

BILL NO. 2001-95

ORDINANCE NO. 5373

AN ORDINANCE TO AMEND THE ZONING CODE TO PROVIDE FOR THE FORWARDING OF CERTAIN VARIANCE APPLICATIONS TO THE CITY COUNCIL FOR FINAL ACTION, AND TO PROVIDE FOR OTHER RELATED MATTERS.

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

Summary: Amends the Zoning Code to provide for the forwarding of certain variance applications to the City Council for final action.

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

SECTION 1: Ordinance No. 5320 and Section 19A.18.070(J) of the Zoning Code of the City of Las Vegas are hereby amended so that Section 19A.18.070(J) reads as follows:

J. Appeals

1. [Appeal of Denial.] Denials Generally. Except as otherwise provided in Subsection (3), [A] a decision [of] by the Planning Commission to deny a Variance application becomes final and effective at the expiration of 10 days after the date of the decision unless, within that period, the applicant appeals the decision by written request filed with the City Clerk.

2. [Final Action Concerning Certain Approvals.] Approvals Generally. Except as otherwise provided in Subsection (3), [A] a decision by the Planning Commission to approve a Variance application [regarding a reduction in required parking or an existing structure constitutes a recommendation to the City Council. The City Council shall make the final decision concerning the application. A decision to approve any other type of Variance application] becomes final and effective at the expiration of 10 days after the date of the decision unless, within that period, a member of the City Council requests that the item be forwarded to the Council, or an aggrieved person appeals the decision by written request filed with the City Clerk.

3. Automatic Review by City Council. In each of the following cases, the decision by the Planning Commission on a Variance application constitutes a recommendation to the City Council, and the City Council shall make the final decision concerning the application:

a. A Variance application that has been approved by the Planning Commission regarding a reduction in required parking or regarding an existing structure; or

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b. A Variance application, whether approved or denied by the Planning Commission, that is related to and has been filed in connection with an application for rezoning, an application for a Special Use Permit, or an application for Site Development Plan Review which requires final action by the City Council.

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

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

PASSED, ADOPTED and APPROVED this 7th day of November, 2001.

APPROVED:

By 
OSCAR B. GOODMAN, Mayor

ATTEST:


BARBARA JO RONEUMUS, City Clerk

APPROVED AS TO FORM:

Val Steed 9-19-01

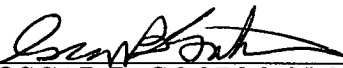
1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 3rd day of October, 2001, and referred to the following committee composed of Councilmembers
3 Weekly and L. B. McDonald for recommendation; thereafter the said committee reported
4 favorably on said ordinance on the 7th day of November, 2001, which was a regular meeting of
5 said Council; that at said regular meeting, the proposed ordinance was read by title to the City
6 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 ABSENT: None

11 APPROVED:

12 
13 _____
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

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17 _____
18 BARBARA JO RONEMUS, City Clerk
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2001 OCT 31 P 1:57

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
1944822

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 10/25/01 to 10/25/2001, on the following days: OCTOBER 25, 2001

Signed: Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE 25

day of October 2001

Mary B. Sheffield
Notary Public

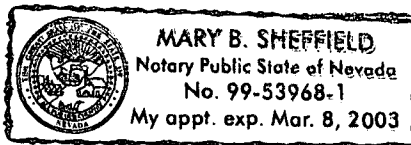
BILL NO. 2001-95

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Proposed by: Robert S. Genzer, Director of Planning and Development
Summary: Amends the Zoning Code to provide for the forwarding of certain variance applications to the City Council for final action.

At a City Council meeting October 3, 2001
BILL NO. 2001-95 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE: Councilmembers Weekly and L. B. McDonald

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: Oct. 25, 2001
LV Review-Journal



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
1965654

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 11/10/01 to 11/10/2001, on the following days: NOOVEMBER 10, 2001

BILL NO. 2001-95
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The above and foregoing ordinance was first proposed and read by title to the City Council on the 3rd day of October, 2001, and referred to the following committee composed of Councilmembers Weekly and L.B. McDonald for recommendation; thereafter the said committee reported favorably on said ordinance on the 7th day of November, 2001, 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

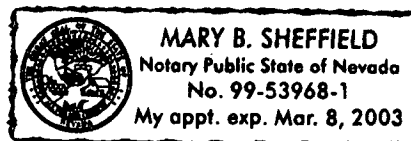
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: Nov. 10, 2001
LV Review-Journal

Signed: Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE 12

day of November 2001

Mary B. Sheffield
Notary Public



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2001 NOV 19 P 2:56