

# City of Las Vegas

5. ✓

**RECOMMENDING COMMITTEE MEETING  
CITY HALL, 400 STEWART AVENUE  
CITY MANAGER'S CONFERENCE ROOM, EIGHTH FLOOR  
CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.ci.las-vegas.nv.us>  
MONDAY, JULY 14, 2003  
4:00 P.M.**

RECOMMENDING COMMITTEE: COUNCILMAN WEEKLY AND COUNCILWOMAN MONCRIEF

CALL TO ORDER

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

THE RECOMMENDING COMMITTEE WILL RECEIVE PUBLIC INPUT ON EACH ITEM OF LEGISLATION BEING CONSIDERED. THE RECOMMENDING COMMITTEE MAY, THEREAFTER, CONTINUE THE HEARING TO A FUTURE DATE OR FORMULATE A RECOMMENDATION TO THE CITY COUNCIL FOR PASSAGE, REJECTION OR AMENDMENT OF THE PROPOSED BILL. ANY MEMBER OF THE CITY COUNCIL MAY SUBSTITUTE FOR A MEMBER OF THE RECOMMENDING COMMITTEE AT ANY TIME

THE FOLLOWING BILL MAY BE ELIGIBLE FOR ADOPTION AT THE 7/16/2003 CITY COUNCIL MEETING.

1. Bill No. 2003-65 – Establishes drought conservation measures in accordance with the Southern Nevada Water Authority's Drought Plan Sponsored by: Mayor Oscar B. Goodman

THE FOLLOWING BILLS MAY BE ELIGIBLE FOR ADOPTION AT THE 8/6/2003 CITY COUNCIL MEETING.

2. Bill No. 2003-60 – Annexation No. ANX-2256 – Property location: On the northwest corner of Monte Cristo Way and Centennial Parkway; Petitioned by: Shiron Corporation; Acreage. 1.32 acres; Zoned: R-E (County zoning), R-E (City equivalent) Sponsored by: Councilman Michael Mack
3. Bill No. 2003-61 – Annexation No. ANX-2355 – Property location: On the north side of Regena Avenue, 330 feet east of El Capitan Way, Petitioned by: City of Las Vegas; Acreage: 0.62 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Michael Mack
4. Bill No. 2003-62 – Provides that valet parking is allowed as a conditional use in certain zoning districts Proposed by: Robert S. Genzer, Director of Planning and Development
5. Bill No. 2003-63 – Updates the Town Center Development Standards Manual regarding permissible commercial uses, tree sizes, and parking lot walkways. Proposed by: Robert S. Genzer, Director of Planning and Development

CITIZENS PARTICIPATION: ITEMS RAISED UNDER THIS PORTION OF THE AGENDA CANNOT BE DELIBERATED OR ACTED UPON UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN MET IF YOU WISH TO SPEAK ON A MATTER NOT LISTED ON THE AGENDA, PLEASE CLEARLY STATE YOUR NAME AND ADDRESS. IN CONSIDERATION OF OTHERS, AVOID REPETITION, AND LIMIT YOUR COMMENTS TO NO MORE THAN THREE (3) MINUTES. TO ENSURE ALL PERSONS EQUAL OPPORTUNITY TO SPEAK, EACH SUBJECT MATTER WILL BE LIMITED TO TEN (10) MINUTES

ALL INTERESTED PERSONS ARE INVITED TO ATTEND: A tape recording of all the proceedings will be kept on file in the Office of the City Clerk until final disposition is made. Copies of the above Bills may be obtained through the Office of the City Clerk, Monday through Friday, 8:00 A.M. to 5:00 P.M

Facilities are provided throughout City Hall for the convenience of disabled persons. Reasonable efforts will be made to assist and accommodate physically handicapped persons. If you need an accommodation to attend and participate in this meeting, please call the City Clerk's office at 229-6311 and advise of your need at least 48 hours in advance of the meeting.

THIS MEETING HAS BEEN PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS:

Las Vegas Library, 833 Las Vegas Boulevard North  
Senior Citizens Center, 450 E. Bonanza  
Clark County Government Center, 500 S. Grand Central Parkway  
Court Clerk's Office Bulletin Board, City Hall Plaza  
City Hall Plaza, Special Outside Posting Bulletin Board

45 ✓





# City of Las Vegas

## **RECOMMENDING COMMITTEE AGENDA RECOMMENDING COMMITTEE MEETING OF: JULY 14, 2003**

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

### **MINUTES:**

PRESENT: COUNCILMAN WEEKLY and COUNCILWOMAN MONCRIEF

Also Present: DEPUTY CITY MANAGER BETSY FRETWELL, CHIEF DEPUTY CITY ATTORNEY VAL STEED, and DEPUTY CITY CLERK ANGELA CROLLI

ANNOUNCEMENT MADE – meeting noticed and posted at the following locations:

Las Vegas Library, 833 Las Vegas Boulevard North

Senior Citizens Center, 450 E. Bonanza Road

Clark County Government Center, 500 S. Grand Central Pkwy

Court Clerk's Bulletin Board, City Hall

City Hall Plaza, Posting Board

(4:02)

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**AGENDA SUMMARY PAGE**  
**RECOMMENDING COMMITTEE MEETING OF: JULY 14, 2003**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

**CONSENT**

**DISCUSSION**

**SUBJECT:**

**NEW BILL:**

**Bill No. 2003-65** – Establishes drought conservation measures in accordance with the Southern Nevada Water Authority’s Drought Plan. Sponsored by: Mayor Oscar B. Goodman

**Fiscal Impact**

**No Impact**

**Amount:**

**Budget Funds Available**

**Dept./Division:**

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

In March of this year the City Council approved the Southern Nevada Water Authority’s Drought Plan. This bill will establish conservation measures for the City in accordance with the Plan, including limitations on the use of water and turf limitations that will apply in drought conditions. The bill also reflects conservation measures that are or will be included in the Las Vegas Valley Water District’s Service Rules.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. 2003-65

**COMMITTEE RECOMMENDATION:**

**COUNCILWOMAN MONCRIEF recommended Bill 2003-65 be forwarded to the Full Council with a “Do Pass” recommendation. COUNCILMAN WEEKLY concurred.**

**MINUTES:**

COUNCILMAN WEEKLY declared the Public Hearing open.

MATT PINJUV, Planning and Development Department, outlined the three months spent with the Drought Code Implementation Team to draft a bill for the City similar to the other jurisdictions within the Valley in order to create uniform restrictions. The major restriction the City would have to enforce would involve landscaping restriction, turf limitation on certain types

RECOMMENDING COMMITTEE MEETING OF JULY 14, 2003

City Attorney

Item 1 – Bill No. 2003-65

**MINUTES – Continued:**

of commercial and residential uses, as well as determining whether shutting off water features would damage a business. It is anticipated that similar ordinances will be adopted within the next month or so by the other entities.

PAUL CHRISTENSEN, 710 Lacey Lane, summarized his participation in water conservation for many years, including acting as the first Chairman of the Southern Nevada Water Authority and Chairman of the Water District for several years. Recently he ran into various problems with trying to comply with water conservation on his property on Lacey Lane by installing a 20 foot wide circular drive and xeriscape landscaping between that and a sidewalk adjacent to the street. He was stunned that south of Palomino Lane curbs were put in free and gutters not required while a stop-work was put in around his sidewalk pending compaction tests and other requirements. When he originally constructed his home in 1958, he and several neighbors who all built at the same time were treated as a subdivision and required to put in extensive offsite improvements.

For 40 years, he has been mowing and watering grass on 10-feet of land granted to the City as right-of-way. He will be seeking return of that 10 feet, especially given the City's various traffic measures. The purpose of his attendance at this meeting is to encourage the City to make its water conservation measures user-friendly. If there are too many steps to comply, people simply will not comply. He read several passages of the proposed bill which he cited as making compliance difficult. Property that does not include a 10-foot setback will not be able to water because plants watered against the curb will always have some small amount of water running off the property. Likewise the prohibition against turf in residential front yards will result in dirt front yards. There are people on his street that have let their landscaping go already because of the cost of watering.

MR. CHRISTENSEN described a project where the landscaping plan with shade trees was turned down because the trees were 12 feet apart instead of 10 feet apart. Trees take more water than grass. There is a conflict between requiring landscaping and also requiring water conservation. When he attempted to discuss his past situation with his Council representative, he spent two hours on voice mail. This inability to speak with the person whose name was on the ballot just added to his overall frustration. There are so many provisions in this proposed law that every person could be cited if enough enforcement personnel were hired to do nothing but enforce this.

RECOMMENDING COMMITTEE MEETING OF JULY 14, 2003

City Attorney

Item 1 – Bill No. 2003-65

**MINUTES – Continued:**

MR. PINJUV responded that this is the first attempt Valley-wide for all the entities, but the Committee agreed unanimously that changes may have to take place once the situation can be monitored. COUNCILMAN WEEKLY pointed out that the Committee person appearing on Las Vegas One did mention that there would have to be future modifications. It must be user-friendly, but the City must have drought measures in place. Manpower for enforcement will be critical. MR. CHRISTENSEN noted that \$300 to \$400 to put a sidewalk on land that has been grassed for 40 years is not worth it. COUNCILMAN WEEKLY stated that MR. CHRISTENSEN will be someone whose suggestions and opinions will be sought as the entities continue to work on water conservation.

MR. CHRISTENSEN added a point that during his service on the City Council the position of the City Attorney was that speed humps were not permitted because it was a public street and they could damage vehicles. He protested with the number of them within his neighborhood.

CHIEF DEPUTY CITY ATTORNEY VAL STEED outlined language modifications to Section 4(B) for line 14 to read “ordinances, regulations or the services rules,” and to replace the Director of Planning as the administrator of the ordinance and granting various exemptions with the City Manager throughout the proposed bill. He recommended approval of the First Amendment of this bill.

COUNCILMAN WEEKLY confirmed with CITY CLERK RONEMUS that this will be eligible for discussion and adoption 7/16/2003 and, if not acted upon, it will die. DEPUTY CITY MANAGER BETSY FRETWELL commented that the bill was fast-tracked.

There was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:05 – 4:06)

1 **BILL NO. 2003-65**

2 **ORDINANCE NO. \_\_\_\_\_**

3 AN ORDINANCE TO ESTABLISH DROUGHT CONSERVATION MEASURES IN  
4 ACCORDANCE WITH THE SOUTHERN NEVADA WATER AUTHORITY'S DROUGHT PLAN,  
AND TO PROVIDE FOR OTHER RELATED MATTERS.

5 Sponsored by: Mayor Oscar B. Goodman

Summary: Establishes drought conservation  
measures in accordance with the Southern  
Nevada Water Authority's Drought Plan.

6  
7 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN  
8 AS FOLLOWS:

9 SECTION 1: Title 14 of the Municipal Code of the City of Las Vegas, Nevada, 1983  
10 Edition, is hereby amended by adding thereto a new chapter, designated as Chapter 14.11, consisting  
11 of the provisions set forth as Sections 2 to 22, inclusive, of this Ordinance.

12 SECTION 2: This Chapter is intended to establish aggressive water conservation  
13 measures and enhance efficient utilization of water resources. Water purveyors normally rely on  
14 conservation as an essential resource to help meet water needs; however, the existence of drought  
15 conditions affecting the Colorado River Basin mandates additional conservation measures. These  
16 measures are intended to implement the Southern Nevada Water Authority's (SNWA) Drought Plan,  
17 which was adopted as part of SNWA's Water Resource Plan.

18 SECTION 3: For purposes of this Chapter, the following terms shall have the  
19 meanings ascribed to them, unless the context requires otherwise:

20 "Community use recreational turf" refers to any private or public park facility that is a  
21 turf-dominated, multi-purpose recreational area of at least two acres and has no dimension less than  
22 one hundred feet.

23 "Director" means the Director of the Planning and Development Department or the Director's  
24 designee.

25 "District" means the Las Vegas Valley Water District.

26 "Drought" means a condition in which the combination of many complex factors acting and  
27 interacting with the environment results in water supplies not being replenished normally. For  
28 purposes of this Chapter, a "drought" occurs when existing water supplies cannot meet established

1 demands for a period of time.

2 “Drought Alert” refers to a second-level drought declaration of the Board of Directors of the  
3 Southern Nevada Water Authority based upon current or projected reductions in the community's  
4 renewable water supply.

5 “Drought Emergency” refers to a third-level drought declaration of the Board of Directors of  
6 the Southern Nevada Water Authority based upon current or projected reductions in the community's  
7 renewable water supply.

8 “Drought Watch” refers to a first-level drought declaration of the Board of Directors of the  
9 Southern Nevada Water Authority based upon current or projected reductions in the community's  
10 renewable water supply.

11 “No Drought” refers to a condition where no drought declaration of the Board of Directors of  
12 the Southern Nevada Water Authority is in effect.

13 “Non-potable water” means water not suitable for drinking.

14 “Potable” water means water suitable for drinking.

15 “Raw water” means non-potable water diverted from a natural source, subjected to minimal  
16 or no treatment, and delivered to a user for subsequent treatment or use.

17 “Reclaimed water” means municipal wastewater that has been treated to meet all applicable  
18 federal, state and local standards for use in approved applications, including without limitation  
19 landscape irrigation, construction and industrial cooling. For purposes of this Chapter, “reclaimed  
20 water” and “recycled water” are equivalent terms.

21 “Service Rules” means the service rules that have been adopted by the District.

22 “Southern Nevada Water Authority” or “SNWA” means the organization by that name that  
23 has been formed by cooperative agreement among local agencies to address Southern Nevada's water  
24 needs on a regional basis.

25 “Spray irrigation” means the application of water by means of sprinklers or other devices that  
26 disperse droplets of water through the air.

27 “Xeriscape” means a type of landscaping that incorporates drought-tolerant and low water-use  
28 plants with an organic or inorganic surface mulch layer as a water-efficient alternative to traditional

1 turfgrass landscaping.

2 SECTION 4: (A) The Drought Plan adopted by the SNWA in February 2003 and  
3 approved by the City Council in March 2003 shall serve as the basis for adopting this Chapter, and  
4 as a guideline in its interpretation. The Drought Plan was adopted in order to preserve, protect and  
5 encourage the conservation of water resources. The Plan describes different stages of water supply  
6 conditions as follows:

- 7 (1) No Drought
- 8 (2) Drought Watch
- 9 (3) Drought Alert
- 10 (4) Drought Emergency

11 (B) The provisions of this Chapter shall apply whenever a Drought Watch, Drought  
12 Alert or Drought Emergency condition has been declared by the Board of Directors of SNWA and  
13 remains in effect. In the event of conflict between the provisions of this Chapter and other applicable  
14 ordinances or regulations, the most stringent provisions will prevail. However, with respect to any  
15 provision of the Service Rules that is less stringent than the provisions of this Chapter, the District  
16 may enforce that provision.

17 (C) In the case of a Drought Emergency, the provisions of this Chapter pertaining  
18 to a Drought Alert shall continue to apply. However, based upon the recommendations of SNWA and  
19 a citizens advisory committee, the City shall have the authority to adopt additional restrictions that  
20 are deemed necessary in order to protect the public health, safety and welfare. Upon the adoption and  
21 publication of those additional restrictions, they shall becoming binding on water users within the  
22 City.

23 SECTION 5: The provisions of this Chapter shall apply to the use of water that is  
24 delivered by a purveyor or provider of water from or through a public water supply system, including  
25 recycled, reclaimed, raw, non-potable and potable water.

26 SECTION 6: Except as otherwise provided in this Chapter, the Director shall be  
27 responsible for the administration and implementation of the provisions of this Chapter. The District  
28 shall be responsible for enforcing its Service Rules.

1           SECTION 7: The standards and requirements set forth in this Chapter may not be  
2 waived or varied by the City. A request for waiver or variance shall be considered a request to amend  
3 the requirements of this Chapter, and shall only be considered in accordance with the procedures  
4 applicable to amendments. However, the Director may allow an exemption from the requirements or  
5 provisions of this Chapter when, in the Director's opinion, the exemption will protect the public  
6 health, safety and welfare, and will be beneficial to the District's water system. Examples of activities  
7 that may be exempted include hydrant flushing, valve testing, and system maintenance.

8           SECTION 8: (A) It is unlawful for any owner, occupant, or manager of real  
9 property served by a water provider to waste water after a notice of water waste has been issued. The  
10 waste of water includes without limitation the following:

11                         (1) Allowing water to flow or spray into a public street, alley, right-of-way,  
12 gutter or drain; and

13                         (2) Failure to repair a water leak

14           (B) It is unlawful for anyone to permit the excess use, loss or escape of water  
15 through a break, leak or malfunction in the water user's plumbing or distribution facilities for any  
16 period of time after the excess use, loss or escape should have been reasonably discovered and  
17 corrected.

18           (C) Where public sewer is available, swimming pool water, when drained, must be  
19 discharged into an approved-type receptor and subsequently into a public sewer in accordance with  
20 applicable laws and regulations.

21           SECTION 9: Any waste of water or other violation of this Chapter, together with  
22 proof that the waste or violation originated or took place at any particular residence or place of  
23 business, shall constitute, in evidence, a prima facie presumption that the owner, current occupant, or  
24 manager of real property of such residence or place of business was responsible for the waste or other  
25 violation.

26           SECTION 10: Between May 1st and September 30th, it is unlawful to use water for  
27 the spray irrigation of turf, gardens, trees, shrubbery, or other vegetation between the hours of 11:00  
28 a.m. and 7:00 p.m.

1 SECTION 11: It is unlawful to use water for the spray irrigation of turf, gardens, trees,  
2 grass, shrubbery, or other vegetation in residential areas, or for the spray irrigation of turf other than  
3 community use recreational turf, at a greater frequency than that described in the Service Rules, or on  
4 a day other than one designated by the District for that user in accordance with the Service Rules. The  
5 days permitted for watering for a particular user will depend on the user's location within certain  
6 regions that are or may be designated by the District. The District is authorized to divide its service  
7 area within the City into various regions for purposes of establishing watering schedules and for water  
8 conservation purposes generally, and to revise the designation and makeup of those regions as deemed  
9 necessary, with due notice to the public.

10 SECTION 12: The following are exempt from the watering restrictions described in  
11 Section 11 above:

12 (A) Hand watering for the purpose of preserving lawn or shrubbery so that  
13 vegetation does not die;

14 (B) Irrigation of new lawns or re-seeding of an existing lawn, for a period of thirty  
15 days from the date of planting or installation;

16 (C) Drip and/or bubbler irrigation systems, provided that they are not run more  
17 frequently than would be permitted for spray irrigation;

18 (D) Irrigation of commercial stock by commercial gardens or plant nurseries that  
19 are licensed by the City, provided that the licensee or a representative is personally on the premises  
20 at the time the irrigation is taking place;

21 (E) Testing of landscape irrigation systems, provided that the person performing  
22 the test is present to observe system performance;

23 (F) Municipal operations or procedures that are necessary to protect the health,  
24 safety and well-being of the public; and

25 (G) Such other activities as may be exempted under the Service Rules.

26 SECTION 13: The watering of community use recreational turf and turf at other  
27 government facilities shall be in accordance with the Service Rules and any watering schedules  
28 adopted or approved thereunder.

1           SECTION 14: Landscape materials shall be limited as described in Sections 15 and 16  
2 of this Ordinance. Landscape materials that were approved in connection with the approval of a land  
3 use application or permit for construction that was granted before August 1, 2003, are not subject to  
4 the limitations contained in those Sections.

5           SECTION 15: During Drought Watch conditions:

6           (A)   Single-family and multifamily developments are prohibited from installing new  
7 turf in common areas of residential neighborhoods. This restriction shall not apply to turf area to be  
8 installed in public parks or privately owned and maintained parks, including required usable open  
9 space in residential developments, provided that such turf area has no dimension of less than ten feet.

10          (B)   The installation of new turf in non-residential developments is prohibited,  
11 unless specifically permitted by the approval of a land use application or permit for construction. Any  
12 new turf permitted shall be limited to no more than fifty percent of the turf that would be permitted  
13 under non-drought conditions. This restriction shall not apply to schools or to public or private parks.

14          SECTION 16: During Drought Alert conditions:

15          (A)   No new turf may be installed in residential front yards. In single-family  
16 residential development, the installation of new turf shall not exceed fifty percent of the gross area of  
17 the side and rear yard or one hundred square feet, whichever is greater (up to a maximum of five  
18 thousand square feet). No turf area may be installed in the side or rear yard if any dimension thereof  
19 is less than ten feet.

20          (B)   During the months of May through August, the planting of cool-season grasses  
21 (i.e. tall fescue or rye grass) is prohibited. The planting of warm-season grasses (i.e. bermuda and  
22 zoysia) is permitted.

23          (C)   The restrictions applicable to nonresidential development during Drought  
24 Watch conditions shall apply during Drought Alert conditions as well.

25          SECTION 17: (A)   During Drought Watch conditions, outdoor mist cooling systems  
26 are not restricted within residential development. In commercial operations, outdoor mist cooling  
27 systems relating to animal safety are permitted, but those relating to human comfort are permitted only  
28 during the months of June, July and August, and only between the hours of 12:00 noon and 10 p.m.

1 (B) During Drought Alert conditions, all outdoor mist cooling systems relating to  
2 human comfort are prohibited.

3 SECTION 18: The washing of paved surfaces, buildings, or equipment (other than  
4 vehicles) is prohibited unless the water is discharged to a sanitary sewer in accordance with applicable  
5 laws and regulations or is contained on site.

6 SECTION 19: (A) Under Drought Watch conditions, the washing of personal  
7 vehicles upon residential properties is limited to once per week per vehicle and requires a positive  
8 shut-off nozzle. Commercial vehicles may be washed without limitation as to frequency, but only:

9 (1) At a commercial facility in accordance with applicable laws and  
10 regulations, or;

11 (2) By means of a high-pressure, low volume sprayer using less than ten  
12 gallons per vehicle.

13 (B) Under Drought Alert conditions, no vehicles of any kind may be washed except:

14 (1) At a commercial facility in accordance with applicable laws and  
15 regulations, or;

16 (2) By means of a high-pressure, low volume sprayer using less than ten  
17 gallons per vehicle.

18 SECTION 20: (A) Fountains and water features that utilize potable or non-potable  
19 water provided by the District, or water that has been reprocessed by the customer, are prohibited.

20 The following features, however, may be exempted in accordance with this Section:

21 (1) Swimming pools;

22 (2) Fountains and water features with a surface area of less than two  
23 hundred square feet and located at a single-family residence;

24 (3) Fountains or water features that are necessary and functional  
25 components serving other allowable uses, such as storage ponds on a golf course or aeration devices;

26 (4) Indoor water features, or features with the majority of the total water  
27 volume contained indoors or underground. If practical alternatives exist for separating indoor and  
28 outdoor components, they shall be separated and managed accordingly. (Example: timers on shut-off

1 valves);

2 (5) Commercial fountains or water features determined by the City to be  
3 vital to a core economic function, including but without limitation:

4 (a) Recreational water parks, both public and private; and

5 (b) Water features integral or vital to an entertainment venue, such  
6 that substantial economic harm could be associated with discontinuation of use.

7 (6) Fountains or water features necessary to sustain aquatic animals,  
8 provided that the animals have been actively managed within the water feature prior to the declaration  
9 of drought.

10 (B) A request for exemption under this Section must be submitted in writing to the  
11 Director, to be forwarded to the City Council for consideration.

12 SECTION 21: No person or association may impose or enforce any private covenant,  
13 condition, restriction, deed clause or other agreement to prevent a person from utilizing water efficient  
14 landscaping, including without limitation xeriscape, provided such landscaping receives appropriate  
15 architectural review approval. In any event, landscaping materials and designs may not be prohibited  
16 solely on the basis that they make use of water-efficient landscaping.

17 SECTION 22: Violations of the provisions of this Chapter may be prosecuted as  
18 misdemeanors or may be addressed by applicable civil administrative procedures established by the  
19 District in its Service Rules.

20 SECTION 23: Title 19, Chapter 00, Section 60, of the Municipal Code of the City of  
21 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

22 (K) Regulatory Conflicts. Except as otherwise specifically provided, it is not the intent of this  
23 Title to repeal, abrogate, annul, or in any way to impair or interfere with any other existing provisions  
24 or law or ordinance, or any other rules, regulations or permits previously adopted or issued, or which  
25 will be adopted or issued pursuant to law relating to the use of land, buildings or premises, the  
26 erection, construction or alteration of an establishment, moving or enlargement of any buildings, or  
27 improvements. Without limiting the application of the preceding sentence, the provisions of LVMC  
28 Chapter 14.11 shall prevail over any provision of this Title to the extent of any conflict or

1 inconsistency.

2 SECTION 24: For purposes of Section 2.100(3) of the City Charter, LVMC 19.00.060  
3 is deemed to be a subchapter rather than a section.

4 SECTION 25: If any section, subsection, subdivision, paragraph, sentence, clause or  
5 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or  
6 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or  
7 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the  
8 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,  
9 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,  
10 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,  
11 invalid or ineffective.

12 SECTION 26: Whenever in this ordinance any act is prohibited or is made or declared  
13 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is  
14 required or the failure to do any act is made or declared to be unlawful or an offense or a  
15 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall  
16 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than  
17 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such  
18 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

19 SECTION 27: All ordinances or parts of ordinances or sections, subsections, phrases,

20 ...  
21 ...  
22 ...  
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26 ...  
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 \_\_\_\_ day of \_\_\_\_\_, 2003.

4 APPROVED:

5  
6 By \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

7 ATTEST:

8  
9 \_\_\_\_\_  
BARBARA JO RONEMUS, City Clerk

10 APPROVED AS TO FORM:

11 \_\_\_\_\_  
12 *Val Steel* 6-18-03  
Date

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1 The above and foregoing ordinance was first proposed and read by title to the City Council on the  
2 \_\_\_\_\_ day of \_\_\_\_\_, 2003, and referred to the following committee composed of  
3 \_\_\_\_\_ and \_\_\_\_\_ for recommendation;  
4 thereafter the said committee reported favorably on said ordinance on the \_\_\_\_\_ day of  
5 \_\_\_\_\_, 2003, which was a \_\_\_\_\_ meeting of said Council; that at said  
6 \_\_\_\_\_ meeting, the proposed ordinance was read by title to the City Council  
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": \_\_\_\_\_

9 VOTING "NAY": \_\_\_\_\_

10 ABSENT: \_\_\_\_\_

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APPROVED:

By \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

ATTEST:

BARBARA JO RONEMUS, City Clerk

**AGENDA SUMMARY PAGE**  
**RECOMMENDING COMMITTEE MEETING OF: JULY 14, 2003**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

**CONSENT**

**DISCUSSION**

**SUBJECT:**

**NEW BILL:**

**Bill No. 2003-60** – Annexation No. ANX-2256 – Property location: On the northwest corner of Monte Cristo Way and Centennial Parkway; Petitioned by: Shiron Corporation; Acreage: 1.32 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Michael Mack

**Fiscal Impact**

**No Impact**

**Amount:**

**Budget Funds Available**

**Dept./Division:**

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

The proposed ordinance annexes certain real property generally located on the northwest corner of Monte Cristo Way and Centennial Parkway. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (August 15, 2003) is set by this ordinance.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. 2003-60 and Location Map

**COMMITTEE RECOMMENDATION:**

**COUNCILWOMAN MONCRIEF recommended Bill 2003-60 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILMAN WEEKLY concurred.**

**MINUTES:**

COUNCILMAN WEEKLY declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY STEED advised that the bill is in order.

No one appeared in opposition and there was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:21)

1-598

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**BILL NO. 2003-60**

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO PARTICULARLY DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS INHABITANTS SUBJECT TO THE LAWS, OBLIGATIONS AND BENEFITS OF THE CITY, AND TO PROVIDE FOR OTHER RELATED MATTERS. (ANX-2256)

Sponsored by: Councilman Michael Mack                      Summary: Annexes property described generally as located on the northwest corner of Monte Cristo Way and Centennial Parkway.

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

SECTION 1: The corporate limits of the City of Las Vegas, Nevada, are hereby extended to annex, include, and make a part of the City of Las Vegas, Nevada, the following described real property:

That portion of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of Section 22, Township 19 South, Range 60 East, M.D.M., in the County of Clark, State of Nevada, being Parcel 4 and the adjoining half-street Rights-of-Way of MONTE CRISTO WAY (30.00 feet wide as measured from the centerline thereof) and CENTENNIAL PARKWAY (50.00 feet wide as measured from the centerline thereof) and the adjoining 25.00-foot radius, corner spandrel parcel, all as shown on the amended parcel map in File 9 of Parcel Maps, Page 91 of Clark County, Nevada Records, bounded as follows:

Bounded on the north by the north line of said Parcel 4 and the easterly prolongation of said north line; bounded on the west by the west line of said Parcel 4 and the southerly prolongation of said west line; bounded on the south by the south line of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of said Section 22; and bounded on the east by the east line of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of said Section 22.

1 The Basis of Bearings and calculations of the above legal description is South  
2 84°06'56" East, being the south line of the Southeast Quarter (SE 1/4) of the Southwest  
3 Quarter (SW 1/4) of Section 22, Township 19 South, Range 60 East, M.D.M., as  
4 shown on that RECORD OF SURVEY, as filed May 16, 1997 in File 89 of Surveys,  
Page 3 of Clark County, Nevada Records. All other record sources cited hereinabove  
have been rotated and adjusted to said File 89 of Surveys, Page 3, basis.

5 SECTION 2: The City Council hereby determines that the described territory meets  
6 the requirements provided by law for annexation to the City for the following reasons:

- 7 A. The area to be annexed was contiguous to the City's boundaries at the time the  
8 annexation proceedings were instituted;
- 9 B. More than one-eighth (1/8) of the aggregate external boundaries of the area are  
10 contiguous to the City;
- 11 C. The territory proposed to be annexed is not included within the boundaries of  
12 another incorporated city or within the boundaries of any unincorporated town  
13 as those boundaries existed as of July 1, 1983;
- 14 D. The City is eligible to annex the described territory since the landowners have  
15 signed a petition constituting one hundred percent (100%) of the owners of  
16 record of individual lots or parcels of land within the annexation area.

17 SECTION 3: The City will provide police protection through the Las Vegas  
18 Metropolitan Police Department, fire protection, street maintenance, and library services immediately  
19 upon annexation. Garbage collection by the company franchised by the City will also be provided  
20 immediately. The City sanitary sewer system will serve the proposed annexation area. Any  
21 connection to or extension of this sewer line to serve the annexation area shall be at the expense of  
22 the landowners. Other services, such as participation in the City's recreational programs, special  
23 education classes and programs, public works planning, building inspections, and other City services  
24 will also be available immediately. Utilities such as gas, electricity, telephone, and water are provided  
25 by private utility companies and other services to the area will not be affected by annexation. Street  
26 paving, curbs and gutters, sidewalks and street lights which are not in place at the time of annexation  
27 will be installed in the presently developed areas upon the request of the property owners and at their  
28 expense by means of special assessment districts. Such improvements will be extended into the

1 undeveloped areas as development takes place and the need therefor arises, and will be located  
2 according to the needs of the area at that time. Such installations will also be made at the expense of  
3 the property owners, either by means of special assessment districts or as prerequisites to the approval  
4 of subdivision plats, building permits or other land use or development applications.

5 SECTION 4: The annexation of the described territory shall become effective on the  
6 15th day of August, 2003, and on that date the City will have the funds appropriated in sufficient  
7 amount to finance the extension into the described territory of police protection, fire protection, street  
8 maintenance, street sweeping, and street lighting maintenance.

9 SECTION 5: The described territory, together with the inhabitants and property  
10 thereof, shall, from and after the 15th day of August, 2003, be subject to all debts, laws, ordinances  
11 and regulations in force in the City and shall be entitled to the same privileges and benefits as other  
12 parts of the City, and shall be subject to municipal taxes levied by the City.

13 SECTION 6: The City Engineer is hereby instructed to cause to be prepared an  
14 accurate map or plat of the described territory and to record the map or plat, together with a certified  
15 copy of this ordinance, in the office of the County Recorder of Clark County, Nevada, which  
16 recording shall be done prior to the 15th day of August, 2003.

17 SECTION 7: The described territory, which previously has been zoned R-E (County  
18 of Clark classification), is hereby classified as R-E (City of Las Vegas classification), which is deemed  
19 to be the City equivalent of the County classification.

20 SECTION 8: If any section, subsection, subdivision, paragraph, sentence, clause of  
21 phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional, or invalid  
22 or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or  
23 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the  
24 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,  
25 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,  
26 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,  
27 invalid or ineffective.

28 SECTION 9: All ordinances or parts of ordinances, sections, subsections, phrases,

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 \_\_\_\_\_ day of \_\_\_\_\_, 2003.

4 APPROVED:

5

6 By \_\_\_\_\_  
7 OSCAR B. GOODMAN, Mayor

8 ATTEST:

9 BARBARA JO RONEMUS, City Clerk

10 APPROVED AS TO FORM:

11 \_\_\_\_\_  
12 Date

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1 The above and foregoing ordinance was first proposed and read by title to the Council on the \_\_\_\_\_  
2 day of \_\_\_\_\_, 2003, and referred to the following committee composed of  
3 \_\_\_\_\_ and \_\_\_\_\_ for recommendation; thereafter the said  
4 committee reported favorably on said ordinance on the \_\_\_\_\_ day of \_\_\_\_\_, 2003,  
5 which was a \_\_\_\_\_ meeting of said Council; that at said \_\_\_\_\_ meeting,  
6 the proposed ordinance was read by title to the City Council as first introduced and adopted by the  
7 following vote:

8 VOTING "AYE": \_\_\_\_\_

9 VOTING "NAY": \_\_\_\_\_

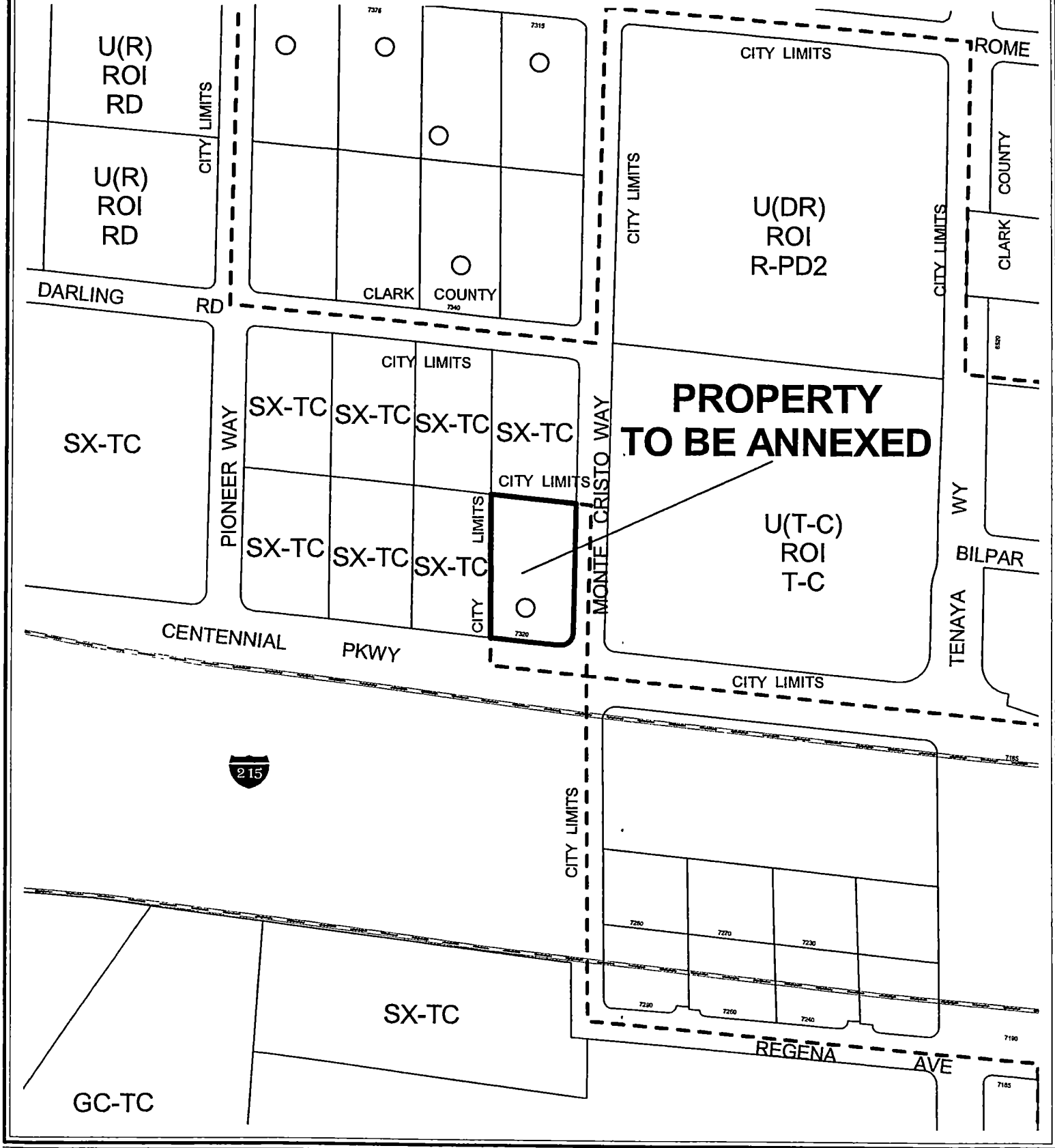
10 ABSENT: \_\_\_\_\_

11 APPROVED:

12  
13 By \_\_\_\_\_  
14 OSCAR B. GOODMAN, Mayor

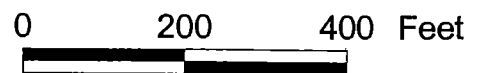
15 ATTEST:

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17 BARBARA JO RONEMUS, City Clerk  
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CASE: **ANX-2256**

RADIUS: SPECIAL



**AGENDA SUMMARY PAGE**  
**RECOMMENDING COMMITTEE MEETING OF: JULY 14, 2003**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

**CONSENT**

**DISCUSSION**

**SUBJECT:**

**NEW BILL:**

**Bill No. 2003-61 – Annexation No. ANX-2355 – Property location:** On the north side of Regena Avenue, 330 feet east of El Capitan Way; **Petitioned by:** City of Las Vegas; **Acreage:** 0.62 acres; **Zoned:** R-E (County zoning), R-E (City equivalent). **Sponsored by:** Councilman Michael Mack

**Fiscal Impact**

**No Impact**

**Amount:**

**Budget Funds Available**

**Dept./Division:**

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

The proposed ordinance annexes certain real property generally located on the north side of Regena Avenue, 330 feet east of El Capitan Way. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (August 15, 2003) is set by this ordinance.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. 2003-61 and Location Map

**COMMITTEE RECOMMENDATION:**

**COUNCILWOMAN MONCRIEF recommended Bill 2003-61 be forwarded to the Full Council with a “Do Pass” recommendation. COUNCILMAN WEEKLY concurred.**

**MINUTES:**

COUNCILMAN WEEKLY declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY STEED indicated that the bill is in order.

No one appeared in opposition and there was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4.21 – 4:22)

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**BILL NO. 2003-61**

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO PARTICULARLY DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS INHABITANTS SUBJECT TO THE LAWS, OBLIGATIONS AND BENEFITS OF THE CITY, AND TO PROVIDE FOR OTHER RELATED MATTERS. (ANX-2355)

Sponsored by: Councilman Michael Mack

Summary: Annexes property described generally as located on the north side of Regena Avenue, 330 feet east of El Capitan Way.

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

SECTION 1: The corporate limits of the City of Las Vegas, Nevada, are hereby extended to annex, include, and make a part of the City of Las Vegas, Nevada, the following described real property:

That portion of the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4) of Section 29, Township 19 South, Range 60 East, M.D.M., in the County of Clark, State of Nevada, being PARCEL THREE (3) and the adjoining half-street, right-of-way of REGENA AVENUE (30-foot wide as measured from centerline thereof), all as shown on the parcel map, as filed September 26, 1991 in File 70 of Parcel Maps, Page 33 of Clark County, Nevada Records, bounded as follows:

Bounded on the south by the south line of the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4) of said Section 29, being the centerline of said REGENA AVENUE as shown on said File 70 of Parcel Maps, Page 33; bounded on the west by the west line of the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4) of said Section 29, being the west line of PARCEL THREE (3) and the southerly prolongation of said west line, as shown on said File 70 of Parcel Maps, Page 33; bounded on the north by the north line of said PARCEL THREE (3); and bounded on the east by the east line

1 of said PARCEL THREE (3) and the southerly prolongation of said east line.

2 SECTION 2: The City Council hereby determines that the described territory meets  
3 the requirements provided by law for annexation to the City for the following reasons:

- 4 A. The area to be annexed was contiguous to the City's boundaries at the time the  
5 annexation proceedings were instituted;
- 6 B. More than one-eighth (1/8) of the aggregate external boundaries of the area are  
7 contiguous to the City;
- 8 C. The territory proposed to be annexed is not included within the boundaries of  
9 another incorporated city or within the boundaries of any unincorporated town  
10 as those boundaries existed as of July 1, 1983;
- 11 D. The City is eligible to annex the described territory since the landowners have  
12 signed a petition constituting one hundred percent (100%) of the owners of  
13 record of individual lots or parcels of land within the annexation area.

14 SECTION 3: The City will provide police protection through the Las Vegas  
15 Metropolitan Police Department, fire protection, street maintenance, and library services immediately  
16 upon annexation. Garbage collection by the company franchised by the City will also be provided  
17 immediately. The City sanitary sewer system will serve the proposed annexation area. Any  
18 connection to or extension of this sewer line to serve the annexation area shall be at the expense of  
19 the landowners. Other services, such as participation in the City's recreational programs, special  
20 education classes and programs, public works planning, building inspections, and other City services  
21 will also be available immediately. Utilities such as gas, electricity, telephone, and water are provided  
22 by private utility companies and other services to the area will not be affected by annexation. Street  
23 paving, curbs and gutters, sidewalks and street lights which are not in place at the time of annexation  
24 will be installed in the presently developed areas upon the request of the property owners and at their  
25 expense by means of special assessment districts. Such improvements will be extended into the  
26 undeveloped areas as development takes place and the need therefor arises, and will be located  
27 according to the needs of the area at that time. Such installations will also be made at the expense of  
28 the property owners, either by means of special assessment districts or as prerequisites to the approval

1 of subdivision plats, building permits or other land use or development applications.

2 SECTION 4: The annexation of the described territory shall become effective on the  
3 15th day of August, 2003, and on that date the City will have the funds appropriated in sufficient  
4 amount to finance the extension into the described territory of police protection, fire protection, street  
5 maintenance, street sweeping, and street lighting maintenance.

6 SECTION 5: The described territory, together with the inhabitants and property  
7 thereof, shall, from and after the 15th day of August, 2003, be subject to all debts, laws, ordinances  
8 and regulations in force in the City and shall be entitled to the same privileges and benefits as other  
9 parts of the City, and shall be subject to municipal taxes levied by the City.

10 SECTION 6: The City Engineer is hereby instructed to cause to be prepared an  
11 accurate map or plat of the described territory and to record the map or plat, together with a certified  
12 copy of this ordinance, in the office of the County Recorder of Clark County, Nevada, which  
13 recording shall be done prior to the 15th day of August, 2003.

14 SECTION 7: The described territory, which previously has been zoned R-E (County  
15 of Clark classification), is hereby classified as R-E (City of Las Vegas classification), which is deemed  
16 to be the City equivalent of the County classification.

17 SECTION 8: If any section, subsection, subdivision, paragraph, sentence, clause of  
18 phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional, or invalid  
19 or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or  
20 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the  
21 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,  
22 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,  
23 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,  
24 invalid or ineffective.

25 SECTION 9: All ordinances or parts of ordinances, sections, subsections, phrases,

26 ...

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 \_\_\_\_ day of \_\_\_\_\_, 2003.

4 APPROVED:

6 By \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

7 ATTEST:

9 \_\_\_\_\_  
BARBARA JO RONEMUS, City Clerk

10 APPROVED AS TO FORM:

11 \_\_\_\_\_  
Date

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1 The above and foregoing ordinance was first proposed and read by title to the Council on the \_\_\_\_\_  
2 day of \_\_\_\_\_, 2003, and referred to the following committee composed of  
3 \_\_\_\_\_ and \_\_\_\_\_ for recommendation; thereafter the said  
4 committee reported favorably on said ordinance on the \_\_\_\_\_ day of \_\_\_\_\_, 2003,  
5 which was a \_\_\_\_\_ meeting of said Council; that at said \_\_\_\_\_ meeting,  
6 the proposed ordinance was read by title to the City Council as first introduced and adopted by the  
7 following vote:

8 VOTING "AYE": \_\_\_\_\_

9 VOTING "NAY": \_\_\_\_\_

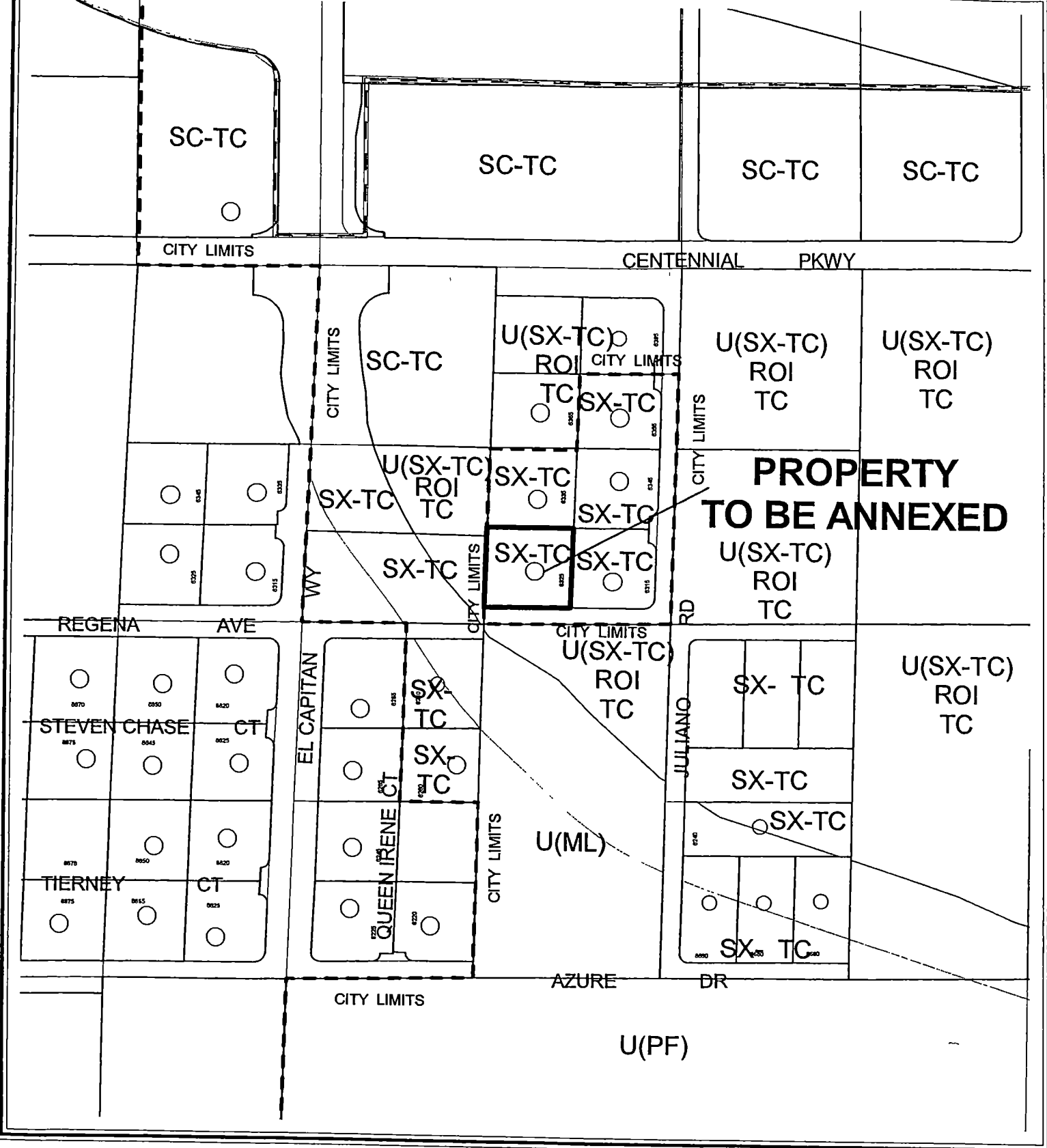
10 ABSENT: \_\_\_\_\_

11 APPROVED:

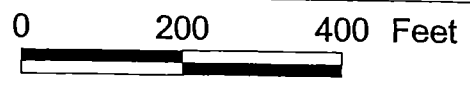
12  
13 By \_\_\_\_\_  
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

16 \_\_\_\_\_  
17 BARBARA JO RONEMUS, City Clerk  
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CASE: ANX-2355  
 RADIUS: SPECIAL



**AGENDA SUMMARY PAGE**

**RECOMMENDING COMMITTEE MEETING OF: JULY 14, 2003**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

**CONSENT**

**DISCUSSION**

**SUBJECT:**

NEW BILL.

**Bill No. 2003-62** – Provides that valet parking is allowed as a conditional use in certain zoning districts. Proposed by: Robert S. Genzer, Director of Planning and Development

**Fiscal Impact**

**No Impact**

**Amount:**

**Budget Funds Available**

**Dept./Division:**

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

This bill will provide that valet parking is allowed as a conditional use in certain zoning districts in connection with the operation of commercial and other establishments. Conditions include site development plan review and an upper limit on the amount of required on-site parking that can be devoted to valet parking (20%)

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. 2003-62

**COMMITTEE RECOMMENDATION:**

**COUNCILWOMAN MONCRIEF recommended Bill 2003-62 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILMAN WEEKLY concurred.**

**MINUTES:**

COUNCILMAN WEEKLY declared the Public Hearing open.

ROBERT GENZER, Director of Planning and Development, explained that this proposal was prompted by complaints regarding the spaces being devoted to valet parking and their location. This attempts to regulate the percentage of spaces that can be devoted to valet parking in relationship to the number of required spaces. Once the parking requirement is met, staff is unconcerned with valet parking. But a parking plan will be required to an administrative review regarding the number

RECOMMENDING COMMITTEE MEETING OF JULY 14, 2003

City Attorney

Item 4 – Bill No. 2003-62

**MINUTES – Continued:**

and location of such valet spaces. Staff will probably not accept locating them directly in front of the business. The purpose is to provide the public with the better point of access to the main entrance of any facility. This will only affect new applications, mostly likely hospitals or restaurants who wish to place their valet parking directly in front of their main entrances. There has not been any opposition to date.

COUNCILWOMAN MONCRIEF discussed with MR. GENZER that Mountainview Hospital is the one whose action prompted this proposal.

No one appeared in opposition and there was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:22 – 4:25)

1-632

1 **BILL NO. 2003-62**

2 **ORDINANCE NO. \_\_\_\_\_**

3 **AN ORDINANCE TO PROVIDE THAT VALET PARKING IS ALLOWED AS A CONDITIONAL**  
4 **USE IN CERTAIN ZONING DISTRICTS.**

5 Proposed by: Robert S. Genzer, Director of  
6 Planning and Development

Summary: Provides that valet parking is  
allowed as a conditional use in certain zoning  
districts.

7 **THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN**  
8 **AS FOLLOWS:**

9 **SECTION 1:** Table 2 of the Land Use Tables adopted in Section 19.04.010 of the  
10 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding to the  
11 "Auto & Marine-Related" element a row pertaining to the use "Valet Parking" to allow the use in the  
12 N-S, O, C-D, C-1, C-2, C-M and M Zoning Districts as a conditional use. In order to reflect the  
13 amendment, the letter "C" shall appear in the boxes that represent the intersection of the columns for  
14 the N-S, O, C-D, C-1, C-2, C-M and M Zoning Districts with the new row for the use "Valet Parking."

15 **SECTION 2:** Section 19.04.040 of the Municipal Code of the City of Las Vegas,  
16 Nevada, 1983 Edition, is hereby amended by adding to Subsection (C) thereof, at the appropriate  
17 location, a new paragraph entitled "VALET PARKING," reading as follows:

18 **VALET PARKING [N-S, O, C-D, C-1, C-1, C-2, C-M, M]**

19 1. A maximum of 20% of the number of the parking spaces required by Section 19.10.010 may  
20 be used for valet parking.

21 2. The applicant must submit to the Department, for administrative review and approval, a site  
22 development plan showing where valet spaces will be located and demonstrating that the area and  
23 methodology for valet parking will be physically designed to prevent queuing in the right-of-way.

24 3. The applicant must provide written assurance that the valet parking will be operated to  
25 conform with the hours of operation that are proposed and approved for the use.

26 **SECTION 3:** Section 19.10.010(J)(1), of the Municipal Code of the City of Las  
27 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

28 (1) Access. Off-street parking areas shall be provided in the following manner:

1 (a) All parking areas shall provide suitable maneuvering room so that all vehicles may  
2 enter an abutting street in a forward direction. The backing of a motor vehicle onto a public street  
3 from a parking area shall be prohibited, except for the following:

4 (i) Residential parking facilities not exceeding two spaces per property.

5 (ii) Existing commercial and industrial facilities parking areas not exceeding two  
6 spaces per property.

7 (iii) Existing public and quasi-public use facilities not exceeding two spaces per  
8 property.

9 (b) Parking spaces for any use shall be placed in a location to facilitate use of the parking  
10 facility.

11 (c) No parking space shall be located so as to require the moving of any vehicle on the  
12 premises in order to enter or leave another parking space, except where permitted under the provisions  
13 [allowing Tandem and Valet Parking, Subsection (8).] of Paragraph (8) that allow tandem parking.

14 SECTION 4: Section 19.10.010(J)(8), of the Municipal Code of the City of Las  
15 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

16 (8) Tandem [and Valet] Parking. The Director is authorized to approve an off-street parking  
17 program utilizing limited tandem parking for commercial and industrial uses provided that the  
18 development requires one hundred fifty or more parking spaces. No more than thirty percent of the  
19 total number of spaces shall be designated as tandem. In addition, a [valet] parking attendant must  
20 be on duty during business hours.

21 SECTION 5: Section 19.20.020 of the Municipal Code of the City of Las Vegas,  
22 Nevada, 1983 Edition, is hereby amended by adding thereto, at the appropriate location, the following  
23 term and its corresponding definition:

24 “Valet parking” means a service provided in conjunction with a business or other establishment by  
25 which employees (or others acting on behalf of the establishment) park the vehicles of patrons or  
26 visitors in an area set aside for that purpose.

27 SECTION 6: In Section 2 of this Ordinance, the brackets that follow the title of the  
28 subdivision being added are not intended to indicate deleted matter, but instead are used as the means

1 of indicating the applicable districts.

2 SECTION 7: For purposes of Section 2.100(3) of the City Charter, LVMC 19.04.010,  
3 19.04.040, 19.10.010 and 19.20.020 are deemed to be subchapters rather than sections.

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

12 SECTION 9: All ordinances or parts of ordinances or sections, subsections, phrases,  
13 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,  
14 1983 Edition, in conflict herewith are hereby repealed.

15 PASSED, ADOPTED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

16 APPROVED:

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18 By \_\_\_\_\_  
19 OSCAR B. GOODMAN, Mayor

20 ATTEST:

21 \_\_\_\_\_  
22 BARBARA JO RONEMUS, City Clerk

23 APPROVED AS TO FORM:

24 Val Keed                      6-18-03  
25 \_\_\_\_\_                      Date

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1 The above and foregoing ordinance was first proposed and read by title to the City Council on the  
2 \_\_\_\_\_ day of \_\_\_\_\_, 2003, and referred to the following committee composed of  
3 \_\_\_\_\_ and \_\_\_\_\_ for recommendation;  
4 thereafter the said committee reported favorably on said ordinance on the \_\_\_\_\_ day of  
5 \_\_\_\_\_, 2003, which was a \_\_\_\_\_ meeting of said Council; that at said  
6 \_\_\_\_\_ meeting, the proposed ordinance was read by title to the City Council  
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": \_\_\_\_\_  
9 VOTING "NAY": \_\_\_\_\_  
10 ABSENT: \_\_\_\_\_

12 APPROVED:

14 By \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

15 ATTEST:  
16  
17 BARBARA JO RONEMUS, City Clerk

**AGENDA SUMMARY PAGE**

**RECOMMENDING COMMITTEE MEETING OF: JULY 14, 2003**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

**CONSENT**

**DISCUSSION**

**SUBJECT:**

**NEW BILL:**

**Bill No. 2003-63** – Updates the Town Center Development Standards Manual regarding permissible commercial uses, tree sizes, and parking lot walkways. Proposed by: Robert S. Genzer, Director of Planning and Development

**Fiscal Impact**

**No Impact**

**Amount:**

**Budget Funds Available**

**Dept./Division:**

**Augmentation Required**

**Funding Source:**

**PURPOSE/BACKGROUND:**

This bill will update the Town Center Development Standards Manual in an number of respects. The bill will allow hotels, motels and similar uses by means of special use permit in the Service Commercial District, and will adjust the standards regarding tree sizes and parking lot walkways.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. 2003-63

**COMMITTEE RECOMMENDATION:**

**COUNCILWOMAN MONCRIEF recommended Bill 2003-63 be forwarded to the Full Council with a “Do Pass” recommendation. COUNCILMAN WEEKLY concurred.**

**MINUTES:**

COUNCILMAN WEEKLY declared the Public Hearing open.

KYLE WALTON, Planning and Development Department, commented that this bill was proposed in response to requests by developers in the Town Center area for clarification. This housekeeping measure refines the standards for clarity and better enforcement.

No one appeared in opposition and there was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:25 – 4:27)

1 **BILL NO. 2003-63**

2 **ORDINANCE NO. \_\_\_\_\_**

3 AN ORDINANCE TO UPDATE THE TOWN CENTER DEVELOPMENT STANDARDS  
4 MANUAL REGARDING PERMISSIBLE COMMERCIAL USES, TREE SIZES, AND PARKING  
LOT WALKWAYS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

5 Proposed by: Robert S. Genzer, Director of  
6 Planning and Development

7 Summary: Updates the Town Center  
8 Development Standards Manual regarding  
9 permissible commercial uses, tree sizes, and  
10 parking lot walkways.

11 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN  
12 AS FOLLOWS:

13 SECTION 1: The Town Center Development Standards Manual, adopted under Title  
14 19, Chapter 6, Section 110, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition,  
15 is hereby amended as set forth in Sections 2 to 9, inclusive, of this Ordinance.

16 SECTION 2: Section A.3.B of the Manual is amended by amending the first  
17 paragraph thereof to read as follows:

18 The Service Commercial District allows low to medium intensity retail, office or other commercial  
19 uses that are intended to serve primarily the Centennial Hills area and do not include more intense  
20 general commercial characteristics. Examples include neighborhood shopping centers, theaters,  
21 bowling alleys, and other places of public assembly and public/quasi-public uses. Hotels, motels and  
22 resort uses of a lower intensity may be allowed under certain conditions.

23 SECTION 3: Section B.2 of the Manual is amended by amending the Permitted Uses  
24 Matrix Legend to indicate that the use "Hotel, Motel, Inns, Resorts" is allowed by means of special  
25 use permit in the Service Commercial (SC-TC) District. In order to reflect the amendment, the letter  
26 "S" shall be inserted in the box that represents the intersection of the column for the Service  
27 Commercial (SC-TC) District with the row for the use "Hotel, Motel, Inns, Resorts".

28 SECTION 4: Section B.2 of the Manual is amended by amending the Permitted Uses  
Matrix Legend to change the name of the use "Scientific Research Facilities" to "Scientific and  
Medical Research Labs"; to indicate that the use is no longer permitted in the Urban Center Mixed  
Use (UC-TC), Suburban Mixed Use (SX-TC), and Main Street Mixed Use (MS-TC) Districts; and

1 to indicate that the use is allowed in the General Commercial (GC-TC) District by means of special  
2 use permit. In order to reflect the amendment:

3 (A) The letter "S" shall be removed from the boxes that represent the intersection  
4 of the columns for the Urban Center Mixed Use (UC-TC), Suburban Mixed Use (SX-TC), and Main  
5 Street Mixed Use (MS-TC) Districts with the row for the use now known as "Scientific and Medical  
6 Research Labs"; and

7 (B) The letter "S" shall be inserted in the box that represents the intersection of the  
8 column for the General Commercial (GC-TC) District with the row for the use now known as  
9 "Scientific and Medical Research Labs."

10 SECTION 5: Section B.3.B of the Manual is amended by deleting therefrom  
11 Subdivision 24 (relating to Scientific Research Facilities).

12 SECTION 6: Section B.4.B of the Manual is amended by amending Subdivision 25  
13 thereof to read as follows:

14 25) HOTEL, MOTEL, INNS, [AND] RESORTS

- 15 a. May not locate within 330 feet of any single family detached dwelling.
- 16 b. Must be within 1000 feet of a freeway interchange in Town Center.
- 17 c. The hotel, motel, inn or resort structure must have a minimum height of three stories.

18 A level of parking within a parking garage may be counted as a "story" for purposes of the minimum  
19 height requirement if the parking garage covers the same building footprint as the hotel, motel, inn  
20 or resort structure.

21 SECTION 7: Section B.4.B of the Manual is amended by amending the heading of  
22 Subdivision 41 thereof to read as follows, with the remainder of the Subdivision remaining  
23 unchanged:

24 41) SCIENTIFIC AND MEDICAL RESEARCH [FACILITIES] LABS

25 SECTION 8: Section D.2.B.2 of the Manual is amended to read as follows:

26 2. Four types of trees [that] shall be used in combination throughout Town Center:

- 27 i) Palm Tree:

28 Washingtonia Robusta Hybrid (Mexican Fan Palm), at least 25 feet in height at the

1 time of installation.

2 ii) Shade Tree:

3 Fraxinus Velutina Rio Grande (Rio Grande Ash), at least [18 feet in height at the time  
4 of installation.] 36 inch box or greater in size, with a minimum 3 inch caliper diameter  
5 at 6 inches above grade at the time of installation.

6 iii) Accent Tree:

7 Chitalpa Tashkentensis (Chitalpa), at least [18 feet in height at the time of installation.]  
8 36 inch box or greater in size, with a minimum 3 inch caliper diameter at 6 inches  
9 above grade at the time of installation.

10 iv) Flowering Tree:

11 Robinia Ambigua "Purple Robe" (Purple Robe Locust), at least [18 feet in height at  
12 the time of installation.] 36 inch box or greater in size, with a minimum 3 inch caliper  
13 diameter at 6 inches above grade at the time of installation.

14 SECTION 9: Section D.2.G.13 of the Manual is amended to read as follows:

15 13. Well-landscaped, small area parking lots of 120 or fewer vehicles are encouraged. [Walkways  
16 or landscape areas not less than 20 feet wide must delineate parking lot subareas.] All parking lots  
17 shall be separated by walkways not less than 15 feet in width. The walkways shall consist of a 5-foot  
18 paved sidewalk with a 5-foot planter on each side. Walkways shall provide pedestrian access, across  
19 parking lots, from the street to the uses along the rear of developments. (See accompanying graphic  
20 entitled "Parking Lot.) Parking areas shall be accessible from walkways by periodic openings in the  
21 landscaping. Parking shall not directly abut any building. Sidewalks shall meet the requirements as  
22 found in Section D.2.C above. When the total number of parking spaces proposed for a development  
23 exceeds 1000, the applicant should [give consideration to the construction of] consider a parking  
24 structure as a means of reducing the amount of ground level parking area.

25 SECTION 10: The Planning and Development Department is authorized and directed  
26 to incorporate the amendments made by this Ordinance into the Manual. This may include the  
27 renumbering or relettering of subdivisions or the use of the phrase "deleted by amendment," and  
28 includes the making of appropriate adjustments to the Table of Contents to reflect the amendments.

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

SECTION 12: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2003.

APPROVED:

By \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

ATTEST:

\_\_\_\_\_  
BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
*Val Steed*      6-18-03  
Date

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10 ABSENT: \_\_\_\_\_

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APPROVED:

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By \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

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ATTEST:

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BARBARA JO RONEMUS, City Clerk

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# City of Las Vegas

## **RECOMMENDING COMMITTEE AGENDA RECOMMENDING COMMITTEE MEETING OF: JULY 14, 2003**

CITIZENS PARTICIPATION: ITEMS RAISED UNDER THIS PORTION OF THE AGENDA CANNOT BE DELIBERATED OR ACTED UPON UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN MET. IF YOU WISH TO SPEAK ON A MATTER NOT LISTED ON THE AGENDA, PLEASE CLEARLY STATE YOUR NAME AND ADDRESS. IN CONSIDERATION OF OTHERS, AVOID REPETITION, AND LIMIT YOUR COMMENTS TO NO MORE THAN THREE (3) MINUTES. TO ENSURE ALL PERSONS EQUAL OPPORTUNITY TO SPEAK, EACH SUBJECT MATTER WILL BE LIMITED TO TEN (10) MINUTES.

### **MINUTES:**

None

(4:27)

1-778

**THE MEETING ADJOURNED AT 4:27 P.M.**

Respectfully submitted:



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ANGELA CROLLI, DEPUTY CITY CLERK  
July 18, 2003