

BILL NO. 83-70

ORDINANCE No. 3094

AN ORDINANCE RELATING TO ZONING; AMENDING TITLE 19, CHAPTER 52, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO PROVIDE FOR PUBLICLY-OPERATED CONVENTION AND STADIUM FACILITIES IN THE C-V DISTRICT BY MEANS OF USE PERMIT AND TO CLARIFY THE PROCEDURES RELATING TO TEMPORARY USES IN SAID DISTRICT; AMENDING CHAPTER 88, SECTION 130, AND CHAPTER 90, SECTION 80, OF SAID TITLE TO REQUIRE FINAL ACTION BY THE CITY COUNCIL WITH RESPECT TO USE PERMIT AND VARIANCE APPLICATIONS FOR PUBLICLY-OPERATED CONVENTION AND STADIUM FACILITIES AND VARIANCE APPLICATIONS FOR USES IN THE C-V DISTRICT; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith.

Sponsored By:

Councilman Ron Lurie

Summary: Provides for publicly-operated convention and stadium facilities in the C-V Zoning District by means of Use Permit, with final action by the City Council. Also clarifies the procedures relating to temporary uses and variances in the C-V District.

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

SECTION 1: Title 19, Chapter 52, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19.52.010: The basic purpose of the creation of a Civic District in this Title is to foster and perpetuate the development of planned centers for the efficient development of public or governmental functions, together with related and compatible public and quasi-public activities. For these reasons, every use of property hereinafter permitted in a C-V District[,] must first be reviewed [by the Planning Commission, which may authorize a permitted use, provided it first makes a finding that said use is in harmony with the Master Plan of the City of Las Vegas and will promote the harmonious and efficient development of public, governmental and cultural centers, except temporary uses as provided in Section 19.52.040.] and authorized in accordance with the provisions of this Chapter.

1 SECTION 2: Title 19, Chapter 52, Section 20, of the
2 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
3 hereby repealed.

4 SECTION 3: Title 19, Chapter 52, of the Municipal
5 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby
6 amended by adding thereto a new section, designated as Sec-
7 tion 20, reading as follows:

8 19.52.020: The following uses are permitted in the C-V
9 District, provided that, in each case, the Planning Commission
10 finds that the proposed use is in harmony with the Master Plan of
11 the City of Las Vegas and will promote the harmonious and effi-
12 cient development of public, governmental and cultural centers:

13 (A) Except for uses governed by the provisions of Sections
14 19.52.030 and 19.52.040, any use operated or controlled by the
15 City, the County, the State or any of its political subdivisions,
16 or the United States of America.

17 (B) Any use operated or controlled by any recognized reli-
18 gious, fraternal, veteran, civic or service organization.

19 SECTION 4: Title 19, Chapter 52, Section 30, of the
20 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
21 hereby amended to read as follows:

22 19.52.030: The following uses are permitted in the C-V
23 District, subject to the securing of a use permit in each case,
24 as provided in Chapter 19.90:

25 (A) Cemeteries, as provided for in Section 19.10.080[, sub-
26 ject to the securing of a special use permit in each case, as
27 provided in Sections 19.90.010 to 19.90.070, inclusive];

28 (B) Custodial institutions and detention facilities[, sub-
29 ject to the securing of a special use permit in each case pur-
30 suant to the procedure provided in Section 19.90.080]; and

31 (C) Publicly-operated convention and stadium facilities.

32 SECTION 5: Title 19, Chapter 52, Section 40, of the

1 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
2 hereby amended to read as follows:

3 19.52.040: (A) Except as otherwise provided in Subsection (B)
4 of this Section, [The Board of Commissioners] the City Council,
5 after a public hearing, may [provide for] authorize any of the
6 governmental entities [as set forth] described in Section
7 19.52.020(A) to enter into written agreements [for] to allow the
8 temporary use of property owned by said [entities] entity and
9 located in a C-V District for a period of time not to exceed six
10 months [and providing that] if the City Council finds that the
11 proposed [use is] uses will not be materially detrimental to
12 [surrounding property owners] the public safety and welfare or to
13 surrounding property. Notice shall be given to the public of the
14 time and place of said hearing by publication in an official
15 newspaper or a newspaper of general circulation in the City at
16 least ten days prior to the date of said hearing.

17 (B) The requirements of Subsection (A) of this Section shall
18 not apply to any use which has been approved in connection with a
19 use permit obtained pursuant to Section 19.52.030(C).

20 SECTION 6: Title 19, Chapter 88, Section 130, of the
21 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
22 hereby amended to read as follows:

23 19.88.130: (A) Once the City Council has rendered a decision
24 on an application and thereafter a subsequent application for
25 variance involving the same property for the same or similar or
26 more intensive use is filed, then the same procedure set forth
27 herein shall apply, except that if the application is approved by
28 the Board of Zoning Adjustment, then there shall be an automatic
29 appeal to the City Council, whether or not an aggrieved person
30 files, and the Secretary of the Board of Zoning Adjustment shall
31 file with the City Clerk a proper notice of the appeal within ten
32 days of the decision of the Board of Zoning Adjustment, and all

1 notices and procedures shall be the same as provided for other
2 appeals. Furthermore, if an application is approved by the Board
3 of Zoning Adjustment concerning any matter with regard to which
4 the City Council has indicated a specific position, it shall be
5 transmitted to the City Council for final decision. Any request
6 to deviate from the provisions of the C-D Design Commercial
7 [District,] or C-V Civic Districts, approved by the Board of
8 Zoning Adjustment, shall be transmitted to the City Council for
9 final decision.

10 (B) A variance application for any of the following uses
11 shall be transmitted to the City Council for final decision in
12 accordance with the procedures set forth in Section 19.90.080:

13 (1) Sexually oriented businesses,

14 (2) Pawnshops,

15 (3) Class III or other secondhand dealers, except for
16 antique shops and used car lots,

17 (4) Transient sales lots or open sales lots,

18 (5) Retail demonstration merchandise sales stores,

19 (6) Custodial institutions or detention facilities[.],

20 (7) Publicly-operated convention and stadium facili-
21 ties.

22 SECTION 7: Title 19, Chapter 90, Section 80, of the
23 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
24 hereby amended to read as follows:

25 19.90.080: Following the conduct of a public hearing on any
26 application for a special use permit to allow a pawnshop; a
27 retail demonstration merchandise sales store; a Class III or
28 other secondhand dealer, except for an antique store or used car
29 lot; a transient sales lot; an open sales lot; a custodial insti-
30 tution or a detention facility, or a publicly-operated convention
31 and stadium facility, the Board of Zoning Adjustment shall report
32 its recommendation on said application to the City Council.

1 Prior to the next subsequent meeting of the City Council, the
2 Secretary of the Board of Zoning Adjustment shall transmit a copy
3 of said recommendation to the City Clerk. Within not to exceed
4 thirty days from the date of the Board of Zoning Adjustment's
5 recommendation, the City Council shall set the date for a public
6 hearing, and public notice shall be given by the City Clerk not
7 less than ten days prior to the public hearing to all property
8 owners who received notice of the public hearing conducted by the
9 Board of Zoning Adjustment. The City Council shall consider the
10 application for said special use permit and the recommendation of
11 the Board of Zoning Adjustment at the public hearing. Action by
12 the City Council on such application, following a public hearing,
13 shall be by majority vote of the entire Council and shall be
14 final and conclusive.

15 SECTION 8: If any section, subsection, subdivision,
16 paragraph, sentence, clause or phrase in this Chapter or any part
17 thereof, is for any reason held to be unconstitutional or invalid
18 or ineffective by any court of competent jurisdiction, such deci-
19 sion shall not affect the validity or effectiveness of the
20 remaining portions of this Chapter or any part thereof. The
21 City Council of the City of Las Vegas, Nevada, hereby declares
22 that it would have passed each section, subsection, subdivision,
23 paragraph, sentence, clause or phrase thereof irrespective of the
24 fact that any one or more sections, subsections, subdivisions,
25 paragraphs, sentences, clauses or phrases be declared unconstitu-
26 tional, invalid or ineffective.

27 SECTION 9: All ordinances or parts of ordinances,
28 sections, subsections, phrases, sentences, clauses or paragraphs

29 . . .

30 . . .

31 . . .

32 . . .

1 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 4th day of
4 January, 1984.

5 APPROVED:

6
7 By William H. Briare
8 WILLIAM H. BRIARE, MAYOR

9 ATTEST:

10 Carol Ann Hawley
11 CAROL ANN HAWLEY, CITY CLERK

12 The above and foregoing ordinance was first proposed
13 and read by title to the City Council on the 7th day of
14 December, 1983, and referred to the following committee
15 composed of Councilmen Lurie and
16 Levy for recommendation; thereafter the
17 said committee reported favorably on said ordinance on the 4th
18 day of January, 1984, which was a regular meeting of
19 said City Council; that at said regular meeting, the
20 proposed ordinance was read by title to the City Council as
21 first introduced and adopted by the following vote:

22 VOTING "AYE" Councilmen: Levy, Lurie, Nolen and Mayor Briare

23 VOTING "NAY" Councilmen: None

24 ABSENT: Christensen

25 APPROVED:

26 William H. Briare
27 BY WILLIAM H. BRIARE, MAYOR
28

29 ATTEST:

30 Carol Ann Hawley
31 Carol Ann Hawley, City Clerk
32

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA) SS
COUNTY OF CLARK)

Mr. George J. Vasconi, being first duly sworn, deposes and says that he is Business Manager for the LAS VEGAS REVIEW-JOURNAL, a daily newspaper 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 one insertions from period of January 7, 1984 to January 7, 1984 inclusive, being the issue of said newspaper for the following dates, to wit:

January 7, 1984

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

BILL NO. 83-70
ORDINANCE No. 3094
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Sponsored By:
Councilman Ron Lurie
Summary: Provides for publicly-operated convention and stadium facilities in the C-V Zoning District by means of Use Permit, with final action by the City Council. Also clarifies the procedures relating to temporary uses and variances in the C-V District.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 7th day of December, 1983, and referred to the following committee composed of Councilmen Lurie and Levy, for recommendation; thereafter the said committee reported favorably on said ordinance on the 4th day of January, 1984, which was a regular meeting of said City Council; then 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" Councilmen: Levy, Lurie, Nolen and Mayor Briare

VOTING "NAY" Councilmen: None
ABSENT: Christensen
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
Pub. Jan. 7, 1984

SIGNED

GEORGE J. VASCONI

Subscribed and sworn to before me this 10 day of Jan, 1984

Glenda L. Harris

NOTARY PUBLIC, IN AND FOR CLARK COUNTY, NEVADA



GLENDAL. HARRIS
Notary Public-State of Nevada
CLARK COUNTY

My Appointment Expires Feb. 7, 1986

JAN 15 3 30 PM '84

RECEIVED

RECEIVED

JAN 12 3 24 PM '84

CITY CLERK

02145

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA,
COUNTY OF CLARK

{ ss.

Carol Black

, being first duly sworn,

deposes and says: That he is Legal Clerk of the
LAS VEGAS SUN, 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 1 time.

from December 25, 1983 to December 25, 1983

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

December 25, 1983

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

Signed

Carol Black

Subscribed and sworn to before me this 25th
day of December, 1983.

Notary Public in and for Clark County, Nevada

My Commission Expires



Notary Public-State of Nevada
COUNTY OF CLARK

My Appointment Expires Apr. 14, 1985

BILL NO. 83-70

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SPONSORED BY:

Councilman Ron Lurie.

SUMMARY: Provides for publicly-operated convention and stadium facilities in the C-V Zoning District by means of Use Permit, with final action by the City Council. Also clarifies the procedures relating to temporary uses and variances in the C-V District.

At a Council Meeting on December 7, 1983.

BILL NO. 83-70 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE:

COUNCILMEN Lurie and Levy

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: December 25, 1983.
Las Vegas SUN

RECEIVED

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CITY CLERK