

S.V.

City of Las Vegas

**RECOMMENDING COMMITTEE MEETING
CITY HALL, 400 STEWART AVENUE
CITY MANAGER'S CONFERENCE ROOM, EIGHTH FLOOR
CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.lasvegasnevada.gov>
MONDAY, MARCH 15, 2004
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 3/17/2004 CITY COUNCIL MEETING.

1. ABEYANCE ITEM - Bill No. 2004-9 - Increases the number of zoning districts in which a special use permit may be obtained for the keeping of carrier or racing pigeons. Proposed by. Bradford R. Jerbic, City Attorney

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:

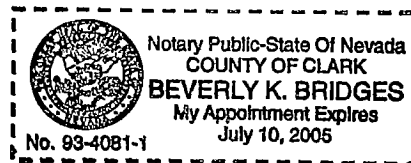
City Hall Plaza, Special Outside Posting Bulletin Board
Court Clerk's Office Bulletin Board, City Hall Plaza
Las Vegas Library, 833 Las Vegas Boulevard North
Clark County Government Center, 500 S. Grand Central Parkway
Grant Sawyer Building, 555 E. Washington Avenue

(Mailing required under the provisions of NRS Chapter 241)

Eva Cotton, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the 9th day of **March, 2004**, a copy of a NOTICE, the attached of which is a true and correct copy of the Public Hearing - re: **Recommending Committee Meeting**, to be held on the 15th day of **March, 2004**, was deposited in the United States Mail, Postage prepaid, First Class Certified Mail, to each person and/or organization whose name appears on the list maintained in the Office of the City Clerk.

City Clerk
DEPARTMENT

Beverly K. Svingen
NOTARY PUBLIC in and for said County and State



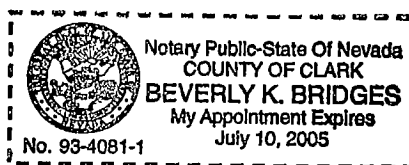
STATE OF NEVADA)
) ss
COUNTY OF CLARK)

1. City Hall Plaza, Special Outside Posting Bulletin Board, 400 Stewart Avenue (in the walkway area between Metro and Municipal Court)
2. Court Clerk's Office Bulletin Board, City Hall Plaza, 400 Stewart Avenue (near the entrance to the Court Clerk's Office);
3. Las Vegas Library, 833 Las Vegas Blvd
4. Clark County Government Center, 500 S. Grand Central Parkway
5. Grant Sawyer Building, 555 S. Grand Central Parkway

Esther Donna Willey
SIGNATURE

Subscribed and sworn to before me this
9th day of March, 2004

Beverly K. Brubaker
NOTARY PUBLIC in and for said County and State



RECOMMENDING COMMITTEE AGENDA
RECOMMENDING COMMITTEE MEETING OF: MARCH 15, 2004

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

MINUTES:

PRESENT: COUNCILMAN WEEKLY and COUNCILWOMAN MONCRIEF

Also Present: DEPUTY CITY MANAGER STEVE HOUCHENS, CHIEF DEPUTY CITY ATTORNEY VAL STEED, and DEPUTY CITY CLERK GABRIELA S. PORTILLO-BRENNER

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

City Hall Plaza, Special Outside Posting Bulletin Board

Court Clerk's Office Bulletin Board, City Hall Plaza

Las Vegas Library, 833 Las Vegas Boulevard North

Clark County Government Center, 500 S. Grand Central Parkway

Grant Sawyer Building, 555 E. Washington Avenue

(4:04)

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AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: MARCH 15, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

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DISCUSSION

SUBJECT:

NEW BILL:

ABEYANCE ITEM - Bill No. 2004-9 – Increases the number of zoning districts in which a special use permit may be obtained for the keeping of carrier or racing pigeons. Proposed by: Bradford R. Jerbic, City Attorney

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Several months ago the City Council adopted Ordinance No. 5609 to allow, by special use permit, the keeping of carrier or racing pigeons in several of the larger-lot residential zoning districts. It is now proposed to authorize the same thing in additional zoning districts, namely, the R-1, R-CL, R-2, C-D, C-1, C-2, C-M and M Zoning Districts. If adopted, this bill will accomplish that change.

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. 2004-9

Submitted at the meeting: Proposed First Amendment

Submitted after the meeting: First Amendment

COMMITTEE RECOMMENDATION:

COUNCILWOMAN MONCRIEF recommended Bill 2004-9 be forwarded as a First Amendment to the Full Council with a "Do Pass" recommendation. **COUNCILMAN WEEKLY** concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

CITY ATTORNEY BRAD JERBIC advised that after the previous Recommending Committee meeting he met with individuals that breed and keep racing pigeons. They were able to reach a compromise. He thanked **MARGO WHEELER**, Deputy Director, Planning and Development, for all her assistance. He then indicated that the first amendment deletes the R-CL and R-2 zoning

RECOMMENDING COMMITTEE MEETING OF MARCH 15, 2004

City Attorney

Item 1 – Bill No. 2004-9

MINUTES – Continued:

districts from the tables. As a result, only R-1 is added as a new residential district where racing pigeons may be bred and kept. Several commercial zoning districts are also being added. All are subject to a special use permit. A proposed first amendment was submitted, but it erroneously did not reflect the changes made and a corrected first amendment would be forthcoming. COUNCILMAN WEEKLY confirmed with CITY ATTORNEY JERBIC that the people that were present at the last meeting have concurred with the amendment.

No one appeared in opposition.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:04 – 4:06)

1-5

BILL NO. 2004-9

ORDINANCE NO. _____

AN ORDINANCE TO INCREASE THE NUMBER OF ZONING DISTRICTS IN WHICH A SPECIAL USE PERMIT MAY BE OBTAINED FOR THE KEEPING OF CARRIER OR RACING PIGEONS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Bradford R. Jerbic, City Attorney

Summary: Increases the number of zoning districts in which a special use permit may be obtained for the keeping of carrier or racing pigeons.

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

SECTION 1: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, and Ordinance No. 5609, are hereby amended to allow the use "Keeping of Carrier or Racing Pigeons" in the R-1, R-CL, R-2, C-D, C-1, C-2, C-M and M Zoning Districts by means of Special Use Permit. In order to reflect the amendment, the "Rural & Animal-Related" element of Table 2 is amended to read as follows:

U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	RURAL & ANIMAL RELATED
S	S	S	S	<u>S</u>	<u>S</u>	<u>S</u>						Keeping of Carrier or Racing Pigeons
RURAL & ANIMAL RELATED												
P-R					N-S			O	C-D	C-1	C-2	C-PB
C-M					M							
Keeping of Carrier or Racing Pigeons									<u>S</u>	<u>S</u>	<u>S</u>	
												<u>S</u>
												<u>S</u>

SECTION 2: For purposes of Section 2.100(3) of the City Charter, LVMC 19.04.010 is deemed to be a subchapter rather than a section.

SECTION 3: 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,

1 invalid or ineffective.

2 SECTION 4: All ordinances or parts of ordinances or sections, subsections, phrases,
3 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
4 1983 Edition, in conflict herewith are hereby repealed.

5 PASSED, ADOPTED and APPROVED this _____ day of _____, 2003.

6 APPROVED:

7

8 By _____
9 OSCAR B. GOODMAN, Mayor

10 ATTEST:

11 _____
12 BARBARA JO RONEMUS, City Clerk

13 APPROVED AS TO FORM:

14 Val Steed 2-5-04
15 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: _____

11

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APPROVED:

13

14

By _____
OSCAR B. GOODMAN, Mayor

15 ATTEST:

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17 BARBARA JO RONEMUS, City Clerk

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PROPOSED FIRST AMENDMENT

BILL NO. 2004-9

ORDINANCE NO. _____

AN ORDINANCE TO INCREASE THE NUMBER OF ZONING DISTRICTS IN WHICH A SPECIAL USE PERMIT MAY BE OBTAINED FOR THE KEEPING OF CARRIER OR RACING PIGEONS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

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S	S	S	S	<u>S</u>								Keeping of Carrier or Racing Pigeons

RURAL & ANIMAL RELATED	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
Keeping of Carrier or Racing Pigeons				<u>S</u>	<u>S</u>	<u>S</u>		<u>S</u>	<u>S</u>

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5 1983 Edition, in conflict herewith are hereby repealed.

6 PASSED, ADOPTED and APPROVED this _____ day of _____, 2004.

7 APPROVED:

8
9 By _____
10 OSCAR B. GOODMAN, Mayor

11 ATTEST:

12 _____
13 BARBARA JO RONEMUS, City Clerk

14 APPROVED AS TO FORM:

15 _____
16 Date
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2 _____ day of _____, 2004, and referred to the following committee composed of
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7 as amended and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11

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APPROVED:

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By _____
OSCAR B. GOODMAN, Mayor

15 ATTEST:

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17 BARBARA JO RONEMUS, City Clerk

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FIRST AMENDMENT

BILL NO. 2004-9

ORDINANCE NO. _____

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S	S	S	S	<u>S</u>								Keeping of Carrier or Racing Pigeons

RURAL & ANIMAL RELATED	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
Keeping of Carrier or Racing Pigeons				<u>S</u>	<u>S</u>	<u>S</u>		<u>S</u>	<u>S</u>

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6 PASSED, ADOPTED and APPROVED this _____ day of _____, 2004.

7 APPROVED:

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By _____
OSCAR B. GOODMAN, Mayor

10

ATTEST:

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BARBARA JO RONEMUS, City Clerk

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APPROVED AS TO FORM:

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Sal Steel 3-15-04
Date

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7 as amended and adopted by the following vote:

8 VOTING "AYE": _____
9 VOTING "NAY": _____
10 ABSENT: _____
11

12 APPROVED:

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14 By _____
OSCAR B. GOODMAN, Mayor

15 ATTEST:
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17 BARBARA JO RONEMUS, City Clerk
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RECOMMENDING COMMITTEE AGENDA
RECOMMENDING COMMITTEE MEETING OF: MARCH 15, 2004

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:

CHIEF DEPUTY CITY ATTORNEY STEED commented that at the last meeting the Committee recommended the Council's adoption of Bill No. 2004-10. It was his intention that the changes that were discussed be incorporated in the Committee's recommendation. However, there was a misunderstanding and the record indicates that the Committee recommended the bill and the agreement as originally proposed. Hence, at the 3/17/2004 Council meeting, he would bring forward all the changes so that the correct version is adopted.

(4.06)

1-687

THE MEETING ADJOURNED AT 4:06 P.M.

Respectfully submitted:


GABRIELA S. PORTILLO-BRENNER, DEPUTY CITY CLERK
March 16, 2004