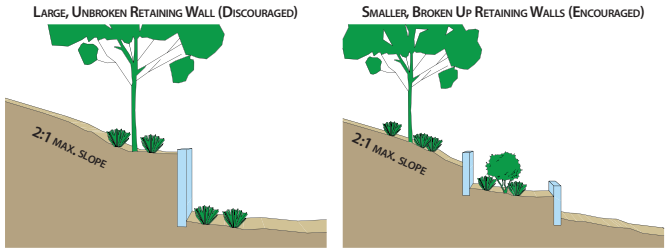
6. Walls and Fences

a. The height of walls shall be in accordance with this Title.

b. Walls shall conform to the topography of the site. (See Figure 9)

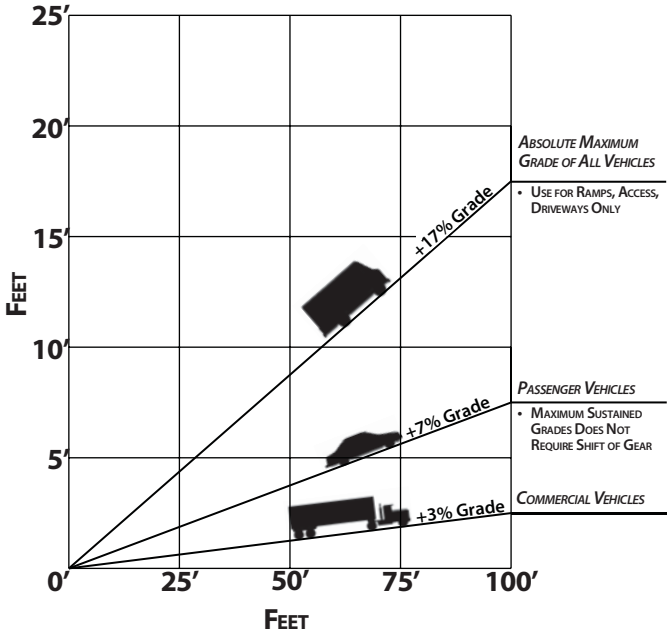
c. Walls shall either incorporate the use of native materials or be earthtone colors to match the native soils and rocks. Walls and fences (other than retaining walls) should be made of natural materials (e.g., stone, wood, split rail) whenever possible and, at a minimum, shall be a color that blends with the surrounding environment. Where retaining walls front on or are visible from public streets or public vantage points, they shall be constructed of (or faced with) materials that are appropriate in color

FIGURE 10 - WALLS AND FENCES - USES OF RETAINING WALLS



USE RETAINING WALLS AND TERRACES TO MINIMIZE CUT AND FILL THAT WOULD ALTER THE PERCEIVED NATURAL TOPOGRAPHY OF THE SITE. SCREEN RETAINING WALLS WITH PLANT MATERIALS OR FACE THEM WITH ROCK

FIGURE 11- ROADWAY MAXIMUM SLOPE COMPARISON



SOURCE: URBAN PLANNING AND DESIGN CRITERIA, JOSEPH DECHIARA/LEE KOPPELMAN 3RD EDITION, 1982

and texture to help visually blend the wall into the terrain. (See Figure 10)

d. The use of retaining walls and retaining structures is encouraged when it significantly reduces site grading.

e. Large retaining walls in a uniform plane should be avoided. Retaining walls should be broken up into elements and terraces, with landscaping used to screen them from view. (See Figure 10)

f. Retaining structures shall be located so that they do not become a dominating visual feature.

g. Tall retaining structures that are absolutely necessary should be located behind the dwelling so as to be screened from view.

h. Whenever possible, the location of walls and fences (other than retaining walls) should be limited to areas within fifty feet of dwellings and accessory structures in order to limit their impact on hillside viewsheds.

i. Solid walls and fences shall be prohibited within fifty vertical feet of a ridgeline in order to prevent impacts on wildlife corridors and maintain the natural area surrounding the ridgeline.

j. Fences that have pointed vertical elements shall not be permitted.

7. Landscaping

Landscape improvements on the overall project site shall be integrated with the natural topography and existing or indigenous vegetation. Plant materials shall be used to mitigate development impacts on washes, slopes, and any other sensitive environmental features.

a. The use of non native or competitive species that could threaten the native flora within the area is prohibited.

b. Landscape design for all development shall consist of plant materials similar in form and scale to the existing vegetation in the area.

c. Each natural area shall contain only those species that are indigenous to the native desert or mountain elevation and climate zone in which it exists.

d. The interface between new development and natural open space shall be designed to provide a gradual transition from manufactured slopes into natural slopes.

e. Landscaping (which is compatible with natural vegetation) shall be designed so that it extends out from developed areas and forms a cohesive pattern with existing natural vegetation, arranged in random, informal groupings.

f. Landscaping along the slope side of development shall be designed to maintain controlled views from the residences, yet screen and soften the architecture from community vantage points.

g. Trees and shrubs shall be arranged in informal, randomly spaced masses, and shall be placed selectively to reduce the scale of and help to blend manufactured slopes.

h. Plant materials that are used to stabilize a graded slope shall blend with the surrounding native plant materials in color and texture to the greatest extent feasible.

i. Landscaping shall be designed so as to avoid invasive species that could negatively impact indigenous plant species. Invasive species shall be identified through a recognized resource, such as a local Cooperative Weed Management Area.

8. Trails

a. Each subdivision shall provide and maintain pedestrian access for trails that are identified in the City's Trail Master Plan and that are located within the subdivision, including subdivisions that are to be established as gated communities.

b. A trail system that is designed to preserve habitat and ensure public safety shall be provided to link new development to existing trails within hillside areas.

c. New subdivisions shall prepare a trails plan to link new residential areas to existing and planned trails in the City that are shown in the Trails Elements of the City's Master Plan, including hiking, equestrian and multi use trails. The subdivision's trails plan must be submitted to the City for review and approval.

d. Once approved by the City, the trails identified in each subdivision's trails plan shall be constructed by the developer prior to the final inspection of residential units. Such trails shall be maintained as agreed to by the developer and the City.

9. Open Space/Natural Areas

a. Portions of hillside areas will be retained in their natural state.

b. Within areas designated as natural areas, site disturbance, other than for the construction of hiking trails, is not permitted.

c. Any area designated as a natural area shall be shown on the tentative subdivision map with existing surveyed topographical information, and the area itself shall be identified with horizontal control data on the final subdivision map or parcel map.

d. Any area designated as a natural area may be designated as a separate parcel or as a deed restricted portion of a parcel. If designated as a separate parcel, such parcel:

i. May be under the ownership of a owners' association or may be deeded to any organization which accepts responsibility for the perpetual preservation and maintenance of the natural area, subject to approval and acceptance by the Director and the Director of Public Works; and

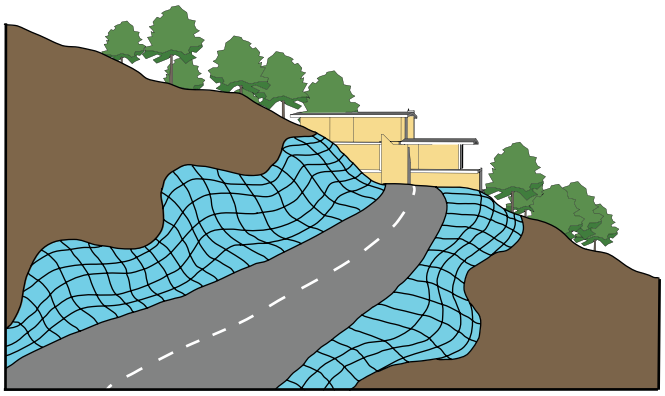
ii. Shall be mapped as a common lot in order to help protect natural areas.

10. Circulation/Roadways

a. All public or private roadways shall be designed according to the standards of this Section, the Master Plan of Streets and Highways (if applicable), the Municipal Code, current City Standards and, if required, an approved traffic study. These standards are intended to supplement the Department of Public Works' Review Guidelines. Streets in hillside areas should be constructed in areas that would have the least impact on the natural environment.

b. The following elements of road and sidewalk circulation shall be incorporated in hillside area developments:

FIGURE 12 - STREETS ALIGN TO NATURAL CONTOURS



MODULATE MANUFACTURED SLOPES TO APPEAR NATURAL

FIGURE 13 - PRESERVATION OF PROMINENT SKYLINE RIDGES



HOUSES DO NOT PROJECT ABOVE SIGNIFICANT RIDGELINE

i. Roadway design which generally follows existing contours, thereby minimizing grading and resulting in an informal, curving internal network;

ii. The provision of two major points of access to principal roads in developments exceeding one hundred fifty units or when required by the Department of Fire and Rescue in order to minimize fire hazards;

iii. Roadways with a maximum slope of seven percent. See Figure 11 for illustration of a seven percent slope in comparison to other slopes;

iv. Preservation of existing trees and natural features by dividing or routing roads and sidewalks around these elements;

v. Provision of safe, convenient pedestrian access to schools, parks and other recreational facilities;

vi. Combinations of collective private driveways, cluster parking areas and off street parking bays, which are encouraged in order to minimize paved areas;

vii. The location of all utilities underground in a common trench in the parkway or under the sidewalk;

viii. Rolled curbs as the preferred road edge along any paved roads, where such curbing will be adequate to contain drainage and prevent erosion;

ix. Roadway improvements that do not adversely affect other properties or create the need for extensive grading, flood control facilities, or other types of construction or support infrastructure;

x. Roadways that meet the requirements of the Department of Fire and Rescue, including roadway grades and curves to accommodate safety and emergency vehicles;

xi. Streets that follow the natural contours of the hillside to minimize cut and fill; (See Figure 12)

xii. ~~Cul-de-sacs~~ Culs-de-sac or loop roads, which are encouraged where they are necessary to fit the terrain;

xiii. The elimination of on street parking and sidewalks in order to reduce required grading, subject to approval thereof by the Planning Commission or City Council (or both) as a specific element of an approved Site Development Plan Review;

xiv. The preferred use of driveways that serve more than one lot, as well as diagonal driveways running along contour lines, where:

A) Such driveways will reduce the need for grading, paving, and site disturbance;

B) Such driveways have been approved by the Department of Fire and Rescue;

C) Sight visibility restriction zones will be maintained in accordance with the most recent version of the guidelines of the American Association of Street and Highway Transportation Officials; and

D) The maximum change in grade between driveway slope and the cross slope of roadways is twelve percent for local roadways, and ten percent for collector roadways; and

xv. Street lighting that is limited to intersections and other locations where necessary in order to provide safe access or passage, as determined by the Director of Public Works. Facilities for other public street lighting will be stubbed out for later use, including all necessary underground conduit and pull boxes at each streetlight location, but the installation of the streetlights may be deferred provided that the developer provide to the City such streetlights for the future installation. Alternatively, monies in lieu of such deferred streetlights, including bases, may be contributed to the City if allowed by the Department of Public Works.

D. Hillside Development Design Review

1. The objective of the Hillside Development Design Review under this Subsection (D) is to preserve significant natural features within hillside areas by encouraging design that minimizes disturbance to existing topographical forms. A development should be designed to fit into hillside areas rather

than altering the earth forms to create a flatland type of development.

2. **Project design should:**

   a. Initially identify the existing geographic, topographic, and environmental features of the site (such as geological hazards, steep slopes, ridges, valleys, streams, views, existing drainage patterns, significant biota, and outcroppings); and

   b. Then determine the impact the proposed project will have on these elements.

3. Preparation of a site plan should be based upon a determination concerning how traffic circulation, fire protection and access, drainage, sound barriers, buffers, land alteration, and other measures will be employed to limit any negative impacts of the development. The final site plan should reflect how all of these impacts are successfully solved or mitigated.

4. Other elements that should be considered in a successful design and, where indicated, reflected in submittal documents are the following:

   a. Preservation of distinctive natural features, the general existing topographical forms, significant trees, landscaping, natural water courses and wildlife corridors, with data and aerial maps to be provided showing the location, type and nature of existing major vegetation, including significant clusters or contiguous areas of dense growth and existing vegetation to be preserved;

   b. Preservation of prominent skyline ridges, which must be shown by providing a graph or other visual analysis indicating rooftop in relation to ridgeline; (See Figure 13)

   c. The location of roads and structures below the skyline ridge, with a visual analysis to be provided indicating circulation related to existing contours;

   d. The location and construction of roadways, with drawings and explanations to be provided showing how roadways will be constructed in a manner compatible with the natural terrain and with scarring eliminated;

   e. Incorporation of hiking, biking, walking and equestrian trails, where appropriate;

   f. Variation in lot size, building placements, setbacks, and orientation;

   g. Variable changes in elevation and siting of buildings to ensure views and avoid monotony;

   h. Preservation of steep hillsides by clustering buildings or use of other innovative approaches;

   i. Sensitivity to the project's appearance from lower or adjacent development;

   j. Placement of equipment and other unsightly forms below ridgelines and in bermed and landscaped areas.

   k. Dwelling design, with documentation to be provided indicating that significant effort has been made towards incorporating energy conservation and water saving techniques;

   l. Maintenance of natural drainage/water runoff characteristics where possible;

   m. The use of exterior lighting for buildings that is:

      i. Of a "cut off" type designed to ensure that excess light does not spill over; and

      ii. Of the lowest intensity feasible so as to be adequate for the purposes intended but not likely to attract undue attention.

5. Prior to the submittal of an application for Site Development Plan Review, a grading plan and drainage plan must be submitted to and approved by the Department of Public Works. The plans must clearly identify the topography of the land and how it relates to the development. Areas known or suspected to be hazardous, as determined by the Department of Public Works, shall not be disturbed without a geological survey, other data and tests, or a combination thereof, as required by the Department of Public Works. The submittal must include or be accompanied by a topographic map of the area proposed for development and shall show the location of, and distinguish, each of the following slope categories:

   a. Slope less than 15%

   b. Slope between 15% - 20%

   c. Slope between 20.01% - 25%

   d. Slope greater than 25%

6. A final grading plan must first be approved by the Director before Site Development Plan Review is considered by the Planning Commission. The Director's review shall coincide with staff review of the Site Development Plan and drainage study.

7. Site Development Plan Review for all hillside area development shall be processed as a public hearing item. In order to address the sensitive nature of hillside development, the final grading plan that was approved with the Drainage Study and by the Director shall be submitted with the design review applications.

8. The burden of proof is on the applicant to demonstrate that the proposed development:

    a. Is located and designed so as to protect the safety of residents and will not create significant threats to life or property by reason of the presence of hazards relating to geology, slope instability, flood, fire or erosion;

    b. Is compatible with the natural, biotic, cultural, scenic and open space resources of the area;

    c. Can be conveniently served by neighborhood shopping and provided essential public services without imposing significant costs on the total community;

    d. Is consistent with the objectives and policies of the General Plan; and

    e. Incorporates creative and imaginative design, resulting in a visual quality that will complement community character and benefit residents.

9. Any variance from or adjustment to any requirement set forth in this Subchapter may be obtained by means of a Variance application in accordance with LVMC 19.16.140.

HD-O HISTORIC DESIGNATION OVERLAY DISTRICT

A. Findings

The City Council of the City of Las Vegas finds and declares that the spirit and direction of the City of Las Vegas are founded upon and reflected in its historical past, and that the historic and cultural foundations of the City should be preserved as a living part of its community life and development in order to give a sense of identity and orientation to the people of the City.

B. Purpose And Intent

The intent of this Section is to promote the public welfare by providing protection for significant properties and archaeological sites which represent important aspects of the City's heritage; to enhance the character of the community by taking such properties and sites into account during development; and to assist owners in the preservation and restoration of their properties. This Section is intended to balance two competing interests: the value to the community of these significant properties and sites, and the rights of the property owners whose interests are at stake. The designation of any property, district or site pursuant to this Section shall be an overlay designation and shall not inhibit existing or potential uses permitted by this Title.

C. Historic Preservation Commission - Established

The Las Vegas Historic Preservation Commission (HPC) is hereby established. The principal role of the HPC is to act in an advisory capacity to the Planning Commission and the City Council in all matters concerning historic preservation. The HPC shall make recommendations to the Planning Commission regarding designation of Historic Landmarks, ~~Historic Properties and Historic~~ Districts, Sites Buildings, Structures and Objects. Other actions of the HPC as set forth below shall be final, with appeal to the City Council as described in Subsection (M) of this Section.

D. Historic Preservation Commission – Membership

The HPC shall consist of eleven voting members who are appointed by the City Council and two ex-officio members.

1. Each voting member must have a demonstrated interest in or knowledge of:

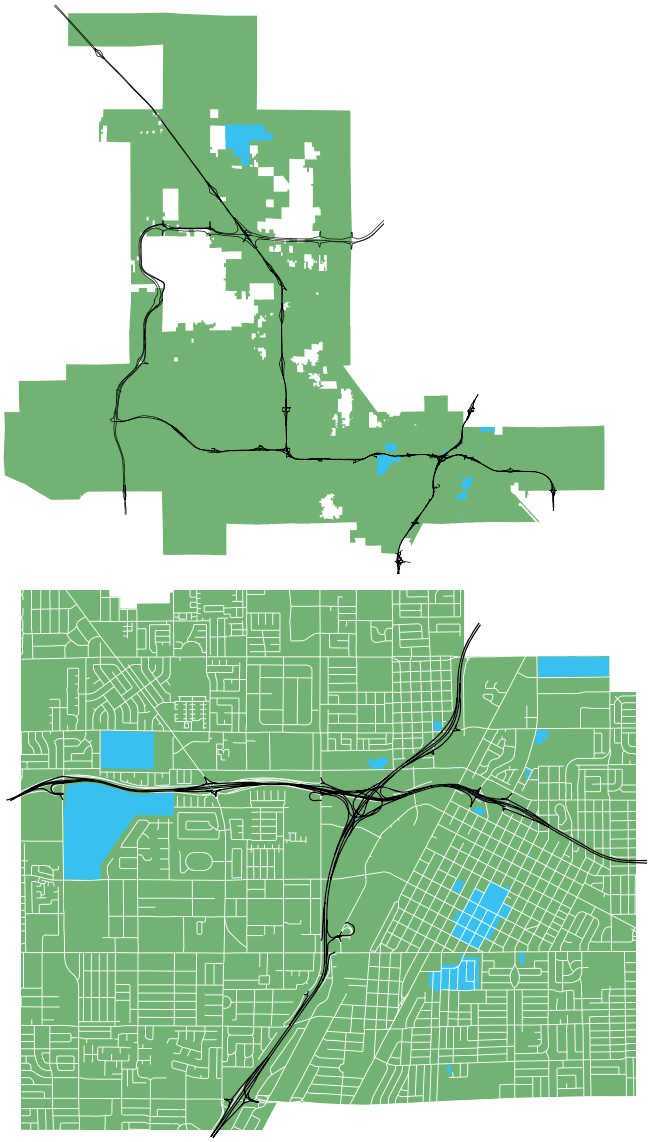
a. The history of the City of Las Vegas;

b. Design, architecture, real estate, archaeology

Illustrations & Graphics

HD-O
19.10.150

FIGURE 1 - HISTORIC DESIGNATION OVERLAY DISTRICT MAPS



MAPS ARE REPRESENTATIVE OF WHERE THE HD-O DISTRICT IS LOCATED.

SEE THE OFFICIAL ZONING MAP ATLAS FOR THE EXACT LOCATION OF PROPERTIES WHICH CURRENTLY FALL WITHIN THE HD-O (HISTORIC DESIGNATION OVERLAY) DISTRICT.

and other matters relevant to judging the economic and cultural value of particular historic preservation activities.

2. The term of each voting member is four years.

3. Voting members may be reappointed.

4. Members serve at the pleasure of, and may be removed by, the City Council, including for failure to attend meetings regularly.

5. Members shall serve without compensation.

E. Historic Preservation Commission - Qualifications

The membership of the HPC shall be as follows:

1. One member must be experienced in architecture (such as an architect, art historian or historic preservation architect).

2. One member must be experienced in urban design or planning (such as an urban designer, planner or landscape architect).

3. One member must be experienced in building construction (such as a building contractor or structural engineer).

4. One member must be experienced in the real estate profession (such as a real estate developer, appraiser or broker).

5. One member must be representative of a recognized local historic preservation association or historic preservation interest group.

6. One member must be experienced in Nevada history (such as an historian or ~~archeologist~~ anthropologist).

7. One member must be experienced in the archaeological profession (such as an archaeologist).

8. ~~Five~~ Four members must be ~~citizens~~ members at-large. When one or more areas have been designated as "Historic Districts" pursuant to this Section, one of the "at-large" positions shall pertain to each such Historic District. For any Historic District, the corresponding "at large" position shall be filled by a person who owns real property and resides within the Historic District, if a person so qualified is available to serve. If no such person is available, a person who owns real property within the Historic District may fill that position, if a person so qualified is available to serve. If no such person is available, any person may fill that position. If more than ~~five~~ four Historic Districts have been designated as such pursuant to this Section, the City Council shall determine which ~~five~~ four of the Historic Districts are to be represented on the HPC.

~~8~~ 9. The Director, or the Director's designee, shall serve as an ex-officio member, with no vote except as otherwise provided in this Section.

~~9~~ 10. The Director of the Nevada State Museum and Historical Society, or other designee of the State Historic Preservation Office (SHPO), shall serve as an ex-officio member, with no vote except as otherwise provided in this Section.

F. Historic Preservation Commission - Organization

1. The HPC shall elect, from within its own membership, a chair, vice-chair and such other officers as it deems useful, and shall adopt such bylaws and rules of procedure consistent with this Section as the Commission deems necessary.

2. The Department shall provide administrative and clerical support for the HPC.

3. Regular and special meetings of the HPC shall be held as set forth in the bylaws and as necessitated by the Commission's volume of business. If no meeting has been scheduled to occur within forty days after the Chairman has been notified by the Secretary of business requiring action by the HPC, the Chairman shall call a special meeting to be held within that period.

4. The HPC shall maintain written minutes and records sufficient to inform the public of its business and shall report its business to the City Council as the Council from time to time may request.

5. Six members of the HPC constitute a quorum thereof for the purpose of conducting business. A majority vote of those present and voting shall be necessary to approve any item of business.

6. In the event that a quorum is not available for the conduct of business, an ex-officio member or the Historic Preservation Officer (or any combination thereof) may vote, but only concerning matters on the consent agenda and only to the extent necessary to create or maintain a quorum.

G. Historic Preservation Commission - Powers, Etc.

The powers, duties and activities of the HPC include the following:

1. Reviewing applications for the designation of Historic Landmarks, ~~Historic Properties and Historic~~ Districts, Sites, Buildings, Structures and Objects, and making recommendations to the Planning Commission concerning those applications. The review shall be in accordance with Subsection (I) of this Section.

2. Reviewing and making decisions concerning applications for ~~the proposed~~ new construction, alteration, demolition or removal of any ~~structure~~ element associated with ~~a Landmark or Historic Property or located on property within an Historic District~~ an Historic Landmark, District, Site, Building, Structure and Object. The review and decision making process shall be in accordance with Subsections (K) and (L) of this Section.

3. Making recommendations to the City Council concerning the use of public or private funds to promote the preservation properties and districts within the City, including the acquisition of property or interests in property.

4. Recommending appropriate changes to the General Plan and to local development regulations in order to promote the purposes of this Section.

5. Cooperating with owners of property to formulate appropriate design guidelines for alteration and construction within Historic Districts.

6. Initiating and conducting detailed studies and surveys of properties, structures, and areas within the City to assess their potential for designation in order to formulate, revise or update the Historic Properties & Neighborhoods Preservation Plan Element of the Las Vegas 2020 Master Plan ~~an Historic Preservation Plan for the City~~.

7. Developing and participating in public information activities in order to increase public awareness of the value of historic preservation.

8. Performing such other functions as will encourage or further the interests of historic preservation.

H. Historic Preservation Officer

The Director shall appoint an Historic Preservation Officer (HPO), who must have a demonstrated interest in historic preservation and be a qualified professional in one or more pertinent fields such as historic preservation, architecture, urban design, archaeology, cultural geography, landscape architecture or land use planning. The duties of the HPO shall include:

1. Serving as Secretary to the HPC, facilitating its efforts and, with other City staff as necessary, providing administrative support.

2. Accepting applications under Paragraphs (1) and (2) of Subsection (G).

3. Acting as intermediary between the HPC and City departments.

4. Providing technical and background information to the HPC and the public, as required.

5. Acting as the approval authority concerning applications for ~~the proposed~~ new construction, alteration, demolition or removal of ~~structures~~ elements associated with ~~a Landmark, Historic Property or Historic District~~ an Historic Landmark, District, Site, Building, Structure and Object, when the proposed work is, in the HPO's judgment, minor in nature and impact or the need to act immediately is necessary to protect life or property. The review and decision making process shall be in accordance with Subsections (K) and (L) of this Section.

6. Reporting to the HPC any action taken pursuant to Paragraph (5) of this Subsection.

7. Preparing annual written reports of HPC activities to be submitted to the State Historic Preservation Office (SHPO) and made available to the public. The reports should include, at a minimum, the minutes of meetings and attendance records of members; current resumes of members; and a listing of items reviewed, decisions rendered and other projects and activities undertaken.

8. Maintaining the Las Vegas Historic Property Register.

I. Designation of Historic Landmarks, ~~Historic Properties and Historic~~ Districts, Sites, Buildings, Structures and Objects

1. An individual ~~property, building, structure or archeological site~~ landmark, district, site, building, structure or object may be designated ~~as a Landmark~~ on the City of Las Vegas Historic Property Register if it demonstrates exceptional ~~importance~~ historical significance by qualifying under Subparagraphs (a) ~~and~~ or (b) below:

   a. It meets the criteria for listing on the State or

National Register of Historic Places~~:~~ ; or

b. It is determined to be of exceptional local significance and expresses a distinctive character because:

i. A significant portion of it is at least ~~fifty (50)~~ 40 years old;

ii. It is reflective of the City's cultural, social, political or economic past; and

iii. Either:

(A) It is associated with a person or event significant in local, state or national history; or

(B) It represents an established and familiar visual feature of an area of the City because of its location or singular physical appearance.

2. An individual ~~property, building, structure or archeological site~~ district, site, building, structure or object may be designated as an Historic ~~Property~~ Landmark if it:

a. Qualifies under Subparagraph (a) ~~or~~ and Subparagraph (b) of Paragraph (1) above~~, or~~ , and a significant portion of it is at least 50 years old.

~~**b.** Is less than fifty years old, but is an integral and critical part of an Historic District or demonstrates exceptional importance by meeting or exceeding the other criteria described in Subparagraph (a) or Subparagraph (b) of Paragraph (1) above.~~

3. An individual site, building, structure or object that has been designated on the City of Las Vegas Historic Property Register may be considered for reclassification for designation as an Historic Landmark if it has been determined eligible for the State or National Register of Historic Places.

4. An area may be designated as an Historic District if:

a. The area:

i. Includes a substantial concentration of ~~properties, buildings or structures~~ contributing buildings, structures, objects or archaeological sites which individually meet the criteria in Paragraph (1) of this Subsection, as well as other ~~properties,~~ buildings, ~~or~~ structures or archaeological sites which contribute generally to the overall distinctive character of the area and are united historically or visually by plan or physical development;

ii. Is bounded by documented historic boundaries such as early roadways, canals, subdivision plats or property lines, or by boundaries which coincide with logical physical or man-made features and reflect recognized neighborhood or area boundaries; and

iii. Includes non-contributing properties or vacant parcels only to the extent necessary to establish appropriate, logical or convenient boundaries; or

~~**b.** The area includes or is composed of one or more archeological sites.~~

~~4~~ 5. Designation Process:

a. The designation of ~~a Landmark, Historic Property or~~ an Historic Landmark, District, Site, Building, Structure or Object may be made upon application by the owner or authorized representative of any ~~property~~ landmark, district, site, building, structure or object proposed to be designated or included in such designation, or by an authorized representative of the City. A pre-application conference with the HPO is required prior to submitting an application. Application shall be made to the HPO on such form(s) as may be established for the purpose, and the application shall be accompanied by such fee(s) as may be established by the City Council. Applications shall be signed, notarized and acknowledged by the owner of record of the property for which the designation 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.

b. The designation of an Historic District may be made upon application by a member of the board of a Neighborhood Association that is registered with the city of Las Vegas, or other recognized neighborhood representative. A pre-application conference with the HPO is required prior to submitting an application. Application shall be made to the HPO on such form(s) as may be established for the purpose,

and shall be accompanied by such fee(s) as may be established by the City Council. Applications shall be signed, notarized and acknowledged by a recognized neighborhood representative. If the proposed district has multiple owners, the applicant shall provide the City with a list of all persons and entities with an ownership interest in the proposed district if not all of the owners have signed the application.

c. An application for designation shall also be accompanied by the following items to be prepared by the HPO:

i. A vicinity ownership map showing all parcels which are adjacent to, include or surround the property or district proposed to be designated within a radius of ~~three hundred (300)~~ 1000 feet of the external boundaries of the property or district. Each such parcel shall be numbered so as to correspond to the ownership/tenant list described in Subparagraph (b)(ii) below.

ii. A typed or legibly printed list, compiled from an authoritative source, containing the names, mailing addresses and zip codes of the following, along with the corresponding identifying numbers referred to in Subparagraph (b)(i) of this Paragraph above:

(A) The owners of all parcels described in Subparagraph (b)(i) of this Paragraph above~~; and~~.

~~**(B)** Any tenants of the parcels described in Subparagraph (b)(i) of this Paragraph above, to the extent their names and addresses can practicably be obtained.~~

~~**(i)**~~ iii. An accurate legal description and Assessor's Parcel Number (APN) for all parcels proposed for designation.

iv. For an Historic District nomination, documentation of a minimum of three public meetings attended by city staff and applicable Neighborhood Association board members, and held in a location convenient to the proposed District. The meetings will discuss the:

(A) Historic Designation Process;

(B) Plan for Historic District designation, including proposed district boundaries, the responsibilities of Department staff and the Neighborhood Association board, and the timeline for designation;

(C) Findings of any historic studies; and

(D) Proposed Historic District design guidelines, if necessary.

d. An application for designation shall also be accompanied by the following items to be prepared by the applicant or representative:

~~**(ii)**~~ i. A ~~written description of~~ Statement of Eligibility and Appropriateness for Designation that describes the manner in which the ~~property~~ landmark, district, site, building, structure or object proposed for designation is eligible and appropriate for designation under this Subsection. The Statement shall include at a minimum:

(A) Photographs of the proposed Historic Landmark, District, Site, Building, Structure or Object; in the case of a District, the most significant or representative properties;

(B) Information about the architect(s), designers(s), planners(s) and/or developer(s) of the Historic Landmark, District, Site, Building, Structure or Object;

(C) Date and method of construction;

(D) Distinctive characteristics such as historic materials, architectural or landscape elements and architectural style of buildings, structures or objects within a proposed district;

(E) Ownership and address history; and

(F) Proper resource citations.

ii. Letter of property owner consent.

iii. In the case of an Historic District designation, written approval of historic designation from no less than 51 percent of all property owners within the proposed Historic District.

e. Historic signs are recognized as Historic Objects by this code. The designation of an historic

sign may be made upon application by the owner of the sign or authorized representative. A pre-application conference with the HPO is required prior to submitting an application. Application shall be made to the HPO on such form(s) as may be established for the purpose, and the application shall be accompanied by such fee(s) as may be established by the City Council. Applications shall be signed, notarized and acknowledged by the owner of record, or authorized representative, of the property within which the Historic sign is located, and, if applicable, the owner of the building, or authorized representative, to which the sign is affixed. Applications must be accompanied by the items listed in Subparagraphs (5)(c)(i) through (5)(c)(iii), and (5)(d)(i) through (5)(d)(ii). An historic sign may be designated as an Historic Object if it demonstrates exceptional historical significance by qualifying under Subparagraphs (i) or (ii) below:

i. It meets the criteria for listing on the State or National Register of Historic Places; or

ii. The sign and the use to which it pertains have been in continuous existence at the present location for at least 40 years;

iii. The sign is structurally safe or is capable of being made so without substantially altering its historical significance;

iv. The continued existence of the sign is encouraged and is beneficial to the public good; and

v. At least one of the following conditions shall be met by the sign:

(A) The sign contributes to the historical or cultural character of the streetscape and the community at large;

(B) The sign is associated with historic figures, events, or places;

(C) The sign is significant as evidence of the history of the product, business, or service advertised;

(D) The sign is significant as reflecting the history of the building or the development of the historic district;

(E) The sign is characteristic of a specific historic period or architectural style;

(F) The sign is integral to the building's design or physical fabric;

(G) The sign represents an outstanding example of the sign maker's art due to craftsmanship, use of materials, or design;

(H) The sign is a local landmark recognized as a popular focal point in a community; or

(I) The sign contains elements important in defining the character of an historic district.

c f. Upon receipt of a complete application package, the HPO shall schedule the application for ~~a public hearing~~ discussion on the next available agenda of the HPC. The HPC is given 30 days to review the application before the official public hearing is scheduled. A public hearing will be scheduled for the following agenda of the HPC. Upon the request of the applicant, a special meeting may be called at the discretion of the Chair of the HPC, or by at least four (4) voting members of the HPC.

d g. In connection with the HPC's consideration of the application, the HPO shall compile and provide to the HPC a complete report concerning the ~~property~~ landmark, district, site, building, structure or object proposed for designation. The report shall address the location, condition, age, significance and integrity of historic features; identify potential contributing and non-contributing properties; provide other relevant information; and include a recommendation concerning the application and the basis therefore.

e h. Based upon its consideration of the HPO's report concerning an application, along with any evidence or input offered at the public hearing, the HPC shall evaluate the application with reference to the applicable criteria set forth in Paragraphs (1), (2), ~~and~~ (3) and (4) of this Subsection and make a recommendation to the Planning Commission. A recommendation for approval may include any conditions the HPC deems appropriate in order to implement the provisions and intent of this Subsection.

f i. Except as otherwise provided in this Subsection, the standards for consideration and action on an application by the HPC

shall also apply to subsequent action by the Planning Commission and City Council, and the procedures for subsequent action on an application by the Planning Commission and City Council shall be consistent with the rezoning procedures described in LVMC 19.16.090.

~~g~~ j. A recommendation by the HPC for approval of a designation under this Subsection shall be void if the designation has not been approved by the City Council within one (1) year after the HPC's recommendation.

~~5~~ 6. Public Notification Concerning Designation Applications:

At least ~~fifteen (15)~~ 10 calendar days before the HPC holds a public hearing on an application for designation, the Department shall:

a. Mail written notice of the date, time and place of the hearing, along with a summary of the application, to the persons whose names and addresses are provided by the applicant pursuant to Paragraph (4) of this Subsection. Such notice is complete upon mailing. The HPC may delay a hearing for additional notification if it appears that the applicant or the City did not use reasonable diligence in providing a notification list or in mailing the notice.

b. Post notice of the hearing, visible from a public way and clearly legible, containing the date, time, and place of the hearing, and a summary of the application. For ~~a Landmark or~~ an Historic ~~Property~~ Landmark, Site, Building, Structure or Object application, the notice shall, wherever possible, be placed adjacent to the public right-of-way. For an Historic District, the notice shall, wherever possible, be placed at no fewer than four ~~(4)~~ conspicuous locations either within or at the external boundaries of the area. The posting of any such notice is complete upon initial posting.

c. Publish notice of the date, time and place of the hearing, along with a summary of the application, in a newspaper of general circulation within the City.

~~6~~ 7. Planning Commission and City Council Action:

a. Upon receipt of a recommendation from the HPC concerning a designation, the Planning Commission shall hold a public hearing to consider the application. If the date and time of the Planning Commission hearing are announced at the HPC hearing concerning the designation, no additional notification is required. Otherwise, notification for such hearing shall be as described in Paragraph (5) of this Subsection above. Following the public hearing, the Planning Commission may do any of the following:

i. Adopt the recommendation of the HPC and forward that recommendation to the City Council;

ii. Modify the recommendation of the HPC and forward that recommendation to the City Council as modified;

iii. Recommend denial of the application to the City Council; or

iv. Remand the request to the HPC for further proceedings.

b. Following Planning Commission action for designation of an Historic District, a notice must be published once a week for three consecutive weeks prior to the City Council meeting, and must include the purpose of the hearing and the boundaries of the proposed Historic District.

c. Upon receipt of a recommendation from the Planning Commission concerning a designation, the City Council shall hold a public hearing to consider the application. If the date and time of the City Council hearing are announced at the Planning Commission hearing concerning the designation, no additional notification is required. Otherwise, notification for such hearing shall be as described in Paragraph (~~5~~6) of this Subsection above. Notwithstanding any other provision of this Subparagraph (~~b~~c), the designation of an Historic District must be done in accordance with NRS 384.005. Following the public hearing, the City Council may do any of the following:

i. Approve the designation in accordance with the recommendation of the Planning Commission;

ii. Modify the recommendation of the Planning Commission and approve the designation in accordance with the modifications;

iii. Deny the application; or

iv. Remand the application to the Planning Commission or the HPC for further proceedings.

~~c~~ d. In the case of an application for designation of an Historic District, if the owners of ~~twenty (~~20~~)~~ percent or more of the area of the parcels included in the proposed district ~~and those which are adjacent thereto~~ protest the proposed designation in writing, the designation shall not become effective except by the favorable vote of three-fourths ~~(3/4)~~ of the entire membership of the City Council. If any member of the City Council is unable to vote on an application because of conflict of interest, the required number of favorable votes to approve the designation shall be three-fourths ~~(3/4)~~ of the remaining membership of the Council, but in no event shall the required number of votes be less than a majority of the entire membership of the Council. ~~For purposes of this Subparagraph (c):~~ A written protest is effective only if it is filed with the City Clerk prior to or at the time of the public hearing before the City Council.

~~**i.** A parcel is "adjacent" to the proposed district if it is not separated from the boundary of the proposed district by a public right-of-way and is within one hundred fifty (150) feet of the boundary.~~

~~**ii.** A parcel is "adjacent" to the proposed district if it is separated from the boundary of the proposed district by a public right-of-way and is within one hundred fifty (150) feet of the frontage of the intervening right-of-way.~~

~~**iii.** In calculating "area" for protest purposes, the area of an "adjacent" parcel shall be deemed to include only the area located within the one hundred fifty (150) foot distances referred to in this Subparagraph (c).~~

~~**iv.** A written protest is effective only if it is filed with the City Clerk prior to or at the time of the public hearing before the City Council.~~

~~7~~ 8. **Effect of Designation:**

a. The designation of ~~a Landmark, Historic Property or~~ an Historic Landmark, District, Site, Building, Structure and Object shall be indicated by the "H" symbol on the zoning maps of the City. The use and development of property affected by a designation shall be governed by this Section and applicable Design Guidelines adopted thereunder, as well as by the regulations pertaining to the underlying zoning classification(s) for the property, other provisions of the Unified Development Code and the General Plan.

b. ~~After~~ Prior to the designation of an Historic District, and in order to preserve and enhance the distinctive character of that District, the ~~HPC~~ HPO shall~~, after opportunity for input from~~ meet with property owners within the proposed Historic District to determine design guidelines that will apply to alterations of contributing and non-contributing properties and to all new construction within the District~~, recommend for adoption by the City Council Design Guidelines to apply to alterations of contributing properties and to all new construction within the District~~. Property owners may choose to adopt the General Design Guidelines as adopted by the HPC, or create Design Guidelines that address architectural elements and styles specific to the proposed District. Design Guidelines will be recommended for adoption by the HPC to the City Council.

i. Historic District Design Guidelines are intended to address exterior features and characteristics as can be viewed from the public right-of-way only, such as building materials, massing, scale and proportion of openings and other features, orientation and relative position of buildings ~~and landscape character~~, as well as specific aspects such as roof forms, textures, ~~color theme,~~ character of signage, window and door types, and other details relative to architectural styles evident in the District and included in the Statement of Eligibility and Appropriateness.

ii. Design Guidelines ~~generally will~~ do not regulate maximum building height, maximum lot coverage, minimum setbacks, ~~required~~ landscaping, ~~required~~ parking, allowable signs, or other development aspects addressed elsewhere in the Unified Development Code~~, except when compatibility with existing historical patterns requires specific design guidelines~~.

iii. Design Guidelines shall not prohibit access to buildings as required by the Americans with Disabilities Act.

iv. Following designation of an Historic District, but before Design Guidelines can be established for the District, the HPC may require that development in the District conform to such established or recognized standards as the HPC deems appropriate.

~~8~~ 9. Removal of designations established under this Section shall be in accordance with the procedure set forth for designation.

~~9~~ 10. No nomination for designation or removal of designation under this Section shall be acted upon within one year after any previous such nomination.

J. Historic Property Register

The Las Vegas Historic Property Register is hereby established for the purpose of listing the ~~Landmarks, Historic Properties, and~~ Historic Landmarks, Districts, Sites, Buildings, Structures and Objects designated under the provisions of this Section. The Register, as it may be amended from time to time, shall serve as the official record of all such designations and shall be maintained by the HPO. Copies of the Register shall be made available for public inspection in the offices of the Department and the City Clerk.

K. Guidelines, Standards and Process for Review of Alteration or New Construction

1. ~~Whenever~~ A pre-application conference with the HPO is required prior to submitting a building permit or other required development or zoning permit whenever it is proposed to alter, remodel, build, or otherwise develop ~~or landscape property that is designated as a Landmark or Historic Property~~ an Historic Landmark, District, Site, Building, Structure or Object, or an Historic Landmark, Site, Building, Structure or Object ~~that is~~ located within a designated Historic District, and a building permit or other development or zoning permit is required for such work, the applicant must first obtain the approval of the HPC in accordance with this Section. In the case of proposed work which, in the HPO's judgment, is minor in nature and impact, the HPO shall be the approval authority. Approval pursuant to this Subsection indicates conformance with the provisions and intent of this Section only and does not constitute or imply approval by any City department or other approval authority having jurisdiction.

2. In order to obtain review pursuant to this Subsection, the applicant must submit to the HPO the following:

   a. An application~~,~~ for a Certificate of Appropriateness on such form(s) as may be established for the purpose, which shall be signed, notarized and acknowledged by the owner of record or the owner's authorized agent of the property where review of alteration or new construction is sought;

   b. Such fee(s) as may be established by the City Council for the application;

   c. ~~Drawings, to approximate scale, of the site plan, floor plan(s) and elevations of the proposed work of improvement, indicating materials and color scheme;~~ Materials detailing the proposed alteration or new construction, including:

      i. Color photos of each side of the building or site to be altered and close ups of the specific area to be changed;

      ii. Drawings for conceptual review and new construction or graphics/signage;

      iii. Material samples / manufacturer's brochures which show and describe the materials to be used;

      iv. A site plan on applications for new construction, additions, site graphics, demolition, lot splits and fencing;

   d. If signage is part of the proposed work, drawings, to approximate scale, showing the size and location of proposed signage, type of lettering to be used and indication of color and type of illumination, if any; and

   e. Other information which the applicant deems appropriate or which the HPO may reasonably deem necessary in connection with the review of the application.

3. An application for review under this Subsection, when deemed complete, shall be acted upon within a reasonable period of time. In the case of an application to be considered by the HPC as the approval authority, the application shall be included on the next available agenda.

4. The approval authority shall consider the application with reference to the objectives of

this Section. The approval authority may deny an application upon determining any of the following:

a. That proposed work on any portion of ~~a Landmark or~~ an Historic ~~Property~~ Landmark, District, Site, Building, Structure or Object will not be compatible with the recognized distinctive character of the overall ~~property~~ Historic Landmark, District, Site, Building, Structure or Object.

b. That proposed work on any portion of a contributing ~~property~~ Historic Landmark, District, Site, Building, Structure or Object within an Historic District will not be compatible with the recognized distinctive character of the ~~property~~ Historic Landmark, District, Site, Building, Structure or Object itself, with the character of the entire District, or with the Design Guidelines that have been adopted for the District.

c. That major new construction proposed for non-contributing ~~properties~~ Historic Landmarks, Districts, Sites, Buildings, Structures or Objects within an Historic District will not be compatible with the recognized distinctive character of the entire District or with the Design Guidelines that have been adopted for the District. For purposes of this Subparagraph, new construction is "major" if such construction~~, including general landscape character,~~ equals or exceeds ~~twenty-five (~~25~~%)~~ percent of the land area of a parcel without a building or of the building ground floor area of a parcel with a building, at the time of the property's identification as non-contributing.

e. That, in cases where Federal funds, in the form of grants, tax incentives or other programs, are to be employed, directly or indirectly, in financing the proposed work, the work will not comply with the Standards for the Treatment of Historic Properties, as promulgated by the U.S. Secretary of the Interior.

5. The approval authority may approve, conditionally approve or deny an application, or continue consideration thereof for further study. The HPO shall provide the applicant with notice of action taken, along with an explanation of any reasons therefore and conditions attached thereto.

6. An approval pursuant to this Subsection shall be valid for a period of one year, unless otherwise specified in the approval.

L. Demolition and Removal

1. Whenever it is proposed to demolish or remove a structure or feature constituting or associated with ~~a Landmark or~~ an Historic ~~Property, or one that is located within a designated Historic District~~ Landmark, District, Site, Building, Structure or Object, and a demolition or other permit or approval is required for such work, the applicant must first obtain the approval of the HPC in accordance with this Section. Nothing in this Subsection shall prohibit the owner(s) of a sign designated as an Historic Object from removing such sign; however, removal of a sign so designated requires approval by the HPC and recommendation for alternative placement or storage. In the case of proposed work which, in the HPO's judgment, is minor in nature and impact, or is necessary immediately in order to protect life or property, the HPO shall be the approval authority. Approval pursuant to this Subsection indicates conformance with the provisions and intent of this Section only and does not constitute or imply approval by any City department or other approval authority having jurisdiction.

2. In order to obtain review pursuant to this Subsection, the applicant must submit to the HPO the following:

a. An application for a Certificate of Appropriateness, on such form(s) as may be established for the purpose;

b. Such fee(s) as may be established by the City Council for the application;

c. Photographs of the property depicting its current appearance;

d. A preliminary plan of redevelopment for the parcel indicating an intended use that is in compliance with the General Plan, existing or proposed zoning, other applicable regulations and Subsection (K) of this Section;

e. A preliminary plan of restoration of damaged or removed features;

f. If economic hardship relief is requested, documentation in support of the request; and

~~f~~ g. Other information which the applicant deems appropriate or which the HPO may reasonably

deem necessary in connection with the review of the application.

3. An application for review under this Subsection, when deemed complete, shall be acted upon within a reasonable period of time. In the case of an application to be considered by the HPC as the approval authority, the application shall be included on the next available agenda.

4. The approval authority shall consider the application with reference to the objectives of this Section. The approval authority may deny an application upon determining either of the following:

a. That the structure or feature proposed for demolition or removal is of historic or architectural value or significance and contributes to the distinctive character of the property;

b. That loss of the structure or feature would adversely affect the integrity or diminish the distinctive character of an Historic District.

5. The approval authority may approve, conditionally approve or deny an application, or continue consideration thereof for further study. The HPO shall provide the applicant with notice of action taken, along with an explanation of any reasons therefore and conditions attached thereto.

6. Economic Hardship:

a. An application for demolition or removal may be accompanied by a request for economic hardship relief which, if granted, allows demolition or removal which otherwise would not be permitted.

b. Economic hardship relief may be granted by the approval authority as follows:

i. In the case of income producing property, when the applicant demonstrates that requiring the property to retain the features that contribute to its distinctive character, whether the property is left in its present condition or is rehabilitated by the owner or a potential buyer, will not permit the owner a reasonable rate of return.

ii. In the case of non-income producing property, when the applicant demonstrates that the property has no reasonable use as a ~~single-family~~ single family dwelling or for an institutional use in its present condition, or if rehabilitated, either by the current owner or a potential buyer.

c. For purposes of Subparagraph (b) above:

i. Non-income producing property consists of owner-occupied ~~single-family~~ single family dwellings and non-income producing institutional properties; and

ii. Income producing property consists of all other properties.

d. Economic hardship relief is not available to an owner who has:

i. Engaged in willful or negligent acts destructive to the property;

ii. Purchased the property for substantially more than the market value;

iii. Failed to perform ordinary maintenance and repair; or

iv. Where applicable, failed to diligently solicit and retain tenants or provide normal tenant improvements.

7. An approval pursuant to this Subsection shall be valid for a period of one year, unless otherwise specified in the approval.

8. If an application for demolition or removal is denied by the HPC, the City may deny a permit for such activity for up to ~~one hundred eighty (~~180~~)~~ days from the date on which the application was denied. It is unlawful to demolish or remove a structure or feature which is subject to this Subsection (L) without a permit to do so under this Section and other applicable ordinances.

a. During the period of restraint on demolition or removal, the HPC and HPO will endeavor to secure whatever assistance may be feasible to effect the preservation of the ~~property~~ Historic Landmark, District, Site, Building, Structure or Object, including economic assistance, acquisition, purchase of a preservation easement; or location of a buyer who, upon purchase at terms agreeable to the owner, will enter into a preservation covenant with the City for a period of at least five years.

b. If the HPC or HPO is unable to secure such

assistance within the period of restraint, the proposed demolition or removal will be allowed, subject to the issuance of appropriate permits by the Building Official.

9. If the Building Official finds that a designated property is an imminent hazard to life or property and, after consultation with the HPO and the SHPO, determines that repairs or relocation would not be appropriate or feasible, the HPO shall approve the necessary demolition or removal, subject to issuance of appropriate permits by the Building Official.

M. Appeal and Review

1. The applicant for an approval under Subsection (K) or Subsection (L) of this Section may appeal any decision of the HPC to the City Council by ~~filing~~ written ~~notice~~ request. ~~of~~ An appeal must be filed in the Office of ~~with~~ the City Clerk within ~~ten (~~10~~)~~ working days after the ~~date of the~~ HPC's action. ~~The appeal must be accompanied by the fee, if any, which has been established by the City Council.~~ The City Council may establish one or more fees to be paid in connection with the filing of an appeal under this Subsection, and the amount of any fee so established shall be as set forth in the Fee Schedule.

2. In addition, with respect to any approval by the HPC of an application under Subsection (K) or Subsection (L) of this Section, the Director or any member of the City Council may file a request for review within that 10-day period.

3. The City Clerk shall set the date for a public hearing on the appeal or review, and notice of the hearing shall be published in a newspaper of general circulation within the City at least ~~seven (7)~~ 10 days before the hearing.

N. Maintenance and Repair

1. The owner is responsible for ordinary maintenance and repair of a designated ~~property~~ Historic Landmark, District, Site, Building, Structure or Object. Such maintenance and repair may be performed without specific approval from the HPO or the HPC if such maintenance or repair does not significantly alter the features which contribute to the distinctive character of such a designated ~~property~~ Historic Landmark, District, Site, Building, Structure or Object.

2. The owner of a designated ~~property~~ Historic Landmark, District, Site, Building, Structure or Object shall not permit the ~~property~~ resource to fall into a state of disrepair so as to result in the deterioration of any significant exterior feature which would have a detrimental effect on the distinctive character of the ~~property~~ Historic Landmark, District, Site, Building, Structure or Object itself or that of an Historic District in which the ~~property~~ Historic Landmark, Site, Building, Structure or Object is located.

3. Examples of deterioration which the owner of the designated property is responsible under this Subsection to prevent include, but are not limited to, the following:

a. Excessive erosion, reverse drainage, and other preventable site conditions which may adversely affect significant ~~buildings and structures~~ Historic Landmarks, Districts, Sites, Buildings, Structures or Objects;

b. Loss of structural integrity due to deterioration of footings, load-bearing walls or columns, beams, trusses, or other support members;

c. Weathering or damage to exterior elements such as wall and roof surfaces, chimneys, balustrades, doors, windows, and other architectural features;

d. Loss of weather-tightness or security due to any of the above;

e. Deterioration resulting in a hazardous condition which would warrant demolition in the interest of public safety.

4. In order to avoid demolition necessitated by the failure to prevent any deterioration described in Paragraph (3) of this Subsection, the City may effect repairs to ~~a Landmark,~~ an Historic ~~Property~~ Landmark, District, Site, Building, Structure or Object or contributing property within an Historic District and assess the cost of such repairs to the property in the same manner and with the same effect as is available for the abatement of nuisances in LVMC 9.04.080 et seq.

5. For purposes of evaluating deterioration under this Subsection, the condition of the property at the time of its designation shall be the standard of reference.

6. Enforcement of this Subsection shall be the responsibility of the City Manager or designee.

O. Placement of Alternative Energy Systems

1. The application of alternative energy systems, such as solar and wind conversion technologies, shall be reviewed by the HPC to determine the impact on the Historic Landmark, Site, Building, Structure or Object as well as the impact on adjacent parcels and the surrounding District, if applicable. The least visible application of technologies is recommended; the systems and their supplementary equipment are to be discreet and reversible to avoid altering the historic character of the Historic Landmark, District, Site, Building, Structure or Object.

2. In the use of solar technologies, such as solar panels and solar water heaters, ground systems that can be placed at the rear of the property, at an appropriate height to minimize visibility shall be used. If equipment is to be roof-mounted, low or non-reflective materials shall be used, and all mechanical equipment shall be painted to match the existing surrounding material (roofing, fascia, primary structure) color. Visible roof-mounted installations shall be designed and positioned to be appropriately scaled with a structure's roofline while maintaining a balance, scale, proportion and rhythm with other features of that elevation. Roof-mounted or non-free standing systems shall be placed in locations not visible from public right-of-way (by the adoption of low horizontal systems set back from edge on flat roofs and behind roof parapets, on rear non-street-facing slope, at rear of building concealed from sight by a wall or vegetation, or on secondary rear structures below main roof line). If invisibility is unattainable, the following is encouraged, but not limited to:

   a. Placement towards the rear third of hipped or front gabled roof;

   b. Low placement, along the incline of the roof, and parallel to the original roofline;

   c. Careful design of installations, in keeping with the balance, scale, proportion and rhythm of other features of that elevation

3. In the use of wind technologies, such as wind turbines, tower mounted systems in lieu of those that are building mounted are preferred. These towers and ancillary structures are to be placed to have the least visual impact on the surrounding environment. All of the structures are to be muted in color, have no graphics and be appropriately screened where possible. For systems that are building mounted, placement should not be visible from public right-of-way.

4. All options for the placement of the alternative energy system should be fully explored to the satisfaction of the HPO.

P. Incentives

It is the intent of the City that ~~Landmarks, Historic Properties and properties within an~~ Historic Landmarks, Districts, Sites, Buildings, Structures and Objects be beneficial to their respective owners, as well as to the community. In addition to the intangible benefits of owning a ~~property recognized as an important community~~ designated historic resource, other potential benefits can be made available by the City. The HPO and the HPC are authorized, when possible and appropriate, to provide such owners with the following:

1. Assistance in locating potential sources of financial assistance and tax credits;

2. Assistance in preparing grant applications and seeking potential third party sponsorship;

3. Technical information and referrals;

4. Assistance in locating buyers and sellers;

5. Assistance, through the Parks, Recreation and Neighborhood Services Department, in the formulation and operation of a neighborhood association;

6. Assistance in obtaining other benefits as may become available through the City or other sources.

~~P~~ Q. Violations

1. It is unlawful for any person to construct, alter, demolish, remove or fail to maintain a ~~structure, property~~ an Historic Landmark, District, Site, Building, Structure, Object or portion thereof in violation of this Section.

2. In addition to and independent of a misdemeanor prosecution for violations under this Section, the City may pursue any available civil remedy to enforce compliance.

3. Any Historic Landmark, District, Site, Building, Structure, or Object found to be in violation of this Section will automatically be subject to a public hearing review by the HPC. The property owner must follow the guidelines, standards and process for review of alteration or new construction requirements set forth in Section (K) of this Chapter. Failure to follow the requirements of Section (K) of this Chapter is a violation of this Section.

4. In connection with any criminal prosecution or civil remedy, the person responsible for a violation may be required to restore a structure or property to its condition just previous to the violation.

~~Q. Historic Signs~~

~~1. Findings~~

~~The City Council of the City of Las Vegas finds that the historic and cultural foundations of the City should be preserved as a living part of its community life and development in order to give a sense of identity and orientation to the people of the City. A historic sign is a sign that, by its construction materials, unusual age, prominent location, unique design, or craftsmanship from another period, contributes to the cultural, historic, or aesthetic quality of the city's streetscape. These regulations have been formulated to allow those signs to be protected.~~

~~2. Purpose~~

~~The intent of this Subsection is to promote the public welfare by providing protection for significant signs that represent important aspects of the City's heritage; to enhance the character of the community by considering such signs during development; and to assist owner(s) in the preservation and restoration of their signs.~~

~~3. Designation Criteria~~

~~Signs are designated as historic structures by the City Council upon a favorable recommendation of the Historic Preservation Commission. The Council shall hold a public hearing to designate a sign as an historic structure. In order to designate a sign as an historic structure, the Council shall make a finding that the following conditions are met:~~

~~a. The sign and the use to which it pertains have been in continuous existence at the present location for at least 30 years;~~

~~b. The sign is structurally safe or is capable of being made so without substantially altering its historical significance;~~

~~c. The continued existence of the sign is encouraged and is beneficial to the public good; and~~

~~d. At least one of the following conditions shall be met by the sign:~~

~~i. The sign contributes to the historical or cultural character of the streetscape and the community at large;~~

~~ii. The sign is associated with historic figures, events, or places;~~

~~iii. The sign is significant as evidence of the history of the product, business, or service advertised;~~

~~iv. The sign is significant as reflecting the history of the building or the development of the historic district;~~

~~v. The sign is characteristic of a specific historic period;~~

~~vi. The sign is integral to the building's design or physical fabric;~~

~~vii. The sign represents an outstanding example of the sign maker's art due to craftsmanship, use of materials, or design;~~

~~viii. The sign is a local landmark recognized as a popular focal point in a community; or~~

~~ix. The sign contains elements important in defining the character of a historic district.~~

~~4. Procedure~~

~~a. The procedure for designation of a sign as an historic structure shall be the same procedure for designating an historic building, property or site, in accordance with this Section.~~

~~b. Nothing in this Subsection shall prohibit the owner(s) of a sign designated as an historic structure from removing such a sign; however, removal of a sign so designated requires approval by the Historic Planning Commission and recommendation for alternate placement or storage.~~

R. Definitions

For purposes of this Section, the following terms have the meanings ascribed to them:

Alteration: Any aesthetic, architectural, mechanical, or structural change or addition to the exterior surface of any significant part of a designated property.

Approval authority: The HPC or the HPO, as indicated in this Section.

Building: A resource created principally to shelter any form of human activity, such as a home.

Compatibility: A pleasing visual relationship between elements of a property, building or structure; among properties, buildings and structures; or with their surroundings. Aspects of compatibility may include, but are not limited to, proportion, rhythm, detail, texture, material, reflectance and architectural style.

Contributing Resource: Sites, buildings, structures or objects which individually meet the criteria for historic designation, or contribute generally to the overall distinctive character of a district and are united historically or visually by plan or physical development.

Demolition: The act or process that destroys a structure or feature associated with a designated property.

Distinctive Character: The distinguishing architectural and aesthetic characteristics of a Landmark or Historic Property, or those generally found throughout an Historic District, which fulfill the criteria for designation.

District: A significant concentration, linkage or continuity of sites, buildings, structures or objects united historically or aesthetically by plan or physical development.

Non-contributing Resource: Sites, buildings, structures or objects which do not individually meet the criteria for historic designation, or do not contribute generally to the overall distinctive character of a district.

Object: A construction primarily artistic in nature or relatively small in scale, such as a sign, statue or milepost.

Ordinary Maintenance and Repair: Regular or usual care, upkeep, repair or replacement of any portion of an existing property, building or structure in order to maintain a safe, sanitary and stable condition.

~~Owner: The person(s) listed in the property records of Clark County as having fee ownership of an individual parcel or property.~~

~~Property: One or more structures or other improvements, or an archeological site, associated with a particular parcel or location.~~

Significant: With reference to a property, building or structure, means having aesthetic, architectural or historical qualities of critical importance to its consideration in connection with the designation of property under this Section.

Site: Location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined or vanished, where the location itself possesses historic, cultural or archaeological value regardless of the value of any existing structure.

Structure: A functional construction made for purposes other than creating shelter, such as a bridge.

SB-O LAS VEGAS BOULEVARD SCENIC BYWAY OVERLAY DISTRICT

A. Intent

In 2001 the State of Nevada designated as a scenic byway the Las Vegas Boulevard Scenic Byway in order to preserve its character as a nighttime urban scenic byway. The intent of the Las Vegas Boulevard Scenic Byway Overlay District is to provide signage standards that will maintain and enhance the scenic qualities of this historic highway in accordance with the "scenic byway" designation.

B. Boundaries.

The Las Vegas Boulevard Scenic Byway Overlay District is established within the City. Its boundaries are generally described as the portion of Las Vegas Boulevard between Sahara Avenue on the south and Washington Avenue on the north. The Overlay District includes only those properties that have direct frontage on Las Vegas Boulevard. Because of ongoing development activity along Las Vegas Boulevard, the list of properties with direct frontage on Las Vegas Boulevard may change from time to time, and the above textual description of the boundaries of the Overlay District shall control over any map to the contrary. However, for the sake of convenience and reference, the boundaries of the Overlay District are generally depicted in Figure 1.

C. Sign Standards

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

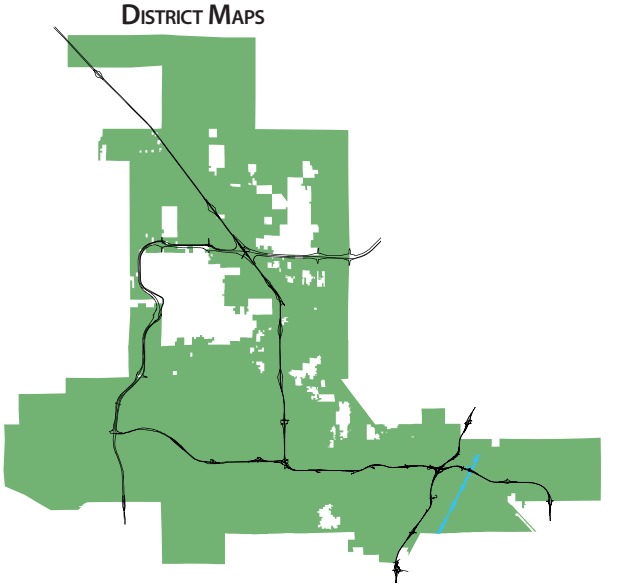
   a. All applicable standards and procedures in this Title;

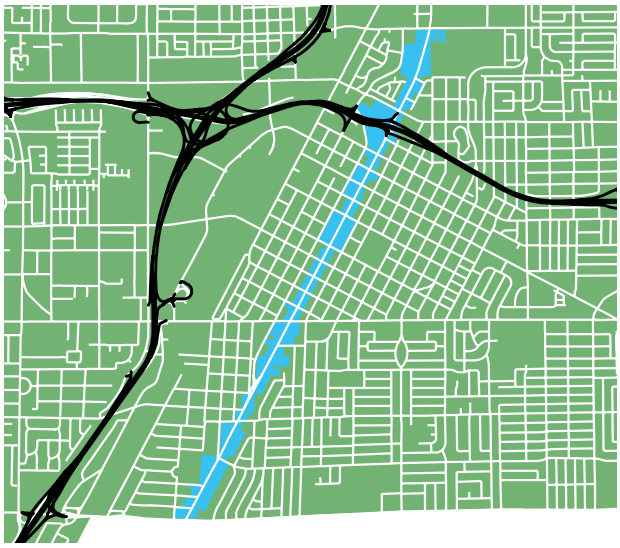
   b. All applicable standards and procedures in LVMC Chapter 19.10 and that govern the Downtown Centennial Plan Overlay District, for properties that are located within the district;

   c. All applicable standards and procedures in LVMC Chapter 19.10 that govern the Downtown Entertainment Overlay District, for properties that are located within that district; and

   d. The review and approval procedures set forth in Subsection (D) of LVMC 19.10.100, irrespective of where in the Las Vegas Boulevard Scenic

FIGURE 1 - LAS VEGAS BOULEVARD SCENIC BYWAY OVERLAY DISTRICT MAPS





MAPS ARE REPRESENTATIVE OF WHERE THE SB-O DISTRICT IS LOCATED.

SEE THE OFFICIAL ZONING MAP ATLAS FOR THE EXACT LOCATION OF PROPERTIES WHICH CURRENTLY FALL WITHIN THE SB-O (LAS VEGAS BOULEVARD SCENIC BYWAY OVERLAY) DISTRICT.

Byway Overlay District the signage will be located.

2. **Illumination.** For any development within the Las Vegas Boulevard Scenic Byway Overlay District, at least 75% of the total sign surface areas for that development (excluding awning signs) must consist of illuminated signage, in the form of neon signs, animated signs, or a combination thereof.

3. **Off-premise Signs.** Off-premise signs are not permitted within the Las Vegas Boulevard Scenic Byway Overlay District.

4. **Maintenance.** The owner and operator of each sign are jointed and severally responsible for ensuring that appropriate sign maintenance occurs and that damaged or nonfunctional signs and lighting are promptly repaired and made functional.

19.10.170

LW-O LIVE/WORK OVERLAY DISTRICT

A. Purpose

The purpose of the Live/Work Overlay District is to allow owners and operators of businesses to occupy joint living and work quarters in commercial and industrial areas where other types of residential uses are inappropriate. Allowing Live/Work units will contribute to the vitality of commercial and industrial areas, assist in reducing vehicular traffic, and allow for a greater spectrum of housing types within the City.

B. Intent

It is intended that Live/Work units will function as follows:

1. The owner or lessee of the space will reside and work in the Live/Work unit.
2. The commercial or nonresidential uses of the ~~Life~~ Live/Work unit will be limited to low-intensity commercial and arts-related uses.
3. No activity that uses hazardous materials or generates excessive noise will be permitted.
4. The number of employees will be limited.
5. Clientele generally will arrive by appointment, with walk-in trade anticipated to be minimal.
6. The residential component of the use shall be accessory to the commercial or nonresidential component.
7. Residents of Live/Work units will be presumed to acknowledge the existence and operation of uses that are permitted on nearby parcels that are zoned for commercial and industrial uses.

C. Boundaries.

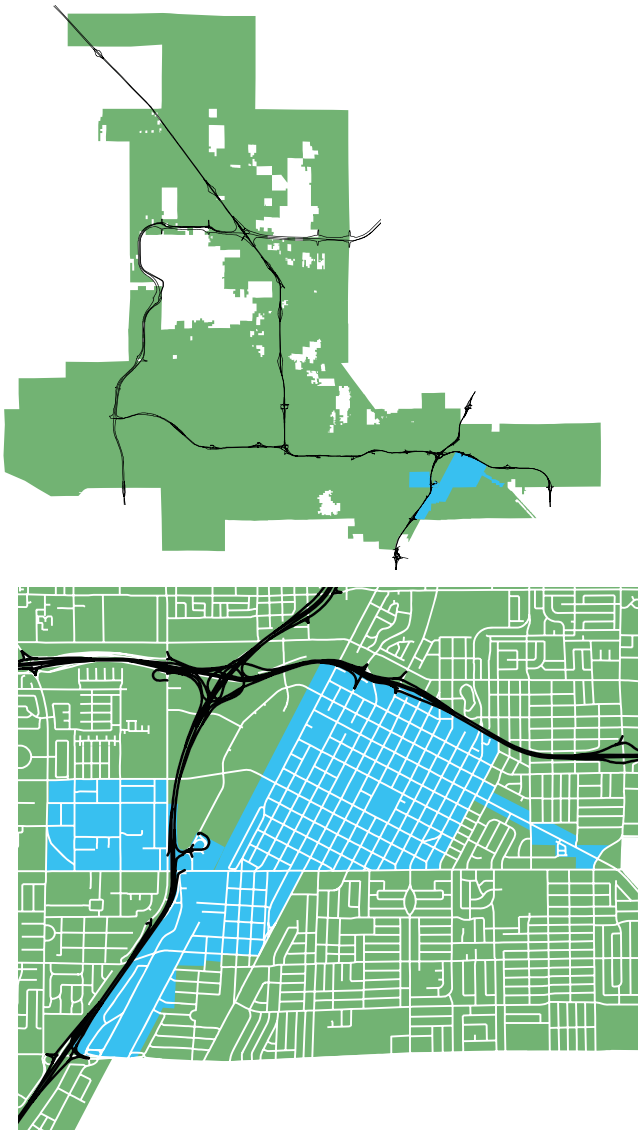
The Live/Work Overlay District is established within the City. Its boundaries are depicted in Figure 1.

D. Approval Criteria.

All Live/Work units within the Live/Work Overlay District must meet the following criteria in order to be approved:

1. **Zoning.** Live/Work units may be located in the C-1, C-2, C-M, M and PD Zoning Districts only.

FIGURE 1 - LIVE/WORK OVERLAY DISTRICT MAPS



MAPS ARE REPRESENTATIVE OF WHERE THE LW-O DISTRICT IS LOCATED.

SEE THE OFFICIAL ZONING MAP ATLAS FOR THE EXACT LOCATION OF PROPERTIES WHICH CURRENTLY FALL WITHIN THE LW-O (LIVE/WORK OVERLAY) DISTRICT.

2. **Permissible Nonresidential Uses.** Because of the residential component, only the following nonresidential uses are permitted:

   a. Office uses.

   b. Desktop publishing.

   c. Arts activities, including painting, sculpture, printmaking, ceramics, photography, film, video, graphic design, jewelry, and textiles, but excluding any activity that involves welding or open flame work. The sale of artwork is permitted as an ancillary use.

3. **Nonresidential Use Criteria.** Nonresidential activities must generally conform to the intent of the Live/Work Overlay District as described in Subsection (B) of this Section.

4. **Residential Use Criteria.** The residential component of a Live/Work unit must contain sleeping space, cooking facilities, and complete sanitary facilities. No more than fifty percent of the total floor area of a Live/Work unit shall be designed or used for residential purposes. The residential occupancy of a Live/Work unit must include at least one person who is employed or carries out an occupation in the unit.

5. **Emergency Access and Parking.** Live/Work units shall be clearly identified by signage in order to facilitate access for emergency services. The amount of required on-site parking shall be calculated in accordance with parking provisions of this Title, based upon the gross square footage of the unit and the nonresidential use or uses occurring therein.

6. **Signage.** Permissible signage shall be in accordance with the requirements and limitations of this Title and those that pertain to any other overlay district in which the property is located.

E. Approval Process

1. **Arts District.** Within the Arts District (as identified in the Las Vegas Downtown Centennial Plan), a Live/Work unit proposed within a new structure may be approved as part of a Site Development Plan Review. Live/Work units proposed within an existing structure may be approved administratively, subject to compliance with this Section and all applicable building-related codes.

2. **Other Locations.** At locations other than the Arts District (as identified in the Las Vegas Downtown Centennial Plan), a Live/Work unit proposed within a new or existing structure may be approved only by means of a Special Use Permit.

F. Applicability of Other Provisions.

This Section is intended to operate and apply independently of any other provision in this Title that allows residential and nonresidential uses on the same parcel. An applicant may proceed under this Section or under any other provision that applies to a proposed use.

RP-O RURAL PRESERVATION OVERLAY DISTRICT

A. Establishment of District

There is hereby created the Rural Preservation Overlay District, consisting of those areas that are deemed consistent with the definition and intent of a rural preservation neighborhood. In order to provide a description of those areas, the City shall maintain a Rural Preservation Overlay District Map, which shall indicate the areas that, at a particular point in time, are deemed consistent with the definition and intent of a rural preservation neighborhood. The Overlay District map shall be maintained on file in the Department. In order to keep the Overlay District Map as current as reasonably possible, the Map shall be amended from time to time, at a frequency deemed appropriate by the Department, to add areas to, or remove areas from, the Overlay District in order to reflect the fact that particular properties have come to qualify, or no longer qualify, for inclusion within a rural preservation neighborhood. As deemed appropriate, the Department may, after taking into account input from interested parties:

1. Make any such amendment to the Overlay District Map administratively; or

2. Request City Council approval or ratification of any such amendment.

B. Intent of District

It is the intent of the Rural Preservation Overlay District to:

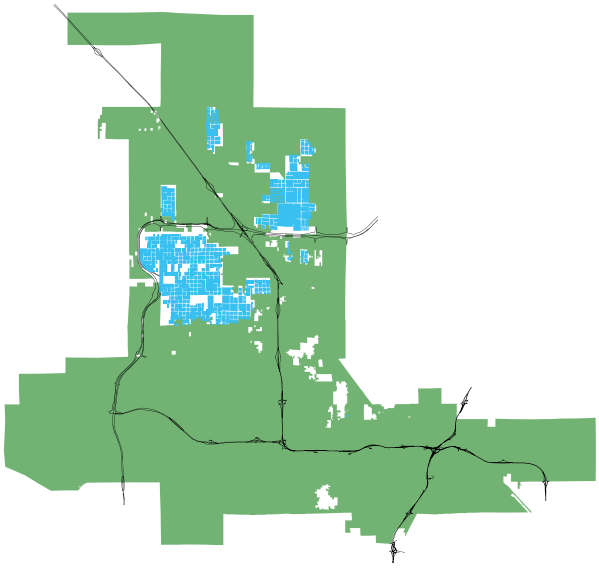
1. Ensure that the rural character of each rural preservation neighborhood is preserved.

2. Unless a rural preservation neighborhood is located within three hundred thirty feet of an existing or proposed street or highway that is more than ninety-nine feet wide, maintain the rural character of the area developed as a low density residential development.

3. Provide adequate buffer areas, adequate screening and an orderly and efficient transition of land uses, excluding raising or keeping animals commercially or noncommercially.

4. Establish a basis for the modification of standards for the development of infrastructure to maintain the rural character of the rural preservation neighborhood.

FIGURE 1 - RURAL PRESERVATION OVERLAY DISTRICT MAP



MAP IS REPRESENTATIVE OF WHERE THE RP-O DISTRICT IS LOCATED.

SEE THE OFFICIAL ZONING MAP ATLAS FOR THE EXACT LOCATION OF PROPERTIES WHICH CURRENTLY FALL WITHIN THE RP-O (RURAL PRESERVATION OVERLAY) DISTRICT.

C. Certain Rezoning Requests.

For any rezoning request for vacant property that is located within three hundred thirty feet of a parcel within the Overlay District, the City Council, for good cause shown, may approve a greater density or intensity of use than that which exists within the Overlay District.

19.12

Permissible Uses

Unified Development Code

Title 19

19.12
Permissible Uses

19.12.010 Land Use Tables 331

19.12.020 Accessory Uses and Structures 341

19.12.030 Temporary Commercial Permits 341

19.12.040 Conditional Uses 341

19.12.050 Special Use Permits 342

19.12.060 Parking Requirements 342

19.12.070 Permissible Use Descriptions and Applicable Conditions and Requirements 342

19.12.080 Use Provisions for C-V District 406

19.12.090 Use Restrictions for P-O, O and CD-O Districts 406

19.12.100 Similar and Prohibited Uses 407

19.12.110 Intent and Effect of Cross-Referencing Tools 407

19.12.120 Off-Premise Signs 408

19.12.130 Motor Vehicle Dealerships, Test Driving Route Plans 412

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.

19.12.010
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-PB	C-M	M	~~C-V~~	Additional Information
Accessory Structure (Class I)	S	S	S															page 343
Accessory Structure (Class II)	C	C	C	C	C	C	C	C	C									page 343
Adult Day Care Center	S	S	S			S	S	S	S	C	C	P	P	P	P	P		page 343
Airport, Heliport or Landing Field															P	P		page 343
Amphitheater												S	C		C	C		page 344
Ancillary Lounge Bar												S	S	S	S	S		page 344
Animal Hospital, Clinic, or Shelter (with no Outside Pens)											S	S	P	P	P	P		page 345
Animal Hospital, Clinic, or Shelter (with Outside Pens)	S	S										S	P		P	P		page 345
Animal Keeping & Husbandry	C	C																page 345
Animal Keeping, Wild or Exotic	C	C														C		page 345
Animal Production	P	P																page 345
Antique/Collectible Store												P	P		P	P		page 346
Asphalt or Concrete Batch Plant																P		page 346
Assisted Living Apartments						S	P	P				S	S					page 346
Astrologer, Hypnotist, or Psychic Art and Science										S		P	P		P	P		page 346
Auction House													S		S	S		page 346
Auto Broker												C	C		C	C		page 346
Auto Dealer Inventory Storage												S	S	S	S	S		page 347
Auto Paint & Body Repair Shop													S		C	C		page 347
Auto Parts (Accessory Installation)												C	P		P	P		page 347
Auto Parts (New & Rebuilt) (Accessory Sales & Service)												S	C		P	P		page 347
Auto Repair Garage, Major													S		C	C		page 348
Auto Repair Garage, Minor												S	C		C	C		page 348
Auto Sales Showroom												S	P	S	P	P		page 348
Auto Smog Check												C	C		C	C		page 348
Auto Title Loan											S	S	S		C	C		page 349
Automobile Rental												S	S		S	C		page 350
Automobile Repossession Agency												C	C		C	C		page 350
Bailbond Service												S	S		P	P		page 350
Bakery, Retail											A	P	P	S	P	P		page 350
Banquet Facility												P	P	A	P			page 350
~~Banquet Facility (with Alcoholic Beverage Sales)~~																	~~S~~	~~page 350~~
Bed & Breakfast Inn	S	S	S	S	S	S	S	S		S								page 351

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

19.12.010
Permitted Use - Table 2

	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-PB	C-M	M	~~C-V~~	Additional Information
Beer/Wine/Cooler ~~Off-Sale~~ Cultural Establishment												S	S		S	S		page 351
Beer/Wine/Cooler Off-Sale Establishment												S	S		S	S		page 351
Beer/Wine/Cooler On- and Off-Sale Establishment												S	S		S	S		page 352
Beer/Wine/Cooler On-Sale Establishment												S	S		S	S	~~S~~	page 353
Billiard Parlor or Pool Hall												S	P		P	P		page 354
Blood Plasma Donor Center													S		S	S		page 354
Boarding or Rooming House							P	P							S			page 354
Boat & Trailer Dealership (New and Used)												S	S		C	C		page 354
Building & Landscape Material/ Lumber Yard												S	C		P	P		page 354
Building Maintenance Service and Sales												S	C	S	P	P		page 354
Bus Charter Service & Service Facility															P	P		page 355
Business School											P	P	P	P	P	P		page 355
Car Wash, Full Service or Auto Detailing												S	C		C	C		page 355
Car Wash, Self-Service												S	C		C	C		page 355
Catering Service												P	P	P	P	P		page 355
Cemetery/Mausoleum	C	C											C		C	C	~~S~~	page 355
Check Cashing Service, Limited											C	C	C	C	C	C		page 356
Child Care – Family Home	P	P	P	P	P	P	P	P	P									page 356
Child Care – Group Home	S	S	S	S	S	S	S	S	S									page 356
Child Care Center	S	S					S	S	S	C	C	P	P	P	P	P		page 356
Church/House of Worship	S	S	S	S	S	S	S	S	S	P	P	P	P	P	P	P		page 356
Cleaners, Commercial/Industrial													S	S	P	P		page 357
Clinic												P	P	P	P	P		page 357
Cold Storage Plant													P		P	P		page 357
College, University, or Seminary											S	P	P	P	P	P		page 357
Commercial, Other than Listed												S	P	S	P	P		page 357
Commercial Recreation/ Amusement (Indoor)											S	P	P	P	P	P		page 357
Commercial Recreation/ Amusement (Outdoor)													P		P	P		page 358
Community Center, Private (Accessory)	C	C	C	C	C	C	A	A	C									page 358

19.12.010
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-PB	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	P		page 358
Community Residence (including Family Community Residence and Transitional Community Residence)	C	C	C	C	C	C	C	C	C		C	C	C					page 358
Condominium					P	P	P	P		C	C	C	C					page 359
Construction Material Supply Yard															P	P		page 360
Contractor's Plant, Shop & Storage Yard															P	P		page 360
Convalescent Care Facility/Nursing Home	S	S	S	S		S	S	S				S	S	P				page 360
Convenience Store											A	C	C	S	C	C		page 360
Convent or Monastery							P	P										page 360
~~Convention Facility, Publicly Operated~~																	~~S~~	page 360
Copy Center										P	P	P	P	P	P	P		page 361
Country Club, Private	S	S	S	S		S	S	S	S	S	P	P	P		P	P		page 361
Crematory													C		C	C	~~S~~	page 361
Crop Production	P	P																page 361
Custodial Institution															S	S	~~S~~	page 361
Custom & Craft Work												S	C	P	P	P		page 361
Daily Labor Service												S	S		S	S		page 361
Delivery and Service Vehicle Storage													S	S	P	P		page 362
Desktop Publishing										P	P	P	P	P	P	P		page 362
Dry Cleaners											S	P	P	S	P	P		page 362
Electric Generating Plant													S	S	S	S		page 362
Electric Utility Substation	S						S	S			S	P	P	P	P	P		page 362
Electrical, Watch, Clock, Jewelry & Similar Repair											A	P	P	S	P	P		page 362
Emergency Ambulance Services, Ground												S	P	P	P	P		page 362
Employment Agency										P	P	P	P	P	P	P		page 362
Environmentally Hazardous Materials																P		page 363
Escort Bureau												S	S		P	P		page 363
Facility for Transitional Living for Released Offenders							S	S										page 363
Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse												S	S		C	C		page 364

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

19.12.010
Permitted Use - Table 2

	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-PB	C-M	M	~~C-V~~	Additional Information
Financial Institution, General (with Drive-Through)											C	C	C	C	C	C		page 364
Financial Institution, General (without Drive-Through)											P	P	P	P	P	P		page 364
Financial Institution, Specified											S	S	S		C	C		page 364
Food Processing													C		P	P		page 365
Fraternity, Sorority House or Private Dorm							S	S										page 365
Gaming Establishment, General Business-Related												S	S	S	S	S	~~S~~	page 366
Gaming Establishment, Non-restricted												S	S		S	S		page 366
Gaming Establishment, Restricted												A	A	A	A	A		page 366
Garden Supply/Plant Nursery												C	C		P	P		page 366
General Personal Service											A	P	P	S	P	P		page 366
General Retail Store, Other Than Listed (3500 Square Feet or More)												P	P	S	P	P		page 367
General Retail Store, Other Than Listed (Less than 3500 Square Feet)											A	P	P	S	P	P		page 367
Golf Driving Range											S	P	P		P	P		page 367
Government Facility										P	P	P	P	P	P	P		page 367
Grocery Store												P	P	S	P	P		page 367
Gun Club, Skeet or Target Range, or Archery Club (Indoor)													S		P	P		page 367
Gun Club, Skeet or Target Range, or Archery Club (Outdoor)	S														S	P		page 367
Health Club											A	P	P	S	P	P		page 368
Heavy Machinery and Equipment (Rental, Sales & Service)															P	P		page 368
Heavy Machinery and Equipment (Storage)																P		page 368
Helipad											S	S	S	S	P	P		page 368
Home Occupation	H	H	H	H	H	H	H	H	H									page 368
Horse Corral or Stable (Commercial)	S	S										C	C		C	C		page 368
Horse Corral or Stable (Private)	C	C																page 368
Hospice		S					S	S		S	S	P	P		S			page 368
Hospital											S	C	P	P	P	P		page 368
Hotel, Motel or Hotel Suites												S	P	S	P	P		page 369
Hotel, Residence								S				S	S	S	P			page 369
Internet Cafe												C	C		C	C		page 369

19.12.010
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-PB	C-M	M	~~C-V~~	Additional Information
Internet/Catalogue Sales Office										C	C	P	P		P	P		page 369
Jewelry Store, Class III												S	S		S	C		page 369
Jewelry Store, New												P	P		P	P		page 370
Keeping of Carrier or Racing Pigeons	S	S	S									S	S		S	S		page 370
Laboratory, Medical or Dental										A	A	P	P	P	P	P		page 370
Landfill																S		page 370
Laundry, Self-Service												P	P		P	P		page 370
Library, Art Gallery or Museum (Public)										P	P	P	P		P	P		page 370
Light Assembly & Fabrication												C	C	P	P	P		page 370
Liquefied Petroleum Gas Installation (288 Gallons or Less)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		page 371
Liquefied Petroleum Gas Installation (Over 288 Gallons)												S	S	S	S	S	~~S~~	page 371
Liquor Establishment (Tavern)												S	S	S	S	S	~~S~~	page 371
Livestock Farming (Bovines/Horses)	C	C																page 372
Manufactured Home (Not Qualifying for Treatment as Single Family Detached Dwelling)									P									page 373
Manufactured Home (Qualifying for Treatment as Single Family Detached Dwelling)	C	C	C	C	C	C	C	C										page 373
Manufacturing, Heavy															S	P		page 373
Manufacturing, Light														P	P	P		page 373
Martial Arts Studio												P	P		P	P		page 374
Massage, Accessory										A	A	A	A	A	A	A		page 374
Massage Establishment												S	S	S	S	C		page 374
Mining, Sand & Gravel Excavation	S														S	S		page 374
Mini-Storage Facility												S	C		C	C		page 374
Mixed-Use							S	S		S	S	C	C	S				page 375
Mobile Home									P									page 376
Mobile Home Park									C									page 376
Monorail	S	S	S	S		S	S	S	S	S	S	S	S	S	S	S		page 376
Mortuary or Funeral Chapel												S	P		P	P	~~S~~	page 377
Motor Vehicle Sales (New)													C		C	C		page 377
Motor Vehicle Sales (Used)													S		C	C		page 377
Motorcycle/Motor Scooter Sales												S						page 378
Mounted Antenna of 15 Feet or Less (Ultimate Height)	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P		page 378

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

19.12.010
Permitted Use - Table 2

	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-PB	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	S	P	P		page 378
Multi-Family Residential							P	P										page 378
Museum, Art Display, or Art Sales (Private)										S	P	P	P	P	P	P		page 378
Night Club												S	P	S	P	P		page 378
Office, Medical or Dental										P	P	P	P	P	P	P		page 378
Office, Other than Listed										P	P	P	P	P	P	P		page 378
Off-Premise Sign												S	S	S	S	S	~~S~~	page 378
Open Air Vending/ Transient Sales Lot												C	C		C	C		page 379
Outcall Entertainment Referral Service												S	S		P	P		page 379
Outdoor Storage, Accessory												C	C	C	C	C		page 379
Package Liquor Off-Sale Establishment												S	S		S	S		page 379
Parking Lot/Sidewalk Sale												T	T	T	T	T		page 380
Parking, Commercial										C	S	P	P	P	P	P		page 380
Pawn Shop												S	S		S	C		page 380
Pawn, Auto															S	C		page 381
Pet Boarding												C	C		C	C		page 382
Pet Shop												C	C		C	C		page 382
Post Office, Local Service										P	P	P	P	P	P	P		page 382
Post Office, Regional													P	P	P	P		page 382
Printing & Publishing														P	P	P		page 382
Private Club, Lodge or Fraternal Organization											S	P	P		P	P		page 382
Private Sports Arena, Stadium or Track													S		S	P		page 382
Private Street	C	C	C	C	C	C	C	C	C									page 382
Psychology Practice										P	P	P	P	P	P	P		page 383
Public or Private School, Primary	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	~~S~~	page 383
Public or Private School, Secondary	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	~~S~~	page 383
Public Park or Playground	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		page 384
Radio Broadcasting											P	P	P	P	P	P		page 384
Radio, TV or Microwave Communication Tower											S	S	S	S	S	P		page 384
Rail/Transit Yard or Shop																P		page 384
Recording Studio												S	P	S	P	P		page 384

19.12.010
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-PB	C-M	M	~~C-V~~	Additional Information
Recreational Vehicle and Boat Storage												S	C		C	C		page 384
Recycling Collection Center															C	C		page 384
Rental Store (with Outside Storage)													S		P	P		page 385
Rental Store (without Outside Storage)												P	P		P	P		page 385
Rescue Mission or Shelter for the Homeless													S		S	S		page 385
Restaurant with Service Bar											S	S	S	S	S	S	~~S~~	page 385
Restaurant, 2000 sq. ft. or more (with Drive-Through)												C	C		C	C		page 386
Restaurant, 2000 sq. ft. or more (without Drive-Through)											A	P	P	P	P	P		page 386
Restaurant, Less than 2000 sq. ft. (with Drive-Through)												C	C		C	C		page 386
Restaurant, Less than 2000 sq. ft. (without Drive-Through)											A	P	P	S	P	P		page 386
Retail Establishment with Accessory Package Liquor Off-Sale												S	S		S	S		page 386
Salvage or Reclamation of Products (Indoor)														S	P	P		page 387
Salvage or Reclamation of Products (Outdoor)																C		page 387
Satellite Dish	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		page 388
Seasonal Outdoor Sales										T		T	T	T	T	T		page 388
Secondhand Dealer												S	S		C	C		page 388
Senior Citizen Apartments							C	C				S						page 389
Service Station (with Incidental Automotive Repair)												S	S		C	C		page 389
Service Station (without Automotive Repair)												C	C		C	C		page 390
Sex Offender Counseling Facility												S	S		C	C		page 390
Sexually Oriented Business															C	C		page 390
Shopping Center												P	P		P	P		page 392
Short-Term Residential Rental	C	C	C	C	C	C	C	C	C									page 392
Single Family, Attached				P	P	P	P	P										page 393
Single Family, Detached	P	P	P		P	P	P	P	P									page 393
Single Family, Zero Lot Line				C	C													page 393
Single Room Occupancy Residence													S		P			page 393
Slaughtering and Processing of Live Poultry												S	S		S	P		page 393

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

19.12.010
Permitted Use - Table 2

	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-PB	C-M	M	~~C-V~~	Additional Information
Small Wind Energy System		C	C			C	C	C		C	C	C	C	C	C	C		page 394
Social Event with Alcoholic Beverage Sales										S	S	S	S	S	S	S	~~S~~	page 395
Social Service Provider											S	S	S		S	S		page 395
Solar Panel	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		page 396
Sound Stage												S	S		S	S		page 396
Supper Club											S	S	S	S	S	S	~~S~~	page 396
Swap Meet												S	S		C	C		page 397
Tattoo Parlor/Body Piercing Studio													S		P	P		page 397
Tavern-Limited Establishment												S	S	S	S	S		page 397
Taxicab/Limo Yard															P	P		page 397
Teen Dance Center												C	C		C	C		page 397
Temporary Contractor's Construction Yard	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T		page 398
Temporary Outdoor Commercial Event	T	T										T	T	T	T	T		page 398
Temporary Real Estate Sales Office	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		page 398
Tennis Courts, Accessory	C	C	C	C	C	C	C	C	C		C	C	C					page 398
Thriftshop												S	S		C	C		page 398
Thriftshop, Nonprofit												S	S		S	C		page 399
Time-Share Development													C					page 399
Towing & Impound Yard															C	C		page 399
Towing Service (with No Storage)													S		P	P		page 399
Townhouse					P		P	P										page 399
Trade School											C	P	P	P	P	P		page 399
Trailer/RV Camp or Park												S	S		S	P		page 400
Transit Passenger Facility												C	C		P	P		page 400
Truck Rental													S		P	P		page 400
Trucking Company													S		P	P		page 400
Tutoring Center										C	C	C	C		C	C		page 400
TV Broadcasting & Other Communication Service											S	S	S	S	P	P		page 401
Two-Family Dwelling						P	P	P										page 401
Urban Lounge												S	S		S	S		page 401
Utility Installation, Other Than Listed	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P	P		page 401
Utility Transmission Lines	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		page 401
Valet Parking											C	C	C		C	C		page 401

19.12.010
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-PB	C-M	M	~~C-V~~	Additional Information
Vehicle Parking, Storage or Repair in Residential Zoning Districts	C	C	C	C	C	C	C	C	C									page 401
Warehouse/Distribution Center														S	P	P		page 404
Wedding Chapel												P	P		P	P		page 404
Welding Repair															P	P		page 404
Wholesale Showroom Facility													P	S	P	P		page 404
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	S		page 404
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	C		page 405
Wireless Communication Facility, Stealth Design	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		page 405

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~~ 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 is reduced to 100 feet from property line to property line.
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~~ designed to have a minimum size of 1200 square feet and no more than 5000 square feet of floor space, exclusive of warehouse and office area, devoted to the display of merchandise, 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. ~~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. Does 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~~ 19.12.120.

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~~ 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~~ 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~~ does not apply to this use. In the case of a Special ~~use~~ 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~~ six 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 that extends the full length and width of the vehicle;

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 that extends the full length and width of the vehicle; 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 that extends the full length and width of the vehicle;

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 that extends the full length and width of the vehicle; 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 that extends the full length and width of the vehicle; 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~~ 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~~ RESTRICTIONS FOR ~~C-V~~ CD-O 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.~~

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.

USE RESTRICTIONS FOR P-O~~,~~ AND 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

19.14
Nonconforming Uses and Structures

19.14.010 Intent 417

19.14.020 Applicability 417

19.14.030 Regulations 417

19.14.040 Expansion of a Nonconforming Use in a Conforming Building 419

19.14.050 Nonconforming Uses and Buildings - Restoration After Damage 419

19.14.060 Building - Abatement in "R" Residential Districts 419

19.14.070 Renewable Energy Systems and Nonconforming Uses and Buildings 419

19.14.080 Nonconforming Signs 419

19.14.090 Non-conformity Resulting From City Action 421

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
V	20

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 or height.

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.

19.16

Applications & Procedures

Unified Development Code

Title 19

19.16
Applications & Procedures

19.16.010 General Requirements 427
19.16.020 Annexation 431
19.16.030 General Plan Amendment 433
19.16.040 Parcel Map..... 439
19.16.050 Tentative Map 443
19.16.060 Final Map 447
19.16.070 Reversionary Map 453
19.16.080 Vacations 455
19.16.090 Rezoning 459
19.16.100 Site Development Plan 465
19.16.110 Special Use Permit 471
19.16.120 Administrative Deviation 441
19.16.130 Waiver 483
19.16.140 Variance..... 485
19.16.150 Development Agreements 491
19.16.160 Temporary Commercial Permit 493
19.16.170 Temporary Sign Permit 497
19.16.180 Home Occupation Permit 499
19.16.190 Model Home Permit 503
19.16.200 Sign Certificate 505
19.16.210 Maintenance Districts 509
19.16.220 Unified Development Code Text Amendment 515
19.16.230 Street Name Change 517
19.16.240 Review of Conditions 519
19.16.250 Required Review 521
19.16.260 Extension of Time 523
19.16.270 Master Sign Plan 525
19.16.280 Appendices..... 529

19.16.010

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:

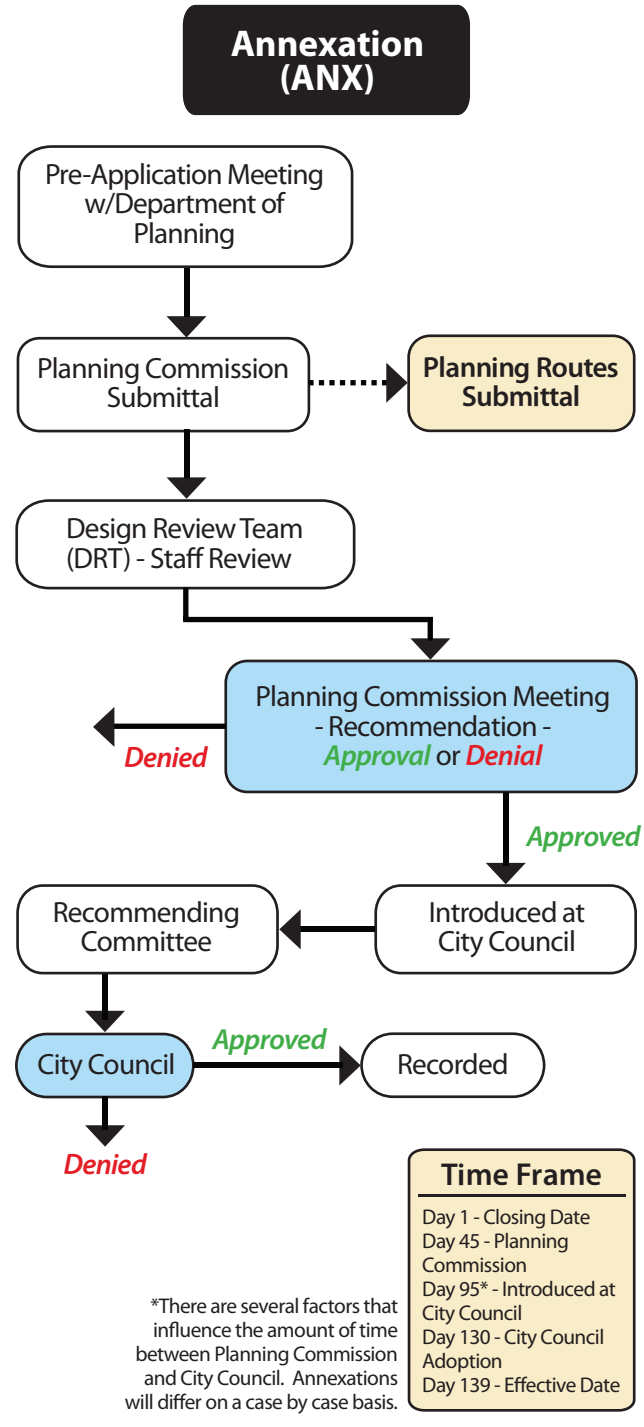
i. Developed. The annexed territory, if developed, shall be classified with the same zoning classification that was in effect on the property prior to annexation or the nearest comparable classification.

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.

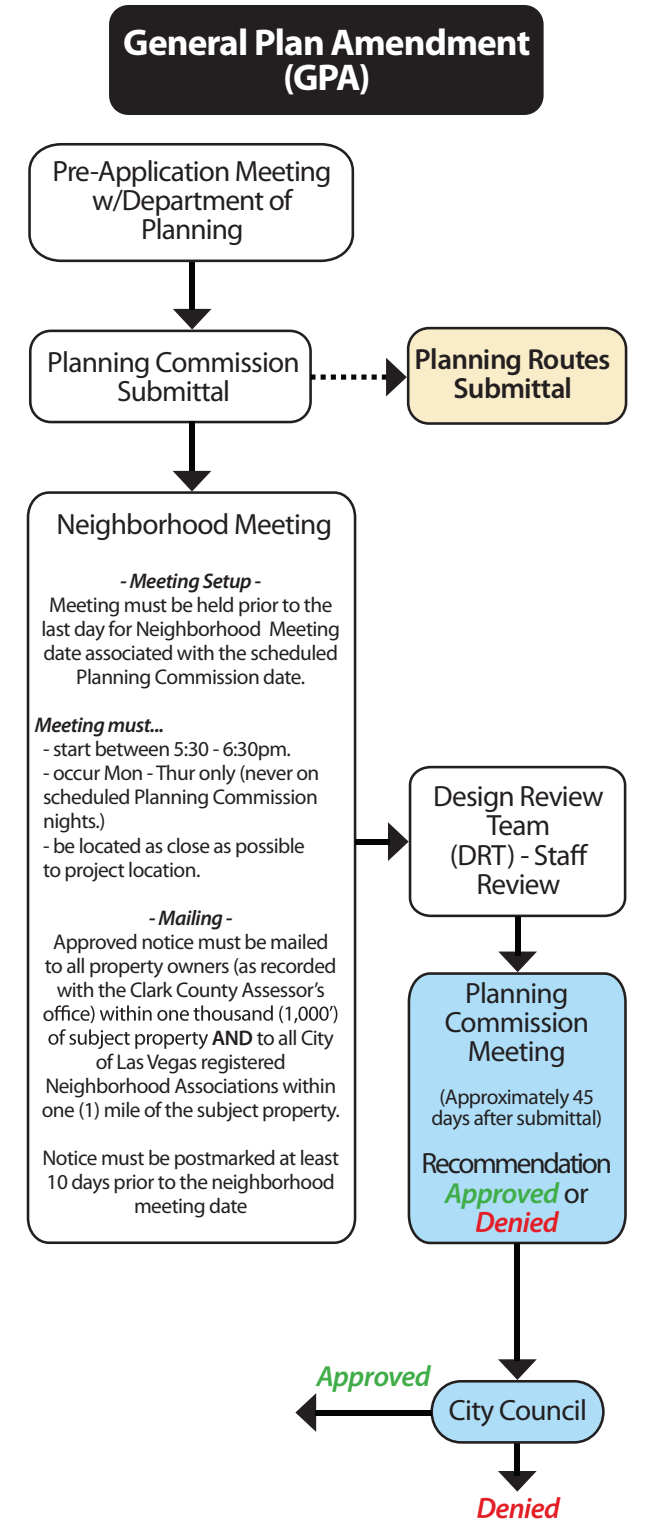
3. **Form and Filing.**

   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

Typical Review Process

General Plan Amendment

19.16.030



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)~~ 19.16.010(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.

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

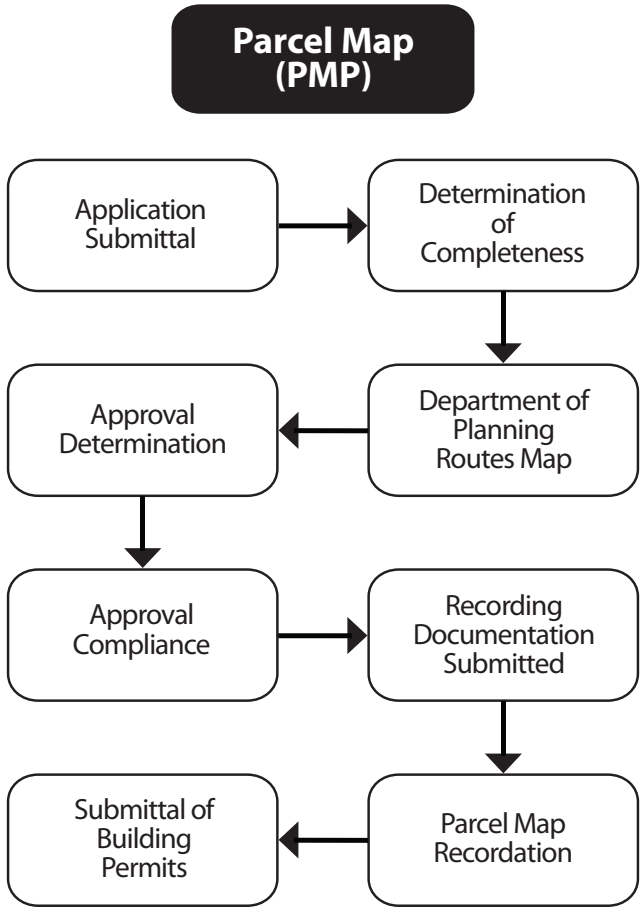
The Director, in conjunction with the Director of Public Works, shall determine whether or not a parcel map complies with this Section. Upon determining, pursuant to this Section, that all conditions and requirements have been met and that all appropriate certification signatures are complete, the Director 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.

19.16.050

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).

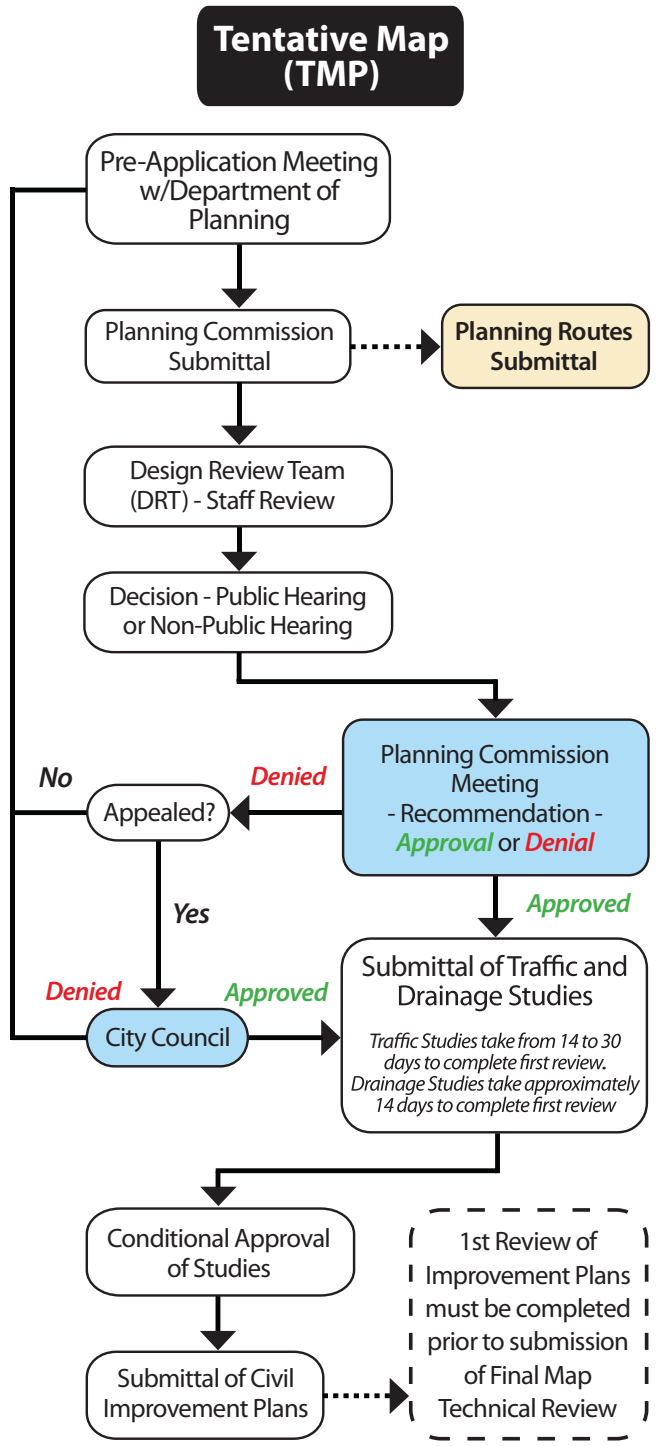
2. In cases where approval of a rezoning or a site development plan review by the City Council is necessary before a tentative map can be approved:

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~~ Four years following the date of approval of the tentative map;

b. ~~One year~~ Two years following the date of approval of a previously-recorded final map covering a portion of the tentative map; or

c. ~~One year~~ Two years 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~~ four following the date of approval of the tentative map. Subsequent final maps must be approved and recorded within ~~one year~~ two years 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:

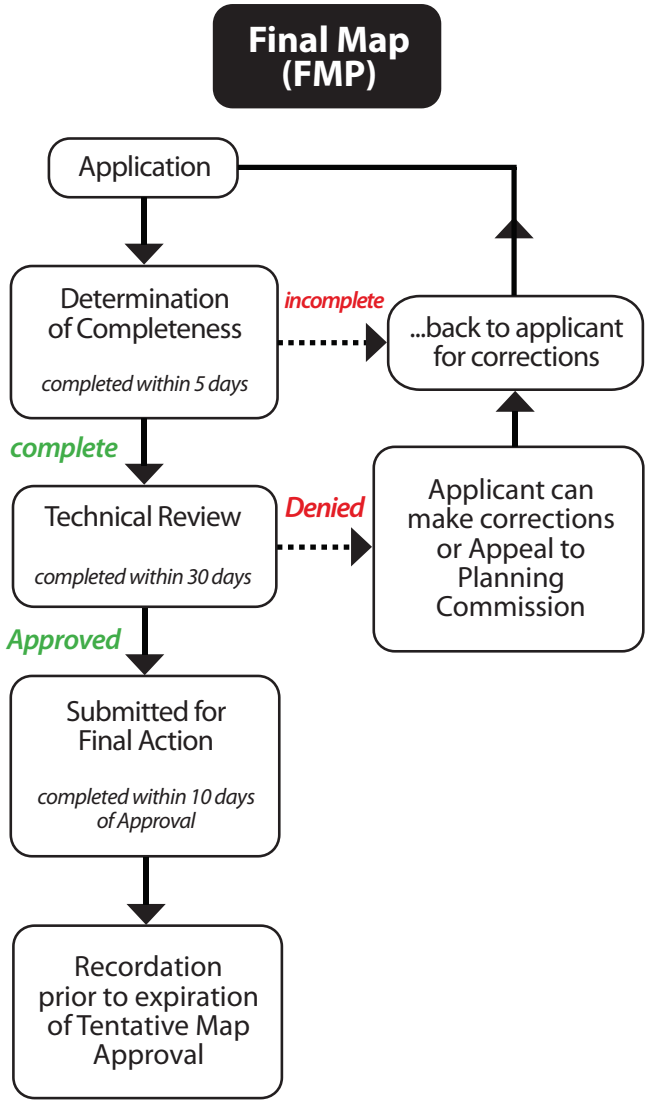
i. A drainage plan and technical drainage study is not required or that the required plan and study have been approved by the Department of Public Works; and

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.

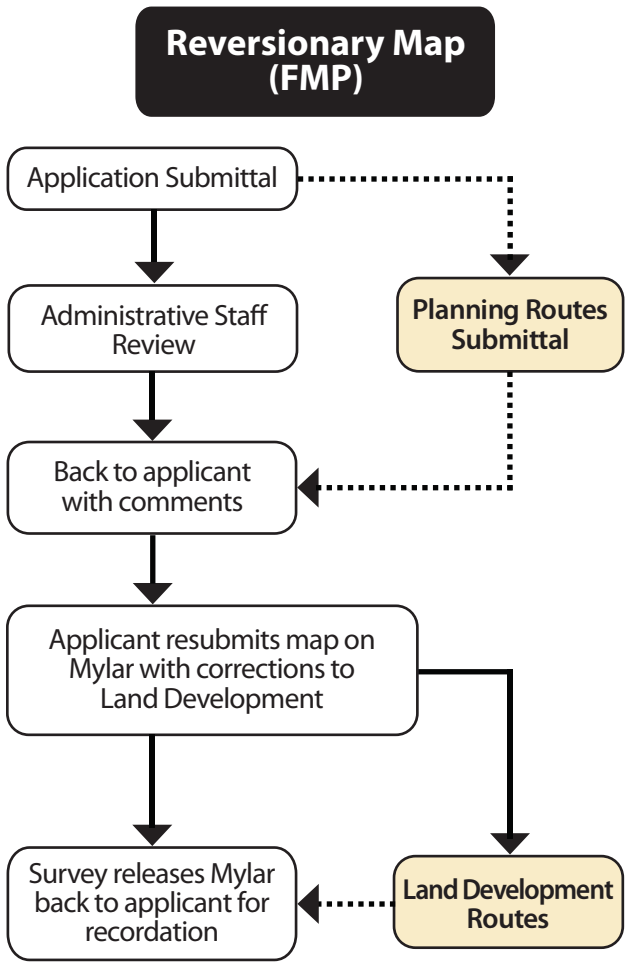
D. Final Map of Reversion – Preparation

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).

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

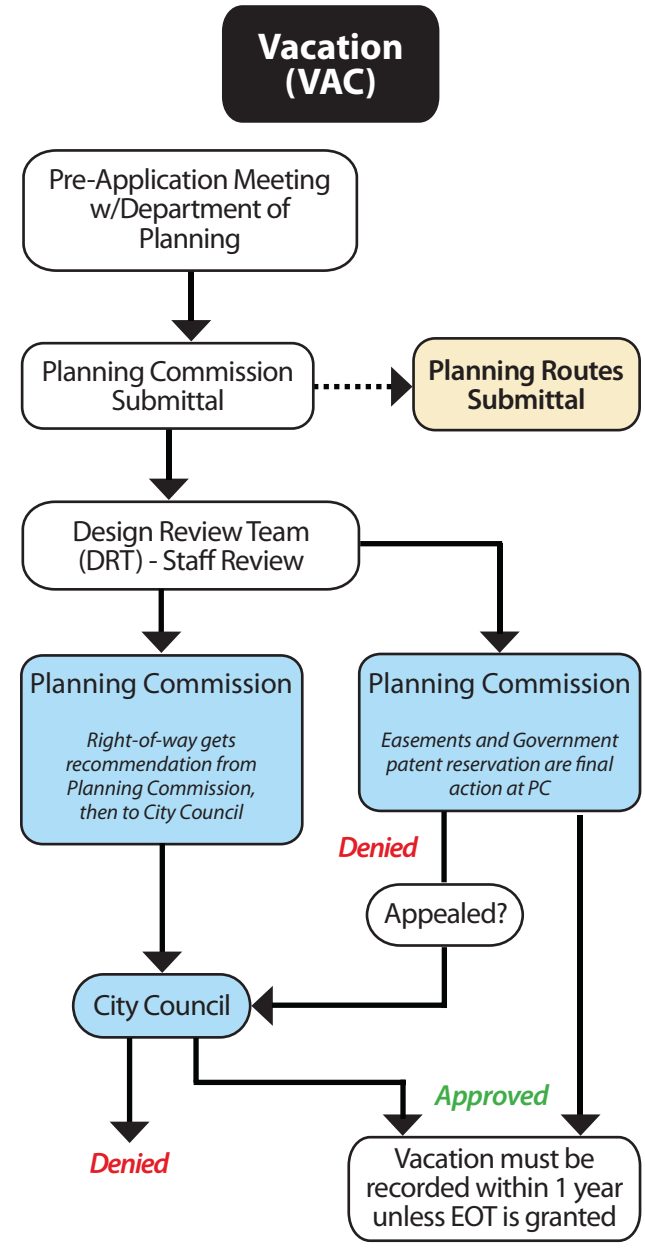
In order to provide sufficient time for the necessary investigation by the Planning Commission and its Secretary and agents, a petition for vacation must be filed with the Secretary of the Planning Commission a minimum of thirty days prior to the date of the meeting of the Planning Commission at which 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.

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 40 acres.

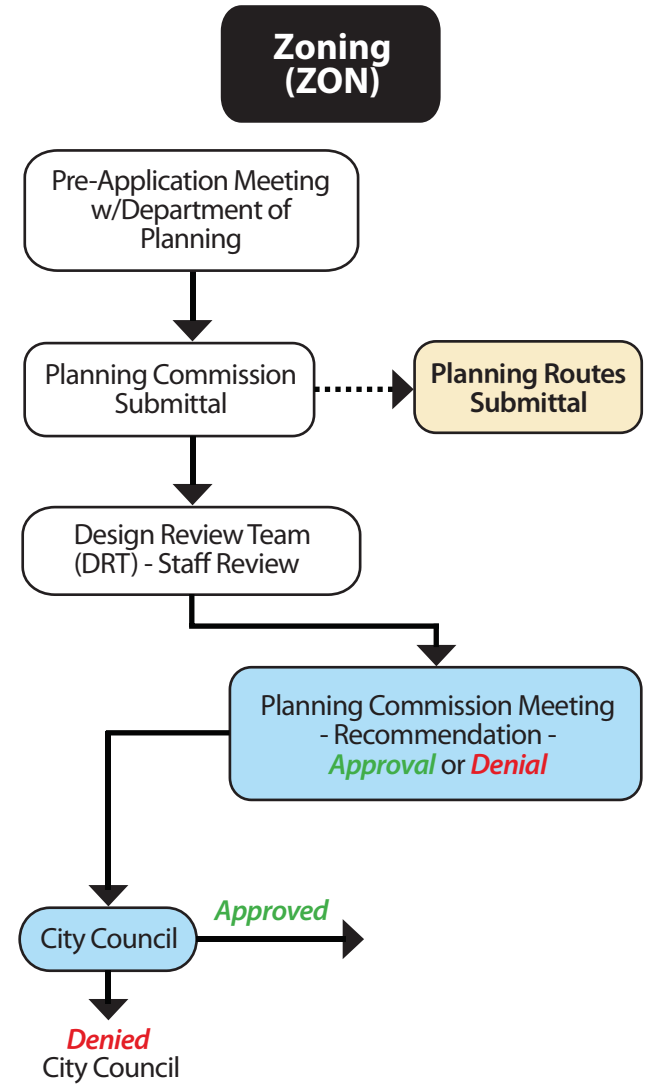
E. Application - General

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~~ 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;

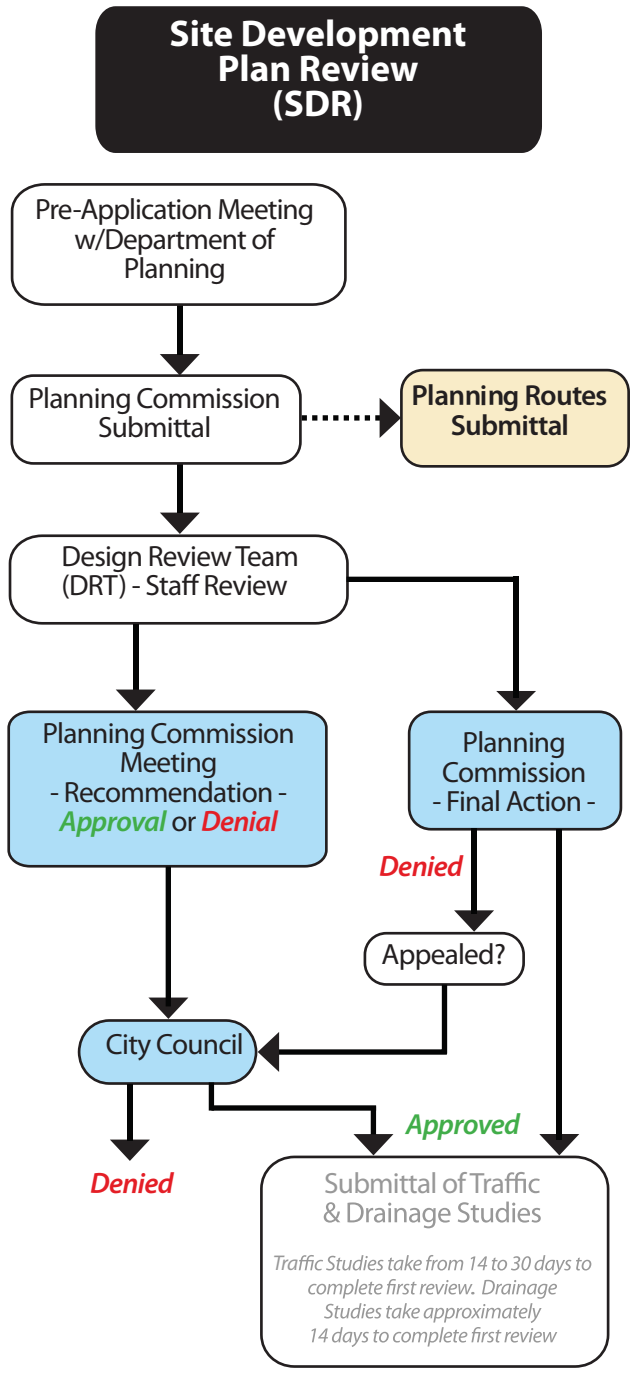
   e. Sculptures, fountains and other similar improvements;

   f. Normal repairs and maintenance of an existing building or structure;

   g. Activities and improvements undertaken in conjunction with a Temporary Commercial Permit; and

Site Development Plan

Typical Review Process **19.16.100**



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~~ may 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.

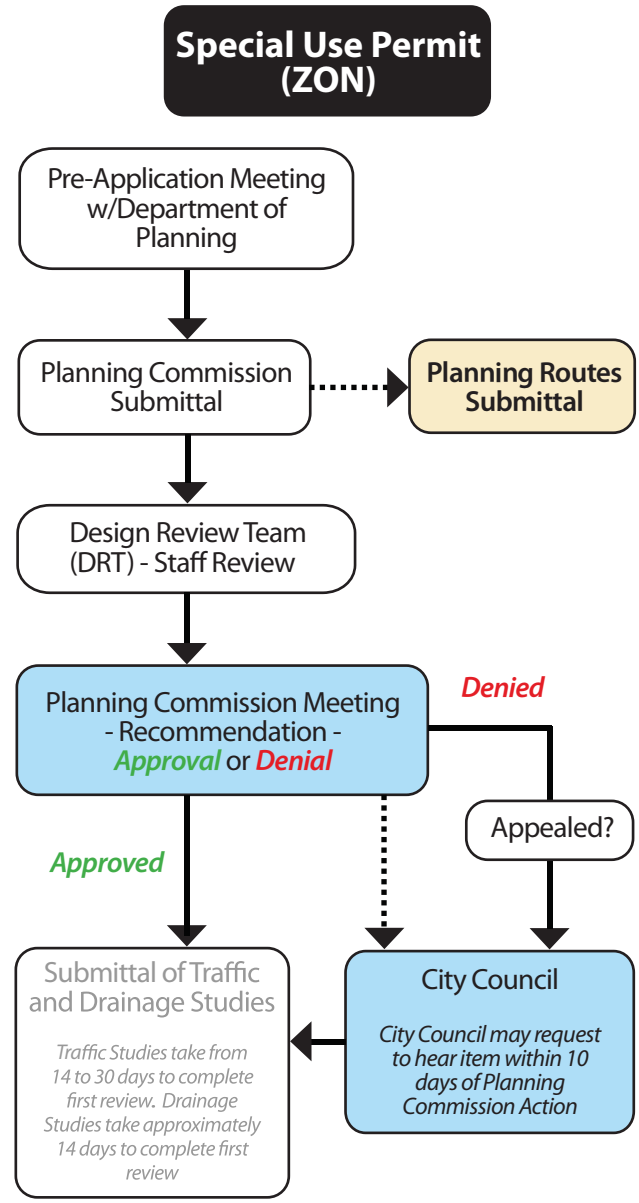
C. Application

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.

19.16.120

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:

1. Three percent regarding the Connectivity Ratio requirement and

2. Ten percent regarding the following:

a. Front, rear and side yard building setbacks;

b. Wall heights;

c. Accessory structure setbacks and heights;

d. Planting areas and materials; and

e. Loading and stacking spaces.

C. Eligibility to Apply

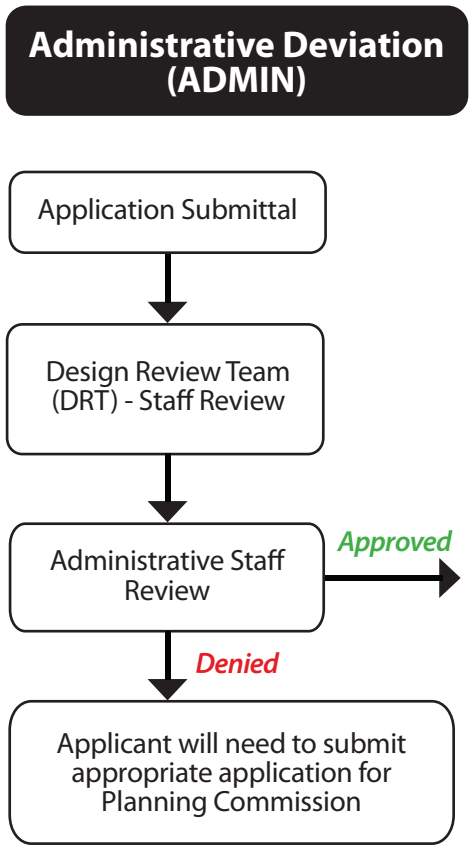
1. No application for an Administrative Deviation regarding a building setback may be submitted unless:

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

Typical Review Process

Administrative Deviation 19.16.120



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; 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.

19.16.130

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

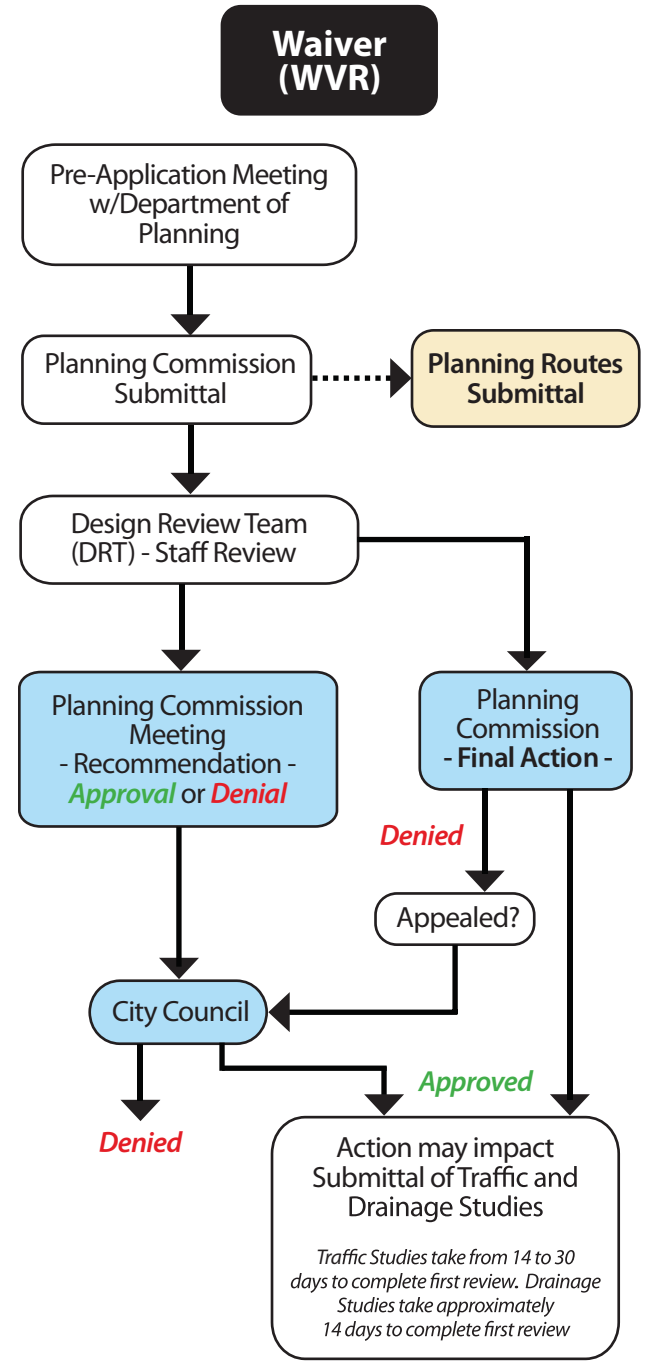
The applicant for a Waiver shall schedule and hold a pre-application conference with the Department prior to the submittal of an application. An application for a Waiver shall be filed with the Department in connection with a Site Development Plan Review or Special Use Permit, or as a stand-alone item 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.

Waiver

Typical Review Process **19.16.130**



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

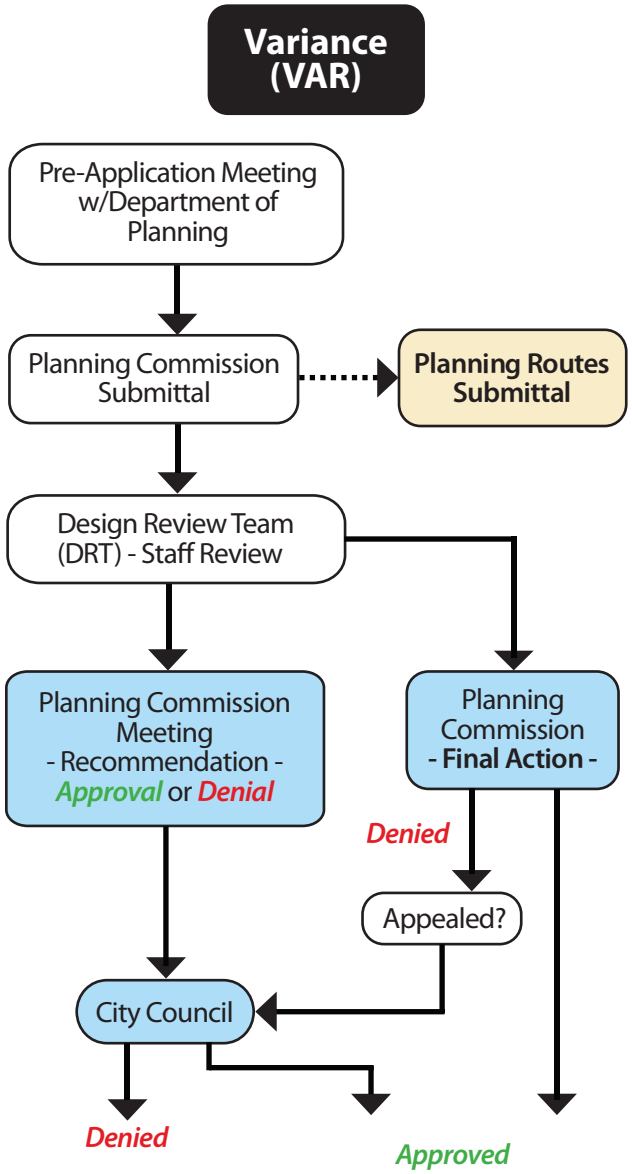
An application for a Variance shall be made on a form provided by the Department. This application shall be filed at the office of the Department. The application shall be signed, notarized and acknowledged by the owner of record of the property for which the Variance is sought; provided however, that:

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

Typical Review Process **19.16.140**



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.

19.16.150

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

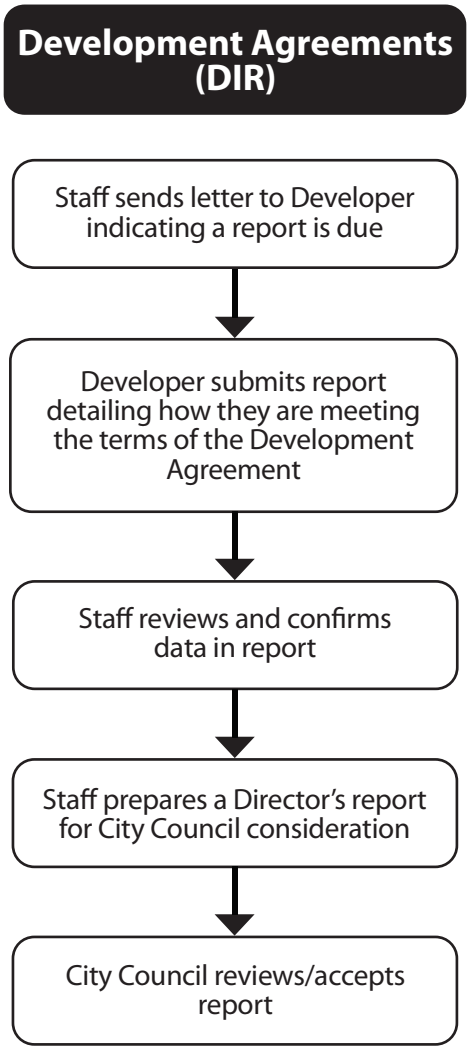
Subject to review and input from other City departments, the Department shall be responsible for applying, administering and enforcing the provisions of this subchapter including the negotiation and enforcement of development agreements.

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



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

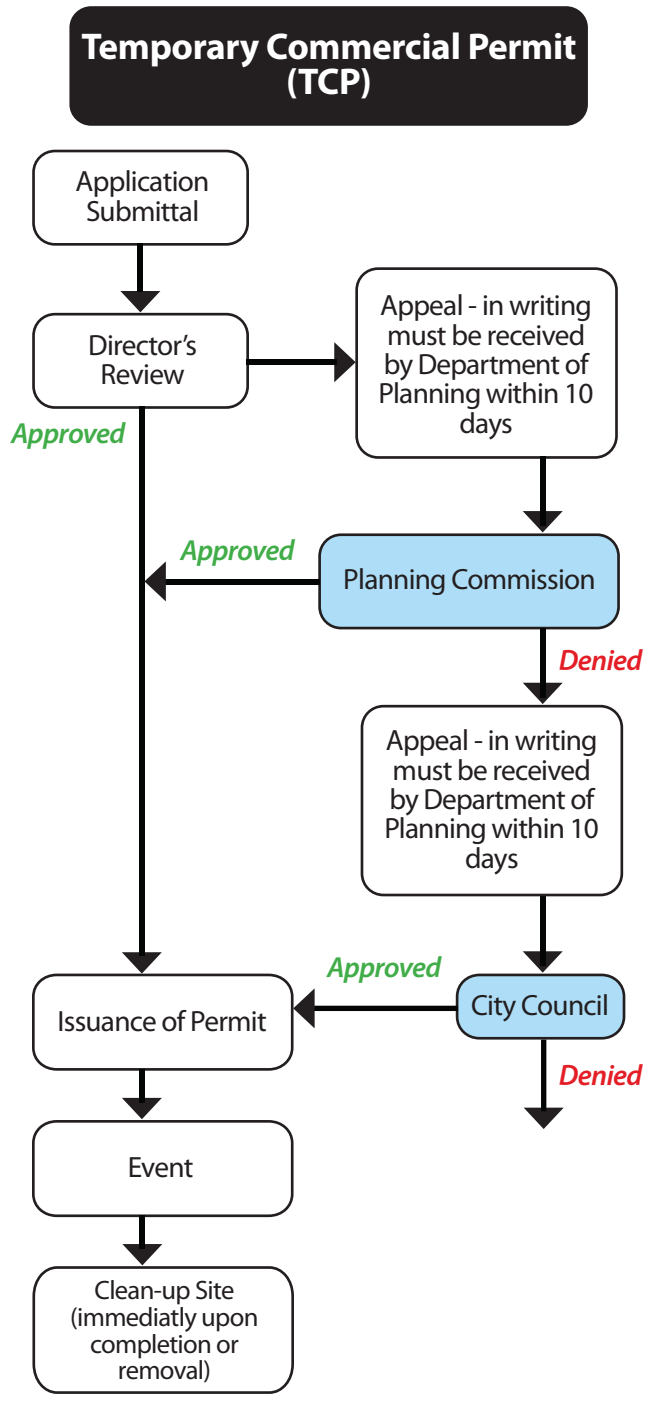
b. Conforms with all applicable City ordinances and standards.

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.

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.

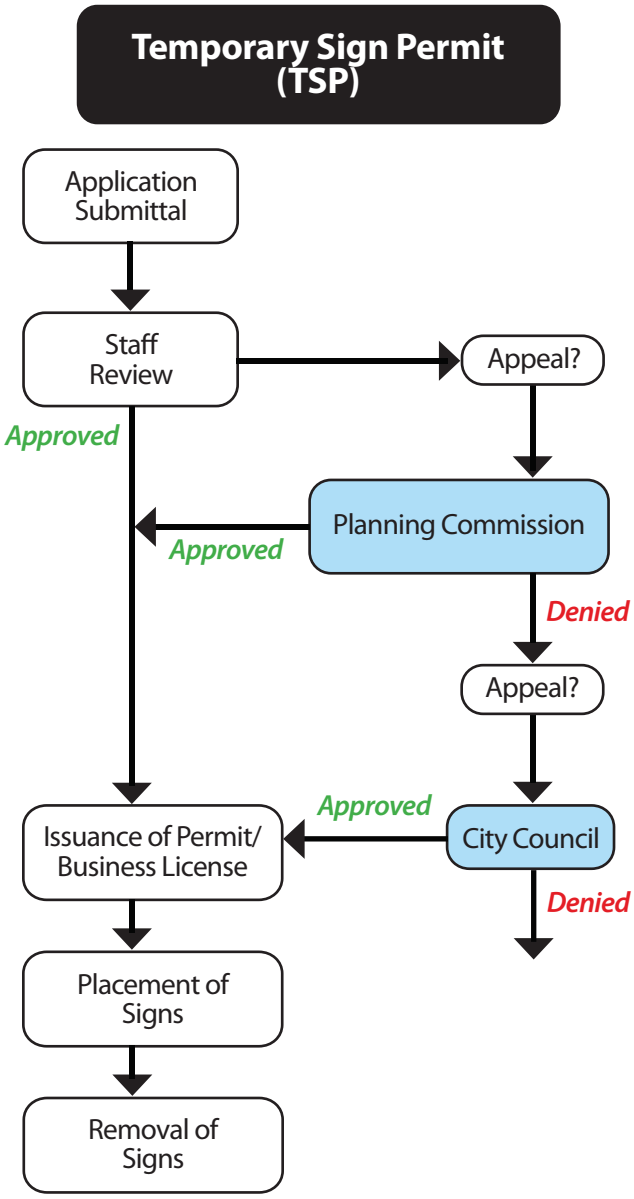
5. The application does not exceed the time limit limitations, if any, established for a given type of temporary signage authorized by this Title.

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.

Typical Review Process

Temporary Sign Permit 19.16.170



E. Conditions of Approval

In approving a Temporary Sign Permit, the Director (or, 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

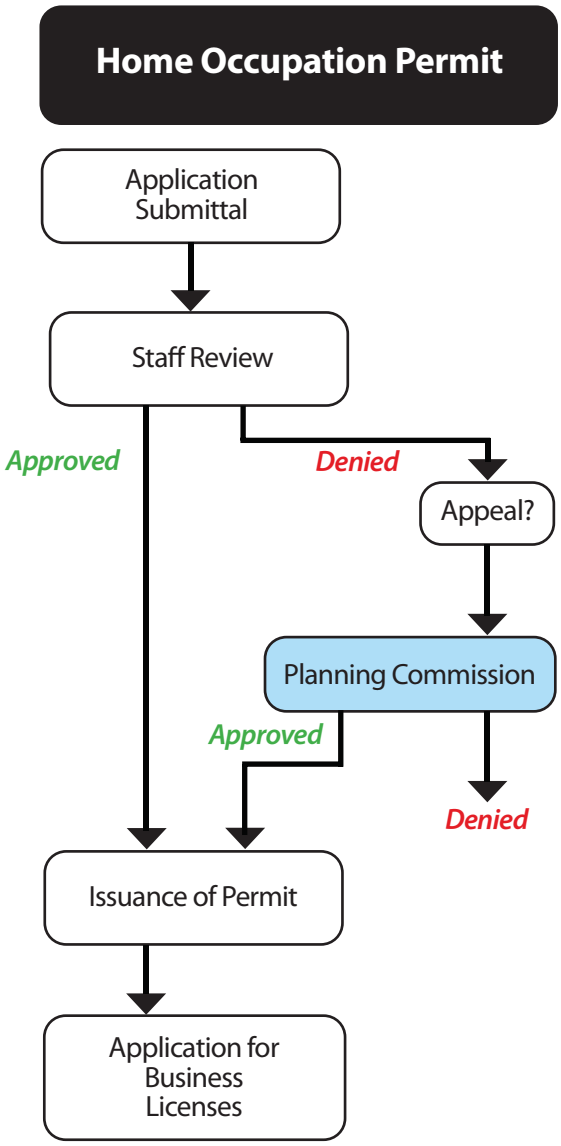
An application for a Home Occupation Permit shall be filed with the Director. The application shall contain sufficient information and detail to enable the Director to determine the appropriateness of issuing a permit under this Section. If the Home Occupation is to be conducted by the tenant of property 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.

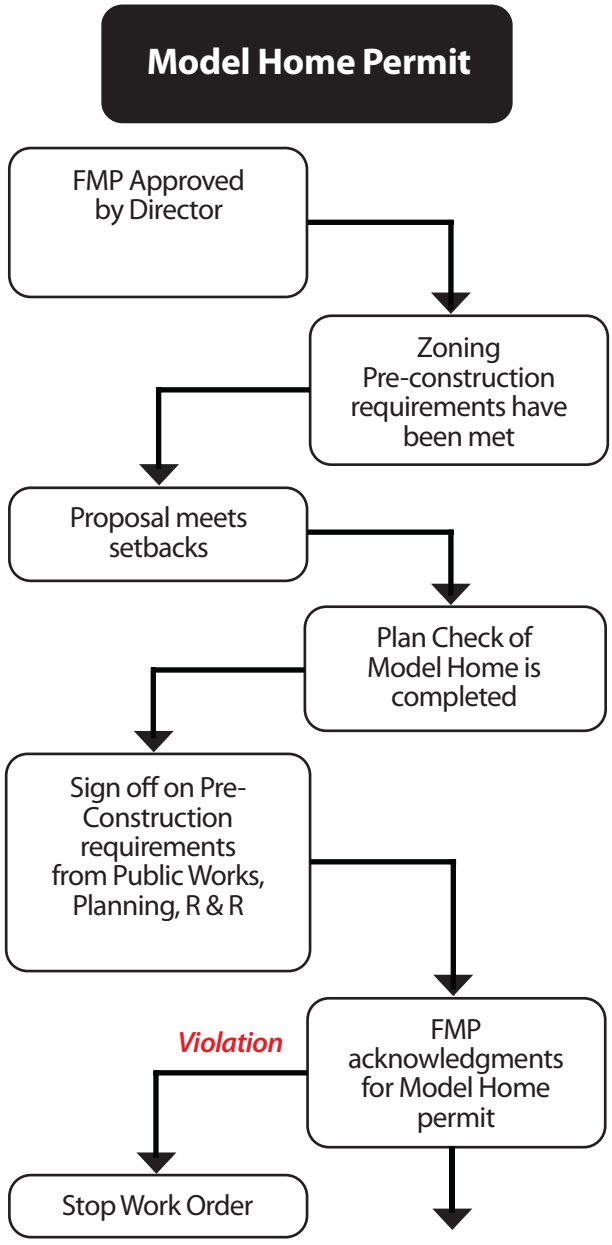
b. The permitted model homes will not be sold or occupied for residential purposes until the final map has been recorded.

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

Typical Review Process

Model Home Permit 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.

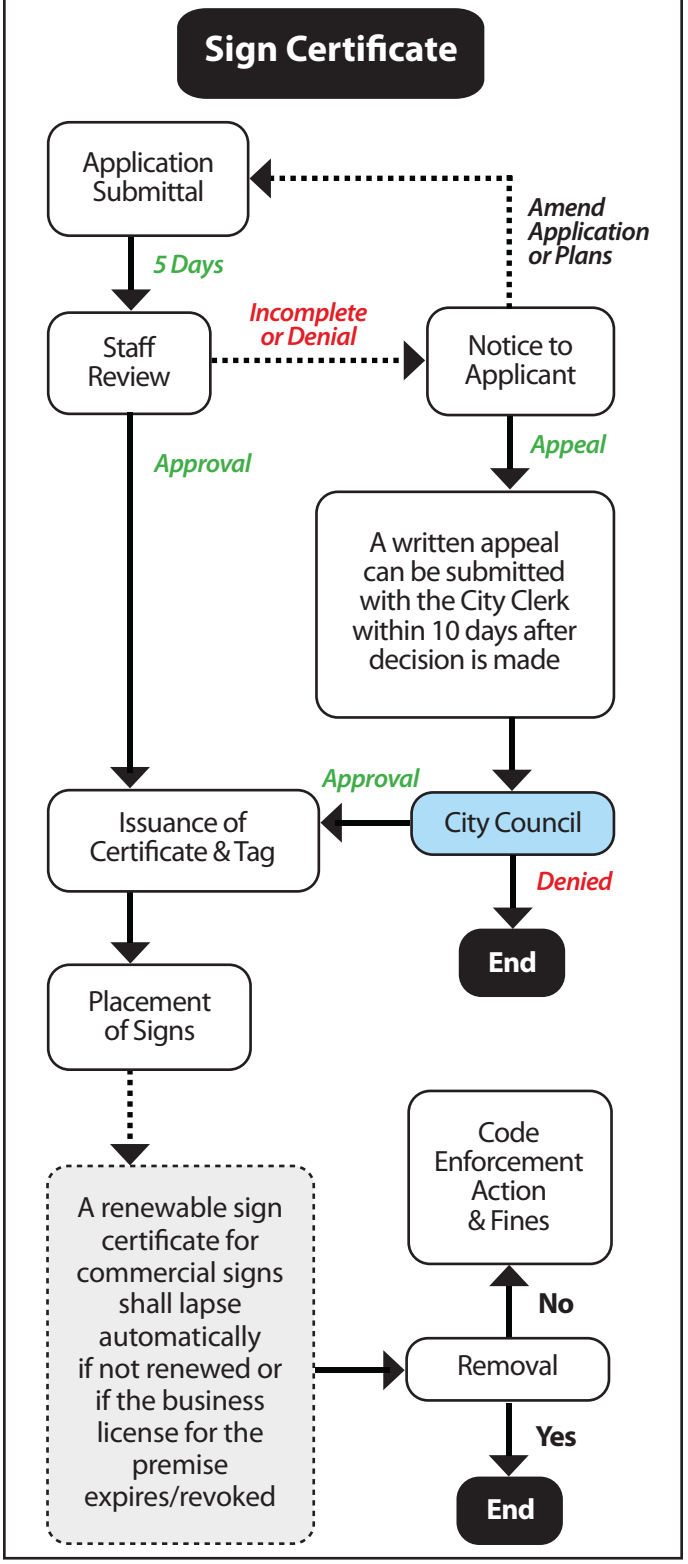
5. Any sign that is the subject of an application received after the effective date of this Title, or any amendment thereto, shall be subject to all the provisions of this Section and shall not be subject to the nonconforming sign protections described in LVMC 19.14.080. For any sign on property annexed 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-

Typical Review Process

Sign Certificate 19.16.200



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.

19.16.210

MAINTENANCE DISTRICTS

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:

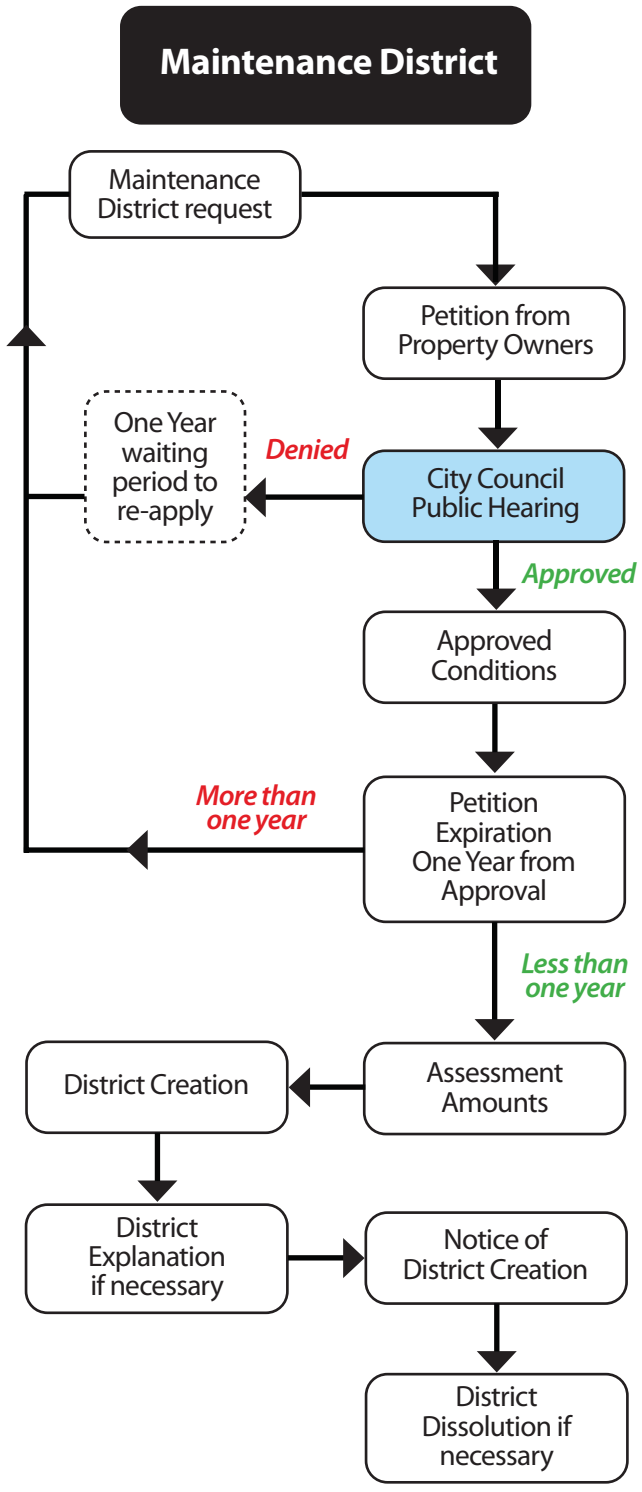
1. Landscaping;
2. Public lighting;
3. Security walls; or
4. Trails, parks and open space that provide a substantial public benefit or are required by the City for the primary use of the public.

"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 Districts

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.

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.

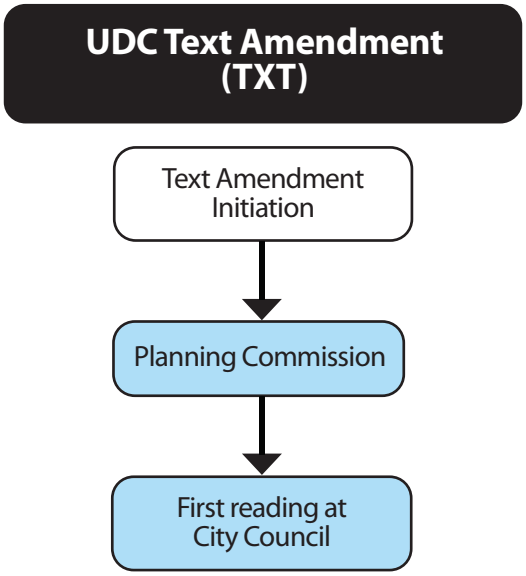
D. City Council Consideration

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



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

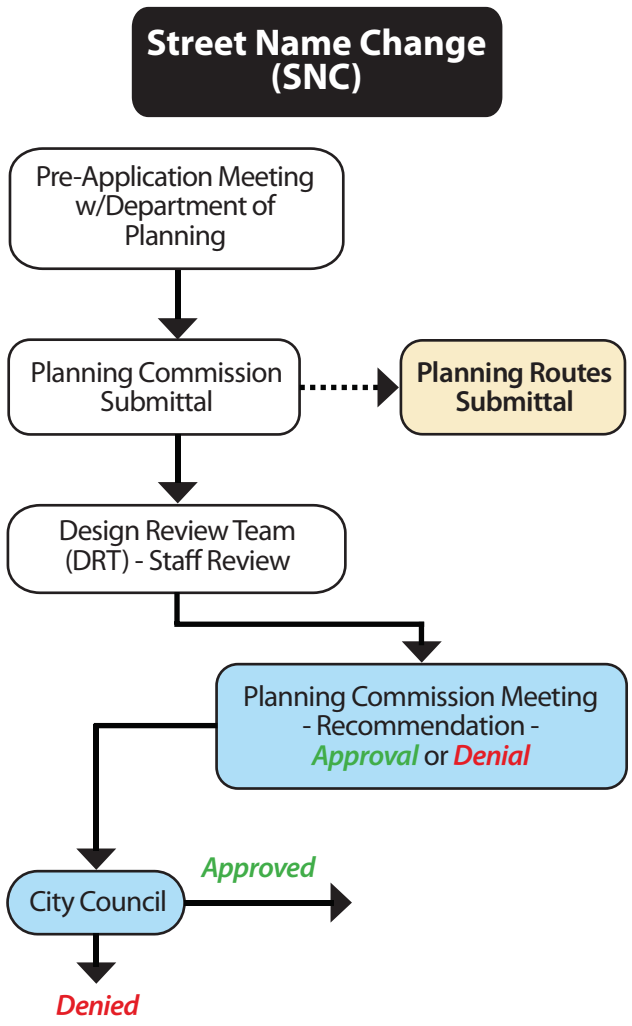
1. **Process and Review.** The Planning Commission shall hold a public hearing upon a completed application for Street Name Change following receipt of the petition.

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.

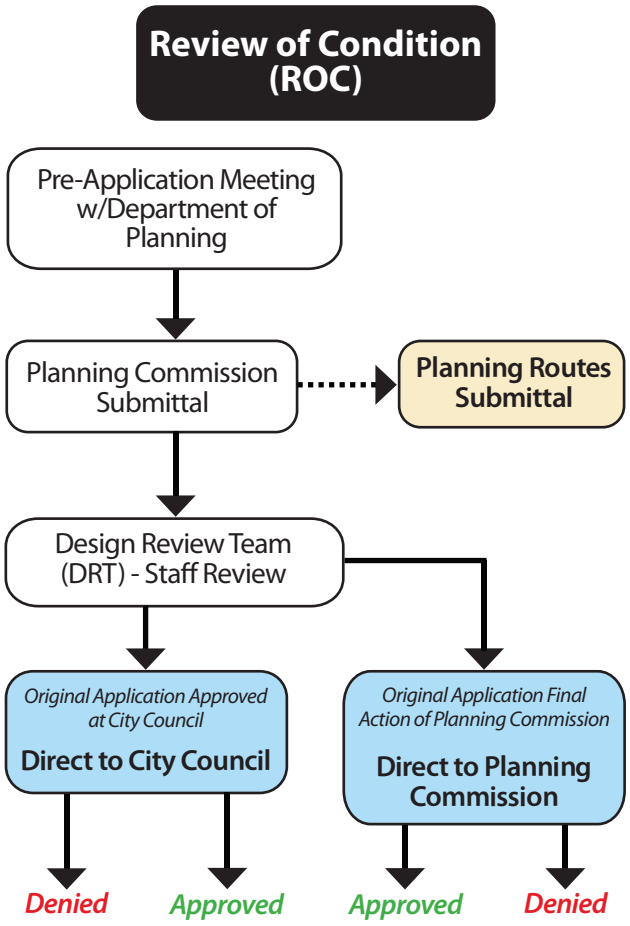
C. Hearing

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:

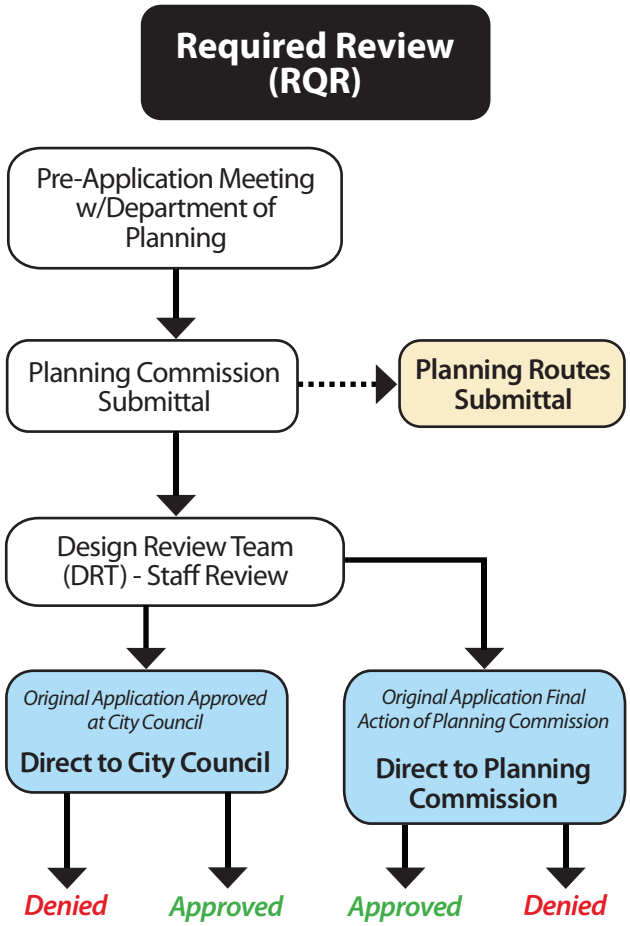
1. Publishing the notice in a newspaper of general circulation within the City; and

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

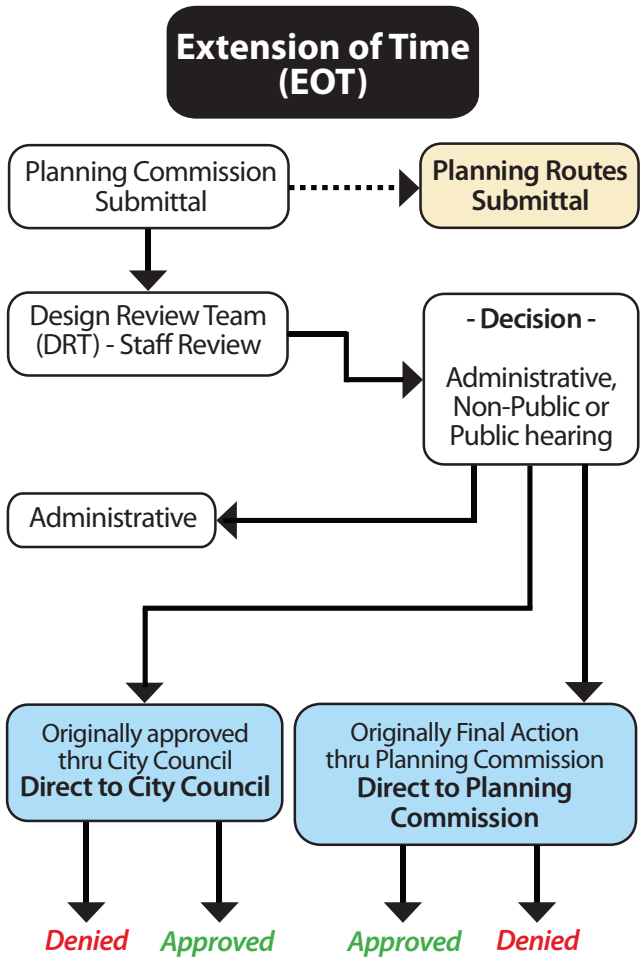
4. Denial of the extension of the previous approval.

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~~ nonresidential 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

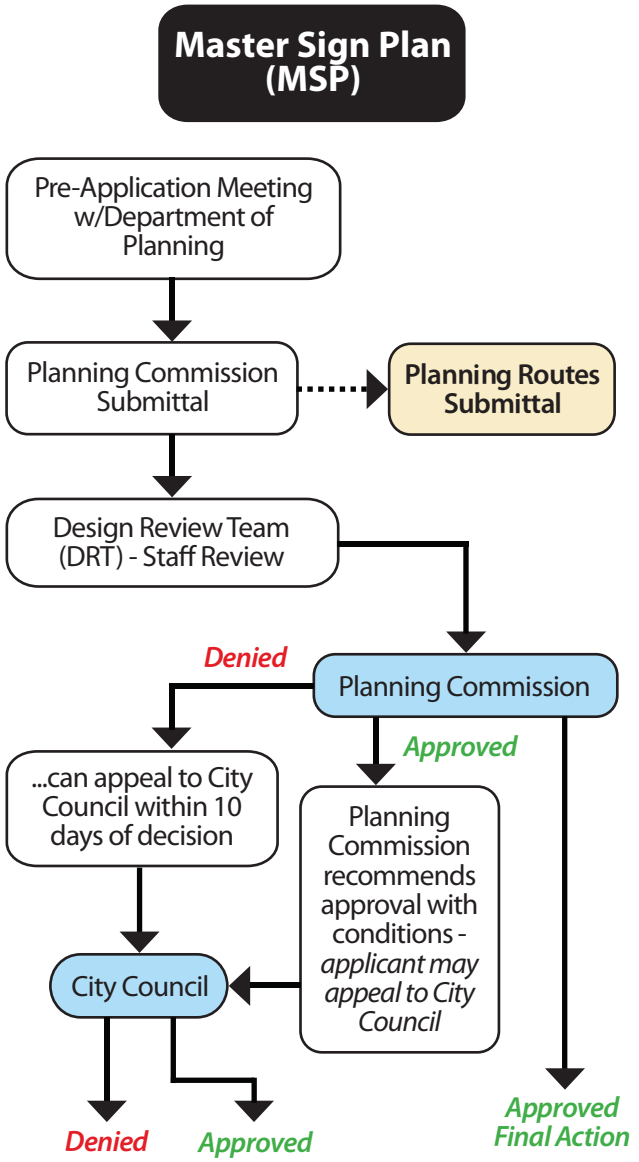
c. To satisfy a condition or requirement imposed by the Planning Commission or City Council.

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

Typical Review Process

Master Sign Plan 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~~ 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~~ 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;

19.18

Definitions & Measures

Unified Development Code

Title 19

19.18
Definitions & Measures

19.18.010 General 535

19.18.020 Words and Terms Defined 535

19.18.030 Measurement Rules 571

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~~ 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~~ 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~~ nonresidential 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~~ designed to have a minimum size of 1200 square feet and no more than 5000 square feet of floor space, exclusive of warehouse and office area, devoted to the display of merchandise, 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 Department of Planning.

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 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~~ 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~~ single family detached dwelling with open space setbacks on three sides and with a court.

Dwelling, ~~Single-family~~ 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~~ 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~~ 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.

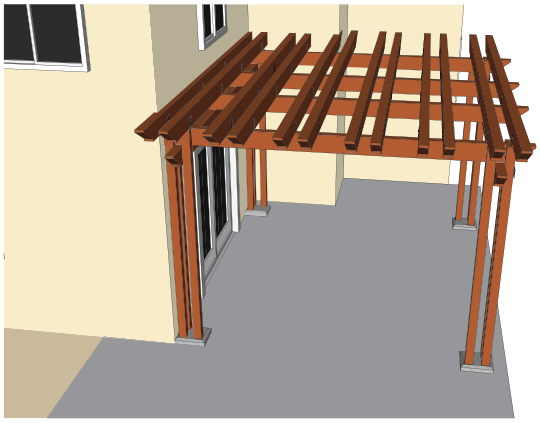
Park and Ride. A facility for the boarding and deboarding of transit vehicles that includes an area for the parking of commuters' vehicles in connection with their use of transit vehicles.

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

FIGURE 1 - PATIO COVER



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.

Sexual Novelty. Any instrument, device, apparatus or paraphernalia that:

1. Depicts a specified anatomical area;
2. Performs, mimics, demonstrates or is designed for use in connection with a specified sexual activity; or
3. Is used for the stimulation of human genitals, whether the stimulation is self-induced or performed upon another person.

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~~ the applicable provisions of this Title.

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~~ Single Family Attached.

Single Family Detached Dwelling. See Dwelling, ~~Single-family~~ 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 this 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.

Specified Anatomical Areas. Refers to:

1. Less than completely and opaquely covered:
   a. Human genitals,
   b. Pubic region,
   c. Buttocks, or
   d. Female breast below a point immediately above the top of the areola; or
2. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified Sexual Activities. Refers to:

1. The fondling or other touching of human genitals, pubic region, buttocks, or female breasts;
2. Ultimate sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation or sodomy;
3. Masturbation; or
4. Excretory functions as part of or in connection with any of the activities set forth in subparagraphs (1), (2) and (3) above.

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

Illustrations & Graphics 19.18.030

FIGURE 1 - BUILDING HEIGHT MEASUREMENT

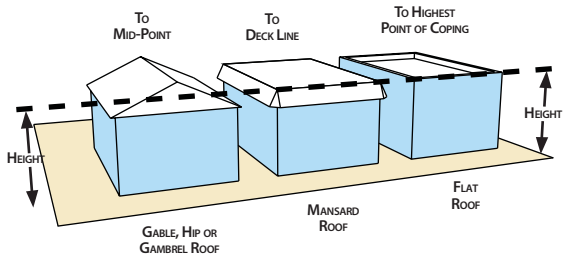
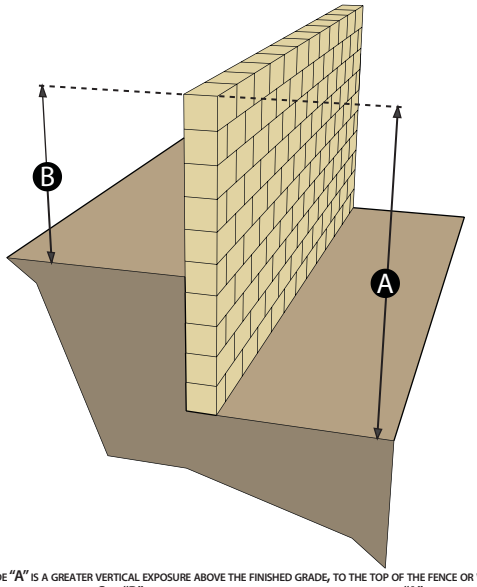
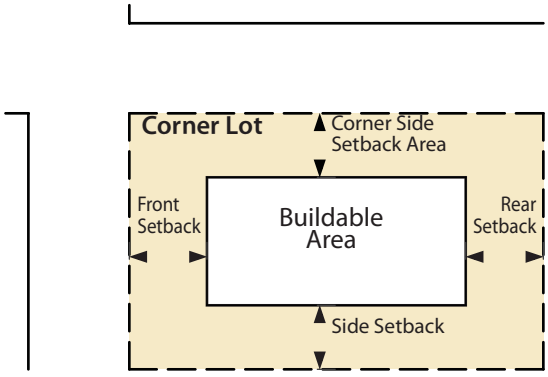


FIGURE 2 - WALL/FENCE HEIGHT MEASUREMENT



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



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 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~~ Single Family Parking. Driveways may be used to satisfy minimum on-site parking requirements for ~~single-family~~ 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.

b. A minimum of one vehicle with a side-loading wheelchair lift parking space shall be provided in all parking lots and structures where handicap parking is required. When multiple handicap parking spaces are required pursuant to Subparagraph (a) above, then one in every six required spaces shall be a vehicle with a side-loading wheelchair lift parking space.

c. Handicap parking spaces shall be designed as provided for in LVMC 19.08.110(C)(3).

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;

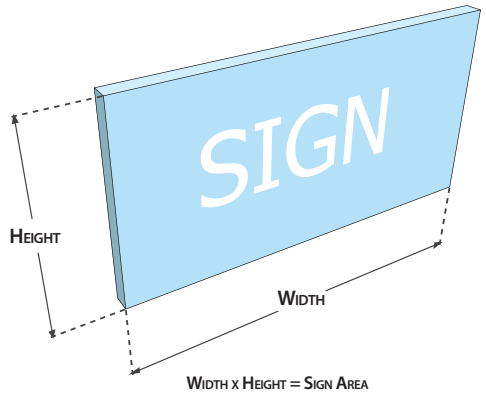
iii. The parcel to be used for parking is not separated or divided from the building or use it is intended to serve by a freeway, expressway, highway or primary thoroughfare;

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.

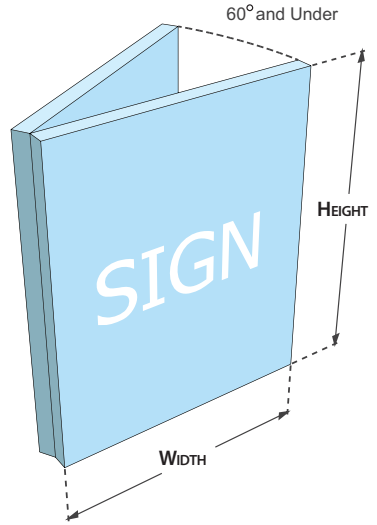
b. Shared Parking. The parking requirements may also be met by securing the consent to share parking facilities on another parcel and under another ownership. Shared parking may only be approved if:

FIGURE 4 - SIGN AREA MEASUREMENT - 2 SIDED FLAT SIGN

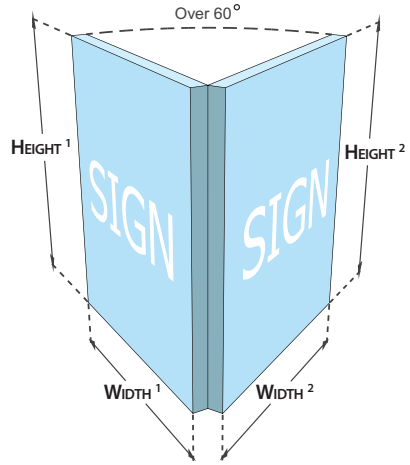


WIDTH x HEIGHT = SIGN AREA

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

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.

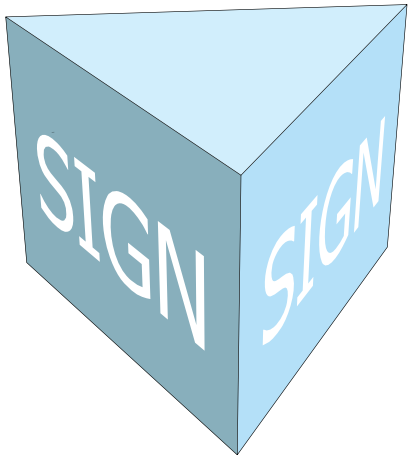
c. Mixed-Use Development—Alternative Parking Requirements. Mixed-use developments that are approved pursuant to LVMC Chapter 19.12 may utilize Table 2 below for determining parking requirements as an alternative to those otherwise applicable under this Paragraph and LVMC Chapter 19.12. A hotel/casino 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%

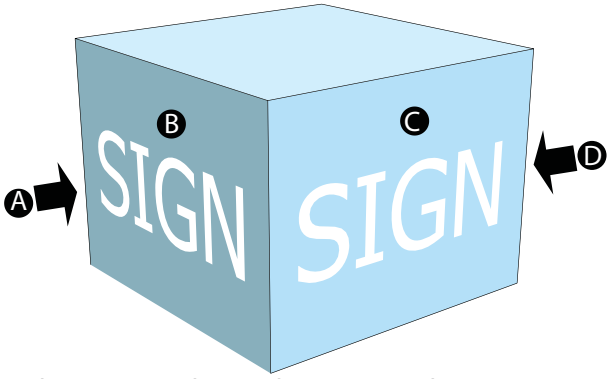
i. Calculation of Parking Requirement. Calculate the number of spaces required for each use based on the applicable parking requirements calculated under this Paragraph and LVMC Chapter 19.12. Applying the general land use category listed above to each proposed use, utilize the percentages to calculate 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

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

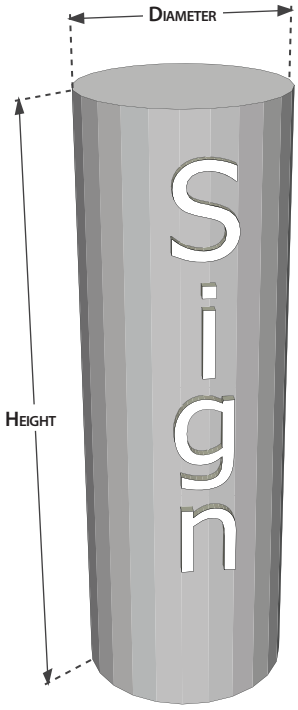


IF SIDE A IS LARGER THAN SIDE C AND SIDE B IS LARGER THAN SIDE D THEN,

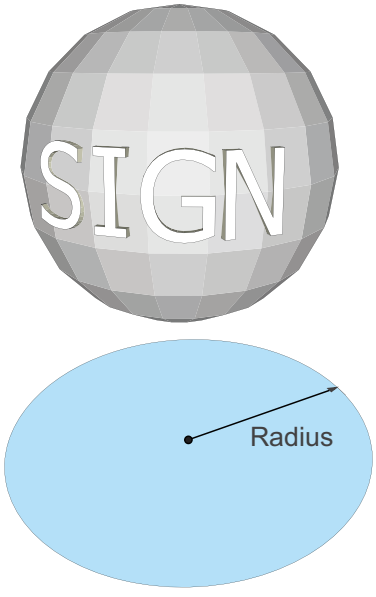
SIDE A (WIDTH x HEIGHT) + SIDE B (WIDTH x HEIGHT) = SIGN AREA.

IF OPPOSING SIDES ARE EQUAL THEN, SIDE B (WIDTH x HEIGHT) + SIDE C (WIDTH x HEIGHT) = SIGN AREA.

FIGURE 8 - SIGN AREA MEASUREMENT - CYLINDRICAL/SPHERICAL



CYLINDER HEIGHT x DIAMETER = SIGN AREA



3.14 x (RADIUS ^{2}) = SIGN AREA FOR CIRCLE OR SPHERE

total parking requirement for each time 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 9 - SIGN AREA MEASUREMENT - INDIVIDUAL ELEMENTS

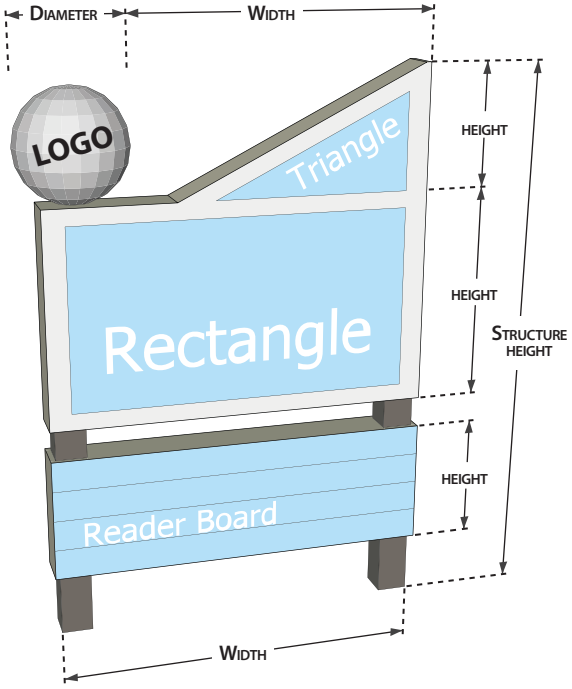
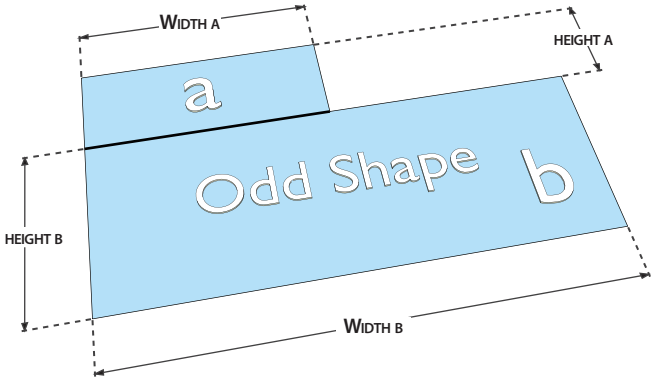
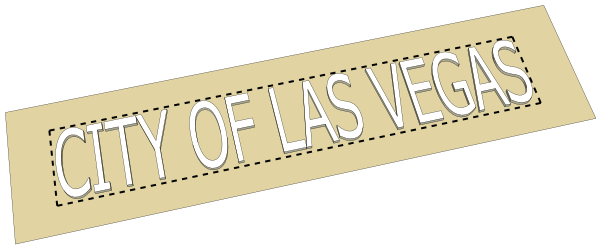


FIGURE 10 - SIGN AREA MEASUREMENT - INDIVIDUAL ELEMENTS

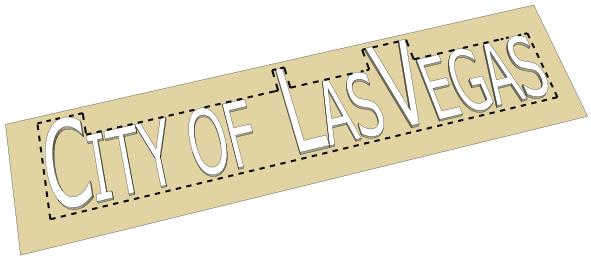


IN THE CASE OF AN ODD SHAPE, CALCULATE THE SMALLEST REGULAR GEOMETRIC SHAPE (TRIANGLE, RECTANGLE OR CIRCLE) THAT ENCOMPASSES THE PERIMETER OF THE SIGN AND ADD THE AREAS TOGETHER FOR THE TOTAL AREA.

FIGURE 11 - SIGN AREA MEASUREMENT - CHANNEL LETTERS



THE SMALLEST CONTINUOUS PERIMETER THAT ENCOMPASSES THE ENTIRE COHERENT MESSAGE IS USED

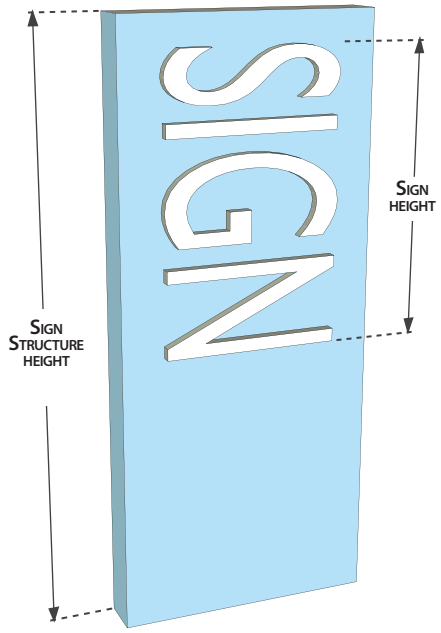


THE SMALLEST CONTINUOUS PERIMETER THAT ENCOMPASSES THE ENTIRE COHERENT MESSAGE IS USED, IN THIS CASE, THE PERIMETER IS ADJUSTED FOR THE SMALLER HEIGHT LETTERS



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



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 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.

Appendices

Unified Development Code

Title 19

Appendices

Appendix A Parcel Map Application Checklist 585

Appendix B Tentative Map Application Checklist 587

Appendix C Final Map Application Checklist 591

Appendix D Monumentation Requirement 595

Appendix E Required Certificates 599

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.

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.

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.

City of Las Vegas Agenda Item No.: **42.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: DECEMBER 13, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **Consent** ☒ **Discussion**

SUBJECT:
DIR-43788 - DIRECTOR'S BUSINESS - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Election of the 2012 Planning Commission Officers. Staff has NO RECOMMENDATION.

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff has NO RECOMMENDATION.

BACKUP DOCUMENTATION:
None

City of Las Vegas Agenda Item No.: **43.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: NOVEMBER 8, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG

SUBJECT:
CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE PLANNING COMMISSION. NO SUBJECT MAY BE ACTED UPON BY THE PLANNING COMMISSION UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED