

1 **BILL NO. 2005-11**

2 **ORDINANCE NO. 5755**

3 AN ORDINANCE TO CLARIFY THE RULES THAT APPLY TO THE REMODELING,
4 ALTERATION, EXPANSION OR REUSE OF PARKING-IMPAIRED DEVELOPMENTS, AND
TO PROVIDE FOR OTHER RELATED MATTERS.

5 Proposed by: Margo Wheeler, Director of
6 Planning and Development

Summary: Clarifies the rules that apply to the
remodeling, alteration, expansion or reuse of
parking-impaired developments.

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

9 SECTION 1: Title 19, Chapter 10, Section 10, Subsection (C), of the Municipal Code
10 of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11 (C) Parking-Impaired Development. A land use or building which is existing on the effective date
12 of this Title and which complied with the applicable parking standards at the time the use or building
13 was established, but which does not comply with the requirements of this Section, shall not be
14 considered a nonconforming use or non-conforming building; but rather, it shall be considered a
15 "parking-impaired development." [Building permits and certificates of occupancy may be issued for
16 remodeling or structural alterations of parking-impaired developments without requiring compliance
17 with this Chapter, provided that such redevelopment does not increase the building area or result in
18 a change of use which requires an increased number of required parking spaces. If, when calculating
19 the parking requirement of the existing or previous use utilizing the standards contained in this
20 Chapter, the development or redevelopment of a parking-impaired development does require more
21 parking than the previous or existing use, then only the increased number of parking spaces shall be
22 required.] The following rules shall apply to the remodeling, alteration, expansion or reuse of parking-
23 impaired developments:

24 (1) Building permits and certificates of occupancy may be issued for remodeling or
25 structural alterations of parking-impaired developments without requiring compliance with this
26 Chapter, provided that such work does not increase the building area or result in a change of use that
27 requires an increase in the number of required parking spaces.

28 (2) For any remodeling, alteration, or expansion of a parking-impaired development that



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1 requires an increase in the number of required parking spaces, including the expansion of existing
2 buildings or the construction of new buildings, only the increased number of parking spaces shall be
3 required.

4 (3) For any change of use that requires an increase in the number of required parking
5 spaces, only the increased number of parking spaces shall be required.

6 SECTION 2: For purposes of Section 2.100(3) of the City Charter, LVMC 19.10.010
7 is deemed to be a subchapter rather than a section.

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

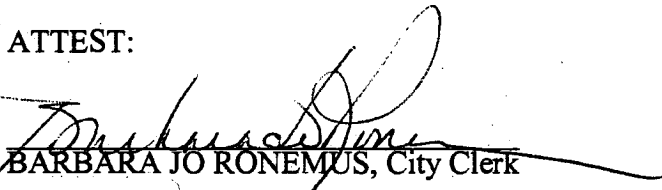
16 SECTION 4: All ordinances or parts of ordinances or sections, subsections, phrases,
17 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
18 1983 Edition, in conflict herewith are hereby repealed.

19 PASSED, ADOPTED and APPROVED this 16th day of March, 2005.

20 APPROVED:

21
22 By 
23 OSCAR B. GOODMAN, Mayor

24 ATTEST:

25 
26 BARBARA JO RONEMUS, City Clerk

27 APPROVED AS TO FORM:

28 Val Steed 2-2-05
Date

1 The above and foregoing ordinance was first proposed and read by title to the City
2 Council on the 16th day of February, 2005, and referred to a committee for
3 recommendation; thereafter the committee reported favorably on said ordinance on the
4 16th 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:

14 
15 _____
16 OSCAR B. GOODMAN, Mayor

17 ATTEST:

18 
19 _____
20 BARBARA JO RONEMUS, City Clerk
21
22
23
24
25
26

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CITY CLERK

AFFP DISTRICT COURT
Clark County, Nevada

2005 MAR 15 A 11:03

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
3880164

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

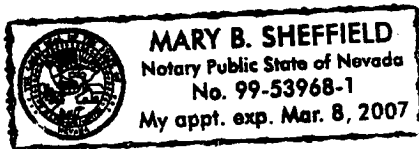
BILL NO. 2005-11

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Proposed by: Margo Wheeler, Director of Planning and Development
Summary: Clarifies the rules that apply to the remodeling, alteration, expansion or reuse of parking-impaired developments.

At the City Council meeting of FEBRUARY 15, 2005, BILL NO. 2005-11 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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LV CITY CLERK
3909047

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. 2005-11
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VOTING "AYE": Mayor Goodman and Councilmembers Reese, Brown, Weekly, Mack, Wolfson, and Tarkanian
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 19, 2005
LV Review-Journal

Signed: _____

Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE _____

24

day of _____ 2005

March

Notary Public

Mary B. Sheffield

