

1 **BILL NO. 2013-21**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE TO CLARIFY THE
4 CIRCUMSTANCES UNDER WHICH NOTICE OF PUBLIC HEARINGS REGARDING GENERAL
5 PLAN AMENDMENT APPLICATIONS WILL BE MAILED TO PROPERTY OWNERS AND
6 POSTED BY MEANS OF SIGNAGE, AND TO PROVIDE FOR OTHER RELATED MATTERS.

6 Proposed by: Flinn Fagg, Director of Planning

7 Summary: Amends the Unified Development
8 Code to clarify the circumstances under which
9 notice of public hearings regarding General Plan
10 Amendment applications will be mailed to
11 property owners and posted by means of
12 signage.

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

12 SECTION 1: Ordinance No. 6190 and the Unified Development Code adopted as
13 Title 19 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended
14 as set forth in Sections 2 and 3 of this Ordinance. For each of those sections, the amendment is
15 deemed to be an amendment to both Ordinance No. 6190 and the Unified Development Code adopted
16 as Title 19.

17 SECTION 2: Title 19, Chapter 16, Section 30, Subsection (F), Paragraph (2), is
18 hereby amended to read as follows:

19 **2. Notice**

20 **a. Notice Provided.** Notice of the time, place and purpose of the hearing must be given
21 at least 10 days before the hearing by:

22 **I.** Publishing the notice in a newspaper of general circulation within the City;

23 **II.** In the case of a parcel-specific General Plan Amendment, [Mailing] mailing

24 a copy of the notice to:

25 **A)** The applicant;

26 **B)** Each owner of real property located within a minimum of one thousand
27 feet of the property described in the application;

28 **C)** Each tenant of any mobile home park that is located within one thousand

1 feet of the property described in the application;

2 **D)** The owner of each of the thirty separately-owned parcels nearest
3 to the property described in the application to the extent this notice does not duplicate the notice
4 otherwise required by this Paragraph (2);

5 **E)** Any advisory board which has been established for the affected area by
6 the City Council; and

7 **F)** The president or head of any registered local neighborhood organization
8 whose organization boundaries are located within a minimum of one mile of the property described
9 in the application.

10 **b. Names Provided.** The Department shall provide, at the request of the applicant, the
11 name, address and phone number of any person notified pursuant to Subparagraph (a) (ii)(F) above.

12 **c. Additional Notice.** The Department may give additional notice of the hearing by
13 expanding the area of notification or using other means of notification or both. The Department shall
14 endeavor to provide any additional notice at least 10 days before the date of the hearing.

15 **d. Signs.** In the case of a parcel-specific General Plan Amendment, [Notification]
16 notification signs shall be posted in conformance with LVMC 19.16.010(D).

17 **e. Parcel-Specific Amendment Defined.** For purposes of this Paragraph (2), “parcel-
18 specific General Plan Amendment” means an amendment to the land use designation assigned to one
19 or more specific parcels, as that designation is found in the Land Use element of the General Plan,
20 where the amendment is sought by or on behalf of one or more property owners in order to develop
21 those parcels in a particular way.

22 SECTION 3: Title 19, Chapter 16, Section 30, Subsection (H), Paragraph (1), is
23 hereby amended to read as follows:

24 **1. Notice and Hearing.** Subject to the provisions of LVMC 19.16.030(C)(7), the City Council
25 shall consider a proposed General Plan Amendment and the recommendation of the Planning
26 Commission thereon at the next available meeting following the receipt of the recommendation. For
27 applications regarding which notice of the public hearing by the Planning Commission was required
28 by statute or by ordinance to be mailed to property owners, [The] the City Clerk shall mail written

1 notice of the Council hearing, at least ten days before the hearing, to the property owners who were
2 notified by mail of the Planning Commission hearing, or to the current owners of record in the case
3 of properties whose ownership has changed in the interim.

4 SECTION 4: For purposes of Section 2.100(3) of the City Charter, Section 19.16.030
5 is deemed to be a subchapter rather than a section.

6 SECTION 5: If any section, subsection, subdivision, paragraph, sentence, clause or
7 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
8 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
9 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
10 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
11 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
12 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
13 invalid or ineffective.

14 SECTION 6: All ordinances or parts of ordinances or sections, subsections, phrases,
15 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
16 1983 Edition, in conflict herewith are hereby repealed.

17 PASSED, ADOPTED and APPROVED this _____ day of _____, 2013.

18 APPROVED:

19 By _____
20 CAROLYN G. GOODMAN, Mayor

21 ATTEST:

22 _____
23 BEVERLY K. BRIDGES, MMC
City Clerk

24 APPROVED AS TO FORM:

25 Val Steed 4-3-13
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2013, and referred to a committee for recommendation, the
3 committee being composed of the following members _____
4 _____; thereafter the said committee reported favorably on said ordinance on the
5 ____ day of _____, 2013, which was a _____ meeting of said
6 Council; that at said _____ meeting, the proposed ordinance was read by title
7 to the City Council as first introduced and adopted by the following vote:

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

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APPROVED:

By CAROLYN G. GOODMAN, Mayor

ATTEST:

BEVERLY K. BRIDGES, MMC
City Clerk