

ORDINANCE NO. 657

AN ORDINANCE TO AMEND CHAPTER 24, CODE OF LAS VEGAS, NEVADA, 1949, ALSO KNOWN AS THE ZONING ORDINANCE BY ESTABLISHING A NEW CLASS DISTRICT TO ALLOW AND PERMIT THE ESTABLISHMENT OF NEIGHBORHOOD COMMERCIAL CENTER DISTRICTS UPON MEETING CERTAIN CONDITIONS; AND TO AMEND THE PROVISION CONCERNING USE PERMITS IN C-2 ZONES; PROVIDING OTHER MATTERS PROPERLY RELATED THERETO; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

WHEREAS, it has been determined that in the interest of public health, welfare, safety and convenience, there exists a need to provide a means whereby the residents of the low and medium density residential districts of the City of Las Vegas may obtain their continuing daily needs in goods and services without traveling a considerable distance to the downtown commercial area, and

WHEREAS, it is also deemed necessary in the public interest to protect the residential property values of these neighborhoods from the detrimental effects of unplanned and unnecessary commercial uses in these neighborhoods, and

WHEREAS, to provide a means whereby these goods and services may be provided within a residential neighborhood, and at the same time protect the residential values from depreciating, it has been determined that land should be appropriately classified for neighborhood commercial uses only in such amount as the ultimate population of each neighborhood can support; and

WHEREAS, the Board of Commissioners of the City of Las Vegas finds that there exists a public need for an amendment to Chapter 24 of the Code of Las Vegas, referred to as a Zoning Ordinance, to establish an additional land use and zoning classification in accordance with a Master Plan for such uses; such district to be known as C-C, (Neighborhood Commercial Center) District, and

WHEREAS, the Board of Commissioners of the City of Las Vegas deem it in the public interest to permit restaurants, cabaret, tavern or cocktail lounges for the dispensing of beverages and alcoholic liquors to be permitted in hotels of fifty (50) or more guest rooms,

NOW, THEREFORE, the Board of Commissioners of the City of Las Vegas do ordain as follows:

SECTION 1. Chapter 24, Section 10, Code of Las Vegas, Nevada, 1949, as last amended by Ordinance No. 630 is hereby further amended to read as follows:

A. In order to classify, regulate, restrict and segregate the uses of land and buildings; to regulate and restrict the height and bulk of buildings, and to regulate the area of yards and other open spaces about buildings, and to carry out the purpose of this article, thirteen classes of districts are established, to be known as follows:

R-A	.....	Ranch Estate District
R-E	.....	Residence Estate District
R-1	.....	Single Family Residence District
R-2	.....	Two-Family Residence District
R-2-T	.....	Two-Family Residence - Trailer District
R-3	.....	Limited Multiple Residence District
R-3-T	.....	Limited Multiple Residence - Trailer
R-4	.....	Apartment Residence District District
C-C	.....	Neighborhood Commercial Center District
C-1	.....	Limited or Neighborhood Commercial District
C-2	.....	General Commercial District
C-S	.....	General Commercial Special District
M-1	.....	Light Industry District
M-2	.....	Heavy Industry District

The aforesaid districts and the boundaries of such districts are shown and delineated on that certain map entitled, "Zoning Map - City of Las Vegas, Nevada" and such map with all notations, references, dimension, designations and other information shown thereon is hereby adopted and made a part of this article by this reference. Such map shall be hereinafter referred to as "the map".

CITY
CLERK'S
FILE

B. It is hereby declared that in the creation by this article of the respective classes of districts set forth herein, the board of commissioners has given due and careful consideration to the peculiar suitability of each and every such district for the particular regulation applied thereto, the location and extent of each district and the necessary proper and comprehensive groupings and arrangement of the various uses and densities of population in accordance with a well considered plan for the development of the city, and in desirable relation to established plans in adjoining municipalities and unincorporated areas of the County of Clark.

The boundaries of such districts as are shown upon the map adopted by this article or amendments, subsequent changes or supplements thereto, as are accomplished by the provisions of this article, are hereby adopted and approved and the regulations of this article governing the use of land, buildings and structures, the height of buildings and structures, building site areas, the sizes of yards about buildings and structures, and other matters as hereinafter set forth, are hereby established and declared to be in effect upon all land included within the boundaries of each and every district shown upon such map.

In the event that any land may, at the time of adoption of this article or at any time subsequent thereto, be included within the corporate boundaries of the City, but shall not be delineated on the "Zoning map" such land shall be automatically classified as in the R-A District; provided, however, that those areas annexed to the City of Las Vegas which have been designated in a different zone than R-A by the former governing body of the annexed area, shall automatically be annexed with the corresponding zone classification as that existing prior to the annexation.

SECTION 2. There is hereby added a new section to Chapter 24, Code of Las Vegas, Nevada, 1949 to immediately follow Section 19, to be designated Section 19.01, which shall read as follows:

"Section 19.01. C-C (Neighborhood Commercial Center) District Regulations.

A. USES PERMITTED:

1. Any use permitted in the C-1 Districts as set forth in Section 20 of the Zoning Ordinance, with the exception of uses permitted in the R-1, R-2 and R-3 districts.
2. Uses customarily incidental or similar to any of the above uses, provided that:
 - a. Such uses or operations are not objectionable due to dust, odor, smoke, noise, vibration or other similar causes.
3. Permitted retail shops shall sell new merchandise exclusively and all products produced, whether primary or incidental, shall be sold at retail on the premises, and not more than two (2) persons be engaged in such production.

B. GENERAL CONDITIONS FOR DEVELOPMENT:

A C-C district may be established in accordance with an approved land use plan or part thereof provided that:

1. An application is made for reclassification of property as provided in Section 34 of the Zoning Ordinance, as amended.
2. Detailed and specific plans accompany such application for the reclassification of property, which shall show:
 - a. That the maximum buildable area shall not be more than twenty-five (25%) per cent of the net area.
 - b. A schedule of construction including a proposed completion date.
3. Failure to fulfill the construction schedule shall void the plan as approved, unless an extension is granted by the City Planning Commission, upon application by the property owner, documented by

reasonable evidence to justify such extension. Failure to fulfill the construction schedule or to obtain an extension of time shall be construed as conclusive evidence that the reclassification of property to a C-C district was not in the public interest, and may constitute sufficient grounds for the Board of City Commissioners to further reclassify said property to its previous district classification, or some other classification consistent with the public interest.

C. YARDS REQUIRED:

1. There shall be a yard along the front, rear or side of every lot in a C-C District which lot is not bounded by an alley or street and which front, rear or side is bordering on property in any "R" district, which yard shall be of a width not less than twenty-five (25) feet.
2. No building shall hereafter be erected, nor shall any use of land be conducted so that the same will be closer to the right-of-way line of any street than any official plan line or any building line which has been established for such a street by the Master Plan of Highways, or section thereof, of the city or than by any future width line or building line which may be specified therefore by the provisions of the Zoning Ordinance.

D. BUILDING HEIGHT LIMIT:

1. The maximum building height shall be two (2) stories.

SECTION 3. Section 21, Subsection 13 of Chapter 24, Code of Las Vegas, Nevada, 1949, is hereby amended to read as follows:

13. The following uses, upon the securing of a special use permit in each case, as provided in section 28 of this chapter:

(a) Restaurants, cabaret, tavern or cocktail lounge, wherein the sale serving or dispensing of beverages and alcoholic liquors, all as defined and regulated by chapter 16 of this Code, may be permitted in a hotel of fifty (50) or more guest rooms, and gaming, as defined and regulated by chapter 13 of this Code, may be permitted in a hotel of one hundred (100) or more guest rooms, provided all other requirements of law regulating and permitting such uses are first complied with.

(b) Mortuaries.

(c) An "outdoor business" or commercial use when the nature of such use may require an outdoor location.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. That should any provision, clause, phrase, or part thereof, of this ordinance be declared invalid, unauthorized or unconstitutional, then such decision shall affect only the provision, clause, phrase or part thereof, declared to be invalid, unauthorized or unconstitutional, and shall not affect any other part of this ordinance whatsoever.

SECTION 6. That the City Clerk and Clerk of the Board of Commissioners of the City of Las Vegas shall cause this ordinance to be published once a week for two successive weeks immediately following its final reading and adoption, in the Las Vegas Review Journal, a daily newspaper published in said City, and this ordinance shall become effective immediately following the second publication thereof.

PASSED, ADOPTED AND APPROVED this 22nd day of July, 1955,

ATTEST:


SHIRLEY BAULINGER, City Clerk


REED WHIPPLE, Mayor Pro Tem

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 6th day of July, 1955, and referred to the following committee composed of Commissioners Sharp and Whipple for recommendation; thereafter the said committee reported favorably on said ordinance on the 22nd day of July, 1955, which was a special meeting held on the 22nd day of July, 1955, and at said special meeting held on said day, the proposed ordinance was read in full to the Board of Commissioners as amended, and adopted by the following vote:

Voting "Aye": Commissioners Bunker, Fountain, Sharp and Mayor Pro Tem Whipple.

Voting "Nay": None

Absent: Mayor Baker

APPROVED:

ATTEST:


SHIRLEY BALLINGER, City Clerk


REED WHIPPLE, Mayor Pro Tem

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA,
COUNTY OF CLARK

} ss.

A. F. Schellack, being first duly sworn,
deposes and says: That he is Foreman of the LAS VEGAS REVIEW-JOURNAL,
a daily newspaper, of general circulation, printed and published at Las Vegas,
in the County of Clark, State of Nevada, and that the attached was continuously

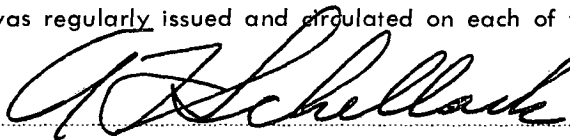
published in said newspaper for a period of Two (2) insertions
from July 27, 1955 to August 3, 1955

inclusive, being the issues of said newspaper for the following dates, to-wit:

July 27; August 3, 1955

That said newspaper was regularly issued and circulated on each of the dates
above named.

SIGNED



Subscribed and sworn to before me this 3rd day of August, 1955.


NOTARY PUBLIC IN AND FOR CLARK COUNTY, NEVADA

My Commission Expires April 14, 1957.

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PASSED, ADOPTED AND APPROVED this 22nd day of July, 1955.

REED WHIPPLE, Mayor Pro Tem

ATTEST:

SHIRLEY BALLINGER, City Clerk
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Voting "Aye": Commissioners Bunker, Fountain, Sharp and Mayor Pro Tem Whipple.

Voting "Nay": None
Absent: Mayor Baker

APPROVED:

REED WHIPPLE, Mayor Pro Tem

ATTEST:

SHIRLEY BALLINGER, City Clerk
July 27, Aug. 3