

1 **BILL NO. 2001-52**

2 **ORDINANCE NO. 5336**

3 AN ORDINANCE TO AMEND THE ZONING CODE REGARDING THE APPROVAL OF
4 CERTAIN USES IN THE C-V ZONING DISTRICT, AND TO PROVIDE FOR OTHER RELATED
MATTERS.

5 Sponsored by: Councilman Larry Brown

Summary: Establishes a list of uses that may be
permitted in the C-V Zoning District by means
of special use permit.

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

9 SECTION 1: Section 19A.06.020(B) of the Zoning Code of the City of Las Vegas
10 is hereby amended to read as follows:

11 **B. Permitted Land Uses**

12 The following uses are permitted in the C-V District:

13 1. Any use operated or controlled by the City, County, State or Federal government[.], other than
14 those described in Section 19A.06.020(D).

15 2. Any public or quasi-public use operated or controlled by a recognized religious, fraternal, veteran,
16 civic or service organization[.], other than those described in Section 19A.06.020(D).

17 3. Any public or private elementary, middle school, high school, college or university,
18 with the exception of private vocational schools.

19 4. Utility company facilities, including electrical power substation facilities, telephone
20 switching stations and towers, water district facilities, cable TV lines and wireless
21 communication facilities.

22 SECTION 2: Section 19A.06.020(C) of the Zoning Code of the City of Las Vegas
23 is hereby amended to read as follows:

24 **C. Similar Uses**

25 1. **Additional Uses.** The uses permitted in Section (B) of this subchapter are classified on the basis
26 of common operational characteristics and land use compatibility. Uses not specifically listed in this
27 subchapter are prohibited. However, additional uses may be permitted by the Director if the Director
28 finds the use in each case to be similar to the other uses listed in [the same zoning district.] Section



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1 (B) of this subchapter.

2 **2. Appeal of Decision.** An applicant who is aggrieved by the decision of the Director may appeal
3 that decision to the City Council. The appeal shall be filed in the office of the City Clerk, with a copy
4 to be filed in the office of the Department of Planning and Development. The appeal must be filed
5 within ten days after the Director's decision is made. Unless otherwise stated, the Council's
6 determination shall constitute a permanent and consistent interpretative decision, which the Director
7 shall apply in all future instances.

8 SECTION 3: Subchapter 19A.06.020 of the Zoning Code of the City of Las Vegas
9 is hereby amended by adding thereto a new Section (D), reading as follows:

10 **D. Uses Permitted by Special Use Permit**

11 The following uses may be permitted in the C-V District by means of Special Use Permit if in each
12 case the parcel or use is operated or controlled by an agency of local, state or federal government:

- 13 1. Cemetery/Mausoleum
- 14 2. Custodial Institution
- 15 3. Publicly Operated Convention and Stadium Facility
- 16 4. Off-Premise Sign
- 17 5. Liquefied Petroleum Gas Installation
- 18 6. General Business Related Gaming Establishment
- 19 7. Liquor Establishment (Tavern).

20 SECTION 4: Section 19A.04.050(B) of the Zoning Code of the City of Las Vegas
21 is hereby amended so that the subdivision "Liquor Establishment (Tavern) reads as follows:

22 **LIQUOR ESTABLISHMENT (TAVERN) [C-1 THROUGH M]**

23 Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares
24 that the public health, safety and general welfare of the City are best promoted and protected by
25 requiring that:

- 26 *1. No tavern shall be located within 1,500 feet of any church, synagogue, school, child care facility
27 licensed for more than twelve children or City park.
- 28 *2. Establishments licensed as taverns or comparable establishments shall not be located closer than

1,500 feet to each other.

***3.** Except as otherwise provided in Paragraphs 4 and 5 below, the distances referred to in Paragraphs 1 and 2 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed liquor establishment (tavern) which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed liquor establishment (tavern). The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:

a. Any leasehold parcel; or

b. Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Paragraph 1.

***4.** In the case of a liquor establishment (tavern) proposed to be located on a parcel of at least eighty acres in size, the minimum distances referred to in Paragraph 1 shall be measured in a straight line:

a. From the nearest property line of the existing use to the nearest portion of the structure in which the liquor establishment (tavern) will be located, without regard to intervening obstacles; or

b. In the case of a liquor establishment (tavern) proposed to be located within a shopping center or other multiple-tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the liquor establishment (tavern) will be located, without regard to intervening obstacles.

***5.** In the case of a liquor establishment (tavern) proposed to be located within the vicinity of another liquor establishment (tavern), where either one or both establishments is or will be located on a parcel of at least eighty acres in size, the minimum distance referred to in Paragraph 2 shall be measured in a straight line along the shortest distance from structure to structure. Where either structure is a shopping center or other multiple-tenant structure, the measurement with respect to that structure shall occur from the nearest property line of a leasehold or occupancy parcel in which the liquor establishment (tavern) is or will be located.

***6.** The minimum distance requirements in Paragraphs 1 and 2 do not apply to an establishment which has a non-restricted gaming license in connection with a hotel having 200 or more guest rooms

1 on or before July 1, 1992 or in connection with a resort hotel having in excess of 200 guest rooms after
2 July 1, 1992.

3 *7. All businesses which sell alcoholic beverages shall conform to the provisions of Chapter 6.50 of
4 the Las Vegas Municipal Code.

5 8. The minimum distance requirements set forth in Paragraphs 1 and 2, which are otherwise
6 nonwaivable under the provisions of this subdivision, may be waived in accordance with the
7 provisions of Subsection 19A.04.050(A)(4) for any liquor establishment (tavern) which is proposed
8 to be located on a parcel [with frontage along Fremont Street between Main Street and Las Vegas
9 Boulevard.] within the C-V District or the Downtown Casino Overlay District.

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

18 SECTION 6: All ordinances or parts of ordinances or sections, subsections, phrases,
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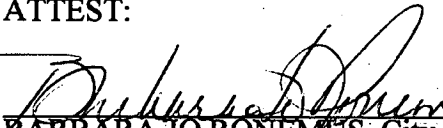
1 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
2 1983 Edition, in conflict herewith are hereby repealed.

3 PASSED, ADOPTED and APPROVED this 18th day of July, 2001.

4 APPROVED:

5 By 
6 OSCAR B. GOODMAN, Mayor

7 ATTEST:

8 
9 BARBARA JO RONEMUS, City Clerk

10 APPROVED AS TO FORM:

11 Valsteel 5-23-01
12 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on
2 the 6thst day of June, 2001, and referred to the following committee composed of
3 Councilmembers Weekly and L. B. McDonald for recommendation; thereafter the said
4 committee reported favorably on said ordinance on the 18th day of July, 2001, which was a
5 regular meeting of said Council; that at said regular meeting, the proposed ordinance was read by
6 title to the City Council as first introduced and adopted by the following vote:

7 VOTING "AYE": Mayor Goodman and Councilmembers Reese, M. McDonald, Brown,
8 L.B. McDonald and Weekly

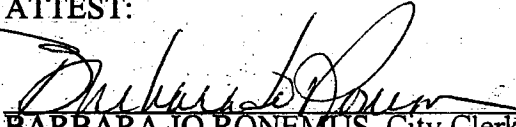
9 VOTING "NAY": None

10 ABSENT: Councilman Mack

11 APPROVED:

12 
13 OSCAR B. GOODMAN, Mayor

14 ATTEST:

15 
16 BARBARA JO RONEMUS, City Clerk

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CITY CLERK

2001 JUN 29 A 10:05

AFFP DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

Donna Stark, being 1st duly sworn, deposes and says:

That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK
1770733

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 06/22/01 to 06/22/2001, on the following days: JUNE 22, 2001

Signed: _____

Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE _____

25

day of _____ 2001

June

Mary B. Sheffield

Notary Public

BILL NO. 2001-52

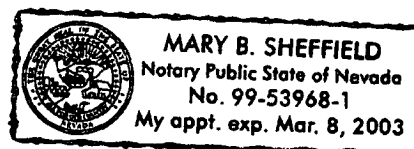
AN ORDINANCE TO AMEND THE ZONING CODE REGARDING THE APPROVAL OF CERTAIN USES IN THE C-V ZONING DISTRICT, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Larry Brown
Summary: Establishes a list of uses that may be permitted in the C-V Zoning District by means of special use permit.

At a City Council meeting June 20, 2001
BILL NO. 2001-52 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE: Councilmembers Weekly and Mack

COPIES OF THE COMPLETE BILL ARE AVAILABLE FOR

PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, CITY HALL, 400 STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: June 22, 2001
LV Review-Journal



RECEIVED
CITY CLERK

2001 JUL 30 A 11: 23

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Clark County, Nevada

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Donna Stark, being 1st duly sworn, deposes and says:

That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK
1812721

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 07/21/01 to 07/21/2001, on the following days: JULY 21, 2001

BILL NO. 2001-52
ORDINANCE NO. 5336

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Sponsored by: Councilman Larry Brown
Summary: Establishes a list of uses that may be permitted in the C-V Zoning District by means of special use permit.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 6TH day of June, 2001, and referred to the following committee composed of Councilmembers Weekly and L. B. McDonald for recommendation; thereafter the said committee reported favorably on said ordinance on the 18th day of July, 2001, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": Mayor Goodman and Councilmembers Reese, M. McDonald, Brown, L.B. McDonald and Weekly
VOTING "NAY": NONE
EXCUSED: Councilman Mack

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 STEWART AVE., LAS VEGAS, NEVADA.
PUB: July 21, 2001
LV Review-Journal

Signed: _____

Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE _____

24

day of *July* 2001

Mary B. Sheffield

Notary Public

