



Recommending Committee Agenda

The Recommending Committee will receive public input on each item of legislation being considered. The Recommending Committee may, thereafter, continue the hearing to a future date or formulate a recommendation to the City Council for passage, rejection or amendment of the proposed bill. Any member of the City Council may substitute for a member of the Recommending Committee at any time.

Items listed on the agenda may be taken out of the order presented; 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. Backup material for this agenda may be obtained from LuAnn D. Holmes, City Clerk, at the Office of the City Clerk, 495 South Main Street, 2nd Floor or on the city's webpage at www.lasvegasnevada.gov.

1. Call to Order
2. Announcement Regarding: Compliance with Open Meeting Law
3. Bill No. 2019-12 - For possible action - Amends the Town Center Development Standards Manual to allow the use "Marijuana Dispensary" in specified land use districts by means of special use permit, and adopts clarifying language regarding the waivability of certain special use permit requirements. Sponsored by: Councilwoman Michele Fiore
4. Citizens Participation: Public comment during this portion of the agenda must be limited to matters within the jurisdiction of the Committee. No subject may be acted upon by the Committee 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 and correct spelling 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.
5. Adjournment

ALL INTERESTED PERSONS ARE INVITED TO ATTEND: Copies of the above Bills may be obtained through the Office of the City Clerk, Monday through Thursday 7:00 A.M. to 5:30 P.M.

Facilities are provided throughout City Hall for the convenience of persons with disabilities. Reasonable efforts will be made to assist and accommodate persons with disabilities or impairments. If you need accommodations to attend and participate in this meeting, please call the City Clerk's office at 702-229-6311 and advise of your need at least 48 hours in advance of the meeting. Dial 7-1-1 for Relay Nevada.

THIS MEETING HAS BEEN PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS:

City Hall, 495 South Main Street, 1st Floor
Clark County Government Center, 500 South Grand Central Parkway
Grant Sawyer Building, 555 East Washington Avenue
City of Las Vegas Development Services Center, 333 North Rancho Drive



AGENDA SUMMARY PAGE
Recommending Committee
Meeting of: April 15, 2019

Agenda Item No.:
1

DEPARTMENT: City Clerk
DIRECTOR: LuAnn Holmes

SUBJECT:
Call to Order



AGENDA SUMMARY PAGE
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Meeting of: April 15, 2019

Agenda Item No.:
2

DEPARTMENT: City Clerk
DIRECTOR: LuAnn Holmes

SUBJECT:
Announcement Regarding: Compliance with Open Meeting Law



AGENDA SUMMARY PAGE
Recommending Committee
Meeting of: April 15, 2019

Agenda Item No.:
3

DEPARTMENT: City Attorney
DIRECTOR: Brad Jerbic

DISCUSSION

SUBJECT:

Bill No. 2019-12 - For possible action - Amends the Town Center Development Standards Manual to allow the use "Marijuana Dispensary" in specified land use districts by means of special use permit, and adopts clarifying language regarding the waivability of certain special use permit requirements. Sponsored by: Councilwoman Michele Fiore

FISCAL IMPACT:

None

PURPOSE/BACKGROUND:

This bill will amend the Town Center Development Standards Manual to allow the use "Marijuana Dispensary" in specified land use districts by means of special use permit. The bill will also adopt clarifying language regarding the waivability of certain special use permit requirements within Town Center.

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Bill No. 2019-12

1 **BILL NO. 2019-12**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO AMEND THE TOWN CENTER DEVELOPMENT STANDARDS MANUAL TO
4 ALLOW THE USE "MARIJUANA DISPENSARY" IN SPECIFIED LAND USE DISTRICTS BY MEANS
5 OF SPECIAL USE PERMIT; ADOPT CLARIFYING LANGUAGE REGARDING THE WAIVABILITY
6 OF CERTAIN SPECIAL USE PERMIT REQUIREMENTS; AND PROVIDE FOR OTHER RELATED
7 MATTERS.

8 Sponsored by: Councilwoman Michele Fiore

9 Summary: Amends the Town Center
10 Development Standards Manual to allow the use
11 "Marijuana Dispensary" in specified land use
12 districts by means of special use permit, and
13 adopts clarifying language regarding the
14 waivability of certain special use permit
15 requirements.

16 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS
17 FOLLOWS:

18 SECTION 1: The Town Center Development Standards Manual, adopted under Section
19 19.10.060(B) of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, hereafter the "Manual,"
20 is hereby amended as set forth in Sections 2 to 6, inclusive, of this Ordinance. Deleted matter is shown by
21 bracketing. New material added to existing language is shown by underlining, while entirely new provisions
22 are so identified without particular markings.

23 SECTION 2: Section A.4.D of the Manual is amended to read as follows:

24 **D. Waiver – Development Standards**

25 The standards set forth in the Town Center Development Standards Manual are minimum requirements.
26 Except as otherwise provided in Section B.4.A.4 with respect to Special Use Permit requirements, [A] a
waiver of 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 waiver will not be contrary to the overall purpose and
intent of the standards or the Town Center Land Use Plan. An applicant may request a waiver by following
the procedures outlined in LVMC 19.16.130.

SECTION 3: Section B.2.D of the Manual is amended to read as follows:

D. Special Use Permits (S)

1 Certain uses may be permitted in the designated Land Use district only after obtaining a Special Use Permit
2 in accordance with LVMC 19.16.110 and compliance with specific conditions. These conditions are listed as
3 “Minimum Requirements” following the Permitted Uses Matrix in Section B.4 of these standards, labeled
4 “Special Use Permits”. Notwithstanding the previous two sentences, uses within the Montecito District (with
5 the exception of “Marijuana Dispensary) are exempt from the automatic application of the minimum
6 requirements set forth in Section B.4.B. However, in connection with the consideration of a special use permit
7 application for a particular use within that District, the approval of the special use permit may be conditioned
8 on compliance with any of the listed minimum requirements, as well as compliance with any other conditions
9 deemed appropriate to mitigate the impact of the use.

10 SECTION 4: Section B.2 of the Manual, in particular Table 1 at the end of that Section
11 representing the matrix of permitted uses, is amended by adding thereto an entry for the use “Marijuana
12 Dispensary” to indicate that the use is allowable by means of Special Use Permit in the GC-TC, SC-TC, UC-
13 TC, SX-TC, MS-TC, EC-TC and MC-TC Land Use Districts. In order to reflect the amendment, the use
14 “Marijuana Dispensary” shall be added at the appropriate location, and the letter “S” shall be entered in the
15 boxes that represent the intersection of that use with the column for each of the following Land Use Districts:
16 GC, SC, UC, SX, MS, EC and MC.

17 SECTION 5: Section B.4.A of the Manual is amended to read as follows:

18 **A. GENERAL**

19 Uses requiring a Special Use Permit are deemed as being potentially incompatible with the Town Center
20 concept and those uses will therefore[,] be conditioned to ensure compatibility.

21 1) The uses in [this section] Section B.4.B require a Special Use Permit and have base requirements
22 which [shall] must be met prior to approval of the Special Use Permit[.] , to the extent those requirements do
23 not represent ongoing or post-approval requirements. In the Permitted Uses Table, these uses may be
24 indicated by an “S.”

25 2) [The following conditions are the minimum conditions for approval of a Special Use Permit for
26 this use.] For each use listed in Section B.4.B, the conditions and requirements listed below the use are the

1 minimum conditions and requirements for the approval (and continued exercise) of a Special Use Permit for
2 that use. Additional conditions may also be required during the public hearing process to ensure compatibility
3 of that use in relation to surrounding uses and the pattern of development.

4 3) Special Use Permits [which] for uses that do not have minimum requirements listed in [the
5 following section] Section B.4.B may have conditions placed on the proposed use during the public hearing
6 process.

7 4) [The following requirements are minimum standards that must be satisfied.] Whenever the
8 conditions and requirements for a particular use listed in Section B.4.B include a condition that the use shall
9 comply with all minimum conditions, standards and requirements applicable to that use, as that use is
10 permitted by means of a Special Use Permit under LVMC Chapter 19.12, that particular requirement by itself
11 is not waivable under this Manual or pursuant to LVMC Title 19. However, individual and particular
12 minimum special use permit requirements established under LVMC Chapter 19.12 may be waived if
13 waivable under that Chapter.

14 5) The [following uses, with minimum Special Use Permit requirements, are listed below] uses that
15 are permitted by means of Special Use Permit, together with their corresponding minimum conditions and
16 requirements, are set forth in Section B.4.B alphabetically.

17 SECTION 6: Section B.4.B of the Manual is amended by adding thereto, at the
18 appropriate location, a new Paragraph 32 to read as follows:

19 **32) MARIJUANA DISPENSARY**

20 a. The use shall comply with all minimum conditions, standards and requirements applicable to the
21 use "Marijuana Dispensary," as that use is permitted by means of a Special Use Permit under LVMC Chapter
22 19.12.

23 SECTION 7: The Department of Planning is authorized and directed to incorporate into
24 the Town Center Development Standards Manual the amendments set forth in Sections 2 to 6 inclusive, of
25 this Ordinance, including, as deemed necessary or appropriate, the renumbering of paragraphs in Section
26 B.4.B, any other required numbering or renumbering of provisions, parallel reference changes, and

1 corresponding changes to the table of contents.

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

9 SECTION 9: Whenever in this ordinance any act is prohibited or is made or declared to
10 be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required
11 or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of
12 such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon
13 conviction thereof, shall be punished by a fine of not more than \$1,000.00 or by imprisonment for a term of
14 not more than six months, or by any combination of such fine and imprisonment. Any day of any violation
15 of this ordinance shall constitute a separate offense.

16 SECTION 10: All ordinances or parts of ordinances or sections, subsections, phrases,
17 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983
18 Edition, in conflict herewith are hereby repealed.

19 PASSED, ADOPTED and APPROVED this ____ day of _____, 2019.

20 APPROVED:
21 By _____
22 CAROLYN G. GOODMAN, Mayor

23 ATTEST:

24 LUANN D. HOLMES, MMC
City Clerk

25 APPROVED AS TO FORM:
Val Steed 3-20-19
26 Val Steed, Date
Deputy City Attorney

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the ____ day
2 of _____, 2019, and referred to a committee for recommendation, the committee being
3 composed of the following members _____;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 2019, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council as first
7 introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

12
13 By _____
CAROLYN G. GOODMAN, Mayor

14 ATTEST:

15 _____
16 LUANN D. HOLMES, MMC
City Clerk

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Recommending Committee
Meeting of: April 15, 2019

Agenda Item No.:
4

DEPARTMENT: City Clerk
DIRECTOR: LuAnn Holmes

SUBJECT:

Citizens Participation: Public comment during this portion of the agenda must be limited to matters within the jurisdiction of the Committee. No subject may be acted upon by the Committee 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 and correct spelling 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.



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DEPARTMENT: City Clerk
DIRECTOR: LuAnn Holmes

SUBJECT:
Adjournment