

**BILL NO. 2001-46**

**ORDINANCE NO. 5329**

AN ORDINANCE TO EXPAND THE BOUNDARIES OF THE DOWNTOWN CASINO OVERLAY DISTRICT, ALLOW THE WAIVER OF CERTAIN DISTANCE REQUIREMENTS WITHIN THAT DISTRICT, AND PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by:  
Mayor Oscar B. Goodman  
Councilman Lawrence Weekly

Summary: Expands the boundaries of the Downtown Casino Overlay District and allows the waiver of certain distance requirements within that District.

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

SECTION 1: Subchapter 19A.06.100 of the Zoning Code of the City of Las Vegas is hereby repealed in its entirety.

SECTION 2: Chapter 19A.06 of the Zoning Code of the City of Las Vegas is hereby amended by adding thereto a new Subchapter 100, reading as follows:

**19A.06.100 DOWNTOWN CASINO OVERLAY DISTRICT**

There is hereby created the Downtown Casino Overlay District, whose boundaries are depicted in the map that appears below.

(map appears here)

SECTION 3: The map of the Downtown Casino Overlay District referred to in Section 2 of this Ordinance, to be included in Subchapter 19A.06.100 of the Zoning Code of the City of Las Vegas, is attached to this Ordinance and is hereby adopted and incorporated by this reference.

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

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

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

\*1. No tavern shall be located within 1,500 feet of any church, synagogue, school, child care facility licensed for more than twelve children or City park.

011500



1   **\*2.** Establishments licensed as taverns or comparable establishments shall not be located closer than  
2   1,500 feet to each other.

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

10       **a.** Any leasehold parcel; or

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

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

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

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

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

28   **\*6.** The minimum distance requirements in Paragraphs 1 and 2 do not apply to an establishment

1 which has a non-restricted gaming license in connection with a hotel having 200 or more guest rooms  
2 on or before July 1, 1992 or in connection with a resort hotel having in excess of 200 guest rooms after  
3 July 1, 1992.

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

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

11 SECTION 5: In Section 4 of this Ordinance, the brackets that appear in the  
12 subdivision heading **LIQUORESTABLISHMENT (TAVERN) [C-1 THROUGH M]** are brackets  
13 normally found in the Zoning Code, while the brackets found in the text of that subdivision represent  
14 matter deleted by this amendment.

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

23 SECTION 7: All ordinances or parts of ordinances or sections, subsections, phrases,  
24 ...  
25 ...  
26 ...  
27 ...  
28 ...

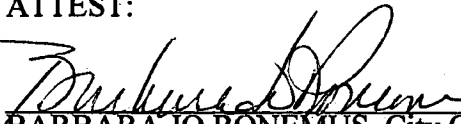
1 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,  
2 1983 Edition, in conflict herewith are hereby repealed.

3 PASSED, ADOPTED and APPROVED this 6<sup>th</sup> day of June, 2001.

4 APPROVED:

5  
6 By   
OSCAR B. GOODMAN, Mayor

7 ATTEST:

8   
9 BARBARA JO RONEUMUS, City Clerk

10 APPROVED AS TO FORM:

11 Valsted 4-18-01  
12 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on  
2 the 2<sup>nd</sup> day of May, 2001 and referred to the following committee composed of Councilmen  
3 Weekly and Mack for recommendation; thereafter the said committee reported favorably on said  
4 ordinance on the 6<sup>th</sup> day of June, 2001 which was a regular meeting of said Council; that at  
5 said regular meeting, the proposed ordinance was read by title to the City Council as first  
6 introduced and adopted by the following vote:

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

9 VOTING "NAY": NONE

10 EXCUSED: NONE

11 APPROVED:

12   
13 OSCAR B. GOODMAN, Mayor

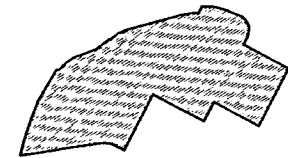
14 ATTEST:

15   
16 BARBARA JO RONEMUS, City Clerk



# City of Las Vegas

## Expanded Downtown Casino Overlay District



Plotted on: April 19, 2001



GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.  
Geographic Information System  
Comprehensive Planning  
702-229-6022



RECEIVED  
CITY CLERK

2001 MAY 30 A 10:56

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  
1730093

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1  
edition(s) of said newspaper issued from 05/25/01 to 05/25/2001, on  
the following days: MAY 25, 2001

Signed: \_\_\_\_\_

*Donna Stark*

SUBSCRIBED AND SWORN BEFORE ME THIS THE \_\_\_\_\_

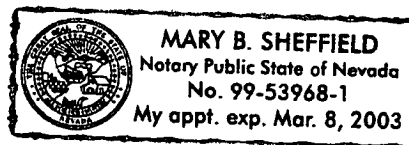
*25*

day of \_\_\_\_\_ 2001

*May*

*Mary B. Sheffield*

Notary Public



BILL NO. 2001-46

AN ORDINANCE TO EXPAND THE BOUNDARIES OF THE DOWNTOWN CASINO OVERLAY DISTRICT, ALLOW THE WAIVER OF CERTAIN DISTANCE REQUIREMENTS WITHIN THAT DISTRICT, AND PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Mayor Oscar B. Goodman, Councilman Lawrence Weekly  
Summary: Expands the boundaries of the Downtown Casino Overlay District and allows the waiver of certain distance requirements within that District.

At a City Council meeting May 2, 2001 BILL NO. 2001-

46 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: May 25, 2001 LV Review-Journal

RECEIVED  
CITY CLERK

2001 JUN 13 A 11:36

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  
1753675

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 06/09/01 to 06/09/2001, on the following days: JUNE 9, 2001

BILL NO. 2001-46  
ORDINANCE NO. 5329

AN ORDINANCE TO EXPAND THE BOUNDARIES OF THE DOWNTOWN CASINO OVERLAY DISTRICT, ALLOW THE WAIVER OF CERTAIN DISTANCE REQUIREMENTS WITHIN THAT DISTRICT, AND PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Mayor Oscar B. Goodman Councilman Lawrence Weekly Summary: Expands the boundaries of the Downtown Casino Overlay District and allows the waiver of certain distance requirements within that District.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 2nd day of May, 2001, and referred to the following committee composed of Councilmembers Weekly and Mack for recommendation; thereafter the said committee reported favorably on said ordinance on the 6th day of June, 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, Weekly and Mack  
VOTING "NAY": NONE  
EXCUSED: NONE

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 STEWART AVENUE, LAS VEGAS, NEVADA. PUB: June 9, 2001 LV Review-Journal

Signed: Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE 11

day of June 2001

Mary B. Sheffield  
Notary Public

