

AN ORDINANCE RELATING TO ZONING; AMENDING TITLE 19, CHAPTER 88, SECTION 30; TITLE 19, CHAPTER 90, SECTION 20; AND TITLE 19, CHAPTER 92, SECTIONS 30 AND 40, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO AUTHORIZE CONTRACT PURCHASERS OF FEDERAL OR STATE LAND TO SIGN VARIANCE, SPECIAL USE PERMIT AND REZONING APPLICATIONS WITH RESPECT THERETO; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by:
Councilman Ron Lurie

Summary: Authorizes contract purchasers of federal or state land to sign zoning applications with respect thereto.

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

SECTION 1: Title 19, Chapter 88, Section 30, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19.88.030: (A) An application for [any permissible] a variance shall be made to the Board of Zoning Adjustment on a form to be provided by the Department of Community Planning and Development. This application shall be filed with the Secretary of the Board of Zoning Adjustment at the office of the Department of Community Planning and Development. Said application shall be signed and acknowledged [by] as follows:

(1) By the record owner of the property for which said variance is sought[.]; or

(2) With respect to property which is owned by the State of Nevada or the United States of America, by a prospective purchaser of that property who has entered into a contract with the governmental entity to obtain ownership of the property.

(B) Upon receipt of a properly executed application, the Secretary of the Board of Zoning Adjustment shall maintain said application, together with all pertinent attachments and exhibits, in the permanent files of the Department of Community

1 Planning and Development as a public record.

2 [(B)] (C) An application for a variance on property for which
3 all or any part [had] has been previously denied, or an applica-
4 tion which was withdrawn subsequent to a public hearing, within
5 the four-month period first preceding the date of the meeting for
6 which the proposed application would be scheduled, for the same
7 use, a similar use, or a more intensive use, shall not be
8 accepted. In addition, a period of eight months from the date of
9 a second denial must elapse before an application may be filed
10 for the same use, a similar use, or a more intensive use. Any
11 application for a variance for which there has been previously
12 filed an application for a use permit or a reclassification for
13 the same use, a similar use, or a more intensive use, shall not
14 be accepted until the above time limits have elapsed.

15 SECTION 2: Title 19, Chapter 90, Section 20, of the
16 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
17 hereby amended to read as follows:

18 19.90.020: An application for a [permissible] special use per-
19 mit shall be filed with the Secretary of the Board of Zoning
20 Adjustment at the office of the Department of Community Planning
21 and Development, upon a form provided by the Department of
22 Community Planning and Development. The application shall be
23 [executed and verified by the record owner of the property, for
24 which the special use permit is requested,] signed and acknowl-
25 edged in the same manner as is provided for with respect to
26 variance applications under Chapter 19.88 and shall be accom-
27 panied by the same plans, attachments and exhibits, including
28 elevations and renderings where necessary, as are required for
29 variance applications. No application for a special use permit
30 on property for the same use, a similar use, or a less restric-
31 tive use, for which all or any part has been previously denied,
32 or for which a previous application has been withdrawn subsequent

1 to a public hearing, shall be accepted [unless] until at least
2 four months have elapsed between the date of such denial or
3 withdrawal and the date of the meeting for which the proposed
4 application would be scheduled in the ordinary course. In addi-
5 tion, a period of eight months from the date of a second denial
6 or any subsequent denial must elapse before an application may be
7 filed for the same use, a similar use, or a more intensive use.
8 No application for a special use permit for which there has been
9 previously filed an application for a variance or a reclassifica-
10 tion for the same use, a similar use, or a more intensive use
11 shall be accepted until the above time limits have elapsed.

12 SECTION 3: Title 19, Chapter 92, Section 30, of the
13 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
14 hereby amended to read as follows:

15 19.92.030: An application for a reclassification of a parcel
16 or parcels of property may be initiated in [either] any of the
17 following ways:

18 (A) By the Planning Commission upon its own motion;

19 (B) By the [Board of Commissioners] City Council upon its
20 own motion;

21 (C) By petition of the owner of each parcel of property pro-
22 posed for reclassification[.];

23 (D) With respect to property which is owned by the State of
24 Nevada or the United States of America, by petition of a
25 prospective purchaser of that property who has entered into a
26 contract with the governmental entity to obtain ownership of the
27 property.

28 SECTION 4: Title 19, Chapter 92, Section 40, of the
29 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
30 hereby amended to read as follows:

31 19.92.040: (A) A petition for the reclassification of prop-
32 erty shall be made in the form of an application to be provided

1 by the Department of Community Planning and Development. The
2 application shall be filed with the Secretary of the Planning
3 Commission at the office of the Department of Community Planning
4 and Development. The application shall be signed and
5 acknowledged by the owner of record of each parcel of property
6 sought to be reclassified or, in the case of any application
7 described in Section 19.92.030(D), by a prospective purchaser
8 who qualifies to petition for reclassification under that
9 Section. In the case of multiple ownership of a parcel, only one
10 of the owners of record shall be required to sign the applica-
11 tion.

12 (B) Upon receipt of a properly executed application, the
13 Secretary of the Planning Commission shall maintain said applica-
14 tion, together with all pertinent attachments and exhibits, in
15 the permanent files of the Planning Commission as public record.

16 (C) No application for reclassification of property for
17 which all or any part has been previously denied, or for which an
18 application has been withdrawn subsequent to a public hearing,
19 shall be accepted unless at least four months will have elapsed
20 between the date of such denial or withdrawal and the date of
21 the meeting for which the proposed application would be scheduled
22 in the ordinary course.

23 (D) An application for a zone change for a use permitted in
24 a more restricted zone will be considered as an application for
25 the more restricted zone.

26 (E) In addition, a period of eight months from the date of a
27 second denial must elapse before an application may be filed for
28 the same or less restrictive zone.

29 (F) No application for a rezoning for which there has been
30 previously filed an application for a special use permit or a
31 variance for the same use, a similar use, or a more intensive use
32 shall be accepted until the above time limits set out in this

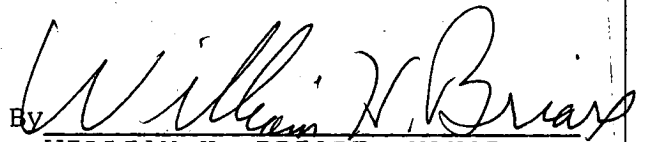
1 Section have elapsed.

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


14 SECTION 6: All ordinances or parts of ordinances,
15 sections, subsections, phrases, sentences, clauses or paragraphs
16 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 17th day of July,
19 1985.

20 APPROVED:

21 
22 BY William H. Briare
23 WILLIAM H. BRIARE, MAYOR

24 ATTEST:

25 
26 Carol Ann Hawley
27 CAROL ANN HAWLEY, CITY CLERK

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29
30
31
32

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, }
COUNTY OF CLARK } ss.

Carol Black, being first duly sworn,

deposes and says: That he is Legal Clerk of the LAS VEGAS SUN, a daily newspaper of general circulation, printed and published 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 1 time.

from July 4, 1985 to July 4, 1985

inclusive, being the issues of said newspaper for the following dates, to-wit:

July 4, 1985

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

Signed Carol Black

Subscribed and sworn to before me this 4th day of July, 1985.

[Signature]

Notary Public in and for Clark County, Nevada

Notary Public - State of Nevada

CLARK COUNTY

My Appointment Expires Apr. 14, 1989



My Commission Expires

BILL NO. 85-23
AN ORDINANCE RELATING TO ZONING: AMENDING TITLE 19, CHAPTER 88, SECTION 30; TITLE 19, CHAPTER 90, SECTION 20; AND TITLE 19, CHAPTER 92, SECTIONS 30 AND 40, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO AUTHORIZE CONTRACT PURCHASERS OF FEDERAL OR STATE LAND TO SIGN VARIANCE, SPECIAL USE PERMIT AND REZONING APPLICATIONS WITH RESPECT THERETO; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.
Sponsored by: Councilman Ron Lurie
Summary: Authorizes contract purchasers of federal or state land to sign zoning applications with respect thereto. At a City Council Meeting on June 18, 1985
BILL NO. 85-23 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: July 4, 1985
Las Vegas SUN

RECEIVED
Jul 9 10 27 AM '85
CITY CLERK

RECEIVED

AFFIDAVIT OF PUBLICATION

Jul 26 10 17 AM '85

STATE OF NEVADA,
COUNTY OF CLARK } ss.

CITY CLERK

Carol Black, being first duly sworn,

deposes and says: That he is Legal Clerk of the LAS VEGAS SUN, a daily newspaper of general circulation, printed and published 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 1 time..

from July 20, 1985 to July 20, 1985

inclusive, being the issues of said newspaper for the following dates, to-wit:

July 20, 1985.

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

Signed Carol Black

Subscribed and sworn to before me this 20th day of July, 1985

[Signature]



Notary Public in and for Clark County, Nevada
Notary Public - State of Nevada
CLARK COUNTY
My Appointment Expires Apr. 14, 1989

My Commission Expires

BILL NO. 85-23
Ordinance No. 3174
AN ORDINANCE RELATING TO ZONING; AMENDING TITLE 19, CHAPTER 88, SECTION 30; TITLE 19, CHAPTER 90, SECTION 20; AND TITLE 19, CHAPTER 92, SECTIONS 30 AND 40, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO AUTHORIZE CONTRACT PURCHASERS OF FEDERAL OR STATE LAND TO SIGN VARIANCE, SPECIAL USE PERMIT AND REZONING APPLICATIONS WITH RESPECT THERETO; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.
Sponsored by: Councilman Ron Lurie
Summary: Authorizes contract purchasers of federal or state land to sign zoning applications with respect thereto. The above and foregoing ordinance was first proposed and read by title to the City Council on the 19th day of June, 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 17th day of July, 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: July 20, 1985
Las Vegas SUN