

ORDINANCE NO. 1419

AN ORDINANCE TO AMEND TITLE XI, CHAPTER 1, SECTION 6 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY ADDING THERETO TWO NEW SUBSECTIONS, DESIGNATED SUBSECTIONS (R) AND (S), PROVIDING REQUIREMENTS FOR PLANNED UNIT DEVELOPMENTS IN ANY DISTRICT WITH AN "R" PREFIX; TO AMEND TITLE XI, CHAPTER 1, SECTION 24, SUBSECTION (A), PARAGRAPH 4 OF SAID MUNICIPAL CODE, PROVIDING THAT UPON DENIAL ON AN APPLICATION FOR A VARIANCE A REAPPLICATION MAY NOT BE MADE BEFORE PERIODS OF FOUR OR EIGHT MONTHS HAVE ELAPSED; TO AMEND TITLE XI, CHAPTER 1, SECTION 24, SUBSECTION (B), PARAGRAPH 3 OF SAID MUNICIPAL CODE, PROVIDING THAT UPON DENIAL OF AN APPLICATION FOR A USE PERMIT A REAPPLICATION MAY NOT BE MADE BEFORE PERIODS OF FOUR OR EIGHT MONTHS HAVE ELAPSED; TO AMEND TITLE XI, CHAPTER 1, SECTION 25, SUBSECTION (B), PARAGRAPH (2) OF SAID MUNICIPAL CODE PROVIDING THAT UPON DENIAL OF AN APPLICATION FOR RECLASSIFICATION OF PROPERTY A REAPPLICATION MAY NOT BE MADE BEFORE PERIODS OF FOUR OR EIGHT MONTHS HAVE ELAPSED; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

THE BOARD OF COMMISSIONERS OF THE CITY OF LAS VEGAS DOES
ORDAIN AS FOLLOWS:

SECTION 1. Title XI, Chapter 1, Section 6 of the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, is hereby amended by adding two new subsections, designated (R) and (S), to read as follows:

11-1-6 (R) (R) Planned unit development:

1. The purpose of a planned unit development is to allow maximum flexibility and innovation in residential design and land utilization. It is not intended primarily to be used to reduce the cost of residential development, nor is it intended to provide rental units in the single family districts. A planned unit development may consist of single family units, town-houses, cluster units, condominiums, garden apartments or any combination thereof. The lot sizes, building heights, distance between buildings and yard requirements of the particular zone wherein located may be waived for planned unit development; however, the density of the zone wherein located must be observed on the overall development.
2. Permission to construct a planned unit development shall be applied for and processed in the same manner as an application for a reclassification of property. In the event an application for reclassification is made for the express purpose of a planned unit development, the proposed use shall be made a part of the application and shown on the notice of public hearing. Detailed development plans must be submitted with the application indicating uses of property, delineation of property ownerships, floor plans and elevations of buildings.

3. At the time of filing an application for a planned unit development, the Secretary of the Planning Commission is authorized to make a uniform charge of one hundred dollars (\$100.00) payable to the City.

4. Planned unit developments shall be permitted upon the approval of the Planning Commission and the Board of City Commissioners. Upon the completion of construction, in accord with the approved plan, no additions shall be made to any structure unless first approved by the Planning Commission, or unless located within the buildable area as defined by the Planning Commission.

5. Wherever possible, underground utilities will normally be considered a requirement in connection with planned unit developments. The Planning Commission and Board of Commissioners, in their approval, may attach whatever conditions they deem necessary to insure the proper amenities of residential uses and to insure that the proposed development will be compatible with surrounding, existing and proposed land uses.

6. Whenever common walls are proposed, they shall be two-hour fire resistant.

7. Whenever more than one dwelling unit is contained within a building and ownership of the separate dwelling units will be in fee simple or in any ownership other than joint ownership, separate services such as water, power, and sanitary sewer shall be provided to each dwelling unit.

8. Whenever any property or facility such as parking lots, storage areas, swimming pools, or other areas, are owned jointly, a proper maintenance and use agreement shall be recorded as a covenant with the property.

9. In the case of a proposed condominium subdivision of an existing multi-family building, the City shall have the right to deny such subdivision unless the units are provided with two-hour fire resistant common walls, and separate services.

11-1-6 (S) (S) 1. The construction of commercial buildings for a condominium ownership pattern shall conform to the same requirements as specified for residential, and, in addition, shall conform to the requirement that

all occupancy shall be of a similar nature in accord with the building code.

2. In the case of a proposed condominium subdivision of an existing commercial building, the City shall have the right to deny such subdivision unless the units are provided with two-hour fire resistant common walls, and separate services.

SECTION 2. Title XI, Chapter 1, Section 24, Subsection (A), Paragraph 4 of the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, is hereby amended to read as follows:

11-1-24 (A) (4) 4. Application: An application for any permissible variance shall be made to the Board of Zoning Adjustment on a form to be provided by the Planning Department. This application shall be filed with the Secretary of the Board of Zoning Adjustment at the office of the Planning Department. Said application shall be signed and acknowledged by the record owner of the property for which said variance is sought. Upon receipt of a properly executed application, the Secretary of the Board of Zoning Adjustment shall maintain said application, together with all pertinent attachments and exhibits, in the permanent files of the Planning Department as a public record. An application for a variance on property for which all or any part had been previously denied within the four months' period first preceding the date of the meeting, for which the proposed application would be scheduled, for the same or a more intensive use, shall not be accepted. In addition, a period of eight months from the date of a second denial must elapse before an application may be filed for the same or a more intensive use.

SECTION 3. Title XI, Chapter 1, Section 24, Subsection (B), Paragraph 3 of the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, is hereby amended to read as follows:

11-1-24 (B) (3) 3. Application: An application for a permissible use permit shall be filed with the Secretary of the Board of Zoning Adjustment at the office of the Planning Department upon a form provided by the Planning Department. Said application shall be executed and verified by the record owner of the property, for which the use permit is requested, in the same manner as is provided under Subsection (A) of this Section.

An application for a use permit on property for which all or any part had been previously denied within the four months' period first preceding the date of the meeting, for which the proposed application would be scheduled, for the same or a more intensive use, shall not be accepted. In addition, a period of eight months from the date of a second denial must elapse before an application may be filed for the same or a more intensive use.

SECTION 4. Title XI, Chapter 1, Section 25, Subsection (B), Paragraph 2, of said Municipal Code is hereby amended to read as follows:


11-1-25 (B) 2. A petition for the reclassification of property shall be made in the form of an application to be provided by the Planning Department. Said application shall be filed with the Secretary of the Planning Commission at the office of the Planning Department. Said application shall be signed and acknowledged by a record owner or owners of property within the area sought to be reclassified. Upon receipt of a properly executed application, the Secretary of the Planning Commission shall maintain said application, together with all pertinent attachments and exhibits, in the permanent files of the Planning Commission as public record. An application for reclassification of property for which all or any part had been previously denied within the four months' period first preceding the date of the meeting, for which the proposed application would be scheduled, for the same or a less restrictive zone, shall not be accepted. An application for a zone change for a use permitted in a more restricted zone will be considered as an application for the more restricted zone. In addition, a period of eight months from date of a second denial must elapse before an application may be filed for the same or less restrictive zone.

SECTION 5. Any person, firm or corporation violating any of the provisions of this ordinance shall, upon conviction thereof, be punished by a fine of not more than \$500.00 and/or imprisonment in the city jail for not more than six (6) months, or any combination of such fine and imprisonment. Every day of such violation shall constitute a separate offense.

SECTION 6. All ordinances or parts of ordinances, sections, subsections, phrases, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED AND APPROVED this 6th day of August, 1969.

APPROVED:


ORAN K. GRAGSON, MAYOR

ATTEST:


Edwina M. Cole, City Clerk

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 16th day of July, 1969, and referred to the following committee composed of Commissioners Howery and Thornley for recommendation; thereafter the said committee reported favorably on said ordinance on the 6th day of August, 1969, which was a regular meeting of said Board; that at said regular meeting the proposed ordinance was read by title to the Board of Commissioners as first introduced and adopted by the following vote:

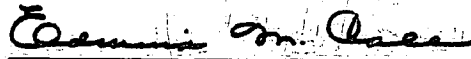
VOTING "AYE": Commissioners Thornley, Howery, Corey and Mayor Gragson

VOTING "NAY" None ABSENT: Commissioner Coblentz (excused)

APPROVED:


ORAN K. GRAGSON, MAYOR

ATTEST:


Edwina M. Cole, City Clerk

ORDINANCE NO. 149
 AN ORDINANCE TO AMEND TITLE XI, CHAPTER 1, SECTION 6 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY ADDING THERETO TWO NEW SUBSECTIONS, DESIGNATED SUBSECTIONS (R) AND (S), PROVIDING REQUIREMENTS FOR PLANNED UNIT DEVELOPMENTS IN ANY DISTRICT WITH AN "R" PREFIX; TO AMEND TITLE XI, CHAPTER 1, SECTION 24, SUBSECTION (A), PARAGRAPH 4 OF SAID MUNICIPAL CODE, PROVIDING THAT UPON DENIAL ON AN APPLICATION FOR A VARIANCE A REAPPLICATION MAY NOT BE MADE BEFORE PERIODS OF FOUR OR EIGHT MONTHS HAVE ELAPSED; TO AMEND TITLE XI, CHAPTER 1, SECTION 24, SUBSECTION (B), PARAGRAPH 3 OF SAID MUNICIPAL CODE, PROVIDING THAT UPON DENIAL OF AN APPLICATION FOR A USE PERMIT A REAPPLICATION MAY NOT BE MADE BEFORE PERIODS OF FOUR OR EIGHT MONTHS HAVE ELAPSED; TO AMEND TITLE XI, CHAPTER 1, SECTION 25, SUBSECTION (B), PARAGRAPH (2) OF SAID MUNICIPAL CODE PROVIDING THAT UPON DENIAL OF AN APPLICATION FOR RECLASSIFICATION OF PROPERTY A REAPPLICATION MAY NOT BE MADE BEFORE PERIODS OF FOUR OR EIGHT MONTHS HAVE ELAPSED; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATIONS HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

THE BOARD OF COMMISSIONERS OF THE CITY OF LAS VEGAS DOES ORDAIN AS FOLLOWS:
 SECTION 1, Title XI, Chapter 1, Section 6 of the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, is hereby amended by adding two new subsections, designated (R) and (S), to read as follows:

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, { ss.
 COUNTY OF CLARK

ROBERT E. HUNTER, being first duly sworn,

deposes and says: That he is Foreman of the LAS VEGAS SUN, a daily newspaper of general circulation, printed and published at Las Vegas, in the County of Clark, State of Nevada, and that the attached was continuously published in said newspaper for a period of

2 times in 2 weeks

from August 11, 1969 to August 18, 1969

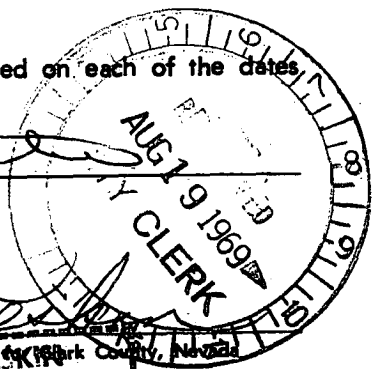
inclusive, being the issues of said newspaper for the following dates, to-wit:

August 11, 18, 1969

That said newspaper was regularly issued and circulated on each of the dates above named.

Signed Robert E. Hunter

Subscribed and sworn to before me this 18th day of August, 1969.



My Commission Expires

RUTH V. DECKER
 Notary Public—State of Nevada
 COUNTY OF CLARK
 My Commission Expires April 14, 1973

11-1-6 (R) (R) Planned unit development:

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8. Whenever any property or facility such as parking lots, storage areas, swimming pools, or other areas, are owned jointly, a proper maintenance and use agreement shall be recorded as a covenant with the property.

9. In the case of a proposed condominium subdivision of an existing multi-family building, the City shall have the right to deny such subdivision unless the units are provided with two-hour fire resistant common walls, and separate services.

11-1-6 (S) (S) 1. The construction of commercial buildings for a condominium ownership pattern shall conform to the same requirements as specified for residential, and, in addition, shall conform to the requirement that all occupancy shall be of a similar nature in accord with the building code.

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11-1-24 (A) (4) 4. Application: An application for any permissible variance shall be made to the Board of Zoning Adjustment on a form to be provided by the Planning Department. This application shall be filed with the Secretary of the Board of Zoning Adjustment at the office of the Planning Department. Said application shall be signed and acknowledged by the record owner of the property for which said variance is sought. Upon receipt of a properly executed application, the Secretary of the Board of Zoning Adjustment shall maintain said application, together with all pertinent attachments and exhibits, in the permanent files of the Planning Department as a public record. An application for a variance on property for which all or any part had been previously denied within the four months' period first preceding the date of the meeting, for which the proposed application would be scheduled; for the same or a more intensive use, shall not be accepted. In addition, a period of eight months from the date of a second denial must elapse before an application may be filed for the same or a more intensive use.

SECTION 3, Title XI, Chapter 1, Section 24, Subsection (B), Paragraph 3 of the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, is hereby amended to read as follows:

11-1-24 (B) (3) 3. Application: An application for a permissible use permit shall be filed with the Secretary of the Board of Zoning Adjustment at the office of the Planning Department upon a form provided by the Planning Department. Said application shall be executed and verified by the record owner of the property, for which the use permit is requested. In the same manner as is provided under Subsection (A) of this Section. An application for a use permit on property for which all or any part had been previously denied within the four months' period first preceding the date of the meeting, for which the proposed application would be scheduled, for the same or a more intensive use, shall not be accepted. In addition, a period of eight months from the date of a second denial must elapse before an application may be filed for the same or a more intensive use.

SECTION 4, Title XI, Chapter 1,

Section 25, Subsection (B), Paragraph 2, of said Municipal Code is hereby amended to read as follows:

11-1-25 (B) 2. A petition for the reclassification of property shall be made in the form of an application to be provided by the Planning Department. Said application shall be filed with the Secretary of the Planning Commission at the office of the Planning Department. Said application shall be signed and acknowledged by a record owner or owners of property within the area sought to be reclassified. Upon receipt of a properly executed application, the Secretary of the Planning Commission shall maintain said application, together with all pertinent attachments and exhibits, in the permanent files of the Planning Commission as public record. An application for reclassification of property for which all or any part had been previously denied within the four months' period first preceding the date of the meeting, for which the proposed application would be scheduled, for the same or a less restrictive zone, shall not be accepted. An application for a zone change for a use permitted in a more restricted zone will be considered as an application for the more restricted zone. In addition, a period of eight months from date of a second denial must elapse before an application may be filed for the same or less restrictive zone.

SECTION 5. Any person, firm or corporation violating any of the provisions of this ordinance shall, upon conviction thereof, be punished by a fine of not more than \$500.00 and/or imprisonment in the city jail for not more than six (6) months, or any combination of such fine and imprisonment. Every day of such violation shall constitute a separate offense.

SECTION 6. All ordinances or parts of ordinances, sections, subsections, phrases, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED AND APPROVED this 6th day of August, 1969.

APPROVED:

/s/ Oran K. Gragson
ORAN K. GRAGSON, Mayor

ATTEST:

/s/ Edwina M. Cole
Edwina M. Cole, City Clerk
(SEAL)

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 16th day of July, 1969, and referred to the following committee composed of Commissioners Howery and Thornley for recommendation; thereafter the said committee reported favorably on said ordinance on the 6th day of August, 1969, which was a regular meeting of said Board; that at said regular meeting the proposed ordinance was read by title to the Board of Commissioners as first introduced and adopted by the following vote:

VOTING "AYE": Commissioners
Thornley, Howery, Corey and
Mayor Gragson

VOTING "NAY": None
ABSENT: Commissioner Coblenz
(excused)

APPROVED:

/s/ Oran K. Gragson
ORAN K. GRAGSON, Mayor

ATTEST:

/s/ Edwina M. Cole
Edwina M. Cole, City Clerk
(SEAL)

Pub: Aug. 11, 18, 1969