

**FIRST AMENDMENT**

**Bill No. 98-1**

Ordinance No. **5050**

AN ORDINANCE RELATING TO ZONING; AMENDING TITLE 19A, CHAPTER 6, SUBCHAPTER 50, SECTION (E) OF THE ZONING CODE OF THE CITY OF LAS VEGAS, AS ADOPTED BY AND INCORPORATED IN TITLE 19A OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO CLARIFY THAT NO USE OR DEVELOPMENT WITHIN THE PD (PLANNED DEVELOPMENT) DISTRICT IS PRESUMPTIVELY PERMITTED, AND THAT A REZONING APPLICATION OR A PARTICULAR USE OR DEVELOPMENT STANDARD CONCERNING THAT DISTRICT MAY BE DENIED IF IT IS INCOMPATIBLE OR OUT OF HARMONY WITH SURROUNDING USES OR THE PATTERN OF DEVELOPMENT WITHIN THE AREA; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by:  
Councilman Arnie Adamsen

Summary: Clarifies the standard of review for development within the PD (Planned Development) District.

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

SECTION 1: Title 19A, Chapter 6, Subchapter 50, Section (E) of the Zoning Code of the City of Las Vegas is hereby amended to read as follows:

**E. Permitted Uses and Standards**

Any combination of residential, commercial, industrial or public uses may be permitted within a specific Planned Development District to the extent they are consistent with the Master Development Plan for that District. The uses to be permitted within the District must be specified in the adopted Master Plan for the District. Because of the nature and purpose of the PD District, and notwithstanding any other provision of this Subchapter:

1. An application to rezone property to the PD District may be denied by the City Council, in its complete discretion, if it finds that the proposed development is incompatible or out of harmony with surrounding uses or the pattern of development within the area.

2. No use, type of development or development standard is presumptively permitted within the PD District unless it already has been included in the adopted plan for the District.

3. An application to allow within the PD District a particular use, type of development or development standard which has not already been included in the adopted plan for the District may

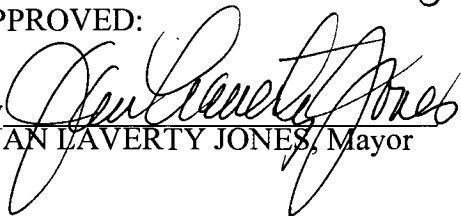
1 be denied if it is incompatible or out of harmony with surrounding uses or the pattern of development  
2 within the area.

3 SECTION 2: If any section, subsection, subdivision, paragraph, sentence, clause or  
4 phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional, or invalid  
5 or 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.

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

14 PASSED, ADOPTED and APPROVED this 23<sup>rd</sup> day of February, 1998.

15 APPROVED:

16  
17 By   
JAN LAVERTY JONES, Mayor

18 ATTEST:

19   
20 BARBARA JO RONEMUS, City Clerk

21 APPROVED AS TO FORM:

22  2-17-98  
23 \_\_\_\_\_ Date

24  
25  
26  
27  
28

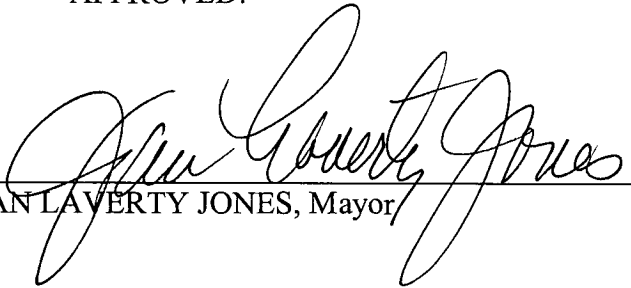
1 The above and foregoing ordinance was first proposed and read by title to the City Council on  
2 the 12<sup>th</sup> day of January, 1998 and referred to the following committee composed of the  
3 Councilmen Brown and McDonald for recommendation; thereafter the said committee reported  
4 favorably on said ordinance on the 23<sup>rd</sup> day of February, 1998 which was a regular meeting  
5 of said Council; that at said regular meeting, the proposed ordinance was read by title to the  
6 City Council as amended and adopted by the following vote:

7 VOTING "AYE": Councilmen Adamsen, McDonald, Brown and Reese


8 VOTING "NAY": NONE

9 EXCUSED: Mayor Jones

10 APPROVED:

11   
12 \_\_\_\_\_  
13 JAN LAVERTY JONES, Mayor

14 ATTEST:

15   
16 \_\_\_\_\_  
17 BARBARA JO RONEMUS, City Clerk

Bill No. 98-1

Ordinance No. \_\_\_\_

AN ORDINANCE RELATING TO ZONING; AMENDING TITLE 19A, CHAPTER 6, SUBCHAPTER 50, SECTION (E) OF THE ZONING CODE OF THE CITY OF LAS VEGAS, AS ADOPTED BY AND INCORPORATED IN TITLE 19A OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO CLARIFY THAT THE APPROVAL OF USES AND DEVELOPMENT WITHIN THE PD (PLANNED DEVELOPMENT) DISTRICT IS DISCRETIONARY, THAT NO USE OR DEVELOPMENT IS PRESUMPTIVELY PERMITTED WITHIN THAT DISTRICT, AND THAT A REZONING APPLICATION OR A PARTICULAR USE OR DEVELOPMENT STANDARD CONCERNING THAT DISTRICT MAY BE DENIED IF IT IS INCOMPATIBLE OR OUT OF HARMONY WITH SURROUNDING USES OR THE PATTERN OF DEVELOPMENT WITHIN THE AREA; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by:  
Councilman Arnie Adamsen

Summary: Clarifies the standard of review for development within the PD (Planned Development) District.

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

SECTION 1: Title 19A, Chapter 6, Subchapter 50, Section (E) of the Zoning Code of the City of Las Vegas is hereby amended to read as follows:

**E. Permitted Uses and Standards**

Any combination of residential, commercial, industrial or public uses may be permitted within a specific Planned Development District to the extent they are consistent with the Master Development Plan for that District. The uses to be permitted within the District must be specified in the adopted Master Plan for the District. Notwithstanding any other provision of this Subchapter:

1. The approval of PD zoning or of any use or development within the PD District is completely discretionary.

2. Because of the nature and purpose of the PD District, no use, type of development or development standard is presumptively permitted within the PD District.

3. An application to rezone property to the PD District or to allow a particular use or development standard in that district may be denied if it is incompatible or out of harmony with surrounding uses or the pattern of development within the area.

SECTION 2: If any section, subsection, subdivision, paragraph, sentence, clause or

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

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

11 PASSED, ADOPTED and APPROVED this \_\_\_\_ day of \_\_\_\_\_, 1998.

12 APPROVED:

13  
14 By \_\_\_\_\_  
JAN LAVERTY JONES, Mayor

15 ATTEST:

16  
17 \_\_\_\_\_  
BARBARA JO RONEMUS, City Clerk

18 APPROVED AS TO FORM:

19 Val Stead      12-30-97  
20 \_\_\_\_\_  
Date

21  
22  
23  
24  
25  
26  
27  
28

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the  
2 \_\_\_\_ day of \_\_\_\_\_, 1998, 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 \_\_\_\_\_, 1998, 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 VOTING "AYE": \_\_\_\_\_

9 VOTING "NAY": \_\_\_\_\_

10 ABSENT: \_\_\_\_\_

11 APPROVED:

12  
13 By \_\_\_\_\_  
JAN LAVERTY JONES, Mayor

14 ATTEST:

15  
16 \_\_\_\_\_  
BARBARA JO RONEMUS, City Clerk

17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

# AFFIDAVIT OF PUBLICATION

PASTE CLIPPING HERE

BILL NO 98-1

AN ORDINANCE RELATING TO ZONING, AMENDING TITLE 19A, CHAPTER 6, SUBCHAPTER 50, SECTION (E) OF THE ZONING CODE OF THE CITY OF LAS VEGAS, AS ADOPTED BY AND INCORPORATED IN TITLE 19A OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO CLARIFY THAT THE APPROVAL OF USES AND DEVELOPMENT WITHIN THE PD (PLANNED DEVELOPMENT) DISTRICT IS DISCRETIONARY, THAT NO USE OR DEVELOPMENT IS PRESUMPTIVELY PERMITTED WITHIN THAT DISTRICT, AND THAT A REZONING APPLICATION OR A PARTICULAR USE OR DEVELOPMENT STANDARD CONCERNING THAT DISTRICT MAY BE DENIED IF IT IS INCOMPATIBLE OR OUT OF HARMONY WITH SURROUNDING USES OR THE PATTERN OF DEVELOPMENT WITHIN THE AREA, PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO, AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH

SPONSORED BY Councilman Arnie Adamsen

SUMMARY Clarifies the standard of review for development within the PD (Planned Development) District At a City Council meeting JANUARY 12, 1998

BILL NO 98-1 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE Councilmen Brown and McDonald

COPIES OF THE COMPLETE BILL ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA

PUB February 12, 1998  
Las Vegas Review-Journal

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

BARBARA LINFORD, 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 FEBRUARY 12, 1998 to FEBRUARY 12, 1998, on the following days:

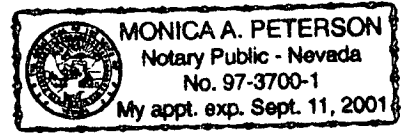
FEBRUARY 12, 1998

1998 FEB 20 A 9:58  
RECEIVED  
CITY CLERK

Signed: Barbara Linford

Subscribed and sworn to before me this 12 day of Feb., 1998

Monica A. Peterson  
Notary Public



# AFFIDAVIT OF PUBLICATION

1998 MAR - 4 A 10:44  
 RECEIVED  
 CITY CLERK

PASTE CLIPPING HERE

FIRST AMENDMENT  
 BILL NO 98-1  
 ORDINANCE NO 5050

AN ORDINANCE RELATING TO ZONING, AMENDING TITLE 19A, CHAPTER 6, SUBCHAPTER 50, SECTION (E) OF THE ZONING CODE OF THE CITY OF LAS VEGAS, AS ADOPTED BY AND INCORPORATED IN TITLE 19A OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO CLARIFY THAT NO USE OR DEVELOPMENT WITHIN THE PD (PLANNED DEVELOPMENT) DISTRICT IS PRESUMPTIVELY PERMITTED, AND THAT A REZONING APPLICATION OR A PARTICULAR USE OR DEVELOPMENT STANDARD CONCERNING THAT DISTRICT MAY BE DENIED IF IT IS INCOMPATIBLE OR OUT OF HARMONY WITH SURROUNDING USES OR THE PATTERN OF DEVELOPMENT WITHIN THE AREA, PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO, AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH

SPONSORED BY Councilman Arnie Adamsen

SUMMARY Clarifies the standard of review for development within the PD (Planned Development) District. The above and foregoing ordinance was first proposed and read by title to the City Council on the 12th day of January, 1998, and referred to the following committee composed of Councilmen Brown and McDonald for recommendation, thereafter the said committee reported favorably on said ordinance on the 23rd day of February, 1998, 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, McDonald, Brown, Reese VOTING "NAY" NONE EXCUSED Mayor Jones

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA  
 PUB February 26, 1998  
 Las Vegas Review-Journal

STATE OF NEVADA)  
 COUNTY OF CLARK) SS:

BARBARA LINFORD, 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 FEBRUARY 26, 1998 to FEBRUARY 26, 1998, on the following days:

FEBRUARY 26, 1998

Signed: Barbara Linford

Subscribed and sworn to before me this 26 day of February, 19 98

Heather C Daehler  
 Notary Public



HEATHER C. DAEHLER  
 Notary Public - Nevada  
 My appt. exp. July 3, 2000  
 No. 96-3605-1

# AFFIDAVIT OF PUBLICATION

RECEIVED  
CITY CLERK  
1998 MAR - 11 A 10:44  
1998 MAR - 11 A 10:44

PASTE CLIPPING HERE

FIRST AMENDMENT  
BILL NO. 98-1  
ORDINANCE NO. 5050

AN ORDINANCE RELATING TO ZONING AMENDING TITLE 19A, CHAPTER 6, SUBCHAPTER 50, SECTION (E) OF THE ZONING CODE OF THE CITY OF LAS VEGAS, AS ADOPTED BY AND INCORPORATED IN TITLE 19A OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO CLARIFY THAT NO USE OR DEVELOPMENT WITHIN THE PD (PLANNED DEVELOPMENT) DISTRICT IS PRESUMPTIVELY PERMITTED, AND THAT A REZONING APPLICATION OR A PARTICULAR USE OR DEVELOPMENT STANDARD CONCERNING THAT DISTRICT MAY BE DENIED IF IT IS INCOMPATIBLE OR OUT OF HARMONY WITH SURROUNDING USES OR THE PATTERN OF DEVELOPMENT WITHIN THE AREA; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY: Councilman Arnie Adamsen  
SUMMARY: Clarifies the standard of review for development within the PD (Planned Development) District. The above and foregoing ordinance was first proposed and read by title to the City Council on the 12th day of January, 1998, and referred to the following committee composed of Councilmen Brown and McDonald for recommendation, thereafter the said committee reported favorably on said ordinance on the 23rd day of February, 1998, 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, McDonald, Brown, Reese  
VOTING "NAY": NONE  
EXCUSED: Mayor Jones  
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA  
PUB: February 26, 1998  
Las Vegas Review-Journal

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

BARBARA LINFORD, 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 FEBRUARY 26, 1998 to FEBRUARY 26, 1998, on the following days:

FEBRUARY 26, 1998

Signed: Barbara Linford

Subscribed and sworn to before me this 26 day of February, 19 98

Heather C. Daehler

Notary Public



HEATHER C DAEHLER  
Notary Public - Nevada  
My appt. exp. July 3, 2000  
No. 96-3605-1



086696

# AFFIDAVIT OF PUBLICATION

PASTE CLIPPING HERE

BILL NO. 98-1

AN ORDINANCE RELATING TO ZONING; AMENDING TITLE 19A, CHAPTER 6, SUBCHAPTER 50, SECTION (E) OF THE ZONING CODE OF THE CITY OF LAS VEGAS, AS ADOPTED BY AND INCORPORATED IN TITLE 19A OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1993 EDITION, TO CLARIFY THAT THE APPROVAL OF USES AND DEVELOPMENT WITHIN THE PD (PLANNED DEVELOPMENT) DISTRICT IS DISCRETIONARY, THAT NO USE OR DEVELOPMENT IS PRESUMPTIVELY PERMITTED WITHIN THAT DISTRICT, AND THAT A REZONING APPLICATION OR A PARTICULAR USE OR DEVELOPMENT STANDARD CONCERNING THAT DISTRICT MAY BE DENIED IF IT IS INCOMPATIBLE OR OUT OF HARMONY WITH SURROUNDING USES OR THE PATTERN OF DEVELOPMENT WITHIN THE AREA; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO, AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY: Councilman Arnie Adamsen

SUMMARY: Clarifies the standard of review for development within the PD (Planned Development) District. At a City Council meeting JANUARY 12, 1998

BILL NO. 98-1 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE: Councilmen Brown and McDonald.

COPIES OF THE COMPLETE BILL ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA

PUB. February 12, 1998  
Las Vegas Review-Journal

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

BARBARA LINFORD, 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 FEBRUARY 12, 1998 to FEBRUARY 12, 1998, on the following days:

FEBRUARY 12, 1998

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

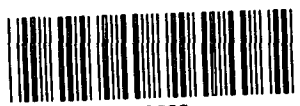
Signed: Barbara Linford

Subscribed and sworn to before me this 12 day of FEB., 1998

Monica A. Peterson  
Notary Public

1998 FEB 20 A 9:50  
RECEIVED  
CITY CLERK

**MONICA A. PETERSON**  
Notary Public - Nevada  
No. 97-3700-1  
My appt. exp. Sept. 11, 2001



086706