FIRST AMENDMENT

BILL NO. 2003-78

ORDINANCE NO. 5682

AN ORDINANCE TO ESTABLISH LOCATIONAL RESTRICTIONS AND ADDITIONAL DEVELOPMENT STANDARDS FOR THE USES "AUTO PAWN," "AUTO TITLE LOAN," AND "SPECIFIED FINANCIAL INSTITUTION," AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilwoman Janet Moncrief

Summary: Establishes locational restrictions and additional development standards for the uses "auto pawn," "auto title loan," and "specified financial institution."

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

SECTION 1: 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 "AUTO TITLE LOAN" to read as follows:

AUTO TITLE LOAN [C-M, M]

(1) The use shall comply with all applicable requirements of LVMC Title 6.

(2) The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.

(3) No temporary signs (as described in LVMC 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.

(4) Window signs shall not:

(a) Cover [cover] more than twenty percent of the area of all exterior windows[.] ;

(b) Include flashing lights or neon lighting; or

(c) Include any text other than text that indicates the hours of operation and whether the business is open or closed.

(5) The hours of operation shall not extend beyond the hours of 8:00 a.m. to [8:00] 11:00 p.m.

(6) The building or portion thereof that is dedicated to the use shall have a minimum size of one thousand five hundred square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).

(7) No auto title loan use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no auto title loan use may be located closer than one thousand feet from any other auto title loan use, auto pawn use or specified financial institution use. For purposes of this Paragraph (7), distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

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 "FINANCIAL INSTITUTION, SPECIFIED" to read as follows:

FINANCIAL INSTITUTION, SPECIFIED [C-M, M]

(1) The use shall comply with all applicable requirements of LVMC Title 6.

(2) The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.

(3) No temporary signs (as described in LVMC 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.

(4) Window signs shall not:

(a) Cover [cover] more than twenty percent of the area of all exterior windows[.] ;

(b) Include flashing lights or neon lighting; or

(c) Include any text other than text that indicates the hours of operation and whether the business is open or closed.

(5) The hours of operation shall not extend beyond the hours of 8:00 a.m. to [8:00] 11:00 p.m.

(6) The building or portion thereof that is dedicated to the use shall have a minimum size of one thousand five hundred square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).

(7) No specified financial institution use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no specified financial institution use may be located closer than one thousand feet from any other specified financial institution use, auto title loan use or auto pawn use. For purposes of this Paragraph (7), distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

SECTION 3: 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 "PAWN, AUTO" to read as follows:

PAWN, AUTO [M]

(1) The use shall comply with the applicable requirements of LVMC Chapter 6.60.

(2) Except for the parking of automobiles, no outdoor display, sales or storage of any merchandise shall be permitted.

(3) Vehicles that have been pawned may not be parked or stored in parking spaces that are designated as off-street parking necessary to meet the minimum requirements of LVMC Chapter 19.10. Any parking or storage of such vehicles must occur only in spaces that are in excess of the required minimum parking.

(4) No auto pawn use shall be located on either side of Fremont Street or on Las Vegas Boulevard, between Charleston Boulevard and Sahara Avenue.

(5) Window signs shall not:

(a) Cover more than twenty percent of the area of all exterior windows;

(b) Include flashing lights or neon lighting; or

(c) Include any text other than text that indicates the hours of operation and whether the business is open or closed.

(6) The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.

(7) The building or portion thereof that is dedicated to the use shall have a minimum size of one thousand five hundred square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).

(8) No auto pawn use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no auto pawn use may be located closer than one thousand feet from any other auto pawn use, auto title loan use or specified financial institution use. For purposes of this Paragraph (8), distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

SECTION 4: Title 19, Chapter 4, Section 50, Subsection (B), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the subdivision entitled "AUTO TITLE LOAN" to read as follows:

AUTO TITLE LOAN [O, C-D, C-1, C-2]

*(1) The use shall comply with all applicable requirements of LVMC Title 6.

*(2) The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.

(3) No temporary signs (as described in LVMC 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.

(4) Window signs shall not:

(a) Cover [cover] more than twenty percent of the area of all exterior windows[.] ;

(b) Include flashing lights or neon lighting; or

(c) Include any text other than text that indicates the hours of operation and whether the business is open or closed.

(5) The hours of operation shall not extend beyond the hours of 8:00 a.m. to [8:00] 11:00 p.m.

(6) The building or portion thereof that is dedicated to the use shall have a minimum size of one thousand five hundred square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).

(7) No auto title loan use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no auto title loan use may be located closer than one thousand feet from any other auto title loan use, auto pawn use or specified financial institution use. For purposes of this Paragraph (7), distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

SECTION 5: Title 19, Chapter 4, Section 50, Subsection (B), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the subdivision entitled "FINANCIAL INSTITUTION, SPECIFIED" to read as follows:

FINANCIAL INSTITUTION, SPECIFIED [O, C-D, C-1, C-2]

*(1) The use shall comply with all applicable requirements of LVMC Title 6.

*(2) The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.

(3) No temporary signs (as described in LVMC 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.

(4) Window signs shall not:

(a) Cover [cover] more than twenty percent of the area of all exterior windows[.] ;

(b) Include flashing lights or neon lighting; or

(c) Include any text other than text that indicates the hours of operation and whether the business is open or closed.

(5) The hours of operation shall not extend beyond the hours of 8:00 a.m. to [8:00] 11:00 p.m.

(6) The building or portion thereof that is dedicated to the use shall have a minimum size of one thousand five hundred square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).

(7) No specified financial institution use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no specified financial institution use may be located closer than one thousand feet from any other specified financial institution use, auto title loan use or auto pawn use. For purposes of this Paragraph (7), distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

SECTION 6: Title 19, Chapter 4, Section 50, Subsection (B), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the subdivision entitled "PAWN, AUTO" to read as follows:

PAWN, AUTO [C-M]

(1) The use shall comply with the applicable requirements of LVMC Chapter 6.60.

(2) Except for the parking of automobiles, no outdoor display, sales or storage of any merchandise shall be permitted.

(3) Vehicles that have been pawned may not be parked or stored in parking spaces that are designated as off-street parking necessary to meet the minimum requirements of LVMC Chapter 19.10. Any parking or storage of such vehicles must occur only in spaces that are in excess of the required minimum parking.

(4) No auto pawn use shall be located on either side of Fremont Street or on Las Vegas Boulevard, between Charleston Boulevard and Sahara Avenue.

(5) Window signs shall not:

(a) Cover more than twenty percent of the area of all exterior windows;

(b) Include flashing lights or neon lighting; or

(c) Include any text other than text that indicates the hours of operation and whether the business is open or closed.

(6) The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.

(7) The building or portion thereof that is dedicated to the use shall have a minimum size of one thousand five hundred square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).

(8) No auto pawn use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no auto pawn use may be located closer than one thousand feet from any other auto pawn use, auto title loan use or specified financial institution use. For purposes of this Paragraph (8), distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

SECTION 7: In Sections 1 to 6, inclusive, of this Ordinance, the brackets that follow the titles of the subdivision being added or amended are not intended to indicate deleted matter, but instead are used as the means of indicating the applicable districts.

SECTION 8: For purposes of Section 2.100(3) of the City Charter, LVMC 19.04.040 and 19.04.050 are deemed to be subchapters rather than sections.

SECTION 9: 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 10: 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 21 day of April, 2004.

APPROVED:

By [signature]
OSCAR B. GOODMAN, Mayor

ATTEST:

[signature]
BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

Val Steed 4-21-04
Date

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

VOTING "AYE":	Councilmembers Reese, Weekly, and Moncrief
VOTING "NAY":	Councilman Brown
EXCUSED:	None
ABSTAINED:	Mayor Goodman and Councilman Mack

APPROVED:

OSCAR B. GOODMAN, Mayor

ATTEST:

BARBARA JO RONEMUS, City Clerk

SEE FIRST AMENDMENT

BILL NO. 2003-78

ORDINANCE NO. ______

AN ORDINANCE TO ESTABLISH LOCATIONAL RESTRICTIONS FOR THE USES "AUTO PAWN," "AUTO TITLE LOAN," AND "SPECIFIED FINANCIAL INSTITUTION," AND TO PROVIDE FOR OTHER RELATED MATTERS.

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

Summary: Establishes locational restrictions for the uses "auto pawn," "auto title loan," and "specified financial institution."

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

SECTION 1: 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 "AUTO TITLE LOAN" to read as follows:

AUTO TITLE LOAN [C-M, M]

1. The use shall comply with all applicable requirements of LVMC Title 6.

2. The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.

3. No temporary signs (as described in LVMC 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.

4. Window signs shall not cover more than twenty percent (20%) of the area of all exterior windows.

5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 8:00 p.m.

<u>6. No auto title loan use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no auto title loan use may be located closer than one thousand feet from any other auto title loan use, auto pawn use or specified financial institution use. For purposes of this Paragraph (6), distances shall be measured with reference to the shortest distance between two property lines, one being the property line of the proposed use that is closest to the</u>

existing use to which the measurement pertains, and the other being the property line of the existing use that is closest to the proposed use. Distances shall be measured in a straight line without regard to intervening obstacles. For purposes of this Paragraph (6), and for that purpose only:

(a) The "property line" of a parcel used or zoned for residential use refers to the property line of a fee interest parcel that has been created by an approved and recorded parcel map or subdivision map, and does not include the property line of a leasehold parcel; and

(b) The "property line" of an auto title loan use, auto pawn use or specified financial institution use refers to:

(i) The property line of a parcel that has been created by an approved and recorded parcel map or commercial subdivision map; or

(ii) The property line of a parcel that is located within an approved and recorded commercial subdivision and that has been created by a record of survey or legal description, if:

A. Using the property line of that parcel for the purpose of measuring the distance separation referred to in this Paragraph (6) would qualify the parcel under the distance separation requirement;

B. The auto title loan use, auto pawn use or specified financial institution use has or will have direct access (both ingress and egress) from a public street. The required access may be shared with a larger development but must be located within the property lines of the parcel on which the auto title loan use, auto pawn use or specified financial institution use is or will be located;

C. All parking spaces required by LVMC Chapter 19.10 for the auto title loan use, auto pawn use or specified financial institution use are or will be located on the same parcel as the use; and

D. The owners of all parcels within the commercial subdivision, including the owner of the parcel on which the auto title loan use, auto pawn use or specified financial institution use has been or will be located, execute and record, or have executed and recorded, an agreement satisfactory to the City Attorney, that provides for perpetual, reciprocal cross-access, ingress and egress throughout the commercial subdivision.

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 "FINANCIAL INSTITUTION, SPECIFIED" to read as follows:

FINANCIAL INSTITUTION, SPECIFIED [C-M, M]

1. The use shall comply with all applicable requirements of LVMC Title 6.

2. The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.

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4. Window signs shall not cover more than twenty percent (20%) of the area of all exterior windows.

5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 8:00 p.m.

<u>6. No specified financial institution use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no specified financial institution use may be located closer than one thousand feet from any other specified financial institution use, auto title loan use or auto pawn use. For purposes of this Paragraph (6), distances shall be measured with reference to the shortest distance between two property lines, one being the property line of the proposed use that is closest to the existing use to which the measurement pertains, and the other being the property line of the existing use that is closest to the proposed use. Distances shall be measured in a straight line without regard to intervening obstacles. For purposes of this Paragraph (6), and for that purpose only:</u>

<u>(a) The "property line" of a parcel used or zoned for residential use refers to the property line of a fee interest parcel that has been created by an approved and recorded parcel map or subdivision map, and does not include the property line of a leasehold parcel; and</u>

<u>(b) The "property line" of an auto title loan use, auto pawn use or specified financial</u>

<u>institution use refers to:</u>

<u>(i) The property line of a parcel that has been created by an approved and recorded parcel map or commercial subdivision map; or</u>

<u>(ii) The property line of a parcel that is located within an approved and recorded commercial subdivision and that has been created by a record of survey or legal description, if:</u>

<u>A. Using the property line of that parcel for the purpose of measuring the distance separation referred to in this Paragraph (6) would qualify the parcel under the distance separation requirement;</u>

<u>B. The auto title loan use, auto pawn use or specified financial institution use has or will have direct access (both ingress and egress) from a public street. The required access may be shared with a larger development but must be located within the property lines of the parcel on which the auto title loan use, auto pawn use or specified financial institution use is or will be located;</u>

<u>C. All parking spaces required by LVMC Chapter 19.10 for the auto title loan use, auto pawn use or specified financial institution use are or will be located on the same parcel as the use; and</u>

<u>D. The owners of all parcels within the commercial subdivision, including the owner of the parcel on which the auto title loan use, auto pawn use or specified financial institution use has been or will be located, execute and record, or have executed and recorded, an agreement satisfactory to the City Attorney, that provides for perpetual, reciprocal cross-access, ingress and egress throughout the commercial subdivision.</u>

SECTION 3: 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 "PAWN, AUTO" to read as follows:

PAWN, AUTO [M]

1. The use shall comply with the applicable requirements of LVMC Chapter 6.60.

2. Except for the parking of automobiles, no outdoor display, sales or storage of any merchandise shall be permitted.

3. Vehicles that have been pawned may not be parked or stored in parking spaces that are designated as off-street parking necessary to meet the minimum requirements of LVMC Chapter 19.10. Any parking or storage of such vehicles must occur only in spaces that are in excess of the required minimum parking.

4. No auto pawn use shall be located on either side of Fremont Street or on Las Vegas Boulevard, between Charleston Boulevard and Sahara Avenue.

<u>5. No auto pawn use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no auto pawn use may be located closer than one thousand feet from any other auto pawn use, auto title loan use or specified financial institution use. For purposes of this Paragraph (5), distances shall be measured with reference to the shortest distance between two property lines, one being the property line of the proposed use that is closest to the existing use to which the measurement pertains, and the other being the property line of the existing use that is closest to the proposed use. Distances shall be measured in a straight line without regard to intervening obstacles. For purposes of this Paragraph (5), and for that purpose only:</u>

<u>(a) The "property line" of a parcel used or zoned for residential use refers to the property line of a fee interest parcel that has been created by an approved and recorded parcel map or subdivision map, and does not include the property line of a leasehold parcel; and</u>

<u>(b) The "property line" of an auto title loan use, auto pawn use or specified financial institution use refers to:</u>

<u>(i) The property line of a parcel that has been created by an approved and recorded parcel map or commercial subdivision map; or</u>

<u>(ii) The property line of a parcel that is located within an approved and recorded commercial subdivision and that has been created by a record of survey or legal description, if:</u>

<u>A. Using the property line of that parcel for the purpose of measuring the distance separation referred to in this Paragraph (5) would qualify the parcel under the distance separation requirement;</u>

<u>B. The auto title loan use, auto pawn use or specified financial institution use has or will have direct access (both ingress and egress) from a public street. The required access</u>

may be shared with a larger development but must be located within the property lines of the parcel on which the auto title loan use, auto pawn use or specified financial institution use is or will be located;

C. All parking spaces required by LVMC Chapter 19.10 for the auto title loan use, auto pawn use or specified financial institution use are or will be located on the same parcel as the use; and

D. The owners of all parcels within the commercial subdivision, including the owner of the parcel on which the auto title loan use, auto pawn use or specified financial institution use has been or will be located, execute and record, or have executed and recorded, an agreement satisfactory to the City Attorney, that provides for perpetual, reciprocal cross-access, ingress and egress throughout the commercial subdivision.

SECTION 4: Title 19, Chapter 4, Section 50, Subsection (B), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the subdivision entitled "AUTO TITLE LOAN" to read as follows:

AUTO TITLE LOAN [O, C-D, C-1, C-2]

*1. The use shall comply with all applicable requirements of LVMC Title 6.

*2. The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.

3. No auto title loan use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no auto title loan use may be located closer than one thousand feet from any other auto title loan use, auto pawn use or specified financial institution use. For purposes of this Paragraph (3), distances shall be measured with reference to the shortest distance between two property lines, one being the property line of the proposed use that is closest to the existing use to which the measurement pertains, and the other being the property line of the existing use that is closest to the proposed use. Distances shall be measured in a straight line without regard to intervening obstacles. For purposes of this Paragraph (3), and for that purpose only:

(a) The "property line" of a parcel used or zoned for residential use refers to the property line of a fee interest parcel that has been created by an approved and recorded parcel map or subdivision map, and does not include the property line of a leasehold parcel; and

(b) The "property line" of an auto title loan use, auto pawn use or specified financial institution use refers to:

(i) The property line of a parcel that has been created by an approved and recorded parcel map or commercial subdivision map; or

(ii) The property line of a parcel that is located within an approved and recorded commercial subdivision and that has been created by a record of survey or legal description, if:

A. Using the property line of that parcel for the purpose of measuring the distance separation referred to in this Paragraph (3) would qualify the parcel under the distance separation requirement;

B. The auto title loan use, auto pawn use or specified financial institution use has or will have direct access (both ingress and egress) from a public street. The required access may be shared with a larger development but must be located within the property lines of the parcel on which the auto title loan use, auto pawn use or specified financial institution use is or will be located;

C. All parking spaces required by LVMC Chapter 19.10 for the auto title loan use, auto pawn use or specified financial institution use are or will be located on the same parcel as the use; and

D. The owners of all parcels within the commercial subdivision, including the owner of the parcel on which the auto title loan use, auto pawn use or specified financial institution use has been or will be located, execute and record, or have executed and recorded, an agreement satisfactory to the City Attorney, that provides for perpetual, reciprocal cross-access, ingress and egress throughout the commercial subdivision.

[3.] 4. No temporary signs (as described in LVMC 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.

[4.] 5. Window signs shall not cover more than twenty percent (20%) of the area of all exterior windows.

[5.] 6. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 8:00 p.m.

SECTION 5: Title 19, Chapter 4, Section 50, Subsection (B), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the subdivision entitled "FINANCIAL INSTITUTION, SPECIFIED" to read as follows:

FINANCIAL INSTITUTION, SPECIFIED [O, C-D, C-1, C-2]

*1. The use shall comply with all applicable requirements of LVMC Title 6.

*2. The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.

3. No specified financial institution use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no specified financial institution use may be located closer than one thousand feet from any other specified financial institution use, auto title loan use or auto pawn use. For purposes of this Paragraph (3), distances shall be measured with reference to the shortest distance between two property lines, one being the property line of the proposed use that is closest to the existing use to which the measurement pertains, and the other being the property line of the existing use that is closest to the proposed use. Distances shall be measured in a straight line without regard to intervening obstacles. For purposes of this Paragraph (3), and for that purpose only:

(a) The "property line" of a parcel used or zoned for residential use refers to the property line of a fee interest parcel that has been created by an approved and recorded parcel map or subdivision map, and does not include the property line of a leasehold parcel; and

(b) The "property line" of an auto title loan use, auto pawn use or specified financial institution use refers to:

(i) The property line of a parcel that has been created by an approved and recorded parcel map or commercial subdivision map; or

(ii) The property line of a parcel that is located within an approved and recorded commercial subdivision and that has been created by a record of survey or legal description, if:

A. Using the property line of that parcel for the purpose of measuring the distance separation referred to in this Paragraph (3) would qualify the parcel under the distance separation requirement;

B. The auto title loan use, auto pawn use or specified financial institution use has or will have direct access (both ingress and egress) from a public street. The required access may be shared with a larger development but must be located within the property lines of the parcel on which the auto title loan use, auto pawn use or specified financial institution use is or will be located;

C. All parking spaces required by LVMC Chapter 19.10 for the auto title loan use, auto pawn use or specified financial institution use are or will be located on the same parcel as the use; and

D. The owners of all parcels within the commercial subdivision, including the owner of the parcel on which the auto title loan use, auto pawn use or specified financial institution use has been or will be located, execute and record, or have executed and recorded, an agreement satisfactory to the City Attorney, that provides for perpetual, reciprocal cross-access, ingress and egress throughout the commercial subdivision.

[3.] 4. No temporary signs (as described in LVMC 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.

[4.] 5. Window signs shall not cover more than twenty percent (20%) of the area of all exterior windows.

[5.] 6. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 8:00 p.m.

SECTION 6: Title 19, Chapter 4, Section 50, Subsection (B), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the subdivision entitled "PAWN, AUTO" to read as follows:

. . .

PAWN, AUTO [C-M]

1. The use shall comply with the applicable requirements of LVMC Chapter 6.60.

2. Except for the parking of automobiles, no outdoor display, sales or storage of any merchandise shall be permitted.

3. Vehicles that have been pawned may not be parked or stored in parking spaces that are designated as off-street parking necessary to meet the minimum requirements of LVMC Chapter 19.10. Any parking or storage of such vehicles must occur only in spaces that are in excess of the required minimum parking.

4. No auto pawn use shall be located on either side of Fremont Street or on Las Vegas Boulevard, between Charleston Boulevard and Sahara Avenue.

5. No auto pawn use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no auto pawn use may be located closer than one thousand feet from any other auto pawn use, auto title loan use or specified financial institution use. For purposes of this Paragraph (5), distances shall be measured with reference to the shortest distance between two property lines, one being the property line of the proposed use that is closest to the existing use to which the measurement pertains, and the other being the property line of the existing use that is closest to the proposed use. Distances shall be measured in a straight line without regard to intervening obstacles. For purposes of this Paragraph (5), and for that purpose only:

(a) The "property line" of a parcel used or zoned for residential use refers to the property line of a fee interest parcel that has been created by an approved and recorded parcel map or subdivision map, and does not include the property line of a leasehold parcel; and

(b) The "property line" of an auto title loan use, auto pawn use or specified financial institution use refers to:

(i) The property line of a parcel that has been created by an approved and recorded parcel map or commercial subdivision map; or

(ii) The property line of a parcel that is located within an approved and recorded commercial subdivision and that has been created by a record of survey or legal description, if:

A. Using the property line of that parcel for the purpose of measuring the distance separation referred to in this Paragraph (5) would qualify the parcel under the distance separation requirement;

B. The auto title loan use, auto pawn use or specified financial institution use has or will have direct access (both ingress and egress) from a public street. The required access may be shared with a larger development but must be located within the property lines of the parcel on which the auto title loan use, auto pawn use or specified financial institution use is or will be located;

C. All parking spaces required by LVMC Chapter 19.10 for the auto title loan use, auto pawn use or specified financial institution use are or will be located on the same parcel as the use; and

D. The owners of all parcels within the commercial subdivision, including the owner of the parcel on which the auto title loan use, auto pawn use or specified financial institution use has been or will be located, execute and record, or have executed and recorded, an agreement satisfactory to the City Attorney, that provides for perpetual, reciprocal cross-access, ingress and egress throughout the commercial subdivision.

SECTION 7: In Sections 1 to 6, inclusive, of this Ordinance, the brackets that follow the titles of the subdivision being added or amended are not intended to indicate deleted matter, but instead are used as the means of indicating the applicable districts.

SECTION 8: For purposes of Section 2.100(3) of the City Charter, LVMC 19.04.040 and 19.04.050 are deemed to be subchapters rather than sections.

SECTION 9: 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 10: 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 _____ day of _______________, 2003.

APPROVED:

By ______________________________
OSCAR B. GOODMAN, Mayor

ATTEST:

____
BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

Valstead 9-16-03
____
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____________, 2003, and referred to the following committee composed of _________________________ and _________________________ for recommendation; thereafter the said committee reported favorably on said ordinance on the ______ day of _______________, 2003, which was a _______________ meeting of said Council; that at said ______________________ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": ____

VOTING "NAY": ____

ABSENT: ____

APPROVED:

By ____________________________
OSCAR B. GOODMAN, Mayor

ATTEST:

____
BARBARA JO RONEMUS, City Clerk

STRICKEN 10//29/03

BILL NO. 2003-78

ORDINANCE NO. ______

AN ORDINANCE TO ESTABLISH LOCATIONAL RESTRICTIONS FOR THE USES "AUTO PAWN," "AUTO TITLE LOAN," AND "SPECIFIED FINANCIAL INSTITUTION," AND TO PROVIDE FOR OTHER RELATED MATTERS.

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

Summary: Establishes locational restrictions for the uses "auto pawn," "auto title loan," and "specified financial institution."

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

SECTION 1: 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 "AUTO TITLE LOAN" to read as follows:

AUTO TITLE LOAN [C-M, M]

1. The use shall comply with all applicable requirements of LVMC Title 6.

2. The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.

3. No temporary signs (as described in LVMC 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.

4. Window signs shall not cover more than twenty percent (20%) of the area of all exterior windows.

5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 8:00 p.m.

6. No auto title loan use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no auto title loan use may be located closer than one thousand feet from any other auto title loan use, auto pawn use or specified financial institution use. For purposes of this Paragraph (6), distances shall be measured with reference to the shortest distance between two property lines, one being the property line of the proposed use that is closest to the

existing use to which the measurement pertains, and the other being the property line of the existing use that is closest to the proposed use. Distances shall be measured in a straight line without regard to intervening obstacles. For purposes of this Paragraph (6), and for that purpose only:

(a) The "property line" of a parcel used or zoned for residential use refers to the property line of a fee interest parcel that has been created by an approved and recorded parcel map or subdivision map, and does not include the property line of a leasehold parcel; and

(b) The "property line" of an auto title loan use, auto pawn use or specified financial institution use refers to:

(i) The property line of a parcel that has been created by an approved and recorded parcel map or commercial subdivision map; or

(ii) The property line of a parcel that is located within an approved and recorded commercial subdivision and that has been created by a record of survey or legal description, if:

A. Using the property line of that parcel for the purpose of measuring the distance separation referred to in this Paragraph (6) would qualify the parcel under the distance separation requirement;

B. The auto title loan use, auto pawn use or specified financial institution use has or will have direct access (both ingress and egress) from a public street. The required access may be shared with a larger development but must be located within the property lines of the parcel on which the auto title loan use, auto pawn use or specified financial institution use is or will be located;

C. All parking spaces required by LVMC Chapter 19.10 for the auto title loan use, auto pawn use or specified financial institution use are or will be located on the same parcel as the use; and

D. The owners of all parcels within the commercial subdivision, including the owner of the parcel on which the auto title loan use, auto pawn use or specified financial institution use has been or will be located, execute and record, or have executed and recorded, an agreement satisfactory to the City Attorney, that provides for perpetual, reciprocal cross-access, ingress and egress throughout the commercial subdivision.

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 "FINANCIAL INSTITUTION, SPECIFIED" to read as follows:

FINANCIAL INSTITUTION, SPECIFIED [C-M, M]

1. The use shall comply with all applicable requirements of LVMC Title 6.

2. The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.

3. No temporary signs (as described in LVMC 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.

4. Window signs shall not cover more than twenty percent (20%) of the area of all exterior windows.

5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 8:00 p.m.

<u>6. No specified financial institution use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no specified financial institution use may be located closer than one thousand feet from any other specified financial institution use, auto title loan use or auto pawn use. For purposes of this Paragraph (6), distances shall be measured with reference to the shortest distance between two property lines, one being the property line of the proposed use that is closest to the existing use to which the measurement pertains, and the other being the property line of the existing use that is closest to the proposed use. Distances shall be measured in a straight line without regard to intervening obstacles. For purposes of this Paragraph (6), and for that purpose only:</u>

<u>(a) The "property line" of a parcel used or zoned for residential use refers to the property line of a fee interest parcel that has been created by an approved and recorded parcel map or subdivision map, and does not include the property line of a leasehold parcel; and</u>

<u>(b) The "property line" of an auto title loan use, auto pawn use or specified financial</u>

<u>institution use refers to:</u>

<u>(i) The property line of a parcel that has been created by an approved and recorded parcel map or commercial subdivision map; or</u>

<u>(ii) The property line of a parcel that is located within an approved and recorded commercial subdivision and that has been created by a record of survey or legal description, if:</u>

<u>A. Using the property line of that parcel for the purpose of measuring the distance separation referred to in this Paragraph (6) would qualify the parcel under the distance separation requirement;</u>

<u>B. The auto title loan use, auto pawn use or specified financial institution use has or will have direct access (both ingress and egress) from a public street. The required access may be shared with a larger development but must be located within the property lines of the parcel on which the auto title loan use, auto pawn use or specified financial institution use is or will be located;</u>

<u>C. All parking spaces required by LVMC Chapter 19.10 for the auto title loan use, auto pawn use or specified financial institution use are or will be located on the same parcel as the use; and</u>

<u>D. The owners of all parcels within the commercial subdivision, including the owner of the parcel on which the auto title loan use, auto pawn use or specified financial institution use has been or will be located, execute and record, or have executed and recorded, an agreement satisfactory to the City Attorney, that provides for perpetual, reciprocal cross-access, ingress and egress throughout the commercial subdivision.</u>

SECTION 3: 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 "PAWN, AUTO" to read as follows:

PAWN, AUTO [M]

1. The use shall comply with the applicable requirements of LVMC Chapter 6.60.

2. Except for the parking of automobiles, no outdoor display, sales or storage of any merchandise shall be permitted.

3. Vehicles that have been pawned may not be parked or stored in parking spaces that are designated as off-street parking necessary to meet the minimum requirements of LVMC Chapter 19.10. Any parking or storage of such vehicles must occur only in spaces that are in excess of the required minimum parking.

4. No auto pawn use shall be located on either side of Fremont Street or on Las Vegas Boulevard, between Charleston Boulevard and Sahara Avenue.

5. No auto pawn use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no auto pawn use may be located closer than one thousand feet from any other auto pawn use, auto title loan use or specified financial institution use. For purposes of this Paragraph (5), distances shall be measured with reference to the shortest distance between two property lines, one being the property line of the proposed use that is closest to the existing use to which the measurement pertains, and the other being the property line of the existing use that is closest to the proposed use. Distances shall be measured in a straight line without regard to intervening obstacles. For purposes of this Paragraph (5), and for that purpose only:

(a) The "property line" of a parcel used or zoned for residential use refers to the property line of a fee interest parcel that has been created by an approved and recorded parcel map or subdivision map, and does not include the property line of a leasehold parcel; and

(b) The "property line" of an auto title loan use, auto pawn use or specified financial institution use refers to:

(i) The property line of a parcel that has been created by an approved and recorded parcel map or commercial subdivision map; or

(ii) The property line of a parcel that is located within an approved and recorded commercial subdivision and that has been created by a record of survey or legal description, if:

A. Using the property line of that parcel for the purpose of measuring the distance separation referred to in this Paragraph (5) would qualify the parcel under the distance separation requirement;

B. The auto title loan use, auto pawn use or specified financial institution use has or will have direct access (both ingress and egress) from a public street. The required access may be shared with a larger development but must be located within the property lines of the parcel on which the auto title loan use, auto pawn use or specified financial institution use is or will be located;

C. All parking spaces required by LVMC Chapter 19.10 for the auto title loan use, auto pawn use or specified financial institution use are or will be located on the same parcel as the use; and

D. The owners of all parcels within the commercial subdivision, including the owner of the parcel on which the auto title loan use, auto pawn use or specified financial institution use has been or will be located, execute and record, or have executed and recorded, an agreement satisfactory to the City Attorney, that provides for perpetual, reciprocal cross-access, ingress and egress throughout the commercial subdivision.

SECTION 4: Title 19, Chapter 4, Section 50, Subsection (B), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the subdivision entitled "AUTO TITLE LOAN" to read as follows:

AUTO TITLE LOAN [O, C-D, C-1, C-2]

*1. The use shall comply with all applicable requirements of LVMC Title 6.

*2. The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.

3. No auto title loan use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no auto title loan use may be located closer than one thousand feet from any other auto title loan use, auto pawn use or specified financial institution use. For purposes of this Paragraph (3), distances shall be measured with reference to the shortest distance between two property lines, one being the property line of the proposed use that is closest to the existing use to which the measurement pertains, and the other being the property line of the existing use that is closest to the proposed use. Distances shall be measured in a straight line without regard to intervening obstacles. For purposes of this Paragraph (3), and for that purpose only:

(a) The "property line" of a parcel used or zoned for residential use refers to the property line of a fee interest parcel that has been created by an approved and recorded parcel map or subdivision map, and does not include the property line of a leasehold parcel; and

(b) The "property line" of an auto title loan use, auto pawn use or specified financial institution use refers to:

(i) The property line of a parcel that has been created by an approved and recorded parcel map or commercial subdivision map; or

(ii) The property line of a parcel that is located within an approved and recorded commercial subdivision and that has been created by a record of survey or legal description, if:

A. Using the property line of that parcel for the purpose of measuring the distance separation referred to in this Paragraph (3) would qualify the parcel under the distance separation requirement;

B. The auto title loan use, auto pawn use or specified financial institution use has or will have direct access (both ingress and egress) from a public street. The required access may be shared with a larger development but must be located within the property lines of the parcel on which the auto title loan use, auto pawn use or specified financial institution use is or will be located;

C. All parking spaces required by LVMC Chapter 19.10 for the auto title loan use, auto pawn use or specified financial institution use are or will be located on the same parcel as the use; and

D. The owners of all parcels within the commercial subdivision, including the owner of the parcel on which the auto title loan use, auto pawn use or specified financial institution use has been or will be located, execute and record, or have executed and recorded, an agreement satisfactory to the City Attorney, that provides for perpetual, reciprocal cross-access, ingress and egress throughout the commercial subdivision.

[3.] 4. No temporary signs (as described in LVMC 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.

[4.] 5. Window signs shall not cover more than twenty percent (20%) of the area of all exterior windows.

[5.] 6. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 8:00 p.m.

SECTION 5: Title 19, Chapter 4, Section 50, Subsection (B), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the subdivision entitled "FINANCIAL INSTITUTION, SPECIFIED" to read as follows:

FINANCIAL INSTITUTION, SPECIFIED [O, C-D, C-1, C-2]

*1. The use shall comply with all applicable requirements of LVMC Title 6.

*2. The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.

3. No specified financial institution use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no specified financial institution use may be located closer than one thousand feet from any other specified financial institution use, auto title loan use or auto pawn use. For purposes of this Paragraph (3), distances shall be measured with reference to the shortest distance between two property lines, one being the property line of the proposed use that is closest to the existing use to which the measurement pertains, and the other being the property line of the existing use that is closest to the proposed use. Distances shall be measured in a straight line without regard to intervening obstacles. For purposes of this Paragraph (3), and for that purpose only:

(a) The "property line" of a parcel used or zoned for residential use refers to the property line of a fee interest parcel that has been created by an approved and recorded parcel map or subdivision map, and does not include the property line of a leasehold parcel; and

(b) The "property line" of an auto title loan use, auto pawn use or specified financial institution use refers to:

(i) The property line of a parcel that has been created by an approved and recorded parcel map or commercial subdivision map; or

(ii) The property line of a parcel that is located within an approved and recorded commercial subdivision and that has been created by a record of survey or legal description, if:

A. Using the property line of that parcel for the purpose of measuring the distance separation referred to in this Paragraph (3) would qualify the parcel under the distance separation requirement;

B. The auto title loan use, auto pawn use or specified financial institution use has or will have direct access (both ingress and egress) from a public street. The required access may be shared with a larger development but must be located within the property lines of the parcel on which the auto title loan use, auto pawn use or specified financial institution use is or will be located;

C. All parking spaces required by LVMC Chapter 19.10 for the auto title loan use, auto pawn use or specified financial institution use are or will be located on the same parcel as the use; and

D. The owners of all parcels within the commercial subdivision, including the owner of the parcel on which the auto title loan use, auto pawn use or specified financial institution use has been or will be located, execute and record, or have executed and recorded, an agreement satisfactory to the City Attorney, that provides for perpetual, reciprocal cross-access, ingress and egress throughout the commercial subdivision.

[3.] 4. No temporary signs (as described in LVMC 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.

[4.] 5. Window signs shall not cover more than twenty percent (20%) of the area of all exterior windows.

[5.] 6. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 8:00 p.m.

SECTION 6: Title 19, Chapter 4, Section 50, Subsection (B), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the subdivision entitled "PAWN, AUTO" to read as follows:

. . .

PAWN, AUTO [C-M]

1. The use shall comply with the applicable requirements of LVMC Chapter 6.60.

2. Except for the parking of automobiles, no outdoor display, sales or storage of any merchandise shall be permitted.

3. Vehicles that have been pawned may not be parked or stored in parking spaces that are designated as off-street parking necessary to meet the minimum requirements of LVMC Chapter 19.10. Any parking or storage of such vehicles must occur only in spaces that are in excess of the required minimum parking.

4. No auto pawn use shall be located on either side of Fremont Street or on Las Vegas Boulevard, between Charleston Boulevard and Sahara Avenue.

5. No auto pawn use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no auto pawn use may be located closer than one thousand feet from any other auto pawn use, auto title loan use or specified financial institution use. For purposes of this Paragraph (5), distances shall be measured with reference to the shortest distance between two property lines, one being the property line of the proposed use that is closest to the existing use to which the measurement pertains, and the other being the property line of the existing use that is closest to the proposed use. Distances shall be measured in a straight line without regard to intervening obstacles. For purposes of this Paragraph (5), and for that purpose only:

(a) The "property line" of a parcel used or zoned for residential use refers to the property line of a fee interest parcel that has been created by an approved and recorded parcel map or subdivision map, and does not include the property line of a leasehold parcel; and

(b) The "property line" of an auto title loan use, auto pawn use or specified financial institution use refers to:

(i) The property line of a parcel that has been created by an approved and recorded parcel map or commercial subdivision map; or

(ii) The property line of a parcel that is located within an approved and recorded commercial subdivision and that has been created by a record of survey or legal description, if:

A. Using the property line of that parcel for the purpose of measuring the

<u>distance separation referred to in this Paragraph (5) would qualify the parcel under the distance separation requirement;</u>

B. <u>The auto title loan use, auto pawn use or specified financial institution use has or will have direct access (both ingress and egress) from a public street. The required access may be shared with a larger development but must be located within the property lines of the parcel on which the auto title loan use, auto pawn use or specified financial institution use is or will be located;</u>

C. <u>All parking spaces required by LVMC Chapter 19.10 for the auto title loan use, auto pawn use or specified financial institution use are or will be located on the same parcel as the use; and</u>

D. <u>The owners of all parcels within the commercial subdivision, including the owner of the parcel on which the auto title loan use, auto pawn use or specified financial institution use has been or will be located, execute and record, or have executed and recorded, an agreement satisfactory to the City Attorney, that provides for perpetual, reciprocal cross-access, ingress and egress throughout the commercial subdivision.</u>

SECTION 7: In Sections 1 to 6, inclusive, of this Ordinance, the brackets that follow the titles of the subdivision being added or amended are not intended to indicate deleted matter, but instead are used as the means of indicating the applicable districts.

SECTION 8: For purposes of Section 2.100(3) of the City Charter, LVMC 19.04.040 and 19.04.050 are deemed to be subchapters rather than sections.

SECTION 9: 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 10: 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 _____ day of _______________, 2003.

APPROVED:

By ______________________________
OSCAR B. GOODMAN, Mayor

ATTEST:

____
BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

Val Steed 9-16-03
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _______________, 2003, and referred to the following committee composed of ____________________________ and _____________________________ for recommendation; thereafter the said committee reported favorably on said ordinance on the ______ day of _________________, 2003, which was a _________________ meeting of said Council; that at said _______________________ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": ____

VOTING "NAY": ____

ABSENT: ____

APPROVED:

By ___________________________________
OSCAR B. GOODMAN, Mayor

ATTEST:

____
BARBARA JO RONEMUS, City Clerk

RECEIVED
CITY CLERK

2004 APR 21 A 10: 38

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 2296311LV
3292606

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 04/09/2004 to 04/09/2004, on the following days: APRIL 9, 2004

Signed: Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE 20

day of April 2004

Mary B. Sheffield
Notary Public

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

BILL NO. 2003-78

AN ORDINANCE TO ESTABLISH LOCATIONAL RESTRICTIONS FOR THE USES "AUTO PAWN," "AUTO TITLE LOAN," AND "SPECIFIED FINANCIAL INSTITUTION," AND TO PROVIDE FOR OTHER RELATED MATTERS.

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

Summary: Establishes locational restrictions for the uses "auto pawn," "auto title loan," and "specified financial institution."

At the City Council meeting of OCTOBER 1, 2003 BILL NO. 2003-78 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: April 9, 2004
LV Review-Journal

RECEIVED
CITY CLERK

2004 MAY -7 P 2:05

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 2296311LV
3318253

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 04/24/2004 to 04/24/2004, on the following days: APRIL 24, 2004

FIRST AMENDMENT
BILL NO. 2003-78
ORDINANCE
NO. 5682

AN ORDINANCE TO ESTABLISH LOCATIONAL RESTRICTIONS FOR THE USES "AUTO PAWN," "AUTO TITLE LOAN," AND "SPECIFIED FINANCIAL INSTITUTION," AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Robert S. Genzer, Director of Planning & Development
Summary: Establishes locational restrictions for the uses "auto pawn," "auto title loan," and "specified financial institution."

The above and foregoing ordinance was first proposed and read by title to the City Council on the 1st day of October 2003 and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 21st day of April 2004, 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 amended and adopted by the following vote:

VOTING "AYE": Councilmembers Reese, Weekly, and Moncrief
VOTING "NAY": Councilman Brown
EXCUSED: NONE
ABSTAINING: Mayor Goodman and Councilman Mack

PUB: April 24, 2004
LV Review-Journal

Signed: Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE 30

day of April 2004

Mary B. Sheffield

Notary Public

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