

FIFTH AMENDMENT

BILL NO. 86-37

ORDINANCE NO. 3251

AN ORDINANCE RELATING TO ZONING; AMENDING TITLE 19 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO PROVIDE FOR RESIDENTIAL FACILITIES FOR ADULT CARE IN CERTAIN RESIDENTIAL ZONING DISTRICTS BY MEANS OF SPECIAL USE PERMIT, TO PROVIDE THAT IN MOST OF THOSE DISTRICTS SUCH FACILITIES MUST BE AT LEAST 1000 FEET APART AND MUST BE OPERATED BY A RESIDENT OF THE FACILITY OR BY A NONPROFIT ORGANIZATION OR GOVERNMENTAL ENTITY, TO PROVIDE FOR SPECIAL CARE FACILITIES IN COMMERCIAL AND INDUSTRIAL ZONES BY MEANS OF SPECIAL USE PERMIT, TO RESTRICT HOSPITALS TO COMMERCIAL AND INDUSTRIAL ZONES AND TO ELIMINATE THE PROVIDING OF CARE IN CONNECTION WITH ROOM AND BOARD AS AN ACCESSORY USE IN RESIDENTIAL DISTRICTS; PROVIDING DEFINITIONS FOR "RESIDENTIAL FACILITY FOR ADULT CARE," "CONVALESCENT CARE FACILITY" AND "SPECIAL CARE FACILITY"; PROVIDING PENALTIES FOR VIOLATIONS HEREOF; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith.

Sponsored By:

Councilman Ron Lurie

Summary: Provides for residential facilities for adult care in certain residential zoning districts by Special Use Permit; provides for special care facilities in commercial and industrial zones by Special Use Permit; restricts hospitals to commercial and industrial zones; and eliminates the providing of care in connection with room and board as an accessory use in residential districts.

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

SECTION 1: Title 19, Chapter 4, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 35, reading as follows:

19.04.035: "Residential facility for adult care" means a dwelling or similar building of a residential character which is used or intended to be used to provide housing and care for five or fewer unrelated ambulatory persons who are 18 years of age or older and who are elderly, physically ill or infirm, physically handicapped, mentally retarded or who have a mental handicap or illness such that they do not require constant supervision or

1 treatment. "Residential facility for adult care" includes a  
2 group or community residence which is licensed by the State of  
3 Nevada as a "residential facility for groups" and is designed to  
4 provide transitional living arrangements for persons with illness  
5 or disability, but only if medical and psychiatric care is pro-  
6 vided therein no more than on an occasional basis and incidental  
7 to its use as a residence. The term does not include a con-  
8 valescent care facility, hospital or special care facility nor  
9 any facility which:

10 (A) Qualifies as a one-family dwelling under Section  
11 19.04.640;

12 (B) Provides or is designed to provide surgical, medical or  
13 other specialized treatment which normally is provided by a con-  
14 valescent care facility, hospital or special care facility; or

15 (C) Provides housing or care to persons who have a chronic  
16 illness, disease, injury or other condition that would require  
17 the degree of care and treatment normally provided by a convales-  
18 cent care facility, hospital or special care facility.

19 SECTION 2: Title 19, Chapter 4, Section 290, of the  
20 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
21 hereby amended to read as follows:

22 19.04.290: ["Convalescent home"] "Convalescent care facility"  
23 means a building or structure designed, used or intended to be  
24 used to house and provide care for [the sick, ill or infirm per-  
25 sons, where no surgical treatment is given. It is intended that  
26 this definition shall generally cover buildings, structures and  
27 institutions designed for the care of the chronically ill and  
28 infirm, who do not require the specialized treatment provided in  
29 a hospital. "Convalescent home," as used in this Chapter,  
30 includes "nursing homes" and "rest homes."] persons who have a  
31 chronic physical or mental illness or infirmity, but who do not  
32 need medical, surgical or other specialized treatment normally

1 provided by a hospital or special care facility. "Convalescent  
2 care facility" includes "rest home" and "nursing home" but does  
3 not include "hospital" or "special care facility."

4 SECTION 3: Title 19, Chapter 4, Section 470, of the  
5 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
6 hereby amended to read as follows:

7 19.04.470: "Hospital" means a building or structure designed,  
8 used or intended to be used to house and provide care for sick,  
9 ill, injured and infirm persons and to provide medical and/or  
10 surgical treatment. "Hospital" includes "general hospital,"  
11 "emergency hospital," "maternity hospital" and other similar  
12 institutions, but specifically excludes [institutions designed  
13 and/or used entirely for the care of mental patients, alcoholics  
14 and patients with contagious diseases. Emergency and/or out-  
15 patient treatment of the above ailments in general or emergency  
16 hospitals is not restricted.] "special care facilities."

17 SECTION 4: Title 19, Chapter 4, Section 640, of the  
18 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
19 hereby amended to read as follows:

20 19.04.640: "One-family dwelling" or "single-family dwelling"  
21 means a detached dwelling, designed for and occupied exclusively  
22 by one family. "One-family dwelling" also includes a home for  
23 mentally retarded persons if the home qualifies as a  
24 single-family residence under NRS 278.021(2) and is not operated  
25 on a commercial basis. All livable area in a single-family  
26 dwelling must be contained within the common exterior walls and  
27 have a common roof, and all of the rooms thereof must have  
28 interior access to each other.

29 SECTION 5: Title 19, Chapter 4, of the Municipal  
30 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby  
31 amended by adding thereto a new section, designated as Section  
32 765, reading as follows:

1 19.04.765: "Special care facility" means any building which is  
2 used or intended to be used exclusively for one or more of the  
3 following:

- 4 (A) The treatment of alcohol or drug dependency;  
5 (B) The housing and care of persons with mental illness that  
6 requires them to be confined in an institutional facility;  
7 (C) The housing and care of persons with contagious  
8 diseases.

9 SECTION 6: Title 19, Chapter 10, Section 50, of the  
10 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
11 hereby amended to read as follows:

12 19.10.050: The following additional uses are permitted in the  
13 N-U District, subject to the securing of a special use permit in  
14 each case, as provided in Chapter 19.90:

- 15 (A) Public and quasi-public uses; churches;  
16 (B) Group child care home, as defined in Chapter 6.24, pro-  
17 vided such facility is approved by the Child Welfare Board and  
18 meets all duly adopted standards for such facility;  
19 (C) [Hospitals] Residential facility for adult care as  
20 defined herein, provided [the hospital] it meets the minimum  
21 standards and criteria set out in Section 19.10.060;  
22 (D) Convalescent [home] care facility as defined herein,  
23 provided [the convalescent home] it meets the minimum standards  
24 and criteria set out in Section 19.10.070;  
25 (E) Cemeteries as defined herein, provided the cemetery  
26 meets the minimum standards and criteria set out in Section  
27 19.10.080.

28 SECTION 7: Title 19, Chapter 10, Section 60, of the  
29 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
30 hereby repealed in its entirety.

31 SECTION 8: Title 19, Chapter 10, of the Municipal  
32 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby

1 amended by adding thereto a new section, designated as Section  
2 60, reading as follows:

3 19.10.060: (A) No residential facility for adult care may be  
4 located within 1,000 feet of any other such facility.

5 (B) A residential facility for adult care must be operated  
6 by either:

7 1) An individual who lives in the facility; or

8 2) A duly recognized nonprofit organization or govern-  
9 mental entity.

10 SECTION 9: Title 19, Chapter 10, Section 70, of the  
11 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
12 hereby amended to read as follows:

13 19.10.070: Convalescent [homes] care facilities in the N-U  
14 District shall, as provided in Section 19.10.050, meet the  
15 following standards and criteria:

16 (A) Size of plot: Minimum one-half acre (twenty thousand  
17 square feet).

18 (B) Density: Maximum twenty-five beds per acre of land.

19 (C) Building line setbacks: The same as required in each  
20 zoning district for a single-family dwelling.

21 (D) Building height: One story.

22 (E) Parking shall be provided according to the provisions of  
23 Chapter 19.64.

24 (F) Buffer planting: Minimum of ten-foot-wide strip of ade-  
25 quately maintained shrub or hedge at both sides and rear of prop-  
26 erty, grown to a height of six feet, or a wall, built to approved  
27 design, built to a height of six feet, except that the front yard  
28 fence or wall shall be erected to a maximum height of four feet,  
29 with that portion which is more than two feet high being fifty  
30 percent open.

31 (G) Access: All institutions of this type shall be located  
32

1 either on a major street, as defined by the Major Street Plan  
2 codified at Chapter 13.12, or on a designated collector street  
3 with a minimum pavement width of forty-eight feet.

4 SECTION 10: Title 19, Chapter 12, Section 40, of the  
5 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
6 hereby amended to read as follows:

7 19.12.040: The following additional uses are permitted in the  
8 R-A District, subject to the securing of a special use permit in  
9 each case, as provided in Chapter 19.90:

10 (A) Public and quasi-public uses; churches;

11 (B) Group child care home, as defined in Chapter 6.24, pro-  
12 vided such facility is approved by the Child Welfare Board and  
13 meets all duly adopted standards for such facility;

14 (C) [Hospitals, provided the hospital meets the criteria  
15 listed under Section 19.10.060;

16 (D) Convalescent homes as defined herein, provided the con-  
17 valescent home meets the criteria listed under Section 19.10.070;

18 (E)] Cemeteries as provided for in Section 19.10.080.

19 SECTION 11: Title 19, Chapter 14, Section 40, of the  
20 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
21 hereby amended to read as follows:

22 19.14.040: The following additional uses are permitted in the  
23 R-E District, subject to the securing of a special use permit in  
24 each case, as provided in Chapter 19.90:

25 (A) Public and quasi-public uses; churches;

26 (B) Group child care home, as defined in Chapter 6.24, pro-  
27 vided such facility is approved by the Child Welfare Board and  
28 meets all duly adopted standards for such facility;

29 (C) [Hospitals,] Residential facility for adult care, pro-  
30 vided [the hospital] it meets the criteria listed under Section  
31 19.10.060;

32 (D) Convalescent [homes] care facility as defined herein,

1 provided [the convalescent home] it meets the criteria listed  
2 under Section 19.10.070;

3 (E) Cemeteries as provided for in Section 19.10.080.

4 SECTION 12: Title 19, Chapter 16, Section 30, of the  
5 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
6 hereby amended to read as follows:

7 19.16.030: The following additional uses are permitted in the  
8 R-D District, subject to the securing of a special use permit and  
9 in each case as provided in Chapter 19.90:

10 (A) Public and quasi-public uses; churches;

11 (B) Group child care home, as defined in Chapter 6.24, pro-  
12 vided such facility is approved by the Child Welfare Board and  
13 meets all duly adopted standards for such facility;

14 (C) [Hospitals,] Residential facility for adult care, pro-  
15 vided [the hospital] it meets the criteria listed in Section  
16 19.10.060;

17 (D) Convalescent [homes] care facility as defined herein,  
18 provided [the convalescent home] it meets the criteria listed  
19 under Section 19.10.070;

20 (E) Cemeteries as provided for in Section 19.10.080.

21 SECTION 13: Title 19, Chapter 18, of the Municipal  
22 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby  
23 amended by adding thereto a new section, designated as Section  
24 27, reading as follows:

25 19.18.027: The following additional use is permitted in the  
26 R-PD District, subject to the securing of a special use permit in  
27 each case as provided in Chapter 19.90:

28 (A) Residential facility for adult care, provided it meets  
29 the criteria set forth in Section 19.10.060.

30 SECTION 14: Title 19, Chapter 20, Section 20, of the  
31 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
32 hereby amended to read as follows:

1 19.20.020: The following additional uses are permitted in the  
2 R-1 District, subject to the securing of a special use permit  
3 [and] in each case as provided in Chapter 19.90:

4 (A) Public and quasi-public uses; churches;

5 (B) Home occupation as defined in Chapter 19.80;

6 (C) Group child care home, as defined in Chapter 6.24, pro-  
7 vided such facility is approved by the Child Welfare Board and  
8 meets all duly adopted standards for such facility;

9 (D) [Hospitals,] Residential facility for adult care, pro-  
10 vided [the hospital] it meets the criteria listed in Section  
11 19.10.060;

12 (E) Convalescent [homes] care facility as defined herein,  
13 provided [the convalescent home] it meets the criteria listed in  
14 Section 19.10.070;

15 (F) Cemeteries as provided for in Section 19.10.080.

16 SECTION 15: Title 19, Chapter 22, of the Municipal  
17 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby  
18 amended by adding thereto a new section, designated as Section  
19 27, reading as follows:

20 19.22.027: The following additional use is permitted in the  
21 R-MH District, subject to the securing of a special use permit in  
22 each case as provided in Chapter 19.90:

23 (A) Residential facility for adult care, provided it meets  
24 the criteria set forth in Section 19.10.060.

25 SECTION 16: Title 19, Chapter 26, Section 20, of the  
26 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
27 hereby amended to read as follows:

28 19.26.020: The following additional uses are permitted in the  
29 R-2 District, subject to the issuance of a special use permit in  
30 each case, as provided in Chapter 19.90:

31 (A) Public and quasi-public uses; churches;

32 (B) [Hospitals as defined in this Title] Residential facil-

ity for adult care, provided [the hospital] it meets the minimum standards and criteria set out in Section [19.26.030;] 19.10.060;

(C) Convalescent [homes] care facility as defined herein, provided [the convalescent home] it meets the criteria and standards set out in Section 19.26.040.

SECTION 17: Title 19, Chapter 26, Section 30, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

SECTION 18: Title 19, Chapter 26, Section 40, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19.26.040: Convalescent [homes] care facilities in the R-2 District, as provided in Section 19.26.020, shall meet the following standards and criteria:

(A) Size of plot: Ten thousand square feet;

(B) Density: Fifty patient beds per acre;

(C) Building line setbacks and height, as follows:

(1) One-story structure: Twenty-five feet from all property lines,

(2) Two-story structure: Thirty-five feet from all property lines,

(3) Three-story structure: Forty-five feet from all property lines,

(4) Four-story structure: Fifty feet from all property lines;

(D) Parking shall be provided according to the provisions of Chapter 19.64;

(E) Buffer planting: Minimum of a ten-foot-wide strip of adequately maintained shrub or hedge at both sides and rear of property, grown to a height of six feet, or a wall built to approved design, built to a height of six feet, except that the

1 front yard fence or wall shall be erected to a maximum height of  
2 four feet, with that portion which is more than two feet high  
3 being fifty percent open;

4 (F) Access: All institutions of this type shall be located  
5 either on a major street as defined by the Major Street Plan  
6 codified in Chapter 13.12, or on a designated collector street  
7 with a minimum pavement width of forty-eight feet.

8 SECTION 19: Title 19, Chapter 28, Section 20, of the  
9 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
10 hereby amended to read as follows:

11 19.28.020: The following additional uses are permitted in the  
12 R-3 District, subject to the issuance of a special use permit in  
13 each case, as provided in Chapter 19.90:

14 (A) Public and quasi-public uses; churches;

15 (B) [Hospitals, provided the hospital meets the criteria  
16 listed under Section 19.26.030;] Residential facility for adult  
17 care;

18 (C) Convalescent [homes] care facility as defined herein,  
19 provided [the convalescent home] it meets the criteria listed  
20 under Section 19.26.040;

21 SECTION 20: Title 19, Chapter 30, Section 20, of the  
22 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
23 hereby amended to read as follows:

24 19.30.020: The following uses are permitted in the R-4  
25 District, subject to the securing of a special use permit in each  
26 case, as provided in Chapter 19.90:

27 (A) Private schools;

28 (B) Child care centers, as defined in Chapter 6.24, provided  
29 such facility is approved by the Child Welfare Board and meets  
30 all duly adopted standards for such facility;

31 (C) Professional offices;

32 (D) Public or quasi-public parking for the use of patrons or

1 residents in the immediate vicinity thereof, when located and  
2 developed as required under Chapter 19.64;

3 (E) Public and quasi-public uses; churches;

4 (F) [Hospitals, provided the hospital meets the criteria  
5 listed under Section 19.26.030;] Residential facility for adult  
6 care;

7 (G) Convalescent [homes] care facility as defined herein,  
8 provided [the convalescent home] it meets the criteria listed  
9 under Section 19.26.040.

10 SECTION 21: Title 19, Chapter 32, Section 20, of the  
11 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
12 hereby amended to read as follows:

13 19.32.020: Uses permitted in the R-5 District include:

14 (A) All uses permitted in the R-4 District;

15 (B) Lodginghouses;

16 (C) Professional offices;

17 (D) Private schools[;

18 (E) Hospitals, rest homes, clinics and other buildings for  
19 the treatment of human ailments].

20 SECTION 22: Title 19, Chapter 34, Section 20, of the  
21 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
22 hereby amended to read as follows:

23 19.34.020: Uses permitted in the R-6 District include:

24 (A) Apartment dwelling units without specific limit as to  
25 number, subject to the conditions and limitations recited  
26 elsewhere in this Chapter;

27 (B) Professional office buildings[;

28 (C) Hospitals, rest homes, clinics and other buildings  
29 designed for the treatment of human ailments].

30 SECTION 23: Title 19, Chapter 44, Section 10, of the  
31 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition,  
32 and Section 20 of Ordinance No. 3224 are hereby amended to read

1 as follows:

2 19.44.010: Uses permitted in the C-1 District include:

3 (A) Shops, stores, retail and wholesale commercial  
4 establishments for the dispensing of goods or services, excluding  
5 any wholesale storage or warehousing;

6 (B) Banks and financial institutions;

7 (C) Laundry and dry cleaning establishments including coin-  
8 operated facilities and pickup service which provide direct con-  
9 sumer services but excluding industrial laundry operations as  
10 defined in Section 19.48.010. All processing and operational  
11 facilities must be approved by the Fire Prevention Bureau;

12 (D) Restaurants;

13 (E) Public or semipublic off-street parking facilities when  
14 developed in accordance with Chapter 19.64;

15 (F) Hospitals, [sanitariums,] convalescent [homes] care  
16 facilities and [other] similar facilities for the treatment of  
17 the aged or infirm[;], other than special care facilities;

18 (G) Places of public assembly, theaters, fraternal halls,  
19 bowling alleys;

20 (H) Public and quasi-public uses, churches;

21 (I) Office buildings;

22 (J) Commercial condominium developments, when developed in  
23 accord with the provisions of Chapter 19.70;

24 (K) Thrift shops;

25 (L) Automobile rental and automobile repossession agencies  
26 as defined in Section 19.04.130;

27 (M) Antique stores, except on Fremont Street or Las Vegas  
28 Boulevard South between Charleston Boulevard and Sahara Avenue as  
29 required by Section 6.74.050;

30 (N) Similar enterprises and commercial establishments of the  
31 same general classification which, in the opinion of the Planning  
32 Commission, as evidenced by a resolution of record, are not more

1 obnoxious to the welfare of the neighborhood than the above-  
2 enumerated uses;

3 (O) Uses customarily incidental to any of the above uses;

4 (P) Liquefied petroleum gas installations, as an accessory  
5 use, subject to the limitations set forth in Sections 19.55.010  
6 and 19.55.020.

7 SECTION 24: Title 19, Chapter 44, Section 20, of the  
8 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition,  
9 Section 21 of Ordinance No. 3224 and Section 6 of Ordinance  
10 No. 3238 are hereby amended to read as follows:

11 19.44.020: (A) The following uses may be permitted in the C-1  
12 District upon securing a special use permit as provided in  
13 Chapter 19.90, except that the uses enumerated in this Subsection  
14 may be permitted as a matter of right when in accordance with the  
15 exception shown in Subsection (C) of this Section:

16 (1) Automobile service stations for the sale of gaso-  
17 line, oil and minor accessories only, where no repair work is  
18 done, except minor repairs made by the attendant and provided all  
19 lubrications, washing, repairing and storage are conducted within  
20 an enclosed permanent building;

21 (2) Apartment houses;

22 (3) Customer-operated car washes;

23 (4) Lodginghouses, boardinghouses or roominghouses,  
24 hotels, motels and other like tourist accommodations;

25 (5) Emergency ground ambulance facilities[.];

26 (6) Special care facilities.

27 (B) The following uses may be permitted upon securing a spe-  
28 cial use permit in each case pursuant to the procedure provided  
29 for in Section 19.90.080, except that the uses enumerated in this  
30 Subsection may be permitted as a matter of right when in accor-  
31 dance with the exception shown in Subsection (C) of this Section:

32 (1) Class III secondhand dealers as defined in Section

1 19.04.250, except that these uses shall not be allowed on Fremont  
2 Street or Las Vegas Boulevard South between Charleston Boulevard  
3 and Sahara Avenue as prescribed by Section 6.74.050;

4 (2) Retail demonstration merchandise sales stores as  
5 defined in Section 6.72.010;

6 (3) Commercial storage units, provided all stored items  
7 are located within an enclosed building and there is no wholesale  
8 storage or sale of the stored items, nor any commercial repair or  
9 sale of passenger cars, trucks, two-wheeled vehicles, three-  
10 wheeled vehicles, trailers, boats or other like vehicles.

11 "Commercial repair" means any repair work except work done by the  
12 owner on his own personal property;

13 (4) Off-premises signs;

14 (5) Liquefied petroleum gas installations for which a  
15 special use permit is required by Section 19.55.010, subject to  
16 the limitations set forth in Sections 19.55.010 and 19.55.020;

17 (6) Gaming establishments (hotel).

18 (C) Exception: If an application for reclassification to a  
19 C-1 District under Chapter 19.92 includes any of the uses  
20 hereinabove enumerated, the approval of the application shall  
21 constitute approval of the use or uses and no special use permit  
22 shall be required; provided, however, that the notice of public  
23 hearing for reclassification shall specifically list the use or  
24 uses.

25 SECTION 25: Title 19, Chapter 44, Section 30, of the  
26 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
27 hereby amended to read as follows:

28 19.44.030: Uses excluded from the C-1 District include:

29 (A) Any use that is specifically permitted as a matter of  
30 right in an N-U, R-A, R-E, R-D, R-1, R-MH, R-CL, R-2 or R-MHP  
31 District;

32 (B) Secondhand dealers, except for antique stores, and

1 except for Class III secondhand dealers with a special use permit  
2 as provided in Section 19.90.080;

3 (C) Transient sales lots and open sales lots as defined in  
4 Sections 19.04.840 and 19.04.650, respectively[.];

5 (D) Residential facilities for adult care.

6 SECTION 26: Title 19, Chapter 46, Section 20, of the  
7 Las Vegas Municipal Code, 1983 Edition, Section 22 of Ordinance  
8 No. 3224 and Section 8 of Ordinance No. 3238 are hereby amended  
9 to read as follows:

10 19.46.020: (A) The following uses may be permitted in the C-2  
11 District upon securing a special use permit as provided in  
12 Chapter 19.90, except that the uses enumerated in this Subsection  
13 may be permitted as a matter of right when in accordance with the  
14 exception shown in Subsection (H) of this Section:

15 (1) Used car lots;

16 (2) Trailer sales lots;

17 (3) Boat sales and service facilities, including all  
18 floating craft;

19 (4) Automotive parts exchanges. This shall not include  
20 public garages or salvage operations, but shall be limited to the  
21 sale and installation of new or rebuilt major automotive parts;

22 (5) Drive-in theaters, miniature golf courses and other  
23 outdoor amusement centers;

24 (6) Automobile laundry;

25 (7) Body and fender repair operations when conducted by  
26 a franchised new car agency;

27 (8) Cemeteries as provided for in Section 19.10.080;

28 (9) Apartment houses, when located outside the Central  
29 Business District, as defined in Section 19.64.030[.];

30 (10) Special care facilities.

31 (B) Pawnshops may be permitted in the C-2 District subject  
32 to the securing of a special use permit in each case pursuant to

1 the procedure provided for in Section 19.90.080, except that no  
2 pawnshop may be located on either side of Fremont Street or Las  
3 Vegas Boulevard South between Charleston Boulevard and Sahara  
4 Avenue. Those pawnshops which were located on Fremont Street or  
5 Las Vegas Boulevard South between Charleston Boulevard and Sahara  
6 Avenue at the time of enactment of the 1974 amendatory ordinance  
7 which is codified, in part, in this Section shall be allowed to  
8 remain only as long as their present leases do not expire. No  
9 such lease may be modified to extend its term or otherwise pre-  
10 vent it from expiring. Those pawnshops which are located in a  
11 C-2 Zone, other than on Fremont Street or Las Vegas Boulevard  
12 South between Charleston Boulevard and Sahara Avenue, at the time  
13 of enactment of the 1974 amendatory ordinance which is codified,  
14 in part, in this Section shall be allowed to remain at their  
15 locations without the necessity of securing a special use  
16 permit.

17 (C) Class III secondhand dealers, retail demonstration  
18 merchandise sales stores, transient sales lots, open sales lots  
19 and off-premises signs may be permitted in the C-2 District sub-  
20 ject to the securing of a special use permit in each case pur-  
21 suant to the procedure provided for in Section 19.90.080 of this  
22 Chapter, except that Class III secondhand dealers shall not be  
23 allowed on Fremont Street and Las Vegas Boulevard South between  
24 Charleston Boulevard [or] and Sahara Avenue as prescribed by  
25 Section 6.74.050.

26 (D) Custodial institutions and detention facilities may be  
27 permitted in the C-2 District subject to the securing of a spe-  
28 cial use permit in each case pursuant to the procedure provided  
29 for in Section 19.90.080.

30 (E) Subject to the limitations contained in this Subsection,  
31 commercial storage units may be permitted in the C-2 District  
32 subject to the securing of a special use permit in each case pur-

1 suant to the procedure provided for in Section 19.90.080. All  
2 stored items must be located within an enclosed building and  
3 there must be no wholesale storage or sale of the stored items,  
4 nor any commercial repair or sale of passenger cars, trucks, two-  
5 wheeled vehicles, three-wheeled vehicles, trailers, boats or  
6 other like vehicles. "Commercial repair" means any repair work  
7 except work done by the owner on his own personal property.

8 (F) Liquefied petroleum gas installations for which a spe-  
9 cial use permit is required by Section 19.55.010, subject to the  
10 limitations set forth in Sections 19.55.010 and 19.55.020.

11 (G) Gaming establishments (hotel), when located outside the  
12 areas specified in Subsection (A) of Section 6.40.175, may be  
13 permitted in the C-2 District subject to the securing of a spe-  
14 cial use permit in each case pursuant to the procedure provided  
15 for in Section 19.90.080.

16 (H) Exception: If an application for a reclassification to  
17 a C-2 District under Chapter 19.92 includes any of the uses  
18 hereinabove enumerated, the approval of the application shall  
19 constitute approval of the use or uses and no special use permit  
20 shall be required; provided, however, that the notice of public  
21 hearing for reclassification shall specifically list the use or  
22 uses.

23 SECTION 27: Title 19, Chapter 46, Section 30, of the  
24 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
25 hereby amended to read as follows:

26 19.46.030: Uses excluded from the C-2 District include:

27 (A) Any use that is specifically permitted as a matter of  
28 right in an N-U, R-A, R-E, R-D, R-1, R-MH, R-CL, R-2 or R-MHP  
29 District;

30 (B) Secondhand dealers, except for antique stores, and  
31 except for Class III secondhand dealers with a special use permit  
32 as provided for in Section 19.90.080[.];

1        (C) Residential facilities for adult care.

2                SECTION 28:        Title 19, Chapter 48, Section 20, of the  
3 Las Vegas Municipal Code, 1983 Edition, Section 24 of Ordinance  
4 No. 3224 and Section 9 of Ordinance No. 3238 are hereby amended  
5 to read as follows:

6        19.48.020:        (A) The following uses may be permitted in the C-M  
7 District subject to the securing of a special use permit as pro-  
8 vided in Chapter 19.90, except that the uses enumerated in this  
9 Subsection may be permitted as a matter of right when in accor-  
10 dance with the exception shown in Subsection (B) of this  
11 Section:

12                (1) Cemeteries, as provided for in Section 19.10.080;

13                (2) Pawnshops, subject to the securing of a special use  
14 permit in each case pursuant to the procedure provided for in  
15 Section 19.90.080;

16                (3) Custodial institutions and detention facilities,  
17 subject to the securing of a special use permit in each case pur-  
18 suant to the procedure provided for in Section 19.90.080;

19                (4) Commercial storage units, subject to the limita-  
20 tions contained in this Subsection and subject to the securing of  
21 a special use permit in each case pursuant to the procedure pro-  
22 vided for in Section 19.90.080. All stored items must be located  
23 within an enclosed building and there must be no wholesale  
24 storage or sale of the stored items, nor any commercial repair or  
25 sale of passenger cars, trucks, two-wheeled vehicles, three-  
26 wheeled vehicles, trailers, boats or other like vehicles.

27 "Commercial repair" means any repair work except work done by the  
28 owner on his own personal property;

29                (5) Transient sales lots and open sales lots, subject  
30 to the securing of a special use permit in each case pursuant to  
31 the procedure provided for in Section 19.90.080;

32                (6) Off-premises signs, subject to the securing of a

special use permit in each case pursuant to the procedure provided for in Section 19.90.080;

(7) Liquefied petroleum gas installations for which a special use permit is required by Section 19.55.010, subject to the limitations set forth in Sections 19.55.010 and 19.55.020;

(8) Gaming establishments (hotel), when located outside the areas specified in Subsection (A) of Section 6.40.175, subject to the securing of a special use permit in each case pursuant to the procedure provided for in Section 19.90.080[.];

(9) Special care facilities.

(B) Exception: If an application for reclassification to a C-M District under Chapter 19.92 includes any of the uses hereinabove enumerated, the approval of the application shall constitute approval of the use or uses and no special use permit shall be required; provided, however, that the notice of public hearing for reclassification shall specifically list the use or uses.

SECTION 29: Title 19, Chapter 48, Section 30, of the Las Vegas Municipal Code, 1983 Edition, is hereby amended to read as follows:

19.48.030: Uses excluded from the C-M District include any housing[, ] or living facilities [or facilities for the treatment of human ailments.], including residential facilities for adult care.

SECTION 30: Title 19, Chapter 50, Section 20, of the Las Vegas Municipal Code, 1983 Edition, Section 25 of Ordinance No. 3224 and Section 10 of Ordinance No. 3238 are hereby amended to read as follows:

19.50.020: (A) The following uses may be permitted in the M District upon securing a special use permit as provided in Chapter 19.90, except that the uses enumerated in this Subsection may be permitted as of right when in accordance with the exception

1 set forth in Subsection (B) of this Section:

2 (1) Any manufacturing, processing or assembling use  
3 which is unable to meet the letter of the standards designated in  
4 Section 19.50.040. Such use permit may be properly granted pro-  
5 vided the applicant can provide evidence to document a favorable  
6 conclusion on all of the following factors:

7 (a) The proposed use can be operated substantially  
8 in conformity with the requirements of the standards listed under  
9 Section 19.50.040;

10 (b) The use, as proposed, will not be materially  
11 detrimental to the uses of surrounding property;

12 (c) The public interest will best be served by the  
13 granting of the permit;

14 (2) Cemeteries, as provided for in Section 19.10.080;

15 (3) Pawnshops, subject to the securing of a special use  
16 permit in each case pursuant to the procedure provided for in  
17 Section 19.90.080;

18 (4) Custodial institutions and detention facilities,  
19 subject to the securing of a special use permit in each case pur-  
20 suant to the procedure provided for in Section 19.90.080;

21 (5) Junk yards, wrecking yards and salvage yards;

22 (6) Commercial storage units, subject to the limita-  
23 tions contained in this Subsection and subject to the securing of  
24 a special use permit in each case pursuant to the procedure pro-  
25 vided for in Section 19.90.080. All stored items must be located  
26 within an enclosed building and there must be no wholesale  
27 storage or sale of the stored items, nor any commercial repair or  
28 sale of passenger cars, trucks, two-wheeled vehicles, three-  
29 wheeled vehicles, trailers, boats or other like vehicles.

30 "Commercial repair" means any repair work except work done by the  
31 owner on his own personal property;

32 (7) Transient sales lots and open sales lots, subject

1 to the securing of a special use permit in each case pursuant to  
2 the procedure provided for in Section 19.90.080;

3 (8) Off-premises signs, subject to the securing of a  
4 special use permit in each case pursuant to the procedure pro-  
5 vided for in Section 19.90.080;

6 (9) Liquefied petroleum gas installations for which a  
7 special use permit is required by Section 19.55.010, subject to  
8 the limitations set forth in Sections 19.55.010 and 19.55.020;

9 (10) Gaming establishments (hotel), when located outside  
10 the areas specified in Subsection (A) of Section 6.40.175, sub-  
11 ject to the securing of a special use permit in each case pur-  
12 suant to the procedure provided for in Section 19.90.080[.];

13 (11) Special care facilities.

14 (B) Exception: If an application for a reclassification to  
15 an M District under Chapter 19.92 includes any of the uses  
16 hereinabove enumerated, the approval of the application shall  
17 constitute approval of the use or uses, and no special use permit  
18 shall be required; provided, however, that the notice of public  
19 hearing for reclassification shall specifically list the use or  
20 uses.

21 SECTION 31: Title 19, Chapter 50, Section 30, of the  
22 Las Vegas Municipal Code, 1983 Edition, is hereby amended to read  
23 as follows:

24 19.50.030: Uses specifically excluded from the M District  
25 include:

26 (A) [any] Any use specifically permitted in any district  
27 having an "R" prefix, except any residential use which is clearly  
28 a part of [an] and incidental to the efficient operation of an  
29 industrial use[.];

30 (B) Residential facilities for adult care.

31 SECTION 32: Title 19, Chapter 54, Section 10, of the  
32 Las Vegas Municipal Code, 1983 Edition, is hereby amended to read

1 as follows:

2 19.54.010: The following accessory uses may be permitted in  
3 any district with an "R" prefix, provided such accessory uses do  
4 not alter the character of the premises in respect to their use  
5 for the purposes permitted in the respective districts:

6 (A) The renting of rooms and/or providing of table board for  
7 not more than three unrelated persons, where no care is provided,  
8 as an incidental use to that of its occupancy as a dwelling of  
9 the character permitted in the respective districts;

10 (B) Garage sales, provided that:

11 (1) No property may be offered for sale which has not  
12 been owned and used by the occupant of the premises;

13 (2) No more than four garage sales shall be conducted  
14 on the premises in any calendar year;

15 (3) No garage sales shall be conducted for longer than  
16 three days duration; and

17 (4) Garage sales may be conducted during the daylight  
18 hours only.

19 SECTION 33: Whenever in this ordinance any act is  
20 prohibited or is made or declared to be unlawful or an offense or  
21 a misdemeanor, or whenever in this ordinance the doing of any act  
22 is required or the failure to do any act is made or declared to  
23 be unlawful or an offense or a misdemeanor, the doing of any such  
24 prohibited act or the failure to do any such required act shall  
25 constitute a misdemeanor and upon conviction thereof, shall be  
26 punished by a fine of not more than \$1,000.00 or by imprisonment  
27 for a term of not more than six (6) months, or by any combination  
28 of such fine and imprisonment. Any day of any violation of this  
29 ordinance shall constitute a separate offense.

30 SECTION 34: If any section, subsection, subdivision,  
31 paragraph, sentence, clause or phrase in this ordinance or any  
32 part thereof, is for any reason held to be unconstitutional or

1 invalid or ineffective by any court of competent jurisdiction,  
2 such decision shall not affect the validity or effectiveness of  
3 the remaining portions of this ordinance or any part thereof.  
4 The City Council of the City of Las Vegas, Nevada, hereby  
5 declares that it would have passed each section, subsection, sub-  
6 division, paragraph, sentence, clause or phrase thereof irrespec-  
7 tive of the fact that any one or more sections, subsections, sub-  
8 divisions, paragraphs, sentences, clauses or phrases be declared  
9 unconstitutional, invalid or ineffective.

10 SECTION 35: All ordinances or parts of ordinances,  
11 sections, subsections, phrases, sentences, clauses or paragraphs  
12 contained in the Municipal Code of the City of Las Vegas, Nevada,  
13 1983 Edition, in conflict herewith are hereby repealed.

14 PASSED, ADOPTED AND APPROVED this 15th day of October,  
15 1986.

16 APPROVED:

17 By William H. Briare  
18 WILLIAM H. BRIARE, MAYOR

19 ATTEST:

20 Carol Ann Hawley  
21 CAROL ANN HAWLEY, CITY CLERK

10-21-86

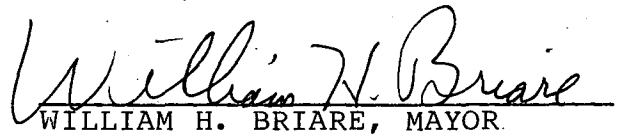
1           The above and foregoing ordinance was first proposed and  
2 read by title to the City Council on the 16th day of July,  
3 1986, and referred to the following committee composed of  
4 Councilmen Lurie and \_\_\_\_\_  
5 Bunker \_\_\_\_\_ for recommendation; thereafter the  
6 said committee reported favorably on said ordinance on the 15th  
7 day of October, 1986, which was a regular meeting of  
8 said Council; that at said regular meeting, the proposed  
9 ordinance was read by title to the City Council as amended and  
10 adopted by the following vote:

11 VOTING "AYE" Councilmen: Bunker, Levy, Lurie, Nolen and Mayor Briare

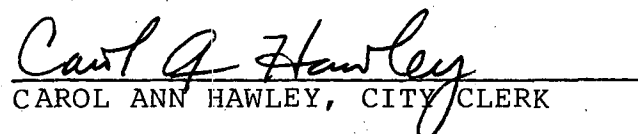
12 VOTING "NAY" Councilmen: NONE

13 ABSENT: NONE

14 APPROVED:

15   
16 WILLIAM H. BRIARE, MAYOR

17  
18 ATTEST:

19   
20 CAROL ANN HAWLEY, CITY CLERK

3251

FOURTH AMENDMENT

BILL NO. 86-37

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE RELATING TO ZONING; AMENDING TITLE 19 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO PROVIDE FOR RESIDENTIAL FACILITIES FOR ADULT CARE IN CERTAIN RESIDENTIAL ZONING DISTRICTS BY MEANS OF SPECIAL USE PERMIT, TO PROVIDE THAT IN MOST OF THOSE DISTRICTS SUCH FACILITIES MUST BE AT LEAST 1000 FEET APART AND MUST BE OPERATED BY A RESIDENT OF THE FACILITY OR BY A NONPROFIT ORGANIZATION OR GOVERNMENTAL ENTITY, TO PROVIDE FOR SPECIAL CARE FACILITIES IN COMMERCIAL AND INDUSTRIAL ZONES BY MEANS OF SPECIAL USE PERMIT, TO RESTRICT HOSPITALS TO COMMERCIAL AND INDUSTRIAL ZONES AND TO ELIMINATE THE PROVIDING OF CARE IN CONNECTION WITH ROOM AND BOARD AS AN ACCESSORY USE IN RESIDENTIAL DISTRICTS; PROVIDING DEFINITIONS FOR "RESIDENTIAL FACILITY FOR ADULT CARE," "CONVALESCENT CARE FACILITY" AND "SPECIAL CARE FACILITY"; PROVIDING PENALTIES FOR VIOLATIONS HEREOF; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored By:

Councilman Ron Lurie

Summary: Provides for residential facilities for adult care in certain residential zoning districts by Special Use Permit; provides for special care facilities in commercial and industrial zones by Special Use Permit; restricts hospitals to commercial and industrial zones; and eliminates the providing of care in connection with room and board as an accessory use in residential districts.

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

SECTION 1: Title 19, Chapter 4, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 35, reading as follows:

19.04.035: "Residential facility for adult care" means a dwelling or similar building of a residential character which is used or intended to be used to provide housing and care for six or fewer unrelated ambulatory persons who are 18 years of age or older and who are elderly, physically ill or infirm, physically handicapped, mentally retarded or who have a mental handicap or illness such that they do not require constant supervision or

1 treatment. "Residential facility for adult care" includes a  
2 group or community residence which is licensed by the State of  
3 Nevada as a "residential facility for groups" and is designed to  
4 provide transitional living arrangements for persons with illness  
5 or disability, but only if medical and psychiatric care is pro-  
6 vided therein no more than on an occasional basis and incidental  
7 to its use as a residence. The term does not include a con-  
8 valescent care facility, hospital or special care facility nor  
9 any facility which:

10 (A) Qualifies as a one-family dwelling under Section  
11 19.04.640;

12 (B) Provides or is designed to provide surgical, medical or  
13 other specialized treatment which normally is provided by a con-  
14 valescent care facility, hospital or special care facility; or

15 (C) Provides housing or care to persons who have a chronic  
16 illness, disease, injury or other condition that would require  
17 the degree of care and treatment normally provided by a convales-  
18 cent care facility, hospital or special care facility.

19 SECTION 2: Title 19, Chapter 4, Section 290, of the  
20 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
21 hereby amended to read as follows:

22 19.04.290: ["Convalescent home"] "Convalescent care facility"

23 means a building or structure designed, used or intended to be  
24 used to house and provide care for [the sick, ill or infirm per-  
25 sons, where no surgical treatment is given. It is intended that  
26 this definition shall generally cover buildings, structures and  
27 institutions designed for the care of the chronically ill and  
28 infirm, who do not require the specialized treatment provided in  
29 a hospital. "Convalescent home," as used in this Chapter,  
30 includes "nursing homes" and "rest homes."] persons who have a  
31 chronic physical or mental illness or infirmity, but who do not  
32 need medical, surgical or other specialized treatment normally

1 provided by a hospital or special care facility. "Convalescent  
2 care facility" includes "rest home" and "nursing home" but does  
3 not include "hospital" or "special care facility."

4 SECTION 3: Title 19, Chapter 4, Section 470, of the  
5 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
6 hereby amended to read as follows:

7 19.04.470: "Hospital" means a building or structure designed,  
8 used or intended to be used to house and provide care for sick,  
9 ill, injured and infirm persons and to provide medical and/or  
10 surgical treatment. "Hospital" includes "general hospital,"  
11 "emergency hospital," "maternity hospital" and other similar  
12 institutions, but specifically excludes [institutions designed  
13 and/or used entirely for the care of mental patients, alcoholics  
14 and patients with contagious diseases. Emergency and/or out-  
15 patient treatment of the above ailments in general or emergency  
16 hospitals is not restricted.] "special care facilities."

17 SECTION 4: Title 19, Chapter 4, Section 640, of the  
18 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
19 hereby amended to read as follows:

20 19.04.640: "One-family dwelling" or "single-family dwelling"  
21 means a detached dwelling, designed for and occupied exclusively  
22 by one family. "One-family dwelling" also includes a home for  
23 mentally retarded persons if the home qualifies as a  
24 single-family residence under NRS 278.021(2) and is not operated  
25 on a commercial basis. All livable area in a single-family  
26 dwelling must be contained within the common exterior walls and  
27 have a common roof, and all of the rooms thereof must have  
28 interior access to each other.

29 SECTION 5: Title 19, Chapter 4, of the Municipal  
30 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby  
31 amended by adding thereto a new section, designated as Section  
32 765, reading as follows:

1 19.04.765: "Special care facility" means any building which is  
2 used or intended to be used exclusively for one or more of the  
3 following:

- 4 (A) The treatment of alcohol or drug dependency;  
5 (B) The housing and care of persons with mental illness that  
6 requires them to be confined in an institutional facility;  
7 (C) The housing and care of persons with contagious  
8 diseases.

9 SECTION 6: Title 19, Chapter 10, Section 50, of the  
10 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
11 hereby amended to read as follows:

12 19.10.050: The following additional uses are permitted in the  
13 N-U District, subject to the securing of a special use permit in  
14 each case, as provided in Chapter 19.90:

- 15 (A) Public and quasi-public uses; churches;  
16 (B) Group child care home, as defined in Chapter 6.24, pro-  
17 vided such facility is approved by the Child Welfare Board and  
18 meets all duly adopted standards for such facility;  
19 (C) [Hospitals] Residential facility for adult care as  
20 defined herein, provided [the hospital] it meets the minimum  
21 standards and criteria set out in Section 19.10.060;  
22 (D) Convalescent [home] care facility as defined herein,  
23 provided [the convalescent home] it meets the minimum standards  
24 and criteria set out in Section 19.10.070;  
25 (E) Cemeteries as defined herein, provided the cemetery  
26 meets the minimum standards and criteria set out in Section  
27 19.10.080.

28 SECTION 7: Title 19, Chapter 10, Section 60, of the  
29 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
30 hereby repealed in its entirety.

31 SECTION 8: Title 19, Chapter 10, of the Municipal  
32 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby

1 amended by adding thereto a new section, designated as Section  
2 60, reading as follows:

3 19.10.060: (A) No residential facility for adult care may be  
4 located within 1,000 feet of any other such facility.

5 (B) A residential facility for adult care must be operated  
6 by either:

7 1) An individual who lives in the facility; or

8 2) A duly recognized nonprofit organization or govern-  
9 mental entity.

10 SECTION 9: Title 19, Chapter 10, Section 70, of the  
11 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
12 hereby amended to read as follows:

13 19.10.070: Convalescent [homes] care facilities in the N-U  
14 District shall, as provided in Section 19.10.050, meet the  
15 following standards and criteria:

16 (A) Size of plot: Minimum one-half acre (twenty thousand  
17 square feet).

18 (B) Density: Maximum twenty-five beds per acre of land.

19 (C) Building line setbacks: The same as required in each  
20 zoning district for a single-family dwelling.

21 (D) Building height: One story.

22 (E) Parking shall be provided according to the provisions of  
23 Chapter 19.64.

24 (F) Buffer planting: Minimum of ten-foot-wide strip of ade-  
25 quately maintained shrub or hedge at both sides and rear of prop-  
26 erty, grown to a height of six feet, or a wall, built to approved  
27 design, built to a height of six feet, except that the front yard  
28 fence or wall shall be erected to a maximum height of four feet,  
29 with that portion which is more than two feet high being fifty  
30 percent open.

31 (G) Access: All institutions of this type shall be located  
32 . . . .

1 either on a major street, as defined by the Major Street Plan  
2 codified at Chapter 13.12, or on a designated collector street  
3 with a minimum pavement width of forty-eight feet.

4 SECTION 10: Title 19, Chapter 12, Section 40, of the  
5 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
6 hereby amended to read as follows:

7 19.12.040: The following additional uses are permitted in the  
8 R-A District, subject to the securing of a special use permit in  
9 each case, as provided in Chapter 19.90:

10 (A) Public and quasi-public uses; churches;

11 (B) Group child care home, as defined in Chapter 6.24, pro-  
12 vided such facility is approved by the Child Welfare Board and  
13 meets all duly adopted standards for such facility;

14 (C) [Hospitals, provided the hospital meets the criteria  
15 listed under Section 19.10.060;

16 (D) Convalescent homes as defined herein, provided the con-  
17 valescent home meets the criteria listed under Section 19.10.070;

18 (E)] Cemeteries as provided for in Section 19.10.080.

19 SECTION 11: Title 19, Chapter 14, Section 40, of the  
20 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
21 hereby amended to read as follows:

22 19.14.040: The following additional uses are permitted in the  
23 R-E District, subject to the securing of a special use permit in  
24 each case, as provided in Chapter 19.90:

25 (A) Public and quasi-public uses; churches;

26 (B) Group child care home, as defined in Chapter 6.24, pro-  
27 vided such facility is approved by the Child Welfare Board and  
28 meets all duly adopted standards for such facility;

29 (C) [Hospitals,] Residential facility for adult care, pro-  
30 vided [the hospital] it meets the criteria listed under Section  
31 19.10.060;

32 (D) Convalescent [homes] care facility as defined herein,

1 provided [the convalescent home] it meets the criteria listed  
2 under Section 19.10.070;

3 (E) Cemeteries as provided for in Section 19.10.080.

4 SECTION 12: Title 19, Chapter 16, Section 30, of the  
5 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
6 hereby amended to read as follows:

7 19.16.030: The following additional uses are permitted in the  
8 R-D District, subject to the securing of a special use permit and  
9 in each case as provided in Chapter 19.90:

10 (A) Public and quasi-public uses; churches;

11 (B) Group child care home, as defined in Chapter 6.24, pro-  
12 vided such facility is approved by the Child Welfare Board and  
13 meets all duly adopted standards for such facility;

14 (C) [Hospitals,] Residential facility for adult care, pro-  
15 vided [the hospital] it meets the criteria listed in Section  
16 19.10.060;

17 (D) Convalescent [homes] care facility as defined herein,  
18 provided [the convalescent home] it meets the criteria listed  
19 under Section 19.10.070;

20 (E) Cemeteries as provided for in Section 19.10.080.

21 SECTION 13: Title 19, Chapter 18, of the Municipal  
22 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby  
23 amended by adding thereto a new section, designated as Section  
24 27, reading as follows:

25 19.18.027: The following additional use is permitted in the  
26 R-PD District, subject to the securing of a special use permit in  
27 each case as provided in Chapter 19.90:

28 (A) Residential facility for adult care, provided it meets  
29 the criteria set forth in Section 19.10.060.

30 SECTION 14: Title 19, Chapter 20, Section 20, of the  
31 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
32 hereby amended to read as follows:

1 19.20.020: The following additional uses are permitted in the  
2 R-1 District, subject to the securing of a special use permit  
3 [and] in each case as provided in Chapter 19.90:

4 (A) Public and quasi-public uses; churches;

5 (B) Home occupation as defined in Chapter 19.80;

6 (C) Group child care home, as defined in Chapter 6.24, pro-  
7 vided such facility is approved by the Child Welfare Board and  
8 meets all duly adopted standards for such facility;

9 (D) [Hospitals,] Residential facility for adult care, pro-  
10 vided [the hospital] it meets the criteria listed in Section  
11 19.10.060;

12 (E) Convalescent [homes] care facility as defined herein,  
13 provided [the convalescent home] it meets the criteria listed in  
14 Section 19.10.070;

15 (F) Cemeteries as provided for in Section 19.10.080.

16 SECTION 15: Title 19, Chapter 22, of the Municipal  
17 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby  
18 amended by adding thereto a new section, designated as Section  
19 27, reading as follows:

20 19.22.027: The following additional use is permitted in the  
21 R-MH District, subject to the securing of a special use permit in  
22 each case as provided in Chapter 19.90:

23 (A) Residential facility for adult care, provided it meets  
24 the criteria set forth in Section 19.10.060.

25 SECTION 16: Title 19, Chapter 26, Section 20, of the  
26 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
27 hereby amended to read as follows:

28 19.26.020: The following additional uses are permitted in the  
29 R-2 District, subject to the issuance of a special use permit in  
30 each case, as provided in Chapter 19.90:

31 (A) Public and quasi-public uses; churches;

32 (B) [Hospitals as defined in this Title] Residential facil-

1 ity for adult care, provided [the hospital] it meets the minimum  
2 standards and criteria set out in Section [19.26.030;]

3 19.10.060;

4 (C) Convalescent [homes] care facility as defined herein,  
5 provided [the convalescent home] it meets the criteria and stan-  
6 dards set out in Section 19.26.040.

7 SECTION 17: Title 19, Chapter 26, Section 30, of the  
8 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
9 hereby repealed in its entirety.

10 SECTION 18: Title 19, Chapter 26, Section 40, of the  
11 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
12 hereby amended to read as follows:

13 19.26.040: Convalescent [homes] care facilities in the R-2  
14 District, as provided in Section 19.26.020, shall meet the  
15 following standards and criteria:

16 (A) Size of plot: Ten thousand square feet;

17 (B) Density: Fifty patient beds per acre;

18 (C) Building line setbacks and height, as follows:

19 (1) One-story structure: Twenty-five feet from all  
20 property lines,

21 (2) Two-story structure: Thirty-five feet from all  
22 property lines,

23 (3) Three-story structure: Forty-five feet from all  
24 property lines,

25 (4) Four-story structure: Fifty feet from all property  
26 lines;

27 (D) Parking shall be provided according to the provisions of  
28 Chapter 19.64;

29 (E) Buffer planting: Minimum of a ten-foot-wide strip of  
30 adequately maintained shrub or hedge at both sides and rear of  
31 property, grown to a height of six feet, or a wall built to  
32 approved design, built to a height of six feet, except that the

front yard fence or wall shall be erected to a maximum height of four feet, with that portion which is more than two feet high being fifty percent open;

(F) Access: All institutions of this type shall be located either on a major street as defined by the Major Street Plan codified in Chapter 13.12, or on a designated collector street with a minimum pavement width of forty-eight feet.

SECTION 19: Title 19, Chapter 28, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19.28.020: The following additional uses are permitted in the R-3 District, subject to the issuance of a special use permit in each case, as provided in Chapter 19.90:

(A) Public and quasi-public uses; churches;

(B) [Hospitals, provided the hospital meets the criteria listed under Section 19.26.030;] Residential facility for adult care;

(C) Convalescent [homes] care facility as defined herein, provided [the convalescent home] it meets the criteria listed under Section 19.26.040;

SECTION 20: Title 19, Chapter 30, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19.30.020: The following uses are permitted in the R-4 District, subject to the securing of a special use permit in each case, as provided in Chapter 19.90:

(A) Private schools;

(B) Child care centers, as defined in Chapter 6.24, provided such facility is approved by the Child Welfare Board and meets all duly adopted standards for such facility;

(C) Professional offices;

(D) Public or quasi-public parking for the use of patrons or

1 residents in the immediate vicinity thereof, when located and  
2 developed as required under Chapter 19.64;

3 (E) Public and quasi-public uses; churches;

4 (F) [Hospitals, provided the hospital meets the criteria  
5 listed under Section 19.26.030;] Residential facility for adult  
6 care;

7 (G) Convalescent [homes] care facility as defined herein,  
8 provided [the convalescent home] it meets the criteria listed  
9 under Section 19.26.040.

10 SECTION 21: Title 19, Chapter 32, Section 20, of the  
11 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
12 hereby amended to read as follows:

13 19.32.020: Uses permitted in the R-5 District include:

14 (A) All uses permitted in the R-4 District;

15 (B) Lodginghouses;

16 (C) Professional offices;

17 (D) Private schools[;

18 (E) Hospitals, rest homes, clinics and other buildings for  
19 the treatment of human ailments].

20 SECTION 22: Title 19, Chapter 34, Section 20, of the  
21 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
22 hereby amended to read as follows:

23 19.34.020: Uses permitted in the R-6 District include:

24 (A) Apartment dwelling units without specific limit as to  
25 number, subject to the conditions and limitations recited  
26 elsewhere in this Chapter;

27 (B) Professional office buildings[;

28 (C) Hospitals, rest homes, clinics and other buildings  
29 designed for the treatment of human ailments].

30 SECTION 23: Title 19, Chapter 44, Section 10, of the  
31 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition,  
32 and Section 20 of Ordinance No. 3224 are hereby amended to read

as follows:

19.44.010: Uses permitted in the C-1 District include:

(A) Shops, stores, retail and wholesale commercial establishments for the dispensing of goods or services, excluding any wholesale storage or warehousing;

(B) Banks and financial institutions;

(C) Laundry and dry cleaning establishments including coin-operated facilities and pickup service which provide direct consumer services but excluding industrial laundry operations as defined in Section 19.48.010. All processing and operational facilities must be approved by the Fire Prevention Bureau;

(D) Restaurants;

(E) Public or semipublic off-street parking facilities when developed in accordance with Chapter 19.64;

(F) Hospitals, [sanitariums,] convalescent [homes] care facilities and [other] similar facilities for the treatment of the aged or infirm[;], other than special care facilities;

(G) Places of public assembly, theaters, fraternal halls, bowling alleys;

(H) Public and quasi-public uses, churches;

(I) Office buildings;

(J) Commercial condominium developments, when developed in accord with the provisions of Chapter 19.70;

(K) Thrift shops;

(L) Automobile rental and automobile repossession agencies as defined in Section 19.04.130;

(M) Antique stores, except on Fremont Street or Las Vegas Boulevard South between Charleston Boulevard and Sahara Avenue as required by Section 6.74.050;

(N) Similar enterprises and commercial establishments of the same general classification which, in the opinion of the Planning Commission, as evidenced by a resolution of record, are not more

1 obnoxious to the welfare of the neighborhood than the above-  
2 enumerated uses;

3 (O) Uses customarily incidental to any of the above uses;

4 (P) Liquefied petroleum gas installations, as an accessory  
5 use, subject to the limitations set forth in Sections 19.55.010  
6 and 19.55.020.

7 SECTION 24: Title 19, Chapter 44, Section 20, of the  
8 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition,  
9 Section 21 of Ordinance No. 3224 and Section 6 of Ordinance  
10 No. 3238 are hereby amended to read as follows:

11 19.44.020: (A) The following uses may be permitted in the C-1  
12 District upon securing a special use permit as provided in  
13 Chapter 19.90, except that the uses enumerated in this Subsection  
14 may be permitted as a matter of right when in accordance with the  
15 exception shown in Subsection (C) of this Section:

16 (1) Automobile service stations for the sale of gaso-  
17 line, oil and minor accessories only, where no repair work is  
18 done, except minor repairs made by the attendant and provided all  
19 lubrications, washing, repairing and storage are conducted within  
20 an enclosed permanent building;

21 (2) Apartment houses;

22 (3) Customer-operated car washes;

23 (4) Lodginghouses, boardinghouses or roominghouses,  
24 hotels, motels and other like tourist accommodations;

25 (5) Emergency ground ambulance facilities[.];

26 (6) Special care facilities.

27 (B) The following uses may be permitted upon securing a spe-  
28 cial use permit in each case pursuant to the procedure provided  
29 for in Section 19.90.080, except that the uses enumerated in this  
30 Subsection may be permitted as a matter of right when in accor-  
31 dance with the exception shown in Subsection (C) of this Section:

32 (1) Class III secondhand dealers as defined in Section

1 19.04.250, except that these uses shall not be allowed on Fremont  
2 Street or Las Vegas Boulevard South between Charleston Boulevard  
3 and Sahara Avenue as prescribed by Section 6.74.050;

4 (2) Retail demonstration merchandise sales stores as  
5 defined in Section 6.72.010;

6 (3) Commercial storage units, provided all stored items  
7 are located within an enclosed building and there is no wholesale  
8 storage or sale of the stored items, nor any commercial repair or  
9 sale of passenger cars, trucks, two-wheeled vehicles, three-  
10 wheeled vehicles, trailers, boats or other like vehicles.

11 "Commercial repair" means any repair work except work done by the  
12 owner on his own personal property;

13 (4) Off-premises signs;

14 (5) Liquefied petroleum gas installations for which a  
15 special use permit is required by Section 19.55.010, subject to  
16 the limitations set forth in Sections 19.55.010 and 19.55.020;

17 (6) Gaming establishments (hotel).

18 (C) Exception: If an application for reclassification to a  
19 C-1 District under Chapter 19.92 includes any of the uses  
20 hereinabove enumerated, the approval of the application shall  
21 constitute approval of the use or uses and no special use permit  
22 shall be required; provided, however, that the notice of public  
23 hearing for reclassification shall specifically list the use or  
24 uses.

25 SECTION 25: Title 19, Chapter 44, Section 30, of the  
26 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
27 hereby amended to read as follows:

28 19.44.030: Uses excluded from the C-1 District include:

29 (A) Any use that is specifically permitted as a matter of  
30 right in an N-U, R-A, R-E, R-D, R-1, R-MH, R-CL, R-2 or R-MHP  
31 District;

32 (B) Secondhand dealers, except for antique stores, and

1 except for Class III secondhand dealers with a special use permit  
2 as provided in Section 19.90.080;

3 (C) Transient sales lots and open sales lots as defined in  
4 Sections 19.04.840 and 19.04.650, respectively[.];

5 (D) Residential facilities for adult care.

6 SECTION 26: Title 19, Chapter 46, Section 20, of the  
7 Las Vegas Municipal Code, 1983 Edition, Section 22 of Ordinance  
8 No. 3224 and Section 8 of Ordinance No. 3238 are hereby amended  
9 to read as follows:

10 19.46.020: (A) The following uses may be permitted in the C-2  
11 District upon securing a special use permit as provided in  
12 Chapter 19.90, except that the uses enumerated in this Subsection  
13 may be permitted as a matter of right when in accordance with the  
14 exception shown in Subsection (H) of this Section:

15 (1) Used car lots;

16 (2) Trailer sales lots;

17 (3) Boat sales and service facilities, including all  
18 floating craft;

19 (4) Automotive parts exchanges. This shall not include  
20 public garages or salvage operations, but shall be limited to the  
21 sale and installation of new or rebuilt major automotive parts;

22 (5) Drive-in theaters, miniature golf courses and other  
23 outdoor amusement centers;

24 (6) Automobile laundry;

25 (7) Body and fender repair operations when conducted by  
26 a franchised new car agency;

27 (8) Cemeteries as provided for in Section 19.10.080;

28 (9) Apartment houses, when located outside the Central  
29 Business District, as defined in Section 19.64.030[.];

30 (10) Special care facilities.

31 (B) Pawnshops may be permitted in the C-2 District subject  
32 to the securing of a special use permit in each case pursuant to

1 the procedure provided for in Section 19.90.080, except that no  
2 pawnshop may be located on either side of Fremont Street or Las  
3 Vegas Boulevard South between Charleston Boulevard and Sahara  
4 Avenue. Those pawnshops which were located on Fremont Street or  
5 Las Vegas Boulevard South between Charleston Boulevard and Sahara  
6 Avenue at the time of enactment of the 1974 amendatory ordinance  
7 which is codified, in part, in this Section shall be allowed to  
8 remain only as long as their present leases do not expire. No  
9 such lease may be modified to extend its term or otherwise pre-  
10 vent it from expiring. Those pawnshops which are located in a  
11 C-2 Zone, other than on Fremont Street or Las Vegas Boulevard  
12 South between Charleston Boulevard and Sahara Avenue, at the time  
13 of enactment of the 1974 amendatory ordinance which is codified,  
14 in part, in this Section shall be allowed to remain at their  
15 locations without the necessity of securing a special use  
16 permit.

17 (C) Class III secondhand dealers, retail demonstration  
18 merchandise sales stores, transient sales lots, open sales lots  
19 and off-premises signs may be permitted in the C-2 District sub-  
20 ject to the securing of a special use permit in each case pur-  
21 suant to the procedure provided for in Section 19.90.080 of this  
22 Chapter, except that Class III secondhand dealers shall not be  
23 allowed on Fremont Street and Las Vegas Boulevard South between  
24 Charleston Boulevard [or] and Sahara Avenue as prescribed by  
25 Section 6.74.050.

26 (D) Custodial institutions and detention facilities may be  
27 permitted in the C-2 District subject to the securing of a spe-  
28 cial use permit in each case pursuant to the procedure provided  
29 for in Section 19.90.080.

30 (E) Subject to the limitations contained in this Subsection,  
31 commercial storage units may be permitted in the C-2 District  
32 subject to the securing of a special use permit in each case pur-

1 suant to the procedure provided for in Section 19.90.080. All  
2 stored items must be located within an enclosed building and  
3 there must be no wholesale storage or sale of the stored items,  
4 nor any commercial repair or sale of passenger cars, trucks, two-  
5 wheeled vehicles, three-wheeled vehicles, trailers, boats or  
6 other like vehicles. "Commercial repair" means any repair work  
7 except work done by the owner on his own personal property.

8 (F) Liquefied petroleum gas installations for which a spe-  
9 cial use permit is required by Section 19.55.010, subject to the  
10 limitations set forth in Sections 19.55.010 and 19.55.020.

11 (G) Gaming establishments (hotel), when located outside the  
12 areas specified in Subsection (A) of Section 6.40.175, may be  
13 permitted in the C-2 District subject to the securing of a spe-  
14 cial use permit in each case pursuant to the procedure provided  
15 for in Section 19.90.080.

16 (H) Exception: If an application for a reclassification to  
17 a C-2 District under Chapter 19.92 includes any of the uses  
18 hereinabove enumerated, the approval of the application shall  
19 constitute approval of the use or uses and no special use permit  
20 shall be required; provided, however, that the notice of public  
21 hearing for reclassification shall specifically list the use or  
22 uses.

23 SECTION 27: Title 19, Chapter 46, Section 30, of the  
24 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
25 hereby amended to read as follows:

26 19.46.030: Uses excluded from the C-2 District include:

27 (A) Any use that is specifically permitted as a matter of  
28 right in an N-U, R-A, R-E, R-D, R-1, R-MH, R-CL, R-2 or R-MHP  
29 District;

30 (B) Secondhand dealers, except for antique stores, and  
31 except for Class III secondhand dealers with a special use permit  
32 as provided for in Section 19.90.080[.];

1        (C) Residential facilities for adult care.

2                SECTION 28:        Title 19, Chapter 48, Section 20, of the  
3 Las Vegas Municipal Code, 1983 Edition, Section 24 of Ordinance  
4 No. 3224 and Section 9 of Ordinance No. 3238 are hereby amended  
5 to read as follows:

6        19.48.020:        (A) The following uses may be permitted in the C-M  
7 District subject to the securing of a special use permit as pro-  
8 vided in Chapter 19.90, except that the uses enumerated in this  
9 Subsection may be permitted as a matter of right when in accor-  
10 dance with the exception shown in Subsection (B) of this  
11 Section:

12                (1) Cemeteries, as provided for in Section 19.10.080;

13                (2) Pawnshops, subject to the securing of a special use  
14 permit in each case pursuant to the procedure provided for in  
15 Section 19.90.080;

16                (3) Custodial institutions and detention facilities,  
17 subject to the securing of a special use permit in each case pur-  
18 suant to the procedure provided for in Section 19.90.080;

19                (4) Commercial storage units, subject to the limita-  
20 tions contained in this Subsection and subject to the securing of  
21 a special use permit in each case pursuant to the procedure pro-  
22 vided for in Section 19.90.080. All stored items must be located  
23 within an enclosed building and there must be no wholesale  
24 storage or sale of the stored items, nor any commercial repair or  
25 sale of passenger cars, trucks, two-wheeled vehicles, three-  
26 wheeled vehicles, trailers, boats or other like vehicles.

27 "Commercial repair" means any repair work except work done by the  
28 owner on his own personal property;

29                (5) Transient sales lots and open sales lots, subject  
30 to the securing of a special use permit in each case pursuant to  
31 the procedure provided for in Section 19.90.080;

32                (6) Off-premises signs, subject to the securing of a

1 special use permit in each case pursuant to the procedure pro-  
2 vided for in Section 19.90.080;

3 (7) Liquefied petroleum gas installations for which a  
4 special use permit is required by Section 19.55.010, subject to  
5 the limitations set forth in Sections 19.55.010 and 19.55.020;

6 (8) Gaming establishments (hotel), when located outside  
7 the areas specified in Subsection (A) of Section 6.40.175, sub-  
8 ject to the securing of a special use permit in each case pur-  
9 suant to the procedure provided for in Section 19.90.080[.];

10 (9) Special care facilities.

11 (B) Exception: If an application for reclassification to a  
12 C-M District under Chapter 19.92 includes any of the uses  
13 hereinabove enumerated, the approval of the application shall  
14 constitute approval of the use or uses and no special use permit  
15 shall be required; provided, however, that the notice of public  
16 hearing for reclassification shall specifically list the use or  
17 uses.

18 SECTION 29: Title 19, Chapter 48, Section 30, of the  
19 Las Vegas Municipal Code, 1983 Edition, is hereby amended to read  
20 as follows:

21 19.48.030: Uses excluded from the C-M District include any  
22 housing[, ] or living facilities [or facilities for the treatment  
23 of human ailments.], including residential facilities for adult  
24 care.

25 SECTION 30: Title 19, Chapter 50, Section 20, of the  
26 Las Vegas Municipal Code, 1983 Edition, Section 25 of Ordinance  
27 No. 3224 and Section 10 of Ordinance No. 3238 are hereby amended  
28 to read as follows:

29 19.50.020: (A) The following uses may be permitted in the M  
30 District upon securing a special use permit as provided in Chap-  
31 ter 19.90, except that the uses enumerated in this Subsection may  
32 be permitted as of right when in accordance with the exception

1 set forth in Subsection (B) of this Section:

2 (1) Any manufacturing, processing or assembling use  
3 which is unable to meet the letter of the standards designated in  
4 Section 19.50.040. Such use permit may be properly granted pro-  
5 vided the applicant can provide evidence to document a favorable  
6 conclusion on all of the following factors:

7 (a) The proposed use can be operated substantially  
8 in conformity with the requirements of the standards listed under  
9 Section 19.50.040;

10 (b) The use, as proposed, will not be materially  
11 detrimental to the uses of surrounding property;

12 (c) The public interest will best be served by the  
13 granting of the permit;

14 (2) Cemeteries, as provided for in Section 19.10.080;

15 (3) Pawnshops, subject to the securing of a special use  
16 permit in each case pursuant to the procedure provided for in  
17 Section 19.90.080;

18 (4) Custodial institutions and detention facilities,  
19 subject to the securing of a special use permit in each case pur-  
20 suant to the procedure provided for in Section 19.90.080;

21 (5) Junk yards, wrecking yards and salvage yards;

22 (6) Commercial storage units, subject to the limita-  
23 tions contained in this Subsection and subject to the securing of  
24 a special use permit in each case pursuant to the procedure pro-  
25 vided for in Section 19.90.080. All stored items must be located  
26 within an enclosed building and there must be no wholesale  
27 storage or sale of the stored items, nor any commercial repair or  
28 sale of passenger cars, trucks, two-wheeled vehicles, three-  
29 wheeled vehicles, trailers, boats or other like vehicles.

30 "Commercial repair" means any repair work except work done by the  
31 owner on his own personal property;

32 (7) Transient sales lots and open sales lots, subject

1 to the securing of a special use permit in each case pursuant to  
2 the procedure provided for in Section 19.90.080;

3 (8) Off-premises signs, subject to the securing of a  
4 special use permit in each case pursuant to the procedure pro-  
5 vided for in Section 19.90.080;

6 (9) Liquefied petroleum gas installations for which a  
7 special use permit is required by Section 19.55.010, subject to  
8 the limitations set forth in Sections 19.55.010 and 19.55.020;

9 (10) Gaming establishments (hotel), when located outside  
10 the areas specified in Subsection (A) of Section 6.40.175, sub-  
11 ject to the securing of a special use permit in each case pur-  
12 suant to the procedure provided for in Section 19.90.080[.];

13 (11) Special care facilities.

14 (B) Exception: If an application for a reclassification to  
15 an M District under Chapter 19.92 includes any of the uses  
16 hereinabove enumerated, the approval of the application shall  
17 constitute approval of the use or uses, and no special use permit  
18 shall be required; provided, however, that the notice of public  
19 hearing for reclassification shall specifically list the use or  
20 uses.

21 SECTION 31: Title 19, Chapter 50, Section 30, of the  
22 Las Vegas Municipal Code, 1983 Edition, is hereby amended to read  
23 as follows:

24 19.50.030: Uses specifically excluded from the M District  
25 include:

26 (A) [any] Any use specifically permitted in any district  
27 having an "R" prefix, except any residential use which is clearly  
28 a part of [an] and incidental to the efficient operation of an  
29 industrial use[.];

30 (B) Residential facilities for adult care.

31 SECTION 32: Title 19, Chapter 54, Section 10, of the  
32 Las Vegas Municipal Code, 1983 Edition, is hereby amended to read

1 as follows:

2 19.54.010: The following accessory uses may be permitted in  
3 any district with an "R" prefix, provided such accessory uses do  
4 not alter the character of the premises in respect to their use  
5 for the purposes permitted in the respective districts:

6 (A) The renting of rooms and/or providing of table board for  
7 not more than three unrelated persons, where no care is provided,  
8 as an incidental use to that of its occupancy as a dwelling of  
9 the character permitted in the respective districts;

10 (B) Garage sales, provided that:

11 (1) No property may be offered for sale which has not  
12 been owned and used by the occupant of the premises;

13 (2) No more than four garage sales shall be conducted  
14 on the premises in any calendar year;

15 (3) No garage sales shall be conducted for longer than  
16 three days duration; and

17 (4) Garage sales may be conducted during the daylight  
18 hours only.

19 SECTION 33: Whenever in this ordinance any act is  
20 prohibited or is made or declared to be unlawful or an offense or  
21 a misdemeanor, or whenever in this ordinance the doing of any act  
22 is required or the failure to do any act is made or declared to  
23 be unlawful or an offense or a misdemeanor, the doing of any such  
24 prohibited act or the failure to do any such required act shall  
25 constitute a misdemeanor and upon conviction thereof, shall be  
26 punished by a fine of not more than \$1,000.00 or by imprisonment  
27 for a term of not more than six (6) months, or by any combination  
28 of such fine and imprisonment. Any day of any violation of this  
29 ordinance shall constitute a separate offense.

30 SECTION 34: If any section, subsection, subdivision,  
31 paragraph, sentence, clause or phrase in this ordinance or any  
32 part thereof, is for any reason held to be unconstitutional or

1 invalid or ineffective by any court of competent jurisdiction,  
2 such decision shall not affect the validity or effectiveness of  
3 the remaining portions of this ordinance or any part thereof.  
4 The City Council of the City of Las Vegas, Nevada, hereby  
5 declares that it would have passed each section, subsection, sub-  
6 division, paragraph, sentence, clause or phrase thereof irrespec-  
7 tive of the fact that any one or more sections, subsections, sub-  
8 divisions, paragraphs, sentences, clauses or phrases be declared  
9 unconstitutional, invalid or ineffective.

10 SECTION 35: All ordinances or parts of ordinances,  
11 sections, subsections, phrases, sentences, clauses or paragraphs  
12 contained in the Municipal Code of the City of Las Vegas, Nevada,  
13 1983 Edition, in conflict herewith are hereby repealed.

14 PASSED, ADOPTED AND APPROVED this \_\_\_\_ day of \_\_\_\_\_,  
15 1986.

16 APPROVED:

17 By \_\_\_\_\_  
18 WILLIAM H. BRIARE, MAYOR

19 ATTEST:

20  
21 \_\_\_\_\_  
22 CAROL ANN HAWLEY, CITY CLERK  
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1           The above and foregoing ordinance was first proposed and  
2 read by title to the City Council on the \_\_\_\_\_ day of \_\_\_\_\_,  
3 1986, and referred to the following committee composed of  
4 Councilmen \_\_\_\_\_ and \_\_\_\_\_  
5 \_\_\_\_\_ for recommendation; thereafter the  
6 said committee reported favorably on said ordinance on the \_\_\_\_\_  
7 day of \_\_\_\_\_, 1986, which was a \_\_\_\_\_ meeting of  
8 said Council; that at said \_\_\_\_\_ meeting, the proposed  
9 ordinance was read by title to the City Council as amended and  
10 adopted by the following vote:

11 VOTING "AYE" Councilmen: \_\_\_\_\_  
12 VOTING "NAY" Councilmen: \_\_\_\_\_  
13 ABSENT: \_\_\_\_\_

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APPROVED: \_\_\_\_\_  
WILLIAM H. BRIARE, MAYOR

ATTEST:  
  
\_\_\_\_\_  
CAROL ANN HAWLEY, CITY CLERK

THIRD AMENDMENT

BILL NO. 86-37

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE RELATING TO ZONING; AMENDING TITLE 19 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO PROVIDE FOR RESIDENTIAL FACILITIES FOR ADULT CARE IN CERTAIN RESIDENTIAL ZONING DISTRICTS BY MEANS OF SPECIAL USE PERMIT, TO PROVIDE THAT IN MOST OF THOSE DISTRICTS SUCH FACILITIES MUST BE AT LEAST 1000 FEET APART AND MUST BE OPERATED BY THE OWNER/RESIDENT OF THE FACILITY OR BY A NONPROFIT ORGANIZATION OR GOVERNMENTAL ENTITY, TO PROVIDE FOR SPECIAL CARE FACILITIES IN COMMERCIAL AND INDUSTRIAL ZONES BY MEANS OF SPECIAL USE PERMIT, TO RESTRICT HOSPITALS TO COMMERCIAL AND INDUSTRIAL ZONES AND TO ELIMINATE THE PROVIDING OF CARE IN CONNECTION WITH ROOM AND BOARD AS AN ACCESSORY USE IN RESIDENTIAL DISTRICTS; PROVIDING DEFINITIONS FOR "RESIDENTIAL FACILITY FOR ADULT CARE," "CONVALESCENT CARE FACILITY" AND "SPECIAL CARE FACILITY"; PROVIDING PENALTIES FOR VIOLATIONS HEREOF; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith.

Sponsored By:

Councilman Ron Lurie

Summary: Provides for residential facilities for adult care in certain residential zoning districts by Special Use Permit; provides for special care facilities in commercial and industrial zones by Special Use Permit; restricts hospitals to commercial and industrial zones; and eliminates the providing of care in connection with room and board as an accessory use in residential districts.

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

SECTION 1: Title 19, Chapter 4, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 35, reading as follows:

19.04.035: "Residential facility for adult care" means a dwelling or similar building of a residential character which is used or intended to be used to provide housing and care for six or fewer unrelated ambulatory persons who are 18 years of age or older and who are elderly, physically ill or infirm, physically handicapped, mentally retarded or who have a mental handicap or illness such that they do not require constant supervision or

1 treatment. "Residential facility for adult care" includes a  
2 group or community residence which is licensed by the State of  
3 Nevada as a "residential facility for groups" and is designed to  
4 provide transitional living arrangements for persons with illness  
5 or disability, but only if medical and psychiatric care is pro-  
6 vided therein no more than on an occasional basis and incidental  
7 to its use as a residence. The term does not include a con-  
8 valescent care facility, hospital or special care facility nor  
9 any facility which:

10 (A) Qualifies as a one-family dwelling under Section  
11 19.04.640;

12 (B) Provides or is designed to provide surgical, medical or  
13 other specialized treatment which normally is provided by a con-  
14 valescent care facility, hospital or special care facility; or

15 (C) Provides housing or care to persons who have a chronic  
16 illness, disease, injury or other condition that would require  
17 the degree of care and treatment normally provided by a convales-  
18 cent care facility, hospital or special care facility.

19 SECTION 2: Title 19, Chapter 4, Section 290, of the  
20 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
21 hereby amended to read as follows:

22 19.04.290: ["Convalescent home"] "Convalescent care facility"  
23 means a building or structure designed, used or intended to be  
24 used to house and provide care for [the sick, ill or infirm per-  
25 sons, where no surgical treatment is given. It is intended that  
26 this definition shall generally cover buildings, structures and  
27 institutions designed for the care of the chronically ill and  
28 infirm, who do not require the specialized treatment provided in  
29 a hospital. "Convalescent home," as used in this Chapter,  
30 includes "nursing homes" and "rest homes."] persons who have a  
31 chronic physical or mental illness or infirmity, but who do not  
32 need medical, surgical or other specialized treatment normally

1 provided by a hospital or special care facility. "Convalescent  
2 care facility" includes "rest home" and "nursing home" but does  
3 not include "hospital" or "special care facility."

4 SECTION 3: Title 19, Chapter 4, Section 470, of the  
5 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
6 hereby amended to read as follows:

7 19.04.470: "Hospital" means a building or structure designed,  
8 used or intended to be used to house and provide care for sick,  
9 ill, injured and infirm persons and to provide medical and/or  
10 surgical treatment. "Hospital" includes "general hospital,"  
11 "emergency hospital," "maternity hospital" and other similar  
12 institutions, but specifically excludes [institutions designed  
13 and/or used entirely for the care of mental patients, alcoholics  
14 and patients with contagious diseases. Emergency and/or out-  
15 patient treatment of the above ailments in general or emergency  
16 hospitals is not restricted.] "special care facilities."

17 SECTION 4: Title 19, Chapter 4, Section 640, of the  
18 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
19 hereby amended to read as follows:

20 19.04.640: "One-family dwelling" or "single-family dwelling"  
21 means a detached dwelling, designed for and occupied exclusively  
22 by one family. "One-family dwelling" also includes a home for  
23 mentally retarded persons if the home qualifies as a  
24 single-family residence under NRS 278.021(2) and is not operated  
25 on a commercial basis. All livable area in a single-family  
26 dwelling must be contained within the common exterior walls and  
27 have a common roof, and all of the rooms thereof must have  
28 interior access to each other.

29 SECTION 5: Title 19, Chapter 4, of the Municipal  
30 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby  
31 amended by adding thereto a new section, designated as Section  
32 765, reading as follows:

1 19.04.765: "Special care facility" means any building which is  
2 used or intended to be used exclusively for one or more of the  
3 following:

4 (A) The treatment of alcohol or drug dependency;

5 (B) The housing and care of persons with mental illness that  
6 requires them to be confined in an institutional facility;

7 (C) The housing and care of persons with contagious  
8 diseases.

9 SECTION 6: Title 19, Chapter 10, Section 50, of the  
10 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
11 hereby amended to read as follows:

12 19.10.050: The following additional uses are permitted in the  
13 N-U District, subject to the securing of a special use permit in  
14 each case, as provided in Chapter 19.90:

15 (A) Public and quasi-public uses; churches;

16 (B) Group child care home, as defined in Chapter 6.24, pro-  
17 vided such facility is approved by the Child Welfare Board and  
18 meets all duly adopted standards for such facility;

19 (C) [Hospitals] Residential facility for adult care as  
20 defined herein, provided [the hospital] it meets the minimum  
21 standards and criteria set out in Section 19.10.060;

22 (D) Convalescent [home] care facility as defined herein,  
23 provided [the convalescent home] it meets the minimum standards  
24 and criteria set out in Section 19.10.070;

25 (E) Cemeteries as defined herein, provided the cemetery  
26 meets the minimum standards and criteria set out in Section  
27 19.10.080.

28 SECTION 7: Title 19, Chapter 10, Section 60, of the  
29 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
30 hereby repealed in its entirety.

31 SECTION 8: Title 19, Chapter 10, of the Municipal  
32 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby

1 amended by adding thereto a new section, designated as Section  
2 60, reading as follows:

3 19.10.060: (A) No residential facility for adult care may be  
4 located within 1,000 feet of any other such facility.

5 (B) A residential facility for adult care must be operated  
6 by either:

7 1) An individual who owns and lives in the facility,  
8 or

9 2) A duly recognized nonprofit organization or govern-  
10 mental entity.

11 SECTION 9: Title 19, Chapter 10, Section 70, of the  
12 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
13 hereby amended to read as follows:

14 19.10.070: Convalescent [homes] care facilities in the N-U  
15 District shall, as provided in Section 19.10.050, meet the  
16 following standards and criteria:

17 (A) Size of plot: Minimum one-half acre (twenty thousand  
18 square feet).

19 (B) Density: Maximum twenty-five beds per acre of land.

20 (C) Building line setbacks: The same as required in each  
21 zoning district for a single-family dwelling.

22 (D) Building height: One story.

23 (E) Parking shall be provided according to the provisions of  
24 Chapter 19.64.

25 (F) Buffer planting: Minimum of ten-foot-wide strip of ade-  
26 quately maintained shrub or hedge at both sides and rear of prop-  
27 erty, grown to a height of six feet, or a wall, built to approved  
28 design, built to a height of six feet, except that the front yard  
29 fence or wall shall be erected to a maximum height of four feet,  
30 with that portion which is more than two feet high being fifty  
31 percent open.

32 (G) Access: All institutions of this type shall be located

1 either on a major street, as defined by the Major Street Plan  
2 codified at Chapter 13.12, or on a designated collector street  
3 with a minimum pavement width of forty-eight feet.

4 SECTION 10: Title 19, Chapter 12, Section 40, of the  
5 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
6 hereby amended to read as follows:

7 19.12.040: The following additional uses are permitted in the  
8 R-A District, subject to the securing of a special use permit in  
9 each case, as provided in Chapter 19.90:

10 (A) Public and quasi-public uses; churches;

11 (B) Group child care home, as defined in Chapter 6.24, pro-  
12 vided such facility is approved by the Child Welfare Board and  
13 meets all duly adopted standards for such facility;

14 (C) [Hospitals, provided the hospital meets the criteria  
15 listed under Section 19.10.060;

16 (D) Convalescent homes as defined herein, provided the con-  
17 valescent home meets the criteria listed under Section 19.10.070;

18 (E)] Cemeteries as provided for in Section 19.10.080.

19 SECTION 11: Title 19, Chapter 14, Section 40, of the  
20 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
21 hereby amended to read as follows:

22 19.14.040: The following additional uses are permitted in the  
23 R-E District, subject to the securing of a special use permit in  
24 each case, as provided in Chapter 19.90:

25 (A) Public and quasi-public uses; churches;

26 (B) Group child care home, as defined in Chapter 6.24, pro-  
27 vided such facility is approved by the Child Welfare Board and  
28 meets all duly adopted standards for such facility;

29 (C) [Hospitals,] Residential facility for adult care, pro-  
30 vided [the hospital] it meets the criteria listed under Section  
31 19.10.060;

32 (D) Convalescent [homes] care facility as defined herein,

1 provided [the convalescent home] it meets the criteria listed  
2 under Section 19.10.070;

3 (E) Cemeteries as provided for in Section 19.10.080.

4 SECTION 12: Title 19, Chapter 16, Section 30, of the  
5 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
6 hereby amended to read as follows:

7 19.16.030: The following additional uses are permitted in the  
8 R-D District, subject to the securing of a special use permit and  
9 in each case as provided in Chapter 19.90:

10 (A) Public and quasi-public uses; churches;

11 (B) Group child care home, as defined in Chapter 6.24, pro-  
12 vided such facility is approved by the Child Welfare Board and  
13 meets all duly adopted standards for such facility;

14 (C) [Hospitals,] Residential facility for adult care, pro-  
15 vided [the hospital] it meets the criteria listed in Section  
16 19.10.060;

17 (D) Convalescent [homes] care facility as defined herein,  
18 provided [the convalescent home] it meets the criteria listed  
19 under Section 19.10.070;

20 (E) Cemeteries as provided for in Section 19.10.080.

21 SECTION 13: Title 19, Chapter 18, of the Municipal  
22 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby  
23 amended by adding thereto a new section, designated as Section  
24 27, reading as follows:

25 19.18.027: The following additional use is permitted in the  
26 R-PD District, subject to the securing of a special use permit in  
27 each case as provided in Chapter 19.90:

28 (A) Residential facility for adult care, provided it meets  
29 the criteria set forth in Section 19.10.060.

30 SECTION 14: Title 19, Chapter 20, Section 20, of the  
31 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
32 hereby amended to read as follows:

1 19.20.020: The following additional uses are permitted in the  
2 R-1 District, subject to the securing of a special use permit  
3 [and] in each case as provided in Chapter 19.90:

4 (A) Public and quasi-public uses; churches;

5 (B) Home occupation as defined in Chapter 19.80;

6 (C) Group child care home, as defined in Chapter 6.24, pro-  
7 vided such facility is approved by the Child Welfare Board and  
8 meets all duly adopted standards for such facility;

9 (D) [Hospitals,] Residential facility for adult care, pro-  
10 vided [the hospital] it meets the criteria listed in Section  
11 19.10.060;

12 (E) Convalescent [homes] care facility as defined herein,  
13 provided [the convalescent home] it meets the criteria listed in  
14 Section 19.10.070;

15 (F) Cemeteries as provided for in Section 19.10.080.

16 SECTION 15: Title 19, Chapter 22, of the Municipal  
17 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby  
18 amended by adding thereto a new section, designated as Section  
19 27, reading as follows:

20 19.22.027: The following additional use is permitted in the  
21 R-MH District, subject to the securing of a special use permit in  
22 each case as provided in Chapter 19.90:

23 (A) Residential facility for adult care, provided it meets  
24 the criteria set forth in Section 19.10.060.

25 SECTION 16: Title 19, Chapter 26, Section 20, of the  
26 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
27 hereby amended to read as follows:

28 19.26.020: The following additional uses are permitted in the  
29 R-2 District, subject to the issuance of a special use permit in  
30 each case, as provided in Chapter 19.90:

31 (A) Public and quasi-public uses; churches;

32 (B) [Hospitals as defined in this Title] Residential facil-

1 ity for adult care, provided [the hospital] it meets the minimum  
2 standards and criteria set out in Section [19.26.030;]  
3 19.10.060;

4 (C) Convalescent [homes] care facility as defined herein,  
5 provided [the convalescent home] it meets the criteria and stan-  
6 dards set out in Section 19.26.040.

7 SECTION 17: Title 19, Chapter 26, Section 30, of the  
8 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
9 hereby repealed in its entirety.

10 SECTION 18: Title 19, Chapter 26, Section 40, of the  
11 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
12 hereby amended to read as follows:

13 19.26.040: Convalescent [homes] care facilities in the R-2  
14 District, as provided in Section 19.26.020, shall meet the  
15 following standards and criteria:

16 (A) Size of plot: Ten thousand square feet;

17 (B) Density: Fifty patient beds per acre;

18 (C) Building line setbacks and height, as follows:

19 (1) One-story structure: Twenty-five feet from all  
20 property lines,

21 (2) Two-story structure: Thirty-five feet from all  
22 property lines,

23 (3) Three-story structure: Forty-five feet from all  
24 property lines,

25 (4) Four-story structure: Fifty feet from all property  
26 lines;

27 (D) Parking shall be provided according to the provisions of  
28 Chapter 19.64;

29 (E) Buffer planting: Minimum of a ten-foot-wide strip of  
30 adequately maintained shrub or hedge at both sides and rear of  
31 property, grown to a height of six feet, or a wall built to  
32 approved design, built to a height of six feet, except that the

1 front yard fence or wall shall be erected to a maximum height of  
2 four feet, with that portion which is more than two feet high  
3 being fifty percent open;

4 (F) Access: All institutions of this type shall be located  
5 either on a major street as defined by the Major Street Plan  
6 codified in Chapter 13.12, or on a designated collector street  
7 with a minimum pavement width of forty-eight feet.

8 SECTION 19: Title 19, Chapter 28, Section 20, of the  
9 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
10 hereby amended to read as follows:

11 19.28.020: The following additional uses are permitted in the  
12 R-3 District, subject to the issuance of a special use permit in  
13 each case, as provided in Chapter 19.90:

14 (A) Public and quasi-public uses; churches;

15 (B) [Hospitals, provided the hospital meets the criteria  
16 listed under Section 19.26.030;] Residential facility for adult  
17 care;

18 (C) Convalescent [homes] care facility as defined herein,  
19 provided [the convalescent home] it meets the criteria listed  
20 under Section 19.26.040;

21 SECTION 20: Title 19, Chapter 30, Section 20, of the  
22 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
23 hereby amended to read as follows:

24 19.30.020: The following uses are permitted in the R-4  
25 District, subject to the securing of a special use permit in each  
26 case, as provided in Chapter 19.90:

27 (A) Private schools;

28 (B) Child care centers, as defined in Chapter 6.24, provided  
29 such facility is approved by the Child Welfare Board and meets  
30 all duly adopted standards for such facility;

31 (C) Professional offices;

32 (D) Public or quasi-public parking for the use of patrons or

1 residents in the immediate vicinity thereof, when located and  
2 developed as required under Chapter 19.64;

3 (E) Public and quasi-public uses; churches;

4 (F) [Hospitals, provided the hospital meets the criteria  
5 listed under Section 19.26.030;] Residential facility for adult  
6 care;

7 (G) Convalescent [homes] care facility as defined herein,  
8 provided [the convalescent home] it meets the criteria listed  
9 under Section 19.26.040.

10 SECTION 21: Title 19, Chapter 32, Section 20, of the  
11 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
12 hereby amended to read as follows:

13 19.32.020: Uses permitted in the R-5 District include:

14 (A) All uses permitted in the R-4 District;

15 (B) Lodginghouses;

16 (C) Professional offices;

17 (D) Private schools[;

18 (E) Hospitals, rest homes, clinics and other buildings for  
19 the treatment of human ailments].

20 SECTION 22: Title 19, Chapter 34, Section 20, of the  
21 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
22 hereby amended to read as follows:

23 19.34.020: Uses permitted in the R-6 District include:

24 (A) Apartment dwelling units without specific limit as to  
25 number, subject to the conditions and limitations recited  
26 elsewhere in this Chapter;

27 (B) Professional office buildings[;

28 (C) Hospitals, rest homes, clinics and other buildings  
29 designed for the treatment of human ailments].

30 SECTION 23: Title 19, Chapter 44, Section 10, of the  
31 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition,  
32 and Section 20 of Ordinance No. 3224 are hereby amended to read

as follows:

19.44.010: Uses permitted in the C-1 District include:

(A) Shops, stores, retail and wholesale commercial establishments for the dispensing of goods or services, excluding any wholesale storage or warehousing;

(B) Banks and financial institutions;

(C) Laundry and dry cleaning establishments including coin-operated facilities and pickup service which provide direct consumer services but excluding industrial laundry operations as defined in Section 19.48.010. All processing and operational facilities must be approved by the Fire Prevention Bureau;

(D) Restaurants;

(E) Public or semipublic off-street parking facilities when developed in accordance with Chapter 19.64;

(F) Hospitals, [sanitariums,] convalescent [homes] care facilities and [other] similar facilities for the treatment of the aged or infirm[;], other than special care facilities;

(G) Places of public assembly, theaters, fraternal halls, bowling alleys;

(H) Public and quasi-public uses, churches;

(I) Office buildings;

(J) Commercial condominium developments, when developed in accord with the provisions of Chapter 19.70;

(K) Thrift shops;

(L) Automobile rental and automobile repossession agencies as defined in Section 19.04.130;

(M) Antique stores, except on Fremont Street or Las Vegas Boulevard South between Charleston Boulevard and Sahara Avenue as required by Section 6.74.050;

(N) Similar enterprises and commercial establishments of the same general classification which, in the opinion of the Planning Commission, as evidenced by a resolution of record, are not more

1 obnoxious to the welfare of the neighborhood than the above-  
2 enumerated uses;

3 (O) Uses customarily incidental to any of the above uses;

4 (P) Liquefied petroleum gas installations, as an accessory  
5 use, subject to the limitations set forth in Sections 19.55.010  
6 and 19.55.020.

7 SECTION 24: Title 19, Chapter 44, Section 20, of the  
8 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition,  
9 Section 21 of Ordinance No. 3224 and Section 6 of Ordinance  
10 No. 3238 are hereby amended to read as follows:

11 19.44.020: (A) The following uses may be permitted in the C-1  
12 District upon securing a special use permit as provided in  
13 Chapter 19.90, except that the uses enumerated in this Subsection  
14 may be permitted as a matter of right when in accordance with the  
15 exception shown in Subsection (C) of this Section:

16 (1) Automobile service stations for the sale of gaso-  
17 line, oil and minor accessories only, where no repair work is  
18 done, except minor repairs made by the attendant and provided all  
19 lubrications, washing, repairing and storage are conducted within  
20 an enclosed permanent building;

21 (2) Apartment houses;

22 (3) Customer-operated car washes;

23 (4) Lodginghouses, boardinghouses or roominghouses,  
24 hotels, motels and other like tourist accommodations;

25 (5) Emergency ground ambulance facilities[.];

26 (6) Special care facilities.

27 (B) The following uses may be permitted upon securing a spe-  
28 cial use permit in each case pursuant to the procedure provided  
29 for in Section 19.90.080, except that the uses enumerated in this  
30 Subsection may be permitted as a matter of right when in accor-  
31 dance with the exception shown in Subsection (C) of this Section:

32 (1) Class III secondhand dealers as defined in Section

1 19.04.250, except that these uses shall not be allowed on Fremont  
2 Street or Las Vegas Boulevard South between Charleston Boulevard  
3 and Sahara Avenue as prescribed by Section 6.74.050;

4 (2) Retail demonstration merchandise sales stores as  
5 defined in Section 6.72.010;

6 (3) Commercial storage units, provided all stored items  
7 are located within an enclosed building and there is no wholesale  
8 storage or sale of the stored items, nor any commercial repair or  
9 sale of passenger cars, trucks, two-wheeled vehicles, three-  
10 wheeled vehicles, trailers, boats or other like vehicles.

11 "Commercial repair" means any repair work except work done by the  
12 owner on his own personal property;

13 (4) Off-premises signs;

14 (5) Liquefied petroleum gas installations for which a  
15 special use permit is required by Section 19.55.010, subject to  
16 the limitations set forth in Sections 19.55.010 and 19.55.020;

17 (6) Gaming establishments (hotel)..

18 (C) Exception: If an application for reclassification to a  
19 C-1 District under Chapter 19.92 includes any of the uses  
20 hereinabove enumerated, the approval of the application shall  
21 constitute approval of the use or uses and no special use permit  
22 shall be required; provided, however, that the notice of public  
23 hearing for reclassification shall specifically list the use or  
24 uses.

25 SECTION 25: Title 19, Chapter 44, Section 30, of the  
26 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
27 hereby amended to read as follows:

28 19.44.030: Uses excluded from the C-1 District include:

29 (A) Any use that is specifically permitted as a matter of  
30 right in an N-U, R-A, R-E, R-D, R-1, R-MH, R-CL, R-2 or R-MHP  
31 District;

32 (B) Secondhand dealers, except for antique stores, and

1 except for Class III secondhand dealers with a special use permit  
2 as provided in Section 19.90.080;

3 (C) Transient sales lots and open sales lots as defined in  
4 Sections 19.04.840 and 19.04.650, respectively[.];

5 (D) Residential facilities for adult care.

6 SECTION 26: Title 19, Chapter 46, Section 20, of the  
7 Las Vegas Municipal Code, 1983 Edition, Section 22 of Ordinance  
8 No. 3224 and Section 8 of Ordinance No. 3238 are hereby amended  
9 to read as follows:

10 19.46.020: (A) The following uses may be permitted in the C-2  
11 District upon securing a special use permit as provided in  
12 Chapter 19.90, except that the uses enumerated in this Subsection  
13 may be permitted as a matter of right when in accordance with the  
14 exception shown in Subsection (H) of this Section:

15 (1) Used car lots;

16 (2) Trailer sales lots;

17 (3) Boat sales and service facilities, including all  
18 floating craft;

19 (4) Automotive parts exchanges. This shall not include  
20 public garages or salvage operations, but shall be limited to the  
21 sale and installation of new or rebuilt major automotive parts;

22 (5) Drive-in theaters, miniature golf courses and other  
23 outdoor amusement centers;

24 (6) Automobile laundry;

25 (7) Body and fender repair operations when conducted by  
26 a franchised new car agency;

27 (8) Cemeteries as provided for in Section 19.10.080;

28 (9) Apartment houses, when located outside the Central  
29 Business District, as defined in Section 19.64.030[.];

30 (10) Special care facilities.

31 (B) Pawnshops may be permitted in the C-2 District subject  
32 to the securing of a special use permit in each case pursuant to

1 the procedure provided for in Section 19.90.080, except that no  
2 pawnshop may be located on either side of Fremont Street or Las  
3 Vegas Boulevard South between Charleston Boulevard and Sahara  
4 Avenue. Those pawnshops which were located on Fremont Street or  
5 Las Vegas Boulevard South between Charleston Boulevard and Sahara  
6 Avenue at the time of enactment of the 1974 amendatory ordinance  
7 which is codified, in part, in this Section shall be allowed to  
8 remain only as long as their present leases do not expire. No  
9 such lease may be modified to extend its term or otherwise pre-  
10 vent it from expiring. Those pawnshops which are located in a  
11 C-2 Zone, other than on Fremont Street or Las Vegas Boulevard  
12 South between Charleston Boulevard and Sahara Avenue, at the time  
13 of enactment of the 1974 amendatory ordinance which is codified,  
14 in part, in this Section shall be allowed to remain at their  
15 locations without the necessity of securing a special use  
16 permit.

17 (C) Class III secondhand dealers, retail demonstration  
18 merchandise sales stores, transient sales lots, open sales lots  
19 and off-premises signs may be permitted in the C-2 District sub-  
20 ject to the securing of a special use permit in each case pur-  
21 suant to the procedure provided for in Section 19.90.080 of this  
22 Chapter, except that Class III secondhand dealers shall not be  
23 allowed on Fremont Street and Las Vegas Boulevard South between  
24 Charleston Boulevard [or] and Sahara Avenue as prescribed by  
25 Section 6.74.050.

26 (D) Custodial institutions and detention facilities may be  
27 permitted in the C-2 District subject to the securing of a spe-  
28 cial use permit in each case pursuant to the procedure provided  
29 for in Section 19.90.080.

30 (E) Subject to the limitations contained in this Subsection,  
31 commercial storage units may be permitted in the C-2 District  
32 subject to the securing of a special use permit in each case pur-

1 suant to the procedure provided for in Section 19.90.080. All  
2 stored items must be located within an enclosed building and  
3 there must be no wholesale storage or sale of the stored items,  
4 nor any commercial repair or sale of passenger cars, trucks, two-  
5 wheeled vehicles, three-wheeled vehicles, trailers, boats or  
6 other like vehicles. "Commercial repair" means any repair work  
7 except work done by the owner on his own personal property.

8 (F) Liquefied petroleum gas installations for which a spe-  
9 cial use permit is required by Section 19.55.010, subject to the  
10 limitations set forth in Sections 19.55.010 and 19.55.020.

11 (G) Gaming establishments (hotel), when located outside the  
12 areas specified in Subsection (A) of Section 6.40.175, may be  
13 permitted in the C-2 District subject to the securing of a spe-  
14 cial use permit in each case pursuant to the procedure provided  
15 for in Section 19.90.080.

16 (H) Exception: If an application for a reclassification to  
17 a C-2 District under Chapter 19.92 includes any of the uses  
18 hereinabove enumerated, the approval of the application shall  
19 constitute approval of the use or uses and no special use permit  
20 shall be required; provided, however, that the notice of public  
21 hearing for reclassification shall specifically list the use or  
22 uses.

23 SECTION 27: Title 19, Chapter 46, Section 30, of the  
24 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
25 hereby amended to read as follows:

26 19.46.030: Uses excluded from the C-2 District include:

27 (A) Any use that is specifically permitted as a matter of  
28 right in an N-U, R-A, R-E, R-D, R-1, R-MH, R-CL, R-2 or R-MHP  
29 District;

30 (B) Secondhand dealers, except for antique stores, and  
31 except for Class III secondhand dealers with a special use permit  
32 as provided for in Section 19.90.080[.];

1        (C) Residential facilities for adult care.

2                SECTION 28:        Title 19, Chapter 48, Section 20, of the  
3 Las Vegas Municipal Code, 1983 Edition, Section 24 of Ordinance  
4 No. 3224 and Section 9 of Ordinance No. 3238 are hereby amended  
5 to read as follows:

6        19.48.020:        (A) The following uses may be permitted in the C-M  
7 District subject to the securing of a special use permit as pro-  
8 vided in Chapter 19.90, except that the uses enumerated in this  
9 Subsection may be permitted as a matter of right when in accor-  
10 dance with the exception shown in Subsection (B) of this  
11 Section:

12                (1) Cemeteries, as provided for in Section 19.10.080;

13                (2) Pawnshops, subject to the securing of a special use  
14 permit in each case pursuant to the procedure provided for in  
15 Section 19.90.080;

16                (3) Custodial institutions and detention facilities,  
17 subject to the securing of a special use permit in each case pur-  
18 suant to the procedure provided for in Section 19.90.080;

19                (4) Commercial storage units, subject to the limita-  
20 tions contained in this Subsection and subject to the securing of  
21 a special use permit in each case pursuant to the procedure pro-  
22 vided for in Section 19.90.080. All stored items must be located  
23 within an enclosed building and there must be no wholesale  
24 storage or sale of the stored items, nor any commercial repair or  
25 sale of passenger cars, trucks, two-wheeled vehicles, three-  
26 wheeled vehicles, trailers, boats or other like vehicles.

27 "Commercial repair" means any repair work except work done by the  
28 owner on his own personal property;

29                (5) Transient sales lots and open sales lots, subject  
30 to the securing of a special use permit in each case pursuant to  
31 the procedure provided for in Section 19.90.080;

32                (6) Off-premises signs, subject to the securing of a

1 special use permit in each case pursuant to the procedure pro-  
2 vided for in Section 19.90.080;

3 (7) Liquefied petroleum gas installations for which a  
4 special use permit is required by Section 19.55.010, subject to  
5 the limitations set forth in Sections 19.55.010 and 19.55.020;

6 (8) Gaming establishments (hotel), when located outside  
7 the areas specified in Subsection (A) of Section 6.40.175, sub-  
8 ject to the securing of a special use permit in each case pur-  
9 suant to the procedure provided for in Section 19.90.080[.];

10 (9) Special care facilities.

11 (B) Exception: If an application for reclassification to a  
12 C-M District under Chapter 19.92 includes any of the uses  
13 hereinabove enumerated, the approval of the application shall  
14 constitute approval of the use or uses and no special use permit  
15 shall be required; provided, however, that the notice of public  
16 hearing for reclassification shall specifically list the use or  
17 uses.

18 SECTION 29: Title 19, Chapter 48, Section 30, of the  
19 Las Vegas Municipal Code, 1983 Edition, is hereby amended to read  
20 as follows:

21 19.48.030: Uses excluded from the C-M District include any  
22 housing[,] or living facilities [or facilities for the treatment  
23 of human ailments.], including residential facilities for adult  
24 care.

25 SECTION 30: Title 19, Chapter 50, Section 20, of the  
26 Las Vegas Municipal Code, 1983 Edition, Section 25 of Ordinance  
27 No. 3224 and Section 10 of Ordinance No. 3238 are hereby amended  
28 to read as follows:

29 19.50.020: (A) The following uses may be permitted in the M  
30 District upon securing a special use permit as provided in Chap-  
31 ter 19.90, except that the uses enumerated in this Subsection may  
32 be permitted as of right when in accordance with the exception

1 set forth in Subsection (B) of this Section:

2 (1) Any manufacturing, processing or assembling use  
3 which is unable to meet the letter of the standards designated in  
4 Section 19.50.040. Such use permit may be properly granted pro-  
5 vided the applicant can provide evidence to document a favorable  
6 conclusion on all of the following factors:

7 (a) The proposed use can be operated substantially  
8 in conformity with the requirements of the standards listed under  
9 Section 19.50.040;

10 (b) The use, as proposed, will not be materially  
11 detrimental to the uses of surrounding property;

12 (c) The public interest will best be served by the  
13 granting of the permit;

14 (2) Cemeteries, as provided for in Section 19.10.080;

15 (3) Pawnshops, subject to the securing of a special use  
16 permit in each case pursuant to the procedure provided for in  
17 Section 19.90.080;

18 (4) Custodial institutions and detention facilities,  
19 subject to the securing of a special use permit in each case pur-  
20 suant to the procedure provided for in Section 19.90.080;

21 (5) Junk yards, wrecking yards and salvage yards;

22 (6) Commercial storage units, subject to the limita-  
23 tions contained in this Subsection and subject to the securing of  
24 a special use permit in each case pursuant to the procedure pro-  
25 vided for in Section 19.90.080. All stored items must be located  
26 within an enclosed building and there must be no wholesale  
27 storage or sale of the stored items, nor any commercial repair or  
28 sale of passenger cars, trucks, two-wheeled vehicles, three-  
29 wheeled vehicles, trailers, boats or other like vehicles.

30 "Commercial repair" means any repair work except work done by the  
31 owner on his own personal property;

32 (7) Transient sales lots and open sales lots, subject

1 to the securing of a special use permit in each case pursuant to  
2 the procedure provided for in Section 19.90.080;

3 (8) Off-premises signs, subject to the securing of a  
4 special use permit in each case pursuant to the procedure pro-  
5 vided for in Section 19.90.080;

6 (9) Liquefied petroleum gas installations for which a  
7 special use permit is required by Section 19.55.010, subject to  
8 the limitations set forth in Sections 19.55.010 and 19.55.020;

9 (10) Gaming establishments (hotel), when located outside  
10 the areas specified in Subsection (A) of Section 6.40.175, sub-  
11 ject to the securing of a special use permit in each case pur-  
12 suant to the procedure provided for in Section 19.90.080[.];

13 (11) Special care facilities.

14 (B) Exception: If an application for a reclassification to  
15 an M District under Chapter 19.92 includes any of the uses  
16 hereinabove enumerated, the approval of the application shall  
17 constitute approval of the use or uses, and no special use permit  
18 shall be required; provided, however, that the notice of public  
19 hearing for reclassification shall specifically list the use or  
20 uses.

21 SECTION 31: Title 19, Chapter 50, Section 30, of the  
22 Las Vegas Municipal Code, 1983 Edition, is hereby amended to read  
23 as follows:

24 19.50.030: Uses specifically excluded from the M District  
25 include:

26 (A) [any] Any use specifically permitted in any district  
27 having an "R" prefix, except any residential use which is clearly  
28 a part of [an] and incidental to the efficient operation of an  
29 industrial use[.];

30 (B) Residential facilities for adult care.

31 SECTION 32: Title 19, Chapter 54, Section 10, of the  
32 Las Vegas Municipal Code, 1983 Edition, is hereby amended to read

1 as follows:

2 19.54.010: The following accessory uses may be permitted in  
3 any district with an "R" prefix, provided such accessory uses do  
4 not alter the character of the premises in respect to their use  
5 for the purposes permitted in the respective districts:

6 (A) The renting of rooms and/or providing of table board for  
7 not more than three unrelated persons, where no care is provided,  
8 as an incidental use to that of its occupancy as a dwelling of  
9 the character permitted in the respective districts;

10 (B) Garage sales, provided that:

11 (1) No property may be offered for sale which has not  
12 been owned and used by the occupant of the premises;

13 (2) No more than four garage sales shall be conducted  
14 on the premises in any calendar year;

15 (3) No garage sales shall be conducted for longer than  
16 three days duration; and

17 (4) Garage sales may be conducted during the daylight  
18 hours only.

19 SECTION 33: Whenever in this ordinance any act is  
20 prohibited or is made or declared to be unlawful or an offense or  
21 a misdemeanor, or whenever in this ordinance the doing of any act  
22 is required or the failure to do any act is made or declared to  
23 be unlawful or an offense or a misdemeanor, the doing of any such  
24 prohibited act or the failure to do any such required act shall  
25 constitute a misdemeanor and upon conviction thereof, shall be  
26 punished by a fine of not more than \$1,000.00 or by imprisonment  
27 for a term of not more than six (6) months, or by any combination  
28 of such fine and imprisonment. Any day of any violation of this  
29 ordinance shall constitute a separate offense.

30 SECTION 34: If any section, subsection, subdivision,  
31 paragraph, sentence, clause or phrase in this ordinance or any  
32 part thereof, is for any reason held to be unconstitutional or

1 invalid or ineffective by any court of competent jurisdiction,  
2 such decision shall not affect the validity or effectiveness of  
3 the remaining portions of this ordinance or any part thereof.  
4 The City Council of the City of Las Vegas, Nevada, hereby  
5 declares that it would have passed each section, subsection, sub-  
6 division, paragraph, sentence, clause or phrase thereof irrespec-  
7 tive of the fact that any one or more sections, subsections, sub-  
8 divisions, paragraphs, sentences, clauses or phrases be declared  
9 unconstitutional, invalid or ineffective.

10 SECTION 35: All ordinances or parts of ordinances,  
11 sections, subsections, phrases, sentences, clauses or paragraphs  
12 contained in the Municipal Code of the City of Las Vegas, Nevada,  
13 1983 Edition, in conflict herewith are hereby repealed.

14 PASSED, ADOPTED AND APPROVED this \_\_\_\_ day of \_\_\_\_\_,  
15 1986.

16 APPROVED:

17  
18 By WILLIAM H. BRIARE, MAYOR

19 ATTEST:

20  
21 CAROL ANN HAWLEY, CITY CLERK

The above and foregoing ordinance was first proposed and read by title to the City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 1986, and referred to the following committee composed of Councilmen \_\_\_\_\_ and \_\_\_\_\_ \_\_\_\_\_ for recommendation; thereafter the said committee reported favorably on said ordinance on the \_\_\_\_\_ day of \_\_\_\_\_, 1986, which was a \_\_\_\_\_ meeting of said Council; that at said \_\_\_\_\_ meeting, the proposed ordinance was read by title to the City Council as amended and adopted by the following vote:

VOTING "AYE" Councilmen: \_\_\_\_\_

VOTING "NAY" Councilmen: \_\_\_\_\_

ABSENT: \_\_\_\_\_

APPROVED:

WILLIAM H. BRIARE, MAYOR

ATTEST:

CAROL ANN HAWLEY, CITY CLERK

BILL NO. 86-37

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE RELATING TO ZONING; AMENDING TITLE 19 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO PROVIDE FOR RESIDENTIAL FACILITIES FOR ADULT CARE IN CERTAIN RESIDENTIAL ZONING DISTRICTS BY MEANS OF SPECIAL USE PERMIT, TO PROVIDE THAT IN MOST OF THOSE DISTRICTS SUCH FACILITIES MUST BE AT LEAST 1000 FEET APART AND THE LICENSED CARE PROVIDER MUST OWN AND LIVE IN THE FACILITY, TO PROVIDE FOR SPECIAL CARE FACILITIES IN COMMERCIAL AND INDUSTRIAL ZONES BY MEANS OF SPECIAL USE PERMIT, TO RESTRICT HOSPITALS TO COMMERCIAL AND INDUSTRIAL ZONES AND TO ELIMINATE THE RENTING OF ROOMS AND PROVIDING OF TABLE BOARD AS AN ACCESSORY USE IN RESIDENTIAL DISTRICTS; PROVIDING DEFINITIONS FOR "RESIDENTIAL FACILITY FOR ADULT CARE," "CONVALESCENT CARE FACILITY" AND "SPECIAL CARE FACILITY"; PROVIDING PENALTIES FOR VIOLATIONS HEREOF; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored By:

Councilman Ron Lurie

Summary: Provides for residential facilities for adult care in certain residential zoning districts by Special Use Permit; provides for special care facilities in commercial and industrial zones by Special Use Permit; restricts hospitals to commercial and industrial zones; and eliminates the renting of rooms as an accessory use in residential districts.

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

SECTION 1: Title 19, Chapter 4, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 35, reading as follows:

19.04.035: "Residential facility for adult care" means a dwelling or similar building of a residential character which is used or intended to be used to provide housing and care for six or fewer unrelated ambulatory persons who are 18 years of age or older and who are elderly, physically ill or infirm, physically handicapped or who have minor mental disabilities. The term does not include a convalescent care facility, hospital or special care facility nor any facility which:

1 (A) Qualifies as a one-family dwelling under Section  
2 19.04.640;

3 (B) Provides or is designed to provide surgical, medical or  
4 other specialized treatment which normally is provided by a con-  
5 valescent care facility, hospital or special care facility; or

6 (C) Provides housing or care to persons who have a chronic  
7 illness, disease, injury or other condition that would require  
8 the degree of care and treatment normally provided by a convales-  
9 cent care facility, hospital or special care facility.

10 SECTION 2: Title 19, Chapter 4, Section 290, of the  
11 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
12 hereby amended to read as follows:

13 19.04.290: ["Convalescent home"] "Convalescent care facility"  
14 means a building or structure designed, used or intended to be  
15 used to house and provide care for [the sick, ill or infirm per-  
16 sons, where no surgical treatment is given. It is intended that  
17 this definition shall generally cover buildings, structures and  
18 institutions designed for the care of the chronically ill and  
19 infirm, who do not require the specialized treatment provided in  
20 a hospital. "Convalescent home," as used in this Chapter,  
21 includes "nursing homes" and "rest homes."] persons who are  
22 chronically ill or infirm, but who do not need medical, surgical  
23 or other specialized treatment normally provided by a hospital  
24 or special care facility. "Convalescent care facility" includes  
25 "rest home" and "nursing home" but does not include "hospital"  
26 or "special care facility."

27 SECTION 3: Title 19, Chapter 4, Section 470, of the  
28 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
29 hereby amended to read as follows:

30 19.04.470: "Hospital" means a building or structure designed,  
31 used or intended to be used to house and provide care for sick,  
32 ill, injured and infirm persons and to provide medical and/or

1 surgical treatment. "Hospital" includes "general hospital,"  
2 "emergency hospital," "maternity hospital" and other similar  
3 institutions, but specifically excludes [institutions designed  
4 and/or used entirely for the care of mental patients, alcoholics  
5 and patients with contagious diseases. Emergency and/or out-  
6 patient treatment of the above ailments in general or emergency  
7 hospitals is not restricted.] "special care facilities."

8 SECTION 4: Title 19, Chapter 4, Section 640, of the  
9 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
10 hereby amended to read as follows:

11 19.04.640: "One-family dwelling" or "single-family dwelling"  
12 means a detached dwelling, designed for and occupied exclusively  
13 by one family. "One-family dwelling" also includes a home for  
14 mentally retarded persons if the home qualifies as a  
15 single-family residence under NRS 278.021(2) and is not operated  
16 on a commercial basis. All livable area in a single-family  
17 dwelling must be contained within the common exterior walls and  
18 have a common roof, and all of the rooms thereof must have  
19 interior access to each other.

20 SECTION 5: Title 19, Chapter 4, of the Municipal  
21 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby  
22 amended by adding thereto a new section, designated as Section  
23 765, reading as follows:

24 19.04.765: "Special care facility" means any building which is  
25 used or intended to be used exclusively for one or more of the  
26 following:

- 27 (A) The treatment of alcohol or drug dependency;  
28 (B) The housing and care of persons with severe mental  
29 illness or disability;  
30 (C) The housing and care of persons with contagious  
31 diseases.

32 SECTION 6: Title 19, Chapter 10, Section 50, of the

1 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
2 hereby amended to read as follows:

3 19.10.050: The following additional uses are permitted in the  
4 N-U District, subject to the securing of a special use permit in  
5 each case, as provided in Chapter 19.90:

6 (A) Public and quasi-public uses; churches;

7 (B) Group child care home, as defined in Chapter 6.24, pro-  
8 vided such facility is approved by the Child Welfare Board and  
9 meets all duly adopted standards for such facility;

10 (C) [Hospitals] Residential facility for adult care as  
11 defined herein, provided [the hospital] it meets the minimum  
12 standards and criteria set out in Section 19.10.060;

13 (D) Convalescent [home] care facility as defined herein,  
14 provided [the convalescent home] it meets the minimum standards  
15 and criteria set out in Section 19.10.070;

16 (E) Cemeteries as defined herein, provided the cemetery  
17 meets the minimum standards and criteria set out in Section  
18 19.10.080.

19 SECTION 7: Title 19, Chapter 10, Section 60, of the  
20 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
21 hereby repealed in its entirety.

22 SECTION 8: Title 19, Chapter 10, of the Municipal  
23 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby  
24 amended by adding thereto a new section, designated as Section  
25 60, reading as follows:

26 19.10.060: (A) No residential facility for adult care may be  
27 located within 1,000 feet of any other such facility.

28 (B) The person who is licensed by the State of Nevada to  
29 provide care at a residential facility for adult care must own  
30 and live in the facility.

31 SECTION 9: Title 19, Chapter 10, Section 70, of the  
32 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is

hereby amended to read as follows:

19.10.070: Convalescent [homes] care facilities in the N-U District shall, as provided in Section 19.10.050, meet the following standards and criteria:

(A) Size of plot: Minimum one-half acre (twenty thousand square feet).

(B) Density: Maximum twenty-five beds per acre of land.

(C) Building line setbacks: The same as required in each zoning district for a single-family dwelling.

(D) Building height: One story.

(E) Parking shall be provided according to the provisions of Chapter 19.64.

(F) Buffer planting: Minimum of ten-foot-wide strip of adequately maintained shrub or hedge at both sides and rear of property, grown to a height of six feet, or a wall, built to approved design, built to a height of six feet, except that the front yard fence or wall shall be erected to a maximum height of four feet, with that portion which is more than two feet high being fifty percent open.

(G) Access: All institutions of this type shall be located either on a major street, as defined by the Major Street Plan codified at Chapter 13.12, or on a designated collector street with a minimum pavement width of forty-eight feet.

SECTION 10: Title 19, Chapter 12, Section 40, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19.12.040: The following additional uses are permitted in the R-A District, subject to the securing of a special use permit in each case, as provided in Chapter 19.90:

(A) Public and quasi-public uses; churches;

(B) Group child care home, as defined in Chapter 6.24, provided such facility is approved by the Child Welfare Board and

1 meets all duly adopted standards for such facility;

2 (C) [Hospitals, provided the hospital meets the criteria  
3 listed under Section 19.10.060;

4 (D) Convalescent homes as defined herein, provided the con-  
5 valescent home meets the criteria listed under Section  
6 19.10.070;

7 (E)] Cemeteries as provided for in Section 19.10.080.

8 SECTION 11: Title 19, Chapter 14, Section 40, of the  
9 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
10 hereby amended to read as follows:

11 19.14.040: The following additional uses are permitted in the  
12 R-E District, subject to the securing of a special use permit in  
13 each case, as provided in Chapter 19.90:

14 (A) Public and quasi-public uses; churches;

15 (B) Group child care home, as defined in Chapter 6.24, pro-  
16 vided such facility is approved by the Child Welfare Board and  
17 meets all duly adopted standards for such facility;

18 (C) [Hospitals,] Residential facility for adult care, pro-  
19 vided [the hospital] it meets the criteria listed under Section  
20 19.10.060;

21 (D) Convalescent [homes] care facility as defined herein,  
22 provided [the convalescent home] it meets the criteria listed  
23 under Section 19.10.070;

24 (E) Cemeteries as provided for in Section 19.10.080.

25 SECTION 12: Title 19, Chapter 16, Section 30, of the  
26 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
27 hereby amended to read as follows:

28 19.16.030: The following additional uses are permitted in the  
29 R-D District, subject to the securing of a special use permit and  
30 in each case as provided in Chapter 19.90:

31 (A) Public and quasi-public uses; churches;

32 (B) Group child care home, as defined in Chapter 6.24, pro-

1 vided such facility is approved by the Child Welfare Board and  
2 meets all duly adopted standards for such facility;

3 (C) [Hospitals,] Residential facility for adult care, pro-  
4 vided [the hospital] it meets the criteria listed in Section  
5 19.10.060;

6 (D) Convalescent [homes] care facility as defined herein,  
7 provided [the convalescent home] it meets the criteria listed  
8 under Section 19.10.070;

9 (E) Cemeteries as provided for in Section 19.10.080.

10 SECTION 13: Title 19, Chapter 18, of the Municipal  
11 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby  
12 amended by adding thereto a new section, designated as Section  
13 27, reading as follows:

14 19.18.027: The following additional use is permitted in the  
15 R-PD District, subject to the securing of a special use permit in  
16 each case as provided in Chapter 19.90:

17 (A) Residential facility for adult care, provided it meets  
18 the criteria set forth in Section 19.10.060.

19 SECTION 14: Title 19, Chapter 20, Section 20, of the  
20 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
21 hereby amended to read as follows:

22 19.20.020: The following additional uses are permitted in the  
23 R-1 District, subject to the securing of a special use permit  
24 [and] in each case as provided in Chapter 19.90:

25 (A) Public and quasi-public uses; churches;

26 (B) Home occupation as defined in Chapter 19.80;

27 (C) Group child care home, as defined in Chapter 6.24, pro-  
28 vided such facility is approved by the Child Welfare Board and  
29 meets all duly adopted standards for such facility;

30 (D) [Hospitals,] Residential facility for adult care, pro-  
31 vided [the hospital] it meets the criteria listed in Section  
32 19.10.060;

1 (E) Convalescent [homes] care facility as defined herein,  
2 provided [the convalescent home] it meets the criteria listed in  
3 Section 19.10.070;

4 (F) Cemeteries as provided for in Section 19.10.080.

5 SECTION 15: Title 19, Chapter 22, of the Municipal  
6 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby  
7 amended by adding thereto a new section, designated as Section  
8 27, reading as follows:

9 19.22.027: The following additional use is permitted in the  
10 R-MH District, subject to the securing of a special use permit in  
11 each case as provided in Chapter 19.90:

12 (A) Residential facility for adult care, provided it meets  
13 the criteria set forth in Section 19.10.060.

14 SECTION 16: Title 19, Chapter 26, Section 20, of the  
15 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
16 hereby amended to read as follows:

17 19.26.020: The following additional uses are permitted in the  
18 R-2 District, subject to the issuance of a special use permit in  
19 each case, as provided in Chapter 19.90:

20 (A) Public and quasi-public uses; churches;

21 (B) [Hospitals as defined in this Title] Residential facil-  
22 ity for adult care, provided [the hospital] it meets the minimum  
23 standards and criteria set out in Section [19.26.030;]  
24 19.10.060;

25 (C) Convalescent [homes] care facility as defined herein,  
26 provided [the convalescent home] it meets the criteria and stan-  
27 dards set out in Section 19.26.040.

28 SECTION 17: Title 19, Chapter 26, Section 30, of the  
29 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
30 hereby repealed in its entirety.

31 SECTION 18: Title 19, Chapter 26, Section 40, of the  
32 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is

1 hereby amended to read as follows:

2 19.26.040: Convalescent [homes] care facilities in the R-2  
3 District, as provided in Section 19.26.020, shall meet the  
4 following standards and criteria:

5 (A) Size of plot: Ten thousand square feet;

6 (B) Density: Fifty patient beds per acre;

7 (C) Building line setbacks and height, as follows:

8 (1) One-story structure: Twenty-five feet from all  
9 property lines,

10 (2) Two-story structure: Thirty-five feet from all  
11 property lines,

12 (3) Three-story structure: Forty-five feet from all  
13 property lines,

14 (4) Four-story structure: Fifty feet from all property  
15 lines;

16 (D) Parking shall be provided according to the provisions of  
17 Chapter 19.64;

18 (E) Buffer planting: Minimum of a ten-foot-wide strip of  
19 adequately maintained shrub or hedge at both sides and rear of  
20 property, grown to a height of six feet, or a wall built to  
21 approved design, built to a height of six feet, except that the  
22 front yard fence or wall shall be erected to a maximum height of  
23 four feet, with that portion which is more than two feet high  
24 being fifty percent open;

25 (F) Access: All institutions of this type shall be located  
26 either on a major street as defined by the Major Street Plan  
27 codified in Chapter 13.12, or on a designated collector street  
28 with a minimum pavement width of forty-eight feet.

29 SECTION 19: Title 19, Chapter 28, Section 20, of the  
30 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
31 hereby amended to read as follows:

32 19.28.020: The following additional uses are permitted in the

1 R-3 District, subject to the issuance of a special use permit in  
2 each case, as provided in Chapter 19.90:

3 (A) Public and quasi-public uses; churches;

4 (B) [Hospitals, provided the hospital meets the criteria  
5 listed under Section 19.26.030;] Residential facility for adult  
6 care;

7 (C) Convalescent [homes] care facility as defined herein,  
8 provided [the convalescent home] it meets the criteria listed  
9 under Section 19.26.040;

10 SECTION 20: Title 19, Chapter 30, Section 20, of the  
11 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
12 hereby amended to read as follows:

13 19.30.020: The following uses are permitted in the R-4  
14 District, subject to the securing of a special use permit in each  
15 case, as provided in Chapter 19.90:

16 (A) Private schools;

17 (B) Child care centers, as defined in Chapter 6.24, provided  
18 such facility is approved by the Child Welfare Board and meets  
19 all duly adopted standards for such facility;

20 (C) Professional offices;

21 (D) Public or quasi-public parking for the use of patrons or  
22 residents in the immediate vicinity thereof, when located and  
23 developed as required under Chapter 19.64;

24 (E) Public and quasi-public uses; churches;

25 (F) [Hospitals, provided the hospital meets the criteria  
26 listed under Section 19.26.030;] Residential facility for adult  
27 care;

28 (G) Convalescent [homes] care facility as defined herein,  
29 provided [the convalescent home] it meets the criteria listed  
30 under Section 19.26.040.

31 SECTION 21: Title 19, Chapter 32, Section 20, of the  
32 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is

1 hereby amended to read as follows:

2 19.32.020: Uses permitted in the R-5 District include:

3 (A) All uses permitted in the R-4 District;

4 (B) Lodginghouses;

5 (C) Professional offices;

6 (D) Private schools[;

7 (E) Hospitals, rest homes, clinics and other buildings for  
8 the treatment of human ailments].

9 SECTION 22: Title 19, Chapter 34, Section 20, of the  
10 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
11 hereby amended to read as follows:

12 19.34.020: Uses permitted in the R-6 District include:

13 (A) Apartment dwelling units without specific limit as to  
14 number, subject to the conditions and limitations recited  
15 elsewhere in this Chapter;

16 (B) Professional office buildings[;

17 (C) Hospitals, rest homes, clinics and other buildings  
18 designed for the treatment of human ailments].

19 SECTION 23: Title 19, Chapter 44, Section 10, of the  
20 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition,  
21 and Section 20 of Ordinance No. 3224 are hereby amended to read  
22 as follows:

23 19.44.010: Uses permitted in the C-1 District include:

24 (A) Shops, stores, retail and wholesale commercial  
25 establishments for the dispensing of goods or services, excluding  
26 any wholesale storage or warehousing;

27 (B) Banks and financial institutions;

28 (C) Laundry and dry cleaning establishments including coin-  
29 operated facilities and pickup service which provide direct con-  
30 sumer services but excluding industrial laundry operations as  
31 defined in Section 19.48.010. All processing and operational  
32 facilities must be approved by the Fire Prevention Bureau;

1 (D) Restaurants;

2 (E) Public or semipublic off-street parking facilities when  
3 developed in accordance with Chapter 19.64;

4 (F) Hospitals, [sanitariums,] convalescent [homes] care  
5 facilities and [other] similar facilities for the treatment of  
6 the aged or infirm[;], other than special care facilities;

7 (G) Places of public assembly, theaters, fraternal halls,  
8 bowling alleys;

9 (H) Public and quasi-public uses, churches;

10 (I) Office buildings;

11 (J) Commercial condominium developments, when developed in  
12 accord with the provisions of Chapter 19.70;

13 (K) Thrift shops;

14 (L) Automobile rental and automobile repossession agencies  
15 as defined in Section 19.04.130;

16 (M) Antique stores, except on Fremont Street or Las Vegas  
17 Boulevard South between Charleston Boulevard and Sahara Avenue as  
18 required by Section 6.74.050;

19 (N) Similar enterprises and commercial establishments of the  
20 same general classification which, in the opinion of the Planning  
21 Commission, as evidenced by a resolution of record, are not more  
22 obnoxious to the welfare of the neighborhood than the above-  
23 enumerated uses;

24 (O) Uses customarily incidental to any of the above uses;

25 (P) Liquefied petroleum gas installations, as an accessory  
26 use, subject to the limitations set forth in Sections 19.55.010  
27 and 19.55.020.

28 SECTION 24: Title 19, Chapter 44, Section 20, of the  
29 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition,  
30 Section 21 of Ordinance No. 3224 and Section 6 of Ordinance  
31 No. 3238 are hereby amended to read as follows:

32 19.44.020: (A) The following uses may be permitted in the C-1

1 District upon securing a special use permit as provided in  
2 Chapter 19.90, except that the uses enumerated in this Subsection  
3 may be permitted as a matter of right when in accordance with the  
4 exception shown in Subsection (C) of this Section:

5 (1) Automobile service stations for the sale of gaso-  
6 line, oil and minor accessories only, where no repair work is  
7 done, except minor repairs made by the attendant and provided all  
8 lubrications, washing, repairing and storage are conducted within  
9 an enclosed permanent building;

10 (2) Apartment houses;

11 (3) Customer-operated car washes;

12 (4) Lodginghouses, boardinghouses or roominghouses,  
13 hotels, motels and other like tourist accommodations;

14 (5) Emergency ground ambulance facilities[.];

15 (6) Special care facilities.

16 (B) The following uses may be permitted upon securing a spe-  
17 cial use permit in each case pursuant to the procedure provided  
18 for in Section 19.90.080, except that the uses enumerated in this  
19 Subsection may be permitted as a matter of right when in accor-  
20 dance with the exception shown in Subsection (C) of this Section:

21 (1) Class III secondhand dealers as defined in Section  
22 19.04.250, except that these uses shall not be allowed on Fremont  
23 Street or Las Vegas Boulevard South between Charleston Boulevard  
24 and Sahara Avenue as prescribed by Section 6.74.050;

25 (2) Retail demonstration merchandise sales stores as  
26 defined in Section 6.72.010;

27 (3) Commercial storage units, provided all stored items  
28 are located within an enclosed building and there is no wholesale  
29 storage or sale of the stored items, nor any commercial repair or  
30 sale of passenger cars, trucks, two-wheeled vehicles, three-  
31 wheeled vehicles, trailers, boats or other like vehicles.

32 "Commercial repair" means any repair work except work done by the

owner on his own personal property;

(4) Off-premises signs;

(5) Liquefied petroleum gas installations for which a special use permit is required by Section 19.55.010, subject to the limitations set forth in Sections 19.55.010 and 19.55.020;

(6) Gaming establishments (hotel).

(C) Exception: If an application for reclassification to a C-1 District under Chapter 19.92 includes any of the uses hereinabove enumerated, the approval of the application shall constitute approval of the use or uses and no special use permit shall be required; provided, however, that the notice of public hearing for reclassification shall specifically list the use or uses.

SECTION 25: Title 19, Chapter 44, Section 30, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19.44.030: Uses excluded from the C-1 District include:

(A) Any use that is specifically permitted as a matter of right in an N-U, R-A, R-E, R-D, R-1, R-MH, R-CL, R-2 or R-MHP District;

(B) Secondhand dealers, except for antique stores, and except for Class III secondhand dealers with a special use permit as provided in Section 19.90.080;

(C) Transient sales lots and open sales lots as defined in Sections 19.04.840 and 19.04.650, respectively[.];

(D) Residential facilities for adult care.

SECTION 26: Title 19, Chapter 46, Section 20, of the Las Vegas Municipal Code, 1983 Edition, Section 22 of Ordinance No. 3224 and Section 8 of Ordinance No. 3238 are hereby amended to read as follows:

19.46.020: (A) The following uses may be permitted in the C-2 District upon securing a special use permit as provided in

Chapter 19.90, except that the uses enumerated in this Subsection may be permitted as a matter of right when in accordance with the exception shown in Subsection (H) of this Section:

- (1) Used car lots;
- (2) Trailer sales lots;
- (3) Boat sales and service facilities, including all floating craft;
- (4) Automotive parts exchanges. This shall not include public garages or salvage operations, but shall be limited to the sale and installation of new or rebuilt major automotive parts;
- (5) Drive-in theaters, miniature golf courses and other outdoor amusement centers;
- (6) Automobile laundry;
- (7) Body and fender repair operations when conducted by a franchised new car agency;
- (8) Cemeteries as provided for in Section 19.10.080;
- (9) Apartment houses, when located outside the Central Business District, as defined in Section 19.64.030[.];
- (10) Special care facilities.

(B) Pawnshops may be permitted in the C-2 District subject to the securing of a special use permit in each case pursuant to the procedure provided for in Section 19.90.080, except that no pawnshop may be located on either side of Fremont Street or Las Vegas Boulevard South between Charleston Boulevard and Sahara Avenue. Those pawnshops which were located on Fremont Street or Las Vegas Boulevard South between Charleston Boulevard and Sahara Avenue at the time of enactment of the 1974 amendatory ordinance which is codified, in part, in this Section shall be allowed to remain only as long as their present leases do not expire. No such lease may be modified to extend its term or otherwise prevent it from expiring. Those pawnshops which are located in a C-2 Zone, other than on Fremont Street or Las Vegas Boulevard

1 South between Charleston Boulevard and Sahara Avenue, at the time  
2 of enactment of the 1974 amendatory ordinance which is codified,  
3 in part, in this Section shall be allowed to remain at their  
4 locations without the necessity of securing a special use  
5 permit.

6 (C) Class III secondhand dealers, retail demonstration  
7 merchandise sales stores, transient sales lots, open sales lots  
8 and off-premises signs may be permitted in the C-2 District sub-  
9 ject to the securing of a special use permit in each case pur-  
10 suant to the procedure provided for in Section 19.90.080 of this  
11 Chapter, except that Class III secondhand dealers shall not be  
12 allowed on Fremont Street and Las Vegas Boulevard South between  
13 Charleston Boulevard [or] and Sahara Avenue as prescribed by  
14 Section 6.74.050.

15 (D) Custodial institutions and detention facilities may be  
16 permitted in the C-2 District subject to the securing of a spe-  
17 cial use permit in each case pursuant to the procedure provided  
18 for in Section 19.90.080.

19 (E) Subject to the limitations contained in this Subsection,  
20 commercial storage units may be permitted in the C-2 District  
21 subject to the securing of a special use permit in each case pur-  
22 suant to the procedure provided for in Section 19.90.080. All  
23 stored items must be located within an enclosed building and  
24 there must be no wholesale storage or sale of the stored items,  
25 nor any commercial repair or sale of passenger cars, trucks, two-  
26 wheeled vehicles, three-wheeled vehicles, trailers, boats or  
27 other like vehicles. "Commercial repair" means any repair work  
28 except work done by the owner on his own personal property.

29 (F) Liquefied petroleum gas installations for which a spe-  
30 cial use permit is required by Section 19.55.010, subject to the  
31 limitations set forth in Sections 19.55.010 and 19.55.020.

32 (G) Gaming establishments (hotel), when located outside the

1 areas specified in Subsection (A) of Section 6.40.175, may be  
2 permitted in the C-2 District subject to the securing of a spe-  
3 cial use permit in each case pursuant to the procedure provided  
4 for in Section 19.90.080.

5 (H) Exception: If an application for a reclassification to  
6 a C-2 District under Chapter 19.92 includes any of the uses  
7 hereinabove enumerated, the approval of the application shall  
8 constitute approval of the use or uses and no special use permit  
9 shall be required; provided, however, that the notice of public  
10 hearing for reclassification shall specifically list the use or  
11 uses.

12 SECTION 27: Title 19, Chapter 46, Section 30, of the  
13 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
14 hereby amended to read as follows:

15 19.46.030: Uses excluded from the C-2 District include:

16 (A) Any use that is specifically permitted as a matter of  
17 right in an N-U, R-A, R-E, R-D, R-1, R-MH, R-CL, R-2 or R-MHP  
18 District;

19 (B) Secondhand dealers, except for antique stores, and  
20 except for Class III secondhand dealers with a special use permit  
21 as provided for in Section 19.90.080[.];

22 (C) Residential facilities for adult care.

23 SECTION 28: Title 19, Chapter 48, Section 20, of the  
24 Las Vegas Municipal Code, 1983 Edition, Section 24 of Ordinance  
25 No. 3224 and Section 9 of Ordinance No. 3238 are hereby amended  
26 to read as follows:

27 19.48.020: (A) The following uses may be permitted in the C-M  
28 District subject to the securing of a special use permit as pro-  
29 vided in Chapter 19.90, except that the uses enumerated in this  
30 Subsection may be permitted as a matter of right when in accor-  
31 dance with the exception shown in Subsection (B) of this  
32 Section:

- 1           (1) Cemeteries, as provided for in Section 19.10.080;
- 2           (2) Pawnshops, subject to the securing of a special use
- 3 permit in each case pursuant to the procedure provided for in
- 4 Section 19.90.080;
- 5           (3) Custodial institutions and detention facilities,
- 6 subject to the securing of a special use permit in each case pur-
- 7 suant to the procedure provided for in Section 19.90.080;
- 8           (4) Commercial storage units, subject to the limita-
- 9 tions contained in this Subsection and subject to the securing of
- 10 a special use permit in each case pursuant to the procedure pro-
- 11 vided for in Section 19.90.080. All stored items must be located
- 12 within an enclosed building and there must be no wholesale
- 13 storage or sale of the stored items, nor any commercial repair or
- 14 sale of passenger cars, trucks, two-wheeled vehicles, three-
- 15 wheeled vehicles, trailers, boats or other like vehicles.
- 16 "Commercial repair" means any repair work except work done by the
- 17 owner on his own personal property;
- 18           (5) Transient sales lots and open sales lots, subject
- 19 to the securing of a special use permit in each case pursuant to
- 20 the procedure provided for in Section 19.90.080;
- 21           (6) Off-premises signs, subject to the securing of a
- 22 special use permit in each case pursuant to the procedure pro-
- 23 vided for in Section 19.90.080;
- 24           (7) Liquefied petroleum gas installations for which a
- 25 special use permit is required by Section 19.55.010, subject to
- 26 the limitations set forth in Sections 19.55.010 and 19.55.020;
- 27           (8) Gaming establishments (hotel), when located outside
- 28 the areas specified in Subsection (A) of Section 6.40.175, sub-
- 29 ject to the securing of a special use permit in each case pur-
- 30 suant to the procedure provided for in Section 19.90.080[.];
- 31           (9) Special care facilities.

32           (B) Exception: If an application for reclassification to a

1 C-M District under Chapter 19.92 includes any of the uses  
2 hereinabove enumerated, the approval of the application shall  
3 constitute approval of the use or uses and no special use permit  
4 shall be required; provided, however, that the notice of public  
5 hearing for reclassification shall specifically list the use or  
6 uses.

7 SECTION 29: Title 19, Chapter 48, Section 30, of the  
8 Las Vegas Municipal Code, 1983 Edition, is hereby amended to read  
9 as follows:

10 19.48.030: Uses excluded from the C-M District include any  
11 housing[,] or living facilities [or facilities for the treatment  
12 of human ailments.], including residential facilities for adult  
13 care.

14 SECTION 30: Title 19, Chapter 50, Section 20, of the  
15 Las Vegas Municipal Code, 1983 Edition, Section 25 of Ordinance  
16 No. 3224 and Section 10 of Ordinance No. 3238 are hereby amended  
17 to read as follows:

18 19.50.020: (A) The following uses may be permitted in the M  
19 District upon securing a special use permit as provided in Chap-  
20 ter 19.90, except that the uses enumerated in this Subsection may  
21 be permitted as of right when in accordance with the exception  
22 set forth in Subsection (B) of this Section:

23 (1) Any manufacturing, processing or assembling use  
24 which is unable to meet the letter of the standards designated in  
25 Section 19.50.040. Such use permit may be properly granted pro-  
26 vided the applicant can provide evidence to document a favorable  
27 conclusion on all of the following factors:

28 (a) The proposed use can be operated substantially  
29 in conformity with the requirements of the standards listed under  
30 Section 19.50.040;

31 (b) The use, as proposed, will not be materially  
32 detrimental to the uses of surrounding property;

1 (c) The public interest will best be served by the  
2 granting of the permit;

3 (2) Cemeteries, as provided for in Section 19.10.080;

4 (3) Pawnshops, subject to the securing of a special use  
5 permit in each case pursuant to the procedure provided for in  
6 Section 19.90.080;

7 (4) Custodial institutions and detention facilities,  
8 subject to the securing of a special use permit in each case pur-  
9 suant to the procedure provided for in Section 19.90.080;

10 (5) Junk yards, wrecking yards and salvage yards;

11 (6) Commercial storage units, subject to the limita-  
12 tions contained in this Subsection and subject to the securing of  
13 a special use permit in each case pursuant to the procedure pro-  
14 vided for in Section 19.90.080. All stored items must be located  
15 within an enclosed building and there must be no wholesale  
16 storage or sale of the stored items, nor any commercial repair or  
17 sale of passenger cars, trucks, two-wheeled vehicles, three-  
18 wheeled vehicles, trailers, boats or other like vehicles.

19 "Commercial repair" means any repair work except work done by the  
20 owner on his own personal property;

21 (7) Transient sales lots and open sales lots, subject  
22 to the securing of a special use permit in each case pursuant to  
23 the procedure provided for in Section 19.90.080;

24 (8) Off-premises signs, subject to the securing of a  
25 special use permit in each case pursuant to the procedure pro-  
26 vided for in Section 19.90.080;

27 (9) Liquefied petroleum gas installations for which a  
28 special use permit is required by Section 19.55.010, subject to  
29 the limitations set forth in Sections 19.55.010 and 19.55.020;

30 (10) Gaming establishments (hotel), when located outside  
31 the areas specified in Subsection (A) of Section 6.40.175, sub-  
32 ject to the securing of a special use permit in each case pur-

1 suant to the procedure provided for in Section 19.90.080[.];

2 (11) Special care facilities.

3 (B) Exception: If an application for a reclassification to  
4 an M District under Chapter 19.92 includes any of the uses  
5 hereinabove enumerated, the approval of the application shall  
6 constitute approval of the use or uses, and no special use permit  
7 shall be required; provided, however, that the notice of public  
8 hearing for reclassification shall specifically list the use or  
9 uses.

10 SECTION 31: Title 19, Chapter 50, Section 30, of the  
11 Las Vegas Municipal Code, 1983 Edition, is hereby amended to read  
12 as follows:

13 19.50.030: Uses specifically excluded from the M District  
14 include:

15 (A) [any] Any use specifically permitted in any district  
16 having an "R" prefix, except any residential use which is clearly  
17 a part of [an] and incidental to the efficient operation of an  
18 industrial use[.];

19 (B) Residential facilities for adult care.

20 SECTION 32: Title 19, Chapter 54, Section 10, of the  
21 Las Vegas Municipal Code, 1983 Edition, is hereby amended to read  
22 as follows:

23 19.54.010: The following accessory uses may be permitted in  
24 any district with an "R" prefix, provided such accessory uses do  
25 not alter the character of the premises in respect to their use  
26 for the purposes permitted in the respective districts:

27 (A) [The renting of rooms and/or providing of table board  
28 for not more than three persons as an incidental use to that of  
29 its occupancy as a dwelling of the character permitted in the  
30 respective districts;

31 (B)] Garage sales, provided that:

32 (1) No property may be offered for sale which has not

1 been owned and used by the occupant of the premises;

2 (2) No more than four garage sales shall be conducted  
3 on the premises in any calendar year;

4 (3) No garage sales shall be conducted for longer than  
5 three days duration; and

6 (4) Garage sales may be conducted during the daylight  
7 hours only.

8 SECTION 33: Whenever in this ordinance any act is  
9 prohibited or is made or declared to be unlawful or an offense or  
10 a misdemeanor, or whenever in this ordinance the doing of any act  
11 is required or the failure to do any act is made or declared to  
12 be unlawful or an offense or a misdemeanor, the doing of any such  
13 prohibited act or the failure to do any such required act shall  
14 constitute a misdemeanor and upon conviction thereof, shall be  
15 punished by a fine of not more than \$1,000.00 or by imprisonment  
16 for a term of not more than six (6) months, or by any combination  
17 of such fine and imprisonment. Any day of any violation of this  
18 ordinance shall constitute a separate offense.

19 SECTION 34: If any section, subsection, subdivision,  
20 paragraph, sentence, clause or phrase in this ordinance or any  
21 part thereof, is for any reason held to be unconstitutional or  
22 invalid or ineffective by any court of competent jurisdiction,  
23 such decision shall not affect the validity or effectiveness of  
24 the remaining portions of this ordinance or any part thereof.  
25 The City Council of the City of Las Vegas, Nevada, hereby  
26 declares that it would have passed each section, subsection, sub-  
27 division, paragraph, sentence, clause or phrase thereof irrespec-  
28 tive of the fact that any one or more sections, subsections, sub-  
29 divisions, paragraphs, sentences, clauses or phrases be declared  
30 unconstitutional, invalid or ineffective.

31 SECTION 35: All ordinances or parts of ordinances,  
32 sections, subsections, phrases, sentences, clauses or paragraphs

1 contained in the Municipal Code of the City of Las Vegas, Nevada,  
2 1983 Edition, in conflict herewith are hereby repealed.

3 PASSED, ADOPTED AND APPROVED this \_\_\_\_ day of \_\_\_\_\_,  
4 1986.

5 APPROVED:

6  
7 By \_\_\_\_\_  
WILLIAM H. BRIARE, MAYOR

8 ATTEST:

9  
10 \_\_\_\_\_  
CAROL ANN HAWLEY, CITY CLERK

11  
12 The above and foregoing ordinance was first proposed and  
13 read by title to the City Council on the \_\_\_\_ day of \_\_\_\_\_,  
14 1986, and referred to the following committee composed of  
15 Councilmen \_\_\_\_\_ and \_\_\_\_\_  
16 \_\_\_\_\_ for recommendation; thereafter the  
17 said committee reported favorably on said ordinance on the \_\_\_\_  
18 day of \_\_\_\_\_, 1986, which was a \_\_\_\_\_ meeting of  
19 said Council; that at said \_\_\_\_\_ meeting, the proposed  
20 ordinance was read by title to the City Council as amended and  
21 adopted by the following vote:

22 VOTING "AYE" Councilmen: \_\_\_\_\_

23 VOTING "NAY" Councilmen: \_\_\_\_\_

24 ABSENT: \_\_\_\_\_

25 APPROVED:

26  
27  
28 \_\_\_\_\_  
WILLIAM H. BRIARE, MAYOR

29 ATTEST:

30  
31 \_\_\_\_\_  
CAROL ANN HAWLEY, CITY CLERK

32

BILL NO. 86-37

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE RELATING TO ZONING; AMENDING TITLE 19 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO PROVIDE FOR RESIDENTIAL FACILITIES FOR ADULT CARE IN CERTAIN RESIDENTIAL ZONING DISTRICTS BY MEANS OF SPECIAL USE PERMIT, TO PROVIDE THAT IN MOST OF THOSE DISTRICTS SUCH FACILITIES MUST BE AT LEAST 1000 FEET APART AND THE LICENSED CARE PROVIDER MUST OWN AND LIVE IN THE FACILITY, TO PROVIDE FOR SPECIAL CARE FACILITIES IN COMMERCIAL AND INDUSTRIAL ZONES BY MEANS OF SPECIAL USE PERMIT, TO RESTRICT HOSPITALS TO COMMERCIAL AND INDUSTRIAL ZONES AND TO ELIMINATE THE RENTING OF ROOMS AND PROVIDING OF TABLE BOARD AS AN ACCESSORY USE IN RESIDENTIAL DISTRICTS; PROVIDING DEFINITIONS FOR "RESIDENTIAL FACILITY FOR ADULT CARE," "CONVALESCENT CARE FACILITY" AND "SPECIAL CARE FACILITY"; PROVIDING PENALTIES FOR VIOLATIONS HEREOF; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith.

|                      |                                      |
|----------------------|--------------------------------------|
| Sponsored By:        | Summary: Provides for residential    |
| Councilman Ron Lurie | facilities for adult care in certain |
|                      | residential zoning districts by      |
|                      | Special Use Permit; provides for     |
|                      | special care facilities in commer-   |
|                      | cial and industrial zones by Special |
|                      | Use Permit; restricts hospitals to   |
|                      | commercial and industrial zones; and |
|                      | eliminates the renting of rooms as   |
|                      | an accessory use in residential      |
|                      | districts.                           |

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

SECTION 1: Title 19, Chapter 4, of the Municipal  
Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby  
amended by adding thereto a new section, designated as Section  
35, reading as follows:

19.04.035: "Residential facility for adult care" means a  
dwelling or similar building of a residential character which is  
used or intended to be used to provide housing and care for six  
or fewer unrelated ambulatory persons who are 18 years of age or  
older and who are elderly, physically ill or infirm, physically  
handicapped or mentally handicapped. The term does not include a  
convalescent care facility, hospital or special care facility nor  
any facility which:

1 (A) Qualifies as a one-family dwelling under Section  
2 19.04.640;

3 (B) Provides or is designed to provide surgical, medical or  
4 other specialized treatment which normally is provided by a con-  
5 valescent care facility, hospital or special care facility; or

6 (C) Provides housing or care to persons who have a chronic  
7 illness, disease, injury or other condition that would require  
8 the degree of care and treatment normally provided by a convaless-  
9 cent care facility, hospital or special care facility.

10 SECTION 2: Title 19, Chapter 4, Section 290, of the  
11 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
12 hereby amended to read as follows:

13 19.04.290: ["Convalescent home"] "Convalescent care facility"  
14 means a building or structure designed, used or intended to be  
15 used to house and provide care for [the sick, ill or infirm per-  
16 sons, where no surgical treatment is given. It is intended that  
17 this definition shall generally cover buildings, structures and  
18 institutions designed for the care of the chronically ill and  
19 infirm, who do not require the specialized treatment provided in  
20 a hospital. "Convalescent home," as used in this Chapter,  
21 includes "nursing homes" and "rest homes."] persons who are  
22 chronically ill or infirm, but who do not need medical, surgical  
23 or other specialized treatment normally provided by a hospital  
24 or special care facility. "Convalescent care facility" includes  
25 "rest home" and "nursing home" but does not include "hospital"  
26 or "special care facility."

27 SECTION 3: Title 19, Chapter 4, Section 470, of the  
28 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
29 hereby amended to read as follows:

30 19.04.470: "Hospital" means a building or structure designed,  
31 used or intended to be used to house and provide care for sick,  
32 ill, injured and infirm persons and to provide medical and/or

1 surgical treatment. "Hospital" includes "general hospital,"  
2 "emergency hospital," "maternity hospital" and other similar  
3 institutions, but specifically excludes [institutions designed  
4 and/or used entirely for the care of mental patients, alcoholics  
5 and patients with contagious diseases. Emergency and/or out-  
6 patient treatment of the above ailments in general or emergency  
7 hospitals is not restricted.] "special care facilities."

8 SECTION 4: Title 19, Chapter 4, Section 640, of the  
9 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
10 hereby amended to read as follows:

11 19.04.640: "One-family dwelling" or "single-family dwelling"  
12 means a detached dwelling, designed for and occupied exclusively  
13 by one family. "One-family dwelling" also includes a home for  
14 mentally retarded persons if the home qualifies as a  
15 single-family residence under NRS 278.021(2) and is not operated  
16 on a commercial basis. All livable area in a single-family  
17 dwelling must be contained within the common exterior walls and  
18 have a common roof, and all of the rooms thereof must have  
19 interior access to each other.

20 SECTION 5: Title 19, Chapter 4, of the Municipal  
21 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby  
22 amended by adding thereto a new section, designated as Section  
23 765, reading as follows:

24 19.04.765: "Special care facility" means any building which is  
25 used or intended to be used exclusively for the housing and care  
26 of alcoholics, persons who are mentally ill and/or persons with  
27 contagious diseases.

28 SECTION 6: Title 19, Chapter 10, Section 50, of the  
29 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
30 hereby amended to read as follows:

31 19.10.050: The following additional uses are permitted in the  
32 N-U District, subject to the securing of a special use permit in

1 each case, as provided in Chapter 19.90:

2 (A) Public and quasi-public uses; churches;

3 (B) Group child care home, as defined in Chapter 6.24, pro-  
4 vided such facility is approved by the Child Welfare Board and  
5 meets all duly adopted standards for such facility;

6 (C) [Hospitals] Residential facility for adult care as  
7 defined herein, provided [the hospital] it meets the minimum  
8 standards and criteria set out in Section 19.10.060;

9 (D) Convalescent [home] care facility as defined herein,  
10 provided [the convalescent home] it meets the minimum standards  
11 and criteria set out in Section 19.10.070;

12 (E) Cemeteries as defined herein, provided the cemetery  
13 meets the minimum standards and criteria set out in Section  
14 19.10.080.

15 SECTION 7: Title 19, Chapter 10, Section 60, of the  
16 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
17 hereby repealed in its entirety.

18 SECTION 8: Title 19, Chapter 10, of the Municipal  
19 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby  
20 amended by adding thereto a new section, designated as Section  
21 60, reading as follows:

22 19.10.060: (A) No residential facility for adult care may be  
23 located within 1,000 feet of any other such facility.

24 (B) The person who is licensed by the State of Nevada to  
25 provide care at a residential facility for adult care must own  
26 and live in the facility.

27 SECTION 9: Title 19, Chapter 10, Section 70, of the  
28 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
29 hereby amended to read as follows:

30 19.10.070: Convalescent [homes] care facilities in the N-U  
31 District shall, as provided in Section 19.10.050, meet the  
32 following standards and criteria:

1 (A) Size of plot: Minimum one-half acre (twenty thousand  
2 square feet).

3 (B) Density: Maximum twenty-five beds per acre of land.

4 (C) Building line setbacks: The same as required in each  
5 zoning district for a single-family dwelling.

6 (D) Building height: One story.

7 (E) Parking shall be provided according to the provisions of  
8 Chapter 19.64.

9 (F) Buffer planting: Minimum of ten-foot-wide strip of ade-  
10 quately maintained shrub or hedge at both sides and rear of prop-  
11 erty, grown to a height of six feet, or a wall, built to approved  
12 design, built to a height of six feet, except that the front yard  
13 fence or wall shall be erected to a maximum height of four feet,  
14 with that portion which is more than two feet high being fifty  
15 percent open.

16 (G) Access: All institutions of this type shall be located  
17 either on a major street, as defined by the Major Street Plan  
18 codified at Chapter 13.12, or on a designated collector street  
19 with a minimum pavement width of forty-eight feet.

20 SECTION 10: Title 19, Chapter 12, Section 40, of the  
21 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
22 hereby amended to read as follows:

23 19.12.040: The following additional uses are permitted in the  
24 R-A District, subject to the securing of a special use permit in  
25 each case, as provided in Chapter 19.90:

26 (A) Public and quasi-public uses; churches;

27 (B) Group child care home, as defined in Chapter 6.24, pro-  
28 vided such facility is approved by the Child Welfare Board and  
29 meets all duly adopted standards for such facility;

30 (C) [Hospitals, provided the hospital meets the criteria  
31 listed under Section 19.10.060;

32 (D) Convalescent homes as defined herein, provided the con-

1 valescent home meets the criteria listed under Section  
2 19.10.070;

3 (E)] Cemeteries as provided for in Section 19.10.080.

4 SECTION 11: Title 19, Chapter 14, Section 40, of the  
5 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
6 hereby amended to read as follows:

7 19.14.040: The following additional uses are permitted in the  
8 R-E District, subject to the securing of a special use permit in  
9 each case, as provided in Chapter 19.90:

10 (A) Public and quasi-public uses; churches;

11 (B) Group child care home, as defined in Chapter 6.24, pro-  
12 vided such facility is approved by the Child Welfare Board and  
13 meets all duly adopted standards for such facility;

14 (C) [Hospitals,] Residential facility for adult care, pro-  
15 vided [the hospital] it meets the criteria listed under Section  
16 19.10.060;

17 (D) Convalescent [homes] care facility as defined herein,  
18 provided [the convalescent home] it meets the criteria listed  
19 under Section 19.10.070;

20 (E) Cemeteries as provided for in Section 19.10.080.

21 SECTION 12: Title 19, Chapter 16, Section 30, of the  
22 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
23 hereby amended to read as follows:

24 19.16.030: The following additional uses are permitted in the  
25 R-D District, subject to the securing of a special use permit and  
26 in each case as provided in Chapter 19.90:

27 (A) Public and quasi-public uses; churches;

28 (B) Group child care home, as defined in Chapter 6.24, pro-  
29 vided such facility is approved by the Child Welfare Board and  
30 meets all duly adopted standards for such facility;

31 (C) [Hospitals,] Residential facility for adult care, pro-  
32 vided [the hospital] it meets the criteria listed in Section

1 19.10.060;

2 (D) Convalescent [homes] care facility as defined herein,  
3 provided [the convalescent home] it meets the criteria listed  
4 under Section 19.10.070;

5 (E) Cemeteries as provided for in Section 19.10.080.

6 SECTION 13: Title 19, Chapter 18, of the Municipal  
7 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby  
8 amended by adding thereto a new section, designated as Section  
9 27, reading as follows:

10 19.18.027: The following additional use is permitted in the  
11 R-PD District, subject to the securing of a special use permit in  
12 each case as provided in Chapter 19.90:

13 (A) Residential facility for adult care, provided it meets  
14 the criteria set forth in Section 19.10.060.

15 SECTION 14: Title 19, Chapter 20, Section 20, of the  
16 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
17 hereby amended to read as follows:

18 19.20.020: The following additional uses are permitted in the  
19 R-1 District, subject to the securing of a special use permit  
20 [and] in each case as provided in Chapter 19.90:

21 (A) Public and quasi-public uses; churches;

22 (B) Home occupation as defined in Chapter 19.80;

23 (C) Group child care home, as defined in Chapter 6.24, pro-  
24 vided such facility is approved by the Child Welfare Board and  
25 meets all duly adopted standards for such facility;

26 (D) [Hospitals,] Residential facility for adult care, pro-  
27 vided [the hospital] it meets the criteria listed in Section  
28 19.10.060;

29 (E) Convalescent [homes] care facility as defined herein,  
30 provided [the convalescent home] it meets the criteria listed in  
31 Section 19.10.070;

32 (F) Cemeteries as provided for in Section 19.10.080.

1           SECTION 15:     Title 19, Chapter 22, of the Municipal  
2 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby  
3 amended by adding thereto a new section, designated as Section  
4 27, reading as follows:

5     19.22.027:     The following additional use is permitted in the  
6 R-MH District, subject to the securing of a special use permit in  
7 each case as provided in Chapter 19.90:

8         (A)   Residential facility for adult care, provided it meets  
9 the criteria set forth in Section 19.10.060.

10           SECTION 16:     Title 19, Chapter 26, Section 20, of the  
11 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
12 hereby amended to read as follows:

13     19.26.020:     The following additional uses are permitted in the  
14 R-2 District, subject to the issuance of a special use permit in  
15 each case, as provided in Chapter 19.90:

16         (A)   Public and quasi-public uses; churches;

17         (B)   [Hospitals as defined in this Title] Residential facil-  
18 ity for adult care, provided [the hospital] it meets the minimum  
19 standards and criteria set out in Section [19.26.030;]  
20 19.10.060;

21         (C)   Convalescent [homes] care facility as defined herein,  
22 provided [the convalescent home] it meets the criteria and stan-  
23 dards set out in Section 19.26.040.

24           SECTION 17:     Title 19, Chapter 26, Section 30, of the  
25 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
26 hereby repealed in its entirety.

27           SECTION 18:     Title 19, Chapter 26, Section 40, of the  
28 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
29 hereby amended to read as follows:

30     19.26.040:     Convalescent [homes] care facilities in the R-2  
31 District, as provided in Section 19.26.020, shall meet the  
32 following standards and criteria:

- 1 (A) Size of plot: Ten thousand square feet;
- 2 (B) Density: Fifty patient beds per acre;
- 3 (C) Building line setbacks and height, as follows:
- 4 (1) One-story structure: Twenty-five feet from all
- 5 property lines,
- 6 (2) Two-story structure: Thirty-five feet from all
- 7 property lines,
- 8 (3) Three-story structure: Forty-five feet from all
- 9 property lines,
- 10 (4) Four-story structure: Fifty feet from all property
- 11 lines;
- 12 (D) Parking shall be provided according to the provisions of
- 13 Chapter 19.64;
- 14 (E) Buffer planting: Minimum of a ten-foot-wide strip of
- 15 adequately maintained shrub or hedge at both sides and rear of
- 16 property, grown to a height of six feet, or a wall built to
- 17 approved design, built to a height of six feet, except that the
- 18 front yard fence or wall shall be erected to a maximum height of
- 19 four feet, with that portion which is more than two feet high
- 20 being fifty percent open;
- 21 (F) Access: All institutions of this type shall be located
- 22 either on a major street as defined by the Major Street Plan
- 23 codified in Chapter 13.12, or on a designated collector street
- 24 with a minimum pavement width of forty-eight feet.
- 25 SECTION 19: Title 19, Chapter 28, Section 20, of the
- 26 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
- 27 hereby amended to read as follows:
- 28 19.28.020: The following additional uses are permitted in the
- 29 R-3 District, subject to the issuance of a special use permit in
- 30 each case, as provided in Chapter 19.90:
- 31 (A) Public and quasi-public uses; churches;
- 32 (B) [Hospitals, provided the hospital meets the criteria

1 listed under Section 19.26.030;] Residential facility for adult  
2 care;

3 (C) Convalescent [homes] care facility as defined herein,  
4 provided [the convalescent home] it meets the criteria listed  
5 under Section 19.26.040;

6 SECTION 20: Title 19, Chapter 30, Section 20, of the  
7 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
8 hereby amended to read as follows:

9 19.30.020: The following uses are permitted in the R-4  
10 District, subject to the securing of a special use permit in each  
11 case, as provided in Chapter 19.90:

12 (A) Private schools;

13 (B) Child care centers, as defined in Chapter 6.24, provided  
14 such facility is approved by the Child Welfare Board and meets  
15 all duly adopted standards for such facility;

16 (C) Professional offices;

17 (D) Public or quasi-public parking for the use of patrons or  
18 residents in the immediate vicinity thereof, when located and  
19 developed as required under Chapter 19.64;

20 (E) Public and quasi-public uses; churches;

21 (F) [Hospitals, provided the hospital meets the criteria  
22 listed under Section 19.26.030;] Residential facility for adult  
23 care;

24 (G) Convalescent [homes] care facility as defined herein,  
25 provided [the convalescent home] it meets the criteria listed  
26 under Section 19.26.040.

27 SECTION 21: Title 19, Chapter 32, Section 20, of the  
28 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
29 hereby amended to read as follows:

30 19.32.020: Uses permitted in the R-5 District include:

31 (A) All uses permitted in the R-4 District;

32 (B) Lodginghouses;

1 (C) Professional offices;

2 (D) Private schools[;

3 (E) Hospitals, rest homes, clinics and other buildings for  
4 the treatment of human ailments].

5 SECTION 22: Title 19, Chapter 34, Section 20, of the  
6 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
7 hereby amended to read as follows:

8 19.34.020: Uses permitted in the R-6 District include:

9 (A) Apartment dwelling units without specific limit as to  
10 number, subject to the conditions and limitations recited  
11 elsewhere in this Chapter;

12 (B) Professional office buildings[;

13 (C) Hospitals, rest homes, clinics and other buildings  
14 designed for the treatment of human ailments].

15 SECTION 23: Title 19, Chapter 44, Section 10, of the  
16 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition,  
17 and Section 20 of Ordinance No. 3224 are hereby amended to read  
18 as follows:

19 19.44.010: Uses permitted in the C-1 District include:

20 (A) Shops, stores, retail and wholesale commercial  
21 establishments for the dispensing of goods or services, excluding  
22 any wholesale storage or warehousing;

23 (B) Banks and financial institutions;

24 (C) Laundry and dry cleaning establishments including coin-  
25 operated facilities and pickup service which provide direct con-  
26 sumer services but excluding industrial laundry operations as  
27 defined in Section 19.48.010. All processing and operational  
28 facilities must be approved by the Fire Prevention Bureau;

29 (D) Restaurants;

30 (E) Public or semipublic off-street parking facilities when  
31 developed in accordance with Chapter 19.64;

32 (F) Hospitals, [sanitariums,] convalescent [homes] care

1 facilities and [other] similar facilities for the treatment of  
2 the aged or infirm[;], other than special care facilities;

3 (G) Places of public assembly, theaters, fraternal halls,  
4 bowling alleys;

5 (H) Public and quasi-public uses, churches;

6 (I) Office buildings;

7 (J) Commercial condominium developments, when developed in  
8 accord with the provisions of Chapter 19.70;

9 (K) Thrift shops;

10 (L) Automobile rental and automobile repossession agencies  
11 as defined in Section 19.04.130;

12 (M) Antique stores, except on Fremont Street or Las Vegas  
13 Boulevard South between Charleston Boulevard and Sahara Avenue as  
14 required by Section 6.74.050;

15 (N) Similar enterprises and commercial establishments of the  
16 same general classification which, in the opinion of the Planning  
17 Commission, as evidenced by a resolution of record, are not more  
18 obnoxious to the welfare of the neighborhood than the above-  
19 enumerated uses;

20 (O) Uses customarily incidental to any of the above uses;

21 (P) Liquefied petroleum gas installations, as an accessory  
22 use, subject to the limitations set forth in Sections 19.55.010  
23 and 19.55.020.

24 SECTION 24: Title 19, Chapter 44, Section 20, of the  
25 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition,  
26 Section 21 of Ordinance No. 3224 and Section 6 of Ordinance  
27 No. 3238 are hereby amended to read as follows:

28 19.44.020: (A) The following uses may be permitted in the C-1  
29 District upon securing a special use permit as provided in  
30 Chapter 19.90, except that the uses enumerated in this Subsection  
31 may be permitted as a matter of right when in accordance with the  
32 exception shown in Subsection (C) of this Section:

1           (1) Automobile service stations for the sale of gaso-  
2 line, oil and minor accessories only, where no repair work is  
3 done, except minor repairs made by the attendant and provided all  
4 lubrications, washing, repairing and storage are conducted within  
5 an enclosed permanent building;

6           (2) Apartment houses;

7           (3) Customer-operated car washes;

8           (4) Lodginghouses, boardinghouses or roominghouses,  
9 hotels, motels and other like tourist accommodations;

10          (5) Emergency ground ambulance facilities[.];

11          (6) Special care facilities.

12          (B) The following uses may be permitted upon securing a spe-  
13 cial use permit in each case pursuant to the procedure provided  
14 for in Section 19.90.080, except that the uses enumerated in this  
15 Subsection may be permitted as a matter of right when in accor-  
16 dance with the exception shown in Subsection (C) of this Section:

17          (1) Class III secondhand dealers as defined in Section  
18 19.04.250, except that these uses shall not be allowed on Fremont  
19 Street or Las Vegas Boulevard South between Charleston Boulevard  
20 and Sahara Avenue as prescribed by Section 6.74.050;

21          (2) Retail demonstration merchandise sales stores as  
22 defined in Section 6.72.010;

23          (3) Commercial storage units, provided all stored items  
24 are located within an enclosed building and there is no wholesale  
25 storage or sale of the stored items, nor any commercial repair or  
26 sale of passenger cars, trucks, two-wheeled vehicles, three-  
27 wheeled vehicles, trailers, boats or other like vehicles.

28 "Commercial repair" means any repair work except work done by the  
29 owner on his own personal property;

30          (4) Off-premises signs;

31          (5) Liquefied petroleum gas installations for which a  
32 special use permit is required by Section 19.55.010, subject to

1 the limitations set forth in Sections 19.55.010 and 19.55.020;

2 (6) Gaming establishments (hotel).

3 (C) Exception: If an application for reclassification to a  
4 C-1 District under Chapter 19.92 includes any of the uses  
5 hereinabove enumerated, the approval of the application shall  
6 constitute approval of the use or uses and no special use permit  
7 shall be required; provided, however, that the notice of public  
8 hearing for reclassification shall specifically list the use or  
9 uses.

10 SECTION 25: Title 19, Chapter 44, Section 30, of the  
11 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
12 hereby amended to read as follows:

13 19.44.030: Uses excluded from the C-1 District include:

14 (A) Any use that is specifically permitted as a matter of  
15 right in an N-U, R-A, R-E, R-D, R-1, R-MH, R-CL, R-2 or R-MHP  
16 District;

17 (B) Secondhand dealers, except for antique stores, and  
18 except for Class III secondhand dealers with a special use permit  
19 as provided in Section 19.90.080;

20 (C) Transient sales lots and open sales lots as defined in  
21 Sections 19.04.840 and 19.04.650, respectively[.];

22 (D) Residential facilities for adult care.

23 SECTION 26: Title 19, Chapter 46, Section 20, of the  
24 Las Vegas Municipal Code, 1983 Edition, Section 22 of Ordinance  
25 No. 3224 and Section 8 of Ordinance No. 3238 are hereby amended  
26 to read as follows:

27 19.46.020: (A) The following uses may be permitted in the C-2  
28 District upon securing a special use permit as provided in  
29 Chapter 19.90, except that the uses enumerated in this Subsection  
30 may be permitted as a matter of right when in accordance with the  
31 exception shown in Subsection (H) of this Section:

32 (1) Used car lots;

- 1           (2) Trailer sales lots;
- 2           (3) Boat sales and service facilities, including all
- 3 floating craft;
- 4           (4) Automotive parts exchanges. This shall not include
- 5 public garages or salvage operations, but shall be limited to the
- 6 sale and installation of new or rebuilt major automotive parts;
- 7           (5) Drive-in theaters, miniature golf courses and other
- 8 outdoor amusement centers;
- 9           (6) Automobile laundry;
- 10           (7) Body and fender repair operations when conducted by
- 11 a franchised new car agency;
- 12           (8) Cemeteries as provided for in Section 19.10.080;
- 13           (9) Apartment houses, when located outside the Central
- 14 Business District, as defined in Section 19.64.030[.];
- 15           (10) Special care facilities.

16       (B) Pawnshops may be permitted in the C-2 District subject  
17 to the securing of a special use permit in each case pursuant to  
18 the procedure provided for in Section 19.90.080, except that no  
19 pawnshop may be located on either side of Fremont Street or Las  
20 Vegas Boulevard South between Charleston Boulevard and Sahara  
21 Avenue. Those pawnshops which were located on Fremont Street or  
22 Las Vegas Boulevard South between Charleston Boulevard and Sahara  
23 Avenue at the time of enactment of the 1974 amendatory ordinance  
24 which is codified, in part, in this Section shall be allowed to  
25 remain only as long as their present leases do not expire. No  
26 such lease may be modified to extend its term or otherwise pre-  
27 vent it from expiring. Those pawnshops which are located in a  
28 C-2 Zone, other than on Fremont Street or Las Vegas Boulevard  
29 South between Charleston Boulevard and Sahara Avenue, at the time  
30 of enactment of the 1974 amendatory ordinance which is codified,  
31 in part, in this Section shall be allowed to remain at their  
32 locations without the necessity of securing a special use

1 permit.

2 (C) Class III secondhand dealers, retail demonstration  
3 merchandise sales stores, transient sales lots, open sales lots  
4 and off-premises signs may be permitted in the C-2 District sub-  
5 ject to the securing of a special use permit in each case pur-  
6 suant to the procedure provided for in Section 19.90.080 of this  
7 Chapter, except that Class III secondhand dealers shall not be  
8 allowed on Fremont Street and Las Vegas Boulevard South between  
9 Charleston Boulevard [or] and Sahara Avenue as prescribed by  
10 Section 6.74.050.

11 (D) Custodial institutions and detention facilities may be  
12 permitted in the C-2 District subject to the securing of a spe-  
13 cial use permit in each case pursuant to the procedure provided  
14 for in Section 19.90.080.

15 (E) Subject to the limitations contained in this Subsection,  
16 commercial storage units may be permitted in the C-2 District  
17 subject to the securing of a special use permit in each case pur-  
18 suant to the procedure provided for in Section 19.90.080. All  
19 stored items must be located within an enclosed building and  
20 there must be no wholesale storage or sale of the stored items,  
21 nor any commercial repair or sale of passenger cars, trucks, two-  
22 wheeled vehicles, three-wheeled vehicles, trailers, boats or  
23 other like vehicles. "Commercial repair" means any repair work  
24 except work done by the owner on his own personal property.

25 (F) Liquefied petroleum gas installations for which a spe-  
26 cial use permit is required by Section 19.55.010, subject to the  
27 limitations set forth in Sections 19.55.010 and 19.55.020.

28 (G) Gaming establishments (hotel), when located outside the  
29 areas specified in Subsection (A) of Section 6.40.175, may be  
30 permitted in the C-2 District subject to the securing of a spe-  
31 cial use permit in each case pursuant to the procedure provided  
32 for in Section 19.90.080.

1 (H) Exception: If an application for a reclassification to  
2 a C-2 District under Chapter 19.92 includes any of the uses  
3 hereinabove enumerated, the approval of the application shall  
4 constitute approval of the use or uses and no special use permit  
5 shall be required; provided, however, that the notice of public  
6 hearing for reclassification shall specifically list the use or  
7 uses.

8 SECTION 27: Title 19, Chapter 46, Section 30, of the  
9 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
10 hereby amended to read as follows:

11 19.46.030: Uses excluded from the C-2 District include:

12 (A) Any use that is specifically permitted as a matter of  
13 right in an N-U, R-A, R-E, R-D, R-1, R-MH, R-CL, R-2 or R-MHP  
14 District;

15 (B) Secondhand dealers, except for antique stores, and  
16 except for Class III secondhand dealers with a special use permit  
17 as provided for in Section 19.90.080[.];

18 (C) Residential facilities for adult care.

19 SECTION 28: Title 19, Chapter 48, Section 20, of the  
20 Las Vegas Municipal Code, 1983 Edition, Section 24 of Ordinance  
21 No. 3224 and Section 9 of Ordinance No. 3238 are hereby amended  
22 to read as follows:

23 19.48.020: (A) The following uses may be permitted in the C-M  
24 District subject to the securing of a special use permit as pro-  
25 vided in Chapter 19.90, except that the uses enumerated in this  
26 Subsection may be permitted as a matter of right when in accor-  
27 dance with the exception shown in Subsection (B) of this  
28 Section:

29 (1) Cemeteries, as provided for in Section 19.10.080;

30 (2) Pawnshops, subject to the securing of a special use  
31 permit in each case pursuant to the procedure provided for in  
32 Section 19.90.080;

1           (3) Custodial institutions and detention facilities,  
2 subject to the securing of a special use permit in each case pur-  
3 suant to the procedure provided for in Section 19.90.080;

4           (4) Commercial storage units, subject to the limita-  
5 tions contained in this Subsection and subject to the securing of  
6 a special use permit in each case pursuant to the procedure pro-  
7 vided for in Section 19.90.080. All stored items must be located  
8 within an enclosed building and there must be no wholesale  
9 storage or sale of the stored items, nor any commercial repair or  
10 sale of passenger cars, trucks, two-wheeled vehicles, three-  
11 wheeled vehicles, trailers, boats or other like vehicles.

12 "Commercial repair" means any repair work except work done by the  
13 owner on his own personal property;

14           (5) Transient sales lots and open sales lots, subject  
15 to the securing of a special use permit in each case pursuant to  
16 the procedure provided for in Section 19.90.080;

17           (6) Off-premises signs, subject to the securing of a  
18 special use permit in each case pursuant to the procedure pro-  
19 vided for in Section 19.90.080;

20           (7) Liquefied petroleum gas installations for which a  
21 special use permit is required by Section 19.55.010, subject to  
22 the limitations set forth in Sections 19.55.010 and 19.55.020;

23           (8) Gaming establishments (hotel), when located outside  
24 the areas specified in Subsection (A) of Section 6.40.175, sub-  
25 ject to the securing of a special use permit in each case pur-  
26 suant to the procedure provided for in Section 19.90.080[.];

27           (9) Special care facilities.

28           (B) Exception: If an application for reclassification to a  
29 C-M District under Chapter 19.92 includes any of the uses  
30 hereinabove enumerated, the approval of the application shall  
31 constitute approval of the use or uses and no special use permit  
32 shall be required; provided, however, that the notice of public

1 hearing for reclassification shall specifically list the use or  
2 uses.

3 SECTION 29: Title 19, Chapter 48, Section 30, of the  
4 Las Vegas Municipal Code, 1983 Edition, is hereby amended to read  
5 as follows:

6 19.48.030: Uses excluded from the C-M District include any  
7 housing[,] or living facilities [or facilities for the treatment  
8 of human ailments.], including residential facilities for adult  
9 care.

10 SECTION 30: Title 19, Chapter 50, Section 20, of the  
11 Las Vegas Municipal Code, 1983 Edition, Section 25 of Ordinance  
12 No. 3224 and Section 10 of Ordinance No. 3238 are hereby amended  
13 to read as follows:

14 19.50.020: (A) The following uses may be permitted in the M  
15 District upon securing a special use permit as provided in Chap-  
16 ter 19.90, except that the uses enumerated in this Subsection may  
17 be permitted as of right when in accordance with the exception  
18 set forth in Subsection (B) of this Section:

19 (1) Any manufacturing, processing or assembling use  
20 which is unable to meet the letter of the standards designated in  
21 Section 19.50.040. Such use permit may be properly granted pro-  
22 vided the applicant can provide evidence to document a favorable  
23 conclusion on all of the following factors:

24 (a) The proposed use can be operated substantially  
25 in conformity with the requirements of the standards listed under  
26 Section 19.50.040;

27 (b) The use, as proposed, will not be materially  
28 detrimental to the uses of surrounding property;

29 (c) The public interest will best be served by the  
30 granting of the permit;

31 (2) Cemeteries, as provided for in Section 19.10.080;

32 (3) Pawnshops, subject to the securing of a special use

1 permit in each case pursuant to the procedure provided for in  
2 Section 19.90.080;

3 (4) Custodial institutions and detention facilities,  
4 subject to the securing of a special use permit in each case pur-  
5 suant to the procedure provided for in Section 19.90.080;

6 (5) Junk yards, wrecking yards and salvage yards;

7 (6) Commercial storage units, subject to the limita-  
8 tions contained in this Subsection and subject to the securing of  
9 a special use permit in each case pursuant to the procedure pro-  
10 vided for in Section 19.90.080. All stored items must be located  
11 within an enclosed building and there must be no wholesale  
12 storage or sale of the stored items, nor any commercial repair or  
13 sale of passenger cars, trucks, two-wheeled vehicles, three-  
14 wheeled vehicles, trailers, boats or other like vehicles.

15 "Commercial repair" means any repair work except work done by the  
16 owner on his own personal property;

17 (7) Transient sales lots and open sales lots, subject  
18 to the securing of a special use permit in each case pursuant to  
19 the procedure provided for in Section 19.90.080;

20 (8) Off-premises signs, subject to the securing of a  
21 special use permit in each case pursuant to the procedure pro-  
22 vided for in Section 19.90.080;

23 (9) Liquefied petroleum gas installations for which a  
24 special use permit is required by Section 19.55.010, subject to  
25 the limitations set forth in Sections 19.55.010 and 19.55.020;

26 (10) Gaming establishments (hotel), when located outside  
27 the areas specified in Subsection (A) of Section 6.40.175, sub-  
28 ject to the securing of a special use permit in each case pur-  
29 suant to the procedure provided for in Section 19.90.080[.];

30 (11) Special care facilities.

31 (B) Exception: If an application for a reclassification to  
32 an M District under Chapter 19.92 includes any of the uses

1 hereinabove enumerated, the approval of the application shall  
2 constitute approval of the use or uses, and no special use permit  
3 shall be required; provided, however, that the notice of public  
4 hearing for reclassification shall specifically list the use or  
5 uses.

6 SECTION 31: Title 19, Chapter 50, Section 30, of the  
7 Las Vegas Municipal Code, 1983 Edition, is hereby amended to read  
8 as follows:

9 19.50.030: Uses specifically excluded from the M District  
10 include:

11 (A) [any] Any use specifically permitted in any district  
12 having an "R" prefix, except any residential use which is clearly  
13 a part of [an] and incidental to the efficient operation of an  
14 industrial use[.];

15 (B) Residential facilities for adult care.

16 SECTION 32: Title 19, Chapter 54, Section 10, of the  
17 Las Vegas Municipal Code, 1983 Edition, is hereby amended to read  
18 as follows:

19 19.54.010: The following accessory uses may be permitted in  
20 any district with an "R" prefix, provided such accessory uses do  
21 not alter the character of the premises in respect to their use  
22 for the purposes permitted in the respective districts:

23 (A) [The renting of rooms and/or providing of table board  
24 for not more than three persons as an incidental use to that of  
25 its occupancy as a dwelling of the character permitted in the  
26 respective districts;

27 (B)] Garage sales, provided that:

28 (1) No property may be offered for sale which has not  
29 been owned and used by the occupant of the premises;

30 (2) No more than four garage sales shall be conducted  
31 on the premises in any calendar year;

32 (3) No garage sales shall be conducted for longer than

1 three days duration; and

2 (4) Garage sales may be conducted during the daylight  
3 hours only.

4 SECTION 33: Whenever in this ordinance any act is  
5 prohibited or is made or declared to be unlawful or an offense or  
6 a misdemeanor, or whenever in this ordinance the doing of any act  
7 is required or the failure to do any act is made or declared to  
8 be unlawful or an offense or a misdemeanor, the doing of any such  
9 prohibited act or the failure to do any such required act shall  
10 constitute a misdemeanor and upon conviction thereof, shall be  
11 punished by a fine of not more than \$1,000.00 or by imprisonment  
12 for a term of not more than six (6) months, or by any combination  
13 of such fine and imprisonment. Any day of any violation of this  
14 ordinance shall constitute a separate offense.

15 SECTION 34: If any section, subsection, subdivision,  
16 paragraph, sentence, clause or phrase in this ordinance or any  
17 part thereof, is for any reason held to be unconstitutional or  
18 invalid or ineffective by any court of competent jurisdiction,  
19 such decision shall not affect the validity or effectiveness of  
20 the remaining portions of this ordinance or any part thereof.  
21 The City Council of the City of Las Vegas, Nevada, hereby  
22 declares that it would have passed each section, subsection, sub-  
23 division, paragraph, sentence, clause or phrase thereof irrespec-  
24 tive of the fact that any one or more sections, subsections, sub-  
25 divisions, paragraphs, sentences, clauses or phrases be declared  
26 unconstitutional, invalid or ineffective.

27 SECTION 35: All ordinances or parts of ordinances,  
28 sections, subsections, phrases, sentences, clauses or paragraphs  
29  
30  
31  
32

1 contained in the Municipal Code of the City of Las Vegas, Nevada,  
2 1983 Edition, in conflict herewith are hereby repealed.

3 PASSED, ADOPTED AND APPROVED this \_\_\_\_ day of \_\_\_\_\_,  
4 1986.

5 APPROVED:

6 By \_\_\_\_\_  
7 WILLIAM H. BRIARE, MAYOR

8 ATTEST:

9  
10 \_\_\_\_\_  
11 CAROL ANN HAWLEY, CITY CLERK

12 The above and foregoing ordinance was first proposed and  
13 read by title to the City Council on the \_\_\_\_ day of \_\_\_\_\_,  
14 1986, and referred to the following committee composed of  
15 Councilmen \_\_\_\_\_ and \_\_\_\_\_  
16 \_\_\_\_\_ for recommendation; thereafter the  
17 said committee reported favorably on said ordinance on the \_\_\_\_  
18 day of \_\_\_\_\_, 1986, which was a \_\_\_\_\_ meeting of  
19 said Council; that at said \_\_\_\_\_ meeting, the proposed  
20 ordinance was read by title to the City Council as amended and  
21 adopted by the following vote:

22 VOTING "AYE" Councilmen: \_\_\_\_\_

23 VOTING "NAY" Councilmen: \_\_\_\_\_

24 ABSENT: \_\_\_\_\_

25 APPROVED:

26  
27 \_\_\_\_\_  
28 WILLIAM H. BRIARE, MAYOR

29 ATTEST:

30  
31 \_\_\_\_\_  
32 CAROL ANN HAWLEY, CITY CLERK

3251  
BILL NO. 86-37

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE RELATING TO ZONING; AMENDING TITLE 19 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO PROVIDE FOR ADULT CARE HOMES IN CERTAIN RESIDENTIAL ZONING DISTRICTS BY MEANS OF SPECIAL USE PERMIT, TO PROVIDE THAT IN MOST OF THOSE DISTRICTS SUCH HOMES MUST BE AT LEAST 1000 FEET APART AND THE LICENSED CARE PROVIDER MUST OWN AND LIVE IN THE HOME, TO PROVIDE FOR SPECIAL CARE FACILITIES IN COMMERCIAL AND INDUSTRIAL ZONES BY MEANS OF SPECIAL USE PERMIT, TO RESTRICT HOSPITALS TO COMMERCIAL AND INDUSTRIAL ZONES AND TO ELIMINATE THE RENTING OF ROOMS AND PROVIDING OF TABLE BOARD AS AN ACCESSORY USE IN RESIDENTIAL DISTRICTS; PROVIDING DEFINITIONS FOR "ADULT CARE HOME," "CONVALESCENT CARE FACILITY" AND "SPECIAL CARE FACILITY"; PROVIDING PENALTIES FOR VIOLATIONS HEREOF; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored By:

Councilman Ron Lurie

Summary: Provides for adult care homes in certain residential zoning districts by Special Use Permit; provides for Special Care Facilities in commercial and industrial zones by Special Use Permit; restricts hospitals to commercial and industrial zones; and eliminates the renting of rooms as an accessory use in residential districts.

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

SECTION 1: Title 19, Chapter 4, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 35, reading as follows:

19.04.035: "Adult care home" means a dwelling or similar building of a residential character which is used or intended to be used to provide housing and care for six or fewer unrelated ambulatory persons who are 18 years of age or older and who are elderly, physically ill or infirm, physically handicapped or mentally handicapped. The term does not include a convalescent care facility, hospital or special care facility nor any facility which:

(A) Qualifies as a one-family dwelling under Section 19.04.640;

1 (B) Provides or is designed to provide surgical, medical or  
2 other specialized treatment which normally is provided by a con-  
3 valescent care facility, hospital or special care facility; or

4 (C) Provides housing or care to persons who have a chronic  
5 illness, disease, injury or other condition that would require  
6 the degree of care and treatment normally provided by a convales-  
7 cent care facility, hospital or special care facility.

8 SECTION 2: Title 19, Chapter 4, Section 290, of the  
9 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
10 hereby amended to read as follows:

11 19.04.290: ["Convalescent home"] "Convalescent care facility"  
12 means a building or structure designed, used or intended to be  
13 used to house and provide care for [the sick, ill or infirm per-  
14 sons, where no surgical treatment is given. It is intended that  
15 this definition shall generally cover buildings, structures and  
16 institutions designed for the care of the chronically ill and  
17 infirm, who do not require the specialized treatment provided in  
18 a hospital. "Convalescent home," as used in this Chapter,  
19 includes "nursing homes" and "rest homes."] persons who are  
20 chronically ill or infirm, but who do not need medical, surgical  
21 or other specialized treatment normally provided by a hospital  
22 or special care facility. "Convalescent care facility" includes  
23 "rest home" and "nursing home" but does not include "hospital"  
24 or "special care facility."

25 SECTION 3: Title 19, Chapter 4, Section 470, of the  
26 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
27 hereby amended to read as follows:

28 19.04.470: "Hospital" means a building or structure designed,  
29 used or intended to be used to house and provide care for sick,  
30 ill, injured and infirm persons and to provide medical and/or  
31 surgical treatment. "Hospital" includes "general hospital,"  
32 "emergency hospital," "maternity hospital" and other similar

1 institutions, but specifically excludes [institutions designed  
2 and/or used entirely for the care of mental patients, alcoholics  
3 and patients with contagious diseases. Emergency and/or out-  
4 patient treatment of the above ailments in general or emergency  
5 hospitals is not restricted.] "special care facilities."

6 SECTION 4: Title 19, Chapter 4, Section 640, of the  
7 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
8 hereby amended to read as follows:

9 19.04.640: "One-family dwelling" or "single-family dwelling"  
10 means a detached dwelling, designed for and occupied exclusively  
11 by one family. "One-family dwelling" also includes a home for  
12 mentally retarded persons if the home qualifies as a  
13 single-family residence under NRS 278.021(2) and is not operated  
14 on a commercial basis. All livable area in a single-family  
15 dwelling must be contained within the common exterior walls and  
16 have a common roof, and all of the rooms thereof must have  
17 interior access to each other.

18 SECTION 5: Title 19, Chapter 4, of the Municipal  
19 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby  
20 amended by adding thereto a new section, designated as Section  
21 765, reading as follows:

22 19.04.765: "Special care facility" means any building which is  
23 used or intended to be used exclusively for the housing and care  
24 of alcoholics, persons who are mentally ill and/or persons with  
25 contagious diseases.

26 SECTION 6: Title 19, Chapter 10, Section 50, of the  
27 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
28 hereby amended to read as follows:

29 19.10.050: The following additional uses are permitted in the  
30 N-U District, subject to the securing of a special use permit in  
31 each case, as provided in Chapter 19.90:

32 (A) Public and quasi-public uses; churches;

1 (B) Group child care home, as defined in Chapter 6.24, pro-  
2 vided such facility is approved by the Child Welfare Board and  
3 meets all duly adopted standards for such facility;

4 (C) [Hospitals] Adult care home as defined herein, provided  
5 [the hospital] it meets the minimum standards and criteria set  
6 out in Section 19.10.060;

7 (D) Convalescent [home] care facility as defined herein,  
8 provided [the convalescent home] it meets the minimum standards  
9 and criteria set out in Section 19.10.070;

10 (E) Cemeteries as defined herein, provided the cemetery  
11 meets the minimum standards and criteria set out in Section  
12 19.10.080.

13 SECTION 7: Title 19, Chapter 10, Section 60, of the  
14 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
15 hereby repealed in its entirety.

16 SECTION 8: Title 19, Chapter 10, of the Municipal  
17 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby  
18 amended by adding thereto a new section, designated as Section  
19 60, reading as follows:

20 19.10.060: (A) No adult care home may be located within 1,000  
21 feet of any other adult care home.

22 (B) The person who is licensed by the State of Nevada to  
23 provide care at the facility must own and live in the home.

24 SECTION 9: Title 19, Chapter 10, Section 70, of the  
25 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
26 hereby amended to read as follows:

27 19.10.070: Convalescent [homes] care facilities in the N-U  
28 District shall, as provided in Section 19.10.050, meet the  
29 following standards and criteria:

30 (A) Size of plot: Minimum one-half acre (twenty thousand  
31 square feet).

32 (B) Density: Maximum twenty-five beds per acre of land.

1 (C) Building line setbacks: The same as required in each  
2 zoning district for a single-family dwelling.

3 (D) Building height: One story.

4 (E) Parking shall be provided according to the provisions of  
5 Chapter 19.64.

6 (F) Buffer planting: Minimum of ten-foot-wide strip of ade-  
7 quately maintained shrub or hedge at both sides and rear of prop-  
8 erty, grown to a height of six feet, or a wall, built to approved  
9 design, built to a height of six feet, except that the front yard  
10 fence or wall shall be erected to a maximum height of four feet,  
11 with that portion which is more than two feet high being fifty  
12 percent open.

13 (G) Access: All institutions of this type shall be located  
14 either on a major street, as defined by the Major Street Plan  
15 codified at Chapter 13.12, or on a designated collector street  
16 with a minimum pavement width of forty-eight feet.

17 SECTION 10: Title 19, Chapter 12, Section 40, of the  
18 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
19 hereby amended to read as follows:

20 19.12.040: The following additional uses are permitted in the  
21 R-A District, subject to the securing of a special use permit in  
22 each case, as provided in Chapter 19.90:

23 (A) Public and quasi-public uses; churches;

24 (B) Group child care home, as defined in Chapter 6.24, pro-  
25 vided such facility is approved by the Child Welfare Board and  
26 meets all duly adopted standards for such facility;

27 (C) [Hospitals, provided the hospital meets the criteria  
28 listed under Section 19.10.060;

29 (D) Convalescent homes as defined herein, provided the con-  
30 valescent home meets the criteria listed under Section  
31 19.10.070;

32 (E) Cemeteries as provided for in Section 19.10.080.

1           SECTION 11:     Title 19, Chapter 14, Section 40, of the  
2 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
3 hereby amended to read as follows:

4     19.14.040:     The following additional uses are permitted in the  
5 R-E District, subject to the securing of a special use permit in  
6 each case, as provided in Chapter 19.90:

7         (A) Public and quasi-public uses; churches;

8         (B) Group child care home, as defined in Chapter 6.24, pro-  
9 vided such facility is approved by the Child Welfare Board and  
10 meets all duly adopted standards for such facility;

11         (C) [Hospitals,] Adult care home, provided [the hospital] it  
12 meets the criteria listed under Section 19.10.060;

13         (D) Convalescent [homes] care facility as defined herein,  
14 provided [the convalescent home] it meets the criteria listed  
15 under Section 19.10.070;

16         (E) Cemeteries as provided for in Section 19.10.080.

17           SECTION 12:     Title 19, Chapter 16, Section 30, of the  
18 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
19 hereby amended to read as follows:

20     19.16.030:     The following additional uses are permitted in the  
21 R-D District, subject to the securing of a special use permit and  
22 in each case as provided in Chapter 19.90:

23         (A) Public and quasi-public uses; churches;

24         (B) Group child care home, as defined in Chapter 6.24, pro-  
25 vided such facility is approved by the Child Welfare Board and  
26 meets all duly adopted standards for such facility;

27         (C) [Hospitals,] Adult care home, provided [the hospital] it  
28 meets the criteria listed in Section 19.10.060;

29         (D) Convalescent [homes] care facility as defined herein,  
30 provided [the convalescent home] it meets the criteria listed  
31 under Section 19.10.070;

32         (E) Cemeteries as provided for in Section 19.10.080.

1           SECTION 13:     Title 19, Chapter 18, of the Municipal  
2 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby  
3 amended by adding thereto a new section, designated as Section  
4 27, reading as follows:

5 19.18.027:     The following additional use is permitted in the  
6 R-PD District, subject to the securing of a special use permit in  
7 each case as provided in Chapter 19.90:

8         (A) Adult care home, provided it meets the criteria set  
9 forth in Section 19.10.060.

10           SECTION 14:     Title 19, Chapter 20, Section 20, of the  
11 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
12 hereby amended to read as follows:

13 19.20.020:     The following additional uses are permitted in the  
14 R-1 District, subject to the securing of a special use permit  
15 [and] in each case as provided in Chapter 19.90:

16         (A) Public and quasi-public uses; churches;

17         (B) Home occupation as defined in Chapter 19.80;

18         (C) Group child care home, as defined in Chapter 6.24, pro-  
19 vided such facility is approved by the Child Welfare Board and  
20 meets all duly adopted standards for such facility;

21         (D) [Hospitals,] Adult care home, provided [the hospital] it  
22 meets the criteria listed in Section 19.10.060;

23         (E) Convalescent [homes] care facility as defined herein,  
24 provided [the convalescent home] it meets the criteria listed in  
25 Section 19.10.070;

26         (F) Cemeteries as provided for in Section 19.10.080.

27           SECTION 15:     Title 19, Chapter 22, of the Municipal  
28 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby  
29 amended by adding thereto a new section, designated as Section  
30 27, reading as follows:

31 19.22.027:     The following additional use is permitted in the  
32 R-MH District, subject to the securing of a special use permit in

1 each case as provided in Chapter 19.90:

2 (A) Adult care home, provided it meets the criteria set  
3 forth in Section 19.10.060.

4 SECTION 16: Title 19, Chapter 26, Section 20, of the  
5 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
6 hereby amended to read as follows:

7 19.26.020: The following additional uses are permitted in the  
8 R-2 District, subject to the issuance of a special use permit in  
9 each case, as provided in Chapter 19.90:

10 (A) Public and quasi-public uses; churches;

11 (B) [Hospitals as defined in this Title] Adult care home,  
12 provided [the hospital] it meets the minimum standards and cri-  
13 teria set out in Section [19.26.030;] 19.10.060;

14 (C) Convalescent [homes] care facility as defined herein,  
15 provided [the convalescent home] it meets the criteria and stan-  
16 dards set out in Section 19.26.040.

17 SECTION 17: Title 19, Chapter 26, Section 30, of the  
18 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
19 hereby repealed in its entirety.

20 SECTION 18: Title 19, Chapter 26, Section 40, of the  
21 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
22 hereby amended to read as follows:

23 19.26.040: Convalescent [homes] care facilities in the R-2  
24 District, as provided in Section 19.26.020, shall meet the  
25 following standards and criteria:

26 (A) Size of plot: Ten thousand square feet;

27 (B) Density: Fifty patient beds per acre;

28 (C) Building line setbacks and height, as follows:

29 (1) One-story structure: Twenty-five feet from all  
30 property lines,

31 (2) Two-story structure: Thirty-five feet from all  
32 property lines,

1           (3) Three-story structure: Forty-five feet from all  
2 property lines,

3           (4) Four-story structure: Fifty feet from all property  
4 lines;

5           (D) Parking shall be provided according to the provisions of  
6 Chapter 19.64;

7           (E) Buffer planting: Minimum of a ten-foot-wide strip of  
8 adequately maintained shrub or hedge at both sides and rear of  
9 property, grown to a height of six feet, or a wall built to  
10 approved design, built to a height of six feet, except that the  
11 front yard fence or wall shall be erected to a maximum height of  
12 four feet, with that portion which is more than two feet high  
13 being fifty percent open;

14          (F) Access: All institutions of this type shall be located  
15 either on a major street as defined by the Major Street Plan  
16 codified in Chapter 13.12, or on a designated collector street  
17 with a minimum pavement width of forty-eight feet.

18           SECTION 19: Title 19, Chapter 28, Section 20, of the  
19 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
20 hereby amended to read as follows:

21   19.28.020: The following additional uses are permitted in the  
22 R-3 District, subject to the issuance of a special use permit in  
23 each case, as provided in Chapter 19.90:

24           (A) Public and quasi-public uses; churches;

25           (B) [Hospitals, provided the hospital meets the criteria  
26 listed under Section 19.26.030;] Adult care home;

27           (C) Convalescent [homes] care facility as defined herein,  
28 provided [the convalescent home] it meets the criteria listed  
29 under Section 19.26.040;

30           SECTION 20: Title 19, Chapter 30, Section 20, of the  
31 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
32 hereby amended to read as follows:

1 19.30.020: The following uses are permitted in the R-4  
2 District, subject to the securing of a special use permit in each  
3 case, as provided in Chapter 19.90:

4 (A) Private schools;

5 (B) Child care centers, as defined in Chapter 6.24, provided  
6 such facility is approved by the Child Welfare Board and meets  
7 all duly adopted standards for such facility;

8 (C) Professional offices;

9 (D) Public or quasi-public parking for the use of patrons or  
10 residents in the immediate vicinity thereof, when located and  
11 developed as required under Chapter 19.64;

12 (E) Public and quasi-public uses; churches;

13 (F) [Hospitals, provided the hospital meets the criteria  
14 listed under Section 19.26.030;] Adult care home;

15 (G) Convalescent [homes] care facility as defined herein,  
16 provided [the convalescent home] it meets the criteria listed  
17 under Section 19.26.040.

18 SECTION 21: Title 19, Chapter 32, Section 20, of the  
19 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
20 hereby amended to read as follows:

21 19.32.020: Uses permitted in the R-5 District include:

22 (A) All uses permitted in the R-4 District;

23 (B) Lodginghouses;

24 (C) Professional offices;

25 (D) Private schools[;

26 (E) Hospitals, rest homes, clinics and other buildings for  
27 the treatment of human ailments].

28 SECTION 22: Title 19, Chapter 34, Section 20, of the  
29 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
30 hereby amended to read as follows:

31 19.34.020: Uses permitted in the R-6 District include:

32 (A) Apartment dwelling units without specific limit as to

number, subject to the conditions and limitations recited elsewhere in this Chapter;

(B) Professional office buildings[;

(C) Hospitals, rest homes, clinics and other buildings designed for the treatment of human ailments].

SECTION 23: Title 19, Chapter 44, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, and Section 20 of Ordinance No. 3224 are hereby amended to read as follows:

19.44.010: Uses permitted in the C-1 District include:

(A) Shops, stores, retail and wholesale commercial establishments for the dispensing of goods or services, excluding any wholesale storage or warehousing;

(B) Banks and financial institutions;

(C) Laundry and dry cleaning establishments including coin-operated facilities and pickup service which provide direct consumer services but excluding industrial laundry operations as defined in Section 19.48.010. All processing and operational facilities must be approved by the Fire Prevention Bureau;

(D) Restaurants;

(E) Public or semipublic off-street parking facilities when developed in accordance with Chapter 19.64;

(F) Hospitals, [sanitariums,] convalescent [homes] care facilities and [other] similar facilities for the treatment of the aged or infirm[;], other than special care facilities;

(G) Places of public assembly, theaters, fraternal halls, bowling alleys;

(H) Public and quasi-public uses, churches;

(I) Office buildings;

(J) Commercial condominium developments, when developed in accord with the provisions of Chapter 19.70;

(K) Thrift shops;

1 (L) Automobile rental and automobile repossession agencies  
2 as defined in Section 19.04.130;

3 (M) Antique stores, except on Fremont Street or Las Vegas  
4 Boulevard South between Charleston Boulevard and Sahara Avenue as  
5 required by Section 6.74.050;

6 (N) Similar enterprises and commercial establishments of the  
7 same general classification which, in the opinion of the Planning  
8 Commission, as evidenced by a resolution of record, are not more  
9 obnoxious to the welfare of the neighborhood than the above-  
10 enumerated uses;

11 (O) Uses customarily incidental to any of the above uses;

12 (P) Liquefied petroleum gas installations, as an accessory  
13 use, subject to the limitations set forth in Sections 19.55.010  
14 and 19.55.020.

15 SECTION 24: Title 19, Chapter 44, Section 20, of the  
16 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition,  
17 Section 21 of Ordinance No. 3224 and Section 5 of Ordinance  
18 No. 3238 are hereby amended to read as follows:

19 19.44.020: (A) The following uses may be permitted in the C-1  
20 District upon securing a special use permit as provided in  
21 Chapter 19.90, except that the uses enumerated in this Subsection  
22 may be permitted as a matter of right when in accordance with the  
23 exception shown in Subsection (C) of this Section:

24 (1) Automobile service stations for the sale of gaso-  
25 line, oil and minor accessories only, where no repair work is  
26 done, except minor repairs made by the attendant and provided all  
27 lubrications, washing, repairing and storage are conducted within  
28 an enclosed permanent building;

29 (2) Apartment houses;

30 (3) Customer-operated car washes;

31 (4) Lodginghouses, boardinghouses or roominghouses,  
32 hotels, motels and other like tourist accommodations;

1 (5) Emergency ground ambulance facilities[.];

2 (6) Special care facilities.

3 (B) The following uses may be permitted upon securing a spe-  
4 cial use permit in each case pursuant to the procedure provided  
5 for in Section 19.90.080, except that the uses enumerated in this  
6 Subsection may be permitted as a matter of right when in accor-  
7 dance with the exception shown in Subsection (C) of this Section:

8 (1) Class III secondhand dealers as defined in Section  
9 19.04.250, except that these uses shall not be allowed on Fremont  
10 Street or Las Vegas Boulevard South between Charleston Boulevard  
11 and Sahara Avenue as prescribed by Section 6.74.050;

12 (2) Retail demonstration merchandise sales stores as  
13 defined in Section 6.72.010;

14 (3) Commercial storage units, provided all stored items  
15 are located within an enclosed building and there is no wholesale  
16 storage or sale of the stored items, nor any commercial repair or  
17 sale of passenger cars, trucks, two-wheeled vehicles, three-  
18 wheeled vehicles, trailers, boats or other like vehicles.

19 "Commercial repair" means any repair work except work done by the  
20 owner on his own personal property;

21 (4) Off-premises signs;

22 (5) Liquefied petroleum gas installations for which a  
23 special use permit is required by Section 19.55.010, subject to  
24 the limitations set forth in Sections 19.55.010 and 19.55.020;

25 (6) Gaming establishments operated in connection with a  
26 hotel pursuant to Section 6.40.175.

27 (C) Exception: If an application for reclassification to a  
28 C-1 District under Chapter 19.92 includes any of the uses  
29 hereinabove enumerated, the approval of the application shall  
30 constitute approval of the use or uses and no special use permit  
31 shall be required; provided, however, that the notice of public  
32 hearing for reclassification shall specifically list the use or

1 uses.

2 SECTION 25: Title 19, Chapter 44, Section 30, of the  
3 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
4 hereby amended to read as follows:

5 19.44.030: Uses excluded from the C-1 District include:

6 (A) Any use that is specifically permitted as a matter of  
7 right in an N-U, R-A, R-E, R-D, R-1, R-MH, R-CL, R-2 or R-MHP  
8 District;

9 (B) Secondhand dealers, except for antique stores, and  
10 except for Class III secondhand dealers with a special use permit  
11 as provided in Section 19.90.080;

12 (C) Transient sales lots and open sales lots as defined in  
13 Sections 19.04.840 and 19.04.650, respectively[.];

14 (D) Adult care homes.

15 SECTION 26: Title 19, Chapter 46, Section 20, of the  
16 Las Vegas Municipal Code, 1983 Edition, Section 22 of Ordinance  
17 No. 3224 and Section 7 of Ordinance No. 3238 are hereby amended  
18 to read as follows:

19 19.46.020: (A) The following uses may be permitted in the C-2  
20 District upon securing a special use permit as provided in  
21 Chapter 19.90, except that the uses enumerated in this Subsection  
22 may be permitted as a matter of right when in accordance with the  
23 exception shown in Subsection (H) of this Section:

24 (1) Used car lots;

25 (2) Trailer sales lots;

26 (3) Boat sales and service facilities, including all  
27 floating craft;

28 (4) Automotive parts exchanges. This shall not include  
29 public garages or salvage operations, but shall be limited to the  
30 sale and installation of new or rebuilt major automotive parts;

31 (5) Drive-in theaters, miniature golf courses and other  
32 outdoor amusement centers;

- 1 (6) Automobile laundry;  
2 (7) Body and fender repair operations when conducted by  
3 a franchised new car agency;  
4 (8) Cemeteries as provided for in Section 19.10.080;  
5 (9) Apartment houses, when located outside the Central  
6 Business District, as defined in Section 19.64.030[.];  
7 (10) Special care facilities.

8 (B) Pawnshops may be permitted in the C-2 District subject  
9 to the securing of a special use permit in each case pursuant to  
10 the procedure provided for in Section 19.90.080, except that no  
11 pawnshop may be located on either side of Fremont Street or Las  
12 Vegas Boulevard South between Charleston Boulevard and Sahara  
13 Avenue. Those pawnshops which were located on Fremont Street or  
14 Las Vegas Boulevard South between Charleston Boulevard and Sahara  
15 Avenue at the time of enactment of the 1974 amendatory ordinance  
16 which is codified, in part, in this Section shall be allowed to  
17 remain only as long as their present leases do not expire. No  
18 such lease may be modified to extend its term or otherwise pre-  
19 vent it from expiring. Those pawnshops which are located in a  
20 C-2 Zone, other than on Fremont Street or Las Vegas Boulevard  
21 South between Charleston Boulevard and Sahara Avenue, at the time  
22 of enactment of the 1974 amendatory ordinance which is codified,  
23 in part, in this Section shall be allowed to remain at their  
24 locations without the necessity of securing a special use  
25 permit.

26 (C) Class III secondhand dealers, retail demonstration  
27 merchandise sales stores, transient sales lots, open sales lots  
28 and off-premises signs may be permitted in the C-2 District sub-  
29 ject to the securing of a special use permit in each case pur-  
30 suant to the procedure provided for in Section 19.90.080 of this  
31 Chapter, except that Class III secondhand dealers shall not be  
32 allowed on Fremont Street and Las Vegas Boulevard South between

1 Charleston Boulevard [or] and Sahara Avenue as prescribed by  
2 Section 6.74.050.

3 (D) Custodial institutions and detention facilities may be  
4 permitted in the C-2 District subject to the securing of a spe-  
5 cial use permit in each case pursuant to the procedure provided  
6 for in Section 19.90.080.

7 (E) Subject to the limitations contained in this Subsection,  
8 commercial storage units may be permitted in the C-2 District  
9 subject to the securing of a special use permit in each case pur-  
10 suant to the procedure provided for in Section 19.90.080. All  
11 stored items must be located within an enclosed building and  
12 there must be no wholesale storage or sale of the stored items,  
13 nor any commercial repair or sale of passenger cars, trucks, two-  
14 wheeled vehicles, three-wheeled vehicles, trailers, boats or  
15 other like vehicles. "Commercial repair" means any repair work  
16 except work done by the owner on his own personal property.

17 (F) Liquefied petroleum gas installations for which a spe-  
18 cial use permit is required by Section 19.55.010, subject to the  
19 limitations set forth in Sections 19.55.010 and 19.55.020.

20 (G) Gaming establishments operated in connection with a  
21 hotel pursuant to Section 6.40.175, when located outside the  
22 areas specified in Subsection (A) of said Section, may be per-  
23 mitted in the C-2 District subject to the securing of a special  
24 use permit in each case pursuant to the procedure provided for in  
25 Section 19.90.080.

26 (H) Exception: If an application for a reclassification to  
27 a C-2 District under Chapter 19.92 includes any of the uses  
28 hereinabove enumerated, the approval of the application shall  
29 constitute approval of the use or uses and no special use permit  
30 shall be required; provided, however, that the notice of public  
31 hearing for reclassification shall specifically list the use or  
32 uses.

1           SECTION 27:     Title 19, Chapter 46, Section 30, of the  
2 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
3 hereby amended to read as follows:

4     19.46.030:     Uses excluded from the C-2 District include:

5         (A) Any use that is specifically permitted as a matter of  
6 right in an N-U, R-A, R-E, R-D, R-1, R-MH, R-CL, R-2 or R-MHP  
7 District;

8         (B) Secondhand dealers, except for antique stores, and  
9 except for Class III secondhand dealers with a special use permit  
10 as provided for in Section 19.90.080[.];

11         (C) Adult care homes.

12           SECTION 28:     Title 19, Chapter 48, Section 20, of the  
13 Las Vegas Municipal Code, 1983 Edition, Section 24 of Ordinance  
14 No. 3224 and Section 8 of Ordinance No. 3238 are hereby amended  
15 to read as follows:

16     19.48.020:     (A) The following uses may be permitted in the C-M  
17 District subject to the securing of a special use permit as pro-  
18 vided in Chapter 19.90, except that the uses enumerated in this  
19 Subsection may be permitted as a matter of right when in accor-  
20 dance with the exception shown in Subsection (B) of this  
21 Section:

22                 (1) Cemeteries, as provided for in Section 19.10.080;

23                 (2) Pawnshops, subject to the securing of a special use  
24 permit in each case pursuant to the procedure provided for in  
25 Section 19.90.080;

26                 (3) Custodial institutions and detention facilities,  
27 subject to the securing of a special use permit in each case pur-  
28 suant to the procedure provided for in Section 19.90.080;

29                 (4) Commercial storage units, subject to the limita-  
30 tions contained in this Subsection and subject to the securing of  
31 a special use permit in each case pursuant to the procedure pro-  
32 vided for in Section 19.90.080. All stored items must be located

1 within an enclosed building and there must be no wholesale  
2 storage or sale of the stored items, nor any commercial repair or  
3 sale of passenger cars, trucks, two-wheeled vehicles, three-  
4 wheeled vehicles, trailers, boats or other like vehicles.

5 "Commercial repair" means any repair work except work done by the  
6 owner on his own personal property;

7 (5) Transient sales lots and open sales lots, subject  
8 to the securing of a special use permit in each case pursuant to  
9 the procedure provided for in Section 19.90.080;

10 (6) Off-premises signs, subject to the securing of a  
11 special use permit in each case pursuant to the procedure pro-  
12 vided for in Section 19.90.080;

13 (7) Liquefied petroleum gas installations for which a  
14 special use permit is required by Section 19.55.010, subject to  
15 the limitations set forth in Sections 19.55.010 and 19.55.020;

16 (8) Gaming establishments operated in connection with a  
17 hotel pursuant to Section 6.40.175, when located outside the  
18 areas specified in Subsection (A) of said Section, subject to the  
19 securing of a special use permit in each case pursuant to the  
20 procedure provided for in Section 19.90.080[.];

21 (9) Special care facilities.

22 (B) Exception: If an application for reclassification to a  
23 C-M District under Chapter 19.92 includes any of the uses  
24 hereinabove enumerated, the approval of the application shall  
25 constitute approval of the use or uses and no special use permit  
26 shall be required; provided, however, that the notice of public  
27 hearing for reclassification shall specifically list the use or  
28 uses.

29 SECTION 29: Title 19, Chapter 48, Section 30, of the  
30 Las Vegas Municipal Code, 1983 Edition, is hereby amended to read  
31 as follows:

32 19.48.030: Uses excluded from the C-M District include any

1 housing[,] or living facilities [or facilities for the treatment  
2 of human ailments.], including adult care homes.

3 SECTION 30: Title 19, Chapter 50, Section 20, of the  
4 Las Vegas Municipal Code, 1983 Edition, Section 25 of Ordinance  
5 No. 3224 and Section 9 of Ordinance No. 3238 are hereby amended  
6 to read as follows:

7 19.50.020: (A) The following uses may be permitted in the M  
8 District upon securing a special use permit as provided in Chap-  
9 ter 19.90, except that the uses enumerated in this Subsection may  
10 be permitted as of right when in accordance with the exception  
11 set forth in Subsection (B) of this Section:

12 (1) Any manufacturing, processing or assembling use  
13 which is unable to meet the letter of the standards designated in  
14 Section 19.50.040. Such use permit may be properly granted pro-  
15 vided the applicant can provide evidence to document a favorable  
16 conclusion on all of the following factors:

17 (a) The proposed use can be operated substantially  
18 in conformity with the requirements of the standards listed under  
19 Section 19.50.040;

20 (b) The use, as proposed, will not be materially  
21 detrimental to the uses of surrounding property;

22 (c) The public interest will best be served by the  
23 granting of the permit;

24 (2) Cemeteries, as provided for in Section 19.10.080;

25 (3) Pawnshops, subject to the securing of a special use  
26 permit in each case pursuant to the procedure provided for in  
27 Section 19.90.080;

28 (4) Custodial institutions and detention facilities,  
29 subject to the securing of a special use permit in each case pur-  
30 suant to the procedure provided for in Section 19.90.080;

31 (5) Junk yards, wrecking yards and salvage yards;

32 (6) Commercial storage units, subject to the limita-

1 tions contained in this Subsection and subject to the securing of  
2 a special use permit in each case pursuant to the procedure pro-  
3 vided for in Section 19.90.080. All stored items must be located  
4 within an enclosed building and there must be no wholesale  
5 storage or sale of the stored items, nor any commercial repair or  
6 sale of passenger cars, trucks, two-wheeled vehicles, three-  
7 wheeled vehicles, trailers, boats or other like vehicles.

8 "Commercial repair" means any repair work except work done by the  
9 owner on his own personal property;

10 (7) Transient sales lots and open sales lots, subject  
11 to the securing of a special use permit in each case pursuant to  
12 the procedure provided for in Section 19.90.080;

13 (8) Off-premises signs, subject to the securing of a  
14 special use permit in each case pursuant to the procedure pro-  
15 vided for in Section 19.90.080;

16 (9) Liquefied petroleum gas installations for which a  
17 special use permit is required by Section 19.55.010, subject to  
18 the limitations set forth in Sections 19.55.010 and 19.55.020;

19 (10) Gaming establishments operated in connection with a  
20 hotel pursuant to Section 6.40.175, when located outside the  
21 areas specified in Subsection (A) of said Section, subject to the  
22 securing of a special use permit in each case pursuant to the  
23 procedure provided for in Section 19.90.080[.];

24 (11) Special care facilities.

25 (B) Exception: If an application for a reclassification to  
26 an M District under Chapter 19.92 includes any of the uses  
27 hereinabove enumerated, the approval of the application shall  
28 constitute approval of the use or uses, and no special use permit  
29 shall be required; provided, however, that the notice of public  
30 hearing for reclassification shall specifically list the use or  
31 uses.

32 SECTION 31: Title 19, Chapter 50, Section 30, of the

1 Las Vegas Municipal Code, 1983 Edition, is hereby amended to read  
2 as follows:

3 19.50.030: Uses specifically excluded from the M District  
4 include:

5 (A) [any] Any use specifically permitted in any district  
6 having an "R" prefix, except any residential use which is clearly  
7 a part of [an] and incidental to the efficient operation of an  
8 industrial use[.];

9 (B) Adult care homes.

10 SECTION 32: Title 19, Chapter 54, Section 10, of the  
11 Las Vegas Municipal Code, 1983 Edition, is hereby amended to read  
12 as follows:

13 19.54.010: The following accessory uses may be permitted in  
14 any district with an "R" prefix, provided such accessory uses do  
15 not alter the character of the premises in respect to their use  
16 for the purposes permitted in the respective districts:

17 (A) [The renting of rooms and/or providing of table board  
18 for not more than three persons as an incidental use to that of  
19 its occupancy as a dwelling of the character permitted in the  
20 respective districts;

21 (B)] Garage sales, provided that:

22 (1) No property may be offered for sale which has not  
23 been owned and used by the occupant of the premises;

24 (2) No more than four garage sales shall be conducted  
25 on the premises in any calendar year;

26 (3) No garage sales shall be conducted for longer than  
27 three days duration; and

28 (4) Garage sales may be conducted during the daylight  
29 hours only.

30 SECTION 33: Whenever in this ordinance any act is  
31 prohibited or is made or declared to be unlawful or an offense or  
32 a misdemeanor, or whenever in this ordinance the doing of any act

1 is required or the failure to do any act is made or declared to  
2 be unlawful or an offense or a misdemeanor, the doing of any such  
3 prohibited act or the failure to do any such required act shall  
4 constitute a misdemeanor and upon conviction thereof, shall be  
5 punished by a fine of not more than \$1,000.00 or by imprisonment  
6 for a term of not more than six (6) months, or by any combination  
7 of such fine and imprisonment. Any day of any violation of this  
8 ordinance shall constitute a separate offense.

9 SECTION 34: If any section, subsection, subdivision,  
10 paragraph, sentence, clause or phrase in this ordinance or any  
11 part thereof, is for any reason held to be unconstitutional or  
12 invalid or ineffective by any court of competent jurisdiction,  
13 such decision shall not affect the validity or effectiveness of  
14 the remaining portions of this ordinance or any part thereof.  
15 The City Council of the City of Las Vegas, Nevada, hereby  
16 declares that it would have passed each section, subsection, sub-  
17 division, paragraph, sentence, clause or phrase thereof irrespec-  
18 tive of the fact that any one or more sections, subsections, sub-  
19 divisions, paragraphs, sentences, clauses or phrases be declared  
20 unconstitutional, invalid or ineffective.

21 SECTION 35: All ordinances or parts of ordinances,  
22 sections, subsections, phrases, sentences, clauses or paragraphs  
23 contained in the Municipal Code of the City of Las Vegas, Nevada,  
24 1983 Edition, in conflict herewith are hereby repealed.

25 PASSED, ADOPTED AND APPROVED this \_\_\_\_ day of \_\_\_\_\_,  
26 1986.

27 APPROVED:

28  
29 By \_\_\_\_\_  
WILLIAM H. BRIARE, MAYOR

30 ATTEST:

31  
32 \_\_\_\_\_  
CAROL ANN HAWLEY, CITY CLERK

1           The above and foregoing ordinance was first proposed and  
2 read by title to the City Council on the \_\_\_\_\_ day of \_\_\_\_\_,  
3 1986, and referred to the following committee composed of  
4 Councilmen \_\_\_\_\_ and \_\_\_\_\_  
5 \_\_\_\_\_ for recommendation; thereafter the  
6 said committee reported favorably on said ordinance on the \_\_\_\_\_  
7 day of \_\_\_\_\_, 1986, which was a \_\_\_\_\_ meeting of  
8 said Council; that at said \_\_\_\_\_ meeting, the proposed  
9 ordinance was read by title to the City Council as first intro-  
10 duced and adopted by the following vote:

11 VOTING "AYE" Councilmen: \_\_\_\_\_

12 VOTING "NAY" Councilmen: \_\_\_\_\_

13 ABSENT: \_\_\_\_\_

14 APPROVED:

15  
16 \_\_\_\_\_  
17 WILLIAM H. BRIARE, MAYOR

18 ATTEST:

19  
20 \_\_\_\_\_  
21 CAROL ANN HAWLEY, CITY CLERK  
22  
23  
24  
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31  
32

AFFIDAVIT OF POSTING

(Posting required under the provisions of NRS CHAPTER 241)

STATE OF NEVADA     )  
                              ) ss  
COUNTY OF CLARK    )

Joanne Perry, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 10<sup>th</sup> day of September, 1986, at the hour of 230 PM there were posted copies of a NOTICE, the attached of which is a true and correct copy of PUBLIC HEARING - Bill No. 86-37 (2nd Amendment) to be held on the 16<sup>th</sup> day of September, 1986, at 400 East Stewart Avenue, Las Vegas, Nevada; to be posted on Public Bulletin Board at the following locations:

1. In the Bradley Building, State of Nevada, 2501 East Sahara Avenue;
2. In the Senior Citizens Center, 450 East Bonanza;
3. In the Clark County Courthouse, 200 East Carson;
4. On the Public Bulletin Board at the Plaza Level of City Hall, 400 East Stewart Avenue (near the entrance to the Court Clerk's Office); and
5. On the Special Public Bulletin Board at the Plaza Level of City Hall, 400 East Stewart Avenue (near the entrance to the City Council Chamber)

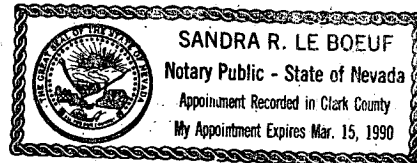
Joanne Perry  
SIGNATURE

City Clerk's Office  
DEPARTMENT

Subscribed and sworn to before me this

10<sup>th</sup> day of September, 1986

Sandra R. Le Boeuf  
NOTARY PUBLIC in and for said County and State  
My Commission expires: 3-15-90



NOTICE OF PUBLIC MEETING

CITY OF LAS VEGAS

BILL NO. 86-37 (Second Amendment)

PUBLIC NOTICE IS HEREBY GIVEN that, at 7:00 P.M. on Tuesday, September 16, 1986, in the City Council Chambers of the Las Vegas City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, a public meeting will be conducted to receive comments with respect to the advisability of adopting a proposed ordinance that will regulate the placement in residential neighborhoods of facilities for the care of the elderly, the infirm and those with other physical or mental disabilities, including the mentally ill. All interested persons are invited to attend and participate in this discussion.

Copies of the proposed ordinance (Bill No. 86-37 -- Second Amendment) may be obtained from the Office of the City Clerk on the 10th Floor of the Las Vegas City Hall Complex. Persons interested in submitting information or obtaining further information should contact the Department of Community Planning and Development at 386-6301.

## AFFIDAVIT OF MAILING

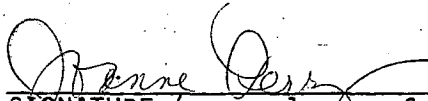
(Mailing required under the provision of A. B. 437, NRS CHAPTER 241)

STATE OF NEVADA)

COUNTY OF CLARK)

SS

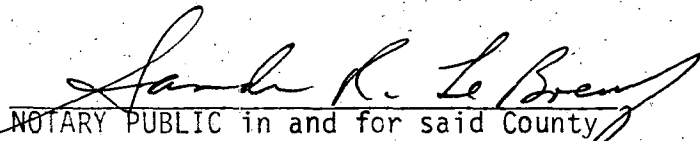
Joanne Perry, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 10th day of September, 1986, a copy of a NOTICE, the attached of which is a true and correct copy of the Public Meeting - re: Bill No. 86-37 (2nd Amendment), to be held on the 16th day of September 1986, was deposited in the United States Mail, Postage prepaid, First Class Mail, to each person and/or organization whose name appears on the list maintained in the Office of the City Clerk.



SIGNATURE (an employee of the Office of the City Clerk)

Subscribed and sworn to before me this

10<sup>th</sup> day of September, 1986



NOTARY PUBLIC in and for said County and State. My Commission expires: 3-15-90



NOTICE OF PUBLIC MEETING

CITY OF LAS VEGAS

BILL NO. 86-37 (Second Amendment)

PUBLIC NOTICE IS HEREBY GIVEN that, at 7:00 P.M. on Tuesday, September 16, 1986, in the City Council Chambers of the Las Vegas City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, a public meeting will be conducted to receive comments with respect to the advisability of adopting a proposed ordinance that will regulate the placement in residential neighborhoods of facilities for the care of the elderly, the infirm and those with other physical or mental disabilities, including the mentally ill. All interested persons are invited to attend and participate in this discussion.

Copies of the proposed ordinance (Bill No. 86-37 -- Second Amendment) may be obtained from the Office of the City Clerk on the 10th Floor of the Las Vegas City Hall Complex. Persons interested in submitting information or obtaining further information should contact the Department of Community Planning and Development at 386-6301.

# AFFIDAVIT OF PUBLICATION

STATE OF NEVADA) SS  
COUNTY OF CLARK)

Mr. George J. Vasconi, being first duly sworn, deposes and says that he is Business Manager for the LAS VEGAS REVIEW-JOURNAL, a daily newspaper 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 One insertions from period of September 9, 1986- to September 9, 1986- inclusive, being the issue of said newspaper for the following dates, to wit:

September 9, 1986

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

SIGNED

*George J. Vasconi*  
GEORGE J. VASCONI

## NOTICE OF PUBLIC MEETING CITY OF LAS VEGAS

### BILL NO. 86-37 (Second Amendment)

PUBLIC NOTICE IS HEREBY GIVEN that, at 7:00 P.M. on Tuesday, September 16, 1986, in the City Council Chambers of the Las Vegas City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, a Public meeting to receive comments with respect to the advisability of adopting a proposed ordinance that will regulate the placement in residential neighborhoods of facilities for the care of the elderly, the infirm and those with other physical or mental disabilities, including the mentally ill. All interested persons are invited to attend and participate in this discussion.

Copies of the proposed ordinance (Bill No. 86-37 — Second Amendment) may be obtained from the Office of the City Clerk on the 10th Floor of the Las Vegas City Hall Complex.

Persons interested in submitting information or obtaining further information, should contact the Department of Community Planning and Development at 386-6301.

Subscribed and sworn to before me  
this 9th day of Sept, 19 86

*Marjorie E. Ouellette*

NOTARY PUBLIC, IN AND FOR CLARK  
COUNTY, NEVADA



MARJORIE E. OUELLETTE  
Notary Public - State of Nevada  
CLARK COUNTY  
My Appointment Expires Dec. 2, 1989

RECEIVED

CITY CLERK  
OCT 22 3 54 PM '86

RECEIVED

OCT 6 12 17 PM '86

FINANCE DEPT

RECEIVED

OCT 25 3 28 PM '86

CITY OF

# **NOTICE OF PUBLIC MEETING CITY OF LAS VEGAS**

## **BILL NO. 86-37 (Second Amendment)**

PUBLIC NOTICE IS HEREBY GIVEN that, at 7:00 P.M. on Tuesday, September 16, 1986, in the City Council Chambers of the Las Vegas City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, a public meeting will be conducted to receive comments with respect to the advisability of adopting a proposed ordinance that will regulate the placement in residential neighborhoods of facilities for the care of the elderly, the infirm and those with other physical or mental disabilities, including the mentally ill. All interested persons are invited to attend and participate in this discussion. Persons interested in submitting information or obtaining further information should contact the Department of Community Planning and Development at 386-6301.

Copies of the proposed ordinance (Bill No. 86-37 - Second Amendment) may be obtained from the Office of the City Clerk on the 10th Floor of the Las Vegas City Hall Complex.

# AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, {  
COUNTY OF CLARK ss.

Carol Black, being first duly sworn,

deposes and says: That he is Legal Clerk 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 1 time.

2X5

from September 10, 1986 to September 10, 1986

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

September 10, 1986

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

Signed Carol Black

Subscribed and sworn to before me this 10th  
day of September, 1986

JUL 29 12 28 PM '87

My Commission Expires

RECEIVED

Notary Public in and for Clark County, Nevada  
RUTHE V. DESKIN  
Notary Public - State of Nevada  
CLARK COUNTY  
My Appointment Expires Apr. 14, 1989



6  
 7  
 8  
 9  
 10

Figure 1. The effect of the concentration of the *Agrobacterium* suspension on the transformation efficiency of *Agrobacterium* strains.

1991 年 12 月 10 日

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

BILL NO. 86-37  
FOURTH AMENDMENT  
AN ORDINANCE RELATING TO  
ZONING, AMENDING TITLE 19 OF  
THE MUNICIPAL CODE OF THE  
CITY OF LAS VEGAS, NEVADA,  
1983 EDITION, TO PROVIDE FOR  
RESIDENTIAL FACILITIES FOR  
ADULT CARE IN CERTAIN RESI-  
DENTIAL ZONING DISTRICTS BY  
MEANS OF SPECIAL USE PERMIT,  
TO PROVIDE THAT IN MOST OF  
THOSE DISTRICTS SUCH FACILI-  
TIES MUST BE AT LEAST 1000  
FEET APART AND MUST BE OPE-  
RATED BY THE OWNER/RESI-  
DENT OF THE FACILITY OR BY A  
NONPROFIT ORGANIZATION OR  
GOVERNMENTAL ENTITY, TO  
PROVIDE FOR SPECIAL CARE FA-  
CILITIES IN COMMERCIAL AND IN-  
DUSTRIAL ZONES BY MEANS OF  
SPECIAL USE PERMIT, TO RE-  
STRICT HOSPITALS TO COMMER-  
CIAL AND INDUSTRIAL ZONES  
AND TO ELIMINATE THE PROVID-  
ING OF CARE IN CONNECTION  
WITH ROOM AND BOARD AS AN  
ACCESSORY USE IN RESIDENTIAL  
DISTRICTS, PROVIDING DEFINI-  
TIONS FOR "RESIDENTIAL FA-  
CILITY FOR ADULT CARE,"  
"CONVALESCENT CARE FA-  
CILITY" AND "SPECIAL CARE FA-  
CILITY," PROVIDING PENALTIES  
FOR VIOLATIONS HEREOF, PRO-  
VIDING FOR OTHER MATTERS  
PROPERLY RELATING THERETO,  
AND REPEALING ALL ORDI-  
NANCES AND PARTS OF ORDI-  
NANCES IN CONFLICT HEREWITH.  
Sponsored by:  
Councilman Ron Lurie  
Summary: Provides for residential  
facilities for adult care in certain  
residential zoning districts by Spe-  
cial Use Permit; provides for special  
care facilities in commercial and in-  
dustrial zones by Special Use Per-  
mit; restricts hospitals to  
commercial and industrial zones;  
and eliminates the providing of care  
in connection with room and board  
as an accessory use in residential  
districts.  
At a City Council meeting  
July 18, 1986  
BILL NO. 86-37 WAS READ  
BY TITLE AND REFERRED TO  
RECOMMENDING COMMITTEE  
COUNCILMEN Lurie and Bunker  
COPIES OF THE COMPLETE  
ORDINANCE ARE AVAILABLE  
FOR PUBLIC INFORMATION  
IN THE OFFICE  
OF THE CITY CLERK,  
10TH FLOOR, CITY HALL,  
400 EAST STEWART AVENUE,  
LAS VEGAS, NEVADA.  
PUB. October 2, 1986  
Las Vegas SUN

# AFFIDAVIT OF PUBLICATION

STATE OF NEVADA,  
COUNTY OF CLARK

{ ss.

OCT 3 10 58 AM '86

Carol Black

CITY CLERK being first duly sworn,

deposes and says: That he is Legal Clerk 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 1 time.

from October 2, 1986 to October 2, 1986

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

October 2, 1986

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

Signed Carol Black

Subscribed and sworn to before me this 2nd  
day of October, 1986

Ruthe V. Deskin

My Commission Expires

Notary Public in and for Clark County, Nevada  
RUTHE V. DESKIN  
Notary Public - State of Nevada  
CLARK COUNTY  
My Appointment Expires Apr. 14, 1989



BILL NO. 86-37  
FOURTH AMENDMENT  
AN ORDINANCE RELATING TO  
ZONING; AMENDING TITLE 19 OF  
THE MUNICIPAL CODE OF THE  
CITY OF LAS VEGAS, NEVADA,  
1983 EDITION, TO PROVIDE FOR  
RESIDENTIAL FACILITIES FOR  
ADULT CARE IN CERTAIN RESI-  
DENTIAL ZONING DISTRICTS BY  
MEANS OF SPECIAL USE PERMIT,  
TO PROVIDE THAT IN MOST OF  
THOSE DISTRICTS SUCH FACILI-  
TIES MUST BE AT LEAST 1000  
FEET APART AND MUST BE OP-  
ERATED BY THE OWNER/RESI-  
DENT OF THE FACILITY OR BY A  
NONPROFIT ORGANIZATION OR  
GOVERNMENTAL ENTITY, TO  
PROVIDE FOR SPECIAL CARE FA-  
CILITIES IN COMMERCIAL AND IN-  
DUSTRIAL ZONES BY MEANS OF  
SPECIAL USE PERMIT, TO RE-  
STRICT HOSPITALS TO COMMER-  
CIAL AND INDUSTRIAL ZONES  
AND TO ELIMINATE THE PROVID-  
ING OF CARE IN CONNECTION  
WITH ROOM AND BOARD AS AN  
ACCESSORY USE IN RESIDENTIAL  
DISTRICTS; PROVIDING DEFINI-  
TIONS FOR "RESIDENTIAL FA-  
CILITY FOR ADULT CARE,"  
"CONVALESCENT CARE FA-  
CILITY" AND "SPECIAL CARE FA-  
CILITY"; PROVIDING PENALTIES  
FOR VIOLATIONS HEREOF; PRO-  
VIDING FOR OTHER MATTERS  
PROPERLY RELATING THERETO;  
AND REPEALING ALL ORDI-  
NANCES IN CONFLICT HERewith.  
Sponsored by:  
Councilman Ron Lurie  
Summary: Provides for residential  
facilities for adult care in certain  
residential zoning districts by Spe-  
cial Use Permit; provides for special  
care facilities in commercial and in-  
dustrial zones by Special Use Per-  
mit; restricts hospitals to com-  
mercial and industrial zones;  
and eliminates the providing of care  
in connection with room and board  
as an accessory use in residential  
districts.  
At a City Council meeting  
July 16, 1988  
BILL NO. 86-37 WAS READ  
BY TITLE AND REFERRED TO  
RECOMMENDING COMMITTEE:  
COUNCILMEN Lurie and Bunker  
COPIES OF THE COMPLETE  
ORDINANCE ARE AVAILABLE  
FOR PUBLIC INFORMATION  
IN THE OFFICE  
OF THE CITY CLERK,  
10TH FLOOR, CITY HALL,  
400 EAST STEWART AVENUE,  
LAS VEGAS, NEVADA.  
PUB: October 2, 1988  
Las Vegas SUN

RECEIVED  
AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, { ss.  
COUNTY OF CLARK

OCT 3 10 58 AM '86

CITY CLERK

Carol Black

, being first duly sworn,

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LAS VEGAS SUN, a daily newspaper of general circulation, printed and published  
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continuously published in said newspaper for a period of 1 time.

from October 2, 1986 to October 2, 1986

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

October 2, 1986  
That said newspaper was regularly issued and circulated on each of the dates  
above named.

Signed Carol Black

Subscribed and sworn to before me this 2nd  
day of October, 1986

Ruthe V. Deskin

My Commission Expires

Notary Public in and for Clark County, Nevada  
RUTHE V. DESKIN  
Notary Public - State of Nevada  
CLARK COUNTY  
My Appointment Expires Apr. 14, 1989



083576

# AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, { ss.  
COUNTY OF CLARK

Carol Black, being first duly sworn,

deposes and says: That he is Legal Clerk 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 1 time.

2X5

from September 10, 1986 to September 10, 1986

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

September 10, 1986

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

Signed

Carol Black

CITY CLERK

Subscribed and sworn to before me this 10th  
day of September, 1986

JUL 29 12 28 PM '87

Ruthe V. Deskin

Notary Public in and for Clark County, Nevada



My Commission Expires

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Pg. 1 of 2



083567

## **NOTICE OF PUBLIC MEETING CITY OF LAS VEGAS**

### **BILL NO. 86-37 (Second Amendment)**

PUBLIC NOTICE IS HEREBY GIVEN that, at 7:00 P.M. on Tuesday, September 16, 1986, in the City Council Chambers of the Las Vegas City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, a public meeting will be conducted to receive comments with respect to the advisability of adopting a proposed ordinance that will regulate the placement in residential neighborhoods of facilities for the care of the elderly, the infirm and those with other physical or mental disabilities, including the mentally ill. All interested persons are invited to attend and participate in this discussion. Persons interested in submitting information or obtaining further information should contact the Department of Community Planning and Development at 386-6301.

Copies of the proposed ordinance (Bill No. 86-37 - Second Amendment) may be obtained from the Office of the City Clerk on the 10th Floor of the Las Vegas City Hall Complex.

# AFFIDAVIT OF PUBLICATION

STATE OF NEVADA) SS  
COUNTY OF CLARK)

Mr. George J. Vasconi, being first duly sworn, deposes and says that he is Business Manager for the LAS VEGAS REVIEW-JOURNAL, a daily newspaper 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 One insertions from period of September 9, 1986- to September 9, 1986- inclusive, being the issue of said newspaper for the following dates, to wit:

September 9, 1986

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

SIGNED

*George J. Vasconi*  
GEORGE J. VASCONI

## NOTICE OF PUBLIC MEETING CITY OF LAS VEGAS

### BILL NO. 86-37 (Second Amendment)

PUBLIC NOTICE IS HEREBY GIVEN that, at 7:00 P.M. on Tuesday, September 16, 1986, in the City Council Chambers of the Las Vegas City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, a Public meeting to receive comments with respect to the advisability of adopting a proposed ordinance that will regulate the placement in residential neighborhoods of facilities for the care of the elderly, the infirm and those with other physical or mental disabilities, including the mentally ill. All interested persons are invited to attend and participate in this discussion.

Copies of the proposed ordinance (Bill No. 86-37 — Second Amendment) may be obtained from the Office of the City Clerk on the 10th Floor of the Las Vegas City Hall Complex.

Persons interested in submitting information or obtaining further information, should contact the Department of Community Planning and Development at 386-6301.

Subscribed and sworn to before me  
this 9th day of Sept, 19 86

*Marjorie E. Ouellette*  
NOTARY PUBLIC, IN AND FOR CLARK  
COUNTY, NEVADA



MARJORIE E. OUELLETTE  
Notary Public, State of Nevada  
CLARK COUNTY  
My Appointment Expires Dec. 2, 1989

CITY CLERK

OCT 22 3 54 PM '86

