

1 **BILL NO. 2009-43**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO TEMPORARILY ALLOW THE SALE OF USED MOTOR VEHICLES IN
4 TOWN CENTER WITHOUT THE REQUIREMENT THAT THE USE BE INCIDENTAL TO NEW
VEHICLE SALES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

5 Sponsored by: Councilman Steven D. Ross

Summary: Temporarily allows the sale of used
6 motor vehicles in Town Center without the
7 requirement that the use be incidental to new
vehicle sales.

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

10 SECTION 1: Notwithstanding any contrary provision of LVMC Title 19 or the Town
11 Center Development Standards Manual adopted thereunder, the sale of used motor vehicles, where
12 not incidental to new car sales, may be allowed on a temporary basis in the TC-GC District within
13 Town Center, but only in accordance with Sections 2 to 5, inclusive, of this Ordinance.

14 SECTION 2: An application to allow the sale of used motor vehicles on a temporary
15 basis pursuant to this Ordinance shall not be deemed to be a Temporary Commercial Permit
16 application or a Special Use Permit application. However, except as otherwise provided in Sections
17 3 to 5, inclusive, of this Ordinance, an application made pursuant to this Ordinance shall be filed and
18 processed in accordance with LVMC 19.18.060 in the same manner as a Special Use Permit
19 application.

20 SECTION 3: An application made pursuant to this Ordinance may be approved upon
21 a determination that the temporary sale of used motor vehicles:

- 22 (A) Is likely to be conducted in a manner compatible with surrounding uses; and
23 (B) Will not have a materially greater impact on the surrounding area than the sale
24 of new motor vehicles (including any incidental used vehicle sales), as permitted by the Town Center
25 Development Standards Manual.

26 SECTION 4: The minimum requirements for approval of an application pursuant to
27 this Ordinance, which are not waivable, are as follows:

- 28 (A) The minimum site area shall be 25,000 square feet.

1 (B) The installation and use of an outside public address or bell system is
2 prohibited.

3 (C) No used or discarded automotive parts or equipment shall be located in any
4 open area outside of an enclosed building.

5 (D) All exterior lighting shall be screened or otherwise designed so as not to shine
6 directly onto any adjacent parcel of land.

7 (E) Openings in service bays shall not face public rights-of-way and shall be
8 designed to minimize the visual intrusion into adjoining properties.

9 (F) Accessory automobile rental is permitted.

10 (G) Parking of vehicles in landscaped areas is prohibited.

11 (H) Additional conditions may be imposed, including limitations regarding the days
12 and hours of operation and the establishment of an expiration date for the special use permit approval.

13 SECTION 5: Unless otherwise extended or modified by ordinance, this Ordinance
14 shall expire by limitation on November 30, 2010, and any approval granted under this Ordinance shall
15 expire on that same date.

16 SECTION 6: If any section, subsection, subdivision, paragraph, sentence, clause or
17 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
18 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
19 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the

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1 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
2 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
3 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
4 invalid or ineffective.

5 PASSED, ADOPTED and APPROVED this ____ day of _____, 2009.

6 APPROVED:

7

8 By _____
9 OSCAR B. GOODMAN, Mayor

10 ATTEST:

11 _____
12 BEVERLY K. BRIDGES, CMC
13 City Clerk

14 APPROVED AS TO FORM:

15 _____
16 *Val Steed* 9-23-09
17 _____
18 Date

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1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2009, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 2009, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": _____
9 VOTING "NAY": _____
10 ABSENT: _____

12 APPROVED:

14 By _____
OSCAR B. GOODMAN, Mayor

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

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