

BILL NO. 2001-14

ORDINANCE NO. 5301

AN ORDINANCE TO AMEND THE ZONING CODE TO REPEAL THE SUBCHAPTER REGARDING THE CENTRAL BUSINESS DISTRICT OVERLAY DISTRICT, TO ADOPT IN LIEU THEREOF A NEW SUBCHAPTER REGARDING THE DOWNTOWN OVERLAY DISTRICT, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Bob Genzer, Acting Director of Planning and Development

Summary: Replaces the Central Business District Overlay District with the Downtown Overlay District, and adopts design standards related thereto.

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

SECTION 1: Section 19A.02.010(B) of the Zoning Code of the City of Las Vegas is hereby amended by deleting from the list of zones contained in that Section the reference to the Central Business District Overlay District, along with its corresponding Abbreviated Designation, and substituting therefor the "Downtown Overlay District," along with its corresponding Abbreviated Designation "D-O."

SECTION 2: Section 19A.02.040(D) of the Zoning Code of the City of Las Vegas is hereby amended by amending Subsection (5) thereof to read as follows:

1. [CBD Central Business District] D-O Downtown Overlay District. The [CBD Overlay] D-O District is intended to regulate development in the [Central Business District] City's downtown core and to encourage compatible development [in the downtown core.] therein. The [CBD Overlay] D-O District is intended to establish special standards for development that will be applicable to any property and zoning category in the downtown core.

SECTION 3: Subchapter 19A.06.060 of the Zoning Code of the City of Las Vegas is hereby repealed in its entirety.

SECTION 4: Chapter 19A.06 of the Zoning Code of the City of Las Vegas is hereby amended by adding thereto a new Subchapter 60, consisting of the provisions which follow:

...

...

1 **19A.06.060 DOWNTOWN OVERLAY DISTRICT**

2 **A. Intent**

3 The intent of the Downtown Overlay District is to establish special design standards for development
4 within the City's established urban core. The boundaries of the District shall be as indicated at the
5 end of this Subchapter 19A.06.060.

6 **B. Downtown Design Standards**

7 Development within the Downtown Overlay District shall conform to the Downtown Las Vegas
8 Design Standards (the "Design Standards)," which are included within the Las Vegas Downtown
9 Centennial Plan and which are adopted and incorporated by this reference. The Design Standards
10 (whether published separately or not) shall be on file in the Office of the City Clerk and in the
11 Planning and Development Department. The Design Standards include standards relating to urban
12 design; site planning; transportation and parking; streetscape architecture; signage; and landscaping
13 for properties throughout the District. The Design Standards are mandatory and shall apply to any
14 property and zoning category within the District. The Design Standards may be amended from time
15 to time by ordinance or by resolution of the City Council. If the City Council adopts more restrictive
16 design standards for one or more sub-districts within the Downtown Overlay District, those more
17 restrictive standards shall apply to the sub-district to which they pertain.

18 **C. Special Provisions**

19 In order to encourage the development of a complex, visually interesting and urbane walkable mixed-
20 use environment, and to encourage transit-oriented development as future transit routes and stations
21 develop within the Downtown area, properties within the Downtown Overlay District are exempt from
22 the automatic application of the mandatory maximum building height, required building setback,
23 maximum lot coverage, residential adjacency, standard landscaping requirements, and standard
24 parking requirements in Subchapter 19A.08.040, Subchapter 19A.08.050, Subchapter 19A.08.060,
25 Chapter 19A.10, and Chapter 19A.12. However, the exemption does not prohibit City staff, the
26 Planning Commission, and the City Council from imposing limitations on the approval of a Site
27 Development Plan. Site Development Plan applications within the Downtown Overlay District shall
28 be evaluated on a case-by-case basis to determine the extent to which those standards shall be

1 required.

2 SECTION 5: The map which is attached to this Ordinance as Exhibit "A" is hereby
3 adopted as part of Subchapter 19A.06.060 of the Zoning Code of the City of Las Vegas, and shall be
4 published immediately following that Subchapter. A copy of the Design Standards referred to in
5 Section 4 of this Ordinance is attached hereto.

6 SECTION 6: Section 19A.08.030(C) of the Zoning Code of the City of Las Vegas
7 is hereby amended by amending the text that appears before Table 2 as follows:

8 **C. Building Heights Along Streets Classified as Collector or Larger**

9 Notwithstanding the maximum building heights established in this chapter, allowable building heights
10 shall be further restricted along streets classified as collector or larger, as designated in the Master
11 Plan of Streets and Highways. Buildings may be constructed up to 35 feet in height at the front yard
12 setback line. Any portion of a building over 35 feet in height shall be set back an additional 1 foot
13 for each foot of height in excess of 35 feet, see Figure 2 below. However, the preceding restriction
14 shall not apply to buildings in the [Central Business District] Downtown Overlay District or buildings
15 located adjacent to freeways.

16 SECTION 7: Section 19A.08.040(A) of the Zoning Code of the City of Las Vegas
17 is hereby amended by amending the Explanatory Notes ("Notes") to Table 2, a table which is referred
18 to in that Section and appears subsequently in Subchapter 19A.08.040. The Notes are amended to
19 read as follows:

20 Notes:

- 21 1. **R-5 District**—The maximum density is unlimited. However, the height limit on
22 development imposes a de facto limitation on density in all areas except the [Central
23 Business District] Downtown Overlay District (see Subchapter 19A.06.060), where
24 the height is unlimited.
- 25 2. **R-5 District**—The minimum rear yard setback shall be 20 feet. However, where the
26 rear 20 feet of the lot has direct access to a public alley and is used for the on-site
27 parking of automobiles, this area may be covered by a roof provided it is otherwise
28 open on three sides.

- 1 3. **[Central Business District] Downtown Overlay District**—All structures in the
2 **[CBD] Downtown Overlay District** are exempted from the automatic application of the
3 height limitations, required setbacks and lot coverage requirements specified in Table
4 2. However, the exemption does not prohibit the City Council from imposing similar
5 or equivalent limitations in connection with the approval of a Site Development Plan
6 in accordance with Subchapter 19A.06.060.

7 SECTION 8: Section 19A.08.040(C) of the Zoning Code of the City of Las Vegas
8 is hereby amended by amending Subsection (5) thereof to read as follows:

9 5. **[CBD Central Business District] Downtown Overlay District**

10 **Building Height, Setback and Lot Coverage.** All structures located in the [Central
11 Business District] Downtown Overlay District are exempted from the automatic
12 application of the building height, building setback and lot coverage provisions of this
13 Chapter 19A.08, including the Residential Adjacency Setback provided, however, that
14 this exemption does not prohibit the City Council from imposing a building height,
15 setback or lot coverage requirement in connection with the approval of a Site
16 Development Plan.

17 SECTION 9: Section 19A.08.050(A) of the Zoning Code of the City of Las Vegas
18 is hereby amended by amending the Explanatory Notes (“Notes”) to Table 3, a table which is referred
19 to in that Section and appears subsequently in Subchapter 19A.08.050. The Notes are amended by
20 amending Note 5 to read as follows:

- 21 5. **[Central Business District] Downtown Overlay District.** All structures in the
22 **[CBD] Downtown Overlay District** are exempted from the automatic application of the
23 height limitations, required setbacks and lot coverage requirements specified in this
24 chapter. However, the exemption does not prohibit the City Council from imposing
25 similar or equivalent limitations in connection with the approval of a Site
26 Development Plan in accordance with Subchapter 19A.06.060.

27 SECTION 10: Section 19A.08.050(B) of the Zoning Code of the City of Las Vegas
28 is hereby amended by amending Subsection (2) thereof to read as follows:

- 1 **2. Landscaping.** Landscaping shall be provided in all commercial and industrial districts
2 in accordance with Chapter 19A.12 and any approved Site Development Plan and
3 ordinance applicable to a specific site. Development in the [Central Business]
4 Downtown Overlay District shall be exempt from the automatic application of the
5 requirements of Chapter 19A.12.

6 SECTION 11: Section 19A.08.050(C) of the Zoning Code of the City of Las Vegas
7 is hereby amended by amending Subsection (5) thereof to read as follows:

8 **5. [CBD Central Business District] Downtown Overlay District**

9 **Building Height, Setback and Lot Coverage.** All structures located in the [Central
10 Business District] Downtown Overlay District shall be exempt from the automatic
11 application of the height limitations, required setbacks and lot coverage requirements
12 specified in this chapter. However, the exemption does not prohibit the City Council
13 from imposing similar or equivalent limitations in connection with the approval of a
14 Site Development Plan in accordance with Subchapter 19A.06.060.

15 SECTION 12: Section 19A.08.060(A) of the Zoning Code of the City of Las Vegas
16 is hereby amended to read as follows:

17 **A. Applicability**

18 The following standards shall apply to all non-residential properties located adjacent to or in
19 proximity to residentially zoned building sites. For the purpose of this section, the terms “residentially
20 zoned” and “residential” refer to property which is developed for single-family residential use or
21 which is designated for such development in the General Plan. Property which is developed or
22 designated for multi-family use shall be considered non-residential for the purpose of this section.

23 Residential adjacency applies to those properties which have a common property line with the
24 residential property, and residential proximity applies to all properties in the area of the residential
25 site.

26 The residential adjacency requirements shall not apply to properties in the [Central Business
27 District] Downtown Overlay District.

28 SECTION 13: Subchapter 19A.10.010 of the Zoning Code of the City of Las Vegas

1 is hereby amended by repealing in its entirety Section (I) thereof. Sections (J) and (K) of that
2 Subchapter shall be relettered (I) and (J), respectively.

3 SECTION 14: Section 19A.10.020(B) of the Zoning Code of the City of Las Vegas
4 is hereby amended to read as follows:

5 **B. Applicability**

6 Except for uses within the [Central Business District] Downtown Overlay District, every use that
7 receives or distributes materials or merchandise by truck shall provide and maintain on-site loading
8 spaces in accordance with the standards of this Subchapter.

9 SECTION 15: Subchapter 19A.12.010 of the Zoning Code of the City of Las Vegas
10 is hereby amended to read as follows:

11 **19A.12.010 APPLICABILITY**

12 This chapter applies to all multi-family, office, retail, commercial, institutional, and industrial
13 developments. In addition, it applies to all single family developments with five or more lots adjacent
14 to streets classified as collectors or larger. However, it does not apply to any special purpose zoning
15 district which contains special landscape standards or to properties in the [Central Business District]
16 Downtown Overlay District.

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

25 SECTION 17: All ordinances or parts of ordinances or sections, subsections, phrases,
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 7th day of March, 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 Valsted 1-24-01
12 Date

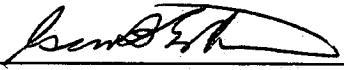
1 The above and foregoing ordinance was first proposed and read by title to the City
2 Council on the 7th day of February, 2001 and referred to the following committee composed of
3 the Councilmembers Mack and Weekly for recommendation; thereafter the said committee
4 reported favorably on said ordinance on the 7th day of March, 2001 which was a regular meeting
5 of said Council; that at said regular meeting, the proposed ordinance was read by title to the City
6 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, Weekly and Mack

9 VOTING "NAY": NONE

10 EXCUSED: NONE

11 APPROVED:

12 
13 OSCAR B. GOODMAN, Mayor

14 ATTEST:

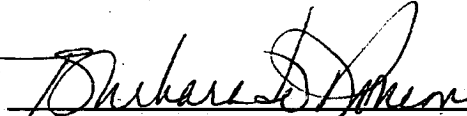
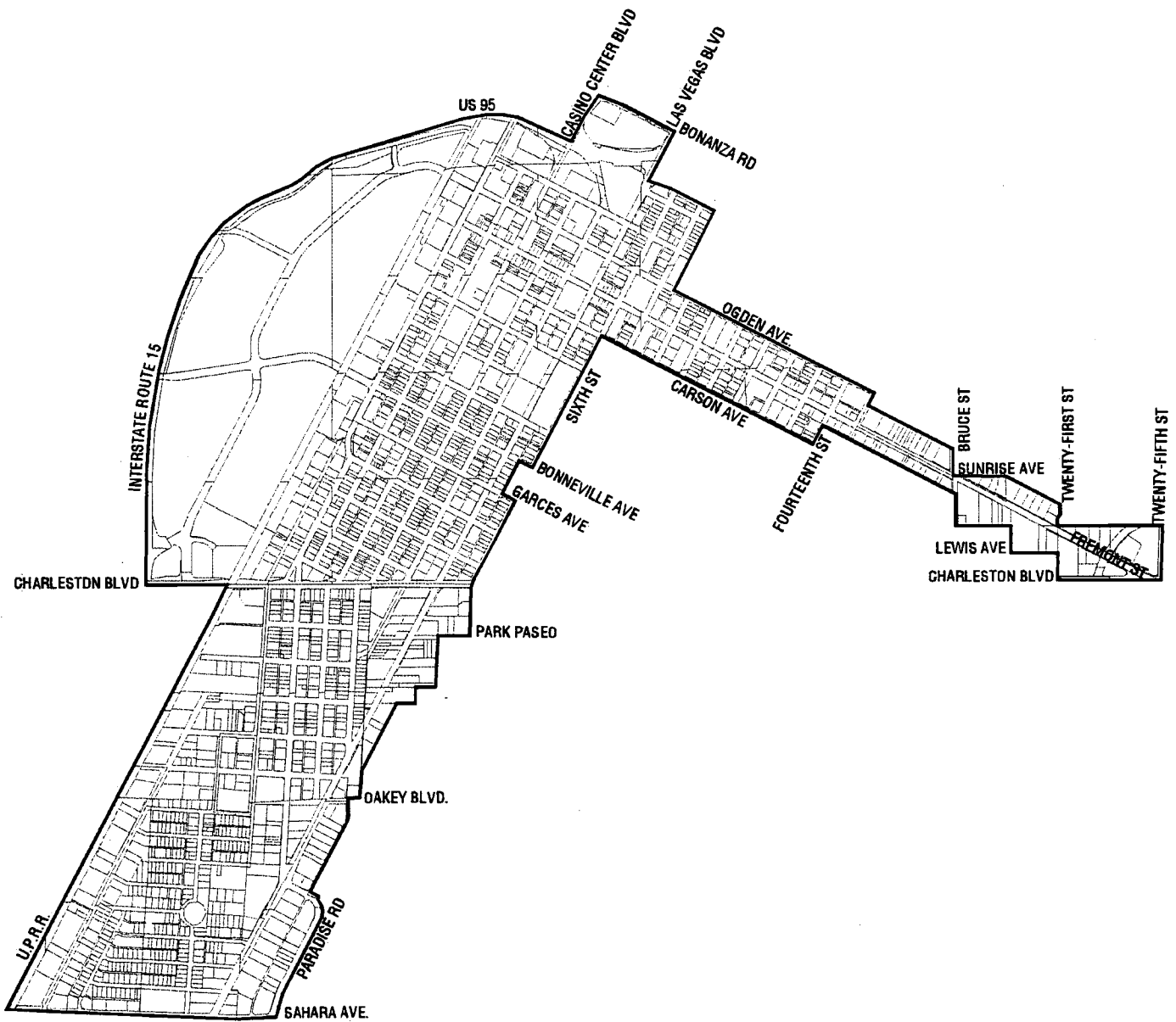
15 
16 BARBARA JO RONEMUS, City Clerk

Exhibit A

Downtown Overlay District



RECEIVED
CITY CLERK

AFFP DISTRICT COURT
Clark County, Nevada

2001 MAR -2 A 11: 31

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
1608621

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 02/24/01 to 02/24/2001, on the following days: FEB. 24, 2001

Signed: _____

Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE _____

26

day of February 2001

Mary B. Sheffield

Notary Public

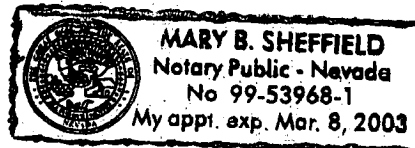
BILL NO. 2001-14

AN ORDINANCE TO AMEND THE ZONING CODE TO REPEAL THE SUBCHAPTER REGARDING THE CENTRAL BUSINESS DISTRICT OVERLAY DISTRICT, TO ADOPT IN LIEU THEREOF A NEW SUBCHAPTER REGARDING THE DOWNTOWN OVERLAY DISTRICT, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Bob Genzer, Acting Director of Planning and Development
Summary: Replaces the Central Business District Overlay District with the Downtown Overlay District, and adopts design standards related thereto.

At a City Council meeting FEBRUARY 7, 2001
BILL NO. 2001-14 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: February 24, 2001
LV Review-Journal



RECEIVED
CITY CLERK

2001 MAR 20 A 11:30

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
1627327

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 03/10/01 to 03/10/2001, on the following days: MARCH 10, 2001

BILL NO. 2001-14
ORDINANCE NO. 5301

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Proposed by: Bob Genzer, Acting Director of Planning and Development
Summary: Replaces the Central Business District Overlay District with the Downtown Overlay District, and adopts design standards related thereto.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 7th day of February, 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 7th day of March, 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: March 10, 2001
LV Review-Journal

Signed: Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE 12

day of March 2001

Mary B. Sheffield
Notary Public

