

1 BILL NO. 85-24

2 Ordinance No. 3175

3 AN ORDINANCE RELATING TO ZONING; AMENDING TITLE 19, CHAPTER 92,
4 SECTION 40, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS,
5 NEVADA, 1983 EDITION, TO RESTRICT THE REZONING OF NONCONTIGUOUS
6 PARCELS IN THE SAME ZONING APPLICATION TO PARCELS WHICH ARE
7 WITHIN 300 FEET OF ANY OTHER PARCEL INCLUDED IN THE APPLICATION;
8 AMENDING SECTION 70 OF SAID CHAPTER AND TITLE TO AUTHORIZE AN
9 ADDITIONAL CHARGE OF ONE HUNDRED DOLLARS FOR EACH NONCONTIGUOUS
10 PARCEL OR GROUP OF PARCELS INCLUDED IN A REZONING APPLICATION;
11 PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO AND
12 REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT
13 HEREWITH.

9 Sponsored by:

10 Councilman Ron Lurie

Summary: Restricts the rezoning of
noncontiguous parcels in the same
zoning application to parcels which
are within 300 feet of any other
parcel included in the application.
Also authorizes an additional charge
of one hundred dollars for each non-
contiguous parcel or group of par-
cels included in a rezoning applica-
tion.

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

17 SECTION 1: Title 19, Chapter 92, Section 40, of the
18 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
19 hereby amended to read as follows:

20 19.92.040: (A) A petition for the reclassification of prop-
21 erty shall be made in the form of an application to be provided
22 by the Department of Community Planning and Development. The
23 application shall be filed with the Secretary of the Planning
24 Commission at the office of the Department of Community Planning
25 and Development. The application shall be signed and acknowl-
26 edged by the owner of record of each parcel of property sought to
27 be reclassified. In the case of multiple ownership of a parcel,
28 only one of the owners of record shall be required to sign the
29 application.

30 (B) Upon receipt of a properly executed application, the
31 Secretary of the Planning Commission shall maintain said applica-
32 tion, together with all pertinent attachments and exhibits, in

1 the permanent files of the Planning Commission as a public
2 record.

3 (C) With respect to any application to reclassify any parcel
4 concerning which all or any part of a previous application for
5 reclassification has been denied, or concerning which a previous
6 application has been withdrawn subsequent to a public hearing,
7 [No] no such application [for reclassification of property for
8 which all or any part has been previously denied, or for which an
9 application has been withdrawn subsequent to a public hearing,]
10 to reclassify said parcel to the same zoning classification
11 applied for previously or to a less restrictive classification
12 shall be accepted [unless] until at least four months will have
13 elapsed between the date of [such] the denial or withdrawal and
14 the date of the meeting for which the proposed application would
15 be scheduled in the ordinary course. In addition, no such
16 application shall be accepted until at least eight months after
17 the date of a second denial.

18 (D) An application for a zone change for a use permitted in
19 a more [restricted] restrictive zone will be considered as an
20 application for the more [restricted] restrictive zone.

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

24 (F)] No application for a rezoning for which there has been
25 previously filed an application for a special use permit or a
26 variance for the same use, a similar use, or a more intensive use
27 shall be accepted until the time limits set out in this Section
28 have elapsed.

29 (F) Except with respect to rezoning applications initiated
30 by the Planning Commission or the City Council, no application to
31 reclassify more than one parcel of land may include any parcel
32 which is more than 300 feet from any other parcel included in the

1 application.

2 SECTION 2: Title 19, Chapter 92, Section 70, of the
3 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is
4 hereby amended to read as follows:

5 19.92.070: To partially defray the cost of making maps,
6 sending out hearing notices and other incidental administrative
7 and investigative expenses involved in any application for a
8 reclassification of property, the Secretary of the Planning
9 Commission is authorized to make a charge, payable to the City,
10 in the amount of two hundred dollars. The Secretary is
11 authorized to make an additional charge of one hundred dollars
12 for each noncontiguous parcel or group of parcels included in an
13 application. [The fee] Any charges made pursuant to this Section
14 shall be due and payable at the time of filing such application.

15 SECTION 3: If any section, subsection, subdivision,
16 paragraph, sentence, clause or phrase in this Chapter or any part
17 thereof, is for any reason held to be unconstitutional or invalid
18 or ineffective by any court of competent jurisdiction, such deci-
19 sion shall not affect the validity or effectiveness of the
20 remaining portions of this Chapter or any part thereof. The City
21 Council of the City of Las Vegas hereby declares that it would
22 have passed each section, subsection, subdivision, paragraph,
23 sentence, clause or phrase thereof irrespective of the fact that
24 any one or more sections, subsections, subdivisions, paragraphs,
25 sentences, clauses or phrases be declared unconstitutional, inva-
26 lid or ineffective.

27 SECTION 4: All ordinances or parts of ordinances,
28 sections, subsections, phrases, sentences, clauses or paragraphs

29 . . .

30 . . .

31 . . .

32 . . .

1 contained in the Municipal Code of the City of Las Vegas, Nevada,
2 1983 Edition, in conflict herewith are hereby repealed.

3 PASSED, ADOPTED AND APPROVED this 17th day of July,
4 1985.

5 APPROVED:

6
7 William H. Briare
8 WILLIAM H. BRIARE, MAYOR

9 ATTEST:

10 Carol Ann Hawley
11 CAROL ANN HAWLEY, CITY CLERK

12 The above and foregoing ordinance was first proposed and
13 read by title to the City Council on the 19th day of June,
14 1985, and referred to the following committee composed of
15 Councilmen Lurie and _____
16 Levy for recommendation; thereafter the
17 said committee reported favorably on said ordinance on the 17th
18 day of July, 1985, which was a regular meeting of
19 said Council; that at said regular meeting, the proposed
20 ordinance was read by title to the City Council as first intro-
21 duced and adopted by the following vote:

22 VOTING "AYE" Councilmen: Bunker, Levy, Lurie, Nolen and Mayor Briare

23 VOTING "NAY" Councilmen: NONE

24 ABSENT: NONE

25 APPROVED:

26 William H. Briare
27 WILLIAM H. BRIARE, MAYOR

29 ATTEST:

30 Carol Ann Hawley
31 CAROL ANN HAWLEY, CITY CLERK

32

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, { ss.
COUNTY OF CLARK

RECEIVED
JUL 9 10 0 AM '85
CITY CLERK

BILL NO. 85-24
AN ORDINANCE RELATING TO ZONING; AMENDING TITLE 10, CHAPTER 92, SECTION 40, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO RESTRICT THE REZONING OF NON-CONTIGUOUS PARCELS IN THE SAME ZONING APPLICATION TO PARCELS WHICH ARE WITHIN 300 FEET OF ANY OTHER PARCEL INCLUDED IN THE APPLICATION; AMENDING SECTION 70 OF SAID CHAPTER AND TITLE TO AUTHORIZE AN ADDITIONAL CHARGE OF ONE HUNDRED DOLLARS FOR EACH NON-CONTIGUOUS PARCEL OR GROUP OF PARCELS INCLUDED IN A REZONING APPLICATION; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.
Sponsored by: Councilman Ron Lurie
Summary: Restricts the rezoning of non-contiguous parcels in the same zoning application to parcels which are within 300 feet of any other parcel included in the application. Also authorizes an additional charge of one hundred dollars for each non-contiguous parcel or group of parcels included in a rezoning application.
At a City Council Meeting on June 19, 1985
BILL NO. 85-24 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

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.

Ruth V. Deskin

Notary Public - State of Nevada

My Commission Expires



RUTHE V. DESKIN
Notary Public - State of Nevada
CLARK COUNTY
My Appointment Expires Apr. 14, 1989

RECEIVED

JUL 26 10 17 AM '85

AFFIDAVIT OF PUBLICATION

CITY CLERK

BILL NO. 85-24
Ordinance No. 3175

AN ORDINANCE RELATING TO ZONING; AMENDING TITLE 19, CHAPTER 92, SECTION 40, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO RESTRICT THE REZONING OF NONCONTIGUOUS PARCELS IN THE SAME ZONING APPLICATION TO PARCELS WHICH ARE WITHIN 300 FEET OF ANY OTHER PARCEL INCLUDED IN THE APPLICATION; AMENDING SECTION 70 OF SAID CHAPTER AND TITLE TO AUTHORIZE AN ADDITIONAL CHARGE OF ONE HUNDRED DOLLARS FOR EACH NONCONTIGUOUS PARCEL OR GROUP OF PARCELS INCLUDED IN A REZONING APPLICATION; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith.

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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 Councilman 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, Nolan 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.

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 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
ROTHE V. DESKIN
Notary Public - State of Nevada
CLARK COUNTY
My Appointment Expires Apr. 14, 1989



My Commission Expires