

1 **BILL NO. 2013-50**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE TO ESTABLISH AN
4 ALTERNATIVE SCHEDULE AND PROCEDURE FOR THE SUBMISSION AND PROCESSING
OF TENTATIVE MAPS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

5 Sponsored by: Councilman Steven D. Ross

Summary: Amends the Unified Development
Code to establish an alternative schedule and
procedure for the submission and processing of
tentative maps.

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

10 SECTION 1: Ordinance No. 6190 and the Unified Development Code adopted as
11 Title 19 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended
12 as set forth in Section 2 of this Ordinance. The amendment is deemed to be an amendment to both
13 Ordinance No. 6190 and the Unified Development Code adopted as Title 19.

14 SECTION 2: Title 19, Chapter 16, Section 50, Subsection (C), is hereby amended to
15 read as follows:

16 **C. Conformance with Zoning Requirements**

17 1. No application for a tentative map is eligible for approval unless it is determined that the
18 proposed subdivision will be in conformance with all applicable zoning regulations, including all
19 applicable provisions of this Title; the zoning classification of the site; and all zoning, master plan or
20 site plan approvals for the site, including all applicable conditions that are in effect. If the proposed
21 subdivision will not so conform, the Director is under no obligation to accept or process an application
22 for a tentative map until the applicant has made any necessary application for rezoning or site
23 development plan review, or both; the Planning Commission has made a recommendation in support
24 of the zoning-related application(s); and a City Council hearing date has been set for the zoning-
25 related application(s).

26 2. Except as otherwise provided in Paragraph 4 of this Subsection (C), [In] in cases where
27 approval of a rezoning or a site development plan review by the City Council is necessary before a
28 tentative map can be approved:

1 a. The Director shall withhold presentation of the tentative map to the Planning
2 Commission until at least two weeks after the City Council's final approval of the rezoning or site
3 development plan review application, or both; and

4 b. The Director may extend the time for reviewing the tentative map if the Council's
5 rezoning or site development plan approval requires that additional issues be addressed or changes
6 made before map approval can occur.

7 3. Except as otherwise provided in Paragraph 4 of this Subsection (C), [In] in cases where a
8 rezoning is unnecessary and the Planning Commission is authorized to take final action on a site
9 development plan review, the Director shall withhold presentation of the tentative map to the Planning
10 Commission until at least two weeks after the Planning Commission has approved the application for
11 site development plan review.

12 4. Notwithstanding any provision of Paragraphs (2) and (3) above relative to the timing of the
13 presentation of a tentative map, a subdivider or representative may elect an alternative procedure
14 whereby a tentative map application may be submitted and processed concurrent with any related
15 application for rezoning or site development plan review. The intent to elect the alternative procedure
16 should be indicated at the time of the pre-application conference and the election must be made at the
17 time of submittal of the tentative map application, on a form provided by the Department. In the case
18 of any such election:

19 1. The election to use the alternative procedure and the Director's acceptance of a
20 tentative map application as complete shall be deemed to constitute the parties' mutual consent to
21 extend time limits pursuant to NRS 278.350; and

22 2. Final action on the tentative map may not occur until final action has been taken on any
23 related rezoning application, site development plan review, or both.

24 [4.] 5. The Director's obligation to withhold action or ability to extend time under Paragraph (2) is
25 subject to the time limits referred to in NRS 278.350, as they may be extended by mutual consent.
26 In addition, the Director's failure to comply with any obligation described in this Subsection shall not
27 be deemed a violation subject to criminal or administrative action and shall not invalidate any action
28 taken.

SECTION 3: For purposes of Section 2.100(3) of the City Charter, Section 19.16.050 is deemed to be a subchapter rather than a section.

SECTION 4: The Department of Planning is authorized and directed to incorporate into the Unified Development Code the amendment set forth in Section 2 of this Ordinance.

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

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

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

APPROVED:

By CAROLYN G. GOODMAN, Mayor

ATTEST:

BEVERLY K. BRIDGES, MMC
City Clerk

APPROVED AS TO FORM:

Val Heed 8-19-13
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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12 APPROVED:

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14 By _____
CAROLYN G. GOODMAN, Mayor

15 ATTEST:

16 _____
17 BEVERLY K. BRIDGES, MMC
City Clerk
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