

BILL NO. 2002-55

ORDINANCE NO. 5477

AN ORDINANCE TO AMEND THE ZONING REGULATIONS TO INCLUDE PROVISIONS CONCERNING THE CONSIDERATION OF "PROJECTS OF REGIONAL SIGNIFICANCE," AND TO PROVIDE FOR OTHER RELATED MATTERS.

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

Summary: Amends the zoning regulations to include provisions concerning the consideration of "projects of regional significance."

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

SECTION 1: Title 19, Chapter 18, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new Subsection (F), reading as follows:

(F) Projects of Regional Significance

(1) Determination. At the earliest stage feasible, the Department shall determine whether a development proposal, proposed zoning map amendment, proposed local land use plan amendment, proposed Special Use Permit, or other proposal qualifies as a "project of regional significance." Where possible, this determination should be made at the time an application is filed for a proposal that requires review at a public meeting.

(2) Assessment and Referral. Upon determining that a proposal qualifies as a "project of regional significance" by reason of its proximity to the boundary of another municipal corporation or an unincorporated area (the "affected local government"), the Department shall refer the proposal to the affected local government(s). The referral shall consist of a description of the proposal, copies of any application materials, and an impact statement that includes, at a minimum:

(a) The number of vehicle trips that the proposal will generate, estimated by applying to the proposal the average trip rates for the peak days and hours established by the Institute of Transportation Engineers (or its successor).

(b) The estimated number of pupils that the proposal will add to the enrollment of each elementary school, junior high/middle school, and high school that will be impacted by the proposal.

1 (c) The distance from the site of the proposal to the nearest facilities from which
2 firefighting, police and emergency services will be provided, including without limitation facilities
3 of a local government that are planned but not yet constructed, and facilities that have been included
4 in a local government's plan for capital improvements prepared pursuant to NRS 278.0226.

5 (d) A brief statement setting forth the anticipated effect of the proposal on housing,
6 mass transit, open space and recreation.

7 **(3) Comment by Affected Local Government(s).** Upon receipt of a referral, an affected
8 local government shall have 15 calendar days within which to provide comments to the Department.
9 The comments may propose suggestions for the mitigation of any negative impacts of the proposal
10 on the affected local government.

11 **(4) Consideration of Comments.** The Department shall, within its discretion, give
12 consideration to any suggestions for mitigation that have been received from an affected local
13 government and, in accordance therewith, shall require or recommend mitigation of the proposal's
14 potential negative impacts on the affected local government to the maximum practical extent. For
15 purposes of this paragraph, "maximum practical extent" means that, under the circumstances:

16 (a) Reasonable efforts have been made to minimize any negative impacts of the
17 proposal;

18 (b) The costs of compliance with the suggestions for mitigation clearly exceed the
19 potential benefits to the public, or would unreasonably burden the proposal; and

20 (c) Reasonable steps have been undertaken to minimize any potential harm or
21 adverse impacts resulting from the failure to implement the suggestions for mitigation.

22 **(5) Report of Findings.** The Department shall prepare a written description of the manner
23 in which the suggestions for mitigation by any affected local government(s) were addressed, and shall
24 include the description with or in the staff report regarding the proposal. The description shall be
25 included in the project file for the proposal. The Department shall send the description to any affected
26 local government that provided comments regarding the proposal, endeavoring to do so by the time
27 that draft staff reports are distributed for the Planning Commission meeting at which the application
28 for the proposal is to be heard.

1 **(6) Interpretation of Notification and Separation Requirements.** For purposes of
2 applying the distance-separation and property-owner notification requirements of this Title, distances
3 shall be measured, and property owners notified, without regard to jurisdictional boundaries.

4 SECTION 2: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
5 Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto the following term and its
6 corresponding definition:

7 **Project of Regional Significance.** Any of the following:

8 **(1)** A site-specific building or development project, whether private, public or quasi-public
9 in nature, that is proposed within one-half mile of the boundary of another municipal corporation or
10 an unincorporated area, and that qualifies as one or more of the following:

11 **(a)** A project with a tentative map including 500 lots or more;

12 **(b)** A planned unit development of 500 units or more;

13 **(c)** A development including tourist accommodations of 300 units or more;

14 **(d)** A commercial or industrial facility that is estimated to generate more than 6250
15 average daily vehicle trips, as defined by the Institute of Transportation Engineers (or its successor);
16 or

17 **(e)** A nonresidential development encompassing more than 160 acres.

18 **(2)** A zoning map amendment or local land use plan amendment that is proposed within
19 one-half mile of the boundary of another municipal corporation or an unincorporated area, and that
20 could result in development meeting or exceeding any of the criteria listed in Paragraphs 1(a) through
21 1(d) above.

22 **(3)** A Special Use Permit application concerning property within 500 feet of the boundary
23 of another municipal corporation or an unincorporated area.

24 SECTION 3: For purposes of Section 2.100(3) of the City Charter, LVMC 19.18.010
25 and 19.20.020 are deemed to be subchapters rather than sections.

26 SECTION 4: If any section, subsection, subdivision, paragraph, sentence, clause or
27 phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional, or invalid
28 or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or

1 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
2 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
3 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
4 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
5 invalid or ineffective.

6 SECTION 5: All ordinances or parts of ordinances or sections, subsections, phrases,
7 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
8 1983 Edition, in conflict herewith are hereby repealed.

9 PASSED, ADOPTED and APPROVED this 1st day of May, 2002.

10 APPROVED:

11
12 By 
13 OSCAR B. GOODMAN, Mayor

14 ATTEST:

15 
16 BARBARA JO RONEMUS, City Clerk

17 APPROVED AS TO FORM:

18 Val Steed 3-20-02
19 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on
2 the 3rd day of April, 2002, and referred to a committee for recommendation; thereafter the
3 committee reported favorably on said ordinance on the 1st day of May, 2002, which was a regular
4 meeting of said Council; that at said regular meeting, the proposed ordinance was read by title to
5 the City Council as first introduced and adopted by the following vote:

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

8 VOTING "NAY": None

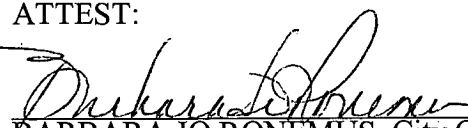
9 EXCUSED: None

10 ABSTAINED: 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:

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
2166662

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1
edition(s) of said newspaper issued from 04/19/02 to 04/19/2002, on
the following days: APRIL 19, 2002

Signed: _____

Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE _____

22nd

day of _____ 2002

April

Linda Espinoza

Notary Public

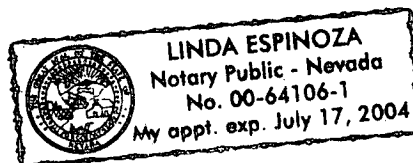
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At a City Council meeting
APRIL 3, 2002
BILL NO. 2002-55 WAS
READ BY TITLE AND RE-
FERRED TO RECOMMEND-
ING COMMITTEE

COPIES OF THE COMPLETE
BILL ARE AVAILABLE FOR
PUBLIC INFORMATION IN
THE OFFICE OF THE CITY
CLERK, 1ST FLOOR, CITY
HALL, 400 STEWART AVE.
NUE LAS VEGAS, NEVADA.
PUB: April 19, 2002
LV Review-Journal



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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
2192231

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 05/04/02 to 05/04/2002, on the following days: MAY 4, 2002

Signed: _____

Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE 8

day of May 2002

Mary B. Sheffield

Notary Public

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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: May 4, 2002
LV Review-Journal

