

BILL NO. 93-40

ORDINANCE NO. 3738

AN ORDINANCE RELATING TO BUILDING SETBACKS; AMENDING TITLE 19, CHAPTER 58, SECTION 60, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO PERMIT MINOR SETBACK ENCROACHMENTS FOR CERTAIN ARCHITECTURAL FEATURES; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by:
Mayor Jan Lavery Jones

Summary: Permits minor setback encroachments for certain architectural features.

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

SECTION 1: Title 19, Chapter 58, Section 60, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19.58.060: (A) A fireplace and chimney may be permitted in the required setback or yard area provided such structure does not project more than two feet into the setback or yard area and that the structure is not wider than eight feet measured in the general direction of the wall of which the fireplace or chimney is a part. In no event, however, shall such projection be closer than three feet to any property line.

(B) Bay windows, architectural appendages, cabinets designed to screen utility meters and similar architectural features may encroach no more than two feet in the airspace of any required setback, provided that such encroachments:

(1) Remain at least three feet from the property line and are not wider than nine feet in width measured in the general direction of the wall of which the encroaching structure is a part; and

(2) Do not increase the living space of the structure at the floor line.

(C) On any lot which adjoins a golf course, park area, common open space or similar open space, balconies may extend up to five feet into the airspace of the required setback

1 for the dwelling and toward the open space; provided, however, that the projection extends no
2 closer than three feet from the property line.

3 SECTION 2: Title 19, Chapter 58, Section 10, of the Municipal
4 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

5 19.58.010: Where yards are required in this Title, they shall be construed as
6 permanently maintained open spaces. They shall not be less in depth [or], width or area than the
7 minimum specified [in any part,] for any zoning district, and they shall be at every point open and
8 unobstructed from the ground to the sky, except as [specifically mentioned in the regulations for
9 the respective districts, subject to the general exceptions set out through Section 19.58.070.]
10 otherwise provided in this Title.

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

19 SECTION 4: All ordinances or parts of ordinances, sections,
20 subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City

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22 . . .

23 . . .

24 . . .

25 . . .

26 . . .

1 of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

2 PASSED, ADOPTED and APPROVED this 1st day of September,
3 1993.

4 APPROVED:

5
6 By: *Jan Laverty Jones*
JAN LAVERTY JONES, Mayor
of 9/1/93

7 ATTEST:

8
9 *Kathleen M. Tighe*
KATHLEEN M. TIGHE, City Clerk

10 The above and foregoing ordinance was first proposed and read by title to
11 the City Council on the 4th day of August, 1993, and referred to the following committee
12 composed of Councilman Higginson and Mayor Jones for
13 recommendation; thereafter the said committee reported favorably on said ordinance on the 1st
14 day of September, 1993, which was a regular meeting of said Council; that at said
15 regular meeting, the proposed ordinance was read by title to the City Council as first
16 introduced and adopted by the following vote:

17 VOTING "AYE": Councilmen Nolen, Adamsen, Higginson and Hawkins Jr.

18 VOTING "NAY": NONE

19 ABSENT: EXCUSED: Mayor Jones

20 APPROVED:

21
22 By: *Jan Laverty Jones*
JAN LAVERTY JONES, MAYOR
of 9/1/93

23 ATTEST:

24 *Kathleen M. Tighe*
25 KATHLEEN M. TIGHE, CITY CLERK
26

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SPONSORED BY: Mayor Jan Laverly Jones

SUMMARY: Permits minor setback encroachments for certain architectural features.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 4th day of August, 1993, and referred to the following committee composed of Councilman Higginson and Mayor Jones, for recommendation; thereafter the said committee reported favorably on said ordinance on the 1st day of September, 1993 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" Councilmen: Nolen, Adamsen, Higginson, Hawkins Jr.

VOTING "NAY" NONE

EXCUSED: Mayor Jones

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 5TH FLOOR, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.

PUB: September 4, 1993
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

PAMELA WOODS, being first duly sworn, deposes and says:

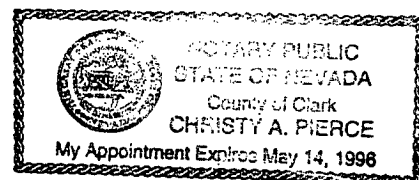
That she/he is a legal clerk for the LAS VEGAS REVIEW-JOURNAL and THE LAS VEGAS SUN, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of SEPTEMBER 4, 1993 to SEPTEMBER 4, 1993, on the following days:

SEPTEMBER 4, 1993

Signed: Pamela Woods

Subscribed and sworn to before me this 7 day of September, 19 93

Christy A Pierce
Notary Public



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THERE TO; AND REPEALING
ALL ORDINANCES AND PARTS
OF ORDINANCES IN CONFLICT
HEREWITH.
SPONSORED BY: Mayor
Jan Laverly Jones
SUMMARY: Permits minor setback
encroachments for certain architec-
tural features.
At a City Council meeting
AUGUST 4, 1993
BILL NO. 93-40 WAS READ BY
TITLE AND REFERRED TO REC-
OMMENDING COMMITTEE:
Councilman Higginson
AND Mayor Jones
COPIES OF THE COMPLETE BILL
ARE AVAILABLE FOR PUBLIC
INFORMATION IN THE OFFICE
OF THE CITY CLERK, 5TH
FLOOR, CITY HALL, 400 EAST
STEWART AVENUE, LAS VEGAS,
NEVADA.
PUB: August 19, 1993
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

CHRISTINE BICKERTON, being first duly
sworn, deposes and says:

That she/he is a 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 of which is attached,
was continuously published in the LAS VEGAS
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from the period of AUGUST 19, 1993
to AUGUST 19, 1993, on the following
days:

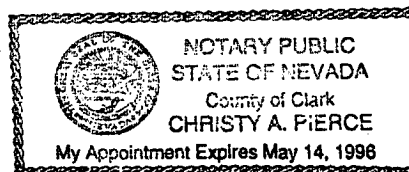
AUGUST 19, 1993

Signed: Christine Bickerton

Subscribed and sworn to before me this

19 day of August, 19 93

Christy A. Pierce
Notary Public



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VOTING "AYE" Councilmen: Nolen, Adamsen, Higginson, Hawkins Jr.
VOTING "NAY" NONE
EXCUSED: Mayor Jones
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PUB: September 4, 1993
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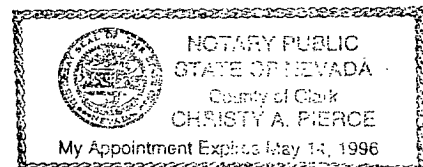
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SEPTEMBER 4, 1993

Signed: Pamela Woods

Subscribed and sworn to before me this 7 day of September, 19 93

Christy A. Pierce
Notary Public



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AUGUST 19, 1993

Signed: Christine Bickerton

Subscribed and sworn to before me this

19 day of August, 19 93

Christy A. Pierce
Notary Public



NOTARY PUBLIC
STATE OF NEVADA
County of Clark
CHRISTY A. PIERCE

My Appointment Expires May 14, 1996



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