



Las Vegas

Agenda Item No.: 3.

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 14, 2010

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

Bill No. 2010-40 Authorizes under certain circumstances an extension of time regarding the expiration of certain nonconforming uses (EXT-38702) Sponsored by: Councilman Steven D. Ross

Fiscal Impact

☐

No Impact

☐ Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

This bill will authorize under certain circumstances an extension of time regarding the expiration of certain nonconforming uses. The bill addresses nonconforming uses of conforming buildings by 1) establishing a presumption of abandonment of such uses when discontinued, and 2) allowing a process for obtaining an extension of time in order to extend the grandfather protection of such uses before they are lost by abandonment. The process will be available only in cases of economic hardship, including market factors.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2010-40

Motion made by STAVROS S. ANTHONY to Approve as Do Pass

Passed For: 2; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

RICKI Y. BARLOW, STAVROS S. ANTHONY; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

COUNCILMAN BARLOW declared the Public Hearing open.

FLINN FAGG, Planning Manager, explained that this bill will simplify the language dealing with the general provisions and conditions for allowing an extension of time on expired non-conforming uses. In addition, the bill will clarify what constitutes the abandonment of a non-conforming use.

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MR. FAGG referred to the Code and pointed out one element of this bill allows for the filing of an extension of time. This will allow the applicant to bring the matter before a City Council meeting, whereby mitigating circumstances can be addressed and possibly assist in filling vacant buildings with tenants.

JIM DiFIORE, Business Services Manager, indicated strong support of the proposed bill. He noted that there will be items on the agenda for tomorrow's City Council meeting dealing with granting gaming/alcohol licenses for a one-day period. Doing so allows for retaining the right to sell alcohol at the given location; however, it is costly to business owners and/or the landlords. This bill, if approved, will streamline the process and minimize the costs involved.

COUNCILMAN BARLOW declared the Public Hearing closed.

