

**FIRST AMENDMENT**

**BILL NO. 2000-38**

**ORDINANCE NO. 5227**

AN ORDINANCE TO AMEND THE ZONING CODE TO REQUIRE THE SUBMITTAL OF AN IMPACT STATEMENT REGARDING PROJECTS OF SIGNIFICANT IMPACT, AS DESCRIBED IN STATE LAW, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Mayor Oscar B. Goodman

Summary: Requires the submittal of an impact statement regarding projects of significant impact, as described in State law.

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

SECTION 1: Subchapter 19A.18.010 of the Zoning Code of the City of Las Vegas is hereby amended by adding thereto a new Section (E), reading as follows:

**E. DEVELOPMENT IMPACT NOTICE AND ASSESSMENT (DINA)**

**1. Background**

Pursuant to 1999 Statutes of Nevada, Chapter 481 ("Chapter 481"), a person who proposes to develop a project of significant impact is generally required to submit an impact statement to the local zoning authority before specified actions can be taken regarding the project. This Section implements the requirements associated with Chapter 481. The impact statement to be required by the City is identified as a Development Impact Notice and Assessment (DINA), and requires the information described in Chapter 481. The required information includes information regarding vehicle trips, student enrollment, sewage generation, water demand, storm water runoff, distance from public safety facilities, existing and planned capacities of services required for the project, and other anticipated effects of the project.

For purposes of this Section, a project is deemed to be a "project of significant impact" if it would create:

- a. Final maps or planned unit developments of 500 units or more;

- b. Tourist accommodations of 300 units or more;
- c. A commercial or industrial facility generating more than 3,000 average daily vehicle trips; or
- d. A nonresidential development encompassing more than 160 acres.

## **2. Applicability**

This Subchapter applies to all development within the City, except for any project:

- a. Located on property which was the subject of a development agreement with a local government, if the agreement became effective before June 8, 1999; or
- b. Which was approved before June 8, 1999.

## **3. Requirements Prior to and in Connection with Submittal of An Application**

Before scheduling a pre-application conference in accordance with Section 19A.18.010(B), a person proposing a development of significant impact in connection with an application for rezoning, for site development plan review, or for a special use permit must meet with agencies and service providers from which the information required for a DINA report must be obtained. At the pre-application conference, the applicant must present to Planning and Development staff, on forms provided by the Department, the agency and provider responses that have been obtained by the applicant. A completed DINA report must be submitted no later than at the time of making an application under this Chapter. The Department is authorized to withhold the processing of an application until a completed DINA report has been submitted.

## **4. Review**

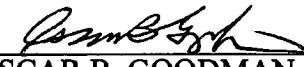
Action by the City Council concerning a project of significant impact shall be in accordance with Chapter 481. Pursuant to the provisions of Chapter 481, the City Council may approve a project with respect to which the capacities of roads, sources of water supply or facilities for wastewater and flood control will not be sufficient to support the project if the Council requires the person who proposes to develop the project to carry out appropriate measures of mitigation to substantially reduce the impact of the project on those elements of infrastructure.

1 SECTION 2: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in  
2 this ordinance or any part thereof, is for any reason held to be unconstitutional, or invalid or  
3 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or  
4 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the  
5 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,  
6 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,  
7 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,  
8 invalid or ineffective.  
9

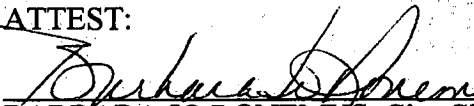
10 SECTION 3: All ordinances or parts of ordinances or sections, subsections, phrases,  
11 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,  
12 1983 Edition, in conflict herewith are hereby repealed.

13 PASSED, ADOPTED and APPROVED this 7<sup>th</sup> day of June, 2000.

14 APPROVED:

15 By   
16 OSCAR B. GOODMAN, Mayor

17 ATTEST:

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19 BARBARA JO RONEMUS, City Clerk

20 APPROVED AS TO FORM:

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22 5-16-2000

23 Date  
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1 The above and foregoing ordinance was first proposed and read by title to the City Council on  
2 the 3rd<sup>h</sup> day of May, 2000 and referred to the following committee composed of the  
3 Councilmen Weekly and Mack for recommendation; thereafter the said committee reported  
4 favorably on said ordinance on the 7<sup>th</sup> day of June, 2000 which was a regular meeting of said  
5 Council; that at said regular meeting, the proposed ordinance was read by title to the City  
6 Council as amended and adopted by the following vote:

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

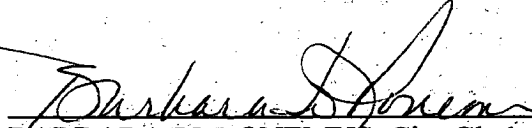
9 VOTING "NAY": NONE

10 EXCUSED: NONE

11 APPROVED:

12  
13   
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

16   
17 BARBARA JO RONEMUS, City Clerk

BILL NO. 2000-38

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

AN ORDINANCE TO AMEND THE ZONING CODE TO REQUIRE THE SUBMITTAL OF AN IMPACT STATEMENT REGARDING PROJECTS OF SIGNIFICANT IMPACT, AS DESCRIBED IN STATE LAW, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Mayor Oscar B. Goodman

Summary: Requires the submittal of an impact statement regarding projects of significant impact, as described in State law.

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SECTION 1: Subchapter 19A.18.010 of the Zoning Code of the City of Las Vegas is hereby amended by adding thereto a new Section (E), reading as follows:

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**1. Background**

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For purposes of this Section, a project is deemed to be a "project of significant impact" if it would create:

- a. Final maps or planned unit developments of 500 units or more;
- b. Tourist accommodations of 300 units or more;

1 c. A commercial or industrial facility generating more than 3,000 average daily vehicle  
2 trips; or

3 d. A nonresidential development encompassing more than 160 acres.

4 **2. Applicability**

5 This Subchapter applies to all development within the City, except for any project:

6 a. Located on property which was the subject of a development agreement with a local  
7 government, if the agreement became effective before June 8, 1999; or

8 b. Which was approved before June 8, 1999.

9 **3. Requirements Prior to and in Connection with Submittal of An Application**

10 Before scheduling a pre-application conference in accordance with Section 19A.18.010(B),  
11 a person proposing a development of significant impact in connection with an application for  
12 rezoning, for site development plan review, or for a special use permit must meet with agencies and  
13 service providers from which the information required for a DINA report must be obtained. At the  
14 pre-application conference, the applicant must present to Planning and Development staff, on forms  
15 provided by the Department, the agency and provider responses that have been obtained by the  
16 applicant. A completed DINA report must be submitted no later than at the time of making an  
17 application under this Chapter. The Department is authorized to withhold the processing of an  
18 application until a completed DINA report has been submitted. In any event, pursuant to Chapter 481,  
19 a completed DINA report must be submitted at least 15 days before final action may be taken on a  
20 final subdivision map, in the case of a residential subdivision, or , otherwise, before final action on  
21 the project may be taken.

22 **4. Review**

23 Action by the City Council concerning a project of significant impact shall be in accordance  
24 with Chapter 481. Pursuant to the provisions of Chapter 481, the City Council may approve a project  
25 with respect to which the capacities of roads, sources of water supply or facilities for wastewater and  
26 flood control will not be sufficient to support the project if the Council requires the person who  
27  
28

1 proposes to develop the project to carry out appropriate measures of mitigation to reduce the impact  
2 of the project on those elements of infrastructure.

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

12 SECTION 3: All ordinances or parts of ordinances or sections, subsections, phrases,  
13 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,  
14 1983 Edition, in conflict herewith are hereby repealed.

15 PASSED, ADOPTED and APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2000.

17 APPROVED:

18 By \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

19 ATTEST:

20  
21 BARBARA JO RONEMUS, City Clerk

22 APPROVED AS TO FORM:

23 Val Steed 4-19-2000  
24 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the  
2 \_\_\_\_ day of \_\_\_\_\_, 2000, and referred to the following committee composed of  
3 \_\_\_\_\_ and \_\_\_\_\_ for recommendation;  
4 thereafter the said committee reported favorably on said ordinance on the \_\_\_\_ day of  
5 \_\_\_\_\_, 2000, which was a \_\_\_\_\_ meeting of said Council; that at said  
6 \_\_\_\_\_ meeting, the proposed ordinance was read by title to the City Council  
7 as first introduced and adopted by the following vote:  
8

9 VOTING "AYE": \_\_\_\_\_

10 VOTING "NAY": \_\_\_\_\_

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

12 APPROVED:

13  
14 By \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

15 ATTEST:

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BARBARA JO RONEMUS, City Clerk  
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AFFP DISTRICT COURT  
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

Barbara Linford, 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  
1250991

2296311LV

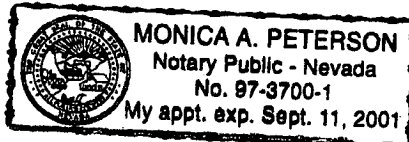
was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1  
edition(s) of said newspaper issued from 05/26/00 to 05/26/2000, on  
the following days: MAY 26, 2000

Signed:

SUBSCRIBED AND SWORN BEFORE ME THIS THE

day of May 26, 2000

Notary Public



FIRST AMENDMENT  
BILL NO. 2000-38

AN ORDINANCE TO AMEND THE  
ZONING CODE TO REQUIRE THE  
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STATEMENT REGARDING PRO-  
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AS DESCRIBED IN STATE LAW,  
AND TO PROVIDE FOR OTHER  
RELATED MATTERS.

Sponsored by: Mayor Oscar B.  
Goodman  
Summary: Requires the submit-  
tal of an impact statement re-  
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impact, as described in State  
law

At a City Council meeting  
May 3, 2000  
BILL NO. 2000-38 WAS READ BY  
TITLE AND REFERRED TO 'REC-  
OMENDING COMMITTEE'  
Councilmen Weekly and Mack

COPIES OF THE COMPLETE BILL  
ARE AVAILABLE FOR PUBLIC IN-  
FORMATION IN THE OFFICE OF  
THE CITY CLERK, 1ST FLOOR,  
CITY HALL, 400 STEWART AVE-  
NUE, LAS VEGAS, NEVADA.  
PUB: May 26, 2000  
Las Vegas Review-Journal

2000 JUN -5 P 2:37  
RECEIVED  
CITY CLERK

AFFP DISTRICT COURT  
Clark County, Nevada  
AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

Barbara Linford, 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  
1277219

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 06/09/00 to 06/09/2000, on the following days: JUNE 9, 2000

Signed: Barbara Linford

SUBSCRIBED AND SWORN BEFORE ME THIS THE 9

day of June 2000

Mary B. Sheffield  
Notary Public

FIRST AMENDMENT  
BILL NO. 2000-38  
ORDINANCE NO. 5227

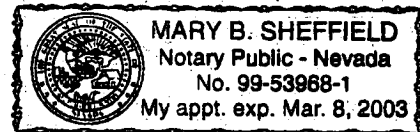
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Summary: Requires the submittal of an impact statement regarding projects of significant impact, as described in State law

The above and foregoing ordinance was first proposed and read by title to the City Council on the 3rd day of May, 2000, and referred to the following committee composed of Councilmen Weekly and Mack for recommendation; thereafter the said committee reported favorably on said ordinance on the 7th day of June, 2000, 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 amended and adopted by the following vote:

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

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, 2000  
Las Vegas Review-Journal



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2000 JUN 19 P 2:20