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**BILL NO. 2005-10**

**ORDINANCE NO. 5754**

AN ORDINANCE TO ELIMINATE REDEVELOPMENT AREA STATUS AS A DETERMINANT OF DEVELOPMENT STANDARDS RELATING TO RESIDENTIAL ADJACENCY AND CERTAIN SETBACK REQUIREMENTS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Lawrence Weekly

Summary: Eliminates redevelopment area status as a determinant of development standards relating to residential adjacency and certain setback requirements.

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

SECTION 1: Title 19, Chapter 4, Section 50, Subsection (B), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended so that the subdivision entitled "Senior Citizen Apartments" reads as follows:

SENIOR CITIZEN APARTMENTS [C-1]

(1) For any development that is over three stories in height:

(a) The structures shall be compatible with the scale and massing of the types of development allowed in the applicable zoning district and shall provide a transition to less intensive development.

(b) Rooflines and façade elements shall be articulated in order to break down the apparent massing of the structures.

(2) The use shall be developed and operated only in connection with ground-level nonresidential development. In the case of a multi-floor structure, the apartments themselves must be located above the ground floor, but access ways, entryways and community rooms may be located on the ground floor.

(3) The primary resident or guest entryway to the apartments must be independent of ground floor commercial uses, and must be directly accessible from and oriented to a street.

(4) The overall architecture of the front elevation shall highlight the difference in uses through variations in volume and proportion, and shall be treated as a cohesive whole through finishes and



1 colors.

2 (5) For any development that, in accordance with LVMC 19.08.045, is allowed to exceed the  
3 maximum lot coverage provisions set forth in that Section, all landscape buffer requirements, and all  
4 minimum setback requirements for the C-1 District, shall be met. [In addition, for any development  
5 that is not located within the Downtown Las Vegas Redevelopment Area, as established by Ordinance  
6 No. 3218 and amended from time to time, the minimum setback requirements for the C-1 District shall  
7 be met.]

8 SECTION 2: Title 19, Chapter 8, Section 60, Subsection (A), of the Municipal Code  
9 of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

10 (A) Applicability.

11 (1) Except as otherwise provided in [Subsection] Paragraph (3) of this Subsection (A),  
12 development of the following property shall conform to the residential adjacency standards set forth  
13 in this [Subsection:] Section:

14 (a) All property to be developed for nonresidential use that is located adjacent to  
15 residential property which is either developed for sale or designated for such development in the  
16 General Plan; and

17 (b) All property to be developed for multi-family residential use that is located adjacent  
18 to either single-family residential property or property which is designated for such development in  
19 the General Plan.

20 (2) For purposes of this Section:

21 (a) Property is "adjacent" to other property if the properties share a common property line  
22 or are separated only a street right-of-way or easement.

23 (b) "Property subject to the standards for this Section" means the property that is described  
24 in [Subsection] Paragraph (1) of this [Section] Subsection (A) that must conform to the residential  
25 adjacency standards of [the] this Section.

26 (c) "Protected property" means residential property that is developed for sale or designated  
27 for such development, and single-family residential property, as those types of property are described  
28 in [Subsection] Paragraph (1) of this Subsection (A).

1 (3) [The following property is not subject to the residential adjacency standards set forth in this  
2 Section:

3 (a) Property located within the boundaries of the Downtown Overlay District, as described  
4 by ordinance.

5 (b) Property located within the boundaries of the Las Vegas Redevelopment Area, as  
6 described by ordinance.]

7 Property located within the boundaries of the Downtown Overlay District, as described by ordinance,  
8 is not subject to the residential adjacency standards set forth in this Section.

9 SECTION 3: In Section 1 of this Ordinance, the brackets that follow the title of the  
10 subdivision being amended are not intended to indicate deleted matter, but instead are used as the  
11 means of indicating the applicable district.

12 SECTION 4: For purposes of Section 2.100(3) of the City Charter, LVMC 19.04.050  
13 and 19.08.060 are deemed to be subchapters rather than sections.

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

22 SECTION 6: All ordinances or parts of ordinances or sections, subsections, phrases,

23 ...  
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 16<sup>th</sup> day of March, 2005.

4 APPROVED:

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By   
OSCAR B. GOODMAN, Mayor

7

ATTEST:

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BARBARA JO RONEMUS, City Clerk

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APPROVED AS TO FORM:

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Val Steep      2-3-05  
Date

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1 The above and foregoing ordinance was first proposed and read by title to the City  
2 Council on the 16<sup>th</sup> day of February, 2005, and referred to a committee for  
3 recommendation; thereafter the committee reported favorably on said ordinance on the  
4 16<sup>th</sup> day of March, 2005, which was a regular meeting of said Council; that at said regular  
5 meeting, the proposed ordinance was read by title to the City Council as first introduced  
6 and adopted by the following vote:

7 VOTING "AYE": Mayor Goodman  
8 Councilmembers: Reese, Brown, Weekly, Mack, Wolfson and  
9 Tarkanian

10 VOTING "NAY": None

11 EXCUSED: None

12 ABSTAINED: None

13 APPROVED:

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15 OSCAR B. GOODMAN, Mayor

16 ATTEST:

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18 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:

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  
3880056

2296311LV


was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 03/04/2005 to 03/04/2005, on the following days: MARCH 4, 2005

Signed: Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE 11

day of March 2005

Mary B. Sheffield  
Notary Public

 **MARY B. SHEFFIELD**  
Notary Public State of Nevada  
No. 99-53968-1  
My appt. exp. Mar. 8, 2007

**BILL NO. 2005-10**  
AN ORDINANCE TO ELIMINATE REDEVELOPMENT AREA STATUS AS A DETERMINANT OF DEVELOPMENT STANDARDS RELATING TO RESIDENTIAL ADJACENCY AND CERTAIN SETBACK REQUIREMENTS, AND TO PROVIDE FOR OTHER RELATED MATTERS.  
Sponsored by: Councilman Lawrence Weekly  
Summary: Eliminates redevelopment area status as a determinant of development standards relating to residential adjacency and certain setback requirements.  
At the City Council meeting of FEBRUARY 16, 2005 BILL NO. 2005-10 WAS READ BY TITLE AND REFERRED TO A RECOMMENDING COMMITTEE  
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 4, 2005  
LV Review-Journal

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CITY CLERK

2005 MAR 25 P 1:17

AFFP DISTRICT COURT  
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

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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  
3908967

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 03/19/2005 to 03/19/2005, on the following days: MARCH 19, 2005

**BILL NO. 2005-10**  
**ORDINANCE NO. 5754**

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Sponsored by: Councilman Lawrence Weekly  
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The above and foregoing ordinance was first proposed and read by title to the City Council on the 16th day of February 2005 and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 16th day of March 2005, 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, Brown, Weekly, Mack, Wolfson, and Tarkanian  
VOTING "NAY": NONE  
EXCLUDED: 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 19, 2005  
LV Review-Journal

Signed: Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE 24

day of March 2005

Mary B. Sheffield  
Notary Public

**MARY B. SHEFFIELD**  
Notary Public State of Nevada  
No. 99-53968-1  
My appt. exp. Mar. 8, 2007