

ORDINANCE NO. 1696

AN ORDINANCE TO AMEND TITLE XI, CHAPTER 1, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY AMENDING SECTION 6 (E) TO PROVIDE THAT NO SIDE OR REAR YARD SETBACKS ARE REQUIRED WHERE ACCESSORY BUILDING IS WITHIN THE REQUIRED REAR YARD AND PROTECTED BY A FIRE RESISTANT WALL, AND TO ADD A NEW PARAGRAPH PROVIDING THAT ACCESSORY BUILDINGS BE LOCATED NOT LESS THAN SIX FEET FROM THE MAIN BUILDING; TO AMEND SECTIONS 7 (A) AND (C) TO PROVIDE FOR TERMINATION OF NON-CONFORMING USES UPON NOTICE GIVEN TO THE OWNER WITHIN FIVE YEARS FROM DATE OF NOTICE; TO AMEND SECTION 10 (F) AND SECTION 11 (F) TO REQUIRE PATIOS AND CARPORTS IN REAR YARDS BE OPEN ON NOT LESS THAN TWO SIDES; TO AMEND SECTION 17.A (A) 2, PROVIDING FOR PUBLIC OR SEMI-PUBLIC PARKING FACILITIES FOR EXCLUSIVE USE OF PATRONS OR EMPLOYEES IN A P-R ZONE; TO AMEND SECTION 19(A) 6 TO DELETE THE LIMITATION OF EMPLOYEE AND PATRON USE ONLY IN PARKING LOTS IN A C-1 ZONE; TO AMEND SECTION 22 (D) 9 B ELIMINATING CERTAIN LANDSCAPING REQUIREMENTS IN C-M DISTRICTS AND ALLOWING THE PARKING OF CERTAIN EQUIPMENT IN SETBACK AREAS; TO AMEND SECTION 24 (C) 2, LIMITING ADVERTISING FOR HOME OCCUPATION PERMITS; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

THE BOARD OF COMMISSIONERS OF THE CITY OF LAS VEGAS DOES ORDAIN AS FOLLOWS:

SECTION 1. Title XI, Chapter 1, of the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, is hereby amended as follows:

11-1-6 (E) Setbacks:

1. In any district with an "R" prefix, no accessory building or structure may be located in the required rear yard area excepting a carport or covered patio as provided in 11-1-10 (F) and 11-1-11 (F), less than six feet (6') from the main building nor shall the roof eaves be located less than one foot (1') from the main building excepting on corner lots the roof may be attached to the main building provided there is a six foot (6') setback between the walls of the accessory building and the main building and both ends of the breezeway are open. A gate or fence which is fifty percent (50%) open may be constructed at one end of the breezeway.

2. In any district with an "R" prefix, no accessory building or structure shall be located less than five feet (5') from any side or rear property line, except a property line which abuts an alley; and provided further, that when the property is protected by a [fireproof wall, no rear yard setback shall be required for such accessory buildings or structures.] fire-resistant wall as required by the Department of Building and Safety, no setback from the side or rear property line shall be required for a detached accessory building situated wholly within the required rear yard.

11-1-7 (A) Nonconforming Use of Land: The nonconforming use of land, where no main building is involved, legally existing at the time this Chapter becomes effective, may be continued for a period not to exceed five (5) years [therefrom, provided] from the date notice is given to the owner of record by mailing to address as shown by County Assessor's records and recording a copy of the notice in the Office of the Recorder of Clark County, Nevada, which notice contains the legal description of the property, a description of the use required to be discontinued, the date that the use is to cease and desist and the section of the Zoning Regulations of the City Code which declares the use to be nonconforming, provided:

1. That no such nonconforming use of the land shall in any way be extended or expanded either on the same or adjoining property.

2. That, if such nonconforming use of land or any portion thereof is discontinued for a period of ninety (90) days, or changed, any future use of the land shall be in conformity with the provisions of this Chapter.

11-1-7 (C) Nonconforming Use of a Conforming Building: A nonconforming use of a conforming building shall not be extended or expanded into any other portion of the conforming building, and if such non-conforming use is discontinued for a period of ninety (90) days, the future use of such building shall be in conformity with the provisions of this Chapter, provided further, however, that non-conforming uses of a conforming building shall be discontinued no later than five (5) years from the date notice is given to the owner of record, by mailing to address as shown by County Assessor's records and recording a copy of the notice in the Office of the Recorder of Clark County, Nevada, which notice contains the legal description of the property, a description of the use required to be discontinued, the date that the use is to cease and desist and the section of the Zoning Regulations of the City Code which declares the use to be nonconforming. [ten (10) years from the effective date of this Chapter.]

11-1-10 (F) Rear Yard Required: There shall be a rear yard of not less than thirty feet (30') provided, however, a covered patio [attached accessory building including a carport or private garage may extend to within ten feet (10') of the rear lot line.] or carport completely open on not less than two sides may extend to within ten feet (10') of the rear property line.

11-1-11 (F) Rear Yard Required: There shall be a rear yard of not less than twenty-five feet (25'), provided, however, [that a covered patio, attached accessory building including a carport or private garage may extent to within ten feet (10') of the rear lot line.] a covered patio or carport completely open on not less than two sides may extend to within ten feet (10') of the rear property line.

11-1-17.A (A) 2. Parking Lots - public, [semi-public, and lots for patron and employees of private noncommercial vehicles.] or semi-public parking facilities for the exclusive use of patrons or employees operating private non-commercial vehicles.

(a) Ground level parking only.

(b) The provisions of Section 6, Subsection (H), shall be satisfied.

(c) Installation of a six foot (6') high masonry wall on property lines adjoining any residential zone.

(d) No signs, other than a non-neon, non-flashing, non-animated sign, not to exceed three feet by five feet (3' x 5') in size, located at the entrances to the parking lot, and positioned not more than five feet (5') from ground level.

(e) After property is zoned under this classification, and prior to its being used for a parking lot, all residential use and any other use of the property shall be eliminated and, while the property is being used for a parking lot, no other use of the property shall be permitted

(f) Conformance to the plot plan approved by the Planning Commission at the time the property is classified under this classification.

(g) The use of the parking lot to cease at nine o'clock (9:00) P.M., including all exterior lighting.

(h) Any additional limitations or requirements deemed reasonable and necessary by the Planning Commission.

(i) All requirements of the Building Department, Fire Department and Public Works Department.

11-1-19 (A) 6. Public or [quasi-public] semi-public off-street parking facilities [for the exclusive use of patrons and employees] when developed in [accord] accordance with [the provisions of] Section 6 of this Chapter.

11-1-22 (D) 9B. A minimum setback of fifty feet (50') from the property line adjacent to a P-R, "R", or a "C" zoned district excluding the C-M district, shall be maintained free and clear of all buildings or industrial uses except this area may be used for parking excluding the parking of industrial equipment and vehicles of one and one-half (1 1/2) ton in size or larger. [This fifty foot (50') setback area shall be landscaped in a manner which meets the approval of the Planning Commission.]

11-1-24 (C) 2. Criteria: In determining whether to grant or deny a home occupation permit, the Board of Zoning Adjustment shall be guided by the following criteria:

- (a) Will there be any employees?
- (b) Does the occupation involve the use of material and/or equipment not normally associated with residential neighborhoods?
- (c) Will there be any buying or selling of any commodities, services, or goods on the premises?
- (d) Does the occupation involve the use of any commercial vehicle?
- (e) Will there be any advertising [either in the form of signs, telephone directory or newspapers?] of home address, location, or telephone number?
- (f) Will more than one room of the house be used?
- (g) Will the occupation involve the use of any accessory building, yard space or outdoor activity?
- (h) Does the occupation require the transportation of goods and/or clients to and from the home; thereby creating pedestrian and/or vehicular traffic?

No use shall be allowed as a home occupation where there is advertising of location, address or home telephone number, except that a home telephone number may be permitted on normal business cards used for personal contact by the applicant. Advertising a post office box number may be permitted on business cards and other mediums of advertising.

If the answer to any of the above questions (a), (b), (c), (d), (f), (g) or (h) is in the affirmative, the use should not normally be permitted as a home occupation.

If the answers to questions (a), (b), (c), (g), or (h), are affirmative, the Board of Zoning Adjustment must conduct a public hearing.

[If the answer to any of the above questions is in the affirmative, the use should not normally be permitted as a home occupation. If the answer to questions (a), (b), (c), (g), or (h) are affirmative, the Board of Zoning Adjustment must conduct a public hearing.]

Notwithstanding the criteria listed above, if the Board determines that the granting of a home occupation permit, as applied for, will be detrimental in any way to the public health, safety, and welfare or injurious in any way to the property in the same zoning district or neighborhood in which the property in question is located, the Board shall deny the permit.

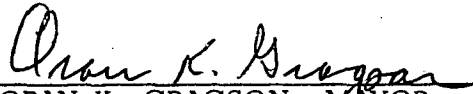
SECTION 2. Any person, firm, or corporation violating any of the provisions of this ordinance shall, upon conviction thereof, be punished by a fine of not more than \$500.00 and/or imprisonment in the City Jail for not more than six (6) months, or any combination of such fine and imprisonment. Every day of such violation shall constitute a separate offense.

SECTION 3. All ordinances or parts of ordinance, sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, in conflict herewith are hereby repealed.

SECTION 4. If any section, paragraph, sentence, phrase, term, word or connotation of this ordinance, or portion thereof, is for any reason held invalid, inapplicable, or unconstitutional by any Court of competent jurisdiction, such holding shall not invalidate the remaining portions of this ordinance.

PASSED, ADOPTED AND APPROVED this 24th day of April, 1974.

APPROVED:


ORAN K. GRAGSON, MAYOR

ATTEST:



Edwina M. Cole, City Clerk

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 27th day of March, 1974, and referred to the following committee composed of Commissioners Morelli and Christensen for recommendation; thereafter the said committee reported favorably on said ordinance on the 24th day of April, 1974, which was a regular meeting of said Board; that at said regular meeting the proposed ordinance was read by title to the Board of Commissioners as first introduced and adopted by the following vote:

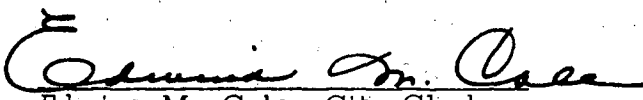
VOTING "AYE": Commissioners Christensen, Lurie, Franklin, Morelli and Mayor Gragson

VOTING "NAY": None Absent: None

APPROVED:


ORAN K. GRAGSON, MAYOR

ATTEST:


Edwina M. Cole, City Clerk

AFFIDAVIT OF PUBLICATION

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CITY CLERK

STATE OF NEVADA)
COUNTY OF CLARK) SS

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 2, 1974 to April 2, 1974 inclusive, being the issue of said newspaper for the following dates, to wit:

April 2, 1974

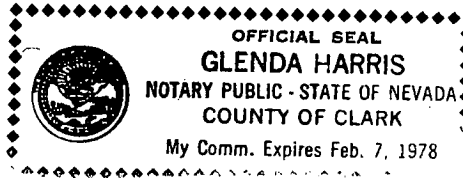
That said newspaper was regularly issued and circulated on each of the dates above named.

SIGNED George J. Vasconi
GEORGE J. VASCONI

Subscribed and sworn to before me this 2 day of April, 1974.

NOTARY PUBLIC, IN AND FOR
CLARK COUNTY, NEVADA

Glenda Harris



ORDINANCE NO. 1696

AN ORDINANCE TO AMEND TITLE XI, CHAPTER 1, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY AMENDING SECTION 6 (E) TO PROVIDE THAT NO SIDE OR REAR YARD SETBACKS ARE REQUIRED WHERE ACCESSORY BUILDING IS WITHIN THE REQUIRED REAR YARD AND PROTECTED BY A FIRE RESISTANT WALL, AND TO ADD A NEW PARAGRAPH PROVIDING THAT ACCESSORY BUILDINGS BE LOCATED NOT LESS THAN SIX FEET, FROM THE MAIN BUILDING; TO AMEND SECTIONS 7 (A) AND (C) TO PROVIDE FOR TERMINATION OF NON-CONFORMING USES UPON NOTICE GIVEN TO THE OWNER WITHIN FIVE YEARS FROM DATE OF NOTICE; TO AMEND SECTION 10 (F) AND SECTION 11 (F) TO REQUIRE PATIOS AND CARPORTS IN REAR YARDS BE OPEN ON NOT LESS THAN TWO SIDES; TO AMEND SECTION 17.A (A) 2, PROVIDING FOR PUBLIC OR SEMI-PUBLIC PARKING FACILITIES FOR EXCLUSIVE USE OF PATRONS OR EMPLOYEES IN A P-R ZONE; TO AMEND SECTION 19 (A) 4 TO DELETE THE LIMITATION OF EMPLOYEE AND PATRON USE ONLY IN PARKING LOTS IN A C-1 ZONE; TO AMEND SECTION 22 (D) 9 B ELIMINATING CERTAIN LANDSCAPING REQUIREMENTS IN C-M DISTRICTS AND ALLOWING THE PARKING OF CERTAIN EQUIPMENT IN SETBACKS AREAS; TO AMEND SECTION 24 (C) 2, LIMITING ADVERTISING FOR HOME OCCUPATION PERMITS; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREDF; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 27th day of March, 1974, and referred to the following committee composed of Commissioners Morelli and Christensen for recommendation.

COPIES OF THE COMPLETE ORDINANCE No. 1996 ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, 400 E. STEWART AVENUE, LAS VEGAS, NEVADA.

AFFIDAVIT OF PUBLICATION

RECEIVED
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CITY CLERK

STATE OF NEVADA)
COUNTY OF CLARK) SS

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 March 29, 1974 to March 29, 1974 inclusive, being the issue of said newspaper for the following dates, to wit:

March 29, 1974

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

VOID

SIGNED

George J. Vasconi
GEORGE J. VASCONI

Subscribed and sworn to before me this 29 day of March, 1974.

NOTARY PUBLIC, IN AND FOR
CLARK COUNTY, NEVADA

Glenda Harris
OFFICIAL SEAL
GLENDA HARRIS
NOTARY PUBLIC - STATE OF NEVADA
COUNTY OF CLARK
My Comm. Expires Feb. 7, 1978

ORDINANCE NO. 1696

AN ORDINANCE TO AMEND TITLE XI, CHAPTER 1, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY AMENDING SECTION 6 (E) TO PROVIDE THAT NO SIDE OR REAR YARD SETBACKS ARE REQUIRED WHERE ACCESSORY BUILDING IS WITHIN THE REQUIRED REAR YARD AND PROTECTED BY A FIRE RESISTANT WALL, AND TO ADD A NEW PARAGRAPH PROVIDING THAT ACCESSORY BUILDINGS BE LOCATED NOT LESS THAN SIX FEET FROM THE MAIN BUILDING; TO AMEND SECTIONS 7 (A) AND (C) TO PROVIDE FOR TERMINATION OF NON-CONFORMING USES UPON NOTICE GIVEN TO THE OWNER WITHIN FIVE YEARS FROM DATE OF NOTICE; TO AMEND SECTION 10 (F) AND SECTION 11 (F) TO REQUIRE PATIOS AND CARPORTS IN REAR YARDS BE OPEN ON NOT LESS THAN TWO SIDES; TO AMEND SECTION 17.A (A) 2, PROVIDING FOR PUBLIC OR SEMI-PUBLIC PARKING FACILITIES FOR EXCLUSIVE USE OF PATRONS OR EMPLOYEES IN A P-R ZONE; TO AMEND SECTION 19(A) 6 TO DELETE THE LIMITATION OF EMPLOYEE AND PATRON USE ONLY IN PARKING LOTS IN A P-R ZONE; TO AMEND SECTION 22 (D) 1 B ELIMINATING CERTAIN LANDSCAPING REQUIREMENTS IN C.M DISTRICTS AND ALLOWING THE PARKING OF CERTAIN EQUIPMENT IN SETBACK AREAS; TO AMEND SECTION 24 (C) 2, LIMITING ADVERTISING FOR HOME OCCUPATION PERMITS; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

COPIES OF THE COMPLETE ORDINANCE No. 1696 ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, 400 E. STEWART AVENUE, LAS VEGAS, NEVADA.

Mar. 29, 1974.

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS

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 26, 1974 to April 26, 1974 inclusive, being the issue of said newspaper for the following dates, to wit:

April 26, 1974

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

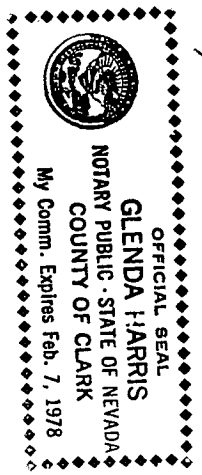
SIGNED

George J. Vasconi
GEORGE J. VASCONI

Subscribed and sworn to before me this 24 day of April, 1974.

NOTARY PUBLIC, IN AND FOR
CLARK COUNTY, NEVADA

Glenda Harris



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CITY CLERK

ORDINANCE NO. 1696
AN ORDINANCE TO AMEND TITLE XI, CHAPTER 1, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY AMENDING SECTION 6 (E) TO PROVIDE THAT NO SIDE OR REAR YARD SETBACKS ARE REQUIRED WHERE ACCESSORY BUILDING IS WITHIN THE REQUIRED REAR YARD AND PROTECTED BY A FIRE RESISTANT WALL AND TO ADD A NEW PARAGRAPH PROVIDING THAT ACCESSORY BUILDINGS BE LOCATED NOT LESS THAN SIX FEET FROM THE MAIN BUILDING; TO AMEND SECTIONS 7 (A) AND (C) TO PROVIDE FOR TERMINATION OF AN OCCUPANCY UPON NOTICE GIVEN TO THE OWNER WITHIN FIVE YEARS FROM DATE OF NOTICE; TO AMEND SECTION 10 (F) AND SECTION 11 (F) TO REQUIRE PATIOS AND CARPORTS IN REAR YARDS BE OPEN ON NOT LESS THAN TWO SIDES; TO AMEND SECTION 17.A (A) 2, PROVIDING FOR PUBLIC OR SEMI-PUBLIC PARKING FACILITIES FOR EXCLUSIVE USE OF PATRONS OR EMPLOYEES IN A P-R ZONE; TO AMEND SECTION 19(A) 6 TO DELETE THE LIMITATION OF EMPLOYEE AND PATRON USE ONLY IN PARKING LOTS IN A C-1 ZONE; TO AMEND SECTION 22 (D) 9 B ELIMINATING CERTAIN LANDSCAPING REQUIREMENTS IN C-M DISTRICTS AND ALLOWING THE PARKING OF CERTAIN EQUIPMENT IN SETBACK AREAS; TO AMEND SECTION 24 (C) 2, LIMITING ADVERTISING FOR HOME OCCUPATION PERMITS, PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith.
The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 27th day of March, 1974, and referred to the following committee composed of Commissioners Morelli and Christensen for recommendation; there after the said committee reported favorably on said ordinance on the 24th day of April, 1974, which was a regular meeting of said Board; that at said regular meeting the proposed ordinance was read by title to the Board of Commissioners as first introduced and adopted by the following vote:
VOTING "AYE": Commissioners Christensen, Lurie, Franklin, Morelli and Mayor Grassano.
VOTING "NAY": None. Absent: None.
COPIES OF THE COMPLETE ORDINANCE No. 1696 ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, 400 E. STEWART AVENUE, LAS VEGAS, NEVADA.
Apr. 26, 1974