

1 **BILL NO. 99-63**

2 **ORDINANCE NO. 5183**

3 AN ORDINANCE RELATING TO ZONING; AMENDING THE LAND USE TABLES ADOPTED
4 IN SUBCHAPTER 19A.04.010 OF THE ZONING CODE OF THE CITY OF LAS VEGAS,
5 ADOPTED AS AND INCORPORATED IN TITLE 19A OF THE MUNICIPAL CODE OF THE
6 CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO ALLOW CHILD CARE GROUP HOMES
7 IN THE R-CL ZONING DISTRICT BY MEANS OF SPECIAL USE PERMIT; AMENDING
8 SECTION 19A.04.050(B) OF THE ZONING CODE TO ESTABLISH MINIMUM STANDARDS
9 UNDER WHICH CHILD CARE GROUP HOMES MAY BE ALLOWED BY MEANS OF
10 SPECIAL USE PERMIT; AMENDING SECTION 19A.06.040(E) OF THE ZONING CODE TO
11 INDICATE THE EXTENT TO WHICH USES AND REQUIREMENTS APPLICABLE TO THE
12 STANDARD RESIDENTIAL ZONING DISTRICTS APPLY TO THE R-PD ZONING DISTRICT;
13 PROVIDING FOR OTHER MATTERS RELATING THERETO; AND REPEALING ALL
14 ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

15 Sponsored by:
16 Councilman Larry Brown

Summary: Amends the Zoning Code to set
forth the circumstances in which child care
group homes are permitted in the R-CL
and R-PD zoning districts.

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

19 SECTION 1: Table 2 of the Land Use Tables adopted in Subchapter 19A.04.010 of
20 the Zoning Code of the City of Las Vegas is hereby amended to indicate that a child care-group home
21 is permitted by means of Special Use Permit in the R-CL Zoning District, and that a special use permit
22 to allow that use is subject to certain base standards.

23 SECTION 2: In order to reflect the amendment described in Section 1, the
24 "Institutional & Community Service" element of Table 2 of the Land Use Tables adopted in
25 Subchapter 19A.04.010 of the Zoning Code of the City of Las Vegas is amended to add the letter "S"
26 (indicating Special Use Permit) in the box which represents the intersection of the column for the R-
27 CL district and the row for Child Care-Group Home (7-12 Children). In addition, in the row for the
28 use "Child Care-Group Home (7-12 Children)," an asterisk shall be added following that term to
indicate the existence of applicable base standards.

SECTION 3: Section 19A.04.050(A) of the Zoning Code of the City of Las Vegas
is hereby amended to read as follows:

A. General

1. The uses in this [section] Subchapter require a Special Use Permit and have

1 base requirements which shall be met prior to approval of the Special Use Permit. [These uses are]
2 In the Land Use Tables, these uses may be indicated by an "S" [in the Land Use Tables] and by an
3 asterisk (*) placed by the name of the use.

4 2. The following conditions are the minimum conditions for approval for a Special
5 Use Permit. Additional conditions may also be required during the public hearing process to ensure
6 compatibility of that use in relation to surrounding uses and the pattern of development.

7 3. Special Use Permits which do not have minimum requirements listed in the
8 following section may have conditions placed on the proposed use during the public hearing process.

9 4. The following requirements are minimum standards that must be satisfied
10 unless it can be shown by convincing and substantial evidence by the applicant that any waiver of
11 these requirements will not compromise the objective of the City in safeguarding the interests of the
12 citizens of the City. However, it shall not be permissible to waive any of the requirements below that
13 are indicated by an asterisk (*).

14 5. The following uses, with minimum Special Use Permit requirements, are
15 listed below alphabetically.

16 SECTION 4: Section 19A.04.050(B) of the Zoning Code of the City of Las Vegas
17 is hereby amended by adding thereto a new subdivision, reading as follows:

18 **CHILD CARE-GROUP HOME (7-12 CHILDREN) [U, R-A, R-E, R-D, R-1, R-CL, R-2, R-3,**
19 **R-4, R-5, R-MH]**

20 *1. The minimum lot size shall be 6,500 square feet.

21 2. Access to the facility shall be by means of a right-of-way with a width of 60
22 feet or less.

23 *3. The site shall be designed so that all loading and unloading of passengers
24 occurs on-site.

25 4. The use of outdoor play areas shall be limited to the hours between 6:00 A.M.
26 and 10:00 P.M..

27 5. All lighting shall be designed so that it does not shine directly onto any abutting
28 residential property.

1 6. In order for this use to be conducted on a parcel developed with multi-family
2 housing, the child care must be provided within a separate structure.

3 7. The use shall be subject to the child care regulations and standards of the
4 Department of Finance and Business Services.

5 SECTION 5: Chapter 19A.04 of the Zoning Code of the City of Las Vegas is hereby
6 amended by adding thereto a new Subchapter, designated as Subchapter 19A.04.090, reading as
7 follows:

8 **19A.04.090 INTENT AND EFFECT OF CROSS-REFERENCING TOOLS**

9 The Land Use Tables that appear in Subchapter 19A.04.010 and the various minimum
10 standards that are set forth in other Subchapters of this Chapter 19A.04 include certain cross-
11 referencing tools that are intended to assist the City and the public in using and applying the Zoning
12 Code. For example, the Land Use Tables include asterisks and plus signs that are intended to remind
13 the user to consult other portions of the Zoning Code for additional information. Likewise, language
14 in the other Subchapters of this Chapter occasionally refers to the Land Use Tables to help the user
15 correlate the various provisions of the Code that apply. These cross-referencing tools are for the sake
16 of convenience and assistance only, and do not diminish the applicability of substantive standards and
17 limitations of this Code. Except as otherwise specifically indicated, the absence or omission of an
18 asterisk or plus sign in the Land Use Tables shall not be deemed to limit or negate any other provision
19 of this Code.

20 SECTION 6: Section 19A.06.040(E) of the Zoning Code of the City of Las Vegas is
21 hereby amended to read as follows:

22 **E. Permitted Land Uses**

23 1. Single-family and multi-family residential and supporting uses are permitted
24 in the R-PD District to the extent they are determined by the Director to be consistent with the density
25 approved for the District and are compatible with surrounding uses. In addition, [family home child
26 care is permitted, with four children or fewer permitted in each home, as well as Home Occupations
27 which have secured proper approval.] the following uses are permitted as indicated:

28 **a. Home Occupations for which the proper approvals have been secured.**

1 **b.** Child Care-Family Home and Child Care-Group Home, to the extent
2 the Director determines that such uses would be permitted in the equivalent standard residential
3 district.

4 **2.** For any use which, pursuant to this Section, is deemed to be permitted within
5 the R-PD District, the Director may apply the development standards and procedures which would
6 apply to that use if it were located in the equivalent standard residential district.

7 **3.** For purposes of this Section, the “equivalent standard residential district” means
8 a residential district listed in the Land Use Tables which, in the Director’s judgment, represents the
9 (or a) district which is most comparable to the R-PD District in question, in terms of density and
10 development type.

11 SECTION 7: If any section, subsection, subdivision, paragraph, sentence, clause or
12 phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional, or invalid
13 or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
14 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
15 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
16 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
17 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
18 invalid or ineffective.

19 SECTION 8: All ordinances or parts of ordinances or sections, subsections, phrases,

20 ...
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25 ...
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27 ...
28 ...

1 sentences, clauses or paragraphs 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 1st day of December, 1999.


4 APPROVED:

5
6 By 
OSCAR B. GOODMAN, Mayor

7 ATTEST:

8 
9 BARBARA JO RONEMUS, City Clerk

11 APPROVED AS TO FORM:

12  10-22-99
13 Date

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1 The above and foregoing ordinance was first proposed and read by title to the City Council on
2 the 3rd day of November, 1999 and referred to the following committee composed of
3 Councilmen Brown and M. McDonald for recommendation; thereafter the said committee
4 reported favorably on said ordinance on the 1st day of December, 1999 which was a regular
5 meeting of said Council; that at said regular meeting, the proposed ordinance was read by title
6 to the City Council as first introduced and adopted by the following vote:

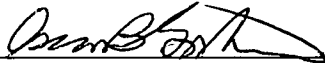
7 VOTING "AYE": Mayor Goodman and Councilmembers M. McDonald, Reese Brown and

8 L. McDonald

9 VOTING "NAY": NONE

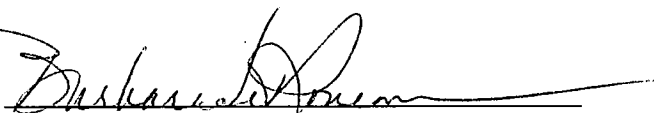
10 EXCUSED: NONE

11 APPROVED:

12 

13 OSCAR B. GOODMAN, Mayor

14 ATTEST:

15 

16 BARBARA JO RONEMUS, City Clerk

AFFP DISTRICT COURT
Clark county, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

Barbara Linford, 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
1010767

2296311LV

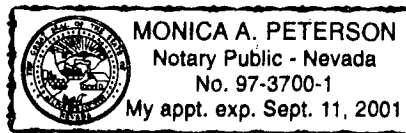
was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 11/19/99 to 11/19/1999, on the following days: NOVEMBER 19, 1999

Signed: Barbara Linford
19

SUBSCRIBED AND SWORN BEFORE ME THIS THE

day of Nov 1999
Monica A. Peterson

Notary Public



RECEIVED
CITY CLERK
1999 NOV 29 A 11: 33

BILL NO. 99-63
AN ORDINANCE RELATING TO ZONING; AMENDING THE LAND USE TABLES ADOPTED IN SUBCHAPTER 19A.04.010 OF THE ZONING CODE OF THE CITY OF LAS VEGAS, ADOPTED AS AND INCORPORATED IN TITLE 19A OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO ALLOW CHILD CARE GROUP HOMES IN THE R-CL ZONING DISTRICT BY MEANS OF SPECIAL USE PERMIT; AMENDING SECTION 19A.04.D5D(B) OF THE ZONING CODE TO ESTABLISH MINIMUM STANDARDS UNDER WHICH CHILD CARE GROUP HOMES MAY BE ALLOWED BY MEANS OF SPECIAL USE PERMIT; AMENDING SECTION 19A.06.040(E) OF THE ZONING CODE TO INDICATE THE EXTENT TO WHICH USES AND REQUIREMENTS APPLICABLE TO THE STANDARD RESIDENTIAL ZONING DISTRICTS APPLY TO THE R-PD ZONING DISTRICT; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.
Sponsored by:
Councilman Larry Brown
Summary: Amends the Zoning code to set forth the circumstances in which child care group homes are permitted in the R-CL and R-PD zoning districts.
At a City Council meeting
NOVEMBER 3, 1999
BILL NO. 99-63 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE:
Councilmen Brown and M. McDonald
COPIES OF THE COMPLETE BILL ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: November 19, 1999
Las Vegas Review-Journal

RECEIVED
CITY CLERK

1999 DEC 10 A 10: 34

AFFP DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

Barbara Linford, 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
1026402

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 12/03/99 to 12/03/1999, on the following days: DECEMBER 3, 1999

Signed:

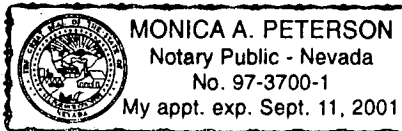
Barbara Linford

SUBSCRIBED AND SWORN BEFORE ME THIS THE

day of Dec 1999

Monica A. Peterson

Notary Public



BILL NO. 99-63
ORDINANCE NO. 5183

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Sponsored by: Councilman Larry Brown
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The above and foregoing ordinance was first proposed and read by title to the City Council on the 3rd day of November, 1999 and referred to the following committee composed of Councilmen Brown and M. McDonald for recommendation; thereafter the said committee reported favorably on said ordinance on the 1ST day of December, 1999, 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 first introduced and adopted by the following vote:

VOTING "AYE" Mayor Goodman and Councilmembers M. McDonald, Reese, Brown, L. McDonald
VOTING "NAY" NONE
EXCLUDED: NONE

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: December 3, 1999
Las Vegas Review-Journal