

BILL NO. 2001-128

ORDINANCE NO. 5405

AN ORDINANCE TO AMEND THE ZONING CODE TO INCREASE ALLOWABLE WALL HEIGHTS IN RESIDENTIAL DISTRICTS, TO ELIMINATE THE CORRESPONDING ADMINISTRATIVE DEVIATION PROCEDURES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Robert S. Genzer,
Director of Planning and Development

Summary: Amends the Zoning Code to increase allowable wall heights in residential districts and eliminate the corresponding administrative deviation procedures.

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

SECTION 1: Paragraph 19A.08.040(B)(2)(a) of the Zoning Code of the City of Las Vegas is hereby amended to read as follows:

a. Height. Except as otherwise specifically permitted in this Title, the maximum permitted height of walls, fences and hedges in residential districts shall be governed by the following:

- 1) Rear Yard Area - [Six] Eight feet solid or open.
- 2) Side Yard Area - [Six] Eight feet solid or open.
- 3) Required Front Yard Area - Four feet total, with the top two vertical feet 50 percent open to permit visibility. Hedges planted along the front yard property line shall not exceed three vertical feet. Retaining walls along the front property line may not retain more than two feet. Where the grade of the front yard slopes more than 2:1 ratio, multiple retaining walls may be constructed, provided there is a minimum distance of five feet between retaining walls for landscaping.
- 4) The maximum height of permitted fences/walls along the front property line shall be measured from the elevation of the adjoining sidewalk. Where such walls are set back, they shall be measured from the finished grade.
- 5) The maximum height of permitted fences/walls in the side and rear yard areas shall be measured on the side with the least vertical exposure above finished grade.
- 6) Screening or fencing for tennis\sports courts is permitted in the rear or side yard area. Such structures may exceed the height of six feet, but shall not be higher than 12 feet. The portion

1 above the height of six feet shall be open so as not to restrict light or ventilation and provided such
2 fencing shall be setback a minimum of 5 feet from the side and rear property lines.

3 [7) The Director may approve walls and/or fences in excess of the limitations set forth
4 herein as an Administrative Deviation pursuant to Subchapter 19A.18.080.]

5 SECTION 2: Section 19A.18.080(C) of the Zoning Code of the City of Las Vegas
6 is hereby amended to read as follows:

7 **C. Eligibility to Apply**

8 1. No application for an Administrative Deviation regarding a building setback may be
9 submitted unless:

10 a. In the case of a required side or rear setback of ten feet or less, the requested
11 deviation will not exceed two feet, and construction within the reduced setback will not extend more
12 than 15 feet parallel to the property line from which the setback is measured;

13 b. In the case of required side or rear yard setback of greater than ten feet or a
14 required front yard setback of greater than ten feet (exclusive of front-loading garages), the requested
15 deviation will not exceed 20%, and construction within the reduced setback will not extend more than
16 15 feet parallel to the property line from which the setback is measured;

17 c. The requested deviation is for a structure that will not exceed the greater of one
18 story or 15 feet in height; and

19 d. The applicant submits signatures representing ownership of all abutting
20 properties indicating no objection to the requested deviation.

21 2. [No application for an Administrative Deviation regarding a block wall may be
22 submitted unless:

23 a. For a rear or side yard, the wall will not exceed eight feet in height;

24 b. For a front yard, the wall will not exceed six feet in height, with the top four
25 feet open; and

26 c. The applicant submits signatures representing ownership of all abutting
27 properties indicating no objection to the requested deviation.

28 3.] No application for an Administrative Deviation may be submitted regarding the height

1 of an accessory structure unless:

2 a. The requested height does not exceed 1.2 times the height of the main dwelling
3 and does not exceed the allowable building height for the zoning district in which the property is
4 located; and

5 b. The applicant submits signatures representing the ownership of all abutting
6 properties indicating no objection to the requested deviation, or the ownership of all properties within
7 100 feet of the subject property, whichever would require the most signatures.

8 **[4.] 3.** For purposes of this Section (C), the term "abutting" means sharing any property line
9 with the parcel for which the deviation is sought, or which would share a property line but for an
10 intervening right-of-way. In the case of deviations for setbacks or block walls, the Director shall have
11 the authority to waive the signature requirement regarding properties which are deemed not to be
12 adversely affected.

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

21 SECTION 4: All ordinances or parts of ordinances or sections, subsections, phrases,

22 ...

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 2ND day of January, 2001.

4 APPROVED:

5
6 By 
OSCAR B. GOODMAN, Mayor

7 ATTEST:

8 
9 BARBARA JO RONEUMUS, City Clerk

10 APPROVED AS TO FORM:

11 Val Steed 11-20-01
12 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 5th day of December, 2001, and referred to the following committee composed of
3 Councilmembers L. B. McDonald and Weekly for recommendation; thereafter the said
4 committee reported favorably on said ordinance on the 2nd day of January, 2002, which was a
5 regular meeting of said Council; that at said regular meeting, the proposed ordinance was read by
6 title to the City Council as first introduced and adopted by the following vote:

7 VOTING "AYE": Mayor Goodman and Councilmembers Reese, M. McDonald, Brown, L.B.
8 McDonald, Weekly and Mack

9 VOTING "NAY": None

10 EXCUSED: None

11 APPROVED:

12 

13 OSCAR B. GOODMAN, Mayor

14 ATTEST:

15 
16 BARBARA JO RONEMUS, City Clerk

AFFP DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

Beverlee Marrott, 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
2013586

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1
edition(s) of said newspaper issued from 12/22/01 to 12/22/2001, on
the following days: DEC. 22, 2001

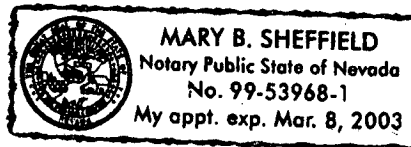
Signed: Beverlee Marrott

SUBSCRIBED AND SWORN BEFORE ME THIS THE 24

day of December 2001

Mary B. Sheffield

Notary Public



2001 DEC 28 A 10:33

RECEIVED
CITY CLERK

BILL NO. 2001-128
AN ORDINANCE TO AMEND
THE ZONING CODE TO IN-
CREASE ALLOWABLE
WALL HEIGHTS IN RESI-
DENTIAL DISTRICTS, TO
ELIMINATE THE CORRE-
SPONDING ADMINISTRATIVE
DEVIATION PROCEDURE,
AND TO PROVIDE FOR
OTHER RELATED MAT-
TERS.
Proposed by: Robert S.
Genzer, Director of Plan-
ning and Development
Summary: Amends the
Zoning Code to increase
allowable wall heights in
residential districts and
eliminate the correspond-
ing administrative devia-
tion procedures.
At a City Council meeting
DECEMBER 5, 2001
BILL NO. 2001-128 WAS
READ BY TITLE AND RE-
FERRED TO RECOMMEND-
ING COMMITTEE: COUN-
CIL MEMBERS L.B. MCDON-
ALD and WEEKLY
COPIES OF THE COMPLETE
BILL ARE AVAILABLE FOR
PUBLIC INFORMATION IN
THE OFFICE OF THE CITY
CLERK, 1ST FLOOR, CITY
HALL, 400 STEWART AVENUE,
LAS VEGAS, NEVADA.
PUB: December 22, 2001
LV Review-Journal

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
2025859

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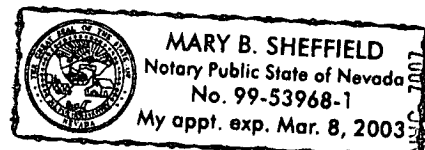
was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 01/05/02 to 01/05/2002, on the following days: JAN. 5, 2002

Signed: Beverlee Marrott

SUBSCRIBED AND SWORN BEFORE ME THIS THE 8

day of January 2002

Mary B. Sheffield
Notary Public



RECEIVED
CITY CLERK

2002 JAN 10 A 10:19

BILL NO. 2001-128
ORDINANCE NO. 5405

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The above and foregoing ordinance was first proposed and read by title to the City Council on the 5TH day of December, 2001, and referred to the following committee composed of Councilmembers L.B. McDonald and Weekly for recommendation; thereafter, the said committee reported favorably on said ordinance on the 2ND day of January 2, 2002, 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, M. McDonald, Brown, L.B. McDonald, Weekly and Mack
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: Jan. 5, 2002 LV Review-Journal