

Bill No. 95-14

Ordinance No 3885

AN ORDINANCE RELATING TO ZONING; AMENDING TITLE 19, CHAPTER 88 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, AMENDING SECTIONS 30 AND 70 OF CHAPTER 88 OF SAID TITLE RELATING TO ZONING VARIANCES; INCREASING THE TIME PERIODS FOR THE FILING OF A NEW APPLICATION AFTER A DENIAL OR WITHDRAWAL WITH PREJUDICE; SETTING STANDARDS FOR A REQUESTED CONTINUANCE; ESTABLISHING REGISTRATION AND NOTIFICATION REQUIREMENTS FOR NEIGHBORHOOD GROUPS; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by:

Councilman Frank Hawkins

Summary: Amends Title 19, Chapter 88 relating to zoning variances by adding new provisions relating to applications and notification and other matters relating thereto.

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

SECTION 1: Title 19, Chapter 88, Section 30 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition is hereby amended as follows:

19.88.030 Application Procedure.

(A) An application for a variance shall be made to the Board of Zoning Adjustment on a form to be provided by the Department of Community Planning and Development. This application shall be filed with the Secretary of the Board of Zoning Adjustment at the office of the Department of Community Planning and Development. The application shall be signed and acknowledged by the record owner of the property for which the variance is sought; provided, however, that:

(1) With respect to property which is owned by the State of Nevada of the United States of America, a variance application is sufficient if it is signed and acknowledged by a prospective purchaser of that property who has entered into a

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contract with the governmental entity to obtain ownership of the property;

(2) A variance application is sufficient if it is signed and acknowledged by a lessee, a contract purchaser or an optionee of the property for which a variance is sought whose interest in that property exists by virtue of a written agreement with the owner of record thereof if the owner of record executes a document, duly acknowledged, to which is attached a copy of the variance application and in which the owner of record authorizes such lessee, contract purchaser or optionee to sign the application, consents to the filing and processing thereof and agrees to honor and be bound by the requested variance, if it is approved, and by any conditions of approval attached thereto.

(B) Upon receipt of a properly executed application, the Secretary of the Board of Zoning Adjustment shall maintain the application, together with all pertinent attachments and exhibits, in the permanent files of the Department of Community Planning and Development as a public record.

(C) Subject to the provisions of subsection [(D)](E) of this Section, no application for a variance on property concerning which all or any part of a previous application for the same use, a similar use or a less restrictive use has been denied, or concerning which a previous application has been withdrawn subsequent to the noticing of a public hearing thereon, shall be accepted until the following periods will have elapsed between the date of such denial or withdrawal and the date of the meeting for which the proposed application would be scheduled in the normal course:

(1) After the first denial or withdrawal, [four months] *one year*.

(2) After the second or a subsequent denial or withdrawal, [twelve months] *two years*.

In addition, subject to the provisions of subsection [(D)](E) of this Section, no application for a

1 variance concerning which all or any part of a previous application for a special use permit or a
2 reclassification for the same use, a similar use or a less restrictive use has been denied, or
3 concerning which a previous application has been withdrawn subsequent to the noticing of a public
4 hearing thereon, shall be accepted until the time periods described in this subsection have elapsed.

5 *(D) Any applicant who wishes to have their application held in abeyance*
6 *following the notice and posting of the agenda of the Board of Zoning Adjustment or the City*
7 *Council shall state good cause for the request. Good cause shall be more than mere inconvenience*
8 *to the applicant or lack of preparation. A failure to establish good cause shall result in the*
9 *involuntary withdrawal of the application with prejudice.*

10 ~~(D)~~(E) The time periods that are described in subsection (C) of this Section
11 and that otherwise would become effective because of the withdrawal of an application shall not
12 become effective if, after consideration of the timing and circumstances of the withdrawal, the
13 Board of Zoning Adjustment or the City Council specifically approves the withdrawal without
14 prejudice.

15 SECTION 2: Title 19, Chapter 88, Section 70 of the Municipal Code of the City
16 of Las Vegas, Nevada, 1983 Edition is hereby amended as follows:

17 **19.88.070 Public hearing -- Notice.**

18 (A) The Board of Zoning Adjustment shall hold a public hearing upon each
19 application for a variance within sixty-five days after the application is properly filed. Notice of
20 the time, place and purpose of the hearing must be given at least ten days before the hearing by:

- 21 (1) Publishing the notice in a newspaper of general circulation within the
22 city; and
23 (2) Mailing a copy of the notice to:
24 (a) The applicant;
25 (b) Each owner of real property located within a minimum of six
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hundred feet of the property described in the application;

(c) Each tenant of any mobile home park that is located within three hundred feet of the property described in the application;

(d) Each owner of at least thirty parcels nearest to the property described in the application, to the extent this notice does not duplicate the notice otherwise required by this Section; and

(e) Any advisory board which has been established for the affected area by the City Council[.], and

(f) *The president or head of any registered local neighborhood organization whose organization boundaries are located within a minimum of one-half mile of the property described in the application.*

(1) A neighborhood organization shall be considered registered upon the public filing of the following with the Department of Planning and Community Development:

- (aa) The name of the organization;*
- (bb) The name of the president or head of the organization;*
- (cc) The address of the organization;*
- (dd) The boundaries of the neighborhood making up the organization;*
- (ee) The telephone and/or fax number of the organization.*

(g) *The Department of Community Planning and Development shall timely provide, at the request of the applicant, the name, address and phone number of any person notified pursuant to subsection (A) (2) (f) of this*

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section.


(B) The Secretary of the Board of Zoning Adjustment may give additional notice of the hearing by expanding the area of notification or using other means of notification, or both. The Secretary shall endeavor to provide any such additional notice at least ten days before the date of the hearing.

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


SECTION 4: All ordinances or parts of ordinances, sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this 19th day of April, 1995.

APPROVED:

By 
JAN LAVERTY JONES, MAYOR
4/21/95

ATTEST:


KATHLEEN M. TIGHE, City Clerk

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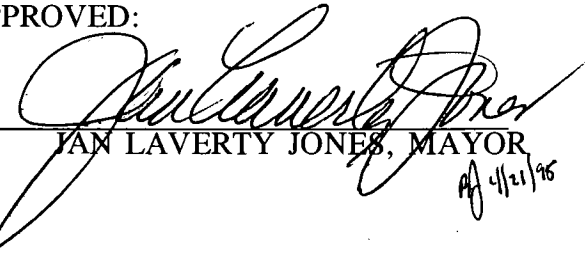
The above and foregoing ordinance was first proposed and read by title to the City Council on the 15th day of March, 1995, and referred to the following committee composed of Councilmen Hawkins Jr. and Brass for recommendation; thereafter the said committee reported favorably on said ordinance on the 19th day of April, 1995, which was a regular meeting of said Council; 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": Councilmen Adamsen, Hawkins Jr. Brass, Callister and Mayor Jones

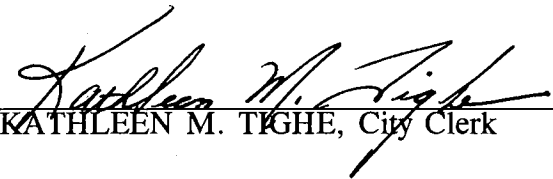
VOTING "NAY": NONE

ABSENT: NONE

APPROVED:

By 
JAN LAVERTY JONES, MAYOR
AJ 4/21/95

ATTEST:


KATHLEEN M. TIGHE, City Clerk

2 Ordinance No _____

3 AN ORDINANCE RELATING TO ZONING; AMENDING TITLE 19, CHAPTER 88 OF THE
4 MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION,
5 AMENDING SECTIONS 30, 70, 100, 170 OF CHAPTER 88 OF SAID TITLE RELATING TO
6 ZONING VARIANCES; INCREASING THE TIME PERIODS FOR THE FILING OF A NEW
7 APPLICATION AFTER A DENIAL OR WITHDRAWAL WITH PREJUDICE; SETTING
8 STANDARDS FOR A REQUESTED CONTINUANCE; ESTABLISHING REGISTRATION
9 AND NOTIFICATION REQUIREMENTS FOR NEIGHBORHOOD GROUPS; REQUIRING A
10 VOTE BY TWO-THIRDS OF THE MEMBERS PRESENT TO GRANT A VARIANCE;
11 PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND
12 REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT
13 HEREWITH.

14 Sponsored by:

15 Councilman Frank Hawkins

Summary: Amends Title 19, Chapter 88 relating to zoning variances by adding new provisions relating to applications, notification, voting requirements and other matters relating thereto.

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

18 SECTION 1: Title 19, Chapter 88, Section 30 of the Municipal Code of the City
19 of Las Vegas, Nevada, 1983 Edition is hereby amended as follows:

20 **19.88.030 Application Procedure.**

21 (A) An application for a variance shall be made to the Board of Zoning
22 Adjustment on a form to be provided by the Department of Community Planning and
23 Development. This application shall be filed with the Secretary of the Board of Zoning
24 Adjustment at the office of the Department of Community Planning and Development. The
25 application shall be signed and acknowledged by the record owner of the property for which the
26 variance is sought; provided, however, that:

- (1) With respect to property which is owned by the State of Nevada of the United States of America, a variance application is sufficient if it is signed and

1 acknowledged by a prospective purchaser of that property who has entered into a
2 contract with the governmental entity to obtain ownership of the property;

3 (2) A variance application is sufficient if it is signed and acknowledged
4 by a lessee, a contract purchaser or an optionee of the property for which a
5 variance is sought whose interest in that property exists by virtue of a written
6 agreement with the owner of record thereof if the owner of record executes a
7 document, duly acknowledged, to which is attached a copy of the variance
8 application and in which the owner of record authorizes such lessee, contract
9 purchaser or optionee to sign the application, consents to the filing and processing
10 thereof and agrees to honor and be bound by the requested variance, if it is
11 approved, and by any conditions of approval attached thereto.

12 (B) Upon receipt of a properly executed application, the Secretary of the Board
13 of Zoning Adjustment shall maintain the application, together with all pertinent attachments and
14 exhibits, in the permanent files of the Department of Community Planning and Development as
15 a public record.

16 (C) Subject to the provisions of subsection [(D)](E) of this Section, no
17 application for a variance on property concerning which all or any part of a previous application
18 for the same use, a similar use or a less restrictive use has been denied, or concerning which a
19 previous application has been withdrawn subsequent to the noticing of a public hearing thereon,
20 shall be accepted until the following periods will have elapsed between the date of such denial or
21 withdrawal and the date of the meeting for which the proposed application would be scheduled
22 in the normal course:

23 (1) After the first denial or withdrawal, [four months] *one year*.

24 (2) After the second or a subsequent denial or withdrawal, [twelve
25 months] *two years*.

1 In addition, subject to the provisions of subsection [(D)](E) of this Section, no application for a
2 variance concerning which all or any part of a previous application for a special use permit or a
3 reclassification for the same use, a similar use or a less restrictive use has been denied, or
4 concerning which a previous application has been withdrawn subsequent to the noticing of a public
5 hearing thereon, shall be accepted until the time periods described in this subsection have elapsed.

6 (D) Any applicant who wishes to have their application held in abeyance
7 following the notice and posting of the agenda of the Board of Zoning Adjustment or the City
8 Council shall state good cause for the request, including, but not limited whether the applicant
9 demonstrates that diligent efforts were used to contact individuals and local neighborhood groups
10 noticed for the meeting. Good cause shall be more than mere inconvenience to the applicant or lack
11 of preparation. A failure to establish good cause shall result in the involuntary withdrawal of the
12 application with prejudice.

13 [(D)](E) The time periods that are described in subsection (C) of this Section
14 and that otherwise would become effective because of the withdrawal of an application shall not
15 become effective if, after consideration of the timing and circumstances of the withdrawal, the
16 Board of Zoning Adjustment or the City Council specifically approves the withdrawal without
17 prejudice.

18 SECTION 2: Title 19, Chapter 88, Section 70 of the Municipal Code of the City
19 of Las Vegas, Nevada, 1983 Edition is hereby amended as follows:

20 **19.88.070 Public hearing -- Notice.**

21 (A) The Board of Zoning Adjustment shall hold a public hearing upon each
22 application for a variance within sixty-five days after the application is properly filed. Notice of
23 the time, place and purpose of the hearing must be given at least ten days before the hearing by:

- 24 (1) Publishing the notice in a newspaper of general circulation within the
25 city; and
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- (2) Mailing a copy of the notice to:
 - (a) The applicant;
 - (b) Each owner of real property located within a minimum of six hundred feet of the property described in the application;
 - (c) Each tenant of any mobile home park that is located within three hundred feet of the property described in the application;
 - (d) Each owner of at least thirty parcels nearest to the property described in the application, to the extent this notice does not duplicate the notice otherwise required by this Section; and
 - (e) Any advisory board which has been established for the affected area by the City Council[.], *and*
 - (f) *The president or head of any registered local neighborhood organization whose organization boundaries are located within a minimum of one-half mile of the property described in the application.*
 - (1) *A neighborhood organization shall be considered registered upon the public filing of the following with the Department of Planning and Community Development:*
 - (aa) *The name of the organization;*
 - (bb) *The name of the president or head of the organization;*
 - (cc) *The address of the organization;*
 - (dd) *The boundaries of the neighborhood making up the organization;*
 - (ee) *The telephone and/or fax number of the organization.*

1 (B) The Secretary of the Board of Zoning Adjustment may give additional notice
2 of the hearing by expanding the area of notification or using other means of notification, or both.
3 The Secretary shall endeavor to provide any such additional notice at least ten days before the date
4 of the hearing.

5 SECTION 3: Title 19, Chapter 88, Section 100 of the Municipal Code of the City
6 of Las Vegas, Nevada, 1983 Edition is hereby amended as follows:

7 **19.88.100 Decision -- Records**

8 Following the conduct of a public hearing the Board of Zoning Adjustment shall
9 make its findings and decision either to grant or deny said application for a variance. *Any motion*
10 *to grant a variance must be carried by two-thirds of the members of the Board of Zoning*
11 *Adjustment who are present for the meeting, and under no circumstances less than three votes.*
12 *The failure to receive a two-thirds vote for a variance shall be deemed a denial.* No more than
13 ten days following the public hearing, the Board of Zoning Adjustment shall make a public report
14 on its findings and decision and said report shall recite, among other things, the facts and reasons
15 which, in the opinion of the Board, make the granting or denial of the variance necessary to carry
16 out the provisions and general purposes of this Title. It shall recite such conditions and
17 limitations as the Board may impose. The official reports of the Board of Zoning Adjustment
18 shall be numbered consecutively in the order of their filing, and shall become a permanent record
19 in the files of the Department of Community Planning and Development.

20 SECTION 4: Title 19, Chapter 88, Section 170 of the Municipal Code of the City
21 of Las Vegas, Nevada, 1983 Edition is hereby amended as follows:

22 **19.88.170 Appeal -- Decision voting**

23 [The action by the City Council on such matters, following a public hearing, shall
24 be by majority and shall be final and conclusive. In case, however, the granting of said variance
25 is contrary to the Master Plan as it exists at the time of the decision on the variance, then such
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1 variance shall not be approved except by a majority vote of the entire Council.] *In connection*
2 *with an appeal to or review by the City Council, any motion to grant a variance must be carried*
3 *by two-thirds of the members of the City Council who are present for the meeting, and under no*
4 *circumstances less than three votes. The failure to receive a two-thirds vote for a variance shall*
5 *be deemed a denial. An appeal to the City Council from the denial of a special use permit as*
6 *provided in 19.90.070, other than a use permit for an off-premises sign, shall be by majority vote*
7 *by a quorum of the City Council.*

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

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

19 PASSED, ADOPTED and APPROVED this _____ day of _____, 1995.

20 APPROVED:

21 By _____
22 JAN LAVERTY JONES, MAYOR

23 ATTEST:

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26 KATHLEEN M. TIGHE, City Clerk

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The above and foregoing ordinance was first proposed and read by title to the City Council on the ____ day of _____, 1995, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the ____ day of _____, 1995, which was a _____ meeting of said Council; that at said _____ meeting the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote.

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
JAN LAVERTY JONES, MAYOR

ATTEST:

KATHLEEN M. TIGHE, City Clerk

1 **Bill No. 95-14**

2 Ordinance No _____

3 AN ORDINANCE RELATING TO ZONING; AMENDING TITLE 19, CHAPTER 88 OF THE
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12 REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT
13 HEREWITH.

14 Sponsored by:

15 Councilman Frank Hawkins

16 Summary: Amends Title 19, Chapter 88 relating to
17 zoning variances by adding new
18 provisions relating to applications,
19 notification, voting requirements and
20 other matters relating thereto.

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Development. This application shall be filed with the Secretary of the Board of Zoning
Adjustment at the office of the Department of Community Planning and Development. The
application shall be signed and acknowledged by the record owner of the property for which the
variance is sought; provided, however, that:

(1) With respect to property which is owned by the State of Nevada of
the United States of America, a variance application is sufficient if it is signed and

1 acknowledged by a prospective purchaser of that property who has entered into a
2 contract with the governmental entity to obtain ownership of the property;

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4 (2) A variance application is sufficient if it is signed and acknowledged
5 by a lessee, a contract purchaser or an optionee of the property for which a
6 variance is sought whose interest in that property exists by virtue of a written
7 agreement with the owner of record thereof if the owner of record executes a
8 document, duly acknowledged, to which is attached a copy of the variance
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13 (B) Upon receipt of a properly executed application, the Secretary of the Board
14 of Zoning Adjustment shall maintain the application, together with all pertinent attachments and
15 exhibits, in the permanent files of the Department of Community Planning and Development as
16 a public record.

17 (C) Subject to the provisions of subsection ~~[(D)]~~(E) of this Section, no
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19 for the same use, a similar use or a less restrictive use has been denied, or concerning which a
20 previous application has been withdrawn subsequent to the noticing of a public hearing thereon,
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24 (1) After the first denial or withdrawal, ~~[four months]~~ *one year*.

25 (2) After the second or a subsequent denial or withdrawal, [twelve
26

1 months] *two years.*

2 In addition, subject to the provisions of subsection [(D)](E) of this Section, no application for a
3 variance concerning which all or any part of a previous application for a special use permit or a
4 reclassification for the same use, a similar use or a less restrictive use has been denied, or
5 concerning which a previous application has been withdrawn subsequent to the noticing of a public
6 hearing thereon, shall be accepted until the time periods described in this subsection have elapsed.

7 (D) *Any applicant who wishes to have their application held in abeyance*
8 *following the notice and posting of the agenda of the Board of Zoning Adjustment or the City*
9 *Council shall state good cause for the request and demonstrate that diligent efforts were used to*
10 *contact individuals and local neighborhood groups noticed for the meeting. Good cause shall be*
11 *more than mere inconvenience to the applicant or lack of preparation. A failure to establish good*
12 *cause shall result in the involuntary withdrawal of the application with prejudice.*

13 [(D)](E) The time periods that are described in subsection (C) of this Section
14 and that otherwise would become effective because of the withdrawal of an application shall not
15 become effective if, after consideration of the timing and circumstances of the withdrawal, the
16 Board of Zoning Adjustment or the City Council specifically approves the withdrawal without
17 prejudice.

18 SECTION 2: Title 19, Chapter 88, Section 70 of the Municipal Code of the City
19 of Las Vegas, Nevada, 1983 Edition is hereby amended as follows:

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22 application for a variance within sixty-five days after the application is properly filed. Notice of
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(2) Mailing a copy of the notice to:

(a) The applicant;

(b) Each owner of real property located within a minimum of six hundred feet of the property described in the application;

(c) Each tenant of any mobile home park that is located within three hundred feet of the property described in the application;

(d) Each owner of at least thirty parcels nearest to the property described in the application, to the extent this notice does not duplicate the notice otherwise required by this Section; and

(e) Any advisory board which has been established for the affected area by the City Council[.], and

(f) *The president or head of any registered local neighborhood organization whose organization boundaries are located within a minimum of one-half mile of the property described in the application.*

(1) A neighborhood organization shall be considered registered upon the public filing of the following with the Department of Planning and Community Development:

(aa) The name of the organization;

(bb) The name of the president or head of the organization;

(cc) The address of the organization;

(dd) The boundaries of the neighborhood making up the organization.

(B) The Secretary of the Board of Zoning Adjustment may give additional notice of the hearing by expanding the area of notification or using other means of notification, or both.

1 The Secretary shall endeavor to provide any such additional notice at least ten days before the date
2 of the hearing.

3 SECTION 3: Title 19, Chapter 88, Section 100 of the Municipal Code of the City
4 of Las Vegas, Nevada, 1983 Edition is hereby amended as follows:

5 **19.88.100 Decision -- Records**

6 Following the conduct of a public hearing the Board of Zoning Adjustment shall
7 make its findings and decision either to grant or deny said application for a variance. *Any motion*
8 *to grant a variance must be carried by two-thirds of the members of the Board of Zoning*
9 *Adjustment who are present for the meeting, and under no circumstances less than three votes.*
10 *The failure to receive a two-thirds vote for a variance shall be deemed a denial.* No more than
11 ten days following the public hearing, the Board of Zoning Adjustment shall make a public report
12 on its findings and decision and said report shall recite, among other things, the facts and reasons
13 which, in the opinion of the Board, make the granting or denial of the variance necessary to carry
14 out the provisions and general purposes of this Title. It shall recite such conditions and
15 limitations as the Board may impose. The official reports of the Board of Zoning Adjustment
16 shall be numbered consecutively in the order of their filing, and shall become a permanent record
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18 SECTION 4: Title 19, Chapter 88, Section 170 of the Municipal Code of the City
19 of Las Vegas, Nevada, 1983 Edition is hereby amended as follows:

20 **19.88.170 Appeal -- Decision voting**

21 [The action by the City Council on such matters, following a public hearing, shall
22 be by majority and shall be final and conclusive. In case, however, the granting of said variance
23 is contrary to the Master Plan as it exists at the time of the decision on the variance, then such
24 variance shall not be approved except by a majority vote of the entire Council.] *In connection*
25 *with an appeal to or review by the City Council, any motion to grant a variance must be carried*
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1 by two-thirds of the members of the City Council who are present for the meeting, and under no
2 circumstances less than three votes. The failure to receive a two-thirds vote for a variance shall
3 be deemed a denial. An appeal to the City Council from the denial of a special use permit as
4 provided in 19.90.070, other than a use permit for an off-premises sign, shall be by majority vote
5 by a quorum of the City Council.

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

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

17 PASSED, ADOPTED and APPROVED this _____ day of _____, 1995.

18 APPROVED:

19 By _____
20 JAN LAVERTY JONES, MAYOR

21 ATTEST:

22
23 _____
24 KATHLEEN M. TIGHE, City Clerk

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The above and foregoing ordinance was first proposed and read by title to the City Council on the ____ day of _____, 1995, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the ____ day of _____, 1995, which was a _____ meeting of said Council; that at said _____ meeting the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote.

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
JAN LAVERTY JONES, MAYOR

ATTEST:

KATHLEEN M. TIGHE, City Clerk

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SECOND AMENDMENT
BILL NO. 95-14
ORDINANCE NO. 3885

AN ORDINANCE RELATING TO ZONING; AMENDING TITLE 19, CHAPTER 88 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, AMENDING SECTIONS 30 AND 70 OF CHAPTER 88 OF SAID TITLE RELATING TO ZONING VARIANCES; INCREASING THE TIME PERIODS FOR THE FILING OF A NEW APPLICATION AFTER A DENIAL OR WITHDRAWAL WITH PREJUDICE; SETTING STANDARDS FOR A REQUESTED CONTINUANCE; ESTABLISHING REGISTRATION AND NOTIFICATION REQUIREMENTS FOR NEIGHBORHOOD GROUPS; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY: Councilman Frank Hawkins
SUMMARY: Amends Title 19, Chapter 88 relating to zoning variances by adding new provisions relating to applications and notification, and other matters relating thereto.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 15th day of March, 1995, and referred to the following committee composed of Councilmen Hawkins Jr. and Brass for recommendation; thereafter the said committee reported favorably on said amended ordinance on the 19th day of April, 1995, 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" Councilmen Adamsen, Hawkins Jr., Brass, Callister and Mayor Jones

VOTING "NAY" None

EXCLUDED None
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 5TH FLOOR, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: April 22, 1995
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

BARBARA CARR, being first duly sworn, deposes and says:

That she/he is a 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 of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of APRIL 22, 1995 to APRIL 22, 1995, on the following days:

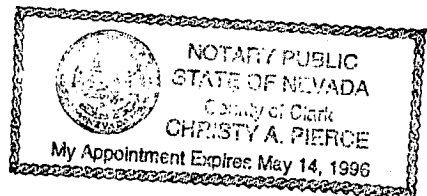
APRIL 22, 1995

Signed: Barbara Carr

Subscribed and sworn to before me this

24 day of April, 1995

Christy A. Pierce
Notary Public



AFFIDAVIT OF PUBLICATION

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CITY CLERK
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FIRST AMENDMENT
BILL NO. 95-14

RE

AN ORDINANCE RELATING TO ZONING; AMENDING TITLE 19, CHAPTER 88 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, AMENDING SECTIONS 30, 70, 100, 170 OF CHAPTER 88 OF SAID TITLE RELATING TO ZONING VARIANCES; INCREASING THE TIME PERIODS FOR THE FILING OF A NEW APPLICATION AFTER A DENIAL OR WITHDRAWAL WITH PREJUDICE; SETTING STANDARDS FOR A REQUESTED CONTINUANCE; ESTABLISHING REGISTRATION AND NOTIFICATION REQUIREMENTS FOR NEIGHBORHOOD GROUPS; REQUIRING A VOTE BY TWO-THIRDS OF THE MEMBERS PRESENT TO GRANT A VARIANCE; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY:
Councilman Frank Hawkins
SUMMARY: Amends Title 19, Chapter 88 relating to zoning variances by adding new provisions relating to applications, notification, voting requirements and other matters relating thereto.

At a City Council meeting
MARCH 15, 1995
BILL NO. 95-14 WAS READ BY
TITLE AND REFERRED TO RECOMMENDING COMMITTEE:
Councilmen Hawkins Jr. and Brass
COPIES OF THE COMPLETE BILL ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 5TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA
PUB: March 31, 1995
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

BARBARA CARR, being first duly sworn, deposes and says:

That she/he is a 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 of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of MARCH 31, 1995 to MARCH 31, 1995 on the following days:

MARCH 31, 1995

Signed: Barbara Carr

Subscribed and sworn to before me this 31st day of March, 19 95

Linda M. Gough
Notary Public



LINDA M. GOUGH
Notary Public - Nevada
Clark County
My appt. exp. May 14, 1996

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FIRST AMENDMENT
BILL NO. 95-14

AN ORDINANCE RELATING TO ZONING; AMENDING TITLE 19, CHAPTER 88 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; AMENDING SECTIONS 30, 70, 100, 170 OF CHAPTER 88 OF SAID TITLE RELATING TO ZONING VARIANCES; INCREASING THE TIME PERIODS FOR THE FILING OF A NEW APPLICATION AFTER A DENIAL OR WITHDRAWAL WITH PREJUDICE; SETTING STANDARDS FOR A REQUESTED CONTINUANCE; ESTABLISHING REGISTRATION AND NOTIFICATION REQUIREMENTS FOR NEIGHBORHOOD GROUPS; REQUIRING A VOTE BY TWO-THIRDS OF THE MEMBERS PRESENT TO GRANT A VARIANCE; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY:
Councilman Frank Hawkins
SUMMARY: Amends Title 19, Chapter 88 relating to zoning variances by adding new provisions relating to applications, notification, voting requirements and other matters relating thereto.
At a City Council meeting
MARCH 15, 1995
BILL NO. 95-14 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE:
Councilmen Hawkins Jr. and Brass
COPIES OF THE COMPLETE BILL ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 5TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: March 31, 1995
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

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MARCH 31, 1995

Signed: Barbara Carr

Subscribed and sworn to before me this 31st day of March, 1995

Linda M. Gough
Notary Public



LINDA M. GOUGH
Notary Public - Nevada
Clark County
My appt. exp. May 14, 1996

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SECOND AMENDMENT
BILL NO. 75-14
ORDINANCE NO. 3885

AN ORDINANCE RELATING TO ZONING; AMENDING TITLE 19, CHAPTER 88 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; AMENDING SECTIONS 50 AND 70 OF CHAPTER 88 OF SAID TITLE RELATING TO ZONING VARIANCES; INCREASING THE TIME PERIODS FOR THE FILING OF A NEW APPLICATION AFTER A DENIAL OR WITHDRAWAL WITH PREJUDICE; SETTING STANDARDS FOR A REQUESTED CONTINUANCE; ESTABLISHING REGISTRATION AND NOTIFICATION REQUIREMENTS FOR NEIGHBORHOOD GROUPS; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY: Councilman Frank Hawkins

SUMMARY: Amends Title 19, Chapter 88 relating to zoning variances by adding new provisions relating to applications and notification, and other matters relating thereto.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 15th day of March, 1995, and referred to the following committee composed of Councilmen Hawkins Jr. and Brass for recommendation; thereafter the said committee reported favorably on said amended ordinance on the 19th day of April, 1995, 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" Councilmen Adamsen, Hawkins Jr., Brass, Callister and Mayor Jones

VOTING "NAY" None

EXCUSED None

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 5TH FLOOR, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: April 22, 1995
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

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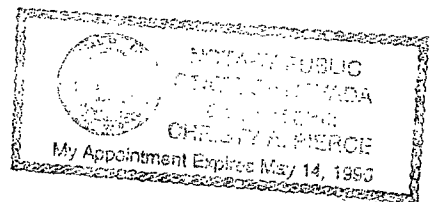
APRIL 22, 1995

Signed: Barbara Carr

Subscribed and sworn to before me this

24 day of April, 1995

Christy A. Pierce
Notary Public



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FIRST AMENDMENT
BILL NO. 95-14

AN ORDINANCE RELATING TO ZONING; AMENDING TITLE 19, CHAPTER 88 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, AMENDING SECTIONS 30, 70, 100, 170 OF CHAPTER 88 OF SAID TITLE RELATING TO ZONING VARIANCES; INCREASING THE TIME PERIODS FOR THE FILING OF A NEW APPLICATION AFTER A DENIAL OR WITHDRAWAL WITH PREJUDICE; SETTING STANDARDS FOR A REQUESTED CONTINUANCE; ESTABLISHING REGISTRATION AND NOTIFICATION REQUIREMENTS FOR NEIGHBORHOOD GROUPS; REQUIRING A VOTE BY TWO-THIRDS OF THE MEMBERS PRESENT TO GRANT A VARIANCE; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY:
Councilman Frank Hawkins
SUMMARY: Amends Title 19, Chapter 88 relating to zoning variances by adding new provisions relating to applications, notification, voting requirements and other matters relating thereto.
At a City Council meeting
MARCH 15, 1995
BILL NO. 95-14 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE:
Councilmen Hawkins Jr. and Brass
COPIES OF THE COMPLETE BILL ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 5TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: March 31, 1995
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

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MARCH 31, 1995

Signed Barbara Carr

Subscribed and sworn to before me this 31st day of March, 1995

Linda M. Gough
Notary Public



LINDA M. GOUGH
Notary Public - Nevada
Clark County
My appt. exp. May 14, 1996



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FIRST AMENDMENT
BILL NO. 95-14

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AN ORDINANCE RELATING TO ZONING; AMENDING TITLE 19, CHAPTER 88 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA; 1983 EDITION, AMENDING SECTIONS 30, 70, 100, 170 OF CHAPTER 88 OF SAID TITLE RELATING TO ZONING VARIANCES; INCREASING THE TIME PERIODS FOR THE FILING OF A NEW APPLICATION AFTER A DENIAL OR WITHDRAWAL WITH PREJUDICE; SETTING STANDARDS FOR A REQUESTED CONTINUANCE; ESTABLISHING REGISTRATION AND NOTIFICATION REQUIREMENTS FOR NEIGHBORHOOD GROUPS; REQUIRING A VOTE BY TWO-THIRDS OF THE MEMBERS PRESENT TO GRANT A VARIANCE; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

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31st day of March, 1995

Linda M. Gough
Notary Public



LINDA M. GOUGH
Notary Public - Nevada
Clark County
My appt. exp. May 14, 1996



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