

BILL NO. 2003-112

ORDINANCE NO. 5663

AN ORDINANCE TO ESTABLISH THE CIRCUMSTANCES UNDER WHICH THE USE "TEMPORARY REAL ESTATE SALES OFFICE" MAY BE PERMITTED AS A CONDITIONAL USE IN VARIOUS COMMERCIAL AND INDUSTRIAL DISTRICTS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

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

Summary: Establishes the circumstances under which the use "temporary real estate sales office" may be permitted as a conditional use in various commercial and industrial districts.

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

SECTION 1: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to provide that the use "Temporary Real Estate Sales Office" is a conditional use in the P-R, N-S, O, C-D, C-1, C-2, C-M and M Zoning Districts. In order to reflect the amendment, the "Temporary Uses" element of Table 2, as it pertains to Commercial and Industrial Districts only, is amended to read as follows:

TEMPORARY USES	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
Temporary Real Estate Sales Office	[P] C	[P] C	[P] C	C	[P] C	[P] C		[P] C	[P] C

SECTION 2: Title 19, Chapter 4, Section 40, Subsection (C), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the subdivision entitled "TEMPORARY REAL ESTATE SALES OFFICE" to read as follows, with (in this Section only) the brackets ([]) being part of the ordinance text and the braces ({ }) indicating deleted material:
TEMPORARY REAL ESTATE SALES OFFICE {[ALL RESIDENTIAL DISTRICTS]}

(1) Within any residential district:

(a) The use may be located within a model home or trailer;

(b) The sales activity shall be limited to lots within the subdivision in which the model home or trailer is located; and

1 (c) The use shall not be permitted to operate until the requirements of LVMC 18.28.010
2 have been met, including the approval of a final subdivision map.

3 (2) Within any commercial or industrial district:

4 (a) The use may be located within a trailer or an existing commercial structure; and

5 (b) The use shall not be permitted to operate and is not entitled to a certificate of
6 occupancy until a Site Development Plan has been approved for the development to which the sales
7 pertains.

8 {(1)} (3) If the temporary real estate sales office is a model home{,} or is conducted from a
9 commercial structure, the use shall expire two years from the date of building permit approval or
10 whenever sales are completed, whichever occurs first. If the temporary real estate sales office is a
11 trailer, the use shall expire six months from the date of approval by the Department of Building and
12 Safety.

13 {(2)} (4) Upon termination of the use, all temporary access improvements from this site to the
14 abutting street(s) shall be removed and replaced with permanent access improvements that meet all
15 City standards, as required by the Department of Public Works.

16 {(3)} (5) Pursuant to LVMC 18.12.310, direct vehicular access from primary and secondary
17 street(s) through the back of bordering lots is prohibited unless approval is granted by the Director of
18 Planning and Development.

19 {(4)} (6) All development must be in conformance with the submitted plot plan and floor plan.

20 {(5)} (7) Any signage for this use must first be approved in writing by the Planning and
21 Development Department.

22 {(6)} (8) A minimum of five paved on-site parking spaces shall be provided, and the spaces
23 provided shall be in compliance with ADA parking requirements{,} and LVMC Chapter 19.10. In any
24 commercial or industrial district, the Director may waive one or more of the required on-site spaces
25 if an equivalent number of on-street parking spaces is available on a street that directly abuts the lot
26 on which the use is located.

27 SECTION 3: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
28 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term

1 "Temporary Real Estate Sales Office" to read as follows:

2 "Temporary Real Estate Sales Office" means an office operating at a fixed location within an existing
3 model home, [or] trailer or commercial structure which is used temporarily for the purpose of [home
4 sales within the subdivision in which the model home or trailer is located.] real estate sales.

5 SECTION 4: For purposes of Section 2.100(3) of the City Charter, LVMC 19.04.010,
6 19.04.040 and 19.20.020 are deemed to be subchapters rather than sections.

7 SECTION 5: If any section, subsection, subdivision, paragraph, sentence, clause or
8 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
9 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
10 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
11 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
12 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
13 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
14 invalid or ineffective.

15 SECTION 6: All ordinances or parts of ordinances or sections, subsections, phrases,
16 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
17 1983 Edition, in conflict herewith are hereby repealed.

18 PASSED, ADOPTED and APPROVED this 21 day of January, 2004.

19 APPROVED:

20
21 By Oscar B. Goodman
22 OSCAR B. GOODMAN, Mayor

23 ATTEST:

24 Barbara Jo Ronemus
25 BARBARA JO RONEMUS, City Clerk

26 APPROVED AS TO FORM:

27 Val Steel 12-3-03
28 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 17th day of December, 2003, and referred to a committee for recommendation; thereafter the
3 committee reported favorably on said ordinance on the 21st day of January, 2004, which was a
4 regular meeting of said Council; that at said regular meeting, the proposed ordinance was read by
5 title to the City Council as first read and adopted by the following vote:

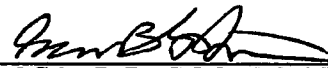
6 VOTING "AYE": Councilmembers Reese, Brown, L. B. McDonald, Weekly, Mack and
Moncrief

7 VOTING "NAY": None

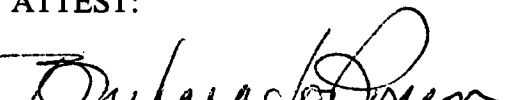
8 EXCUSED: Mayor Goodman

9 ABSTAINED: None

10 APPROVED:

11 
12 _____
OSCAR B. GOODMAN, Mayor

13 ATTEST:

14 
15 _____
BARBARA JO RONEMUS, City Clerk

AFFP DISTRICT COURT
Clark County, Nevada
AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK)

SS:

RECEIVED
CITY CLERK

2004 JAN 15 P 2:44

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
3141607

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 01/09/2004 to 01/09/2004, on the following days: JAN. 9, 2004

Signed: _____

Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE _____

12

day of _____ 2004

January

Mary B. Sheffield

Notary Public

BILL NO. 2003-112

AN ORDINANCE TO ESTABLISH THE CIRCUMSTANCES UNDER WHICH THE USE "TEMPORARY REAL ESTATE SALES OFFICE" MAY BE PERMITTED AS A CONDITIONAL USE IN VARIOUS COMMERCIAL AND INDUSTRIAL DISTRICTS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Robert S. Genzer, Director of Planning and Development
Summary: Establishes the circumstances under which the use "temporary real estate sales office" may be permitted as a conditional use in various commercial and industrial districts.

At the City Council meeting of DECEMBER 17, 2003 BILL NO. 2003-112 WAS READ BY TITLE AND REFERRED TO A RECOMMENDING COMMITTEE

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: January 9, 2004
LV Review-Journal



MARY B. SHEFFIELD

Notary Public State of Nevada

No. 99-53968-1

My appt. exp. Mar. 8, 2007

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
3171951

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 01/27/2004 to 01/27/2004, on the following days: JAN. 27, 2004

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5663

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VOTING "AYE": Councilmembers Reese, M. McDonald, L. Brown, Weekly, Mack and Moncrief
VOTING "NAY": NONE
EXCUSED: Mayor Goodman

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: January 27, 2004
LV Review-Journal

Signed: _____

Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE _____

2

day of February 2004

Mary B. Sheffield

Notary Public



MARY B. SHEFFIELD
Notary Public State of Nevada
No. 99-53968-1
My appt. exp. Mar. 8, 2007

2004 FEB -5 A 10:57

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