

BILL NO. 85-13

ORDINANCE No. 3165

AN ORDINANCE RELATING TO ZONING; AMENDING TITLE 19, CHAPTER 44, SECTIONS 20 and 30, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO PROVIDE THAT APARTMENT HOUSES MAY BE PERMITTED IN THE C-1 ZONING DISTRICT BY MEANS OF SPECIAL USE PERMIT; AMENDING CHAPTER 46, SECTIONS 20 AND 30 OF SAID TITLE TO PROVIDE THAT APARTMENT HOUSES MAY BE PERMITTED IN THE C-2 ZONING DISTRICT BY MEANS OF SPECIAL USE PERMIT; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored By: Councilman Ron Lurie  
Summary: Eliminates the minimum density requirements for apartment developments which can be permitted in the C-1 and C-2 Zoning Districts by means of special use permit.

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

SECTION 1: Title 19, Chapter 44, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19.44.020: (A) The following uses may be permitted in the C-1 District upon securing a special use permit as provided in Chapter 19.90, except that the uses enumerated in this Subsection may be permitted as a matter of right when in accordance with the exception shown in Subsection (C) of this Section:

(1) Automobile service stations for the sale of gasoline, oil and minor accessories only, where no repair work is done, except minor repairs made by the attendant and provided all lubrications, washing, repairing and storage are conducted within an enclosed permanent building;

(2) [Uses specifically permitted exclusively in the R-4 District;] Apartment houses;

(3) Customer-operated car washes;

(4) Lodginghouses, boardinghouses or roominghouses, hotels, motels and other like tourist accommodations;

(5) Emergency ground ambulance facilities.

(B) The following uses may be permitted upon securing a

1 special use permit in each case pursuant to the procedure pro-  
2 vided for in Section 19.90.080, except that the uses enumerated  
3 in this Subsection may be permitted as a matter of right when in  
4 accordance with the exception shown in Subsection (C) of this  
5 Section:

6 (1) Class III secondhand dealers as defined in Section  
7 19.04.250, except that these uses shall not be allowed on Fremont  
8 Street or Las Vegas Boulevard South between Charleston Boulevard  
9 and Sahara Avenue as prescribed by Section 6.74.050;

10 (2) Retail demonstration merchandise sales stores as defined  
11 in Section 6.72.010;

12 (3) Commercial storage units, provided all stored items are  
13 located within an enclosed building and there is no wholesale  
14 storage or sale of the stored items, nor any commercial repair or  
15 sale of passenger cars, trucks, two-wheeled vehicles, three-  
16 wheeled vehicles, trailers, boats or other like vehicles.

17 "Commercial repair" means any repair work except work done by the  
18 owner on his own personal property.

19 (C) Exception: If an application for reclassification  
20 to a C-1 District under Chapter 19.92 includes any of the uses  
21 hereinabove enumerated, the approval of the application shall  
22 constitute approval of the use or uses and no special use permit  
23 shall be required; provided, however, that the notice of public  
24 hearing for reclassification shall specifically list the use or  
25 uses.

26 SECTION 2: Title 19, Chapter 44, Section 30, of the  
27 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
28 hereby amended to read as follows:

29 19.44.030: Uses excluded from the C-1 District include:

30 (A) Any use that is specifically permitted as a matter of  
31 right in [Districts] an N-U, R-A, R-E, R-D, R-1, R-MH, R-CL, R-2  
32 [, R-3, R-4, R-5, R-6] or R-MHP District;

1 (B) Secondhand dealers, except for antique stores and except  
2 for Class III secondhand dealers with a special use permit as  
3 provided in Section 19.90.080;

4 (C) Transient sales lots and open sales lots as defined in  
5 Sections 19.04.840 and 19.04.650, respectively.

6 SECTION 3: Title 19, Chapter 46, Section 20, of the  
7 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
8 hereby amended to read as follows:

9 19.46.020: (A) The following uses may be permitted in the C-2  
10 District upon securing a special use permit as provided in  
11 Chapter 19.90, except that the uses enumerated in this Subsection  
12 may be permitted as a matter of right when in accordance with the  
13 exception shown in Subsection (F) of this Section:

14 (1) Used car lots;

15 (2) Trailer sales lots;

16 (3) Boat sales and service facilities, including all  
17 floating craft;

18 (4) Automotive parts exchanges. This shall not include  
19 public garages or salvage operations, but shall be limited to the  
20 sale and installation of new or rebuilt major automotive parts;

21 (5) Drive-in theaters, miniature golf courses and other out-  
22 door amusement centers;

23 (6) Automobile laundry;

24 (7) Body and fender repair operations when conducted by a  
25 franchised new car agency;

26 (8) Cemeteries as provided for in Section 19.10.080;

27 (9) [R-5-density and R-6-density residential developments,]

28 Apartment houses,

29 when located outside the Central Business District, as defined in  
30 Section 19.64.030.

31 (B) Pawnshops may be permitted in the C-2 District sub-  
32 ject to the securing of a special use permit in each case pur-

1 suant to the procedure provided for in Section 19.90.080, except  
2 that no pawnshop may be located on either side of Fremont Street  
3 or Las Vegas Boulevard South between Charleston Boulevard and  
4 Sahara Avenue. Those pawnshops which were located on Fremont  
5 Street or Las Vegas Boulevard South between Charleston Boulevard  
6 and Sahara Avenue at the time of enactment of the 1974 amendatory  
7 ordinance which is codified, in part, in this Section shall be  
8 allowed to remain only as long as their present leases do not  
9 expire. No such lease may be modified to extend its term or  
10 otherwise prevent it from expiring. Those pawnshops which are  
11 located in a C-2 Zone, other than on Fremont Street or Las Vegas  
12 Boulevard South between Charleston Boulevard and Sahara Avenue,  
13 at the time of enactment of the 1974 amendatory ordinance which  
14 is codified, in part, in this Section shall be allowed to remain  
15 at their locations without the necessity of securing a special  
16 use permit.

17 (C) Class III secondhand dealers, retail demonstration  
18 merchandise sales stores, transient sales lots and open sales  
19 lots may be permitted in the C-2 District subject to the securing  
20 of a special use permit in each case pursuant to the procedure  
21 provided for in Section 19.90.080 of this Chapter, except that  
22 Class III secondhand dealers shall not be allowed on Fremont  
23 Street and Las Vegas Boulevard South between Charleston Boulevard  
24 and Sahara Avenue as prescribed by Section 6.74.050.

25 (D) Custodial institutions and detention facilities may  
26 be permitted in the C-2 District subject to the securing of a  
27 special use permit in each case pursuant to the procedure pro-  
28 vided for in Section 19.90.080.

29 (E) Subject to the limitations contained in this  
30 Subsection, commercial storage units may be permitted in the C-2  
31 District subject to the securing of a special use permit in each  
32 case pursuant to the procedure provided for in Section 19.90.080.

1 All stored items must be located within an enclosed building and  
2 there must be no wholesale storage or sale of the stored items,  
3 nor any commercial repair or sale of passenger cars, trucks, two-  
4 wheeled vehicles, three-wheeled vehicles, trailers, boats or  
5 other like vehicles. "Commercial repair" means any repair work  
6 except work done by the owner on his own personal property.

7 (F) Exception: If an application for a reclassifica-  
8 tion to a C-2 District under Chapter 19.92 includes any of the  
9 uses hereinabove enumerated, the approval of the application  
10 shall constitute approval of the use or uses and no special use  
11 permit shall be required; provided, however, that the notice of  
12 public hearing for reclassification shall specifically list the  
13 use or uses.

14 SECTION 4: Title 19, Chapter 46, Section 30, of the  
15 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
16 hereby amended to read as follows:

17 19.46.030: Uses excluded from the C-2 District include:

18 (A) Any use that is specifically permitted as a matter of  
19 right in an N-U, R-A, R-E, R-D, R-1, R-MH, R-CL, R-2 [, R-3,  
20 R-4,] or R-MHP District;

21 (B) Secondhand dealers, except for antique stores, and  
22 except for Class III secondhand dealers with a special use permit  
23 as provided for in Section 19.90.080.

24 SECTION 5: If any section, subsection, subdivision,  
25 paragraph, sentence, clause or phrase in this Chapter or any part  
26 thereof, is for any reason held to be unconstitutional or invalid  
27 or ineffective by any court of competent jurisdiction, such deci-  
28 sion shall not affect the validity or effectiveness of the  
29 remaining portions of this Chapter or any part thereof. The  
30 City Council of the City of Las Vegas, Nevada, hereby declares  
31 that it would have passed each section, subsection, subdivision,  
32 paragraph, sentence, clause or phrase thereof irrespective of the

1 fact that any one or more sections, subsections, subdivisions,  
2 paragraphs, sentences, clauses or phrases be declared unconstitu-  
3 tional, invalid or ineffective.

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

8 PASSED, ADOPTED AND APPROVED this 1st day of May,  
9 1985.

10 APPROVED:

11   
12 BY WILLIAM H. BRIARE, MAYOR

13 ATTEST:

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15 CAROL ANN HAWLEY, CITY CLERK

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1           The above and foregoing ordinance was first proposed and  
2 read by title to the City Council on the 3rd day of April,  
3 1985, and referred to the following committee composed of  
4 Councilmen Lurie and \_\_\_\_\_  
5 Levy for recommendation; thereafter the  
6 said committee reported favorably on said ordinance on the 1st  
7 day of May, 1985, which was a regular meeting of  
8 said Council; that at said regular meeting, the proposed  
9 ordinance was read by title to the City Council as first intro-  
10 duced and adopted by the following vote:

11 VOTING "AYE" Councilmen: Bunker, Levy, Lurie, Nolen and Mayor Briare  
12 VOTING "NAY" Councilmen: NONE  
13 ABSENT: NONE

14 APPROVED:

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16 WILLIAM H. BRIARE, MAYOR

18 ATTEST:

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20 CAROL ANN HAWLEY, CITY CLERK

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# AFFIDAVIT OF PUBLICATION

STATE OF NEVADA) SS  
COUNTY OF CLARK)

Mr. George J. Vasconi, being first duly sworn, deposes and says that he is Business Manager for the LAS VEGAS REVIEW-JOURNAL, a daily newspaper at Las Vegas, in the County of Clark, State of Nevada, and that the attached was continuously published in said newspaper for a period of one insertions from period of May 4, 1985 to May 4, 1985 inclusive, being the issue of said newspaper for the following dates, to wit:

May 4, 1985

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

SIGNED *George J. Vasconi*  
GEORGE J. VASCONI

Subscribed and sworn to before me  
this 6<sup>th</sup> day of May, 1985

*Marjorie E. Ouellette*  
NOTARY PUBLIC, IN AND FOR CLARK  
COUNTY, NEVADA



MARJORIE E. OUELLETTE  
Notary Public - State of Nevada  
CLARK COUNTY  
My Appointment Expires Dec. 2, 1985

BILL NO. 85-13  
ORDINANCE NO. 3165  
AN ORDINANCE RELATING TO ZONING; AMENDING TITLE 19, CHAPTER 44, SECTIONS 20 AND 30, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO PROVIDE THAT APARTMENT HOUSES MAY BE PERMITTED IN THE C-1 ZONING DISTRICT BY MEANS OF SPECIAL USE PERMIT; AMENDING CHAPTER 46, SECTIONS 20 AND 30 OF SAID TITLE TO PROVIDE THAT APARTMENT HOUSES MAY BE PERMITTED IN THE C-2 ZONING DISTRICT BY MEANS OF SPECIAL USE PERMIT; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by:  
Councilman Ron Lurie  
Summary: Eliminates the minimum density requirements for apartment developments which can be permitted in the C-1 and C-2 Zoning Districts by means of special use permit.  
The above and foregoing ordinance was first proposed and read by title to the City Council on the 3rd day of April, 1985, and referred to the following committee composed of Councilmen Lurie and Levy for recommendation; thereafter the said committee reported favorably on said ordinance on the 1st day of May, 1985, 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 first introduced and adopted by the following vote:  
VOTING "AYE" Councilmen:  
Bunker, Levy, Lurie, Nolen and Mayor Briare  
VOTING "NAY" Councilmen: NONE  
ABSENT: NONE  
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.  
Pub. May 4, 1985

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# AFFIDAVIT OF PUBLICATION

STATE OF NEVADA) SS  
COUNTY OF CLARK)

Mr. George J. Vasconi, being first duly sworn, deposes and says that he is Business Manager for the LAS VEGAS REVIEW-JOURNAL, a daily newspaper at Las Vegas, in the County of Clark, State of Nevada, and that the attached was continuously published in said newspaper for a period of one insertions from period of April 18, 1985 to April 18, 1985 inclusive, being the issue of said newspaper for the following dates,

to wit:

April 18, 1985

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

SIGNED

*George J. Vasconi*  
\_\_\_\_\_  
GEORGE J. VASCONI

BILL NO. 85-13  
AN ORDINANCE RELATING TO ZONING; AMENDING TITLE 19, CHAPTER 44, SECTIONS 20 AND 30, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO PROVIDE THAT APARTMENT HOUSES MAY BE PERMITTED IN THE C-1 ZONING DISTRICT BY MEANS OF SPECIAL USE PERMIT; AMENDING CHAPTER 44, SECTIONS 20 AND 30 OF SAID TITLE TO PROVIDE THAT APARTMENT HOUSES MAY BE PERMITTED IN THE C-2 ZONING DISTRICT BY MEANS OF SPECIAL USE PERMIT; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.  
Sponsored by:  
Councilman Ron Lurie  
Summary: Eliminates the minimum density requirements for apartment developments which can be permitted in the C-1 and C-2 Zoning Districts by means of special use permit.  
At a City Council meeting April 3, 1985  
BILL NO. 85-13 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE:  
COUNCILMEN Lurie and Levy  
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.  
Pub. April 18, 1985

Subscribed and sworn to before me this 18th day of Apr., 19 85

*Marjorie E. Ouellette*

NOTARY PUBLIC, IN AND FOR CLARK COUNTY, NEVADA



MARJORIE E. OUELLETTE

Notary Public - State of Nevada

CLARK COUNTY

My Appointment Expires Dec. 2, 1985

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